

A G E N D A
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23185
June 9, 2021
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from April 14, 2021, Regular Meeting

D. PUBLIC HEARINGS

1. Case No. WJPA 21-0019 / VMRC 21-0915 : 1497 John Tyler Highway
2. Case No. WJPA 21-0024 / VMRC 19-1938 : 10010 Sycamore Landing Road
3. Case No. WJPA 21-0025 / VMRC 19-2163 : 10006 Sycamore Landing Road

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

1. WJPA 20-0032 : 6413 Conservancy

G. ADJOURNMENT

ITEM SUMMARY

DATE:

TO: Wetlands Board

FROM: Michael Woolson, Wetlands Board Secretary

SUBJECT: Minutes from April 14, 2021, Regular Meeting

ATTACHMENTS:

	Description	Type
	Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	6/8/2021 - 11:51 AM
Wetlands Group	Small, Toni	Approved	6/8/2021 - 12:34 PM
Publication Management	Daniel, Martha	Approved	6/8/2021 - 12:38 PM
Wetlands Group	Secretary, Wetland	Approved	6/8/2021 - 4:12 PM

MINUTES
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23185
April 14, 2021
5:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for April 14, 2021, 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 its despoliation.

B. ROLL CALL

Board Members Present:

William Apperson, Chairman
Charles Roadley
Michael O'Brien
David Gussman, Remote Access
Robert Lukens, Remote Access

A motion to allow the Remote Participation was made by William Apperson and approved on a voice vote.

Board Members Absent:

Halle Dunn
Larry Waltrip

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Liz Parman, Assistant County Attorney
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection

Trevor Long, Watershed Planner, Stormwater and Resource Protection
Janice Petty, Stormwater Assistant, Stormwater and Resource Protection

C. MINUTES

1. Minutes from January 13, 2021, Regular Meeting

A motion to Approve the minutes was made by Mr. Apperson. The minutes were approved on a voice vote

2. Minutes from March 22, 2021, Work Session

A motion to Approve the minutes was made by Mr. Apperson. The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

1. Case No. WJPA-21-0005/VMRC 21-0232 : 3026 and 3028 North Riverside Drive

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Ms. Karla Havens, Mid-Atlantic Resource Consulting on behalf of Mr. Todd Dellert, Chickahominy Haven Citizens Association, who has applied for a wetlands permit for removal and replacement of a pier located at 3026 North Riverside Drive in the Chickahominy Haven Subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Tax Map Parcel No. 1820200052. The presentation described the current site conditions, proposed construction, and mitigation with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Gussman inquired if the existing pier was underwater during high tides because high tides have risen or has the pier sunk into the river.

Mr. Long replied he believed that the pier had sunk, but deferred to the applicant for an answer.

Mr. Apperson opened the Public Hearing.

A. Ms. Karla Havens, Mid-Atlantic Resource Consulting, was available to answer questions from the Board. She answered that the elevation of the pier was the result of a combination of a number of things: built too low, sea level rise, and high tides when photos were taken. She further explained that the T head was to be minimized for ingress and egress to the water.

Mr. Roadley inquired if the pier was on a community lot.

A. Ms. Havens affirmatively answered.

Mr. Apperson closed the Public Hearing.

Mr. Roadley made a motion to Adopt the resolution to grant the permit for Wetlands Board Case No. WJPA 21 -0005/VMRC 21- 0232 at 3026 North Riverside Drive.

The motion to Approve with Conditions was made by Mr. Roadley, the motion result:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2

Ayes: Apperson, Roadley, O'Brien, Gussman, Lukens

Nays: None

Abstain: None

Absent: Dunn, Waltrip

2. Case No. WJPA 21-0008/VMRC 21-0351 : 210 Red Oak Landing Road

Mr. Michael Woolson, Resource Protection Section Chief, presented the permit request submitted by Ms. April Edwards, Virginia Marine Contracting, Inc., on behalf of Mr. Clinton Morgeson and Mrs. Meagan Thomas who have applied for a wetlands permit for construction of a pier on the property located at 210 Red Oak Landing Road, in the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4730100032. The presentation described the current site conditions, proposed construction, and mitigation with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Lukens inquired of the amount of time needed for construction of the pier.

Mr. Woolson replied that he would defer to the contractor for an answer.

Mr. Apperson inquired if the site incurs an infestation of phragmites, would that be considered destruction of the wetlands.

Mr. Woolson replied that no phragmites were on that property or near the property at the present time.

Mr. Apperson opened the Public Hearing.

A. Mr. Joel Monastyrlly, Virginia Marine Contracting Inc., was available to answer questions from the Board. He noted the project detail included: less than 30 days in length, access through the water and uplands, no barge into the vegetated wetlands and only on the waterways, with another option to go via uplands using wood mats.

Mr. Roadley summarized that the Board was not authorizing the pier but authorizing the method of construction of the pier.

B. Mr. Clinton Morgeson, owner, inquired on the impacts to the vegetated wetlands. Contractor, Mr. Joel Monastyrlly indicated less impacts to the vegetated wetlands and method of construction by the upland side, and not bringing the barge into the marsh.

Mr. Apperson restated Mr. Morgeson's concern whether the barge would be used or not or if the mats would be more harmful for the wetlands than the barge.

Mr. Woolson stated it appears that the impacts would be about half what staff anticipated. He noted if the Board wanted to reduce the surety by half, staff would find that acceptable.

Mr. Roadley asked that with the method of construction proposed, is there a reasonable assurance that the damage to the wetland that it will be able to restore itself.

Mr. Woolson affirmed that is why Staff would review the project's wetlands in one year's time.

Mr. Roadley confirmed that matting is an effective way to disperse the weight of construction equipment with minimal impacts.

Mr. Apperson closed the Public Hearing.

Mr. O'Brien made a motion to Adopt the resolution to grant the permit for Wetlands Board Case No. WJPA 21- 0008/VMRC 21- 0351 at 210 Red Oak Landing Road.

The motion to Approve with Conditions was made by Mr. O'Brien, the motion result:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2

Ayes: Apperson, Roadley, O'Brien, Gussman, Lukens

Nays: None

Abstain: None

Absent: Dunn, Waltrip

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

A motion to Adjourn was made by Mr. Apperson and approved on a voice vote.

The meeting adjourned at 5:28 p.m.

ITEM SUMMARY

DATE: 6/9/2021

TO: Wetlands Board

FROM: Michael Woolson, Section Chief - Resource Protection

SUBJECT: Case No. WJPA 21-0019 / VMRC 21-0915 : 1497 John Tyler Highway

Mid-Atlantic Resource Consulting, on behalf of Mr. Christopher and Mrs. Heidi Cook, has applied for a wetlands permit for the installation of a pier, boathouse, 2 lifts and a catwalk at 1497 John Tyler Highway, JCC Parcel ID No. 3430300006.

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Resolution	Resolution
▣	Presentation	Presentation
▣	Application	Backup Material
▣	APO Letter	Backup Material
▣	APO Mailing List	Backup Material
▣	Public Advertisement	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	6/8/2021 - 11:47 AM
Wetlands Group	Small, Toni	Approved	6/8/2021 - 12:35 PM
Publication Management	Daniel, Martha	Approved	6/8/2021 - 12:46 PM
Wetlands Group	Secretary, Wetland	Approved	6/8/2021 - 4:12 PM

**WETLANDS BOARD CASE No. WJPA 21-0019/VMRC 21-0915. 1497 John Tyler Highway
Staff Report for the June 9, 2021, Wetlands Board Public Hearing**

This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Wetlands Board to assist them in making a recommendation on this assessment. It may be useful to members of the general public interested in this assessment.

EXISTING SITE DATA AND INFORMATION

Applicant: Mr. Christopher Cook

Owner/Agent: Ms. Karla Havens, Mid-Atlantic Resource Consulting

Location: 1497 John Tyler Highway

Parcel: Lot 6, Barrett's Ferry Landing

Parcel Identification No.: 3430300006

Watershed: Gordon Creek (HUC JL29)

Floodplain: Zone AE - Base flood elevation is determined to be 8 feet mean sea level

Proposed Activity: Construction of a pier

Wetland Impacts: zero square feet of vegetated wetland impacts

Staff Contact: Michael D. Woolson, Section Chief, Resource Protection Phone: 253-6823

PROJECT DISCUSSION

Ms. Karla Havens, Mid-Atlantic Resource Consulting, has applied for a wetlands permit on behalf of Mr. Christopher Cook to construct a pier on property located at 1497 John Tyler Highway within the Gordon Creek Watershed. The property is further identified as James City County Tax Map Parcel No. 3430300006.

The applicant is proposing to construct a 5-foot by 500-foot pier with an L-Head platform and boatlift. Existing conditions of the property include a tidal, bald cypress marsh which the applicant proposes to cross in order to construct the pier. The proposed construction is anticipated to traverse approximately 700 square feet of vegetated wetlands. The applicant has expressed that the construction will occur from both the uplands and the water; however, no tree clearing will take place and that the decking shall be no less than 4 feet above the wetland substrate.

There is no information regarding the construction of the pier, other than that it will occur from both the water and the uplands, supplied in the permit application. Staff has concerns with the construction access through the vegetated portion of the wetland system for this project. After talking with the contractor for the project, it will be constructed using the same means and methods as a similar pier at Uncles Neck. It is not the impacts associated with the pier itself that the Board is reviewing, but the construction method which is being permitted by the Board.

MITIGATION DISCUSSION

As published in *The Virginia Register* on July 11, 2005, the revised Wetland Mitigation Compensation Policy and Supplemental Guidelines, Regulation 4VAC 20-390-10 et seq., Virginia, as a Chesapeake Bay Program partner, is committed to "achieve a no-net loss of existing wetlands acreage and function in the

signatories' regulatory programs." In order for a proposed project to be authorized to impact wetlands and compensate for the wetland loss in some prescribed manner, the following three criteria must be met:

1. All reasonable mitigative efforts, including alternative siting, which would eliminate or minimize wetland loss or disturbance must be incorporated in the proposal; and
2. The proposal must clearly be water dependent in nature; and
3. The proposal must demonstrate clearly its need to be in the wetlands and its overwhelming public and private benefits.

If the proposed project cannot meet one or more of the above criteria, the project must be denied or must occur in areas outside of wetlands. Should it satisfy all three criteria, however, compensation for the wetland loss is required. The sequence of acceptable mitigation options should be as follows: on-site, off-site within the same watershed, mitigation bank(s) in the same watershed or a payment of an in-lieu fee. If compensation is required, it should be a condition of the permit.

Staff has reviewed this application and finds that this project meets the three criteria outlined above. It is anticipated that approximately 700 square feet of vegetated wetlands may be impacted during the construction of this project. The owner shall replant the impacted area or may purchase credits from an approved tidal wetlands mitigation bank.

STAFF RECOMMENDATIONS

Staff has reviewed the above application and recommends approval of the application as presented. Should the Board wish to approve the application, staff suggests the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary local, state, and/or federal permits required for the project; and
2. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approval and permits prior to commencement of such activities; and
3. A meeting shall take place prior to the start of construction to assess and review construction methods of the proposed pier. Staff may invite representatives of the regulatory agencies dealing with tidal wetlands, applicant, agent, contractor, and Wetlands Board members to this meeting; and
4. A meeting shall take place no later than one year after pier construction is completed to determine the extent of wetland impacts. Staff may invite representatives of the regulatory agencies dealing with tidal wetlands, applicant, agent, contractor, and Wetlands Board members to this meeting. It will be determined at this meeting if wetland impacts occurred. If there are permanent wetland impacts, the applicant shall purchase from an approved tidal wetlands mitigation bank an equal number square footage credits to offset the impacts; and
5. The Wetlands Permit for this project shall expire on June 9, 2024, if construction has not begun; and

6. If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than April 28, 2024, six weeks prior to the expiration date.

MDW/md

WJPA21-19VMRC21-915-1497JTHwy

Attachment:

1. Resolution

RESOLUTION

CASE NO. WJPA 21-0019/VMRC 21-0915. 1497 JOHN TYLER HIGHWAY

JAMES CITY COUNTY WETLANDS PERMIT

WHEREAS, Mr. Christopher Cook (the “Applicant”), has applied to the Wetlands Board of James City County (the “Board”) to request a permit to use and develop in areas designated as wetlands on property identified as James City County Real Estate Tax Parcel No. 3430300006 and further identified as 1497 John Tyler Highway (the “Property”) as set forth in the application WJPA 21-0019/VMRC 21-0915; and

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

NOW, THEREFORE, BE IT RESOLVED that the Wetlands Board of James City County, Virginia, following a public hearing, 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. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approval and permits prior to commencement of such activities; and
 - c. A meeting shall take place prior to the start of construction to assess and review construction methods of the proposed pier. Staff may invite representatives of the regulatory agencies dealing with tidal wetlands, applicant, agent, contractor, and Wetlands Board members to this meeting; and
 - d. A meeting shall take place no later than one year after pier construction is completed to determine the extent of wetland impacts. Staff may invite representatives of the regulatory agencies dealing with tidal wetlands, applicant, agent, contractor, and Wetlands Board members to this meeting. It will be

determined at this meeting if wetland impacts occurred. If there are permanent wetland impacts, the applicant shall purchase from an approved tidal wetlands mitigation bank an equal number square footage credits to offset the impacts; and

- e. The Wetlands Permit for this project shall expire on June 9, 2024, if construction has not begun; and
- f. If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than April 28, 2024, six weeks prior to the expiration date.

