

A regular meeting of the Westmoreland County Wetlands Board was held on Monday, August 18, 2025 in the George D. English, Sr. Memorial Building, 111 Polk Street, Montross, Virginia. This meeting was also live-streamed and recorded for the public on the Westmoreland County website. The members present were: Kelvin Johnson, Jane Bergeron, Elgin Nininger, Holly Harman, and Jerry Mulholland. Charlie Wrightson was also present. Jeff Madden and Olivia Upton, Virginia Marine Resources Commission (VMRC) representatives, were in attendance.

CALL TO ORDER

Chairman Johnson called the meeting to order at 1:30 PM. The roll was called and a quorum declared.

PRIOR MINUTES

Chairman Johnson asked if everyone on the Board had received copies of the July 2025 meeting minutes. Mr. Mulholland moved to approve the minutes as presented. Mr. Nininger seconded the motion, and the minutes for July were approved with four votes in favor of the motion. Ms. Harman abstained as she did not attend the July meeting.

CASE# 1494- Stratford Harbour Property Owners Association Inc. 2657 North Independence Drive Montross VA 22520 and agent Bayshore Design LLC 8518 Cople Highway Hague VA 22469 request Wetlands Board approval to construct an armor stone revetment and breakwater, with beach nourishment and plantings. This project is located on Monument Drive at the SHPOA community beach. TM# 23C-C, Montross Magisterial District. VMRC# 25-1592

Mr. Wrightson first presented a letter from Patricia Lee and Deborah Beauchamp asserting that the applicants do not own the land between Mean High Water and Mean Low Water and therefore don't have riparian rights. He further explained that he isn't able to make a determination related to property ownership and that he would defer to the applicant on that matter.

Mr. Wrightson then presented both this case and the following case on the agenda collectively, as they are adjacent properties and the projects appear to tie into one another. He also read two emails from adjacent landowners—Tom & Rose Fleishman and Charles & Paula Wilde—into the record.

Craig Palubinski, agent for the landowner, spoke on the project. He briefly described the installation of three armor stone groins on the SHPOA beach (four were permitted) in 2008. He explained that, due to erosion and accretion of sand over time on the shoreline, both SHPOA and Mr. Canaday now have riparian rights. He then provided further details on the projects. Mr. Palubinski confirmed that Ms. Patricia Lee (and the other Hollis Island landowners) were notified of the project as adjacent landowners. Mr. Madden with VMRC suggested to the Board that a current survey plat could help to address questions of riparian ownership.

Chairman Johnson then opened the meeting for public comment. Patricia Lee stated that the groins installed in 2008 are causing the erosion on Mr. Canaday and her properties. She also inquired why she was not notified of the meeting, and staff explained that notification was sent to co-owner Tam Foxwell's address, which is the address of record with the County.

Charlotte Moss, member of the community, stated that she has not yet been provided details on this project by SHPOA. She has unanswered questions including the cost, the contractor, the potential impact on the road, etc. John Mead, representative for the SHPOA board, explained that some details of the project have been provided at board meetings but that the construction details haven't yet been finalized. He also stated that they had the land surveyed within the last year and they are confident that the waterfront is SHPOA property.

Nancy Armour, member of the community, expressed her concern about the lack of publication about the proposal and questioned the timing of SHPOA board's decision in relation to the Wetlands Board's action.

Mr. Mulholland questioned Ms. Lee about her statement that the groins caused erosion. She explained that groins interrupt sand flow downstream and that she is opposed to the project because she believes that it will increase erosion on her property.

Mike Richards, member of the community, described a wooden wall that previously protected this area and stated that its loss contributed greatly to the current erosion issues. Mr. Palubinski explained the background of the timber "break wall" that Mr. Richards referenced. He also discussed the seasonal changes in sand flow in the area.

Mr. Wrightson outlined the shoreline permitting process for the understanding of the audience, stressing that applicants may build less than an approved project but not more.

Patricia Richards of Summer Drive stated that she has observed the erosion and is in favor of protecting Mr. Canaday's property.

Ms. Harman questioned Jeff Madden, VMRC representative, about the project's potential for erosion on other properties. He responded that the project is consistent with his agency's guidelines for incorporating a living shoreline into shoreline protection projects.

Mr. Nininger stated that he has observed the impact of groins on sand flow. Mr. Mulholland questioned the effectiveness of breakwaters in other locations in the County including Colonial Beach and Westmoreland State Park. Mr. Wrightson stated that the breakwaters at the park are functioning extremely well. Mr. Mulholland ask how they impact the neighbors, but Mr. Wrightson pointed out that the park property includes the surrounding shoreline.

There being no further discussion, Mr. Mulholland moved to approve Case # 1494 as submitted for three years. Ms. Bergeron seconded the motion, and Case # 1494 was approved with unanimous vote.

Chairman Johnson advised the agent/applicant that there is an appeal process, which requires that

there be a 10-day waiting period prior to starting construction. Mr. Madden clarified that appeals are permissible within 10 days either by the applicant or by at least 25 “freeholders” (landowners).

CASE # 1495- William Canaday 118 Summer Drive Montross VA 22520 and agent Bayshore Design LLC 8518 Cople Highway Hague VA 22469 request Wetlands Board approval to construct an armor stone revetment and breakwater, with beach nourishment and plantings. This project is located at 118 & 124 Summer Drive Montross. TM# 23C-168&169. Montross Magisterial District. VMRC# 25-1368

Charlie Wrightson presented the case to the Board and explained that his pictures displayed earlier in the meeting also included this property. Craig Palubinski, representative from Bayshore Design, further described the project.

Mr. Mulholland asked about the ends of the breakwaters, which bend slightly away from the shoreline. Mr. Palubinski explained that it was intended to reduce the wave action of the water.

Mr. Madden had no comments on the project. Sharon Shomette spoke in support of the project, stating that it would mutually beneficial to the community. Patricia Richards expressed that something needs to be done to protect the shoreline from erosion. Mr. Wrightson told the audience that digital plans may be provided upon request to the Land Use office.

On motion, Ms. Harman moved to approve Case # 1495 as presented for three years. Mr. Mulholland seconded the motion, and Case # 1495 was approved by unanimous vote.

Chairman Johnson advised the agent/applicant that there is an appeal process, which requires that there be a 10-day waiting period prior to starting construction.

OTHER MATTERS

Mr. Wrightson explained that Mr. Madden is still working on the presentation related to the new process for handling wetland fills and impacts. Mr. Madden stated that information will be provided to the Board at an upcoming meeting. Mr. Wrightson also informed the Board that the Army Corps is becoming more involved with Joint Permit Applications officially starting in September 2, 2025.

ADJOURNMENT

There being no other business to come before the Board, Ms. Harman moved that they adjourn. Mr. Nininger seconded, and the motion carried by unanimous vote with the meeting adjourning at 2:37 PM.

Chairman