

Middlesex County Wetlands Board

Minutes

March 9, 2021

Establishing a Quorum All 5 Members Present

Call to Order

The March 9, 2021 meeting of the Middlesex County Wetlands Board was called to order by Chairman Dolezal, at 10:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia.

Present: Wesley Dolezal

Monica Sanders

Woodson Armstead

Jean Rhame

David Laughton

Staff present: Marc Longest, Environmental & Codes Compliance Officer

Absent: John Boyd

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

Minutes

The Board considered the minutes of the February 9, 2021 meeting. The motion to approve the minutes was made by Mr. Laughton and seconded by Mrs. Sanders and carried unanimously.

Public Hearings

A. **Wetlands Application # 2020-1838** submitted by Harold Collins, Jr. This request is to construct 140'X5' vinyl bulkhead within the Wetlands Board's jurisdiction. The proposed project is located on Meacham Creek, at Tax Map Parcel # 29A(3)5. 122 Cox Landing

Odis Cockrell 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.

Mrs. Sanders and Mrs. Rhame agreed with the Handicap Access and the project site looks cleaner. Mr. Laughton had no comment. Chairman Dolezal required that the signature page be submitted for the revision. Mr. Woodward asked for clarification of the Boards Jurisdiction. Discussion of the location and impacts that determined the Boards Jurisdiction were explained.

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. Armstead and carried unanimously with an 18 Month time limit.

B. **Wetlands Application # 2020-1922** submitted by Delta Marine Construction on behalf of Kevin Humphreys. This request is to construct 16' of seawall installed from rip rap end to the creek that runs along the property line with (2) 6' turnback's 4' tall within the Wetlands Board's jurisdiction. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 28B-3-6. 101 Brandon Point Road

Roberto with Delta Marine 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. Laughton and Mr. Armstead had no comment. Mrs. Sanders stated it needs protection. Mr. Rhame stated it was an extension of the Rip Rap. Chairman Dolezal question access – upland – and if damaged would be repaired – yes. Mr. Woodward stated it was pulled back as far as they could.

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. Laughton and seconded by Mrs. Sanders and carried unanimously with an 18 Month time limit.

D. **Coastal Primary Sand Dune Application # 2020-2294** submitted by Gregory Ullmann. This request is for A-T-F 100' X 5' Rip Rap within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 41-37-7.

Gregory Ullmann 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 there was an issue with stone over the property line – owner states that neighbor is fine with stone, no adverse possession – we will not issue any approval for stone on neighbor's property. Mr. Laughton and Mrs. Sanders stated it was a job well done and necessary. Mr. Armstead had no comment. Mrs. Rhame felt it was good for erosion -- owner stated it need protection from storm and most protective measures were gone, decision was made is hast, but needed to stop erosion. Mr. Woodward stated we should require an explanation as to why a Living Shoreline was not considered.

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. Laughton and seconded by Mr. Armstead and carried unanimously with an 18-month time limit with the following conditions:

Provide a statement expressing why a living shoreline was not considered for the property.

E. **Wetlands Application # 2021-0141** submitted by George Kern. This request is for 60 feet of rip rap revetment within the Wetlands Board's jurisdiction. The proposed project is located on Urbanna Creek, at Tax Map Parcel # 19E (3)12. Red Hill Drive

George Kern 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. Laughton, Mrs. Sanders, and Mr. Rhame stated it was necessary. Mr. Armstead and Chairman Dolezal had no comment. Mr. Woodward stated the living shoreline statement was reasonable.

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. Laughton and carried unanimously with an 18 Month Time Limit

F. **Coastal Primary Sand Dune Application # 2021-0268** submitted by Scott Brannan Stove Point Rds. Committee. This request is for a 2' wide by 18" deep by 26' long trench, installing 8" double wall corrugated drainpipe with a flared collar with check valve, backfilling area with sand and vegetation within the

Wetlands Board's jurisdiction. The proposed project is located on Fishing Bay, at Tax Map Parcel # 40(50)B1. 78 Ruarks Lane

Michelle Meredith was present to represent the application and to explain the proposed project. Explained that the site location would switch if powerline was in the location and that they were reducing the size of the pipe due to check valve availability.

Chairman Dolezal opened the hearing for comments from the public.

No one spoke but it was noted that several letters were sent in support of the project.

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. Laughton stated it was needed due to flooding. Mrs. Sanders questioned if VDOT would fix – no private road. Chairman Dolezal stated no impacts listed, modification did not show expansion, and this typically does not get the approval, but the benefits outweigh the negative. Mrs. Rhame supported approval. Mr. Armstead had no comment. Mr. Woodward stated it would be temporary impact, but dune would grow back.

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 Mrs. Rhame and carried unanimously with an 18-month time limit with the following conditions:

Submittal of revised plans showing the changes in design.

G. **Coastal Primary Sand Dune Application # 2021-0269** submitted by Scott Brannan Stove Point Rds. Committee. This request is for a 2' wide by 18" deep by 28' long trench, installing 8" double wall corrugated drainpipe with a flared collar with check valve, backfilling area with sand and vegetation within the Wetlands Board's jurisdiction. The proposed project is located on Fishing Bay, at Tax Map Parcel # 40(49)A. 1215 Fishing Bay Rd

Michelle Meredith was present to represent the application and to explain the proposed project. Explained that the site location would switch if powerline was in the location and that they were reducing the size of the pipe due to check valve availability.

Chairman Dolezal opened the hearing for comments from the public.

No one spoke but it was noted that several letters were sent in support of the project.

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 this was the same as prior application. Mrs. Sanders stated it was smaller pipes as prior. Mr. Laughton stated it was less impact. Mr. Armstead 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 Mrs. Sanders and seconded by Mrs. Rhame and carried unanimously with an 18-month time limit with the following conditions:

Submittal of revised plans showing the changes in design.

C. **Wetlands Application # 2020-2221** submitted by Brian Marron. This request is to install Envirolok Bags planted with marsh grass for 50 LF x 4' high at the shoreline against the steep bank adjacent to the Client's dock on Moore Creek. To the north and south of these bags, a 179 LF perimeter of ReadyReefs out to MLW will be installed, with backfilled sand and planted with marsh grass to make a living shoreline. Against the bank, 143 LF x average of 3' high more Envirolok bags will be stacked to prevent erosion higher up the bank. All work is above MLW, except where reefs diverge out to create 5' gap within the Wetlands Board's jurisdiction. The proposed project is located on Moores Creek, at Tax Map Parcel # 40-82-41. 160 Wooldridge Cove

No One was present to represent the application and to explain the proposed project.

Project was tabled to the end of meeting to allow agent or owner to attend.

Project was presented at the end of the public hearing.

No One 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.

No questions were asked as the agent and owner were not present.

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

The motion to Table the application to the following meeting was made by Mr. Armstead and seconded by Mrs. Sanders and carried unanimously.

Old Business:

None

New Business:

Rufus Ruark Commercial Permit will be issued with No Permit Needed from the Wetlands Board

Discussion of new regulations. Advised all that public comment period is the month of March. Please read and know the changes that are coming with new guidance.

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