William Apperson
Chairman, Wetlands Board

Michael Woolson
Secretary to the Board

Adopted by the Wetlands Board of James City County, Virginia, this 9th day of June, 2021.

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2021 IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

WJPA21-19VMRC21-915-1497JTHwy-res



Wetlands Board of James City County, Virginia

June 9, 2021

WJPA 21-0019

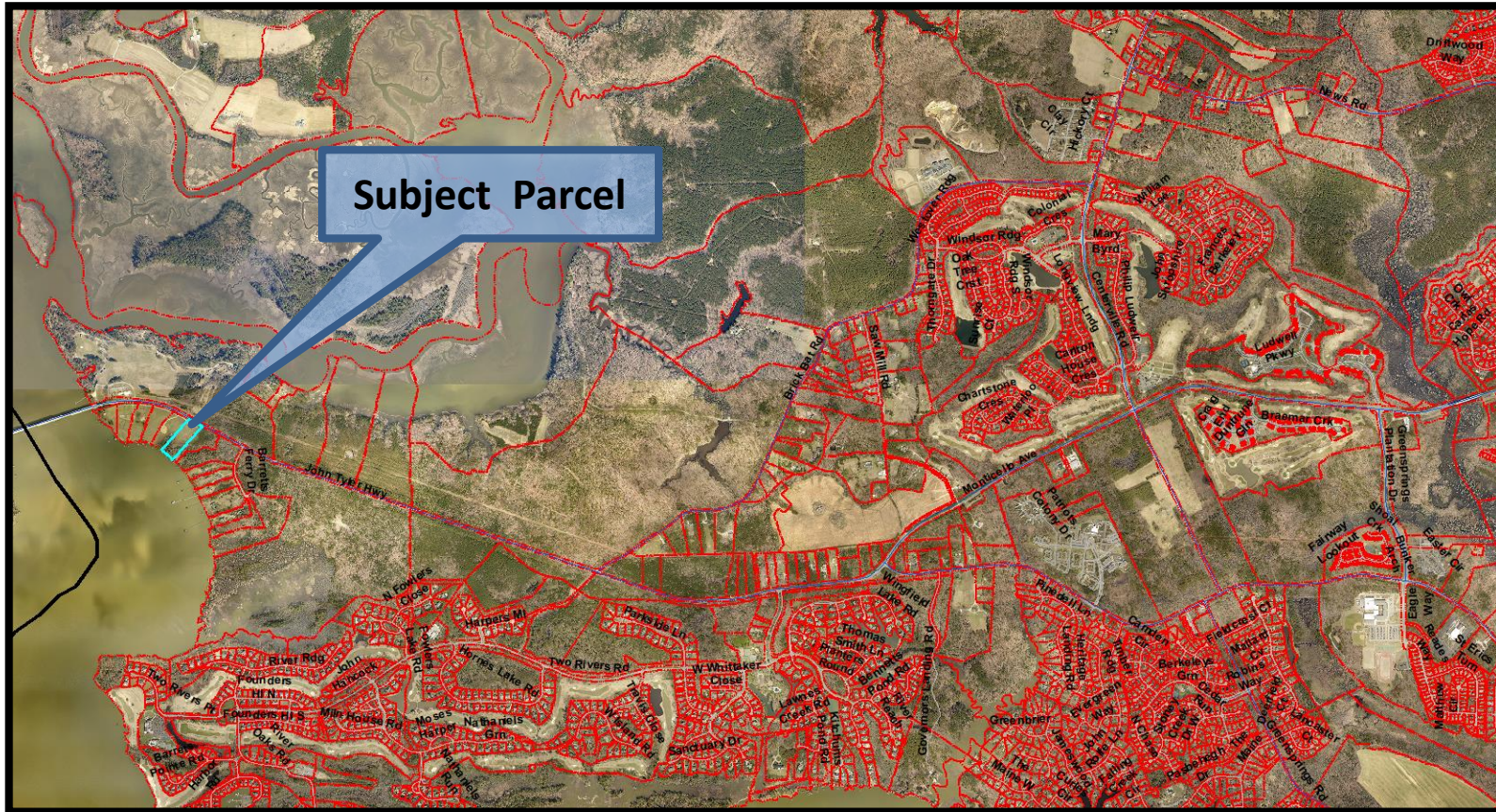
Christopher Cook

1497 John Tyler Highway

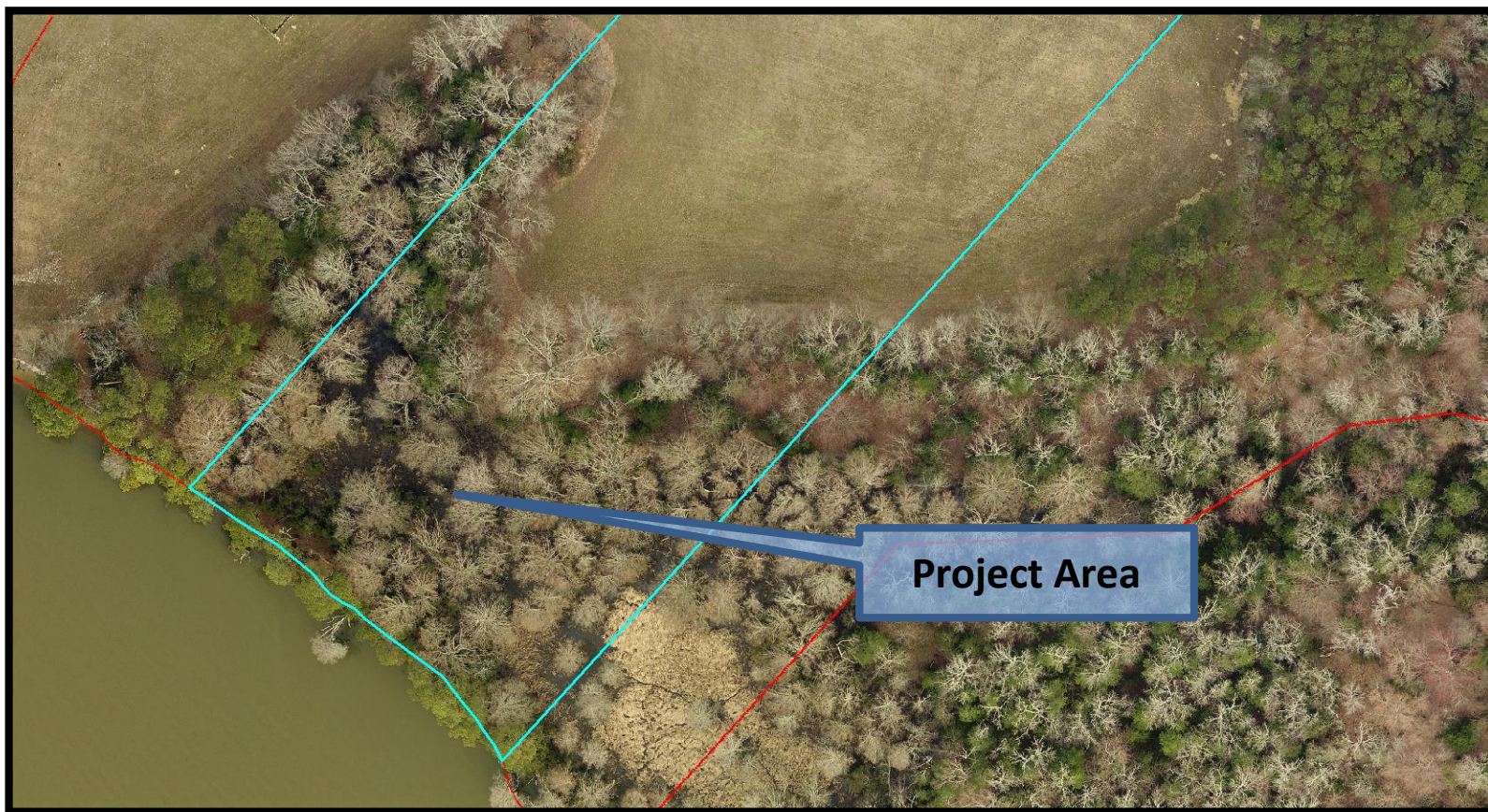


Applicant Request

- ✓ Construction of a pier.

