

AT A REGULAR MEETING OF THE WETLANDS BOARD OF JAMES CITY COUNTY, VIRGINIA, IN THE BOARDROOM, 101-C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA, ON THE TWENTY-FIFTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND EIGHTY-FIVE.

1. ROLL CALL

Members Present

Ms. Virginia Carey
Ms. Kathleen Small
Mr. William Apperson
Mr. Henry Lindsey

Others Present

Mr. Bernard M. Farmer, Jr., Director of Code Compliance
Mr. Walter Priest, Virginia Institute of Marine Science

2. MINUTES

The August 15, 1985 minutes were approved as presented.

3. OLD BUSINESS

There being no old business to discuss, the Board moved on to New Business.

4. NEW BUSINESS

Case No. W-13-85. Thomas D. Cutler

Mr. Farmer stated that Mr. Thomas Cutler had applied for a wetlands permit to construct approximately 200 feet of tongue and groove bulkheading and to construct a 6' x 20' private pier at 6018 Tabiatha Lane in the Chickahominy Haven Subdivision. Mr. Farmer stated that a site visit had been made by the Virginia Institute of Marine Science and by the Office of Code Compliance and wetlands involved on the property consisted of approximately 400 feet of vegetated and 500 square feet of non-vegetated wetlands. He also stated that the negative impact of removing and relocating the already placed bulkhead would outweigh the benefit of requiring its relocation. Mr. Farmer stated that the piles were inadequately spaced, varied in size, and appeared to be too shallowly placed. He then recommended approval of the permit subject to the following conditions:

1. That the existing wales and piles be replaced and redesigned with adequately sized and spaced members;
2. That all fill behind the bulkhead come from an upland source;

3. That a building permit be obtained prior to proceeding with the work and inspections be made prior to backfilling;
4. That the permit expire on September 25, 1986.

Ms. Carey opened the public hearing and asked if anyone would like to speak in favor of the case.

Mr. Lindsey asked if there was anything the County could do to reduce the amount of wetlands involved.

Mr. Priest stated that pulling the bulkhead out would involving disturbing more wetlands and his only concern was with it being doing correctly.

Ms. Carey closed the public hearing and moved that the permit be granted subject to the staff's recommendation.

Mr. Lindsey agreed with the exception of an additional item being added to the staff's recommendation. "That the applicant seek professional advice from the State's Shoreline Advisory Service."

Motion was carried and all members were in favor.

Case No. W-17-85. Harvey L. Conway.

Mr. Farmer stated that Mr. Harvey Conway had applied for an after-the-fact permit for the construction of approximately 80 feet of timber bulkheading and a 8' x 16' private pier. He also stated that a site visit had been made and the bulkhead appeared to be sturdy, sound, and in accordance with the plans submitted. Mr. Farmer recommended approval of the wetlands permit subject to a permit term of sixty-days.

Ms. Carey opened the public hearing and asked if anyone would like to speak in favor of the case.

Ms. Carey asked Mr. Conway if he had any knowledge of needing a wetlands permit before starting with construction.

Mr. Conway stated that he knew nothing beforehand about obtaining a wetlands permit.

Ms. Carey moved that the permit be granted. All members were in favor.

Case No. W-18-85. Clayton Moorefield.

Mr. Farmer stated that Mr. Moorefield had applied for an after-the-fact permit for the construction of approximately 48 feet of timber bulkheading and a 10' x 20' private pier at 7222 Otey Drive in the Chickahominy Haven Subdivision. He stated that a site visit had been made by the staff of Code Compliance and by the Virginia Institute of Marine Science and the bulkhead appeared to be sound, sturdy, and in accordance with the plans submitted. He then recommended approval subject to a permit term of sixty-days.

Ms. Carey opened the public hearing and asked if anyone would like to speak in favor of the case.

Mr. Moorefield stated that he thought since this was a man-made canal, no permit would be required and that was why he did not obtain one.

Ms. Carey closed the public hearing and moved that the permit be approved subject to the staff recommendation of a sixty-day permit term.

All members were in favor.

Case No. W-21-85. Henry Kelley.

Mr. Farmer stated that Mr. Henry Kelley had applied for a wetlands permit for the construction of approximately 80 feet of tongue and groove bulkheading and to allow the construction of a 16' x 24' private pier to extend 200 feet from the shoreline at 3092 N. Riverside Drive in the Chickahominy Haven Subdivision. He stated that a site visit had been made by the Virginia Institute of Marine Science and the Office of Code Compliance and the bulkhead would encroach into wetlands in a very small area adjacent to 3084 N. Riverside Drive. Mr. Farmer recommended approval of the permit subject to the following conditions:

1. That the construction of 80 feet of tongue and groove bulkheading being built as proposed by the applicant.
2. The permit term shall expire on September 25, 1986.
3. The applicant obtain a building permit and inspections be required prior to backfilling.

Ms. Carey opened the public hearing and asked if anyone would like to speak in favor of the case.

Ms. Carey moved that the permit be granted subject to the staff recommendation and with an additional condition being added; "Filter cloth be used."

All members were in favor.

Case No. W-22-85. Ronald Garrett.

Mr. Farmer stated that Mr. Garrett had applied for a wetlands permit to allow the construction of 125 feet of timber bulkheading at 6019 Tabiatha Lane in the Chickahominy Haven Subdivision. He stated that a site visit had been made by the Office of Code Compliance and the Virginia Institute of Marine Science and wetlands involved consisted of 250 square feet of vegetated wetlands and 125 square feet of non-vegetated wetlands. Mr. Farmer recommended approval of the permit subject to the following conditions:

1. That the construction of the 125 feet of timber bulkheading be built at mean high water, tie into existing bulkhead at 6017 Tabiatha Lane, and follow the curvature of the shoreline.

2. The applicant obtain a building permit prior to construction.
3. The applicant contact the Code Compliance Office for an inspection of the filter cloth prior to backfilling.
4. The permit term shall expire on September 25, 1986.

Ms. Carey opened the public hearing and asked if anyone would like to speak in favor of the case.

Mr. Lindsey asked Mr. Priest what effects would the creosote treated material have on the marine community.

Mr. Priest stated that it was difficult to answer because there was no information available to say whether the creosote treated materials were better or worse than the salt treated ones. He stated that in any case, it was assumed to be a negligible effect since there was such a small amount of material involved.

Ms. Carey closed the public hearing and moved that the permit be granted subject to the staff recommendation.

All members were in favor.

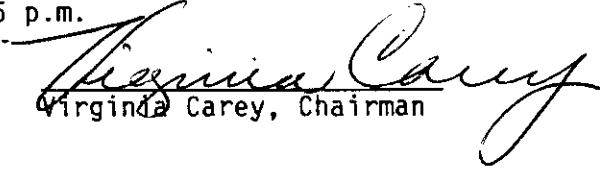
5. MATTERS OF SPECIAL PRIVILEGE

The Board reviewed the revised Bylaws and approved the final draft.

The Board had brief discussion of after-the-fact permits.

6. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.


Virginia Carey, Chairman

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