

**A G E N D A**  
**JAMES CITY COUNTY WETLANDS BOARD**  
**REGULAR MEETING**  
**County Government Center, Building F**  
**101 Mounts Bay Road, Williamsburg, Virginia 23188**  
**September 14, 2022**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. Minutes from the June 8, 2022, Regular Meeting

**D. PUBLIC HEARINGS**

1. WJPA-22-0015 : 258 Sandy Bay Road

**E. BOARD CONSIDERATIONS**

**F. MATTERS OF SPECIAL PRIVILEGE**

1. Carter's Grove Shoreline Stabilization Update

**G. ADJOURNMENT**

**ITEM SUMMARY**

DATE:

TO: Wetlands Board

FROM: Trevor Long, Wetlands Board Secretary

SUBJECT: Minutes from the June 8, 2022, Regular Meeting

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**ATTACHMENTS:**

	Description	Type
	Minutes	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	9/6/2022 - 5:04 PM
Wetlands Group	Small, Toni	Approved	9/7/2022 - 8:10 AM
Publication Management	Pobiak, Amanda	Approved	9/7/2022 - 8:32 AM
Wetlands Group	Secretary, Wetland	Approved	9/7/2022 - 4:12 PM

**MINUTES**  
**JAMES CITY COUNTY WETLANDS BOARD**  
**REGULAR MEETING**  
**County Government Center, Building F**  
**101 Mounts Bay Road, Williamsburg, Virginia 23188**  
**June 8, 2022**  
**5:00 PM**

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**A. CALL TO ORDER**

The Wetlands Board meeting for June 8, 2022, 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:**

Halle Dunn, Chairman  
Robert Lukens, Vice Chairman  
Charles Roadley  
David Gussman  
Larry Waltrip

**Other Staff Present:**

Toni Small, Director, Stormwater and Resource Protection  
Robin Benedict, Watershed Planner, Stormwater and Resource Protection  
Trevor Long, Watershed Planner, Stormwater and Resource Protection  
Joshua Everard, Assistant County Attorney, County Attorney's Office

**C. MINUTES**

1. Minutes from the April 13, 2022, Regular Meeting

A motion to Approve the minutes was made by Mr. Dunn.

The minutes were approved on a voice vote.

**D. PUBLIC HEARINGS**

1. WJPA-22-0009 : 213 Southpoint Drive

A motion to Approve w/ Conditions was made by David Gussman, the motion result was Passed.

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

Ayes: Dunn, Gussman, Lukens, Roadley, Waltrip

Ms. Robin Benedict, Watershed Planner, presented the permit request submitted by Ms. Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Ms. Patricia and Mr. James Mishler, who has applied for a wetlands permit for the installation of a kayak launch with two groins and beach nourishment located at 213 Southpoint Drive. The property is further identified as James City County Parcel No. 493270014. The presentation described the current site conditions, proposed construction, and mitigation with conditions. If the Board

approved the request, staff asked that the suggested conditions be incorporated into the approval.

The Board deliberated the pros and cons of this application and asked staff for clarification on some aspects of the permit request.

Mr. Dunn opened the Public Hearing.

A. Ms. Karla Havens, Mid-Atlantic Resource Consulting, 1095 Cherry Row Lane, Shackelfords VA, offered further details about the permit request and answered questions from the Board.

Mr. Dunn closed the Public Hearing.

Mr. Roadley expressed concern for the efficacy of timber groins in general but conceded that aspects of this particular implementation make them appropriate.

The Board discussed the permit request.

2. WJPA-22-0010 : 3181 Derby Lane

A motion to Approve w/ Conditions was made by Larry Waltrip, the motion result was Passed.

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

Ayes: Dunn, Gussman, Lukens, Roadley, Waltrip

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Ms. Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Mr. Glenn Horner, who has applied for a wetlands permit for the construction of a stone revetment and breakwater with beach nourishment located at 3181 Derby Lane. The property is further identified as James City County Parcel No. 4540300008. The presentation described the current site conditions, proposed construction, and mitigation with conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

The Board deliberated the pros and cons of the permit request.

Mr. Dunn opened the Public Hearing.

A. Ms. Karla Havens, Mid-Atlantic Resource Consulting, 1095 Cherry Row Lane, Shackelfords VA, offered further details about the permit request including the submittal of a report made by the Virginia Institute of Marine Science regarding the current condition of the site and the efficacy of the proposed beach nourishment.

Staff answered Mr. Gussman's inquiry about the condition of the existing vinyl bulkhead.

A. Ms. Havens answered Mr. Roadley's questions about the cause of the site's current condition.

The Board further discussed the cause of the site's current condition and its history.

B. Mr. Mark Kiesand, 3181 Derby Lane, offered further details and answered questions from the Board about the site's history including his contribution as the contractor for the existing revetment and breakwater.



C. Mr. Samuel Taylor Powell, 3200 Derby Lane, withdrew the objection he had previously made to the Virginia Marine Resources Commission regarding this permit request. Mr. Powell also detailed his observations of erosion at and around the site.

D. Mr. Stephen Ruggles, 3189 Derby Lane, expressed his concerns regarding erosion at the site, especially as it relates to his and other, nearby property owners' access to the site's beach.

A. Ms. Havens explained that she has previously responded to and addressed the concerns made by the adjacent property owners. In particular, she detailed the exact parameters of the property owners' access to the site's beach and further explained that she has delineated this access with marking flags at the site. She also explained the intent to make access along the appropriate easement more convenient.

E. Ms. Merle Powell, 3200 Derby Lane, offered her observations of the history of the site over the last 35 years.

Mr. Dunn closed the Public Hearing.

The Board deliberated the pros and cons of the permit request including reference made to information received during the Public Hearing.

#### **E. BOARD CONSIDERATIONS**

None.

#### **F. MATTERS OF SPECIAL PRIVILEGE**

None.

#### **G. ADJOURNMENT**

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

The meeting adjourned at 5:52 p.m.

**ITEM SUMMARY**

DATE: 9/13/2022

TO: Wetlands Board

FROM: Trevor Long, Wetlands Board Secretary

SUBJECT: WJPA-22-0015 : 258 Sandy Bay Road

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WJPA-22-0015: Karla Havens, Mid-Atlantic Resource Consulting has applied on behalf of Kenneth Goldsmith and Ashley Overman-Goldsmith for a wetlands permit for the installation of a bulkhead, floating pier, boatlift, and revetment on property located at 258 Sandy Bay Road, James City County (JCC) Parcel No. 4730100012.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution to Approve	Resolution
☐	Resolution to Deny	Resolution
☐	JPA	Exhibit
☐	Site Plan	Exhibit
☐	APO Letter	Backup Material
☐	APO List	Backup Material
☐	Gazette Ad	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	9/6/2022 - 5:04 PM
Wetlands Group	Small, Toni	Approved	9/7/2022 - 8:11 AM
Publication Management	Pobiak, Amanda	Approved	9/7/2022 - 9:51 AM
Wetlands Group	Secretary, Wetland	Approved	9/7/2022 - 4:12 PM

**WETLANDS BOARD CASE No. WJPA-22-0015/VMRC-22-1784. 258 Sandy Bay Road  
Staff Report for the September 14, 2022, Wetlands Board Public Hearing**

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*This staff report is prepared by the 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.*

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**EXISTING SITE DATA AND INFORMATION**

Applicants: Mr. Kenneth Goldsmith and Mrs. Ashley Overman-Goldsmith

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

Location: 258 Sandy Bay Road

Parcel: Pt. Neck of Land

Parcel Identification No.: 4730100012

Watershed: Powhatan Creek (JL31)

Floodplain: Zone AE - Elevation 7

Proposed Activity: Construction of a vinyl bulkhead with a stone return and a stone revetment

Wetland Impacts: 87 square feet

Staff Contact: Trevor A. Long, Watershed Planner Phone: 253-6789

**PROJECT DISCUSSION**

Ms. Karla Havens, Mid-Atlantic Resource Consulting, has applied for a Wetlands permit on behalf of Mr. Kenneth Goldsmith and Mrs. Ashley Overman-Goldsmith for the construction of a vinyl bulkhead with a stone return and a stone revetment on property located at 258 Sandy Bay Road within the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4730100012.