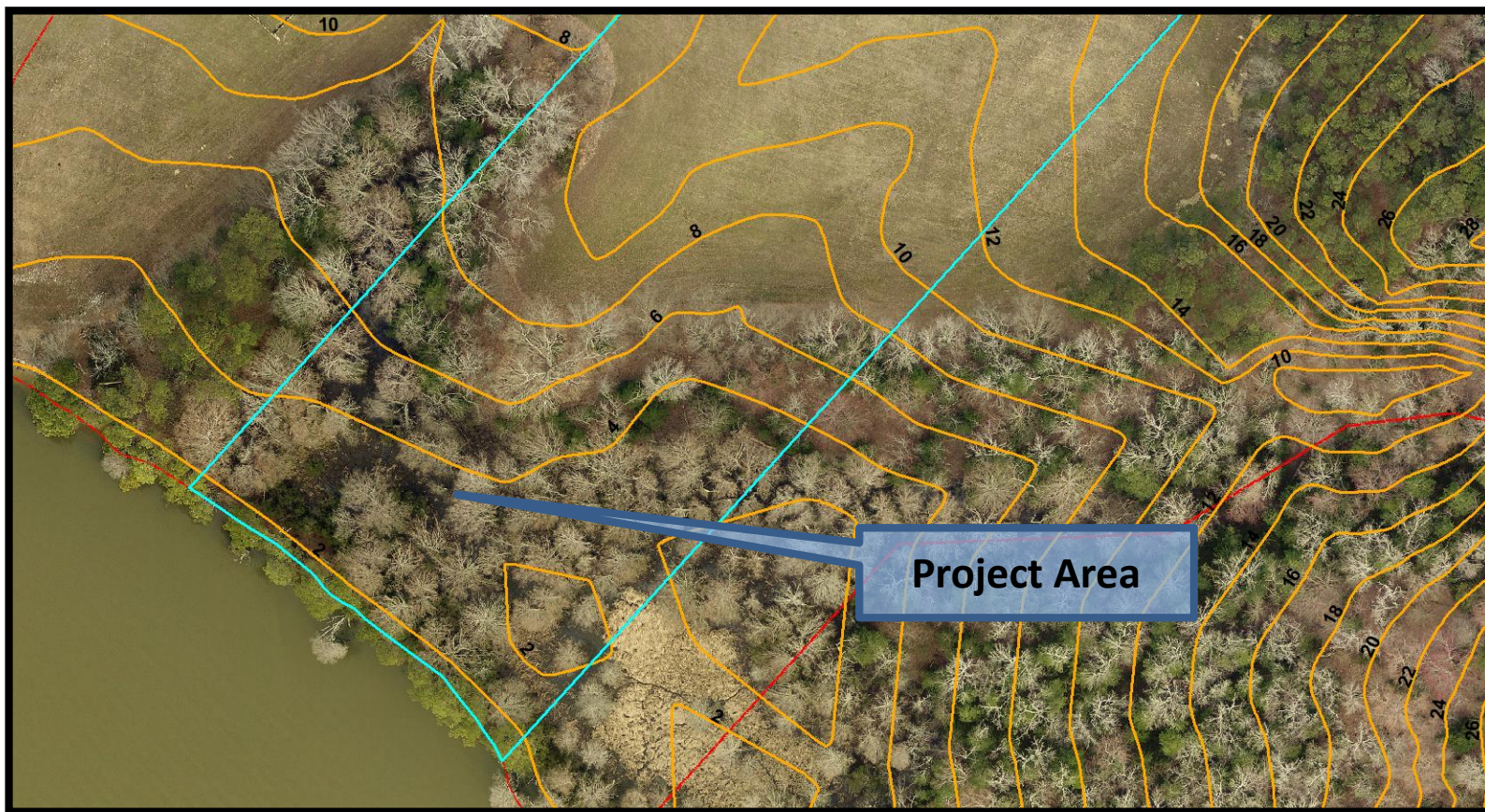


Vicinity Map
WJPA 21-0019
1497 John Tyler Highway

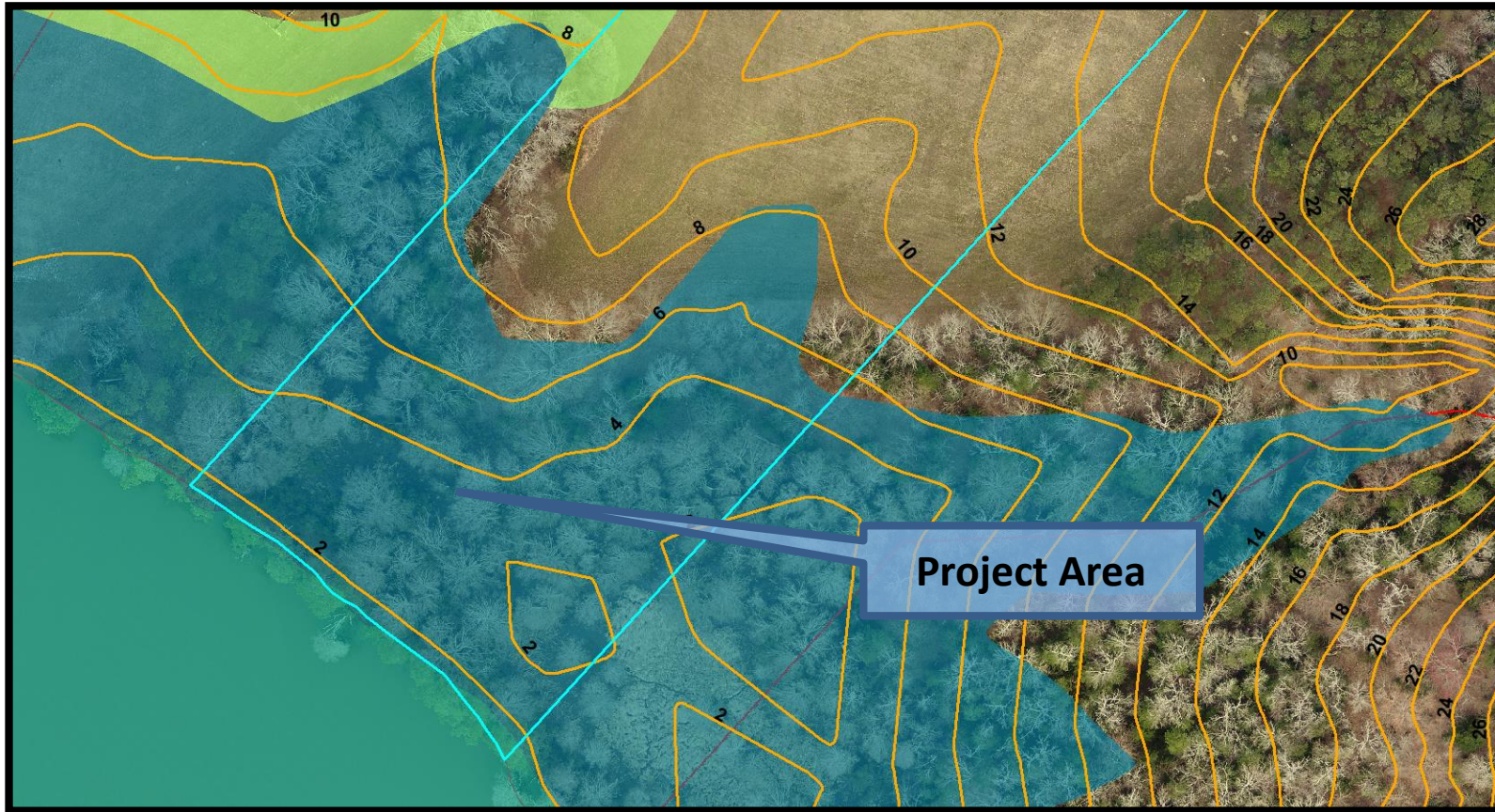


Project Area

Aerial Map
WJPA 21-0019
1497 John Tyler Highway



Topography
WJPA 21-0019
1497 John Tyler Highway

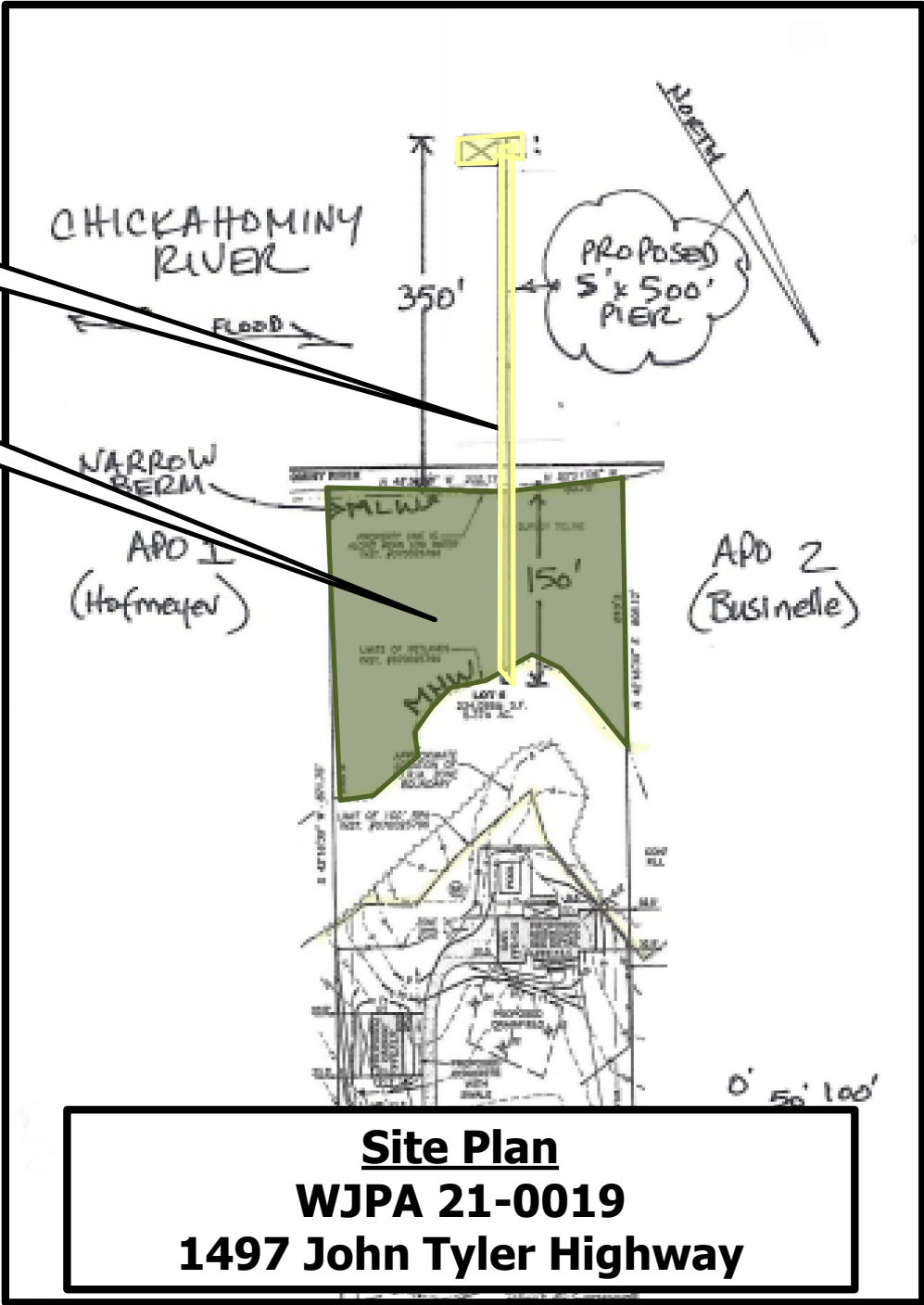


Floodplain
WJPA 21-0019
1497 John Tyler Highway

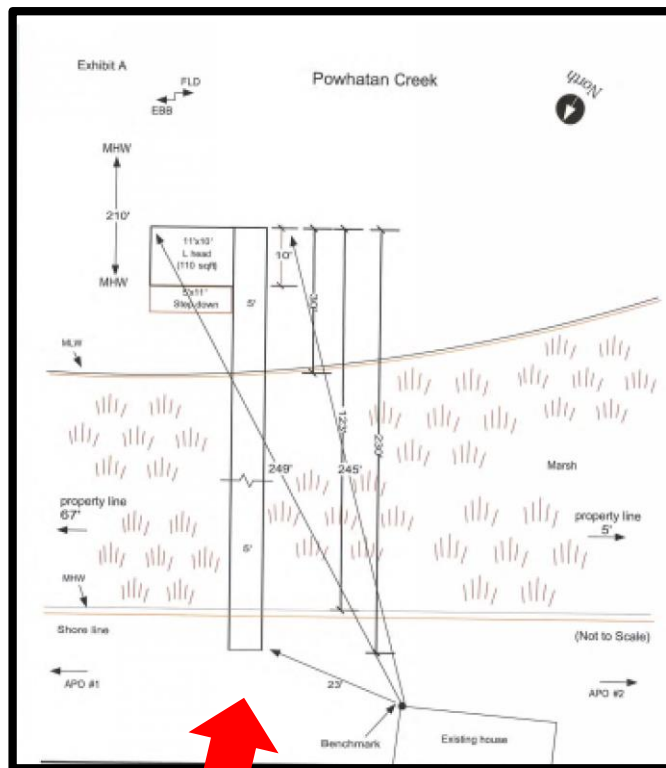
Site Plan revision showing proposed improvements, submitted April 22, 2021. For representative use only for presentation of case #WJPA 21-0019.

Proposed Pier

Vegetated Marsh

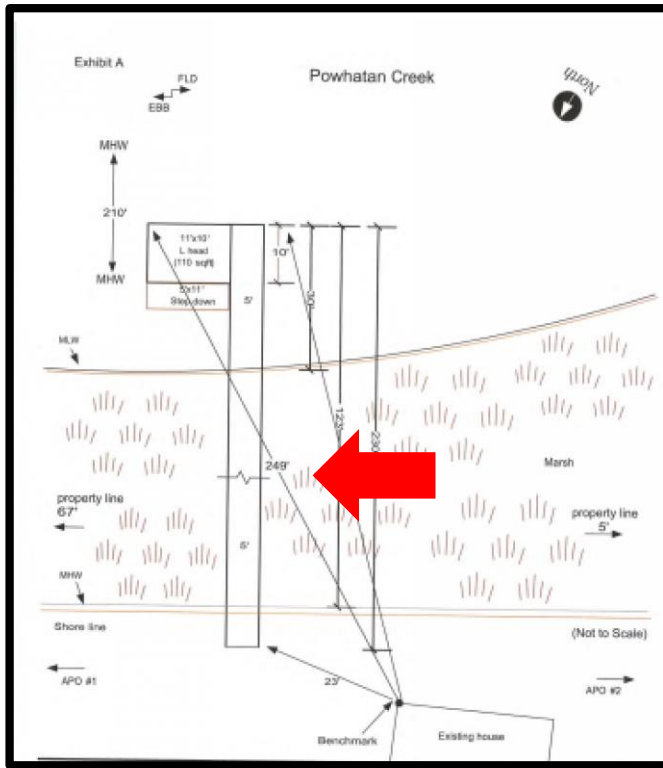


Site Plan
WJPA 21-0019
1497 John Tyler Highway



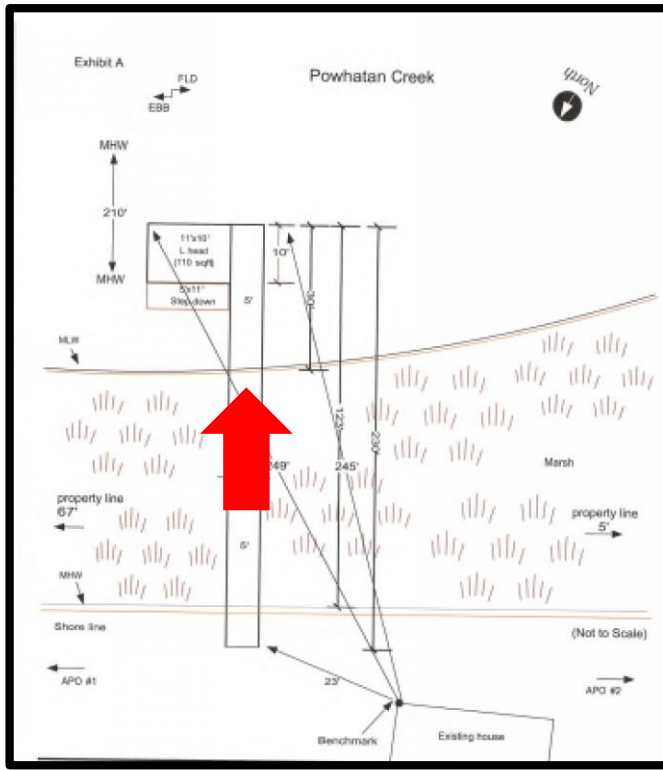
Site Photo #1
WJPA 21-0019
1497 John Tyler Highway





