

Middlesex County Wetlands Board Minutes

November 9, 1999

Call to Order

The November 9, 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. B. Ulman Miller
Mr. Woodson Armstead
Mr. Elliot Reed
Mr. M. Dale Taylor

Staff present: Thomas Jordan, Planner

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

Minutes

The Board considered the minutes of the October 12, 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. Welford Harris – Application #99-1609

Chairman Holmes read the proposal of Mr. Harris, to extend existing marsh toe rip rap 34' with a 10' return. This project is located on Jackson Creek, at Tax Map #41-133A. Staff then read the VIMS report for the project.

Alor Grantham-Traywick was present as the agent for Mr. Harris. Mrs. Traywick explained that the structure would not isolate the existing marsh because the proposed structure does not totally surround the marsh. She then discussed the heavy amount of boat traffic the project site receives and the need for the rip rap. Mrs. Traywick then offered to answer any questions the board may have.

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. Taylor, and carried by unanimous vote, Application #99-1609 was approved as submitted for a term of 18 months.

B. Ronald Haley – Application #99-1683

Chairman Holmes read the proposal of Mr. Haley, to place 180' of rip rap revetment in front of a failed bulkhead. This project is located on the Piankatank River, at Tax Map #43A-7-5. Staff then read the VIMS report for the project.

Alor Grantham-Traywick was present as the agent for Mr. Haley. Mrs. Traywick offered to answer any questions that the Board may have.

Mr. Holmes opened the public hearing.

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

On a motion by Mr. Armstead, seconded by Mr. Reed, and carried by unanimous vote, Application #99-1683 was approved as submitted for a term of 18 months.

C. Judith Sheldon – Application #99-1816

Chairman Holmes read the proposal of Mrs. Sheldon, to place 196' of armor stone in front of a failing concrete/timber wall and install two 48' low-profile timber groins. This project is located on the Chesapeake Bay, at Tax Map #46-2-5. Staff read the VIMS report for the project. Staff then announced to the Board that the proposed groins have been deleted from the project.

Alor Grantham-Traywick was present as the agent for Mrs. Sheldon. She discussed her disagreement with the comments in the VIMS report. She expressed that the property owner just wants to place the rip rap in front of the failing bulkhead like other property owners have been allowed to do. Mrs. Traywick stated the applicant's proposal would also offer greater protection during large storms. She stated the VIMS recommendation would still impact the existing vegetation. Mrs. Traywick offered to answer any questions that the Board may have.

Mr. Miller questioned what was going to be done with the existing concrete. Mrs. Traywick stated that it would be broken-up and used a fill material.

Mr. Holmes asked Mr. Robert Neikirk, VMRC representative, if he had any comments on the proposed project. Mr. Neikirk stated he had discussed the project with the VIMS representative and he felt they were concerned with the need to go out further channelward. He went on to say that Mrs. Traywick was correct in that the vegetation will be affected either way, but the non-vegetated impacts could be avoided, by reducing the encroachment further channelward.

Mrs. Traywick stated another concern of the applicant's is their house being only 62' from the proposed revetment.

Mr. Taylor stated that the area does suffer from heavy erosion, particularly during larger storms. He then added that he believed following the VIMS recommendations would not reduce the impacts significantly enough to warrant the reduction in shoreline protection.

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. Miller, and carried by unanimous vote, Application #99-1816 was approved as submitted for a term of 18 months.

D. Robert Vest – Application #99-1817

Chairman Holmes read the proposal of Mr. Vest, to place 45' of rip rap revetment. This project is located on Moore's Creek, at Tax Map #40-82-39. Staff then read the VIMS report for the project.

Alor Grantham-Traywick was present as the agent for Mr. Vest. Mrs. Traywick offered to answer any questions the board may have.

Mr. Miller stated that he did not have any questions or concerns about the project as presented.

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. Armstead, and carried by unanimous vote, Application #99-1817 was approved as submitted for a term of 18 months.

E. Thomas McMurtrie – Application #99-1818

Chairman Holmes read the proposal of Mr. McMurtrie, to place 139' of rip rap revetment. This project is located on Jackson Creek, at Tax Map #40-116A. Staff then read the VIMS report for the project.

Alor Grantham-Traywick was present as the agent for Mr. McMurtrie. Mrs. Traywick offered to answer any questions the board may have.

Mr. Armstead stated that he did not have any concerns about the project as presented.

Mr. Holmes opened the public hearing.

