

## Middlesex County Wetlands Board

### Minutes

September 12, 2023

#### Call to Order

The September 12, 2023, 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  
Scotty Schafer  
John Boyd  
Alternate: Chris Brewington  
Jay Woodward & Khadijah Payen, VMRC Representatives  
Staff present: Marc Longest, Environmental and Code Compliance Officer  
Absent: Woodson Armstead

#### Minutes

The Board considered the minutes of the August 8, 2023, meeting. The motion to approve the minutes was made by Mr. Boyd and seconded by Mrs. Sanders and carried with a 5-0 vote.

## Public Hearings

**A. Wetlands Application # 2023-1587 submitted by Alton Copley, Jr. This request is to install 180' of rip rap revetment and associated backfill along eroding base of 30'+ tall bank within the Wetlands Board's jurisdiction. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 28-11-1. 40 Wharf Court**

Joey Scott was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public. (10:08:20-10:08:30 AM)

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 questioned the sewage pipe – agent unclear with plans as they are in litigation, this project is to fix the shoreline issue and address the upland later. Mrs. Sanders, Mr. Schafer, and Mr. Brewington had no comment. Chairman Dolezal noted the living shoreline statement, RPA Permit for access – yes – non-vegetated fill fee of 480 SQFT X .50¢ -- yes – repair damage – yes. Mr. Woodward stated landward of MLW, no permit 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 with conditions, was made by Mr. Boyd and seconded by Mrs. Sanders and carried with a 5-0 Vote with a 3 Year time limit with the following condition: mitigation of 480 SQFT x .50¢ of non-vegetated wetlands loss.

**B. Wetlands Application # 2023-1681 submitted by SBH Construction Co., INC on behalf of GIP & Rivah Nancy, LLC C/O Michael Muldowney. This request is to install 20 linear feet of Rip-Rap on filter cloth to close gap of unprotected uplands with fill in the eroded area to support structure and landward end of pier within the Wetlands Board's jurisdiction. The proposed project is located on the Piankatank River, at Tax Map Parcel # 45(10)1. 6 Bland Point Road**

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

Chairman Dolezal opened the hearing for comments from the public. (10:19:12-10:19:21 AM)

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 backfill would be seeded – yes. Mrs. Sanders, Mr. Schafer, and Mr. Brewington had no comment. Chairman Dolezal noted the living shoreline statement, site access – to the side of the building or barge – damage/repairs – yes, they would be fixed per contract, and mitigation of 80 SQFT x .50¢ of non-vegetated wetlands loss – yes per agent. Mr. Woodward, no permit, above MLW.

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 with conditions, was made by Mr. Boyd and seconded by Mrs. Sanders and carried with a 5-0 Vote with a 3 Year time limit with the following condition: mitigation of 80 SQFT x .50¢ of non-vegetated wetlands loss.

**C. Wetlands Application # 2023-1696 submitted by Jason Murphy. This request is to install new 80' vinyl bulkhead directly channelward of existing timber bulkhead, 12' return on Northern end, and 32' return on Southern end within the Wetlands Board's jurisdiction. The proposed project is located on Mill Creek, at Tax Map Parcel # 30 (7) 8B. 18 Clarke Road**

Michelle Meredith was present to represent the application and to explain the proposed project. Mrs. Meredith noted that applicant will place bulkhead in same footprint, revise drawings, no impacts.

Chairman Dolezal opened the hearing for comments from the public. (10:30:08-10:30:15 AM)

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 they had considered stone – lose of more land with stone, wants bulkhead, and cost of stone high. Chairman Dolezal noted that agent will place in the same footprint, no impacts, no readvertised and damage would be fixed. Mr. Woodward stated No Permit with revision.

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 with conditions, was made by Mr. Boyd and seconded by Mr. Schafer and carried with a 5-0 Vote with a 3 Year time limit with the following condition: submittal of revisions with bulkhead placed in same footprint.

**D. Wetlands Application # 2023-1795 submitted by Dennis Wharton. This request is to install 50' of rip rap revetment, Class A1 Stone, along eroding base of vegetated bank within the Wetlands Board's jurisdiction. The proposed project is located on Urbanna Creek, at Tax Map Parcel # 19-193A. 72 Bucks Landing Road**

Joey Scott was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public. (10:40:10 AM)

Dennis Wharton – stated he has been fixing up property, jet skis cause wake, oyster bed not high enough, and revetment would work better in this situation.

There being no additional comments, the public portion of the hearing was closed. (10:41:45 AM)

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

Mr. Brewington asked about access – barge or they would need to do by hand with wheelbarrows. Mrs. Sanders and Mr. Schafer had no comments. Mr. Boyd asked about pine stump – they plan to cut it at grade and place stone on top. Chairman Dolezal stated living shoreline statement was provided, rock was an impact not a loss, and agent agreed to repair any damage. Mr. Woodward discussed project issues next door, and the Board working on projects with property owners.

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 Mr. Brewington and carried with a 5-0 Vote with a 3 Year time limit.

**Old Business:**

**New Business:**

**Changes need to be made to the Wetlands and Beaches/Dunes Ordinances.**

**Update fee schedule in books.**

**Placement of Mr. Armstead's name plate at his seat.**

Adjournment:

In honor of Mr. Armstead, Mr. Boyd made a motion to adjourn the meeting; it was seconded by Mrs. Sanders and carried 5-0 Vote.

Respectfully submitted,

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Wetlands Board Chair

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Date