

## Middlesex County Wetlands Board Minutes

May 14, 2002

### **Call to Order**

Present: Mr. J. Miller Smither – Chairman  
Mr. M. Dale Taylor  
Mr. Woodson Armstead

Absent: Mr. B. Ulman Miller – Vice Chairman  
Mr. Archie Brooks

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

### **Minutes**

The Board considered the minutes of the April 9, 2002 meeting. On a motion by Mr. Taylor, and a second by Mr. Armstead, 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. Hunting Creek Homeowners Association - Application #2002-0211.

Chairman Smither read the applicant's proposal to construct 83' of bulkhead channelward of a deteriorating bulkhead. This proposed project is located on Hunton Creek, at Tax Map #40-9-5.

Staff stated that the applicant had submitted a written request that the project be continued until the next regular scheduled meeting, as the proposed plans were to be revised.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application #2002-0211 was continued.

B. James Wassum - Application #2002-0351.

Chairman Smither read the applicant's proposal to place 150' of riprap revetment. This proposed project is located on Locklies Creek, at Tax Map #30-7-4. Staff then read the VIMS report for the project.

Mr. Jeff Watkins, Riverworks, Inc., contractor/agent, was in attendance to represent the proposed project and answer any questions the Board may have. Mr. Watkins explained that the applicant was interested in protecting the marsh area, and proposed to transplant black needle rush to inhibit erosion. Mr. Watkins further added that the structure could be constructed more narrowly, with a somewhat shortened footprint. He assured the Board that he had previously staked the project site.

Chairman Smither opened the public hearing.

Chairman Smither stated that during the Board's site visit, benchmarks were not clearly marked, and given the fact that the Board was currently involved in an enforcement action involving on a project Locklies

Creek, there was concern that benchmarks be highly visible. He suggested that the Board re-visit the site, and that drawings be resubmitted with clarifications on the benchmarked distances proposed in the application.

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

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application #2002-0351 was continued until the next regular scheduled meeting, with the Board to re-visit the site to confirm the alignment of the proposed project.

C. Coves at Wilton Creek c/o C.D. Vest & Co. – Application # 2002-0473.

Chairman Smither read the applicant's proposal to place 1385' of riprap revetment. This proposed project is located on the Piankatank River, at Tax Map #43C (2) 1-7 (A-F). Staff then read the VIMS report for the project.

Mr. Jay Foster, R&W Marine Construction, Inc., contractor/agent, was in attendance to represent the proposed project. Mr. Foster noted that although he had no problem with the height reduction as suggested by VIMS, he requested that the slope remain at 2:1 (base:height) ratio, which he felt was necessary to maintain the integrity of the structure.

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

Chairman Smither commented that the request was reasonable, given that the shoreline needed protection and should be done properly.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application #2002-0473 was approved as submitted. This approval is valid for a term of 18 months.

D. Jean Pearce - Application # 2002-0589.

Chairman Smither read the applicant's proposal to place 173' of riprap revetment in front of an existing bulkhead. This proposed project is located on the Piankatank River, at Tax Map #43-16-6. Staff then read the VIMS report for the project.

Ms. Alor Grantham Traywick, agent, was in attendance to represent the project.

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

Mr. Jordan stated that on behalf of the Board, he had asked Mr. Neikirk if there were any construction limitations, considering that there was an active osprey nest in the vicinity. He stated that Mr. Neikirk had advised that there were no limitations imposed.

On a motion by Mr. Armstead, seconded by Mr. Taylor, and carried by unanimous vote, Application # 2002-0589 was approved as submitted. This approval is valid for a term of 18 months.

E. John Elkin - Application # 2002-0559.

Chairman Smither read the applicant's proposal to install two 50' low-profile groins. This proposed project is located on the Rappahannock River, at Tax Map #19-19-4. Staff then read the VIMS report for the project.

Ms. Alor Grantham Traywick, agent, was in attendance to represent the project.

Chairman Smither 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. Taylor, and carried by unanimous vote, Application # 2002-0559 was approved as submitted. This approval is valid for a term of 18 months.

F. W. Dewey Glascock, et al - Application # 2002-0543.

Chairman Smither read the applicant's proposal to place 450' of riprap revetment. This proposed project is located on Jackson Creek, at Tax Map #40-167B. Staff then read the VIMS report for the project.

Ms. Alor Grantham Traywick, agent, was in attendance to represent the project.

Chairman Smither 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. Taylor, and carried by unanimous vote, Application # 2002-0543 was approved as submitted. This approval is valid for a term of 18 months.

G. Mill Creek Harbor Association c/o Bill Will – Application # 2002-0669

Chairman Smither read the applicant's proposal to dredge 863 cu/yrds. and place it as beach nourishment. This proposed project is located on Jackson Creek, at Tax Map #41-133, 41-64-2. Staff then read the VIMS report for the project.

Chairman Smither opened the public hearing.

Mr. Chris Pickin, D&D Marine Construction, contractor/agent, explained the project and offered to answer any questions the Board may have. He noted that the project would have to be completed in late spring, as there were limitations on activity on the beach from July through September due to the protection of a threatened species of Tiger beetles in the area. He further commented that Hurricane Floyd had washed out the majority of the Bode property, with slow erosion continuing, and dredged sand would be used beach nourishment, creating a beach habitat for the Tiger beetles.

Mr. Taylor commented that he was familiar with the area, and noted that due to fill in problems, the channel had been moved three times in the past. He suggested that the applicants should consider installing large stones placed 3-4 ft. high, 100 ft. offshore as a means of protection for the channel, reducing the need for frequent dredging.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application # 2002-0669 was approved. This approval is valid for a term of 18 months.

### **New Business**

A. Pending Enforcement Action

Chairman Smither advised the Board that the real estate agent, representing the sale of the Norborne Reams, Jr. property that was currently in violation, had been notified in writing of the pending litigation. He noted that the agent was informed by the County Attorney that the litigation involved the existing bulkhead on the property and the attempt by the Middlesex County Wetlands Board to have the bulkhead removed.

### **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.

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Wetlands Board Chair

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Date