Existing conditions of this property include a gradually sloping bank and a boat lift adjacent to tidal Powhatan Creek. This bank has experienced sluffing over many years. Coir logs were installed to address shoreline erosion on this bank. The applicants are proposing to install a 75-linear-foot bulkhead with a quarry stone return. On the other side of the boatlift, the applicants are proposing to construct a 12-linear-foot quarry stone revetment. The applicants conversed with the County and The Virginia Marine Resource Commission (VMRC) regarding the use of a non-living shoreline stabilization approach. Because of the proximity of the bank to the existing house and the narrowness of the channel, all parties involved agreed that a living shoreline would not be an appropriate solution for this property. The applicant also expressed concern that the bank was too steep for a living shoreline on this property.

**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. While there are no vegetated impacts to wetlands, the site currently lacks a riparian buffer and adequate construction access. The applicants have agreed to restore a 10-foot riparian buffer along the proposed bulkhead with bunch grasses.

### **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 applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. All development activities located in the specified flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinances and receive all required approval and permits prior to commencement of such activities; and
3. The installation of 50 bunch grasses to be planted and mulched in the riparian buffer; and
4. A surety of \$500 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the riparian plantings; and
5. The Wetlands Permit for this project shall expire on September 14, 2023, if construction has not already begun; and
6. If an extension of the permit is needed, a written request must be submitted to the Stormwater and Resource Protection Division no later than August 1, 2025, six weeks prior to the expiration date.

TAL/ap  
WJPA22-15\_VMRC22-1784\_258SdyBy-rev

Attachments:

1. Resolution
2. Site Plan

## RESOLUTION

CASE NO. WJPA-22-0015/VMRC-22-1784. 258 SANDY BAY ROAD

### JAMES CITY COUNTY WETLANDS PERMIT

WHEREAS, Ms. Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Mr. Kenneth Goldsmith and Mrs. Ashley Overman-Goldsmith, (the “Applicants”), applied to the Wetlands Board of James City County (the “Board”) on September 14, 2022, to request a permit to use and develop in areas designated as wetlands on property identified as James City County Real Estate Tax Map Parcel No. 4730100012 and further identified as 258 Sandy Bay Road (the “Property”) as set forth in the application WJPA-22-0015/VMRC-2022-1784, for the purpose of construction of a vinyl bulkhead with a stone return and a stone revetment; and

WHEREAS, the Board heard the arguments presented and 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, finds that the application meets all the requirements for a wetlands permit under Chapter 22 of the James City County Code and therefore **APPROVES** the request for a wetlands permit in Wetlands Board Case No. WJPA-22-0015/VMRC-2015-0873, subject to the following conditions:

1. The applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. All development activities located in the specified flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinances and receive all required approval and permits prior to commencement of such activities; and
3. The installation of 50 bunch grasses to be planted and mulched in the riparian buffer; and
4. A surety of \$500 be submitted in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
5. The Wetlands Permit for this project shall expire on September 14, 2023, if construction has not already begun; and
6. If an extension of the permit is needed, a written request must be submitted to the Stormwater and Resource Protection Division no later than August 1, 2025, six weeks prior to the expiration date.

\_\_\_\_\_  
Halle Dunn  
Chairman, Wetlands Board

\_\_\_\_\_  
Trevor A. Long  
Secretary to the Board

Adopted by the Wetlands Board of James City County, Virginia, this 14th day of September, 2022.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022 IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

WJPA22-15\_VMRC22-1784\_285SdyBy-res-rev

## RESOLUTION

CASE NO. WJPA-22-0015/VMRC-22-1784. 258 SANDY BAY ROAD

### JAMES CITY COUNTY WETLANDS PERMIT

WHEREAS, Ms. Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Mr. Kenneth Goldsmith and Mrs. Ashley Overman-Goldsmith, (the “Applicants”), applied to the Wetlands Board of James City County (the “Board”) on September 14, 2022, to request a permit to use and develop in areas designated as wetlands on property identified as James City County Real Estate Tax Map Parcel No. 4730100012 and further identified as 258 Sandy Bay Road (the “Property”) as set forth in the application WJPA-22-0015/VMRC-2022-1784, for the purpose of construction of a vinyl bulkhead with a stone return and a stone revetment; and

WHEREAS, the Board heard the arguments presented and 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, finds that the application does not meet all the requirements for a wetlands permit under Chapter 22 of the James City County Code and therefore **DENIES** the request for a wetlands permit in Wetlands Board Case No. WJPA-22-0015/VMRC-22-1784.

\_\_\_\_\_  
Halle Dunn  
Chairman, Wetlands Board

\_\_\_\_\_  
Trevor A. Long  
Secretary to the Board

Adopted by the Wetlands Board of James City County, Virginia, this 14th day of September, 2022.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022 IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

WJPA22-15\_VMRC-22-1784\_258SdyByDny-res

**From:** [Karla Havens](#)  
**To:** [Beth JPA's](#)  
**Subject:** Goldsmith JPA  
**Date:** Friday, July 29, 2022 1:45:08 PM  
**Attachments:** [Goldsmith JPA.pdf](#)

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Good Afternoon,

Here is a JPA for the Goldsmith's shoreline project in JCC.

APO Forms were snail-mailed on 7-20-22 but to date, I have not received either of them back. I will forward them if I receive them.

Please note that all billing for permit fees and advertising should be directed to the applicant.

Thanks,

Karla

Sent from [Mail](#) for Windows



- ❖ 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](http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html).

FOR AGENCY USE ONLY	
	Notes:
	JPA # 22-1784

## 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>POWATAN CREEK / JAMES RIVER</u>				
<i>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)</i>				
Historical information for past permit submittals can be found online with VMRC - <a href="https://webapps.mrc.virginia.gov/public/habitat/">https://webapps.mrc.virginia.gov/public/habitat/</a> - or VIMS - <a href="http://ccrm.vims.edu/perms/newpermits.html">http://ccrm.vims.edu/perms/newpermits.html</a>				
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
WB	80' Coir Log,			
VMRC	Pier, Boat house,	# 2015-0873	2015	Approved
Corps	Boat Ramp			

## Part 1 - General Information (continued)

1. Applicant's legal name\* and complete mailing address: Contact Information:  
KENNETH M. GOLDSMITH & Home ( ) \_\_\_\_\_  
ASHLEY C. OVERMAN-GOLDSMITH Work ( ) \_\_\_\_\_  
258 SANDY BAY ROAD Fax ( ) \_\_\_\_\_  
WILLIAMSBURG, VA 23185 - 2335 Cell (757) 298 - 3276  
e-mail kengoldsmith1@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 Home ( ) \_\_\_\_\_  
MID-ATLANTIC RESOURCE CONSULTING Work (804) 785 - 2107  
1095 CHERRY ROW LANE Fax ( ) \_\_\_\_\_  
SHACKLEFORDS, VA 23156 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.