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

On a motion by Mr. Armstead, seconded by Mr. Reed, and carried by unanimous vote, Application #99-1818 was approved as submitted for a term of 18 months.

F. Ed Panzer – Application #98-1310

Chairman Holmes read the proposal of Mr. Panzer, to place 150' of rip rap revetment. This project is located on Rappahannock River, at Tax Map #9-55. Staff then read the VIMS report for the project.

Carol Collier was present as the agent for Mr. Panzer. Ms. Collier discussed her concerns about removing the trees, their roots, and them having to place fill. She stated that it especially concerned her due to the site being heavily wooded and it's low elevation. Ms. Collier added that she had no problems with the recommendation by staff to extend the existing groin to tie into the proposed revetment. She then offered to answer any questions the board may have.

Staff presented photos of the project site to the Board to examine.

Mr. Holmes opened the public hearing.

Mr. Panzer the applicant stated he did not want to disturb the trees, that the trees have value to him especially for esthetic reasons. He went on to state that no vegetated areas would be impacted from his proposal.

Mr. Reed stated that if they do allow the trees to be left in place, it might cause more problems in the future especially if they start to fall.

Mr. Holmes asked Mr. Neikirk if he had any comments on the proposed project. Mr. Neikirk stated that he did have one concern, concerning how the applicant's proposal would tie into the APO's existing riprap. He added that his concerns stem from the fact that the APO's rip rap is scattered.

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

On a motion by Mr. Reed, seconded by Mr. Armstead, and carried by unanimous vote, Application #98-1310 was approved with the following condition(s): 1) groin be extended to join into the proposed rip rap, 2) revetment be revised to more properly connect into APO Elliot's existing revetment, and 3) revised drawings be submitted. This permit was approved for a term of 18 months.

G. Julia Taylor – Application #99-1758

Chairman Holmes read the proposal of Mrs. Taylor, to place 60' of rip rap revetment. This project is located on the Rappahannock River, at Tax Map #30-95. Staff then read the VIMS report for the project.

Carol Collier was present as the agent for Mrs. Taylor. Ms. Collier explained that the applicants do want to wrap the proposed revetment around as recommended in the VIMS report. She then offered to answer any questions the board may have.

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 #99-1758 was approved with the following condition(s): 1) rip rap revetment be aligned with the eroding scarp and 2) revised drawings be submitted. This permit was approved for a term of 18 months.

H. Howard Rock – Application #99-1843

Chairman Holmes read the proposal of Mr. Rock, to construct 210' of wooden bulkhead and install three 60' wooden groins. This project is located on the Rappahannock River, at Tax Map #40-98-B. Staff then read the VIMS report for the project.

Carol Collier was present as the agent for Mr. Rock. Ms. Collier stated that she had no objections to the VIMS recommendation. She then offered to answer any questions the board may have.

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. Miller, and carried by unanimous vote, Application #99-1843 was approved with the following condition(s): 1) the bulkhead be aligned with the landward end of the rip rap on APO Shelly's property and 2) an approved Erosion and Sediment Control Plan be obtained. This permit was approved for a term of 18 months.

I. Phil Mason – Application #99-1920

Chairman Holmes read the proposal of Mr. Mason, to construct 265' of timber bulkhead. This project is located on the Piankatank River, at Tax Map #43A-6-7. Staff then read the VIMS report for the project.

Karla Havens was present as the agent for Mr. Mason. She then offered to answer any questions the board may have.

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. Taylor, and carried by unanimous vote, Application #99-1920 was approved with the following condition(s): an approved Erosion and Sediment Control Plan be obtained. This permit was approved for a term of 18 months.

J. Joseph Cottrell – Application #99-1823

Chairman Holmes read the proposal of Mr. Cottrell, to repair a storm damaged bulkhead and place 50' of rip rap revetment channelward of the bulkhead. This project is located on the Rappahannock River, at Tax Map #39A-3-15. Staff then read the VIMS report for the project.

Jay Foster, of R&W Construction was present as the agent for Mr. Cottrell. Mr. Foster requested to see the pictures of the project site taken by staff. He went on to state that he had no problems modifying the project as recommended by staff. Mr. Foster then offered to answer any questions the board may have.

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. Armstead, and carried by unanimous vote, Application #99-1823 was approved with the following condition(s): bulkhead alignment is modified to start at the existing structure then angles to match the alignment of APO Taggart's bulkhead and revised drawings be submitted. This permit was approved for a term of 18 months.

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.

Wetlands Board Chair

Date