

WETLANDS BOARD

MINUTES

August 20, 1987

1. ROLL CALL

Members Present

Henry Lindsey
Carolyn Lowe
William Apperson
John Hughes

Members Absent

Ralph Cobb

Others Present

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

2. MINUTES

The July 16, 1987 minutes were approved.

3. OLD BUSINESS

Mr. Hughes has inquired about a bulkhead permit in Powhatan Shores. Mr. Farmer said this permit should come before the Board at next month's meeting.

4. NEW BUSINESS

W-8-87. Dudley S. Waltrip

Since the last meeting additional site visits have occurred resulting in an amended application. The present proposal consists of construction of three breakwaters as a continuance of the Drummond's Field breakwater revetments. The terminal (upstream) breakwater is to be constructed so that the western most portion is no further upstream than the live cypress tree. This position should allow for adequate tidal flows and inundation of existing marsh areas.

The staff recommends approval of the three breakwater structures and beach nourishment subject to the following conditions:

1. That all fill and rubble within 50 feet minimum of the flagged cypress be removed.

2. That all other fill containing reinforcement bar or asphalt be removed from the site.
3. That the breakwater structures be constructed as per the revised drawings (dated 7/15/87) and the VIMS recommendations contained in their report dated August 17, 1987.
4. That the Office of Code Compliance be notified when work is to commence, so that inspections of work in progress can be made.
5. That the permit shall expire one year from date of issuance.

Mr. Hughes asked if all of the rebar and rubble will be removed. Under this proposal all of the rebar should be taken away.

There was discussion about when Mr. Waltrip was first notified of the violation. He was first contacted in May of 1986 and asked to remove the fill. He did remove some of the material, but he did not obtain a permit for a bulkhead to protect the shoreline.

The public hearing was re-opened.

Mike Kelly of Espey, Huston, & Associates, Inc. stated that he agreed with the staff recommendation and all of the VIMS recommendations. He said that they want the area cleaned up also.

Mr. Hughes pointed out that the bluff needs to be stabilized. He asked why the concrete was dumped in the swale, since the bluff is where most of the erosion is occurring. He stated that Mr. Waltrip informed him he intends to leave the fill where it is. Mr. Kelly restated that he and Mr. Gunn intend to clean up the site.

Mr. Bachman and Mr. Rodney Taylor, neighboring property owners expressed concern that the groin may not work. They did not want to see the swamp close off. Mr. Bernard, from VIMS, said that there are no guarantees, but this has worked well elsewhere. Mr. Taylor, of 154 The Maine, also expressed concern over the cypress trees. Under the new proposal these trees will remain.

Ms. Lowe asked about the effectiveness of the beachgrass and salt meadow hay. Mr. Bernard said it takes a while to become established, but once it does it works well. He suggested the site be watched, so it could be replanted if necessary.

Mr. Hughes asked if the Board could require the owner to post a surety, and Mr. Farmer informed them that they could.

The public hearing was closed.

Mr. Hughes and Ms. Lowe wanted to see a condition in the recommendations that the salt meadow hay and beachgrass be planted and that it is re-examined within one year.

Mr. Lindsey was concerned that Mr. Waltrip has made no attempt to remove the rubble after 15 months.

Mr. Hughes made a motion to approve the staff recommendation with the following conditions added:

1. That the upper portions of the new beach areas be sown with salt meadow hay or American beachgrass for additional stabilization, and that the grass be re-examined within one year and be replanted if it has not become established. To insure this is done, the owner must post a surety in the amount of \$5,000.00.
2. That all of the rubble (improperly placed fill) and all of the rebar, steel, and asphalt be removed by Sept. 19, 1987.

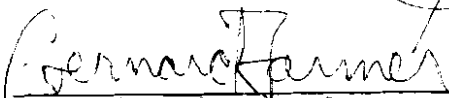
The motion was approved by a three to one margin. The dissenting vote was cast by Mr. Lindsey.

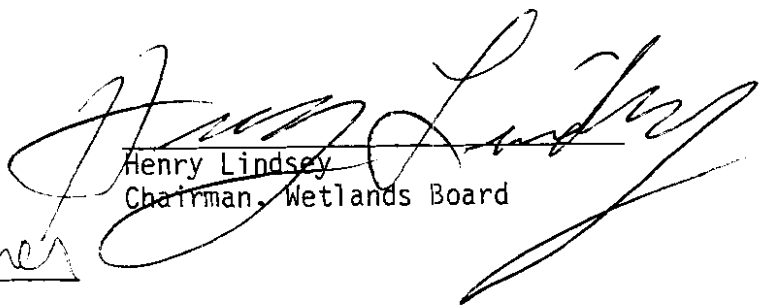
5. MATTERS OF SPECIAL PRIVILEGE

There were no matters of special privilege.

6. ADJOURNMENT

The meeting was adjourned at 8:30.


Bernard M. Farmer, Jr.
Secretary


Henry Lindsey
Chairman, Wetlands Board