CONSTRUCT A 75' VINYL BULKHEAD WITH 10' STONE RETURN AND 12' CLASS I STONE REVETMENT, PLACE PAVER BLOCKS OVER A PREVIOUSLY-PERMITTED GRAVEL BOAT RAMP, ADD A 10' X 20' FLOAT AND BOAT LIFT TO AN EXISTING NON-COMMERICAL, OPEN-PILE PIER.

SITE TO BE ACCESSED FROM THE WATER AND THE UPLAND.

NO TREE CLEARING REQUIRED.

4 TREATED TIMBER PILES, NO GREATER THAN 12-INCH DIAMETER, TO BE INSTALLED WITH A VIBRATORY HAMMER FOR THE BOAT LIFT.



## Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? \_\_\_ Yes\* X 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 HIGH STREET, UNIT 504

WILLIAMSBURG, VA 23188

*\* DIRECT ALL BILLING TO APPLICANT \**

7. Give the following project location information:

Street Address (911 address if available) 258 SANDY BAY ROAD

Lot/Block/Parcel# PID = 4730100012 LRSN = 4271

Subdivision BERKELEY

City / County WILLIAMSBURG / JAMES CITY COUNTY ZIP Code 23185 - 2335

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

37.235015 / - 76.768567 (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."

PRIMARY PURPOSE IS TO MINIMIZE SHORELINE EROSION. PREVIOUSLY  
INSTALLED COIR LOGS HAVE FAILED TO STOP THE EROSION AND ROTTED OUT.  
SECONDARY PURPOSE IS TO LIFT AND STORE A BOAT.  
THE NEED IS THE BANK CONTINUES TO ERODE.  
THE BANK IS TOO STEEP FOR A LIVING SHORELINE.

## 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 A LIVING SHORELINE BUT THE BANK IS TOO STEEP AND THE HOUSE IS TOO CLOSE TO THE CREEK.  
  
ALL DENUDED AREAS SHALL BE SEEDED WITH AN APPROPRIATE SEASONAL SEED MIXTURE AND STRAW (OR MATTED).
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.): \$ >\$10,000 AND <\$100,000  
Approximate cost of that portion of the project that is channelward of mean low water:  
\$ SAME
13. Completion date of the proposed work: ASAP ONCE AUTHORIZED.
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.

#4730100014 / LRSN 334 (262 SANDY BAY ROAD)

STEPHEN E. & REBECCA MURPHY TRUSTEE  
3401 IRONBOUND ROAD  
WILLIAMSBURG, VA 23188 - 2418

#4730100010 / LRSN 13011 (268 SANDY BAY ROAD)

LEIGH ANNETTE OZMER  
268 SANDY BAY ROAD  
WILLIAMSBURG, VA 23185 - 2335



## Part 2 - Signatures

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

**NOTE: REQUIRED FOR ALL PROJECTS**

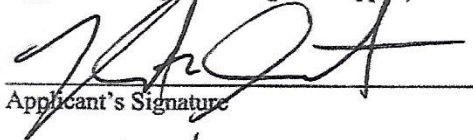
**PRIVACY ACT STATEMENT:** The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits 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.

KENNETH M. GOLDSMITH

Applicant's Legal Name (printed/typed)



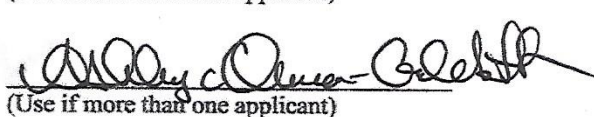
Applicant's Signature

7/29/2022

Date

ASHLEY C. OVERMAN-GOLDSMITH

(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), K. M. GOLDSMITH AND ASHLEY C. OVERMAN - GOLDSMITH, 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)

7/29/2022  
(Date)

[Signature]  
(Applicant's Signature)

[Signature]  
(Use if more than one applicant)

7/29/2022  
(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

Mid-Atlantic Resource Consulting  
1095 Cherry Row Lane  
Shacklefords, VA 23156  
(804) 366-1768  
karlashavens@gmail.com

July 20, 2022

Ms. Leigh Annette Ozmer  
268 Sandy Bay Road  
Williamsburg, VA 23185 - 2335

Re: Shoreline Stabilization Project for Kenneth & Ashley Goldsmith

Dear Ms. Ozmer:

I am the agent for Kenneth and Ashley Goldsmith's proposed shoreline stabilization project located at 258 Sandy Bay Road on Powhatan Creek. According to James City County property records, you are an adjacent property owner.

As a requirement of the Joint Permit Application process, this letter serves to notify you of the proposed project.

Project drawings have been enclosed for your review. PLEASE complete, sign and date the enclosed Adjacent Property Owner's Acknowledgement Form and return it to me in the enclosed stamped envelope. If you prefer, you may scan and email the completed APO Form to me at karlashavens@gmail.com

If you have questions regarding this project, feel free to call me at (804) 366-1768.

Thank you for your swift attention to this matter.



Karla S. Havens

cc: VMRC



Mid-Atlantic Resource Consulting  
1095 Cherry Row Lane  
Shacklefords, VA 23156  
(804) 366-1768  
karlashavens@gmail.com

July 20, 2022

Stephen E. & Rebecca Murphy Trustee  
3401 Ironbound Road  
Williamsburg, VA 23188 - 2418

Re: Shoreline Stabilization Project for Kenneth & Ashley Goldsmith

To Whom It May Concern:

I am the agent for Kenneth and Ashley Goldsmith's proposed shoreline stabilization project located at 258 Sandy Bay Road on Powhatan Creek. According to James City County property records, you are an adjacent property owner.

As a requirement of the Joint Permit Application process, this letter serves to notify you of the proposed project.

Project drawings have been enclosed for your review. PLEASE complete, sign and date the enclosed Adjacent Property Owner's Acknowledgement Form and return it to me in the enclosed stamped envelope. If you prefer, you may scan and email the completed APO Form to me at karlashavens@gmail.com

If you have questions regarding this project, feel free to call me at (804) 366-1768.

Thank you for your swift attention to this matter.



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.**

INSTALL A BOAT LIFT AND A 10' x 20' FLOAT ON TO AN EXISTING  
NON-COMMERCIAL, OPEN-PILE PIER.

**2. For private, noncommercial piers:**

Do you have an existing pier on your property? ☒ Yes ☐ No

If yes, will it be removed? ☐ Yes ☒ No

Is your lot platted to the mean low water shoreline? ☒ Yes ☐ No

What is the overall length of the proposed structure? \_\_\_\_\_ feet.

Channelward of Mean High Water? \_\_\_\_\_ feet.

Channelward of Mean Low Water? \_\_\_\_\_ feet.

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

Tidal non-vegetated wetlands 0 square feet.

Tidal vegetated wetlands 0 square feet.

Submerged lands 200 square feet. (10' x 20')

What is the total size of any and all L- or T-head platforms? 200 sq. ft.

For boathouses, what is the overall size of the roof structure? N/A sq. ft.

Will your boathouse have sides? ☐ Yes ☐ No.

