

November 17, 1983

AT A REGULAR MEETING OF THE WETLANDS BOARD OF THE COUNTY OF JAMES CITY, VIRGINIA, IN THE COUNTY GOVERNMENT CENTER, 101C MOUNTS BAY ROAD, BOARD-ROOM, AT 7:30 P. M. ON THE SEVENTEENTH DAY OF NOVEMBER, NINETEEN HUNDRED AND EIGHTY-THREE.

1. ROLL CALL

Ms. Virginia Carey, Chairman
Mr. William L. Apperson
Mr. Gerald Otey
Ms. Donna Ware

ALSO:
Mr. Henry H. Stephens
Mr. Allen J. Murphy
Mr. Orlando A. Riutort

2. MINUTES

Upon a motion by Mr. Apperson, seconded by Ms. Ware, the minutes of the April 27, 1983 meeting were approved as presented.

3. CASE NO. W-2-83.

Mr. Allen Murphy presented the staff report stating that Mr. Callis had applied on behalf of Mr. William A. Hayter, Mr. Phillip H. Hull, Mr. Gerald Parker, Mr. Lawrence E. Bell, Mr. William M. West, Mr. J. E. Schwartzlow and Mr. Bradsher, for a wetlands permit to allow the construction of a total of 721 linear feet of tongue and groove bulkheading on seven lots in Powhatan Shores Subdivision. The properties are located on Godspeed Lane, Lands End and Hiawatha Court.

Mr. Murphy stated that a site visit had been made consisting of VMRC, VIMS and Planning staff representation. The Board was provided with a report by Mr. Walter I. Priest, Marine Scientist of VIMS, describing the amount of wetlands involved and the expected impact of this project. The report contained a specific suggestion for conditions to permits; the impacts are expected to be relatively minor. Mr. Priest specifically recommended following the alignments stated by the Corps of Engineers in the field as it stays as close to the mean high water shoreline as reasonably possible.

Mr. Murphy further stated that the staff recommended individual permits be issued to each property owner for the alteration of wetlands estimated for each individual lot by VIMS to allow the construction of bulkheading as described in the application. The staff recommended that approval be granted with the condition that the alignment of bulkheading be constructed following the alignment staked in the field by the Corps of Engineers.

Ms. Carey opened the public hearing.

Mr. Callis appeared before the Board and responded to questions.

Mr. Otey made a motion, seconded by Mr. Apperson, to approve the permits in accordance with the staff recommendation.

At Mr. Riutort's suggestion, Ms. Ware made an amendment to the motion to provide in the permit a time limit of one year.

The motion passed unanimously.

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4. MATTERS OF SPECIAL PRIVILEGE

Mr. Murphy announced that there is a potential permit for bulkheading in Powhatan Shores Subdivision. Also, that the staff had received notice of a potential violation on Neck O'Land Road adjacent to the future section of the Powhatan Shores Subdivision which the staff is investigating. Further, in the future section of Powhatan Shores there are several areas which involve wetlands and there may be applications in the future.

Ms. Page Hewlett of 403 Neck O'Land Road addressed the Board regarding the potential violation Mr. Murphy referred to. Ms. Hewlett exhibited pictures of the alleged illegal bulkheading and filling of property in July or August, 1983, that is causing flooding on her property. Mr. Lawrence Bell also spoke.


Mr. Victor Shone of 405 Neck O'Land Road spoke before the Board, stating that he attended a County meeting regarding a cul-de-sac in Powhatan Shores, Section II, along with Mr. Jack Kirtland. He notified Mrs. Hewlett about the meeting because of damage to their properties by the drainage ditch. He said the drainage ditch was put in by Mr. Branscome to alleviate flooding on both his and the Hewlett property. He explained how the flooding occurred and said he put the bulkheading in to prevent erosion of his property. He further stated that he would do as advised by a qualified engineer to improve conditions.


Mr. Riutort stated that the staff would inspect the involved properties and report to the Board. He further stated that Powhatan Shores developers had submitted plans for Section II. Mr. Shone and Mr. Kirtland attended the Subdivision Review Committee meeting as they were concerned about additional flooding. The Subdivision Review Committee deferred action on Section II until the staff and Public Works could look at the situation. County Administration hired an engineering firm to do a study which is currently being studied by Public Works.

An inspection of the property and potential violations on the Shone property was scheduled for Monday, November 21 at 2:00 P. M.

5. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:00 P. M.


Orlando A. Riutort
Secretary


Virginia Carey
Chairman

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