

Middlesex County Wetlands Board Minutes

April 13, 1999

**Call to Order**

The April 13, 1999 meeting of the Middlesex County Wetlands Board was called to order by Chairman Sherman T. Holmes at 9:00 A.M. in the Boardroom of the Woodward Building, Saluda, Virginia.

Present: Chairman Sherman T. Holmes  
Mr. Elliot Reed  
Mr. B. Ulman Miller  
Mr. M. Dale Taylor

Absent: Mr. Woodson Armstead

Staff present: Thomas Jordan, Planner  
Tim Wilson, Planning Director

Also present was Mr. Chip Neikirk from the Virginia Marine Resources Commission.

**Minutes**

The Board considered the minutes of the March 9, 1999 meeting. On a motion by Mr. Miller and a second by Mr. Reed, the minutes were approved unanimously.

**Public Hearing**

Chairman Holmes opened the public hearing, and the Middlesex County Wetlands Board took action on the following applications:

A. Suzanne Berry – Application #99-0180

Chairman Holmes read the proposal of Mrs. Berry to maintenance dredge and for disposal of the spoil material. This project is located on the Hunton Creek, Tax Map #40 (9) 5.

Mr. Roger McKinley, agent for Mrs. Berry was present to answer any questions from the Board.

Mr. Holmes advised the Board members and the public that the revised drawings place the project out of the Wetland Board's jurisdiction, and no public hearing would be held. He then asked Mr. Neikirk, of the Virginia Marine Resource Commission, to explain the revisions. Mr. Neikirk explained that originally only a small portion of the project was in the Wetlands Board's jurisdiction, and the revisions placed the entire project out of the local Wetland Board's jurisdiction. He then went on to explain the project would still require a permit and a Public Hearing from the Marine Resource Commission. Mr. Neikirk also mentioned that everyone who has submitted letters of objection would be notified of the date and time of the hearing.

B. Katherine Harris – Application #99-0089

Chairman Holmes read the proposal of Mrs. Harris to construct 135' of bulkhead a maximum of 2' channelward of the existing structure and rebuild three existing groins. This project is located on Fishing Bay, Tax Map #46 (6) 57.

Alor Grantham-Traywick, agent for Mrs. Harris was present and offered to answer any questions. Mrs. Traywick, described the project and discussed the VIMS report.

Mr. Miller responded that he did not have any questions.

Mr. Holmes opened the public hearing.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Miller, seconded by Mr. Reed, and carried by unanimous vote, Application #99-0089 was approved as submitted for a term of 18 months.

C. Charles Williams – Application #99-0105

Chairman Holmes read the proposal of Mr. Williams to construct 100' of riprap revetment with bank grading as fill. This project is located on the Rappahannock River, Tax Map #9B (1A) 3.

Alor Grantham-Traywick, agent for Mr. Williams was present to answer any questions. Mrs. Traywick, described the project and mentioned the VIMS report as stating the project causing “minimal impacts.” She also stated that the alignment would be the same as the APO’s project, which was approved last month.

Mr. Holmes opened the public hearing.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Reed, seconded by Mr. Taylor, and carried by unanimous vote, Application #99-0105 was approved as submitted for a term of 18 months.

D. Christ Church Landing Associates – Application #99-0021

E. John Gibbs – Application #99-0020

Chairman Holmes read the proposal of Christ Church Landing Associates and John Gibbs, to construct a 75' x 20' breakwater and placement of 500 cu/yds. of beach nourishment. This project is located on the Rappahannock River, Tax Map #29 (10) 4B and 2A.

Jeff Watkins, of Riverworks Inc., was present to answer any questions. Mr. Watkins explained that this project and the next one on the agenda are a continuation of the breakwaters that were approved by the Board last year. He then went on to explain the project and stated that the bank would be graded and seeded.

Mr. Holmes opened the public hearing.

Mr. Harry Madison addressed the Board to voice his concerns to the Board about the beach nourishment proposed as part of this project. He went on to say he was mainly worried about the loss of soil in the river, littering the bottom with its fallout.