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)

3. 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:
- 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.).
  - 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.
  - 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 #
Carolina Skiff J14	14'	5'4"	< 12"	VA 8363 BF

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

- 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).
- Will petroleum products or other hazardous materials be stored or handled at your facility? \_\_\_\_\_.
- Will the facility be equipped to off-load sewage from boats? \_\_\_\_\_.
- How many wet slips are proposed? \_\_\_\_\_. How many are existing? \_\_\_\_\_.
- 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

6. 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.



### Part 3 – Appendices (continued)

**Appendix B: Projects for Shoreline Stabilization** in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

**NOTE:** It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at [http://ccrm.vims.edu/coastal\\_zone/living\\_shorelines/index.html](http://ccrm.vims.edu/coastal_zone/living_shorelines/index.html).**

1. Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

INSTALL 75' OF VINYL BULKHEAD WITH ASSOCIATED BACK FILLING, A 10' CLASS I QUARRY STONE RETURN WALL, A 12' CLASS I QUARRY STONE REVETMENT, AND PLACE PAVER BLOCKS OVER AN EXISTING 12' x 20' STONE BOAT RAMP.

2. What is the maximum encroachment channelward of mean high water? 1 feet. (BULKHEAD)  
Channelward of mean low water? 0 feet.  
Channelward of the back edge of the dune or beach? \_\_\_\_\_ feet.

3. Please calculate the square footage of encroachment over:

- Vegetated wetlands 0 square feet
- Non-vegetated wetlands 75 square feet
- Subaqueous bottom 0 square feet
- Dune and/or beach N/A square feet

4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? \_\_\_\_ Yes X No. COIR LOGS FAILED.

If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? \_\_\_\_ Yes \_\_\_\_ No.

If no, please provide an explanation for the purpose and need for the additional encroachment.

### Part 3 – Appendices (continued)

5. Describe the type of construction and **all** materials to be used, including source of backfill material, if applicable (e.g., vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).

**NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.**

VINYL SHEETING, TREATED-TIMBER STRINGERS AND BUTT PILES, H.D.G. HARDWARE, FILTER CLOTH, CLEAN SANDY BACK FILL FROM AN UPLAND SOURCE, PAVER BLOCKS, CLASS I QUARRY STONE.

6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:

Core (inner layer) material 50 pounds per stone Class size 1

Armor (outer layer) material 100 pounds per stone Class size 1

**For beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

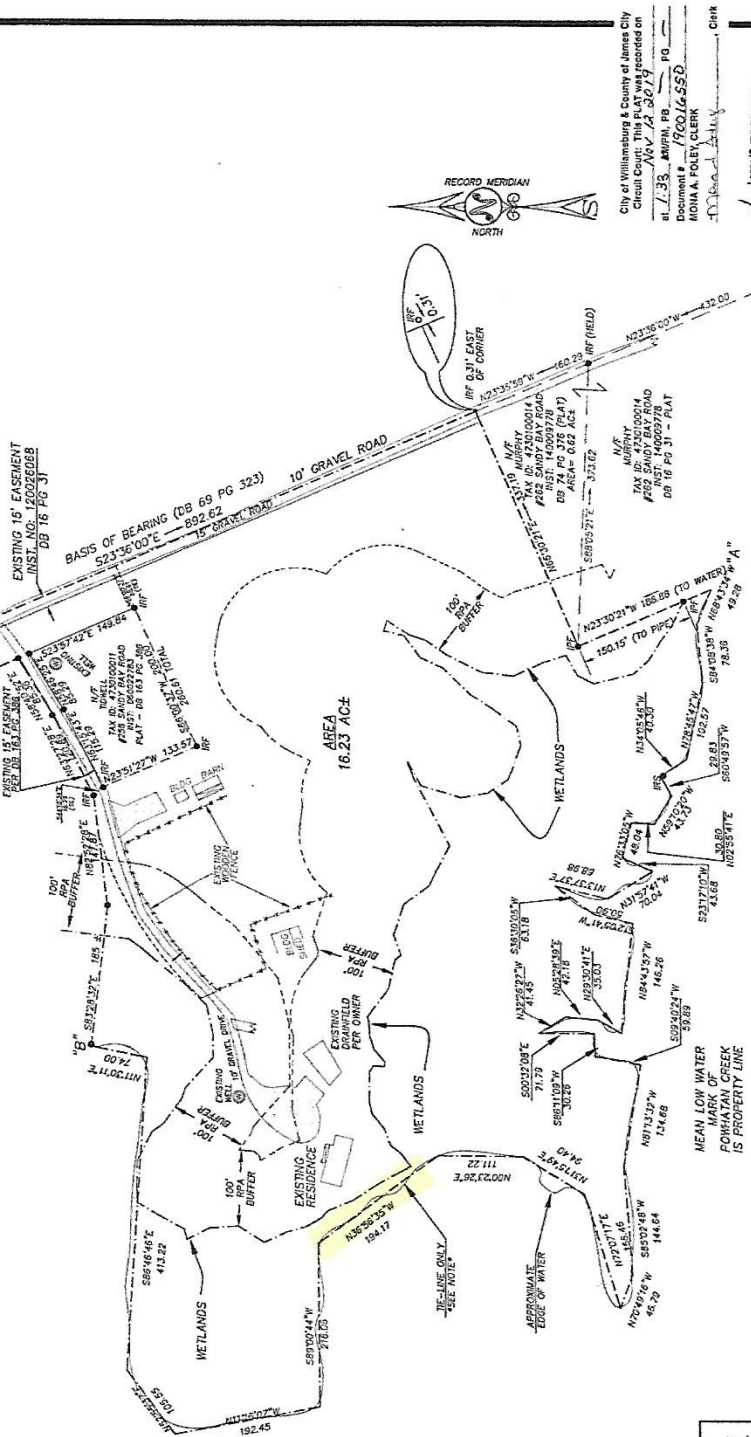
- Volume of material
    - \_\_\_\_\_ cubic yards channelward of mean low water
    - \_\_\_\_\_ cubic yards landward of mean low water
    - \_\_\_\_\_ cubic yards channelward of mean high water
    - \_\_\_\_\_ cubic yards landward of mean high water
  - Area to be covered
    - \_\_\_\_\_ square feet channelward of mean low water
    - \_\_\_\_\_ square feet landward of mean low water
    - \_\_\_\_\_ cubic yards channelward of mean high water
    - \_\_\_\_\_ cubic yards landward of mean high water
  - Source of material, composition (e.g. 90% sand, 10% clay): \_\_\_\_\_
  - Method of transportation and placement: \_\_\_\_\_
- 
- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at <http://www.vims.edu/about/search/index.php?q=planting+guidelines>:

190016550

HIS PROPERTY APPEARS TO LIE PARTIALLY IN FLOODZONE X (AREAS OF 1% ANNUAL CHANCE FLOOD) AND PARTIALLY IN ZONE AE (AREAS OF 1% PER F.F.R.M. SIGNIFICANT DATED 12/16/13).

STATEMENT OF SOURCE OF TITLE  
THE SURVEYED PLAT WAS CONVEYED BY MONA A. FOLEY, CLERK OF THE COUNTY OF JAMES CITY, VIRGINIA, TO JOHN E. & DEBRA A. REECE, HUSBAND AND WIFE BY DEED, DATED 11/07/2012, D. RECORDED IN THE OFFICE OF THE CLERK OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 120026066.

