

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

Present: Mr. Elliot Reed
Mr. Woodson Armstead
Mr. M. Dale Taylor
Mr. B. Ulman Miller
Mr. John Smither

Staff present: Thomas Jordan, Planner

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

CALL TO ORDER

The August 8, 2000 meeting of the Middlesex County Wetlands Board was called to order by acting Chairman Elliot Reed at 9:00 A.M. in the Boardroom of the Woodward Building, Saluda, Virginia.

MINUTES

The Board considered the minutes of the August 8, 2000 meeting. On a motion by Mr. Miller and a second by Mr. Taylor, the minutes were approved unanimously.

PUBLIC HEARING

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

Mr. Smither, newly appointed Wetlands Board member, stated he did not have an opportunity to visit the proposed project sites on today's agenda and would abstain from voting on the projects.

A. Ramon Hite – Application #2000-1151.

Mr. Reed read the applicant's proposal to install two new 48' groins and raise the existing 48' groin to the height of the bulkhead. This project is located on Broad Creek, at Tax Map #41-52-74,75,76,77.

Staff then read the VIMS report for the project.

Neither the applicant nor an agent was present to represent the project.

Mr. 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. Armstead, and carried by 4-0-1 vote, Application #2000-1151 was approved with the condition that the two proposed groins be modified to a low-profile design, the existing groin's height not be raised, and the submission of revised drawings. This approval is valid for a term of 18 months.

B. Deerchase Park Beach Community Association, c/o Richard Haynes –
Application #2000-1234.

Mr. Reed read the applicant's proposal to construct a concrete boat ramp in the location of an existing wooden ramp. This project is located on the Piankatank River, at Tax Map #36A-1-9A. Staff then read the VIMS report for the project.

Richard Haynes was in attendance to represent his project. He explained the proposal would replace the existing 10-12 year old wooden ramp with a cement ramp. He added that the proposed cement ramp would not be any larger than the existing ramp.

Mr. Reed 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 4-0-1 vote, Application #2000-1234 was approved as submitted for a term of 18 months.

C. Joyce Fetterolf – Application #2000-1283.

Mr. Reed read the applicant's proposal to construct 146' of bulkhead with 12' return wall in front of an existing failing bulkhead. This project is located on Meachim Creek, at Tax Map #29A-4-10A. Staff then read the VIMS report for the project.

Carol Collier was present as the agent for the applicant. She explained the project and added that the bulkhead would be the same height as the existing failing wall.

Mr. 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 4-0-1 vote, Application #2000-1283 was approved as submitted for a term of 18 months.

D. David Pecora – Application #2000-1346.

Mr. Reed read the applicant's proposal to place 75' of riprap revetment. This project is located on the Piankatank River, at Tax Map #46-8-14. Staff read the VIMS report for the project.

Carol Collier was present as the agent for the applicant. She explained the project and offered to answer any questions the Board may have.

Mr. Reed opened the public hearing.

Mr. Reed noted the letter of protest and requested the complainant approach the Board if they were in attendance. Mr. Paul Dickinson, son of Alfred Dickinson Adjoining property Owner (APO), approached the Board and stated he was here on behalf of his father. He referred the Board to the previous application #93-1218 previously submitted by the applicants, which they had also protested. He stated the only difference between the original and the current proposal was how the riprap tapered to meet the groin in the original permit. He further stated that he was opposed to the approval of this project and referred the Board to the letter of opposition from his father.

Ms. Collier stated the previous project had not been completed. She then stated the applicant specifically submitted the application to offer protection during storms and the proposed alignment is necessary to offer the protection they seek.

Mr. Taylor questioned the size of the stone proposed to be used. Ms. Collier responded that Class I stone would be utilized.

Mr. Neikirk, VMRC representative, stated he was familiar with the original application. He added that the original approval was conditioned on the riprap on the south-side of the Pecora property being angled between the steps and the groin. He then mentioned that additional unpermitted riprap had been placed along the concrete groin in the center of the property. He added the original permit proposed the removal of the concrete groin and replacing it with a timber structure. Furthermore he stated the majority of the impacts were subaqueous, which the VMRC will be involved with. In addition he stated he would recommend the removal of the riprap with the equipment to be used for the placement of the proposed riprap if approved.

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

On a motion by Mr. Armstead, seconded by Mr. Miller, and carried by a 4-0-1 vote, Application #2000-1346 was continued until the next scheduled Wetlands Board meeting.

E. Mary Anna Kaplan, et al – Application #2000-1407.

Mr. Reed read the applicant's proposal to install a 48' low-profile groin with a 10' spur. This project is located on the Rappahannock River, at Tax Map #40-4-C-5. Staff then read the VIMS report for the project.

Carol Collier was present as the agent for the applicant. She explained the project and offered to answer any questions the Board may have.

Mr. Robert Neikirk stated he had also found the application to be full of discrepancies, as the staff report indicated. He reiterated that the drawing omitted a groin, had incorrectly shown the sand drift on the opposite side, and he added that VMRC Best Management Practices recommend a minimum spacing of one and a half times the length of the groin, between groins.

