

Middlesex County Wetlands Board Minutes

March 9, 1999

Call to Order

The March 9, 1999 meeting of the Middlesex County Wetlands Board was called to order by Chair 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. Woodson Armstead
Mr. B. Ulman Miller
Mr. M. Dale Taylor

Staff present: Thomas Jordan, Planner

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

Minutes

The Board considered the minutes of the February 9, 1999 meeting. On a motion by Mr. Miller and a second by Mr. Armstead, 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. Floyd Miller – Application #98-2258

Chairman Holmes read the proposal of Mr. Miller to construct two groins 48' in length. This project is located on the Rappahannock River, Tax Map #39 (1) 4.

Alor Traywick, of Salt and the Earth was present as agent for Mr. Miller. She addressed the board, giving an overview of the entire proposed project consisting of the groins, bulkhead, pier, and covered boatlift. Mrs. Traywick then mentioned how the site changes constantly depending on wave and wind directions. She then went on to discuss the breakwater on Adjoining Property Owner (APO) Jack Miller's side. She said the breakwater acts like a groin and depending on the weather, Jack Miller's side is either piled-up with sand or washed out. She then went on to state all of the properties to the right contain groin systems and the sand deposits shift to either side of the groins depending on the weather. Mrs. Traywick then discussed the Virginia Institute of Marine Science (VIMS) report that recommended denial of the groins, due to the negative to neutral impact they would have.

Mr. Ulman Miller told the other Board members that he stopped by the project site this morning to revisit the site, due to the weather we have been experiencing lately. He said he saw no difference since the Board visited the site as a group and that he felt it already was a nice beach and that he agreed with the VIMS report and saw no need for additional groins. Chairman Holmes stated he agreed with Mr. Miller and said he would leave the beach alone.

Mrs. Traywick then stated the applicant was concerned about losing the beach after installing the vertical-flat structure (bulkhead), especially since the applicant's property is not protected, unlike the adjacent property.

Chairman Holmes and Mr. Ulman Miller both responded that they saw no need currently, but if the applicant were in a situation where they were losing beach they would be more receptive to the groins.

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

Mr. Taylor stated he felt the beach was in good shape. He then discussed how the groin would affect the existing beach, by losing some beach on the western and gaining some on the eastern side of it.

Mr. Armstead said that he currently did not see a need for the groins but in the future if the applicant needs it, he would also be more receptive to the groins.

Mr. Taylor made a motion to approve the application as presented, with no second the motion failed.

Chairman Holmes stated he recommends denial of the application, citing the VIMS report.

On a motion by Mr. Armstead, seconded by Mr. Taylor, and carried by a 3-0-1 vote, with Mr. Miller abstaining, Application #98-2258 was denied as submitted.

Old Business

None

New Business

A. Craig Palubinski of Bayshore Design

Chairman Holmes reminded the Board members that Mr. Palubinski is the agent for Oscar Ringler Application #98-2231, which was approved last month with conditions. Mr. Ringler's project was to place 165' of riprap and concrete rubble against an eroding bank face. Chairman Holmes read the request of Mr. Palubinski, who wanted to discuss his concerns about the landward realignment, a condition of his approval, to his originally proposed alignment.

Craig Palubinski, explained what he wished to accomplish with the project and presented photographs to the board. He stated he had staked out the revised alignment as required at last month's Public Hearing. Mr. Palubinski stated he was concerned the landward realignment as approved would create a 1:1 slope. His original proposal called for a 1.5:1 to 2:1 slope, and that a 1:1 slope is a very steep slope and would make the revetment too unstable. He proposed keeping his original alignment on the 88' section and to keep the realignment for the rest of the project. He also noted the SEAS normally recommends a 2:1 slope and the VIMS report stated the project would cause minimal impacts.

Mr. Taylor said he felt the permit should stand as is, and that the project, like others they have approved should try to stay as close to the bank as possible.

On a motion by Mr. Miller, seconded by Mr. Reed, and carried a 3-1-0 vote with Mr. Taylor voting to deny the motion, Application #98-2231 was reapproved with the landward realignment only affecting the 77' portion of the revetment and the other 88' would keep the originally proposed alignment.

Adjournment

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

Respectfully submitted.

Wetlands Board Chair

Date