NOTES:  
ACCESS TO TIDWELL (2550 SANDY BAY ROAD) IS OVER A 60' RIGHT-OF-WAY PER DB 163 PG 384 (PLAT AT DB 163 PG 386).



NOTE:  
EXISTING RESIDENCE LIES WITHIN THE 100' RPA BUFFER. NO FUTURE DEVELOPMENT ALLOWED WITHIN THE 100' RPA BUFFER WITHOUT APPROVAL BY JAMES CITY COUNTY.

DISCREPANCIES FOUND BETWEEN RECORD CALLS FROM VARIOUS SOURCES AND THIS SURVEY. REMAINDER OF PROPERTY LINES ARE SHOWN AS SHOWN, ALL BEARINGS ARE ADJUSTED TO THIS PLAT ORIENTATION.

THE LINES ALONG EDGE OF WATER (DESIGNATED AS "A" TO "B") ARE SHOWN PER UNRECORDED PLAT BY HIS LAND SURVEYING DATED 2/19/2012.

NO LAND DISTURBANCE ALLOWED WITHIN THE 100' RPA BUFFER WITHOUT APPROVAL OF JCC

JCC Subdivision Agent glc Approval Not Required

NEBERT SURVEYING & LAYOUT, LLC  
177 BARLOW ROAD  
WILLIAMSBURG, VA  
PHONE (757) 345-0931  
CELL: (757) 784-2413

BOUNDARY SURVEY  
BEING 16.23 ACRES  
STANDING IN THE NAME OF  
JOHN E. & DEBRA A. REECE



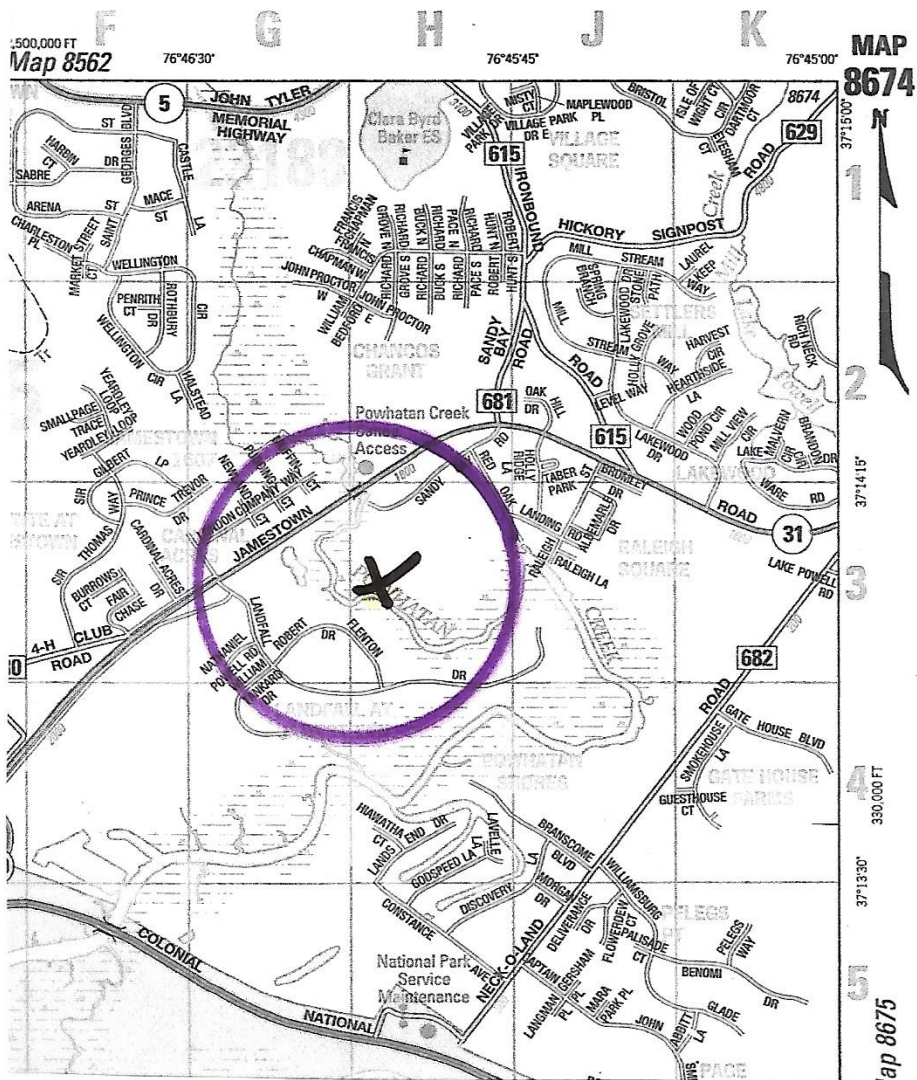
LEGEND:  
N/T NOW OR FORMERLY  
R/R ROAD FOUND  
B/S BOUNDARY SET  
B/L BUILDING SETBACK LINE  
R/W RIGHT-OF-WAY  
C/O CENTERLINE  
S/C SANITARY CLEANOUT  
W/M WATER METER  
W/W WATER WELL  
X 59.2 EXISTING SPOT ELEVATION  
X 59.2 PROPOSED SPOT ELEVATION

DATE: 11/05/2019  
DESIGNED BY: ADS  
SCALE: 1" = 100'  
PROJECT NO.: 190016550  
DRAWING NO.: 1 OF 1

Large (Small) Plotted  
Revised as of 190016550

City of Williamsburg & County of James City  
Circuit Court. This plat was recorded on  
11/13/2019, MONDAY, PG 384  
Document # 190016550  
MONA A. FOLEY, CLERK



