

AT A REGULAR MEETING OF THE WETLANDS BOARD OF JAMES CITY COUNTY, VIRGINIA, IN THE BOARD ROOM, 101-C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA, ON THE SEVENTEENTH DAY OF JULY, NINETEEN HUNDRED AND EIGHTY-SIX.

1. ROLL CALL

Members Present

Mr. William Apperson  
Mr. Henry Lindsey  
Ms. Carolyn Lowe  
Mr. John Hughes

Others Present

Mr. Bernard M. Farmer, Jr., Director of Code Compliance  
Mr. Tony Watkinson, VMRC

2. Minutes

The June 19, 1986 minutes will be voted on at the next meeting.

3. Old Business

Case No. W-4-86. Lewis Waltrip

Mr. Farmer stated that the public hearing was held at the last meeting. Ms. Lowe asked if the Soil Conservation Service was consulted for the proposed project.

Mr. Farmer stated yes and that there had been some discussion over the types of soil at the last meeting.

Ms. Lowe asked Mr. Farmer if the area referenced to in the staff report was cattail community.

Mr. Anderson stated that the area was primarily cattail community.

Ms. Lowe had a question concerning number 13 on the wetlands application in reference to tidal areas.

Mr. Farmer explained that in references made in a correspondence by Mr. Anderson, a new application was not necessary.

Ms. Lowe asked if riprap would be needed.

Mr. Farmer stated that there was a portion of riprap that would be necessary because of overfill by the dam.

Ms. Lowe stated that there were many errors on the application.

Mr. Anderson stated that in a discussion after the last meeting and based on a conversation with the owner, he had decided to move the dam further upstream. He stated that the Corps of Engineers had made two visits to the site to determine jurisdiction. He showed board members the new location of the dam on a site plan and indicated survey lines.

Mrs. Lowe asked how close the proposed dam would be to Route 5. Mr. Anderson responded several hundred yards.

Mr. Hughes asked Mr. Anderson if he was withdrawing his application.

Mr. Anderson stated that the matter was out of the jurisdiction of the local wetlands board and he just wanted to let the board know what was going on.

Mr. Farmer stated that it was still up to the board to determine whether or not it was in their jurisdiction, but that the work had been placed completely out of wetlands.

Mr. Watkinson stated that now that the impoundment was 200 feet or more back it would most likely be out the board's jurisdiction. However, the board still had jurisdiction over the wetlands.

The board members agreed that with the dam's new location, the board had no jurisdiction.

Board members agreed 3-1; Ms. Lowe opposed motion.

#### 4. NEW BUSINESS

##### Case No. W-9-B6. Newton, Corbin, and Zach.

Mr. Farmer stated that Mr. Newton, Mr. Corbin and Mr. Zach, three property owners at Godspeed Lane and Lavelle Court in the Powhatan Shores Subdivision had applied for a wetlands permit to bulkhead their property. Staff from VIMS and Code Compliance have visited and have no objection to the proposed construction as the application shows. It is the staff recommendation that the permit be granted subject to:

1. The permit shall expire on July 17, 1987.
2. That the alignment approximate mean high water.
3. That the contractor obtain a building permit prior to commencing construction.
4. That prior to placing backfill against the bulkhead an inspection be made by the Office of Code Compliance

Mr. Hughes stated that because of personal interest he would not vote on this case.

Mr. Apperson asked if the bulkhead would tie into place with the existing riprap. Mr. Farmer stated that the riprap would come right up against the edge of the property line. The alignment of the bulkhead would more than likely be about the center of the riprap.

Mrs. Lowe asked if the bulkhead would be placed at mean high water. Mr. Farmer stated that the placement would be at mean high water.

Mr. Apperson opened the public hearing. There being no speakers, Mr. Apperson closed the public hearing and asked if there was any discussion.

Mr. Farmer stated the Code Compliance Office would go out and stake out the area and would try to determine the mean high water level for placement of the bulkhead.

Mr. Lindsey moved to approve the permit with the staff recommendations.

All members were in favor, except Mr. Hughes who abstained from voting.

Case No. W-10-86. Paul Jacobs

Mr. Farmer stated that Mr. Richard Callis, the contractor, had applied on behalf of the owner, Mr. Paul Jacobs, to construct 116 linear feet of tongue and groove bulkheading and a pier at 110 Discovery Lane in the Powhatan Shores Subdivision. Site visits were made and approximately 10 square feet of vegetated wetlands would be involved by this application. He moved that the permit be granted subject to:

1. The bulkhead being constructed at mean high water as shown on the application.
2. The contractor obtain a building permit prior to construction.
3. The permit term shall expire on July 17, 1987.

Ms. Lowe asked why the application indicate 200 feet of vegetated wetlands involved.

Mr. Farmer stated that it was an estimate made by the applicant at the time the application was filled out. The 10 square feet was an estimate taken from the VIMS memorandum.

Mr. Apperson's opened and closed the public hearing.

Mr. Lindsey moved to approve the permit and Mrs. Lowe seconded the motion. All members were in favor.

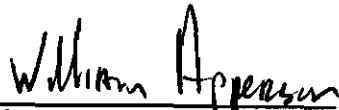
5. MATTERS OF SPECIAL PRIVILEGE

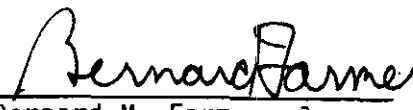
Mr. Farmer presented a draft resolution made out for recognition of former board members.

6. ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

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William Apperson, Chairman

  
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Bernard M. Farmer, Jr.  
Secretary to the Board