

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 SIXTEENTH DAY OF OCTOBER, NINETEEN HUNDRED AND EIGHTY-SIX.

1. ROLL CALL

Members Present

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

Others Present

Ms. Carolyn Murphy, Code Compliance Officer
Mr. Tony Watkinson, VMRC
Mr. Walter Priest, VIMS

2. Minutes

The September 18, 1986 minutes were approved with corrections.

3. Old Business

Ms. Murphy informed the board that at the last meeting only three members were present. Therefore, three affirmative votes were needed before the cases could be approved. There were two affirmative votes and one nay vote on the following cases.

Case No. W-16-86. Carson Conway

Ms. Lowe stated that she felt uncomfortable voting for a permit when the work had already started and therefore did not feel right voting affirmative for the bulkhead.

Mr. Apperson stated that he felt this bulkhead was exactly the same as the one across the canal.

Mr. Lindsey stated that he felt it was difficult to vote against the permit when the bulkhead across the canal was the same distance from mean high water and voted for approval of the application.

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

Mr. Apperson stated that he would not change his vote because of Mr. Farmer's statement about underground sewers being damaged as often as overground sewers.

Mrs. Lowe stated she would be more likely to change her vote if less wetlands would be disturbed.

Mr. Lindsey stated that he would have to vote in favor of the sewer bridge because he thought the pilings would have less impact.

4. New Business

Case No. W-17-86. Allen Fulford

Mrs. Murphy stated that Mr. Fulford had applied for a wetlands permit for the construction of 96 linear feet of bulkheading and a 8' x 16' private pier at 6008 Tabiatha Lane in the Chickahominy Haven Subdivision. A site visit had been made by the staffs of VIMS and Code Compliance Office. The private pier is exempt under Section 19A-3.A of the James City County Code. The applicant proposes to construct the bulkhead one foot channelward of mean high water. This will result in the direct loss of approximately 100 square feet of vegetated wetlands and 100 square feet of non-vegetated wetlands. Mr. Kirk Havens, of VIMS, has reviewed the application and recommends the bulkhead be aligned above vegetated wetlands to prevent their destruction. This alignment will allow for soil retention of the strip of wetlands and utilization by various wildlife and marine species. Mrs. Murphy recommended approval of the wetlands permit subject to the following conditions:

1. The bulkhead be staked by the Code Compliance Office above vegetated wetlands for the applicant.
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 October 16, 1987.

Mr. Apperson opened the public hearing and asked if anyone would like to speak in favor of the request.

Mr. Fulford stated that he wanted to tie his bulkhead into his neighbor's bulkhead.

Mrs. Murphy stated that Mr. Fulford's property was not in a straight line as shown on the application but had a curvature.

Mr. Apperson stated that he could not recommend anything until the bulkhead was staked off.

Mr. Hughes made a motion to grant the permit with the recommendations of the Code Compliance office. All members were in favor.

Case No. W-20-86. Busch Properties.

Mrs. Murphy stated that Mr. K. A. Dierks of Langley and McDonald, the agent, had applied on behalf of the owner, Busch Properties, for a wetlands permit to grade approximately 1,400 linear feet of eroding shoreline east of the Kingsmill Marina and stabilize it with armour stone revetment. Grading the site would require filling of approximately 15,200 square feet of intertidal area on the James River and 18,750 square feet of subtidal bottom, and the dredging of approximately 544 cubic yards of material to be disposed of at a previously approved disposal site.

Site visits were made by the Code Compliance Office and VIMS. The area proposed to be stabilized is approximately 1,400 linear feet of shoreline and has a bluff that exceeds 70 feet along most of its course. The staff has not received a report on the environmental impacts of this proposal from VIMS. The environmental impacts report plays a major role in the decision process for the staff recommendations. The staff recommends deferral until the next schedule meeting.

Mr. Priest apologized for not getting a staff report to the Code Compliance Office so that they could make their recommendation. He stated that he did not have a chance to talk to Mr. Dierks on the proposed grade. He stated, it may be an engineering problem if the grade was too steep.

Mr. Apperson opened the public hearing.


Mr. Ken Dierks, Langley and McDonald, gave some background information on the erosion problem that Busch Properties was facing. He stated that the project should be done so that the amount of fill being cut off the top could be placed along the shore that would make an equal balance. A steeper grade would mean more fill would have to be carried away as well as making it more difficult for a contractor to get machinery on the job site.

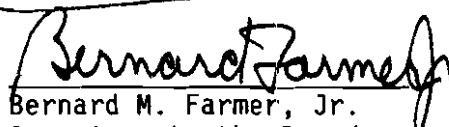
5. Matters of Special Privilege

The Board Members talked briefly about nominating a chairman and vice president at their next meeting. .

6. Adjournment

The meeting was adjourned at 9:00 p.m.


William Apperson, Chairman


Bernard M. Farmer, Jr.
Secretary to the Board



MEMORANDUM

Date: May 13, 2015
To: Records Management
From: James City County Wetlands Board
Subject: Wetlands Board minutes from October 16, 1986

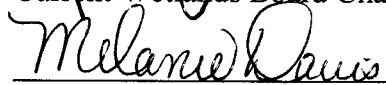
The following minutes for the Wetlands Board of James City County dated October 16, 1986 were never voted on in the year surrounding this meeting.

These minutes, to the best of my knowledge, are the official minutes for the October 16, 1986 Wetlands Board meeting and were approved by the Wetlands Board at the May 13, 2015 meeting.

Please accept these minutes as the official record for October 16, 1986.



John Hughes
Current Wetlands Board Chair



Melanie Davis
Current Wetlands Board Secretary