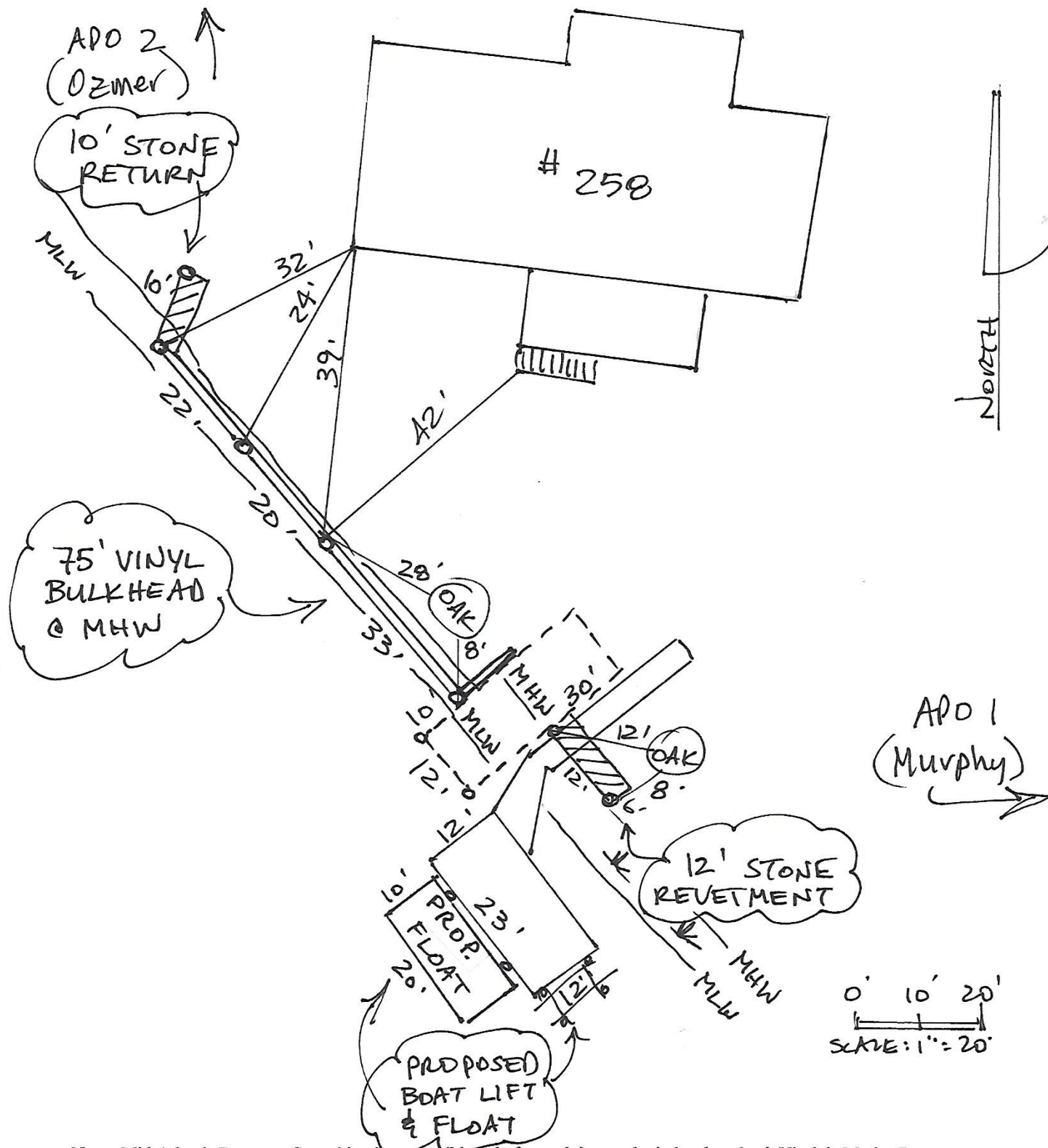


ADC Street Atlas - Virginia Peninsula,  
Map 8674, Page 29, 2007.

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.

Adjacent Property Owners:	VICINITY MAP	KENNETH M. GOLDSMITH & ASHLEY C. OVERMAN-GOLDSMITH 258 Sandy Bay Road, Williamsburg On Powhatan Creek of the James River
1. Stephen E. & Rebecca Murphy Trustee 2. Leigh Annette Ozmer	James City County #4730100012 LRSN = 4271	Date: 7-20-22 Sheet 1 of 4

Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Shacklefords, VA 23156 (804) 366-1768



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.

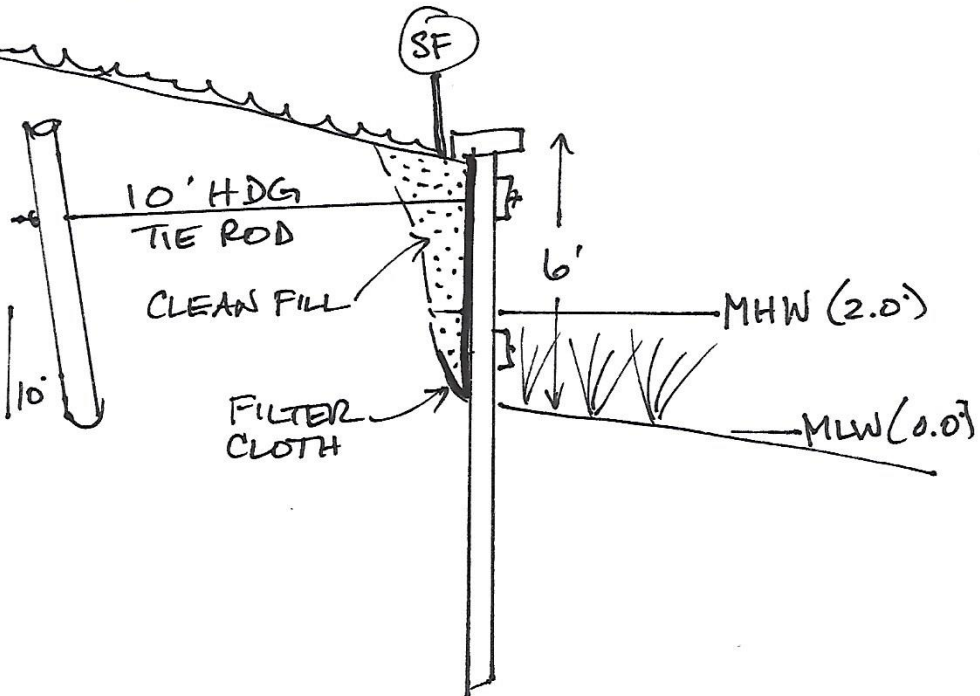
Adjacent Property Owners:	SITE PLAN	KENNETH M. GOLDSMITH & ASHLEY C. OVERMAN-GOLDSMITH
1. Stephen E. & Rebecca Murphy Trustee	James City County	258 Sandy Bay Road, Williamsburg
2. Leigh Annette Ozmer	#4730100012	On Powhatan Creek of the James River
	LRSN = 4271	Date: 7-20-22 Sheet 2 of 4

Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Shacklefords, VA 23156 (804) 366-1768

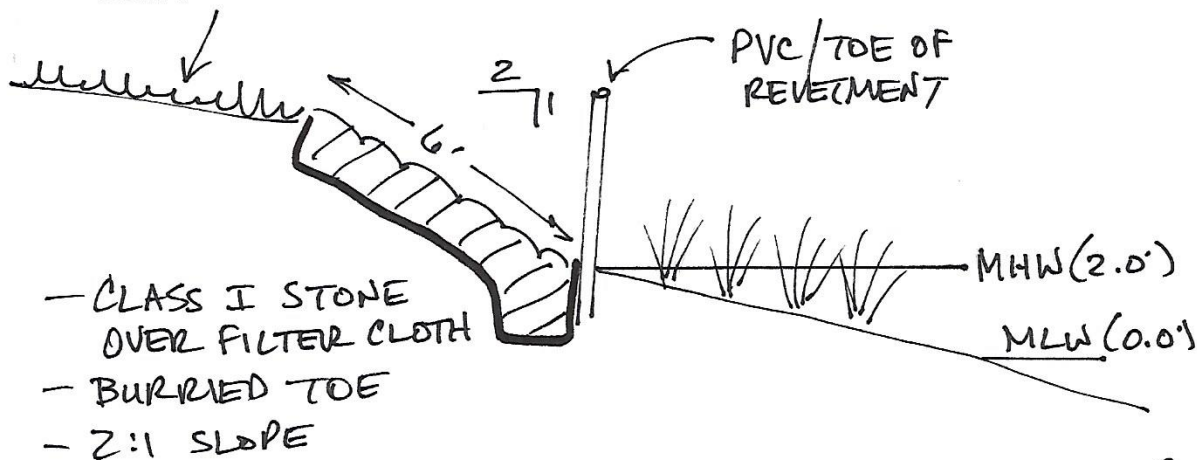


# SEED & STRAW DENuded AREAS

- 12' C-LOC 9000 VINYL SHEETING
- DRAIN HOLES EVERY 6'
- FILTER CLOTH w/ CLEAN SAND/STONE BACK FILL
- 3/4" X 10' TIE RODS TO 8" BUTT PILES EVERY 8'
- ALL LUMBER TREATED
- ALL HARDWARE H.D.G.