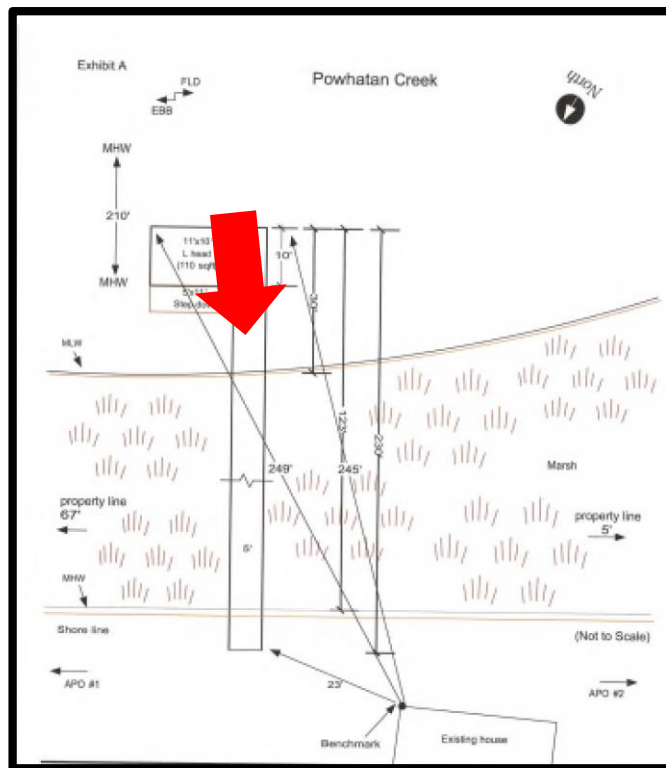
Site Photo #2
WJPA 21-0019
1497 John Tyler Highway





Site Photo #3
WJPA 21-0019
1497 John Tyler Highway





Site Photo #4
WJPA 21-0019
1497 John Tyler Highway





W-17-17

Shawn Lemon

7596 Uncles Neck

Pier Construction Through Vegetated Wetlands

Jordan Marine



Site Photo #1
W-17-17
7596 Uncles Neck



Site Photo #2
W-17-17
7596 Uncles Neck



Site Photo #3
W-17-17
7596 Uncles Neck



Site Photo #4
W-17-17
7596 Uncles Neck



Site Photo #5
W-17-17
7596 Uncles Neck



Site Photo #6
W-17-17
7596 Uncles Neck

Permit Conditions



Staff Recommended Conditions

- ✓ The applicant must obtain all other necessary local, state, and/or federal permits required for the project.
- ✓ All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approval and permits prior to commencement of such activities.

Permit Conditions



Staff Recommended Conditions

- ✓ A meeting to take place prior to commencement of work.
- ✓ A meeting no later than one year after pier construction is completed to determine the extent of wetland impacts.

Permit Conditions



Staff Recommended Conditions Cont.

- ✓ The Wetlands Permit for this project shall expire on June 9, 2024, if construction has not begun.
- ✓ If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than April 28, 2024, six weeks prior to the expiration date.

From: [Karla Havens](#)
To: [Beth JPA"s](#)
Cc: [Chris Cook](#)
Subject: Cook JPA
Date: Thursday, April 22, 2021 9:34:18 AM
Attachments: [Cook JPA.pdf](#)

Trying this again.

Here is the Cook pier JPA in JCC.

Karla

Sent from [Mail](#) for Windows 10

- ❖ DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (<http://www.deq.virginia.gov/Locations.aspx>). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- ❖ VMRC: An application fee of \$300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 21-0915

APPLICANTS

Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

<i>Check all that apply</i>				
Pre-Construction Notification (PCN) <input type="checkbox"/>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
NWP # _____ (For Nationwide Permits ONLY - No DEQ- VWP permit writer will be assigned)				
County or City in which the project is located: <u>JAMES CITY COUNTY</u> Waterway at project site: <u>CHICKAHOMINY RIVER</u>				
PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)				
Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html				
Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:
- CHRISTOPHER B. & HEIDI J. COOK
1497 JOHN TYLER HIGHWAY
WILLIAMSBURG, VA 23185
- Home () _____
Work () _____
Fax () _____
Cell (517) 896 - 6050
e-mail cookchrisva@gmail.com
- State Corporation Commission Name and ID Number (if applicable) _____
2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:
- Home () _____
Work () _____
Fax () _____
Cell () _____
e-mail _____
- State Corporation Commission Name and ID Number (if applicable) _____
3. Authorized agent name* and complete mailing address (if applicable): Contact Information:
- KARLA S. HAVENS
MID-ATLANTIC RESOURCE CONSULTING
1095 CHERRY ROW LANE
SHACKLEFORDS, VA 23156
- Home () _____
Work (804) 785- 2107
Fax () _____
Cell (804) 366 - 1768
e-mail karlashavens@gmail.com
- State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

CONSTRUCTION OF A 5' x 500' NON-COMMERCIAL, TREATED-TIMBER, OPEN-PILE
PIER WITH A 20' x 20' PLATFORM, TWO MOORING PILES, A 34' x 38' OPEN-SIDED
BOAT HOUSE WITH TWO LIFTS AND 94' OF CATWALK.

SITE TO BE ACCESSED FROM THE UPLAND AND THE WATER.

100 TIMBER PILES, NO GREATER THAN 12" IN DIAMETER, TO BE INSTALLED WITH
A VIBRATORY HAMMER.

NO TREE CLEARING AND/OR GRADING REQUIRED.

PILES WILL NOT BE PLACED ON CYPRESS KNEES.

DECKING SHALL BE NO LESS THAN 4' ABOVE WETLAND SUBSTRATE.

Part 1 - General Information (continued)

9. Proposed use (check one):

- ☒ Single user (private, non-commercial, residential)
☐ Multi-user (community, commercial, industrial, government)

10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*

CONSIDERED DOING NOTHING.

NO CLEARING, GRADING, EXCAVATING REQUIRED.

ALL DECKING SHALL BE NO LESS THAN 4' ABOVE THE WETLAND SUBSTRATE.

11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? ☐ Yes ☒ No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
12. Approximate cost of the entire project (materials, labor, etc.): \$ 90,000
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 80,000
13. Completion date of the proposed work: ASAP ONCE PERMITS ARE ISSUED.
14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

PID 3430300007 / LRSN 31123

EUGENE J. & RUTH M. HOFMEYER OF THE HOFMEYER LIMITED PARTNERSHIP
6627 CHAPEL CROSSING
WILLIAMSBURG, VA 23188-7288

PID 34303000005 / LRSN 31121

RICHARD J. & YESENIA P. BUSINELLE
1493 JOHN TYLER HIGHWAY
WILLIAMSBURG, VA 23185-7604

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

CHRISTOPHER B. COOK

Applicant's Legal Name (printed/typed)



Applicant's Signature

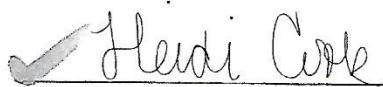


4-21-2021

Date

HEIDI J. COOK

(Use if more than one applicant)



(Use if more than one applicant)

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), C.B. & H.J. COOK, hereby certify that I (we) have authorized KARLA S. HAVENS
(Applicant's legal name(s)) (Agent's name(s))

to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

Karla S. Havens
(Agent's Signature)

(Use if more than one agent)

4-21-21
(Date)

[Signature]
(Applicant's Signature)

Heidi Cook
(Use if more than one applicant)

4-21-2021
(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), _____, have contracted _____
(Applicant's legal name(s)) (Contractor's name(s))
to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Contractor's name or name of firm

Contractor's or firms address

Contractor's signature and title

Contractor's License Number

Applicant's signature

(use if more than one applicant)

Date

JCC

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Hofmeyer Limited Partnership own land next to (across-the-water
(Print adjacent/nearby property owner's name)

~~from~~/on the same cove as) the land of CHRISTOPHER B. & HEIDI J. COOK
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 4-20-21
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT ☒ TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

Eugene L. Hofmeyer, Jr. for Hofmeyer Limited Partnership
Adjacent/nearby property owner's signature(s)

4-21-2021
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Mid-Atlantic Resource Consulting
1095 Cherry Row Lane
Plainview, VA 23156
(804) 785-2107
karlashavens@gmail.com

April 22, 2021

Mr. and Mrs. Richard J. Businelle
1493 John Tyler Highway
Williamsburg, VA 23188-7288

Re: Pier for Chris & Heidi Cook-- 1497 John Tyler Highway on the Chickahominy River

Dear Mr. and Mrs. Businelle:

I am the agent for the Cook's proposed pier at 1498 John Tyler Highway on the Chickahominy River. According to James City County property records, you are an adjacent property owner.

As a requirement of the Joint Permit Application process, you were notified (by email) of the proposed project. An Adjacent Property Owner's Acknowledgement Form and project drawings were attached for your review. I am including another APO Form with this letter. PLEASE complete, sign and date the Adjacent Property Owner's Acknowledgement Form and return it to VMRC in the enclosed stamped envelope. If you prefer, you may scan and email the completed APO Form to VMRC at jpa.permits@mrc.virginia.gov

If you have any questions regarding this project, feel free to contact me at the number listed above or my cell phone (804) 366-1768.

With Warmest Regards,



Karla S. Havens

cc: VMRC

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write "N/A" in the space provided.

Appendix A: (TWO PAGES) Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. Briefly describe your proposed project.

CONSTRUCTION OF A 5' x 500' NON-COMMERCIAL, TREATED-TIMBER, OPEN-PILE PIER WITH A 20' x 20' PLATFORM, TWO MOORING PILES, A 35' x 38' OPEN-SIDED BOAT HOUSE WITH TWO LIFTS AND 94' OF CATWALK.

2. For private, noncommercial piers:

Do you have an existing pier on your property? ____ Yes X No

If yes, will it be removed? ____ Yes ____ No

Is your lot platted to the mean low water shoreline? X Yes ____ No

What is the overall length of the proposed structure? 500 feet.

Channelward of Mean High Water? 490 feet.

Channelward of Mean Low Water? 350 feet.

What is the area of the piers and platforms that will be constructed over

Tidal non-vegetated wetlands 25 square feet. (5' x 5')

Tidal vegetated wetlands 700 square feet. (5' x 140')

Submerged lands 2526 square feet.

What is the total size of any and all L- or T-head platforms? 400 sq. ft. (20' x 20')

For boathouses, what is the overall size of the roof structure? 1292 sq. ft. (34' x 38')

Will your boathouse have sides? ____ Yes X No.

WALK 5' x 350' = 1750
PLAT 20' x 20' = 400
CATS 4' x 34 = 136
4' x 30 = 120
4' x 30 = 120
2526 SF

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § 28.2-1203 A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § 28.2-1205 for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § 28.2-1204.

Part 3 – Appendices (continued)

☒ For USACE permits, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information must be included before the application will be considered complete. For an application to be considered complete:

- a. The USACE MAY require depth soundings across the waterway at increments designated by the USACE project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.).
- b. The applicant MUST provide a justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands.
- c. The applicant MUST provide justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.

☒ 4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration #
Yamaha Jet Boat - 25' length - 8' width - 20" Draft - Registration - US-YAMC0187H021				
Aquapatio Pontoon - 24' length - 8' wide - 20" draft - VA4931AX				

☒ For Marinas, Commercial Piers, Governmental Piers, Community Piers and other non-private piers, provide the following information:

- A) Have you obtained approval for sanitary facilities from the Virginia Department of Health? _____ (required pursuant to Section 28.2-1205 C of the Code of Virginia).
- B) Will petroleum products or other hazardous materials be stored or handled at your facility? _____.
- C) Will the facility be equipped to off-load sewage from boats? _____.
- D) How many wet slips are proposed? _____. How many are existing? _____.
- E) What is the area of the piers and platforms that will be constructed over
 - Tidal non-vegetated wetlands _____ square feet
 - Tidal vegetated wetlands _____ square feet
 - Submerged lands _____ square feet

☒ For boat ramps, what is the overall length of the structure? _____ feet.

From Mean High Water? _____ feet.

From Mean Low Water? _____ feet.

