

Middlesex County Wetlands Board

Minutes

Tuesday, February 14th, 2017

Call to Order

The Tuesday, February 14th, 2017 meeting of the Middlesex County Wetlands Board was called to order by Wesley Dolezal (Chairman), at 9:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia.

Present: Wesley Dolezal – Chairman
Monica Sanders – Vice Chairman
Woodson Armstead
John Boyd

Staff present:

Dave Kretz, Director of Planning and Zoning
John Settle, Environmental Planner and Codes Compliance Officer

Also present was Jay Woodward from the Virginia Marine Resources Commission (V.M.R.C.).

Minutes

The Board considered the minutes of the Tuesday, January 10th, 2017 meeting. The motion to approve the minutes was made by Vice-Chairman Sanders, seconded by Mr. Boyd, and carried unanimously.

Public Hearings

- A. Wetlands Application # 2016-1560 submitted by GSC Commercial Services on behalf of Kevin Lowe. This request is to install 1' of armor stone on top of existing breakwater within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 45 (5) B5.**

Gary Cosby was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal began a brief period of questions and comments between the Board and the agent.

Chairman Dolezal asked Mr. Cosby to clarify where the benchmark was on this project. Mr. Cosby informed Mr. Dolezal that it was located in the general vicinity of a proposed wooden deck, and consequently could not be definitively located at that time.

There being no further questions or comments from the Board, Chairman Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Mr. Armstead, seconded by Vice-Chairman Sanders, and carried unanimously with an 18 month time limit.

B. Wetlands Application # 2016-1581 submitted by GSC Commercial Services on behalf of Matt Thompson. This request is to remove one old groin and install two new 48' groins with one 15' spur each within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 46 (7) 60.

Gary Cosby was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal began a brief period of questions and comments between the Board and the agent.

Mr. Boyd asked if the older pylons on site are to be removed during the project, to which Mr. Cosby answered in the affirmative.

Mr. Woodward reminded Mr. Cosby that permits are required for the removal of old groin pylons, and encouraged their removal.

There being no further questions or comments from the Board, Chairman Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Vice-Chairman Sanders, seconded by Mr. Boyd, and carried unanimously with an 18 month time limit.

C. Wetlands Application # 2016-1926 submitted by GSC Commercial Services on behalf of Barry Spence. This request is to replace an existing 4' wooden bulkhead with a 4' vinyl Sealock 9000 bulkhead and wooden piles in front of the existing wooden bulkhead within the Wetlands Board's jurisdiction. The proposed project is located on Sturgeon Creek, at Tax Map Parcel # 40 (25) 1A.

Gary Cosby was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal began a brief period of questions and comments between the Board and the agent.

Mr. Boyd asked if any backfill would be required behind the bulkhead- Mr. Cosby answered in the affirmative, and stated that six cubic yards of soil would be needed.

Mr. Woodward spoke at length about the advancements and specifications of vinyl bulkheads.

There being no further questions or comments from the Board, Chairman Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Mr. Boyd, seconded by Vice-Chairman Sanders, and carried unanimously with an 18 month time limit.

D. Wetlands Application # 2016-1938 submitted by R&W Marine Construction on behalf of James Tyson. This request is to construct a 125' armor stone revetment over filter cloth against the toe of a deteriorating embankment within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 43A (7) 14.

Betty Pugh was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal began a brief period of questions and comments between the Board and the agent.

Vice-Chairman Sanders noted her appreciation of Ms. Pugh's benchmark signs.

Chairman Dolezal remarked on the great quality of that particular neighborhood.

Mr. Woodward noted that this project was not in his jurisdiction.

There being no further questions or comments from the Board, Chairman Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Mr. Armstead, seconded by Mr. Boyd, and carried unanimously with an 18 month time limit.

E. Wetlands Application # 2016-2019 submitted by SBH Construction Co Inc on behalf of The Coves at Wilton Creek Owners Assoc. This request is to reconstruct an existing 80'Lx40'W community pier in the same footprint within the Wetlands Board's jurisdiction. The proposed project is located on Wilton Creek, at Tax Map Parcel # 43C (1) A.

Betty Pugh was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal began a brief period of questions and comments between the Board and the agent.

