

**WETLANDS BOARD
MINUTES**

MARCH 12, 2003 - 7:00PM

A. ROLL CALL

Henry Lindsey
David Gussman
Larry Waltrip

ABSENT

Philip Duffy
William Apperson

OTHERS PRESENT

Ben Stagg, VMRC
Environmental Staff

B. MINUTES

Approval of the February 12, 2003 minutes was deferred to the April 9, 2003 meeting.

C. OLD BUSINESS

1. W-38-02/VMRC 02-2296: Matt & Deborah Crawford - 122 Discovery Lane

Mr. Joe Buchite presented the case stating that the Board had deferred this case on February 12, 2003 to the March 12, 2003 meeting. It is the staff's recommendation that the Board approve this application, with the conditions previously listed in the memo dated February 12, 2003; with one revision that the permit shall expire on March 12, 2004 instead of February 12, 2004.

Mr. Lindsey inquired if anyone wished to address the Board.

A. Mr. Matt Crawford, owner, addressed the Board and apologized for not being present at the February 12 meeting. He then asked the Board if they had questions.

B. Mr. Steven D. Fisher, Woodchuck Marine Structures and contractor, addressed the Board and asked if they had questions.

Mr. Lindsey asked them to clarify the placement of the bulkhead.

Mr. Fisher stated that it would be two feet or less in front of the existing bulkhead. It would depend on the deterioration of the existing bulkhead.

Mr. Crawford asked the Board and Mr. Fisher if it would be possible to raise the height of the proposed bulkhead to 5' high all the way across, which would be higher than the

adjacent property owners' bulkheads, but it would aid in protecting his property from further erosion.

Mr. Cook stated that the Board has been historically consistent by requiring bulkheads be tied into adjacent property owners' bulkheads. He did not know if the height would be an issue.

Mr. Fisher responded that if he could keep the top of the bulkhead level, and not taper it off, he could keep the bulkhead 5 feet high.

It was the consensus of the Board that the height of the bulkhead did not impact on wetlands and could be worked out in the field between staff and the owner.

No one else wished to speak.

Mr. Gussman made a motion to approve case W-38-02 with staff's recommendations and added the height of the bulkhead would be worked out in the field between staff and the owner and as built drawings would be submitted once the project had been completed.

The motion was approved by a 3-0 vote.

D. PUBLIC HEARINGS

1. W-2-03/VMRC 03-0032: S. W. Stieffen – 167 Riverview Plantation Drive

Mr. Jim Rudnicky presented the case stating that Mr. Jeff Watkins, Riverworks Inc., on behalf of the owner, S. W. Stieffen, had applied for a wetlands permit to install approximately 100 feet of riprap revetment to prevent future erosion. A 5- by 150-foot long pier, with a 16- by 16-foot L-head, 47-foot long catwalk and a boatlift was also proposed to provide access to the York River. A protest had been lodged with VMRC regarding the pier, but no protest had been received regarding the revetment. The property is further identified as parcel (2-3) found on the James City County Real Estate Tax Map (17-3). The project site in question is located on the York River.

Environmental Division staff visited the site on February 21, 2003, along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Proposed impacts for this project are determined to be 700 sq. ft. to the Type XV Sand /Mud Flat Community. Total fill impacts for this project are determined to be 350 sq. ft. to the Type XV Sand /Mud Flat Community.

Distances between the toe of the proposed revetment and mean high water varies from six to eight feet. An average of seven was used to calculate the total area impacted of 700 sq. ft. (7ft. x 100ft.). The westernmost edge of the proposal includes a 10-foot section of an existing riprap revetment on the property that will need to be modified.

It is the staff's recommendation that the Board approve this application, with the following conditions:

1. Prior to any land disturbing activities, a preconstruction meeting will be held on-site.
2. The limits of construction shall be flagged in the field prior to the preconstruction meeting.
3. All vegetation to be removed shall be clearly flagged or marked with spray paint prior to the preconstruction meeting.
4. Any landward areas of the Resource Protection Area (RPA) buffer that are proposed to be cleared and disturbed during the construction process will require restoration with native vegetation consisting of trees, shrubs and ground cover. An RPA restoration plan with surety shall be submitted and approved by the Environmental Division prior to the preconstruction meeting.
5. All vegetation to be removed for this project shall be approved by the Environmental Division prior to any land disturbance.
6. The Environmental Division reserves the right to require a turbidity curtain for this project if field conditions warrant its use.
7. All core stone used shall be number three stone and all armor stone shall be Class 2 riprap.
8. Filter fabric shall be inspected by the Environmental Division prior to the placement of riprap.
9. The permit shall expire March 12, 2004.
10. 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 expiration date.

Mr. Lindsey opened the public hearing.

- A. Mr. S. W. Stieffen, owner, addressed the Board and stated he would answer any questions that the Board might have.
- B. Mr. Jeff Watkins, Riverworks Inc. and the contractor, addressed the Board and stated he would answer any questions that the Board might have. He further stated that he accepted staff's recommendations and requested the Board vote favorably on the project as there was severe erosion on the bank.

Mr. Lindsey pointed out the last paragraph on page 2 of the VIMS report indicated that the structure was to be placed as far landward as possible to reduce wetlands impacts. He asked Mr. Watkins to respond to that.

Mr. Watkins responded that he felt the statement was positive in nature and his intent would be to place the structure as far landward as possible.

Mr. Stagg informed the Board that the lot was small and there was restricted area to work.

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

Mr. Waltrip made a motion to approve case W-2-03 with staff's recommendations.

The motion was approved by a 3-0 vote.

E. NEW BUSINESS - None

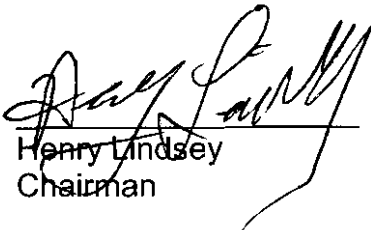
F. MATTERS OF SPECIAL PRIVILEGE


Mr. Cook informed the Board that the requirement for adoption of the new regulations to the Chesapeake Bay Act had been postponed until December 31, 2003. However, the County was moving forward with revising its ordinance but it was unclear as to when it would be going to the Board of Supervisors for their consideration and adoption.

Mr. Cook informed the Board that he was requested to speak on wetlands mitigation at the Wetlands Symposium to be held on March 20th. He then presented the Board with a copy of his presentation and asked the Board to review it and give him input no later than March 19th.

G. ADJOURNMENT

The meeting was adjourned at 7:42 PM.


Henry Lindsey
Chairman


Darryl E. Cook
Secretary to the Board