Note: drawings must include the construction materials, method of installation, and all dimensions. If tending piers are proposed, complete the pier portion.

Note: If dredging or excavation is required, you must complete the Standard Joint Point Permit application.

GENERAL NOTES

1. A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM. ELEVATION SHOWN HEREIN ARE IN FEET AND ARE GCS DERIVED (NAD83).
2. WETLANDS, IF ANY, WERE NOT RESEARCHED OR LOCATED FOR THIS PLAT.
3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
4. PARCELS IN E.I.R.M. ZONES "AER" & "X" ACCORDING TO COMMUNITY PANEL #51085C01130 DATED DECEMBER 16, 2015. LOT SERVED BY PRIVATE WATER AND SEWER.
5. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
6. SURVEY DATA AS SHOWN IS BASED ON A CURRENT FIELD ELEVATION AFTER DETERMINE EXACT FINISHED FLOOR ELEVATION.

EROSION & SEDIMENT CONTROL NOTES

ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA EROSIONS AND SEDIMENTATION ACT. THE CONTRACTOR SHALL BE THOROUGHLY FAMILIAR WITH ALL APPLICABLE MEASURES CONTAINED THEREIN WHICH MAY BE PERTINENT TO THIS PROJECT.

SITE INFORMATION

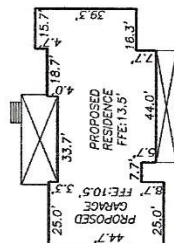
TOTAL AREA: 234,098± S.F. / 5.37± AC.
 IMPERVIOUS AREA: 17,250± S.F. / 0.40± AC.
 DISTURBED AREA: 53,000± S.F. / 1.22± AC.
 PARCEL ID: 3430300003
 ZONING DISTRICT: A1 GENERAL AGRICULTURE
 PROPERTY IS LOCATED IN AN RMA & RPA
 EXISTING SITE IS PARTIALLY WOODED AS SHOWN

BUILDING SETBACK (SBL)

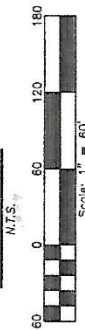
FRONT: 85'
 REAR: 100' RPA BUFFER
 SIDE: 15'

EXISTING ADDRESS:

1497 JOHN TYLER HIGHWAY
 JAMES CITY COUNTY, VIRGINIA



HOUSE DETAIL:



DATE: 2/11/2021
 DRAWN BY: CG
 PROJECT No. 20-456
 FILE NAME: 20-456.DWG
 REFERENCES:
 INST. #070025796

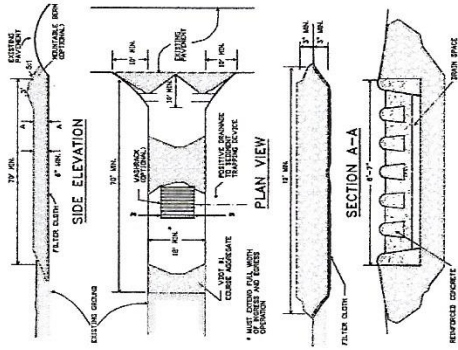
BASE MAP OF
 LOT 6,
 "BARRETT'S FERRY LANDING"
 FOR
 WALK WRIGHT CONSTRUCTION

JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE

LRI
LANDTECH
RESOURCES, INC.
 ENGINEERING & SURVEYING CONSULTANTS
 245 S. MAIN STREET, SUITE 100
 PH: (703) 266-1077 Fax: (703) 266-0742
 www.landtechresources.com

STONE CONSTRUCTION ENTRANCE

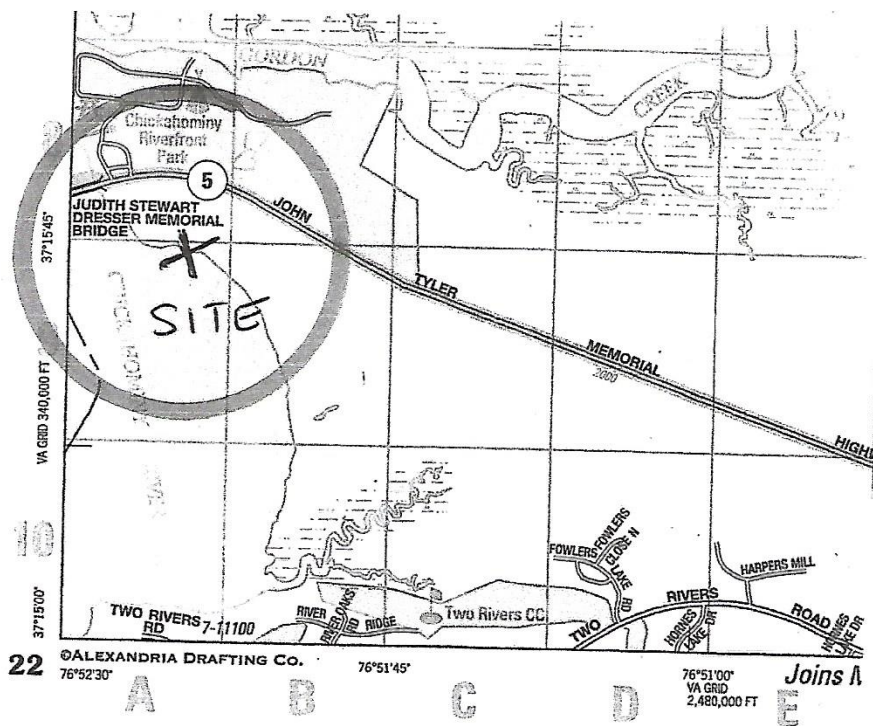


NOTES: ADAPTED FROM "SILT FENCE" DRAWING FOR THE FLOOD AND SEDIMENT CONTROL ACT OF 1988

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

1. SET THE STAKES.
2. EXCAVATE A 4" X 4" TRENCH, 10' LONG, ALONG THE LINE OF THE STAKES.
3. PLACE STAKES AND EXCAVATE THE TRENCH.
4. BACKFILL AND COMPACT THE EXCAVATED SOIL.
5. STAKE STAKES MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.
6. POINTS A SHOULD BE HIGHER THAN POINT B.

SOURCE: Adapted from "SILT FENCE" Drawing for the Flood and Sediment Control Act of 1988. Revised 04/19/88



ADC Street Atlas - Virginia Peninsula,
Page 22, Map 8561, 2007

Note: Mid-Atlantic Resource Consulting is responsible only for applying to obtain local wetland, Virginia Marine Resources Commission and U.S. Army Corps of Engineers permits. Mid-Atlantic Resource Consulting is not responsible for any land disturbing activities or construction activities associated with the project.

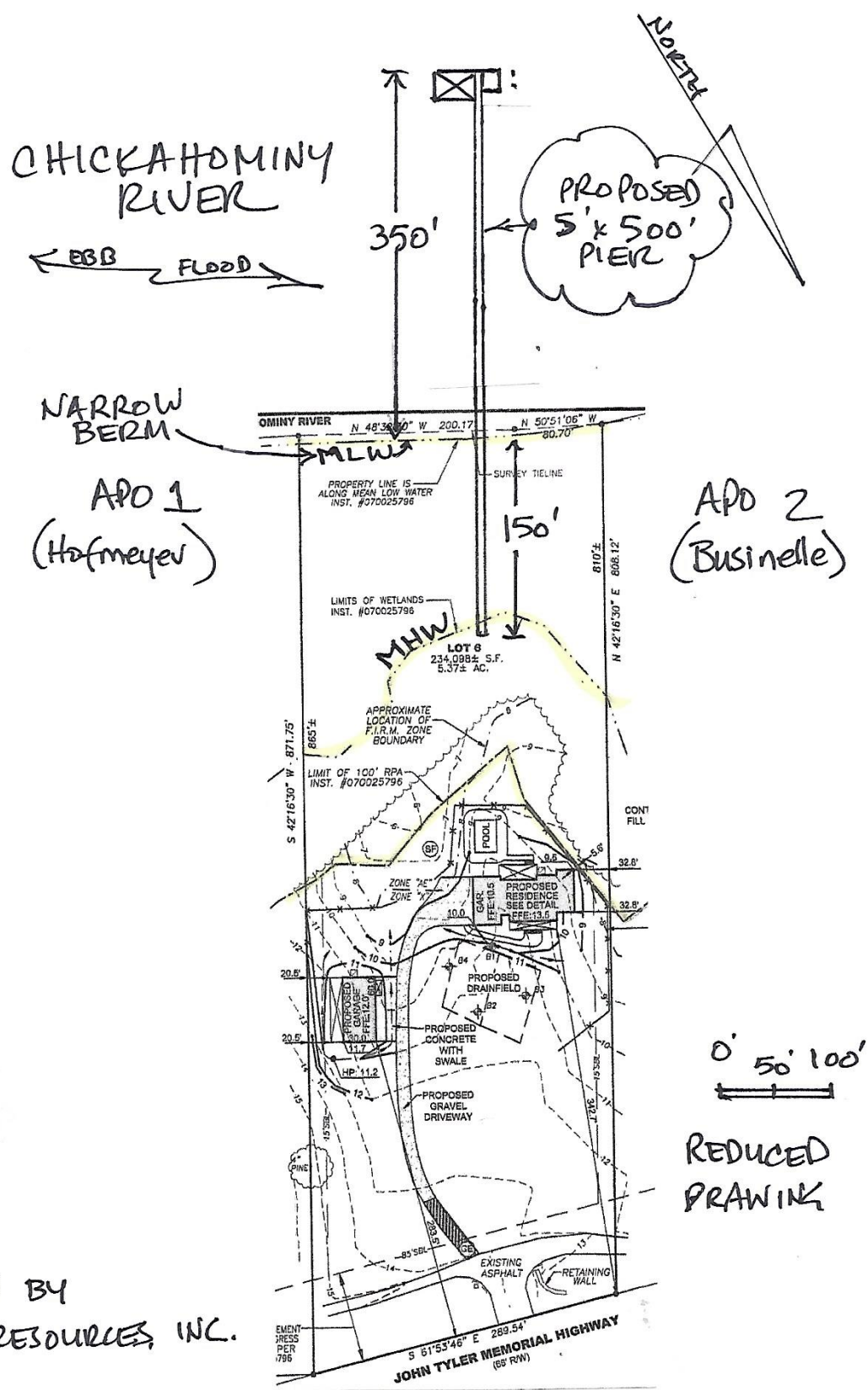
<p>Adjacent Property Owners:</p> <p><i>Hofmeyer Ltd. Partnership</i></p> <p>1. Eugene J. & Ruth M. Hofmeyer</p> <p>2. Richard J. & Yesenia P. Businelle</p>	<p>VICINITY MAP</p> <p>James City County</p> <p>LRSN = 31122</p>	<p>CHRISTOPHER B. & HEIDI J. COOK</p> <p>1497 John Tyler Hwy. - Williamsburg</p> <p>On the Chickahominy River</p> <p>Date: 4-20-21 Sheet 1 of 3</p>
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Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Plainview, VA 23156 (804) 785-2107 - karlashavens@gmail.com

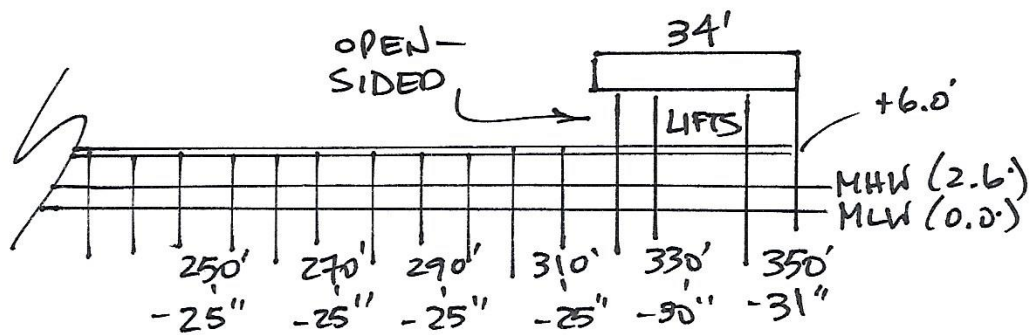
Note: Mid-Atlantic Resource Consulting is responsible only for applying to obtain local wetland, Virginia Marine Resources Commission and U.S. Army Corps of Engineers permits. Mid-Atlantic Resource Consulting is not responsible for any land disturbing activities or construction activities associated with the project.

