

Middlesex County Wetlands Board Minutes

April 9, 2002

**Call to Order**

Present: Mr. J. Miller Smither – Chairman  
Mr. B. Ulman Miller – Vice Chairman  
Mr. M. Dale Taylor  
Mr. Archie Brooks  
Mr. Woodson Armstead

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 March 12, 2002 meeting. On a motion by Mr. Taylor, and a second by Mr. Miller, the minutes were approved unanimously.

**Public Hearing**

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

A. Peter A. & Helen L. Tokarz - Application #2002-0208.

Chairman Smither read the applicant's proposal to construct 105' of bulkhead adjacent to existing deteriorating bulkhead. This proposed project is located on Parrotts Creek, at Tax Map #9B-3-D. Staff then read the VIMS report for the project.

Mr. Peter Tokarz, applicant, was in attendance to represent the project and answer any questions the Board may have.

Chairman Smither 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. Brooks, and carried by unanimous vote, Application #2002-0208 was approved. This approval is valid for a term of 18 months.

B. Marshall Riggan - Application #2002-0216.

Chairman Smither read the applicant's proposal to place 100' of riprap revetment channelward of an existing bulkhead. This proposed project is located on Robinson Creek, at Tax Map #19C-1-B-20. Staff then read the VIMS report for the project.

Ms. Alor Grantham-Traywick, agent, was in attendance to represent the proposed project and answer any questions the Board may have. She stated that the areas along the shoreline with wetland vegetation were omitted when planning the installation of the revetment to reduce environmental impacts.

Chairman Smither 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 #2002-0216 was approved. This approval is valid for a term of 18 months.

C. Ronald W. McGhee – Application # 2002-0309.

Chairman Smither read the applicant's proposal to place 63' of riprap revetment channelward of an existing bulkhead. This proposed project is located on the Piankatank River, at Tax Map #44A-1-A-A. Staff then read the VIMS report for the project.

No one was in attendance to represent the proposed project.

Chairman Smither opened the public hearing.

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

On a motion by Mr. Brooks, seconded by Mr. Taylor, and carried by unanimous vote, Application #2002-0309 was approved. This approval is valid for a term of 18 months.

D. Julia Taylor - Application # 2002-0318.

Chairman Smither read the applicant's proposal to place 120' of marsh toe protection and 26' of riprap revetment, and install one 10' low-profile riprap groin. This proposed project is located on the Rappahannock River, at Tax Map #30-95. Staff then read the VIMS report for the project.

Ms. Carol Collier, agent, was in attendance to represent the project. She explained that the applicant wanted to harden the shoreline, as it suffers erosion from winter storms and floods in the fall season. She further noted that the point of land on the Rappahannock River had eroded, allowing northeast storms to damage the shoreline. Ms. Collier noted that she had no objection to deleting the proposed groin ("wave break") as recommended by the VIMS report.

Chairman Smither opened the public hearing.

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

Mr. Jordan asked Mr. Neikirk if there were any way to prevent potential flanking of the proposed marsh toe revetment. Mr. Neikirk responded that it could not be accomplished, unless the adjoining property owner on the east side of the property was involved as well. Chairman Smither noted that it would have been beneficial if the two property owners had worked together.

On a motion by Mr. Taylor, seconded by Mr. Taylor, and carried by unanimous vote, Application # 2002-0318 was approved without the proposed groin or "wave break". This approval is valid for a term of 18 months.

E. Carl Bonnar - Application # 2002-0350.

Chairman Smither read the applicant's proposal to place 91' of riprap revetment. This proposed project is located on the Rappahannock River, at Tax Map #28-13-3. Staff then read the VIMS report for the project.

Ms. Karla Havens, agent, was in attendance to represent the project.

Chairman Smither opened the public hearing.

Ms. Havens explained that the bank revetment would be held close to the base of the bluff and tied in to the existing riprap on the west side and on to existing bulkhead on the east side.

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

On a motion by Mr. Brooks, seconded by Mr. Taylor, and carried by unanimous vote, Application # 2002-0350 was approved. This approval is valid for a term of 18 months.

**New Business**

A. Pending Enforcement Action

Chairman Smither advised the Board that he had received notification that a court date had been set for July 29, 2002 for the case of the Middlesex County Wetlands Board against Mr. Norborne N. Reams, Jr., wherein the location of the bulkhead channelward of its authorized benchmark location was in violation of the wetlands permit issued in June, 2001. Chairman Smither noted that he would attend the hearing to represent the board, and that Mr. Jordan was to be available to testify in the case concerning his review of the property and the specific violation concerning the installation of the bulkhead and fill.

B. Meeting Stipends

Chairman Smither explained to the Board that he had sent a letter to the Board of Supervisors requesting that the policy on the calculation of stipends be modified to allow payment with a medical justification, or to authorize a stipend to be issued due to the recent extenuating circumstances when Mr. Armstead was unable to attend the Public Hearing due to surgery. Chairman Smither stated that he did not receive an answer to the letter, but was told that the Board of Supervisors had not chosen to take any action, with no change in the policy.

**Adjournment**

With no further business to discuss Mr. Armstead 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