

**JAMES CITY COUNTY WETLANDS BOARD
MAY 11, 2005 - 7:00PM**

A. ROLL CALL

ABSENT

Henry Lindsey
David Gussman
Larry Waltrip
John Hughes

William Apperson

OTHERS PRESENT

Randy Owen, VMRC
County Staff

B. MINUTES – January 12, 2005

The January 12, 2005 minutes were approved as presented.

C. PUBLIC HEARINGS

1. W-03-05/VMRC 05-0440: 10100 Sycamore Landing Road - Thomas & Eleanor Murphy

Mr. Buchite presented the case stating that Mr. Henry Branscome, Jr. had applied for a wetlands permit, on behalf of Thomas E. and Eleanor B. Murphy, to install approximately 275 feet of riprap revetment to prevent future erosion at 10100 Sycamore Landing Road, along the shoreline of the York River. The property is further identified as parcel (3-1) found on the James City County Real Estate Tax Map (7-2). Mr. Branscome and the landowners have been advised that their attendance at the Wetlands Board meeting is highly recommended.

This project will involve the construction of 275 linear feet of riprap revetment. The revetment will be constructed using Class A-1 core stone, Class 3 riprap armor stone, and filter fabric. The project will involve impacts to jurisdictional wetlands and it will include impacts to upland areas not within the Wetlands Board's jurisdiction. The project proposed will require the excavation of the upland slope to reduce wetland impacts.

Environmental Division staff visited the site on April 21, 2005, along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Proposed impacts for this project are determined to be 550 sq. ft. to the Type XV Sand/Mud Mixed Flat Community. Total fill impacts for this project are determined to be 0 square feet.

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. If vegetation is removed for construction access,

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 A-1 stone and all armor stone shall be Class 3 riprap.
8. Filter fabric shall be inspected by the Environmental Division prior to the placement of riprap.
9. The permit shall expire May 11, 2006.
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 expiration date.

Mr. Lindsey opened the public hearing and as no one wished to speak, he closed the public hearing.

Mr. Hughes made a motion to approve case W-03-05 with staff's recommendations.

The motion was approved by a 4-0 vote.

2. W-04-05/VMRC 05-0441: 10112 Sycamore Landing Road - Alma C. Marshall

Mr. Buchite presented the case stating that Mr. Henry Branscome, Jr. had applied for a wetlands permit on behalf of Alma C. Marshall to install approximately 50 linear feet of riprap revetment to prevent future erosion at 10112 Sycamore Landing Road along the shoreline behind her property. The property is further identified as parcel (3-1A) found on the James City County Real Estate Tax Map (7-2). The project site in question is located on the York River. Mr. Branscome and the landowner have been advised that their attendance at the Wetlands Board meeting is highly recommended.

This project will involve the construction of 50 linear feet of riprap revetment. The revetment will be constructed using Class 3 riprap armor stone, class A-1 core stone, and filter fabric. The project will involve impacts to jurisdictional wetlands and it will include impacts to upland areas not within the Wetlands Board's jurisdiction. The project as proposed will require the excavation of the upland slope to reduce wetland impacts.

Environmental Division staff visited the site on April 21, 2005 along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Proposed impacts for this project are determined to be 100 sq. ft. to the Type XV Sand/Mud Mixed Flat Community. Total fill impacts for this project are determined to be 0 square feet.

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. If vegetation is removed for construction access, 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 A1 stone and all armor stone shall be Class 3 riprap.
8. Filter fabric shall be inspected by the Environmental Division prior to the placement of riprap.
9. The permit shall expire May 11, 2006.
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 expiration date.

Mr. Lindsey opened the public hearing.

A. Mr. Henry Branscome, Jr., contractor responded to a question from Mr. Hughes. The owner's of the adjacent lot had indicated they were not interested in having any work done on the property; however, he was told he could remove the debris on the banks.

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

Mr. Gussman made a motion to approve case W-04-05 with staff's recommendations.

The motion was approved by a 4-0 vote.

3. W-5-05/VMRC 05-0442: 10200 Sycamore Landing Road - Eunice C. Sullivan Trust

Mr. Buchite presented the case stating that Mr. Henry Branscome, Jr., on behalf of Joseph M. Ketron for the Eunice Sullivan Trust, had applied for a wetlands permit to install approximately 180 feet of bulkhead and returns with associated fill to replace the failing bulkhead existing on the York River behind Mr. Ketron's property. The property is further identified as parcel (3-8A) found on the James City County Real Estate Tax Map (7-2). The project site in question is located on the York River. Mr. Ketron and Mr. Branscome have been advised that their attendance at the Wetlands Board meeting is highly recommended.

This project will involve the construction of 150 linear feet of timber bulkhead with 15-foot returns placed in the footprint of the existing bulkhead to reduce the potential wetlands impacts. The bulkhead will be constructed using 2"x 8"x16' sheets of timber tongue and groove with a 4"x6" whalers, salt treated dead men, and filter fabric. The project will involve 300 square feet of impacts to jurisdictional wetlands. The project will require the excavation of the upland slope to reduce wetland impacts.

