

# Middlesex County Wetlands Board

## Minutes

April 13, 2021

### Establishing a Quorum All 5 Members Present

#### Call to Order

The April 13, 2021 meeting of the Middlesex County Wetlands Board was called to order by Chairman Dolezal, at 10:08 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia.

Present: Wesley Dolezal

Monica Sanders

Woodson Armstead

John Boyd

David Laughton

Staff present: Marc Longest, Environmental & Codes Compliance Officer

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

#### Minutes

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

## Public Hearings

A. **Wetlands Application # 2021-0147** submitted by R. Forrest Powell, Jr. This request is to install 60 linear feet of rip rap revetment (Class A1 Stone) channelward of existing failing timber bulkhead within the Wetlands Board's jurisdiction. The proposed project is located on Meachim Creek, at Tax Map Parcel # 30A (1)32. 86 Holloway Dr

Joey Scott 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 stated it was necessary. Mr. Boyd had no comment, same for Mr. Armstead. Mr. Woodward stated it had a living shoreline statement and would need a VMRC permit. Mr. Laughton stated it was a good project. Chairman Dolezal stated it was a high bank and water depth were indicators that a living shoreline was not feasible at this site.

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

B. **Wetlands Application # 2021-0187** submitted by Diana Joyner. This request is for removal of existing bulkhead, installation of a 2'X2'X68' vinyl bulkhead at base of the embankment, backfill with clean sand and topsoil, Living Shoreline Group 2 consisting of a Marsh Sill (74'X6'x2.5' 29' with 4' window and then 45'), clean backfill sand, and then plant alterniflora within the Wetlands Board's jurisdiction. The proposed project is located on Sturgeon Creek, at Tax Map Parcel # 40(27)8. 146 Circle Dr

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.

Mr. Boyd and Mr. Armstead had no comment. Mr. Laughton stated it was well thought out. Mrs. Sanders stated it would do well. Chairman Dolezal confirmed the access of the project and that it was a hybrid project with a living shoreline addition to the process. Mr. Woodward stated it would need a permit from VMRC.

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.

C. **Wetlands Application # 2021-0203** submitted by Louis Muoio. This request for the construction of 84 feet of stone revetment and associated bank grading within the Wetlands Board's jurisdiction. The proposed project is located on Sturgeon Creek, at Tax Map Parcel # 40(30)77. 160 Creekshore Dr

Karla Havens 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 stated it was all they could do. Mrs. Sanders was fine with the project. Mr. Boyd and Mr. Armstead had no comment. Chairman Dolezal stated we had the living shoreline statement and access would be landward of project. Mr. Woodward stated no permit and no comment other than needing the living shoreline statement.

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 Mr. Armstead and carried unanimously with an 18-month time limit.

D. **Wetlands Application # 2021-0228** submitted by Corbett Quentin. This request is to remove and replace 4' tall X 40' long wooden jetty within the Wetlands Board's jurisdiction. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 28B-4-2. 451 Brandon Point

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. Laughton disrepair and needs replacement as does Mrs. Sanders view. Mr. Armstead and Mr. Boyd had no comment and no problems. Chairman Dolezal stated it was more in VMRC jurisdiction. Mr. Woodward stated no sand proposed and that it would build up to a living shoreline.

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. Laughton and carried unanimously with an 18 Month Time Limit

E. **Wetlands Application # 2021-0236** submitted by Mildred W. Shackleford Irrvoc Family Trust. This request is to place a new 77' vinyl bulkhead against existing bulkhead, replace 12' return wall, and replace 18' return wall within the Wetlands Board's jurisdiction. The proposed project is located on the Piankatank River, at Tax Map Parcel # 43(6)4. 97 Drum Point Lane

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.

Mr. Laughton, Mrs. Sanders, Mr. Armstead, and Mr. Boyd had no comment. Chairman Dolezal stated it was only 44 Square Feet of impact in the Boards Jurisdiction and mostly VMRC. Mr. Woodward stated that the explanation in #10 on Page 8 of the JPA was sufficient for a living shoreline statement.

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 Mr. Armstead and carried unanimously with an 18-month time limit.

F. **Wetlands Application # 2021-0248** submitted by Southern Landscaping on behalf of Ralph Bullock. This request is to add 20' of Class I Rip Rap to existing Revetment on the West Side and 60' of Class I Rip Rap on the East Side within the Wetlands Board's jurisdiction. The proposed project is located on Montgomery Cove, at Tax Map Parcel # 41-105. 823 Timberneck Rd

Mo Bloxom 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 stated it was necessary. Mrs. Sanders had no comment. Mr. Boyd and Mr. Armstead had no problem. Chairman Dolezal discuss the drawings and how the project would be accessed – upland. Mr. Woodward stated it falls more a Beaches and Dunes, needed a living shoreline statement (was provided March 11) and no VMRC 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.

G. **Wetlands Application # 2021-0501** submitted by Stove Point Roads Comm. This request is for digging 1' wide by 12" deep by 35' long trench, installing double wall corrugated drainpipe with a 4'X6" drop inlet at Fishing Bay Road and a check-valve 1/4 way up on the Fishing Bay water site, then back filling with sand and vegetation. within the Wetlands Board's jurisdiction. The proposed project is located on Fishing Bay, at Tax Map Parcel # 40(48)1. 1289 Fishing Bay Rd

Michelle Meredith was present to represent the application and to explain the proposed project. Mrs. Meredith advised the Board that the double wall pipe was reduced down to 4" not the original 8".

Chairman Dolezal opened the hearing for comments from the public.

Mr. Ed Ruark was present to list his concerns of the proposed project:

1. Who is legally responsible for it not working?
  - a. The road committee
2. Moves more water to Fishing Bay.
  - a. Natural Erosion of the Berm
3. 1000+ Cars are travelling on road.
  - a. Concerns of pollutants from cars
  - b. Busy Road
4. Stated that it was 12' from his property.
  - a. Nobody is to step foot on his property, no sand disturbed, and no equipment placed.
5. Recommended that the pipe be temporary.
- 6.

Chairman Dolezal stated that we have support from the Fishing Bay Yacht Club, property owners, and that the benefits of keeping the road clear would out weight the other concerns for safety issues. In addition the Fire Department and Rescue Squad stated that they had safety concerns over the flooding of this portion of the road and the frozen conditions during winter time. 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. Armstead stated the road needs to be built up. Chairman Dolezal stated that they should monitor and maintain this for the road. Mrs. Sanders stated it was a Hazard with the water height on the road. Mr. Woodward stated that with less water on the road, there should be less oil and contaminants into the water way. Mr. Woodward stated that each property would need to apply for the ditches and that access was only granted on those properties that applied for the project. No Jurisdiction for VMRC.

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

**Old Business:**

A. **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

Chris Davis was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

No Public Portion, held at prior meeting.

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

Mr. Laughton and Mrs. Sanders stated it was a well thought out plan. Mr. Boyd and Mr. Armstead had no comments. Chairman Dolezal stated it was adding plants and would have a two-year plant monitoring plan. Mr. Woodward stated it was a great plan but did not mee the general permit and would be considered a living shoreline.

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 4-0-1 Vote due to an alternate Board member hearing the meeting prior, but is not with the Board.

**New Business:**

**Discussion of letter to be sent on behalf of the Wetlands Board for the Wetland Guidelines that were proposed by VMRC with VIMS. The Board agreed to have Chairman Dolezal and Marc Longest, Staff, prepare a response.**

Adjournment:

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

Respectfully submitted,

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Wetlands Board Chair

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Date