## SEED & STRAW



- CLASS I STONE OVER FILTER CLOTH
- BURIED TOE
- 2:1 SLOPE

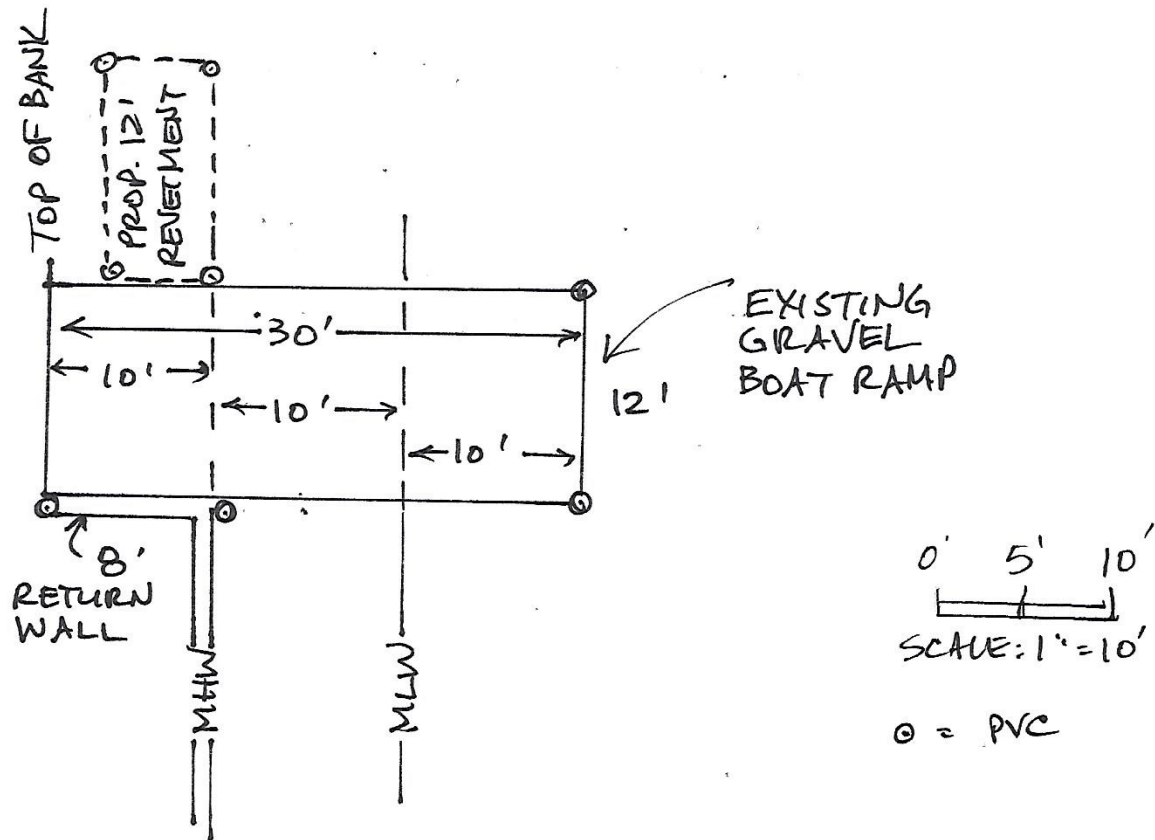
0 2' 4'  
SCALE: 1" = 4'

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:	DETAIL	KENNETH M. GOLDSMITH & ASHLEY C. OVERMAN-GOLDSMITH 258 Sandy Bay Road, Williamsburg On Powhatan Creek of the James River
1. Stephen E. & Rebecca Murphy Trustee 2. Leigh Annette Ozmer	James City County #4730100012 LRSN = 4271	Date: 7-20-22 Sheet 3 of 4

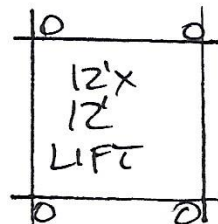
Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Shacklefords, VA 23156 (804) 366-1768 karlashavens@gmail.com





