

**WETLANDS BOARD
MINUTES**

MARCH 8, 2000 - 7:00PM

A. ROLL CALL ABSENT

Henry Lindsey
Larry Waltrip
John Hughes
David Gussman

OTHERS PRESENT

Darryl E. Cook, Secretary to the Board
Traycie West, VMRC
Environmental Staff

B. MINUTES

Approval of the February 9, 2000 minutes were approved as presented.

C. OLD BUSINESS - NONE

D. PUBLIC HEARINGS

Mr. David Meador informed the Board that he had accepted another position for Gloucester County and he would not be attending any more James City County Wetlands Board meetings as an Environmental Division inspector.

1. W-02-00: Lawrence R. Volz - 3516 Barrett's Ferry Drive

Mr. David Meador presented the case stating that Water's Edge Construction, on behalf of the owner Lawrence Volz, had applied for a wetlands permit to install 200 linear feet of riprap revetment at 3516 Barrett's Ferry Drive. The property is further identified as parcel (6-5) found on James City County Real Estate Tax Map (43-1).

The property in question is along the Chickahominy River. An Environmental Division inspector visited the site along with other agency personnel on February 24, 2000. It is estimated that approximately 615 square feet of tidal area (Type XV Sand/Mud Flat) will be impacted by this application request.

It is the staff's recommendation that this application be approved with the following conditions:

1. Prior to any land disturbing activities, a preconstruction meeting will be held on-site.
2. A turbidity curtain will be required and shall remain in place until the site is stabilized.
3. Filter fabric shall be inspected by the Environmental Division prior to placement of riprap.
4. All vegetation needing to be removed for this project shall be approved by the Environmental Division prior to any disturbance.
5. All denuded areas shall be stabilized with low maintenance vegetation.
6. The permit shall expire March 8, 2001.
7. *If an extension of this permit is needed, a written request shall be submitted to the Environmental Division no later than two weeks prior to the permit expiration date.*

Mr. Lindsey opened the public hearing.

- A. Mr. Daniel Winall, Water's Edge Construction, informed the Board that he was available to answer any questions.

The Board did not have any questions.

As no one else wished to speak, Mr. Lindsey closed the public hearing.

Mr. Hughes made a motion to approve case W-02-00 with staff's recommendations.

The motion was approved by a 4-0 vote.

2. W-03-00: Gene Burke - 4081 South Riverside Drive

Mr. Pat Menichino presented the case stating that Water's Edge Construction, on behalf of the owner Gene Burke, had applied for a wetlands permit to install a 75 linear foot bulkhead at 4081 South Riverside Drive. The property is further identified as parcel (19-1) found on James City County Real Estate Tax Map (5-23).

The property in question is along the Chickahominy River. An Environmental Division inspector visited the site along with other agency personnel on February 24, 2000. It is estimated that approximately 150 square feet of Vegetated Wetlands type; XI Freshwater Mixed Community will be impacted by this application request.

It is the staff's recommendation that this application be approved with the following conditions:

1. Prior to any land disturbing activities, a pre-construction meeting will be held on-site.
2. The bulkhead shall be installed at the location shown on the drawings submitted.
3. The Environmental Division shall inspect the tie backs, deadmen and filter fabric installation prior to backfilling.
4. The upslope disturbed areas shall be stabilized with grass.
5. The permit shall expire March 8, 2001.
6. If an extension of this permit is needed, a written request shall be submitted to the Environmental Division no later than two weeks prior to the permit expiration date.

Mr. Lindsey opened the public hearing.

- A. Mr. Daniel Winall, Water's Edge Construction, informed the Board that he was available to answer any questions.

The Board did not have any questions.

As no one else wished to speak, Mr. Lindsey closed the public hearing.

Mr. Gussman made a motion to approve case W-03-00 with staff's recommendations.

The motion was approved by a 4-0 vote.

3. W-04-00: Lewis Hunt - 3014 North Riverside Drive and Milton Northey - 3012 North Riverside Drive

Mr. Pat Menichino presented the case stating that Water's Edge Construction, on behalf of Mr. Milton Northey owner of 3012 North Riverside Drive and Mr. And Mrs. Lewis Hunt owners of 3014 North Riverside Drive, had applied for a wetlands permit to install a 145 linear foot bulkhead at 3012 and 3014 North Riverside Drive. The properties are further identified as parcels (3-10) and (3-9) found on James city County Real Estate Tax Map (18-2).

The properties in question are along the Chickahominy River. An Environmental Division inspector visited the site along with other agency personnel on February 24, 2000. It is estimated that approximately 145 square feet of Vegetated Wetlands type; XI Freshwater Mixed Community will be impacted by this application request.