Adjacent Property Owners:	SITE PLAN
Hofmeyer Ltd, Partnership 1. Eugene J. & Ruth M. Hofmeyer 2. Richard J. & Yesenia P. Businelle	James City County LRSN = 31122
CHRISTOPHER B. & HEIDI J. COOK 1497 John Tyler Hwy. - Williamsburg On the Chickahominy River	Date: 4-20-21 Sheet 2 of 3

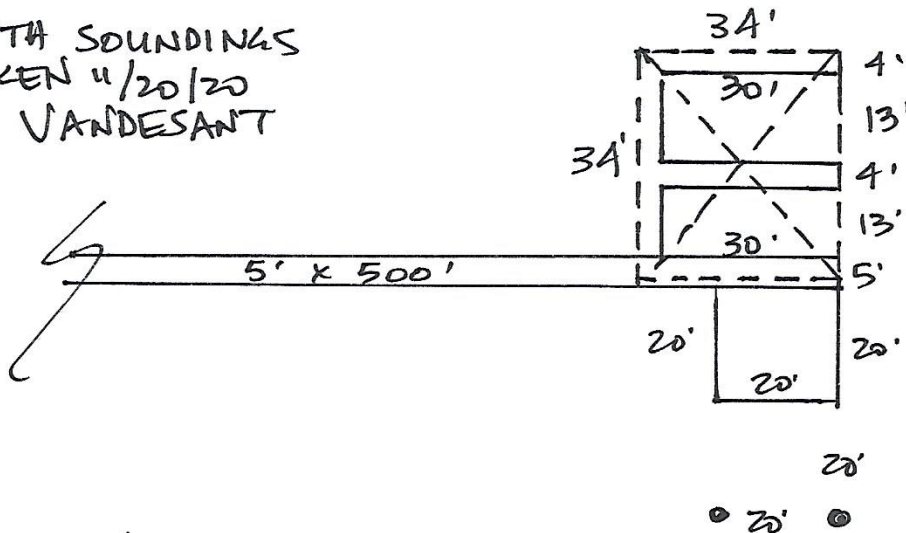
Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Plainview, VA 23156 (804) 785-2107 - karlshaven@gmail.com



FROM A SURVEY BY
LRI LANDTECH RESOURCES, INC.
DATED 2/11/21

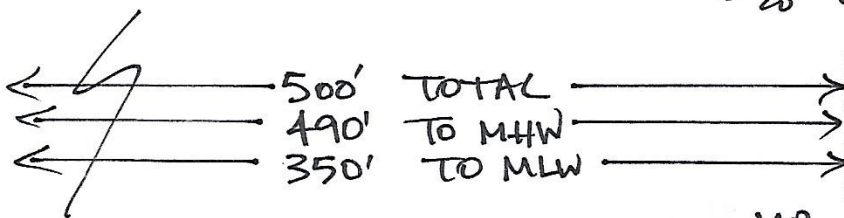


DEPTH SOUNDINGS
TAKEN 11/20/20
BY VANDESANT

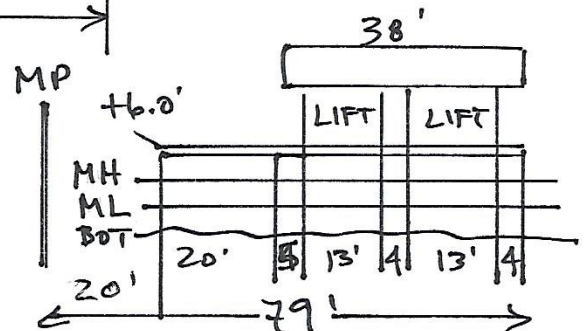


BOAT HOUSE
34' x 38' = 1292
w/ 2 LIFTS

0' 15' 30'
SCALE: 1" = 30'



END VIEW



MHW - MHW > 3000'
CHANNEL ~ 500' FROM MHW.
2 x 8 DECKING AND STRINGERS, ALL LUMBER TREATED.
ALL HARDWARE H.D.G.
100 TIMBER PILES, 10" MAXIMUM DIAMETER, LENGTH AS REQUIRED.
PILES INSTALLED WITH VIBRATORY HAMMER.
1 TEMPORARY CONSTRUCTION VESSEL.
NET INCREASE OF 2 PERMANENT, NON-COMMERCIAL VESSEL.
NO LESS THAN 4' BETWEEN DECKING AND WETLAND SUBSTRATE.

Note: Mid-Atlantic Resource Consulting is responsible only for applying to obtain local wetland, Virginia Marine Resources Commission and U.S. Army Corps of Engineers permits. Mid-Atlantic Resource Consulting is not responsible for any land disturbing activities or construction activities associated with the project.

Adjacent Property Owners:	PIER DETAIL	CHRISTOPHER B. & HEIDI J. COOK
Hofmeyer Ltd. Partnership	James City County	1497 John Tyler Hwy. - Williamsburg
1. Eugene J. & Ruth M. Hofmeyer	LRSN = 31122	On the Chickahominy River
2. Richard J. & Yesenia P. Businelle		Date: 4-20-21 Sheet 3 of 3

Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Plainview, VA 23156 (804) 785-2107 - karlashavens@gmail.com

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? ___ Yes* ☒ No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address:

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell () _____

email _____

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Telephone number

VIRGINIA GAZETTE

(757) 220 - 1736

1430 STREET, UNIT 504

WILLIAMSBURG, VA 23188

*** DIRECT BILLING TO APPLICANT ***

7. Give the following project location information:

Street Address (911 address if available) 1497 JOHN TYLER HIGHWAY

Lot/Block/Parcel# PID = 3430300006 LRSN = 31122

Subdivision BARRETTS FERRY LANDING

City / County WILLIAMSBURG / JAMES CITY COUNTY ZIP Code 23185

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):

37.261945 / - 76.868839 (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."

THE PRIMARY PURPOSE IS TO GAIN SAFE ACCESS TO NAVIGABLE WATER.

THE SECONDARY PURPOSE IS TO LIFT AND STORE TWO BOATS.

THE NEED IS THAT THERE IS CURRENTLY NO SAFE ON-SITE ACCESS TO NAVIGABLE WATER WITH A BOAT.



General Services

107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080

General.Services@jamestowncountyva.gov

jamestowncountyva.gov

Capital Projects

107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet

103 Tewning Road
Williamsburg, VA 23188
757-259-4122

**Stormwater and
Resource Protection**

101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds

113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste

1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

May 19, 2021

RE: WJPA 21-0019
1497 John Tyler Highway
Pier, Boathouse, 2 Lifts and Catwalk

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Wetlands Board by Ms. Karla S. Havens, Mid-Atlantic Resource Consulting on behalf of Mr. Christopher and Mrs. Heidi Cook for encroachment into the tidal wetlands associated with the construction of a pier, boathouse, 2 lifts and a catwalk. The project is located at 1497 John Tyler Highway and further identified as JCC Parcel Number 3430300006.

A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Wetlands Board will hold an advertised public hearing on **June 9, 2021 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Michael D. Woolson

Michael D. Woolson
Wetlands Board Secretary
757-253-6823
michael.woolson@jamestowncountyva.gov

cc: Mid-Atlantic Resource Consulting, c/o Ms. Karla S. Havens

MDW: jep

Mailing List for: WJPA-21-0019 – 1497 John Tyler Highway – Pier, Boathouse, 2 Lifts & Catwalk

Owner: 3430300006-1497 John Tyler Highway

Cook, Christopher B & Heidi J
44 Whittakers Mill Road
Williamsburg, VA 23185-5534

3430300005

Businelle, Richard J & Yesenia P
1493 John Tyler Highway
Williamsburg, VA 23185-7604

3430300007-1501 John Tyler Highway

Hofmeyer, Eugene J & Ruth M Gen Part
Hofmeyer Limited Partnership
6627 Chapel Crossing
Williamsburg, VA 23188-7288

Virginia Marine Resource Center
Attn: Mr. Ben Nettleton
380 Fenwick Road, Building 96
Fort Monroe, VA 23651-1064

VIMS Wetlands Program
Attn: Dawn Fleming
P.O. Box 1346
Gloucester Point, VA 23062-1346

VDOT
4451 Ironbound Road
Williamsburg, VA 23188-2621

Contractor:

Mid-Atlantic Resource Consulting
Attn: Ms. Karla S. Havens
1095 Cherry Row Lane
Shacklefords, VA 23156-2027

3430100002

James City County
Attn: Mr. Scott Stevens
P.O. Box 8784
Williamsburg, VA 23187-8784

Department of Game and Inland Fisheries
P.O. Box 90778
Henrico, VA 23228-0778

State Water Control Board
c/o Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218-1105

Regulatory Branch Army Corps of Engineers
803 Front Street
Norfolk, VA 23510-1011



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 9, 2021 AT 5 P.M.** IN THE COUNTY GOVERNMENT CENTER BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA 21-0019/VMRC-2021-0915: Mid-Atlantic Resource Consulting, on behalf of Mr. Christopher and Mrs. Heidi Cook, has applied for a wetlands permit for the installation of a pier, boathouse, 2 lifts and a catwalk at 1497 John Tyler Highway, JCC Parcel ID No. 3430300006.

WJPA 21-0024/VMRC-2019-1938: Waters Edge Construction, on behalf of Deric and Andrea Amason, has applied for a wetlands permit for a revetment, offshore sill, beach nourishment and a pier at 10010 Sycamore Landing Road, JCC Parcel No. 0720400001.

WJPA 21-0025/VMRC-2019-2163: Waters Edge Construction, on behalf of David Lambey has applied for a wetlands permit for a revetment, offshore sill and beach nourishment at 10006 Sycamore Landing Road, JCC Parcel No. 0720400002.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0064: Ms. Susan Maida has filed an exception request for encroachments into the resource protection area (RPA) buffer for the construction of a retaining wall at 101 Abigail Lane, JCC Parcel ID No. 5030400082.

CBPA 21-0065: Mr. Joseph and Mrs. Katherine Dvorak have filed an exception request for encroachments into the RPA buffer for the installation of steps and a patio at 111 Cove Road, JCC Parcel ID No. 4910240009.

CBPA 21-0067: Williams Landscape and Design, Inc., on behalf of Ms. Brenda Snow, has filed an exception request for encroachments into the RPA buffer for the construction of a landing at 1796 Cypress Isle, JCC Parcel ID No. 4321400006.

CBPA 21-0072: Williams Landscape and Design, Inc., on behalf of Ms. Kristen Elder and Mr. Kent Saunders have filed an exception request for encroachments into the RPA buffer for the construction and installation of a pool, patio, seat wall, firepit and plantings at 1909 Fowler's Close, JCC Parcel ID No. 4320400015.

CBPA 21-0073: Williams Landscape and Design, Inc. on behalf of Mr. James Mullins, has filed an exception request for encroachments into the RPA buffer for the construction of a patio, walkway and plantings at 205 St Cuthbert, JCC Parcel ID No. 3721000053.

Appeals from decisions under the Chesapeake Bay Preservation Ordinance may also be heard.

The applications and plans are on file and may be viewed during normal office hours in the Stormwater and Resource Protection Division, 101-E Mounts Bay Road, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – MAY 26, 2021 and JUNE 2, 2021.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

CARD # x9941

COPIES: PLANNING
 ASSISTANT COUNTY ATTORNEY
 WETLANDS/CHESAPEAKE BAY BOARD MEMBERS

ITEM SUMMARY

DATE: 6/9/2021

TO: Wetlands Board

FROM: Michael Woolson, Section Chief - Resource Protection

SUBJECT: Case No. WJPA 21-0024 / VMRC 19-1938 : 10010 Sycamore Landing Road

Waters Edge Construction, on behalf of Deric and Andrea Amason, has applied for a wetlands permit for a revetment, offshore sill, beach nourishment and a pier at 10010 Sycamore Landing Road, JCC Parcel No. 0720400001.

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	6/3/2021 - 5:47 PM
Wetlands Group	Small, Toni	Approved	6/8/2021 - 8:24 AM
Publication Management	Daniel, Martha	Approved	6/8/2021 - 9:02 AM
Wetlands Group	Secretary, Wetland	Approved	6/8/2021 - 11:55 AM

MEMORANDUM

DATE: June 9, 2021

TO: The Wetlands Board

FROM: Michael D. Woolson, Section Chief, Resource Protection

SUBJECT: Wetlands Board Permit No. WJPA-21-0024. 10010 Sycamore Landing Road

The Virginia General Assembly extended all permits that were due to expire during the COVID-19 pandemic. Specifically, the language from the Special Session is:

That any permit renewal required pursuant to § 28.2-1205 or 28.2-1306 of the Code of Virginia for a permit that was set to expire between March 1, 2020, and July 1, 2021, shall retroactively be considered valid and effective until January 1, 2022.

Staff was unaware of the Special Session commitment from the General Assembly to extend Wetlands Permits at the time of the deadlines set for the local public hearing. Due to the General Assembly action, this permit will not expire until January 1, 2022. Therefore this case was public noticed in error and the application fee will be refunded.

There is no further action that the Wetlands Board needs to take.

