

WETLANDS BOARD

MINUTES

February 8, 1989

A. ROLL CALL

MEMBERS PRESENT:

Henry Lindsey
Ralph Cobb
Carolyn Lowe
John Hughes
David Gussman

ABSENT:

OTHERS PRESENT:

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

B. MINUTES

The minutes of the January 11, 1989 meeting were differed to the February meeting.

C. OLD BUSINESS

None

D. NEW BUSINESS

1. W-1-89 Henry H. Germer

Mr. Farmer stated that Waterfront Piers & Bulkheads had applied on behalf of Mr. Henry H. Germer for a wetlands permit for the construction of approximately 110 linear feet of tongue and groove bulkheading at 124 Discovery Lane in the Powhatan Shores Subdivision. Mr. Farmer further stated that staff recommends that approval be granted with the following conditions:

1. The bulkhead be constructed in two segments. The first segment will start by tying into the existing bulkhead at 122 Discovery Lane and proceeding over to the pine tree. The second segment will start at the pine tree then proceed over to the drainage culvert and must be constructed at mean high water.
2. The applicant must contact the Code Compliance Office at least two days prior to construction for staff to stake the alignment in accordance with the Board's recommendation.

3. An inspection of the filter cloth and tiebacks must be made and approved by staff prior to backfilling.
4. A building permit must be obtained prior to construction.
5. This permit shall expire on February 8, 1990.

Mr. Lindsey opened the public hearing.

Mr. Germer stated that the drainage culvert referred to in the staff's recommendation is not on his property but asked the contractor to provide rip rap in this area to control any wash out that may occur. Mr. Germer further stated that he agrees with the tie in of the bulkhead, but feels that the placement of the bulkhead (straight line) at the typical water line would be more appropriate than the alignment (V line) given in the staff's recommendation. Mr. Germer presented the Board with pictures showing the erosion of his property. Mr. Germer also stated he spoke with some of his neighbors who agree that he has lost approximately four to five feet of property due to the erosion since the canal was constructed. He stated that he had only lost six inches since he purchased the property (18 months). Mr. Germer advised the Board that although he hired a contractor to do the construction of the bulkhead the application and drawings were done by himself and he was not sure where mean high or low water was when the application was applied for.

Ms. Lowe asked Mr. Farmer about the location of the bulkhead and mean high water.

Mr. Farmer stated that mean high water was closer to the pine tree than where Mr. Germer had proposed the bulkhead to be constructed and placement of the proposed bulkhead as proposed by Mr. Germer would be damaging to wetlands.

Discussion occurred among the board members concerning the location of the bulkhead, mean high water, low water, and the possible loss of wetlands.

Mr. Germer stated that the reason for the proposed placement of the bulkhead is due to the amount of erosion to his property and he does not want the flat mud land to exist in front of the bulkhead. He further stated that he wants to restore what land has been lost over the years due to the erosion; which has been caused mostly by the number of boats using the canal.

Mr. Cobb advised Mr. Germer that the Board cannot approve the construction of a bulkhead for the purpose of restoring lost property; the Board has to preserve and protect the

marine/wetlands area as stated by the guidelines.

Mr. Tom Grier, adjacent property owner and Chairman of the Homeowners Association, stated he has seen the wash out of that area over the years. He felt it was created by the boat traffic. Mr. Grier also stated that the Homeowners Association met Sunday, February 5th to discuss this issue and were disturbed to hear that the Board had decided to disapprove a bulkhead that had been requested. The Association feels that the only recourse that the homeowners have against the erosion of their property is the placement of bulkheads. Mr. Grier presented the Board with pictures showing the erosion along this area.

Mr. Lindsey asked if anyone else wished to speak on this matter.

No one wished to speak.

Mr. Lindsey closed the public hearing.

Mr. Hughes stated that there is definitely a problem in this area with the number of boats and the effect they are having on the properties but at the same time cannot see allowing the construction of bulkheads with the destruction of wetlands.

Mr. Cobb motioned to grant the permit with the added condition to the staff recommendation that the alignment should tie into the bulkhead at 122 Discovery Lane and come into a straight line to a point two feet channelward of the pine tree, then proceed to mean high water at the northern property line.


The motion was carried unanimously.

E. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

The meeting was adjourned at 8:00 P.M.


 Mr. Henry Lindsey
 Chairman


 Mr. Bernard M. Farmer, Jr.
 Secretary