

AT A MEETING OF THE MIDDLESEX COUNTY WETLANDS BOARD HELD ON  
TUESDAY, DECEMBER 12, 2000, IN THE BOARD ROOM OF THE WOODWARD  
BUILDING, SALUDA, VIRGINIA:

**Call to Order**

The December 12, 2000 meeting of the Middlesex County Wetlands Board was called to order by Chairman Elliott Reed at 9:00 A.M. in the Boardroom of the Woodward Building, Saluda, Virginia.

Present: Mr. Elliott Reed  
Mr. B. Ulman Miller  
Mr. John Smither  
Mr. Woodson Armstead

Absent: Mr. M. Dale Taylor

Staff present: Thomas Jordan, Planner  
Cathy Shiflett, Planning Secretary

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

**Minutes**

The Board considered the minutes of the November 14, 2000 meeting. On a motion by Mr. Miller and a second by Mr. Armstead, the minutes were approved unanimously.

**Public Hearing**

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

A. Marjorie Cox – Application #2000-1931.

Chairman Reed read the applicant's proposal to install 160' of riprap revetment in front of an existing failing bulkhead. This proposed project is located on Jackson Creek, at Tax Map #40-47-3. Staff then read the VIMS report for the project.

Carol Collier, agent, was in attendance to represent the applicant's project. She explained the proposal would be a more permanent solution to the temporary patches the bulkhead had received and offered to answer any questions the Board may have.

Mr. Armstead inquired how the stone would be placed under the pier. Ms. Collier explained the stone would be placed by hand with the possibility of removing a few boards from the pier to gain better access.

Chairman Reed 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. Smither, and carried by a unanimous vote, Application #2000-1931 was approved. This approval is valid for a term of 18 months.

B. William Goode – Application #2000-1946.

Chairman Reed read the applicant's proposal to construct a 12' x 28' boat ramp, dredge 12.5 cu. yds., install 300' of marsh toe riprap revetment, and repair 90' of riprap revetment. This proposed project is located on the Piankatank River, at Tax Map #45-1-4 & 45-10-5, 6. Staff then read the VIMS report for the project and stated that 2 letters of opposition had been received.

Alor Traywick, agent, was in attendance to represent the applicant's project. She explained the proposal and related to the Board that revision had been made to the application, based on comments from property owners along the creek. She stated the applicant agreed to eliminate the marsh toe riprap revetment until the toe is 10 feet away from the channel making it 19 feet. from the edge of the grass to the channel.

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

Mr. Smither commented that he is 100 percent behind the rights of property owners to protect their shorelines. He stated there must be balance between protection of the shoreline and preservation of the very narrow channel for the other property owners within the creek. Mr. Smither stated that there is a large cedar tree that appears to be a good benchmark to end the revetment. He went on to discuss that if the revetment did not affect navigation and the applicant was still experiencing erosion, he could resubmit to the Board for further consideration. Mr. Smither stated that area is currently experiencing not much erosion, and re-stated that a balanced two-step approach should be taken in order to be fair to all parties concerned.

Ms. Traywick stated that any of the recommendations stated would be acceptable to the applicant, but ending the revetment at the cedar tree was not as far as the applicant's intended. She stated the applicant intends to set PVC stakes to allow monitoring of the erosion along the shoreline. Mr. Smither reiterated his commitment of fairness to all involved parties.

Chairman Reed questioned Mr. Neikirk if he had any comments on the proposal. Mr. Neikirk stated the project will also require a permit from the Marine Resources Commission and suggested that Ms. Traywick should go to the cedar tree and take measurements of actual distances for the permit by the Board.

Mr. Miller stated that he was in favor of Mr. Smither's recommendation, but would abstain from voting, as he personally uses the waterway frequently.

On a motion by Mr. Smither, seconded by Mr. Armstead, and carried by a 3-0-1 vote with Mr. Miller abstaining, Application #2000-1946 was approved with the condition that the marsh toe revetment ends at the existing cedar tree and the submission of revised drawings. This approval is valid for a term of 18 months.

C. Miller Marine, Inc. c/o Bryan Miller – Application #2000-2020.

Chairman Reed read the applicant's proposal to install 220' of riprap revetment and place 4 steel beam launchways for water access. This project is located on Broad Creek, at Tax Map #41-116. Staff then read the VIMS report for the project.

Alor Traywick, agent, was in attendance to represent the applicant's project. She explained the proposal and offered to answer any questions the Board may have.

Chairman Reed 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. Miller, and carried by a unanimous vote, Application #2000-2020 was approved. This approval is valid for a term of 18 months.

### **New Business**

#### A. Address to the Wetlands Board by Alor Traywick, Wetlands Permitting Agent

Ms. Traywick requested to approach the Board and address a concern of hers. She suggested that there be an amendment to the Public Notice to include the date of the on-site visit by the Board. She then discussed York County's procedures for Wetland Board group site visits. She added that York County requires either an agent or the applicant to be on the site at the time of the Wet Board site visit.

Mr. Armstead noted that there would be no way to indicate a specific time of day for the on-site visit to occur, but he was in agreement that this might be helpful.

Mr. Jordan expressed his concern that if the site visit day is advertised in the Public Hearing Notice, the applicant might have a problem with the general public accessing their private property. Mr. Jordan stated that he could provide Adjoining Property Owners (APOs) and Owner/Agents notification by mail of the date of the Wetlands Board site visit, if desired.

Mr. Smither stated that the presence of the owner or agent at the site would be helpful. Additionally he stated that he would like to see more flags or markers at the project sites. Mr. Jordan advised that a project can be continued if staking or benchmarks appear inadequate. Mr. Neikirk stressed the importance of benchmarks for future reference especially on shorelines.

Mr. Armstead stated that he would not want to invite the public to the site visits for liability reasons, as the terrain is frequently hazardous. Mr. Neikirk suggested that the liability issue related to public attendance be discussed with the County Attorney.

On a motion by Mr. Smither, seconded by Mr. Miller, and carried by unanimous vote, the Board approved a motion requesting that staff contact the County Attorney for guidance.

#### B. Rescheduling of regularly scheduled site visit day - Tuesday, January 2, 2001

Mr. Smither advised the Board that January 2, 2001, the regularly scheduled date for the next site visits, has been declared a State holiday for the year 2001. Mr. Jordan suggested that the site visits occur on Wednesday, January 3, 2001.

On a motion by Mr. Smith, seconded by Mr. Miller, and carried by a unanimous vote, the site visit date was moved to Wednesday, January 3, 2001.

**Adjournment**

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

Respectfully submitted.

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Wetlands Board Chair

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Date