

A G E N D A
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
June 8, 2016
7:00 PM

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. MINUTES**
 - 1. Minutes from 5/11/16 meeting
- D. PUBLIC HEARINGS**
- E. BOARD CONSIDERATIONS**
 - 1. W-15-15 : 132 and 134 Shellbank Drive
- F. MATTERS OF SPECIAL PRIVILEGE**
- G. ADJOURNMENT**

ITEM SUMMARY

DATE: 5/11/2016
TO: Wetlands Board
FROM: Board Secretary
SUBJECT: Minutes from May 11, 2016 meeting

ATTACHMENTS:

	Description	Type
▣	Minutes from 5/11/16 meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Environmental	Secretary, Wetland	Approved	6/1/2016 - 9:35 AM
Publication Management	Boles, Amy	Approved	6/1/2016 - 10:04 AM
Environmental	Secretary, Wetland	Approved	6/1/2016 - 10:28 AM

MINUTES
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
May 11, 2016
7:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for May 11, 2016 was called to order.

The responsibility of this Board is to carry out locally the Commonwealth policy to preserve the wetlands and to accommodate economic activity so as to prevent their despoliation.

B. ROLL CALL

Board Member Present:

John Hughes - Chair
Larry Waltrip
Charles Roadley
David Gussman

Absent:

William Apperson

Others Present:

County Staff (Staff):

Michael Woolson, Senior Watershed Planner
Maxwell Hlavin, Assistant County Attorney
Melanie Davis, Secretary to the Board
Mark Eversole, Virginia Marine Resource Commission (VMRC)

C. MINUTES

1. Minutes from 4/13/16 Meeting

Approved as written.

D. PUBLIC HEARINGS

1. W-14-16 / VMRC 16-0313 : 3018 and 3020 North Riverside Drive

Michael Woolson presented this wetlands permit request submitted by Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Mr. Henry S. Branscome, II, to construct three stone stills totaling 186 linear feet and associated beach nourishment. The property is located within the Chickahominy Haven subdivision, directly on the Chickahominy River. The project impacts 2,400 square feet of Type XIV Sand Flat Community. This wetland impact is non-vegetative and requires no compensatory mitigation. Mr. Woolson's presentation described the current site conditions and the proposed project. Staff recommended approval of the application with the conditions specified in the Resolution.

Mr. Roadley asked if the proposed density of wetlands plantings would provide full coverage within one year.

Mr. Woolson replied that in Staff's opinion it would not however, as mitigation was not required these plantings were offered to keep the sand in place. If the Board desired full coverage in one year the planting would need to be denser.

Mr. Waltrip asked if there were other projects like this in the area.

Mr. Woolson said this type of shoreline project was one of the first in this area. Most of the other properties were bulk heads or riprap.

Mr. Hughes asked what will happen if pickerelweed grows in this area.

Mr. Woolson explained that it is an aquatic plant that might naturally occur and neither it nor the proposed spartina could be removed.

Mr Hughes opened the public hearing.

A. Ms. Karla Havens with Mid-Atlantic Resource Consulting, explained the advantage of this project in that the site is currently a non-vegetated sand flat and when complete will be fully vegetated.

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

Mr. Roadley stated he appreciated the proposal for this type of project.

Mr. Gussman made a motion to adopt the resolution granting the permit for wetlands board case W-14-16/VMRC 16-0313 at 3018 and 3020 N Riverside Drive.

A motion to Approve was made by David Gussman, the motion result was .

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Gussman, Hughes, Roadley, Waltrip

Absent: Apperson

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

Meeting adjourned at 7:15 pm

ITEM SUMMARY

DATE: 6/8/2016
TO: Wetlands Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: W-15-15 / VMRC 15-0684 : 132 and 134 Shellbank Drive

Danny Winall has requested an extension to the wetlands permit issued on July 8, 2015 for a breakwater, sill and associated beach nourishment at 132 and 134 Shellbank Drive. This is a living shoreline application.

ATTACHMENTS:

	Description	Type
▣	Extension Request	Staff Report
▣	Case Decision - July 8, 2015	Backup Material
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Environmental	Woolson, Michael	Approved	5/11/2016 - 10:04 AM
Environmental	Thomas, Scott	Approved	5/11/2016 - 2:10 PM
Publication Management	Boles, Amy	Approved	5/11/2016 - 2:25 PM
Environmental	Secretary, Wetland	Approved	5/25/2016 - 8:09 AM

MEMORANDUM

DATE: June 8, 2016
TO: The Wetlands Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. W-15-15/VMRC 15-0684; 132 and 134 Shellbank Drive

Mr. Danny Winall, Water's Edge Construction, is requesting an extension of this permit, originally issued on July 8, 2015. The permit is for the construction of a 160-linear-foot breakwater, a 160-linear-foot low-profile stone sill and sand beach nourishment with plantings, creating a living shoreline to protect property at 132 and 134 Shellbank Drive and at the mouth of Shellbank Creek. Staff concurs with this request with the stipulation that previous Conditions Nos. 1 through 7 be continued and that Condition No. 8 have the new expiration date of July 8, 2017.