Environmental Division staff visited the site on April 21, 2005, along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Proposed impacts for this project are determined to be 300 square feet to the Type XV Sand/Mud Mixed Flat Community. Total fill impacts for this project are determined to be 300 square feet.

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. If vegetation is removed for construction access, 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. A turbidity curtain shall be required prior to commencement of any construction activity unless waived by the Environmental Division Director.
7. Filter fabric shall be inspected by the Environmental Division prior to the placement of backfill.
8. The permit shall expire May 11, 2006.
9. 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 expiration date.

Mr. Lindsey opened the public hearing.

A. Mr. Henry Branscome, Jr., contractor, responded to a question from Mr. Hughes and Mr. Gussman. He stated the owner preferred to use a bulkhead and not riprap.

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

Mr. Hughes stated he preferred the use of riprap as it would remain in place, where a bulkhead had about a 20-year life expectancy before failing. He asked Mr. Branscome to encourage the owner to use riprap.

Mr. Hughes made a motion to approve case W-05-05 with staff's recommendations.

The motion was approved by a 4-0 vote.

D. BOARD CONSIDERATIONS

1. Extension of W-26-04 – 1368 Colonial Pkwy – Pedestrian Bridge @ Jamestown Island

Mr. Cook presented the case to the Board and asked them to approve the extension.

Mr. Hughes made a motion to approve extending W-26-04 to June 9, 2006.

The motion was approved by a 4-0 vote.

E. MATTERS OF SPECIAL PRIVILEGE

Resolution of Appreciation – Philip Duffy

Mr. Gussman made a motion to approve the Resolution of Appreciation.

The motion was approved by a 4-0 vote.

RESOLUTION OF APPRECIATION
FOR SERVICE TO THE
JAMES CITY COUNTY WETLANDS BOARD AND CHESAPEAKE BAY BOARD

WHEREAS, Philip Duffy served the citizens of James City County on the Wetlands Board continuously from April 12, 2000, to March 22, 2005, and the Chesapeake Bay Board from April 14, 2004, to March 22, 2005; and

WHEREAS, incalculable hours of voluntary service given by Mr. Duffy and his high qualifications to handle many challenges were invaluable to the successful betterment of the County's wetlands resources; and

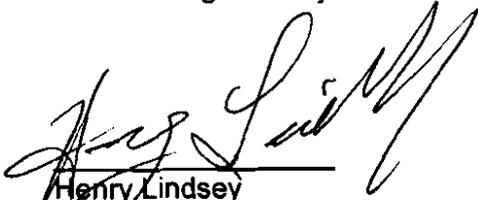
WHEREAS, the Wetlands Board and the Chesapeake Bay Board will feel a great loss of one whose ability and personal qualities have meant so much in the protection of the County's wetlands.

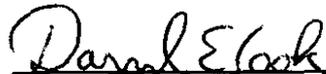
NOW, THEREFORE, BE IT RESOLVED that the Wetlands Board and the Chesapeake Bay Board of James City County, Virginia, extends congratulations to Mr. Duffy on his leadership that has given the County the stature it now enjoys and its sincere appreciation for services as a Wetlands Board member and as a Chesapeake Bay Board member and hopes that the coming years bring good health, happiness, and a full share of those things that make this world a better place in which to live.

BE IT FURTHER RESOLVED that this resolution be entered into the Minutes of the Wetlands Board and that a copy be presented to Philip Duffy.

F. ADJOURNMENT

The meeting was adjourned at 7:28 PM.


Henry Lindsey
Chairman


Darryl E. Cook
Secretary

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FOR SERVICE TO THE

JAMES CITY COUNTY WETLANDS BOARD AND CHESAPEAKE BAY BOARD

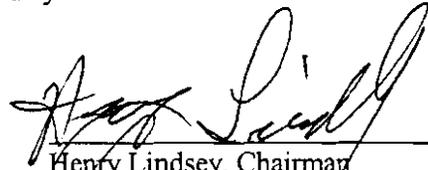
WHEREAS, Philip Duffy served the citizens of James City County on the Wetlands Board continuously from April 12, 2000, to March 22, 2005, and the Chesapeake Bay Board from April 14, 2004, to March 22, 2005; and

WHEREAS, incalculable hours of voluntary service given by Mr. Duffy and his high qualifications to handle many challenges were invaluable to the successful betterment of the County's wetlands resources; and

WHEREAS, the Wetlands Board and the Chesapeake Bay Board will feel a great loss of one whose ability and personal qualities have meant so much in the protection of the County's wetlands.

NOW, THEREFORE, BE IT RESOLVED that the Wetlands Board and the Chesapeake Bay Board of James City County, Virginia, extends congratulations to Mr. Duffy on his leadership that has given the County the stature it now enjoys and its sincere appreciation for services as a Wetlands Board member and as a Chesapeake Bay Board member and hopes that the coming years bring good health, happiness, and a full share of those things that make this world a better place in which to live.

BE IT FURTHER RESOLVED that this resolution be entered into the Minutes of the Wetlands Board and that a copy be presented to Philip Duffy.



Henry Lindsey, Chairman
James City County Wetlands Board

ATTEST:


Darryl E. Cook
Secretary

Adopted by the Wetlands Board of James City County, Virginia, this 11th day of May,
2005.

Pduffy.res