

A regular meeting of the Westmoreland County Wetlands Board was held on Monday, July 20, 2009, in the General District Courtroom, in the George D. English, Sr. Memorial Building, Montross, Virginia. Those members present were, Austin Magill, Jerry Mulholland, Kelvin Johnson, Elgin Nininger, Jane Gaynor. Charlie Wrightson, Planner and Dan Bacon, VMRC representative, were also present.

### **CALL TO ORDER**

Chairman Magill called the meeting to order at 1:30 p.m. The roll was called and a quorum was declared.

### **PRIOR MINUTES**

Chairman Magill asked if everyone on the Board had received copies of the June meeting minutes. He then asked if there were any additions or corrections to the June 2009 minutes. Mr. Mulholland moved that the minutes be approved as submitted. Mr. Nininger seconded, the motion carried unanimously.

WETLAND CASE # 1090 - BARBARA CAMP, P.O. BOX 97, COLONIAL BEACH, VA 22443 AND BAYSHORE DESIGN, P.O. BOX 339, KINSALE, VA 22488- REQUEST TO CONSTRUCT 1,335 SQ. FT. OF TIMBER BULKHEAD WITH ASSOCIATED FILL AND GRADING AND VEGETATED COVER. LOCATION: CAMP'S SUBDIVISION, LOT E AS SHOWN ON TAX MAP 6L, ALSO KNOWN AS 141 WATERVIEW POINT, WASHINGTON MAGISTERIAL DISTRICT. VMRC# 09-0374

After discussion, VIMS report and public comment, Mr. Mulholland moved to approve Case # 1090 with the condition that the contractor be admonished to take required precautions to protect wetlands during replacement bulkhead construction. The motion was seconded by Mrs. Gaynor and carried with a unanimous vote with a 3 year approval. Chairman Magill advised the applicant/agent that there was an appeal process which requires that there be a ten-day waiting period prior to starting construction.

WETLAND CASE 1099 - MARK SPOONER, 8209 TAUNTON PLACE, SPRINGFIELD, VA 22152 AND BAYSHORE DESIGN, P.O. BOX 339, KINSALE, VA 22488- REQUEST TO PLACE 349 SQ. FT. OF RIP-RAP AGAINST TOE OF ERODING BANK. LOCATION: VAUGHN'S LANDING SUBDIVISION, LOT 8 AS SHOWN ON TAX MAP 36G, ALSO KNOWN AS 1923 FEDERAL FARM ROAD, MONTROSS MAGISTERIAL DISTRICT. VMRC#09-0658

After discussion, VIMS report and public comment, Mr. Johnson moved to approve Case # 1099 with the understanding that compliance with County Codes and Regulations are adhered to. The motion was seconded by Mr. Mulholland and carried with a unanimous vote with a 3 year approval. Chairman Magill advised the applicant/agent that there was an appeal process which requires that there be a ten-day waiting period prior to starting construction.

WETLAND CASE # 1100- DON & PAT PRETSCH, 5237 CLIFTON ST., ALEXANDRIA, VA 22312- SALLY HORNER, 831 RIVERVIEW ROAD, MONTROSS, VA 22520 - REQUEST TO REPLACE 200 FEET OF BULKHEAD, THREE (3) 36 FOOT GROINS AND REPAIR TWO (2) 48 FOOT GROINS; RICHARD LEE, 929 RIVERVIEW ROAD, MONTROSS, VA 22520 REQUEST TO REPLACE ONE (1) 48 FOOT GROIN; BETTY HORNER, 1975 LONGWOOD ROAD,

MONTROSS, VA 22520, REQUEST TO REPLACE 377 FEET OF BULKHEAD, THREE (3) 80 FOOT GROINS AND FIVE (5) 48 FOOT GROINS AND DEAN HORNER AND GARNETT HORNER JR. 1179 LONGWOOD ROAD, MONTROSS, VA 22520 -REQUEST TO REPAIR 162 FEET OF BULKHEAD, THREE (3) 48 FOOT GROINS AND REPLACE TWO (2) 36 FOOT GROINS. LOCATION: PROPERTY EXTENDS FROM TAX MAP 12, LOT 5 TO TAX MAP12C, SECTION 1, LOT 4 WASHINGTON MAGISTERIAL DISTRICT. VMRC # 09-0527

After discussion, VIMS report and public comment, Mr. Mulholland moved to approve Case # 1100 The motion was seconded by Mr. Nininger and carried with a unanimous vote with a 3 year approval. Chairman Magill advised the applicant/agent that construction could be started immediately on the replacement bulkhead as soon as proper permits were obtained otherwise there was an appeal process which requires that there be a ten-day waiting period prior to starting new construction.

### **OTHER MATTERS**

WETLAND CASE # 1098 - GERALD & CECELIA LAZZARO, 185 SHELLFIELD LANE, COLONIAL BEACH, VA 22443 AND BAYSHORE DESIGN L.L.C, P.O. BOX 339, KINSALE, VA 22488 - REQUEST TO CONSTRUCT A 145' TIMBER BULKHEAD WITH RIP-RAP SCOUR PROTECTION ADJACENT TO SEVERELY ERODING HIGH BANK. GRADE AND BACKFILL BEHIND BULKHEAD AND ESTABLISH VEGETATED COVER. LOCATION: SHELLFIELD SHORES SUBDIVISION, LOT 4, AS SHOWN ON TAX MAP 2C, WASHINGTON MAGISTERIAL DISTRICT. VMRC# 09-0537

During the June meeting, Mrs. Gaynor moved to approve Case # 1098 as submitted. The motion was seconded by Mr. Johnson, however, on June 25, 2009 the Marine Resources Commission advised the applicant and the County that the case was being reviewed because wetlands were being impacted without compensation. The applicants now have a mitigation plan that will meet the requirements to compensate for the unavoidable wetlands impacts and request that the board approve the revised plans. Mrs. Gaynor motioned to accept Wetland Case#1098 as modified. Mr. Johnson seconded, the motion carried with a unanimous vote.

### **ADJOURNMENT**

There being no other business to come before the Board, Mrs. Gaynor moved that they adjourn. Mr. Mulholland seconded, the motion carried by unanimous vote with the meeting adjourning at 3:10 p.m.