

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 EIGHTEENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND EIGHTY-SIX.

1. Roll Call

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

Others Present

Mr. Bernard M. Farmer, Jr., Director of Code Compliance

2. Minutes

The June, July and August minutes were approved as presented.

3. Old Business

Mr. Farmer stated that Mr. Victor Shone had called in reference to a wetlands permit he received last year and he had problems meeting the expiration date. Mr. Shone requested that an 6 month extension be made.

Mr. Apperson stated that he had received a letter from Mr. Shone explaining difficulties he had encountered.

Mr. Hughes moved to grant an extension for Mr. Shone. All members were in favor.

Case No. W-12-86. Development Contractors, Inc.

Mr. Farmer stated that Richmond Engineering, Inc., the agent, had applied on behalf of Development Contractors, Inc., the owner, for a wetlands permit for the construction of a sewer bridge to span 480 feet of lowland, 600 feet south of the southeast corner of St. George's Hundred on Powhatan Creek.

The construction as proposed should have no direct impact on tidal wetlands area since the piers (supports for the sewer pipe) are to be constructed above mean high water. After construction activity has ceased, no impact is expected as a result of the pipe's location.

The staff recommends that the permit be granted subject to the following conditions:

1. All construction activity is conducted above the level of mean high water.
2. That no crossing of the creek with vehicles or construction equipment be done.

3. That proper erosion and sediment controls, in accordance with the best management practices outlined in the Virginia Erosion and Sediment Control Manual, are put into place prior to any land disturbing activity.
4. That the permit shall expire on September 18, 1987.

Mr. Apperson opened the public hearing.

Mrs. Frances White, an adjacent property owner, stated that she had no problem with the sewer bridge but wished the construction was made underground. She stated concern of the bridge being damaged by storms.

Mr. Apperson closed the public hearing. He also stated that he did not think the board had any control over the type of construction of the sewer.

Mr. Farmer stated that the board had control over the environmental impacts that the sewer could involve. He also stated that he would forward Mrs. White's concern over to the James City County Service Authority.

Mr. Rickmond stated that one reason the bridge was considered over an underground system was that gravity flow was needed.

Mr. Hughes asked about the elevation of the proposed bridge.

Mr. Farmer stated that he had not seen any drawings yet.

Mr. Richmond stated that the elevation would be 3-4 feet.

Mr. Hughes stated that he would prefer to see the line elevated as opposed to underground.

Ms. Lowe stated that the board should be concerned with the tidal wetlands standpoint and the amount of wetlands disturbed and what manner of construction would be most appropriate.

Mr. Farmer stated that from an engineers standpoint, a pump station would be more prone to problems since it would be underground.

Mr. Hughes moved to approved the permit as presented with the staff recommendations. Mr. Hughes and Mr. Apperson agreed and Ms. Lowe was in opposition.

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Case No. W-18-86. Carson Conway

Mr. Farmer stated that Mr. Conway, the owner, had applied for a wetlands permit for the construction of approximately 120 linear feet of tongue and groove bulkheading at 7284 Osprey Drive in the Chickahominy Haven Subdivision. The applicant has installed pilings for the bulkhead approximately 2 feet channelward of the shoreline. Kirk Havens of VIMS reviewed the application and recommended that the bulkhead be constructed along the shoreline at mean high water which would result in realigning the bulkhead 2 feet landward of the existing pilings. The realignment would reduce the impact on the marine environment.

The staff recommends approval subject to the following conditions:

1. The existing pilings be removed and the bulkhead realigned 2 feet landward to follow the shoreline at mean high water.
2. The applicant obtain a building permit prior to construction.
3. An inspection of the filter cloth be made by the Office of Code Compliance prior to backfilling.
4. The permit shall expire on September 18, 1987.

Mr. Apperson opened the public hearing.

Mr. Conway stated that he had placed the pilings where his property line ended and he did not want to move them 2 feet landward. He stated that he did not realize a wetlands permit was required.

Mrs. Conway stated that she and her husband placed the pilings at the property line.

Mr. Apperson closed the public hearing.

Ms. Lowe stated she sympathized with the owners. *WAS concerned with owners location of pilings and was concerned over*

Mr. Apperson stated that he had been out to see the property and the bulkhead directly across the canal was at the same level as Mr. Conway's pilings. He motioned to approved the permit with the pilings where they were presently placed, and to include the other staff recommendations. *setting a precedent*

Mr. Hughes and Mr. Apperson were in favor. Ms. Lowe was in opposition.

Case No. W-18-86. David Weakley

Mr. Farmer stated that Chesapeake Contractors, Inc., the contractor, had applied for a wetlands permit for the owner, Mr. Weakley, for the construction of approximately 219 linear feet of tongue and groove bulkheading, a private pier extending 8 feet channelward with a 12' x 20' platform and 2 mooring piles at 7242 Otey Drive in the Chickahominy Haven Subdivision.

The private pier is exempt under Section 19A-3.A of the County Code. The contractor proposes to construct the bulkhead at 1.5 feet channelward of the shoreline. Mr. Kirk Havens of VIMS reviewed the application and recommended that the bulkhead be realigned to follow the contour of the shoreline to reduce the loss of wetlands.

The staff recommends approval of the permit subject to the following conditions:

1. The bulkhead be constructed at mean high water and follow the curvature of the shoreline. The Code Compliance Office will stake the shoreline at mean high water for the contractor.
2. The contractor obtain a building permit prior to construction.
3. An inspection of the filter cloth by the Code Compliance Office be made prior to backfilling.

4. The permit shall expire on September 18, 1987.

Mr. Apperson opened the public hearing.

Mr. William Stewart, the contractor, stated that 12 feet channelward of the bulkhead he would like to build a boat lift at a later date. He stated that the curved bulkheading would be expensive and the owner was only looking for a 110 foot of bulkheading at the present time. He stated that he would follow the shoreline as much as possible.

Ms. Lowe motioned to approve the wetlands permit with the staff recommendation. Mr. Hughes seconded the motion. All members were in favor.

4. Matters of Special Privilege

5. Adjournment

The meeting was adjourned at 9:05 p.m.

W L Apperson
William Apperson, Chairman

Bernard M. Farmer, Jr.
Secretary to the Board

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