

WETLANDS BOARD

MINUTES

February 18, 1988

1. ROLL CALL

MEMBERS PRESENT:

Ralph Cobb
John Hughes
Henry Lindsey

MEMBERS ABSENT:

William Apperson
Carolyn Lowe

OTHERS PRESENT:

Bernard M. Farmer, Jr., Director of Code Compliance
Carolyn Murphy, Code Compliance
Larry Davis, Assistant County Attorney

2. MINUTES

The minutes of the January 21, 1988 meeting were approved as presented

3. NEW BUSINESS

A. Case No. W-2-88 Steve Minor

Mr. Farmer stated that Mr. Minor had applied for a wetlands permit for the construction of approximately 119 linear feet of tongue and groove bulkheading at 131 Branscome Boulevard in the Powhatan Shores Subdivision. The property is further identified as parcel (10-17); found on the James City County Real Estate Tax Map No. (47-3). The property is located along a man-made canal tributary to Powhatan Creek. He further stated staff recommended approval subject to the following conditions:

1. The bulkhead being constructed at mean high water and follow the curvature of the shoreline alignment to either be curved in no less than three segments to follow the bank

2. A building permit shall be obtained for the bulkhead prior to construction.

3. An inspection of the filter cloth and tiebacks being made prior to backfilling by the Code Compliance Office

4. The permit shall expire on February 18, 1989

Mr. Lindsey opened the public hearing.

No one wished to speak on the case.

Mr. Hughes motioned to approve applicants request with an added condition that the curvature of the bulkhead be inspected by the Code Compliance Office prior to construction.

Mr. Cobb seconded the motion noting the added condition. All members were in favor.

B. Case No. W-1-88 Clyde/Rocky Hounshell

Mr. Farmer stated that Mr. Hounshell had applied for an after-the-fact wetlands permit for 100 linear feet of tongue and groove bulkheading at 5034 River Drive in the Cypress Point Subdivision. He recommended that a permit be granted requiring the bulkhead be realigned by moving the east end landward approximately 6 feet to follow the toe of the bank over to its present location and tie into Mr. Patterson's bulkhead. It was further recommended that the applicant be required to obtain a building permit before commencing work and have an inspection of the filter cloth and tiebacks prior to backfilling, and that the permit expire on February 18, 1989.

Mr. Farmer showed slides of the area showing the property in 1984 taken from aerial photos of the creek.

Mr. Lindsey opened the public hearing.

A plat plan (from a survey) was presented to the Board members, dated 1978, showing a concrete bulkhead. To provide proof that a bulkhead did exist. Mr. Hounshell stated that the bulkhead had been in existence for approximately 20 years.

Mr. Hounshell stated that the reason he started working on the bulkhead was because the old bulkhead had fallen over in the water. He stated neighboring land had washed out which pushed his bulkhead into the water, and immediate repairs were needed.

Mr. Hughes asked Mr. Farmer if the construction of the bulkhead had been done satisfactorily?

Mr. Farmer stated yes.

Mr. Hounshell presented the Board members pictures of the old bulkhead in the water so that they could see the need for a new bulkhead, and see that a concrete bulkhead had existed previously.

Mr. Hughes asked Mr. Hounshell why he had not obtained a permit prior to construction?

Mr. Hounshell stated his thought was to save what property he could and for the safety of others and that he was under the general impression from talking with neighbors that a permit for repairs wasn't needed.

Mr. Patterson stated that he has been a neighbor of the Hounshell's for the last 10 years and that there was an existing bulkhead.

Mr. Cobb motioned to approve the after-the-fact permit with the staff recommendations. Mr. Hughes seconded the motion and all were in favor.

4. OLD BUSINESS

A. Case No. W-17-87 Gary McSherry

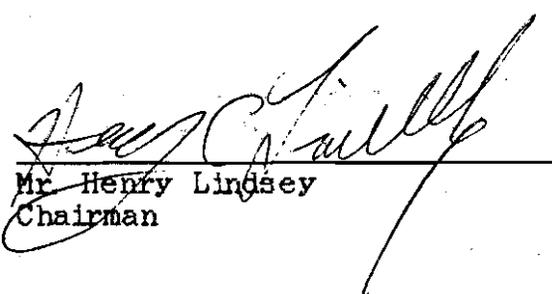
Mr. McSherry requested to have a 30 day continuance. He asked for the continuance so that he could put together a letter explaining his reasons for the placement of the bulkhead. The Board members agreed to the continuance, adding that the case will be decided at the next meeting. Mr. McSherry agreed with the added condition that his case would have a final decision at the next meeting. Mr. Davis stated that a continuance granted at the applicant's request would not disadvantage the county should Mr. McSherry later claim the Board failed to act in a timely manner.

MATTERS OF SPECIAL PRIVILEGE

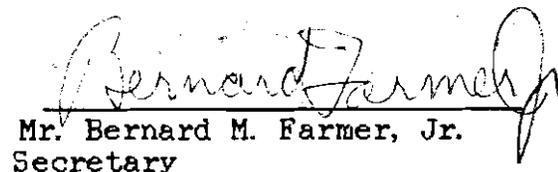
Due to the fact that Mr. Lindsey and Mr. Apperson are taking classes on Thursday nights, it was decided and approved by Board members to move the meetings to Wednesday nights at 7:30 P.M.

ADJOURNMENT

The meeting was adjourned at 8:50 P.M.



Mr. Henry Lindsey
Chairman



Mr. Bernard M. Farmer, Jr.
Secretary