MW/ab
ShellbankDr-mem



JAMES CITY COUNTY WETLANDS BOARD

PUBLIC HEARING

July 8, 2015

CASE DECISION WORK SHEET

CASE NO: W-15-15 / VMRC 15-0684: 132 and 134 Shellbank Drive

OWNER/AGENT: Paul and Karen Reilly/Waters Edge Construction, Daniel Winall

PERMIT REQUESTED: Wetland Permit

RESOLUTION: permit for breakwater, sill and associated sand beach fill at 132 and 134 Shellbank Drive on Shellbank Creek and the James River

Granted with following conditions:

- 1) The applicant must obtain all other necessary local, state, and/or federal permits required for the project.
2) Restake limits of sill and revetment if necessary.
3) Pre-construction meeting on-site.
4) Post \$1,500 surety to be held a minimum of one growing season after planting with a 90% survival rate of planted material.
5) There shall be a 90% survival rate of planted material
6) This permit shall expire July 8, 2016 if construction has not started or an extension request is not submitted at least 6 weeks prior to this expiration date.

Table with 5 columns: VOTE, AYE, NAY, ABSTAIN, ABSENT. Rows include Charles Roadley, Roger Schmidt, David Gussman, William Apperson, and John Hughes, with 'X' marks in the AYE column.

DATE OF DECISION: July 8, 2015

DATE FILED IN OFFICE: July 9, 2015

WETLANDS BOARD SECRETARY: Melanie Davis

Resolution to grant the James City County Wetlands Board Permit will be issued in 10 days pending any appeals.

RESOLUTION

CASE NO. W-15-15/VMRC 15-0684. 132/134 SHELLBANK DRIVE

JAMES CITY COUNTY WETLANDS PERMIT

WHEREAS, Daniel Winall, Water's Edge on behalf of Paul and Karen Reilly , (the "Applicant") has requested and extension of the permit granted by the Wetlands Board of James City County (the "Board") on July 8, 2015. The permit is to use and develop in areas designated as wetlands on a parcel of property identified as JCC RE Tax Parcel Nos. 4510200001, 4510200001A and 4510100011 and further identified as 132 and 134 Shellbank Drive in the Shellbank Woods Subdivision (the "Property") as set forth in the application W-15-15/VMRC 15-0684; and

WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, having conducted a public hearing on July 8, 2015, and pursuant to the current request for an extension, the Wetlands Board of James City County, Virginia, by a majority vote of its members FINDS that:

1. The anticipated public and private benefit of the proposed activity in the wetlands exceeds its anticipated public and private detriment.
2. The proposed development conforms to the standards prescribed in Section 28.2-1308 of the Code of Virginia, and the guidelines promulgated pursuant to Section 28.2-1301 of the Code of Virginia.
3. The proposed activity does not violate the purpose and intent of Chapter 22 of the James City County Code or Sections 28.2-1300 et. seq. of the Code of Virginia.
4. In granting this Wetlands Permit, the following conditions are hereby imposed:
 - a. The applicant must obtain all other necessary local, state and/or federal permits required for the project; and
 - b. Prior to construction, the limits of the sill and revetment shall be re-staked in the field if necessary; and
 - c. Prior to construction, a pre-construction meeting will be held on-site; and
 - d. Prior to construction, a \$1,500 surety for the wetland plantings shall be submitted in a form acceptable to the County Attorney's office; and
 - e. The surety will be held for a minimum of one growing season after planting; and
 - f. There shall be a 90% survival rate of the planted material after one growing season or additional plantings completed to reach 90% of the original quantity prior to surety release; and
 - g. The Engineering and Resource Protection Division Director reserves the right to require additional erosion and sediment control measures, such as a turbidity curtain, for this project if field conditions warrant their use; and

- h. The Wetlands Permit for this project shall expire on July 8, 2017 if construction has not begun. If an extension of the permit is needed, a written request shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.

Michael Woolson
Senior Watershed Planner

John Hughes
Chair, Wetlands Board

Adopted by the Wetlands Board of James City County, Virginia, this ___ day of _____, 20__

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

15-15/15-0684 ShellbankPermitExt-res