

Middlesex County Wetlands Board

Minutes

January 10, 2023

Establishing a Quorum

Call to Order

The January 10, 2023, meeting of the Middlesex County Wetlands Board was called to order by Marc Longest (Staff Representative), at 10:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia.

Present: Wesley Dolezal
Woodson Armstead
John Boyd
Monica Sanders
Scotty Schafer
Staff present: Marc Longest, Environmental and Codes Compliance Officer

Absent: None

Also present was Jay Woodward from the Virginia Marine Resources Commission (VMRC).

Organizational Meeting (Election of Officers)

The motion to nominate Wesley Dolezal for Chairman was made by Mr. Boyd and seconded by Mrs. Sanders. Mr. Longest hearing no further nominations for Chairman closed nominations. Mr. Longest asked for disposition of the Board. Mr. Dolezal was elected Chairman unanimously for the 2023 calendar year.

The motion to nominate Monica Sanders for Vice Chairman was made by Mr. Boyd and seconded by Mr. Dolezal. Mr. Longest hearing no further nominations for Vice Chairman closed nominations. Mr. Longest asked for disposition of the Board. Mrs. Sanders was elected Vice Chairman unanimously for the 2023 calendar year.

Minutes

The Board considered the minutes of the December 13, 2022, meeting. The motion to approve the minutes was made by Mr. Armstead and seconded by Mr. Boyd and carried unanimously.

Public Hearings

A. Wetlands Application # 2022-0598 submitted by Langley & McDonald on behalf of MHC Bayport RV LLC. This request is to extend existing pier landward for ADA access within the Wetlands Board's jurisdiction. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 2-35 & 2-35A. 623 Bayport Rd

THIS PROJECT WAS NOT HELD FOR PUBLIC HEARING, AGENT WISHED TO REMOVE THIS PROJECT FOR THE BOARD'S AGENDA. READVERTISEMENT WILL BE REQUIRED.

B. Coastal Primary Sand Dune Application # 2022-2378 submitted by Julie H. Wilson. This request is to replace a 40' long X 2.5' tall jetty in same footprint within the Wetlands Board's jurisdiction. The proposed project is located on Chesapeake Bay, at Tax Map Parcel # 41-44-12. 73 South Chesapeake BLVD

Terry Emerson was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

John Kida spoke and wanted clarification of the difference between a jetty and a groin. This is a groin, but the term jetty has been referenced for years.

Katherine Warren questioned the easement, site survey or site visits, and wanted to discuss the size/location of the easement. – staff and chairman advised that as presented, the project was not in the easement, all issues with the easement were a civil matter and not part of the discussion of the board nor could the board make any determinations of the use of such easement.

Mary Lou S. was concerned about the access and ROW, agent would access on the opposite side of the property, thus not blocking the easement.

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. Armstead, Mr. Boyd, Mr. Schafer, and Mrs. Sanders had no comment. Chairman Dolezal noted the fetch for living shoreline, damage would be fixed and no further impact of beaches and dunes. Mr. Woodward stated a permit from VMRC would be required.

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 and seconded by Mrs. Sanders and carried unanimously with an 18-month time limit

C. Coastal Primary Sand Dune Application # 2022-2379 submitted by William Ashley Burgess. This request is to remove and replace in existing footprint a 60' X 2.5' tall jetty, remove existing 15' jetty within the Wetlands Board's jurisdiction. The proposed project is located on Chesapeake Bay, at Tax Map Parcel # 41-44-10. 89 South Chesapeake BLVD

Terry Emerson 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. Armstead, Mr. Boyd, Mrs. Sanders, and Mr. Schafer had no comment. Chairman Dolezal noted the living shoreline statement, repair damage and that there was not further loss. Mr. Woodward stated VMRC would need a permit for groin.

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 and seconded by Mr. Boyd and carried unanimously with an 18-month time limit

D. Wetlands Application # 2022-2437 submitted by Mary Barron. This request is for replacing 338' timber bulkhead with new 350' bulkhead within the Wetlands Board's jurisdiction. The proposed project is located on the Piankatank River, at Tax Map Parcel # 46(4)36. 471 Stove Point Rd

Michelle Meredith 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 stated that a living shoreline would not work at this location and that stone would be a better choice. Mr. Boyd questions the fill and location but wanted to know if the owner thought the wall would last – yes per agent. Mr. Armstead had no comment. Mr. Sanders questioned the material wood or vinyl – agent stated vinyl, but application has wood – makes no difference on approval. Mr. Schafer had no comment. Mr. Woodward stated the project was above MLW and would not require a permit but would recommend that the owners investigate the nourishment of the beach and fix structures to help build the beach. Mr. Longest stated the project would need a RPA Permit.

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 Mrs. Sanders and seconded by Mr. Boyd and carried unanimously with an 18-month time limit with the following condition: **mitigation of 12 SQFT of Non-Vegetated Wetlands Impact of .50 cent per SQFT.**

E. Wetlands Application # 2022-2515 submitted by James C. Ligman. This request is to install 40' long by 6' tall by 10' at base 1A Rip Rap to stop erosion within the Wetlands Board's jurisdiction. The proposed project is located on the Piankatank River, at Tax Map Parcel # 43-32B. 177 Ballantyne Drive

Terry Emerson 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. Armstead, Mr. Boyd, Mrs. Sanders, and Mr. Schafer had no comment. Chairman Dolezal discussed the living shoreline statement, access for property – landward with access path – and repair damage – yes. Mr. Woodward had no comment.

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 and seconded by Mrs. Sanders and carried unanimously with an 18-month time limit with the following conditions: **mitigation of 400 SQFT of Non-Vegetated Wetlands Impact of .50 cent per SQFT**

Old Business:

A. Coastal Primary Sand Dune Application # 2022-2294 submitted by Ernest Carlson. This request is for the installation of 56' Groin with a 16' Spur within the Wetlands Board's jurisdiction. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 40(5)D2A. 1546 North End Rd

There is no update for this request, tabled to next meeting.

New Business:

Mr. Schafer is a full member.

Adjournment:

Mr. Armstead made a motion to adjourn the meeting; it was seconded by Mr. Boyd and carried unanimously.

Respectfully submitted,

Wetlands Board Chair

Date