MDW/md
WJPA21-24-GAext-mem

ITEM SUMMARY

DATE: 6/9/2021

TO: Wetlands Board

FROM: Michael Woolson, Section Chief - Resource Protection

SUBJECT: Case No. WJPA 21-0025 / VMRC 19-2163 : 10006 Sycamore Landing Road

Waters Edge Construction, on behalf of David Lambey has applied for a wetlands permit for a revetment, offshore sill and beach nourishment at 10006 Sycamore Landing Road, JCC Parcel No. 0720400002.

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	6/3/2021 - 5:48 PM
Wetlands Group	Small, Toni	Approved	6/8/2021 - 8:25 AM
Publication Management	Daniel, Martha	Approved	6/8/2021 - 8:57 AM
Wetlands Group	Secretary, Wetland	Approved	6/8/2021 - 11:55 AM

MEMORANDUM

DATE: June 9, 2021

TO: The Wetlands Board

FROM: Michael D. Woolson, Section Chief, Resource Protection

SUBJECT: Wetlands Board Permit No. WJPA-21-0025. 10006 Sycamore Landing Road

The Virginia General Assembly extended all permits that were due to expire during the COVID-19 pandemic. Specifically, the language from the Special Session is:

That any permit renewal required pursuant to § 28.2-1205 or 28.2-1306 of the Code of Virginia for a permit that was set to expire between March 1, 2020, and July 1, 2021, shall retroactively be considered valid and effective until January 1, 2022.

Staff was unaware of the Special Session commitment from the General Assembly to extend Wetlands Permits at the time of the deadlines set for the local public hearing. Due to the General Assembly action, this permit will not expire until January 1, 2022. Therefore this case was public noticed in error and the application fee will be refunded.

There is no further action that the Wetlands Board needs to take.

MDW/md
WJPA21-25-GAext-mem

ITEM SUMMARY

DATE: 6/9/2021

TO: Wetlands Board

FROM: Michael Woolson, Wetlands Board Secretary

SUBJECT: WJPA 20-0032 : 6413 Conservancy

Post-construction discussion.

ATTACHMENTS:

	Description	Type
	Post Construction	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Secretary, Wetland	Approved	6/9/2021 - 2:52 PM



Wetlands Board of James City County, Virginia

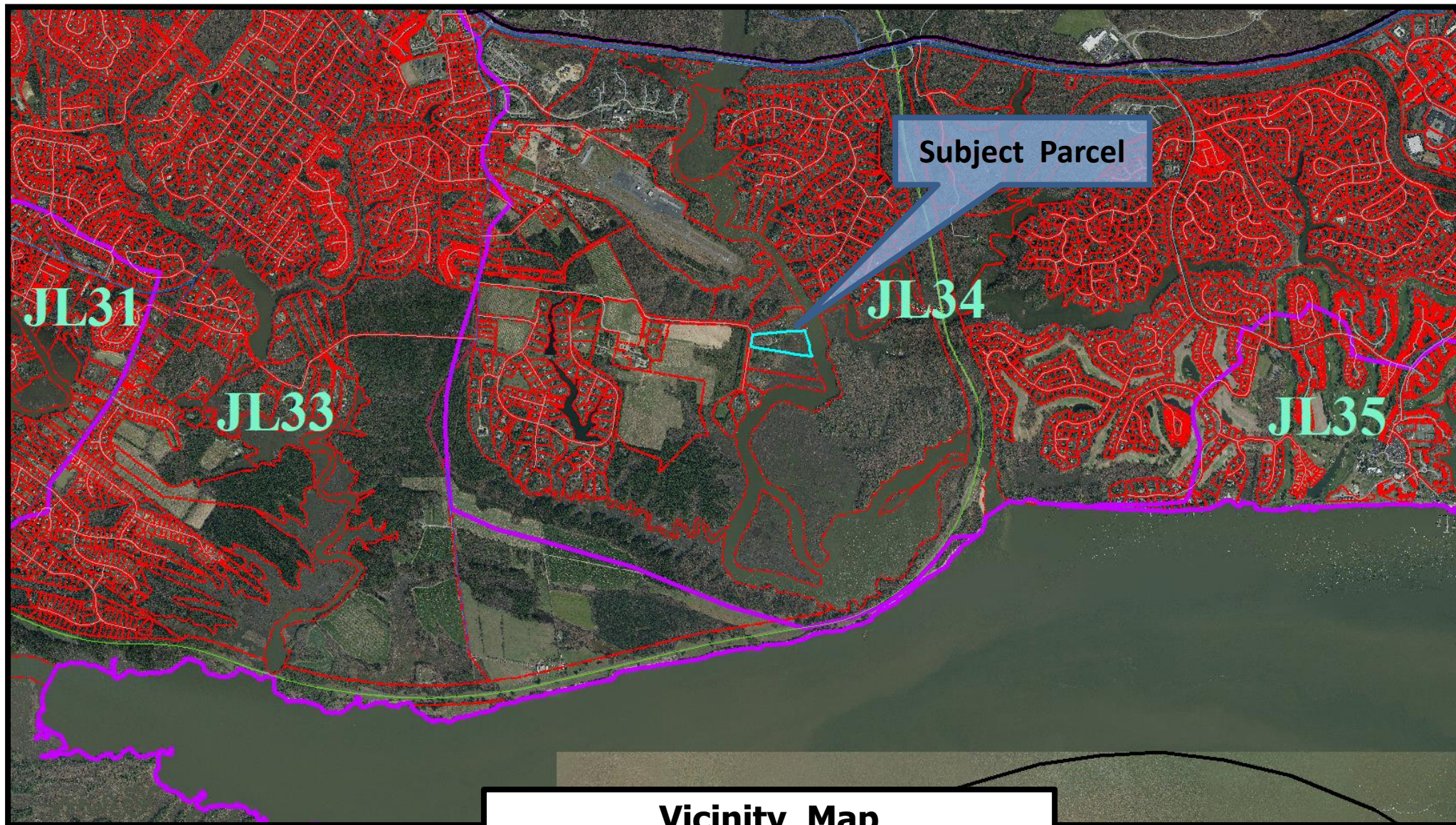
September 9, 2020

WJPA 20-0032

Mark and Maria Velleca

6413 Conservancy

Post-Construction



Vicinity Map
WJPA 20-0032
6413 Conservancy

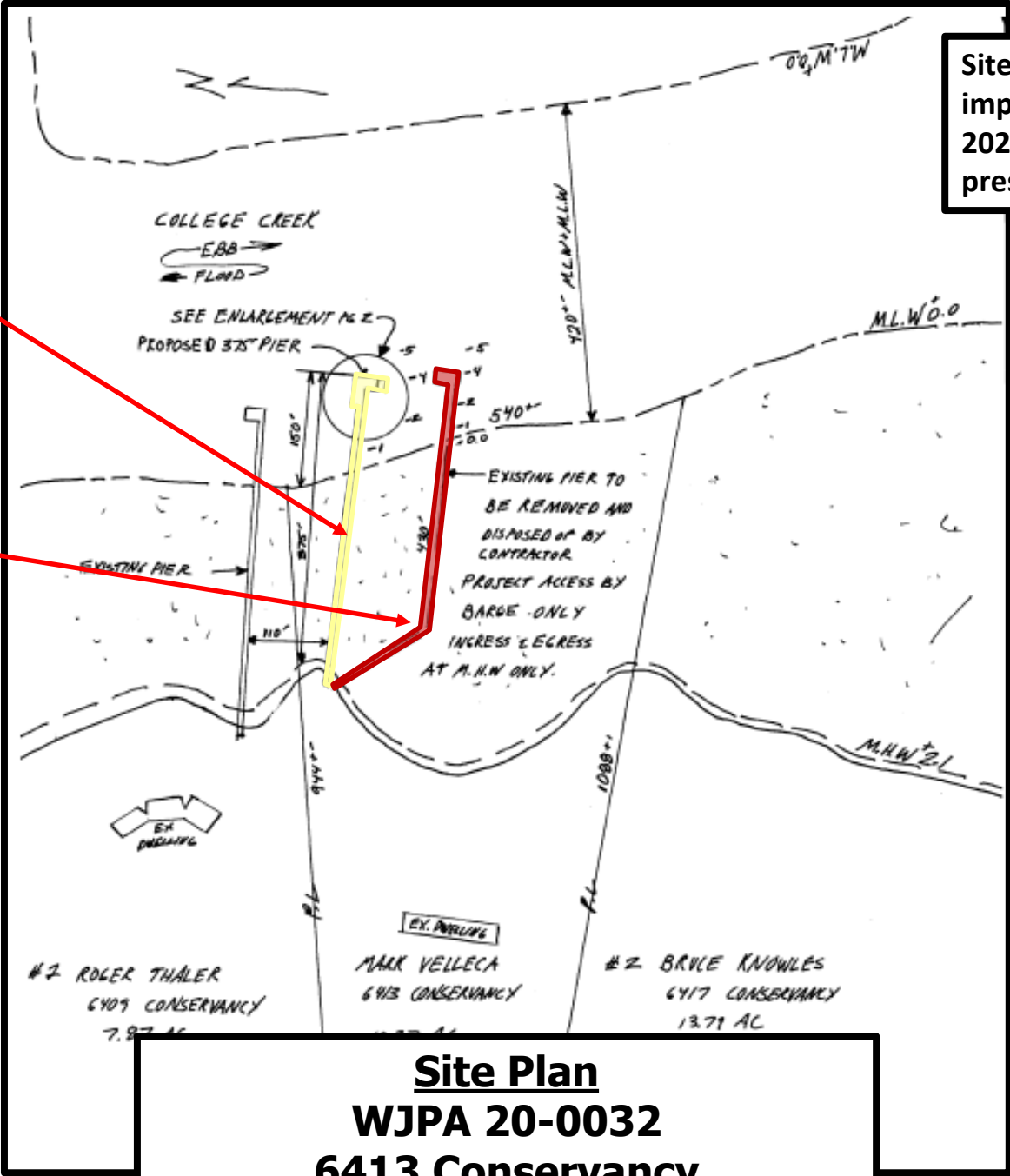


Aerial Map
WJPA 20-0032
6413 Conservancy

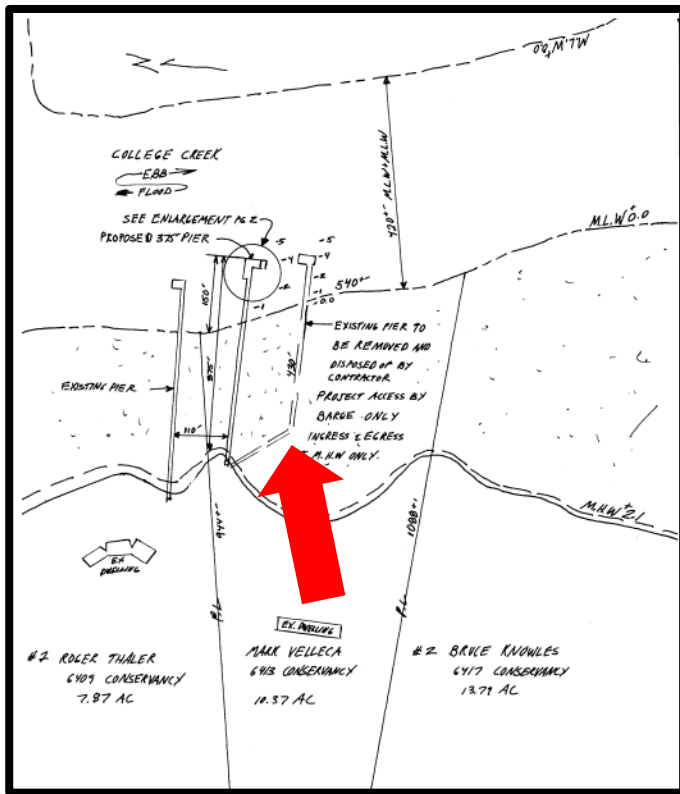
Site Plan showing proposed improvements, submitted August 11, 2020. For representative use only for presentation of case #WJPA 20-0032.

