

WETLANDS MINUTES

May 21, 1987

1. ROLL CALL

Members Present

Mr. Lindsey
Mr. Apperson
Ms. Lowe
Mr. Hughes
Mr. Cobb

Others Present

Mr. Bernard M. Farmer, Jr.

2. MINUTES

The minutes of April 16, 1987 were approved as presented.

3. OLD BUSINESS

There was no old business.

4. NEW BUSINESS

W-5-87. W. O. Perkinson

Mr. Farmer presented the staff recommendation, which was to approve the permit for approximately 50 linear feet of tongue and groove bulkheading located at 2205 Lake Powell Road, subject to the following conditions:

1. The bulkhead be constructed at mean high water.
2. A building permit be obtained from the Code Compliance Office prior to construction.
3. An inspection of the filter cloth by the Code Compliance Office prior to backfilling.
4. This permit shall expire on May 21, 1988.

It was noted that Mr. Gilley, an adjacent property owner, objects to the permit being granted, but he was not present to present any argument for his objection.

The public hearing was opened.

Mr. Perkinson wants the bulkheading placed so that his pontoon boat and motor will not be on the river bottom at low tide, while still placing it as close to shore as possible. He also complained about losing land to erosion caused by the boats on the river.

Ms. Lowe stated that it is not the board's job to help reclaim lost land, but to protect the wetlands. She did agree that stronger laws are needed to control boating on the rivers.

It was determined that mean high tide is at the toe of the bank.

The public hearing was closed.

Mr. Apperson made a motion to approve the staff recommendation with the stipulation that the Code Compliance Office supervise the staking of the bulkhead (to be placed approximately at the toe of the bank).

Mr. Cobb seconded the motion and the motion to grant the permit was unanimously approved.

W-6-87. George Deshazor

Mr. George Deshazor has applied for a wetlands permit for the construction of approximately 130 linear feet of tongue and groove bulkheading at 5048 River Drive. The staff recommendation is to grant the wetlands permit subject to the following conditions:

1. The bulkhead be constructed in a dogleg fashion starting at the existing bulkhead at 5050 River Drive preceding over to the large tree falling into the creek, then across to the boathouse.
2. An inspection being made by the Code Compliance Office of the filter cloth prior to backfilling.
3. Vegetation along the bank must be removed so that backfilling can either be terraced or exceed no more than a 2.1 slope to prevent erosion into the river.
4. A building permit be obtained from the Code Compliance Office prior to any work commencing on the project.
5. This permit term shall expire on May 21, 1988.

Mean high tide reaches under the boathouse. The staff recommends placing the bulkhead directly in front of the boathouse.

The public hearing was opened.

Mr. Deshazor stated that he has lost 25 feet of land by erosion over the last 30 to 40 years. The foundation of the boathouse is falling in due to erosion. Mr. Deshazor proposed placing the bulkheading seven feet channelward, in front of the boathouse, to shore up the foundation.

The public hearing was closed.

Mr. Hughes objected to placing the bulkheading seven feet channelward. He felt it could be placed much closer to the boathouse.

Mr. Farmer commented that angling the bulkheading will make the filling very difficult, but they will be able to save the boathouse. Under the staff proposal the bulkhead will be placed approximately 3 feet in front of the boathouse at the near end and then angle to 1-foot in front of the boathouse at the far end of the lot.

Mr. Hughes made a motion to approve the staff recommendation subject to one added condition; The Code Compliance Office must supervise the staking of the bulkhead placement.

Ms. Lowe seconded the motion.

The motion passed by a unanimous vote.

5. MATTERS OF SPECIAL PRIVILEGE

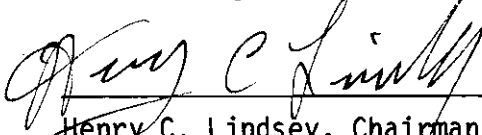
After some discussion, the board decided to hold the letter that Mr. Farmer had prepared for them. The letter was to the Board of Supervisors of James City County expressing the wish to invite Senator Fears and the area representative to the next Wetlands meeting to discuss efforts to preserve non-tidal wetlands, and to extend this same invitation to The Board of Supervisors. It was finally decided that some more facts and research are needed before further action is taken.

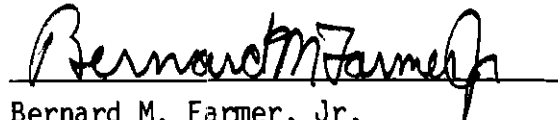
Mr. Hughes pointed out that someone is dumping trash into the waterway at Cypress Point on River Road.

A stop work order was posted on a non-permitted bulkhead on May 21, 1987.

6. ADJOURNMENT

The meeting was adjourned at 9:15.


Henry C. Lindsey, Chairman


Bernard M. Farmer, Jr.
Director of Code Compliance