Vice-Chairman Sanders stated that she wished the applicants would consider widening the pier.

Mr. Boyd asked if the tree at the beginning of the pier was going to be removed- Ms. Pugh responded that she wasn't certain of the applicants' intentions for that tree at the time.

There being no further questions or comments from the Board, Chairman Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Vice-Chairman Sanders, seconded by Mr. Boyd, and carried unanimously with a 3 year time limit.

F. Wetlands Application # 2016-2022 submitted by GSC Commercial Services on behalf of Margaret Morland. This request is to install an additional 1.5' of rip rap on top of an existing

rip rap bulkhead within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel #s 46 (2) 6A & 46 (2) 7.

Gary Cosby was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal began a brief period of questions and comments between the Board and the agent.

Vice-Chairman Sanders asked if the remains of the older coastal structures were going to be removed- Mr. Cosby stated that they were, and that his plans would be modified to reflect this.

Mr. Woodward added that the same change would have to be made for a permit from his agency.

There being no further questions or comments from the Board, Chairman Dolezal asked for disposition of the application.

The motion to approve the application was made by Vice-Chairman Sanders, seconded by Mr. Boyd, and carried unanimously with an 18 month time limit- granted that the application be altered to include the removal of the remains of the preexisting coastal structures.

G. Wetlands Application # 2016-2026 submitted by GSC Commercial Services on behalf of Louis Heindl. This request is to install 2.5' tall class I and II rip rap marsh sill with broken concrete at its center within the Wetlands Board's jurisdiction. The proposed project is located on Moore's Creek, at Tax Map Parcel # 45-2B.

Chairman Dolezal temporarily recused himself from any involvement with this application (the applicant is his next-door neighbor), allowing Vice-Chairman Sanders to assume control of the meeting.

Gary Cosby was present to represent the application and to explain the proposed project.

Vice-Chairman Sanders opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Vice-Chairman Sanders began a brief period of questions and comments between the Board and the agent.

Vice-Chairman Sanders asked if the remains of the older coastal structures were going to be removed- Mr. Cosby stated that they were, and that his plans would be modified to reflect this.

Mr. Armstead asked Mr. Cosby where the concrete to be used in the project was coming from. Mr. Cosby responded that the applicant was involved in a concrete business, and that leftover material from that operation would be used in the project.

Mr. Woodward spoke at length on the importance of using clean broken concrete and concrete revetments in general.

Mr. Boyd asked Mr. Cosby if the shoreline would be cleared of existing makeshift revetment prior to the creation of the new revetment. Mr. Cosby responded that the applicant did not specify his intentions concerning that matter.

There being no further questions or comments from the Board, Vice-Chairman Sanders asked for disposition of the application.

The motion to approve the application was made by Mr. Armstead, seconded by Mr. Boyd, and carried unanimously with an 18 month time limit.

Chairman Dolezal reassumed his control of the meeting at this time- in the meantime, Mr. Armstead took a moment to thank the agents for their patience and hard word.

New Business:

- A. John Settle presented the proposed changes to several staff documents that directly addressed the historically vague staking requirements of the Board.**

The proposed changes were approved by general consensus of the Board, granted that an honest effort be made by Mr. Settle to notify the "known and frequent" agents of the County that a change to the wording of these staff documents has been made, and to inform them of the nature of that change.

- B. Chairman Dolezal presented his proposed change to the Board's Bylaws concerning the scope of the Board's authority to recommend civil charges in response to violations of the County's Wetlands Ordinance.**

The proposed changes were amended so that the Bylaws now reflect the corresponding Virginia Code Section. John Settle was tasked with consulting Mrs. Heather Lewis, the County Attorney, on how to best proceed with this objective.

- C. Mr. Woodward spoke on the subject of changing the Board's meeting time in emergency situations and/or situations of inclement weather.**

The Board tasked John Settle with consulting Mrs. Heather Lewis, the County Attorney, on how to best proceed with this objective.

Adjournment

Mr. Armstead made a motion to adjourn the meeting, which was seconded by Vice-Chairman Sanders and carried unanimously at approximately 10:15 A.M.

Respectfully submitted,



Wetlands Board Chair

03-14-2017
Date