It is the staff's recommendation that this application be approved with the following conditions:

1. Prior to any land disturbing activities, a pre-construction meeting will be held on-site.
2. The bulkhead installation location shown on the drawings submitted may require adjustments in order to minimize the impacts to the Wetlands. The proposed location of the bulkhead will be reviewed, verified and adjusted by the contractor at the direction of Environmental Division staff during the pre-construction meeting.
3. The Environmental Division shall inspect the tie backs, deadmen and filter fabric installation prior to backfilling.
4. The Environmental Division shall inspect the installation of filter fabric prior to the placement of riprap.
5. The upslope disturbed areas shall be stabilized with grass.
6. The contractor shall minimize the construction impacts to existing trees and vegetation.
7. The permit shall expire March 8, 2001.
8. If an extension of this permit is needed, a written request shall be submitted to the Environmental Division no later than two weeks prior to the permit expiration date.

Mr. Lindsey opened the public hearing.

- A. Mr. Daniel Winall, Water's Edge Construction, informed the Board that he was available to answer any questions.

Mr. Hughes inquired why riprap was not being used in this case.

Mr. Winall responded that he had considered using riprap but with the amount of cypress trees involved he felt there would be less impact on the cypress knees if he constructed a bulkhead.

As no one else wished to speak, Mr. Lindsey closed the public hearing.

Mr. Hughes made a motion to approve case W-04-00 with staff's recommendations.

The motion was approved by a 4-0 vote.

E. BOARD CONSIDERATIONS

1. Extension of W-17-98: Greater First Colony Area Civic Association - First Colony Beach

Mr. Cook presented the case stating that Mr. Sandy Loving of the Greater First Colony Area Civic Association had requested an extension of the expiration date for Wetlands Permit No. W-17-98. The project required both a wetlands permit and a land disturbing permit. The Association renewed the Land Disturbing Permit for the project prior to expiration of either permit and staff had considered the application for renewal of the land disturbing permit as a request for extension of the wetlands permit. Subsequent to the receipt of the request by Mr. Loving and following consultation with the Wetlands Board Chairman, the Environmental Division had authorized the extension of the permit date to February 10, 2001. All of the permit conditions required with W-17-98 shall apply to this permit extension. The authorization of the extension of this wetlands permit is subject to review and confirmation by the Wetlands Board at its next meeting.

1. A preconstruction meeting will be held onsite prior to commencing the project.
2. A turbidity curtain shall be in place along the entirety of the project prior to any construction.
3. Only 100% sand is to be placed on the beach and around the cypress trees.
4. When placing the sand on the beach, the final grade of the sand is to stay below the existing timber walls.
5. Caution will be taken when placing the sand around the cypress trees, so the cypress knees are not damaged.
6. The area adjacent to the groin and the breakwater shall be planted with *Spartina patens*. An area of approximately 75 square feet shall be planted inside of each structure.
7. No mature trees shall be cut unless previously approved by the Environmental Division.
8. A land disturbing permit with surety shall be obtained and remain in force until the new wetland is successfully established in the tidal area; a minimum of three growing seasons.
9. This permit will expire on February 10, 2001.

Mr. Hughes noted that this was the second extension to this permit. He inquired why the case needed to be extended again

Mr. Alex Kuras, 112 Pasbeheg Drive, member of the First Colony Area Civic Association, requested the Board approve the extension. He informed the Board that the contractor was delayed in starting the project due to Hurricane Floyd, then the snow storm, and then equipment problems. He said that he had talked to Mr. Frank Huckaby, the contractor, and he was now ready to begin work imminently.

Mr. Hughes made a motion to approve extending the expiration date on case W-17-98 to February 10, 2001.

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Daniel Winall, Water's Edge Construction, requested the Board consider an amendment to the Mitigation-Compensation Policy which would exempt erosion control non-vegetative projects from the policy. He stated that installing riprap had less impact on the environment than constructing or repairing bulkheads.

A short discussion took place in which the Board agreed that they preferred installation of riprap over the construction of bulkheads. It was the consensus of the Board that the contractor would submit his proposal and the Board would make their decision for mitigating non-vegetative projects on a case by case basis.

Mr. Winall thanked the Board for their decision.

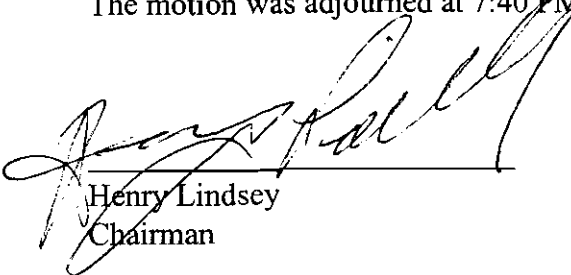
Mr. Cook informed the Board that the Board of Supervisors would appoint the new Wetlands Board member at their March 14, 2000 meeting.

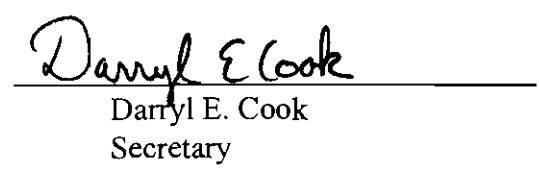
The Board extended their best wishes to Mr. David Meador in his new position.

G. ADJOURNMENT

Mr. Waltrip made a motion to adjourn. The motion was approved by a 4-0 vote.

The motion was adjourned at 7:40 PM.


Henry Lindsey
Chairman


Darryl E. Cook
Secretary