Mr. Watkins, tried to address Mr. Madison’s concerns stating that the breakwaters as proposed allow beach to be built-up behind it and stop silt from entering the system. Riprapping the shoreline provides no habitat, while breakwaters build wetlands. He also stated that a soil analysis was done on the fill material and it was found to be compatible.

Mr. Taylor questioned Mr. Neikirk about the merits of breakwaters and how long they have been used. Mr. Neikirk responded that with breakwaters, a scalloped shoreline is the most protected and that breakwaters have been in use since the 1950s.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Taylor, seconded by Mr. Miller, and carried by unanimous vote, Application #99-0021 (Christ Church Landing Associates) and the identical Application #99-0020 (John Gibbs) were approved as submitted for a term of 18 months.

F. Alease Crumpler – Application #99-0397

Chairman Holmes read the proposal of Mrs. Crumpler, to install 65' of riprap channelward of existing bulkhead and replace 30' of deteriorating bulkhead. This project is located on the Piankatank River, Tax Map #36B (1B) 22.

Lucille Morelli, agent for Mrs. Crumpler was present to answer any questions. Mrs. Morelli, described the project and discussed the VIMS report recommending the riprap continuing around the return wall to offer bulkhead toe protection on the APOs property. Mrs. Morelli, said she had discussed this with the APO and they have agreed to allow the riprap to continue onto their property.

Mr. Holmes opened the public hearing.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Reed, seconded by Mr. Taylor, and carried by unanimous vote, Application #99-0397 was approved as submitted for a term of 18 months.

G. Douglas Sculthorpe – Application #99-0398

Chairman Holmes read the proposal of Mr. Sculthorpe to install 69' of riprap channelward of the existing bulkhead. This project is located on the Piankatank River, Tax Map #37A (4) 63.

Lucille Morelli, agent for Mr. Sculthorpe was present to answer any questions. Mrs. Morelli, described the project and mentioned the VIMS report as stating the project causing “minimal impacts.”

Mr. Holmes opened the public hearing.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Miller, seconded by Mr. Reed, and carried by unanimous vote, Application #99-0398 was approved as submitted for a term of 18 months.

H. Milan Diklich – Application #99-0396

Chairman Holmes read the proposal of Mr. Diklich to install two 30' breakwaters with a gap of 40.' This project is located on the Rappahannock River, Tax Map #3-1.

Lucille Morelli, agent for Mr. Diklich was present to answer any questions. Mrs. Morelli described the project and discussed the VIMS report and its concerns about the breakwater not being necessary. She then discussed the Shoreline Erosion Advisory Service (SEAS) report they had received which recommended the breakwater. A discussion between the Board, Mrs. Morelli, and Mr. Neikirk followed concerning the merits of riprap and the additional breakwaters for shoreline protection. Mrs. Morelli then mentioned her concerns about the proximity of her client's house to the bank and how additional bank can not be afforded to be lost.

Mr. Holmes opened the public hearing.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Taylor, seconded by Mr. Reed, and carried by unanimous vote, Application #99-0396 was approved as submitted for a term of 18 months.

**Executive Session**

The motion to convene in Executive Session for the discussion of personnel matters pursuant to Section 2.1-344.1, Code of Virginia was made by Mr. Taylor, seconded by Mr. Miller and carried unanimously.

Upon reconvening in open session, the following motion was made by Mr. Reed, seconded by Mr. Miller and carried unanimously:

To the best of the members' knowledge, only public business matters lawfully exempted and identified in the motion by which the executive meeting convened were discussed in executive session.

On a motion by Mr. Reed, seconded by Mr. Miller, and carried by unanimous vote, the Wetland Board instructed staff to draft procedures for an appeal process for jurisdictional determination.

**Adjournment**

With no further business to discuss. Mr. Taylor moved to adjourn the meeting, seconded by Mr. Miller, the meeting was adjourned unanimously.

Respectfully submitted.

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Wetlands Board Chair

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Date