Proposed pier

Existing pier, to be removed

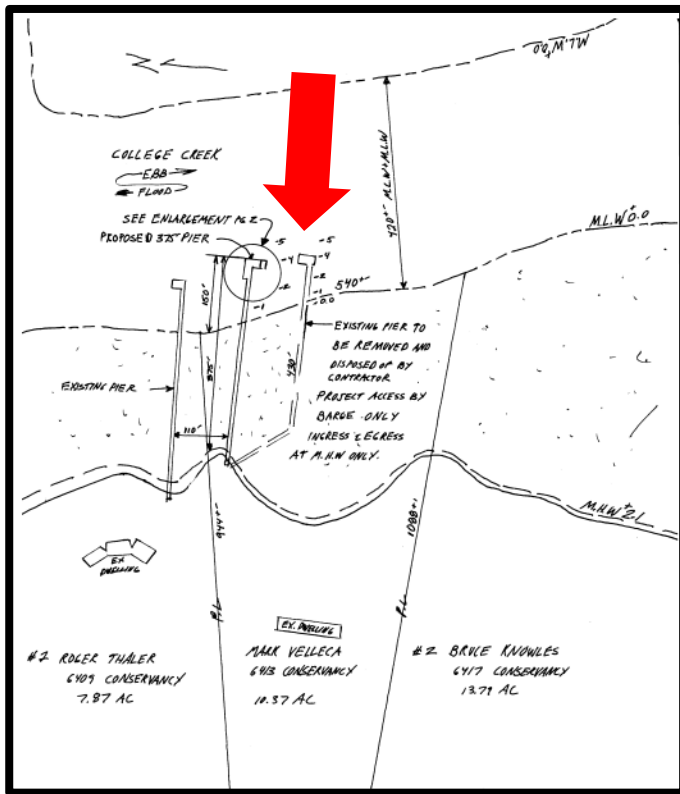


Site Plan WJPA 20-0032 6413 Conservancy



Site Photo #2
WJPA 20-0032
6413 Conservancy
Pre-Construction

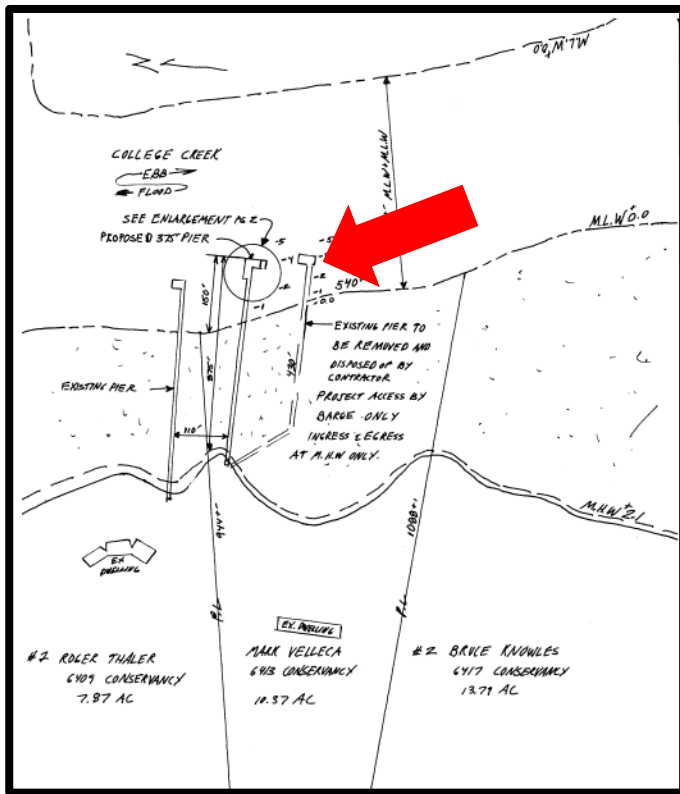
August 21, 2020



Site Photo #3
WJPA 20-0032
6413 Conservancy
Pre-Construction

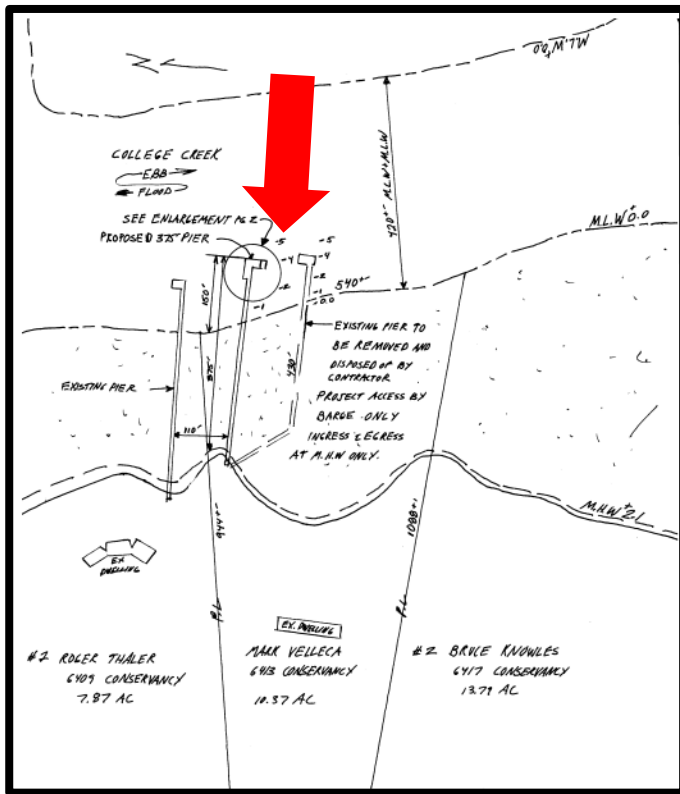


August 21, 2020



Site Photo #4
WJPA 20-0032
6413 Conservancy
Pre-Construction

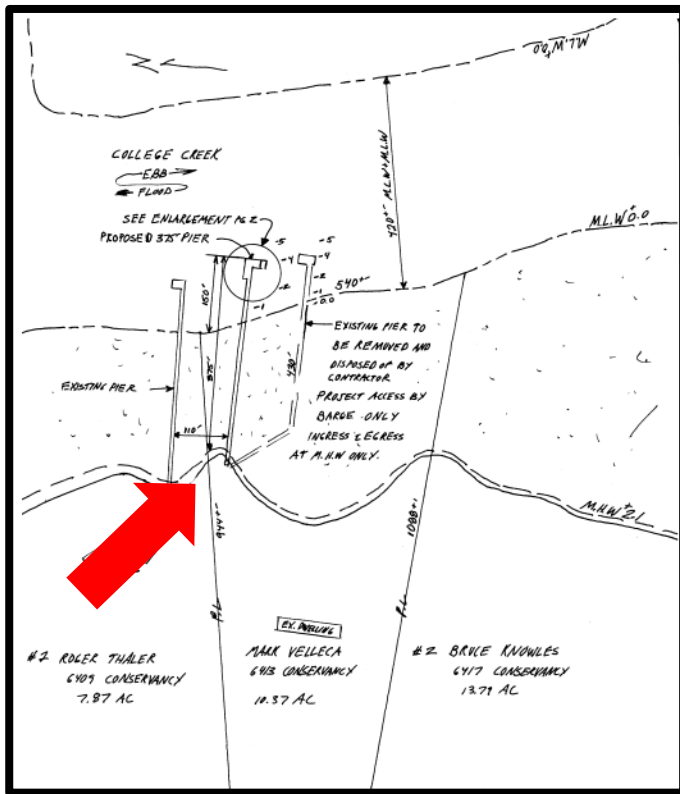
August 21, 2020



Site Photo #5
WJPA 20-0032
6413 Conservancy
Pre-Construction

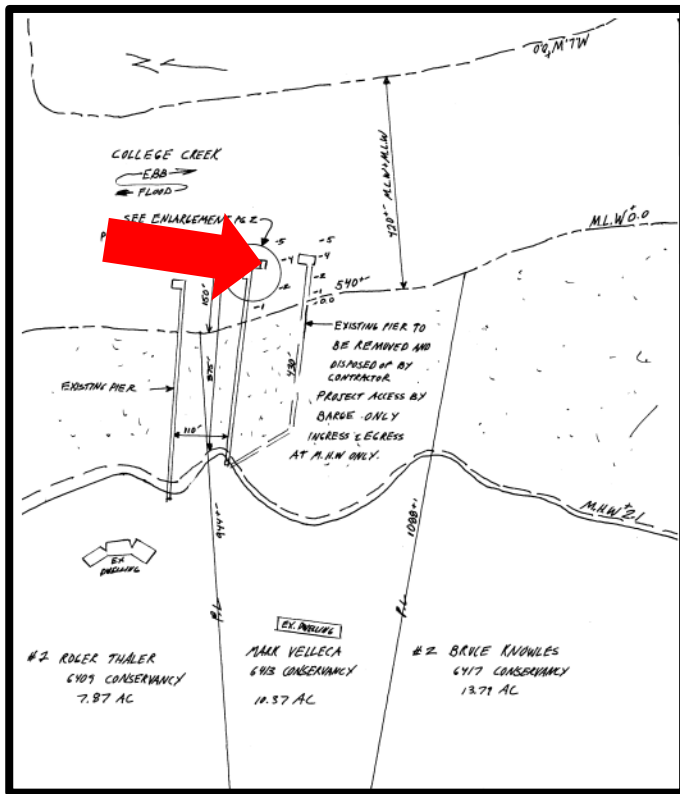


August 21, 2020



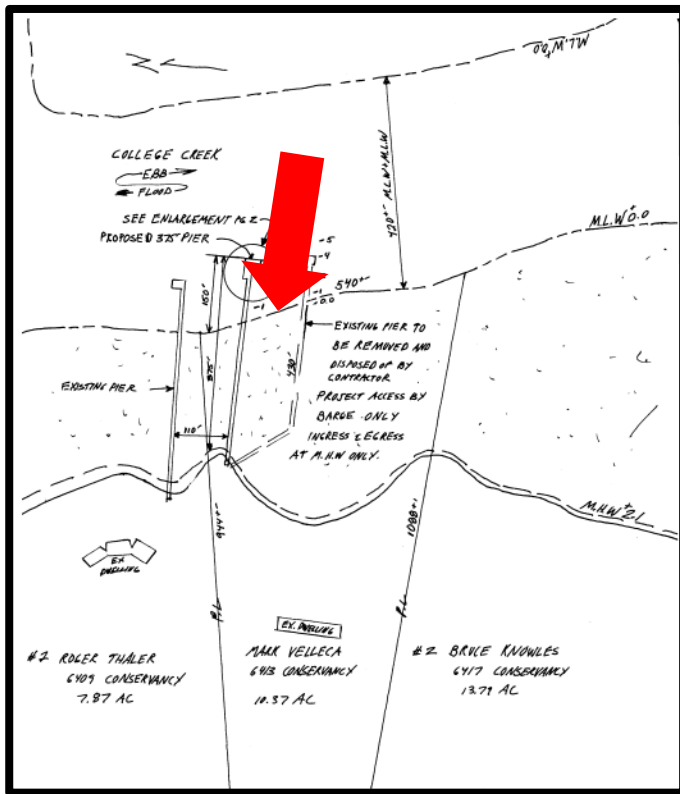
Site Photo #6
WJPA 20-0032
6413 Conservancy
Post-Construction

June 2, 2021



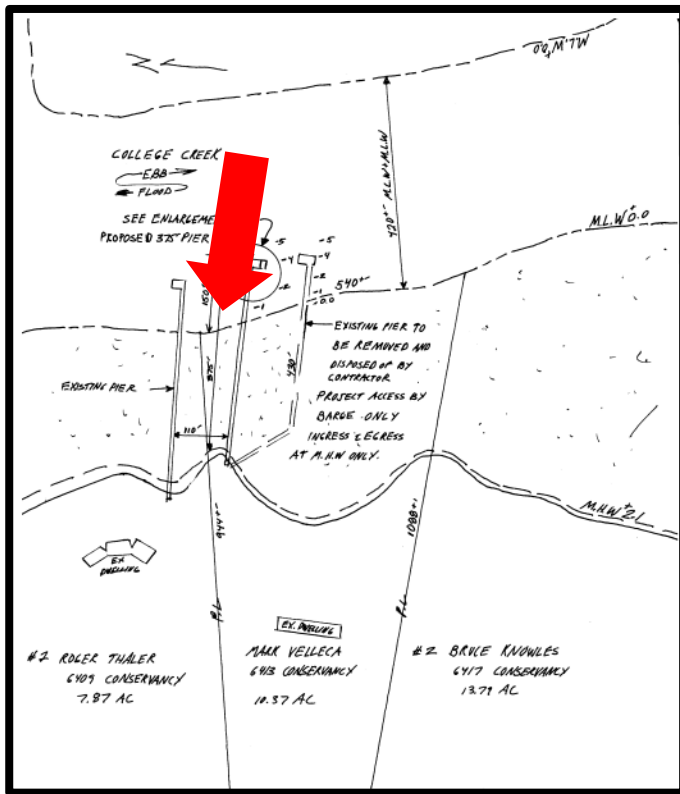
Site Photo #7
WJPA 20-0032
6413 Conservancy
Post-Construction

June 2, 2021



Site Photo #8
WJPA 20-0032
6413 Conservancy
Post-Construction





Site Photo #9
WJPA 20-0032
6413 Conservancy
Post-Construction



