

Middlesex County Wetlands Board

Minutes

April 14, 2009

Call to Order

The April 14, 2009 meeting of the Middlesex County Wetlands Board was called to order by Chairman J. Miller Smither at 9:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia. The Pledge of Allegiance was led by Archie Brooks.

Present: J. Miller Smither – Chairman

Archie Brooks

Dale Taylor

Woodson Armstead

Mary Ann Willis

Staff present: John Halpin, Wetlands Planner

Absent: Tom Hawksworth – Vice Chairman

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

Minutes

The Board considered the minutes of the March 10, 2009 meeting. On a motion by Mr. Taylor and seconded by Mr. Brooks, the minutes were approved unanimously.

Public Hearings

The following applications were considered by the Board:

A. Charles H. Krumbein – Application No. 2009-0110

The application to: place a 243 linear foot retaining wall in the same footprint of rip rap that was destroyed by Hurricane Isabel in 2003; backfilling with approximately 6,400 cu. yds. of clean clay/sand mix. Construct a 368' x 12' marsh toe sill with a height at MHW, approximately 3', and backfill with clean sand and plant wetlands vegetation. The proposed project located on Jackson Creek; at Tax Map Parcel No. 41-64 was heard before the board.

Mr. Halpin read the VIMS report and summary.

Mr. Halpin then read the Staff Report: that after consultation with both VIMS and VMRC, it has come to the Staff's attention that they have concerns for the possible failure of this type of wall. In further conversations with VIMS staff, they have also stated that there are no accepted engineering specifications for prefabricated, free-standing concrete seawalls. Staff also notes that there is no system of tie-backs for this type of structure, such as there would be for a timber or vinyl bulkhead. With the questions raised by discussion with VIMS and VMRC, Staff has become concerned about allowing this type of structure on a point that has a history of, and continued precedence for very high wave energy, and storm action.

Mr. Halpin read the Staff Recommendation that: Staff is very concerned for the property owners in this situation. Their home and property are at high risk of loss from continued storm activity, and something needs to be done that will help to protect their home. Because of the potential for high wave energy, unlimited fetch, and storm action, Staff is not certain what solution for this site would afford the least potential for failure. Staff most strongly recommends that the homeowner seek the advice of a professional shoreline engineer such as Scott Hardaway at VIMS, or other local engineering firms, to come up with a best solution for this site, which could then be brought back before this Board, and VMRC for approval. If the Board chooses to approve the application as submitted, Staff then recommends that the application be revised to include a rip rap stone revetment, that will meet the height of the seawall, and with a width that provides a 2:1 slope to the rip rap. The revetment needs to be made of properly sized stone, incorporate filter cloth and have a properly placed toe. This should help in preventing possible failure of the wall by helping to dissipate wave energy, rather than reflect the wave energy as is done when the wave action hits a vertical surface such as a bulkhead or wall. The rip rap will also help protect the footing from undercutting. Final approval from the Board should be contingent upon submission of revised site plan and cross section drawings that incorporate the Board's decision.

Mr. Warren Veazey, King George, was present as agent. Mr. Veazey spoke briefly in defense of the concrete walls.

Chairman Smither opened the hearing for comments from the public.

The board recognized Mr. Robert Walker of Deltaville, as an individual speaking in protest to the project; he was allotted three minutes to speak.

The board recognized Mr. Keith Rouse of Deltaville, as an individual speaking in protest to the project; he was allotted three minutes to speak.

There being no comments, the public portion of the hearing was closed and opened for questions and comments from the Board.

Chairman Smither called the agent back up, and began a period of questions and comments between the Board and the Agent.

Mr. Taylor asked if we had any pictures of this style wall. Mr. Halpin stated that he did have some pictures of this type of wall that VIMS had sent him yesterday.

Chairman Smither recessed the Board to allow Mr. Halpin time to send the pictures to the boardroom computer.

Chairman Smither reconvened the Board.

Mr. Halpin presented a slide show of a site located on the Potomac River that has this style concrete free-standing wall.

Questions and comments between the Board and the Agent continued.

Mr. Taylor stated that he would like to see one of these walls in person if it were possible.

Mr. Taylor raised the question as to whether Mr. Veazey was actually an agent for Mr. Krumbein and the project, or if Mr. Veazey was just here to talk about the walls.

Mr. Veazey said he was acting as the agent, but had only seen the application yesterday for the first time.

Mr. Taylor made motion to continue the hearing on this application until the May meeting. The motion was seconded by Mr. Brooks, and passed on a 3 – 2 vote; Chairman Miller and Mrs. Willis voting in dissent.

Old Business

None discussed.

New Business

None discussed.

Adjournment

With no further business to discuss, the motion to adjourn the meeting was made by Mr. Armstead, seconded by Mrs. Willis and carried unanimously.

Respectfully submitted,

Wetlands Board Chair

Date