- PROPOSED PAVER BLOCKS OVER FILTE CLOTH  
W/IN EXISTING BOAT RAMP FOOTPRINT

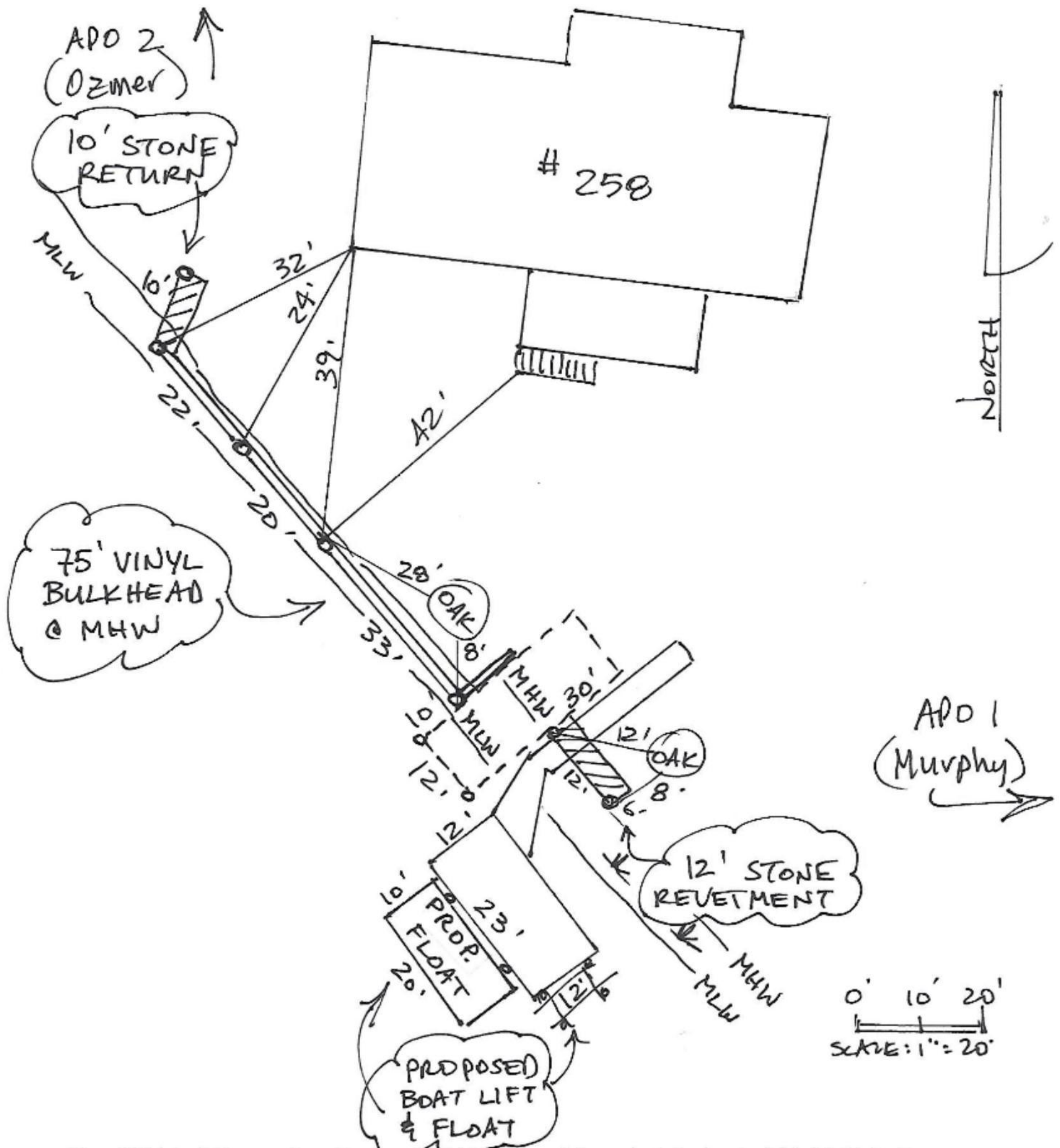
10,000 #  
12' x 12' LIFT



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:	DETAIL	KENNETH M. GOLDSMITH & ASHLEY C. OVERMAN-GOLDSMITH 258 Sandy Bay Road, Williamsburg On Powhatan Creek of the James River
1. Stephen E. & Rebecca Murphy Trustee 2. Leigh Annette Ozmer	James City County #4730100012 LRSN = 4271	Date: 7-20-22 Sheet 4 of 4

Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Shacklefords, VA 23156 (804) 366-1768





**General Services**  
107 Tewning Road  
Williamsburg, VA 23188  
P: 757-259-4080  
General.Services@jamescitycountyva.gov  
[jamescitycountyva.gov](http://jamescitycountyva.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  
757-259-6670

**Facilities & Grounds**  
113 Tewning Road  
Williamsburg, VA 23188  
757-259-4080

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

«Last\_Name»  
«Address\_Line\_1»  
«City», «State» «Zip\_Code»

RE: WJPA-22-0015  
258 Sandy Bay Road  
Pier installation

September 6,

2022

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 Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Kenneth Goldsmith and Ashley Overman-Goldsmith for encroachments into the tidal wetlands associated with installation of a bulkhead, floating pier, boat lift, and revetment. The project is located 258 Sandy Bay Road, JCC Parcel No. 4730100012.

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 **Wednesday, September 14, 2022, 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,

*Trevor Long*

Trevor Long  
Wetlands Board Secretary  
757-253-6789  
[trevor.long@jamescitycountyva.gov](mailto:trevor.long@jamescitycountyva.gov)

PIN	Last Name	Address Line 1	City	State	Zip Code
4730100003	ALLMAR LLC	1820 JAMESTOWN RD	WILLIAMSBURG	VA	23185-2327
4640700001B	LANDFALL AT JAMESTOWN COMMUNITY	103 BULIFANTS BLVD ~STE A	WILLIAMSBURG	VA	23188-5722
4730100003	ALLMAR LLC	1820 JAMESTOWN RD	WILLIAMSBURG	VA	23185-2327
4640700046	BAILEY, BRUCE E & MARY JO	204 MONIFIETH	WILLIAMSBURG	VA	23188-8947
4640700045	MURPHY, RICHARD B & PATRICIA	2532 ROBERT FENTON RD	WILLIAMSBURG	VA	23188-2313
4732400044	GRAY, SCOTT N & KELLY A	2528 ROBERT FENTON RD	WILLIAMSBURG	VA	23185-2313
4640700001A	LANDFALL AT JAMESTOWN COMMUNITY	103 BULIFANTS BLVD ~STE A	WILLIAMSBURG	VA	23188-5722
4640700047	MOSES, VERNON E & JEAN E	13009 BRISTOW ROAD	NOKESVILLE	VA	20181-3303
4730100014	MURPHY, STEPHEN E TRUSTEE & REBECCA	3401 IRONBOUND RD	WILLIAMSBURG	VA	23188-2418
4730100015	MURPHY, STEPHEN E TRUSTEE & REBECCA	3401 IRONBOUND RD	WILLIAMSBURG	VA	23188-2418
4730100010	OZMER, LEIGH ANNETTE	268 SANDY BAY RD	WILLIAMSBURG	VA	23185-2335
4730100012	GOLDSMITH, KENNETH M &	258 SANDY BAY RD	WILLIAMSBURG	VA	23185-2335
4730100011	TIDWELL, DAVID A & RACHAEL D	256 SANDY BAY RD	WILLIAMSBURG	VA	23185-2335
	Lauren Chartrand				
	Department of Wildlife Resources	PO Box 11104	Richmond	VA	23230
	Center for Coastal Resources Management	PO Box 1346	Gloucester Point	VA	23062
	Virginia Department of Environmental Quality c/o Office of Regulatory Affairs	PO Box 1105	Richmond	VA	23218
	Virginia Department of Transportation	4451 Ironbound Road	Williamsburg	VA	23188
	Regulatory Branch US Army Corps of Engineers	803 Front Street	Norfolk	VA	23508
	Karla HavensMid-Atlantic Resource Consulting	1095 Cherry Row	Plainview	VA	23156-2027



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, SEPTEMBER 14, 2022 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

WJPA-22-0015: Karla Havens, Mid-Atlantic Resource Consulting has applied on behalf of Kenneth Goldsmith and Ashley Overman-Goldsmith for a wetlands permit for the installation of a bulkhead, floating pier, boat lift, and revetment on property located at 258 Sandy Bay Road, James City County (JCC) Parcel No. 4730100012.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-22-0093: Jeff Huentelman, Land Planning Solutions Inc., has applied for a Chesapeake Bay Exception on behalf of MCP Stonehouse LLC for encroachments into the Resource Protection Area (RPA) buffer for the installation of a sanitary sewer line on property located at 9250 Six Mount Zion Road, James City County (JCC) Parcel No. 0540100011.

CBPA-22-0104: Joseph Krallinger, The Structures Group has applied for a Chesapeake Bay Exception on behalf of Lee Scott and Jeannie S Trainum for encroachments into the RPA buffer for the removal and replacement of existing retaining walls on property located at 105 Ambrose Hill, JCC Parcel No. 5030400077.

CBPA-22-0105: Chase Grogg, LandTech Resources has applied for a Chesapeake Bay Exception on behalf of Michael L and Helen Cochran Arnold for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 124 James Bray Drive, JCC Parcel No. 31402A0014.

CBPA-22-0107: Jeff Huentelman, Land Planning Solutions Inc., has applied for a Chesapeake Bay Exception on behalf of MCP Stonehouse LLC for encroachments into the RPA buffer for the installation of a sanitary sewer line on property located at 9100 Six Mount Zion Road, JCC Parcel No. 0540100016.

CBPA-22-0109: Sean Allburn has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of a fishing platform on property located at 124 Thomas Cartwright, JCC Parcel No. 5130200021.

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 – Wednesday, August 31, 2022 and Wednesday, September 7, 2022.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

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                  WETLANDS/CHESAPEAKE BAY BOARD MEMBERS



**ITEM SUMMARY**

DATE:

TO: Wetlands Board

FROM: Trevor Long, Wetlands Board Secretary

SUBJECT: Carter's Grove Shoreline Stabilization Update

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**REVIEWERS:**

Department	Reviewer	Action	Date
Wetlands Group	Small, Toni	Approved	9/7/2022 - 4:25 PM
Wetlands Group	Small, Toni	Approved	9/7/2022 - 4:25 PM
Publication Management	Pobiak, Amanda	Approved	9/7/2022 - 4:34 PM
Wetlands Group	Secretary, Wetland	Approved	9/8/2022 - 10:40 AM