Mr. Reed 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 4-0-1 vote, Application #2000-1407 was approved with the condition that the groin be modified to be 32' in length, placement of the proposed groin 33' from APO Root's property line, and the submission of revised drawings. This approval is valid for a term of 18 months.

F. Mark Tucker, et al – Application #2000-1408.

Mr. Reed read the applicant's proposal to construct 80' of bulkhead (70' in front of an existing failing wall - 10' new). This project is located on the Piankatank River, at Tax Map #37A-7-2. Staff then read the VIMS report for the project.

Carol Collier was present as the agent for the applicant. She explained the project and offered to answer any questions the Board may have.

Mr. 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. Armstead, and carried by 4-0-1 vote, Application #2000-1408 was approved as submitted for a term of 18 months.

G. Martin E. Melville – Application #2000-1435.

Mr. Reed read the applicant's proposal to place 110' of riprap revetment. This project is located on the Rappahannock River, at Tax Map #19C-1-A-15. Staff then read the VIMS report for the project.

Karla Havens was present as the agent for the applicant. She explained the project and offered to answer any questions the Board may have.

Mr. Taylor asked if the applicant had any problems with removing the deteriorating groin and pier as recommended in the staff report. Mrs. Havens stated the applicant would not have any problems removing the structures, but she added the exact location of the property line was in question and the groin might be located on an adjoining property.

Mr. Reed 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 4-0-1 vote, Application #2000-1435 was approved with the condition that the existing pier and groin(s) located on the applicant's property be removed.

H. Thomas Yoss – Application #2000-1314.

Mr. Reed read the applicant's proposal to place 132' of riprap revetment. This project is located on Sturgeon Creek, at Tax Map #40-30-69. Staff then read the VIMS report for the project.

Alor Grantham-Traywick was present as the agent for the applicant. She explained the project and offered to answer any questions the Board may have.

Mr. 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. Armstead, and carried by 4-0-1 vote, Application #2000-1314 was approved as submitted for a term of 18 months.

I. Mariner's Point Unit Owner's Association, c/o Stuart Turville – Application #2000-1354.

Mr. Reed read the applicant's proposal to repair failed bank and place 110' of riprap revetment. This project is located on Wilton Creek, at Tax Map #43C-4-3,4,5. Staff then read the VIMS report for the project.

Alor Grantham-Traywick was present as the agent for the applicant. She explained the project and offered to answer any questions the Board may have.

Mr. 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 4-0-1 vote, Application #2000-1354 was approved with the condition that an approved Land Disturbing Permit be obtained.

J. Chesapeake Leisure, LLC. c/o Ron Hall – Application #2000-1189 to construct 190' of mid-tide bulkhead and a 16' return wall. This project is located on a canal of Fishing Bay, at Tax Map #40-385.

Mr. Reed read the applicant's proposal to construct 190' of mid-tide bulkhead and a 16' return wall. This project is located on a canal of Fishing Bay, at Tax Map #40-385. Staff then read the VIMS report for the project.

Alor Grantham-Traywick was present as the agent for the applicant. She requested the Board continue action on the application until next month, due to the applicant requesting assistance from the Shoreline Erosion Advisory Service (SEAS).

Mr. Reed questioned Mr. Neikirk if the Board was required to act on the application within the required 60 days. Mr. Neikirk stated the 60 days time limit was not a concern due to the applicant requesting the continuance.

On a motion by Mr. Armstead, seconded by Mr. Miller, and carried by 4-0-1 vote, Application #2000-1189 was continued until the next scheduled Wetlands Board meeting.

Old Business

A. Tidewater Resource Conservation and Development Council (TRCDC).

Mr. Jordan presented the informational handout on the problem of Phragmites ("Common Reed") as requested by the Board at last month's meeting.

Mr. Smither stated that Phragmites was especially a problem in the Tappahannock area.

On a motion by Mr. Armstead, seconded by Mr. Miller, and carried by unanimous vote, the Board instructed staff to include the handout with the Wetlands Board permit and added that any additional requirements would be placed on permits on a case-by-case basis.

New Business

A. Wetlands Board Appointment

Mr. Jordan formally introduced Mr. John Smither, newly appointed member, to the Wetlands Board.

B. Donation in Memory

Mr. Jordan informed the Board it had received a check for \$100 from J. Randolph Segar, Jr. in memory of Sherman T. Holmes, former Wetlands Board Chairman. He requested the Board open a discussion and make a motion on the most suitable way to disperse the funds in the late Chairman's name so staff could forward the request to the County Administrator's Office.

Mr. Armstead mentioned several of the worthy causes mentioned in Mr. Holmes obituary.

Mr. Smither stated he felt the Calvary Baptist Church Building Fund would be the most appropriate after his discussions with Mr. Holmes.

All of the Board members stated their support for Mr. Smither's suggestion.

On a motion by Mr. Taylor, seconded by Mr. Miller, and carried by a unanimous vote, the Wetlands Board instructed staff to forward the request to the County Administrator's Office requesting that the donation in memory be forwarded to the Calvary Baptist Church Building Fund.

Adjournment

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

Respectfully submitted.

Wetlands Board Chair

Date