

# **Wetlands Board**

**January 14, 2010**

**A. Roll Call**

**B. Minutes**

1. December 9, 2009 – Board Meeting

**C. Public Hearings**

1. W-05-10/VMRC 09-1452 – Sarko – 10116 Sycamore  
Landing Road

**D. Board Considerations - None**

**E. Matters of Special Privilege**

**F. Adjournment**

## MEMORANDUM

**DATE:** January 14, 2010

**TO:** The Wetlands Board

**FROM:** Patrick T. Menichino, Wetlands Board Secretary

**SUBJECT:** Case NO. W-05-10 / VMRC 09-1452; 10016 Sycamore Landing Road

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Coastal Marine Consulting on behalf of Ms. Cynthia Sarko (applicant) has applied for a Wetlands permit to install approximately 100 linear feet of riprap revetment to prevent future erosion along the shoreline located at 10016 Sycamore Landing Road. The applicant also proposes construction of a pier, boathouse with boatlift and a staircase through the Resource Protection Area (RPA) buffer to provide access to the pier. The property is further identified by James City County Real Estate as PIN # 0720300002. The project site in question is located on the York River, a tributary to the Chesapeake Bay. The applicants have been advised that their attendance at the Wetlands Board meeting is highly recommended.

This project will involve the construction of 100 linear feet of rip-rap revetment. The revetment is proposed to be constructed using Class II rip-rap armor stone, installed overtop of Class 1 core stone, and filter fabric. The project will involve impacts to jurisdictional wetlands and it will also include impacts to upland areas not within the Wetlands Board's jurisdiction. The project as proposed will require the excavation of the upland area to create an acceptable 2:1 or 3:1 slope. Grading impacts to the RPA buffer extend landward approximately 51 linear feet from existing MHW (existing toe of slope).

Environmental Division staff along with a representative from Virginia Marine Resources Commission (VMRC) visited the site on October 19, 2009 to review the project scope and potential impacts. The Virginia Institute of Marine Science (VIMS) has submitted an evaluation report concerning this application and it has been included for your review.

Staff estimates the impacts for the proposed revetment to be 300 square feet to the upper limits of wetlands, and 675 Square feet to upland areas. Total fill impacts for the revetment are estimated to be 150 square feet to non-vegetated wetlands.

Staff agrees that the preferred approach (breakwaters and beach nourishment) recommended by VIMS in their report would protect the shoreline and also prevent the severing of the riparian areas from the wetlands caused by the installation of a hardened revetment. However, at this particular site adjacent properties have similar revetments to the one requested in this application.

Staff's offers the following information, and guidance for the Boards consideration:

1. The applicant proposes to construct an armor stone revetment and grade approximately 3000 square feet of RPA buffer in order to achieve a 2:1 or 3:1 slope. The proposed grading will occur within an RPA buffer that is well vegetated but void of trees and understory shrub layer. The proposed revetment will tie into an existing armor stone revetment located on an adjacent property.

2. The shoreline along this stretch of the York River is designated as a medium energy shoreline and has suffered from wave attack during major storm events resulting in shoreline erosion.
3. There is no imminent danger to existing dwellings that may be caused by the shoreline erosion.
4. The applicants are proposing a row of 22 shrubs to be installed along the top of proposed bank to break up sheet flow.
5. The proposed pier, and boathouse with boatlift do not impact vegetated wetlands, therefore they are exempt from Board consideration. The proposed stairway within the RPA buffer will be reviewed through an administrative Chesapeake Bay Exception process.

Should the Board vote to approve this application for a permit, staff recommends the following permit conditions be applied to the permit:

1. Prior to any land disturbing activities, a preconstruction meeting will be held on-site.
2. The limits of clearing and grading 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 and approved by the Environmental Division (Division), prior to any land disturbance.
4. The proposed project grading will impact approximately 3000 square feet of RPA buffer. An RPA buffer modification plan shall be submitted to the Division to show the proposed species and locations for (4) native canopy trees, (8) native understory trees, and (24) shrubs required for mitigation to offset the RPA impacts. These native mitigation plantings shall be installed within the RPA buffer in lieu of the (22) hardy shrubs proposed in this application. In addition the stabilization of the graded slopes will be achieved with the establishment of native grasses in lieu of the Weeping Love Grass proposed in this application. The implementation of the revised RPA buffer modification plan and stabilization shall be guaranteed by surety in a form acceptable to the Division and to the County Attorney and be submitted prior to the preconstruction meeting.
5. The armor stone proposed for this revetment is Class II, the core stone shall be a minimum size of Class I. Filter cloth shall be installed underneath of all core stone.
6. Inspections of the excavated core trench and filter cloth are required prior to the installation of core stone.
7. The Division reserves the right to require erosion and sediment control measures for this project if field conditions warrant their use.
8. The applicant must obtain authorization from all other regulatory agencies that have jurisdiction over the proposed project.
9. A James City County building permit will be required for the staircase, pier and boathouse.

10. A Chesapeake Bay Exception request must be submitted to the Division for the proposed staircase within the RPA buffer.
11. The permit shall expire January 14, 2011. 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.