

WETLANDS BOARD

MINUTES

September 13, 1989

A. ROLL CALL

MEMBERS PRESENT:

Henry Lindsey
Carolyn Lowe
David Gussman
Ralph Cobb
John Hughes

OTHERS PRESENT:

Bernard M. Farmer, Jr., Secretary to the Board
John B. Patton, Code Compliance Officer

B. MINUTES

The minutes of the July 12, 1989 meeting were accepted as amended.

C. OLD BUSINESS

None

D. NEW BUSINESS

1. W-21-89 George W. Lamb

Mr. Farmer stated that Mr. George W. Lamb, the owner, has applied for a wetlands permit for the construction of approximately 165 linear feet of tongue and groove bulkheading at 7248 Canal Street located in the Chickahominy Haven Subdivision. Mr. Lamb proposes to construct the bulkhead approximately six feet channelward of mean high water. Mr. Farmer presented the staff's recommendation for approval with the following conditions:

1. The alignment of the bulkhead being staked by the Code Compliance Office along the toe of the bank prior to construction.
2. A building permit must be obtained prior to construction.
3. The Code Compliance Office must make an inspection of the filter cloth prior to backfilling.
4. This permit term shall expire on September 6, 1990.

Mr. Lindsey asked if there were any questions the Board wished to ask Mr. Farmer.

The board had several questions regarding the bulkhead alignment and the number of sections necessary. Photographs of the site were viewed and discussed.

Mr. Lindsey opened the meeting to the public and Mr. Lamb, the property owner and applicant, spoke.

Mr. Lamb stated that when the Army Corps of Engineers representative had visited the site the Corps had requested a change of alignment landward and that new drawings were provided. Mr. Lamb submitted those to the Corps and had assumed that they would be forwarded to the Wetlands Board. He attempted to explain the revision to the board but did not have a copy of the plans with him.

Mr. Lindsey explained that in the absence of the revised plans the Board could not act on them and suggested that if Mr. Lamb desired to defer further Board action until the following meeting he could request that action.

Mr. Lamb asked the Board to defer further action until the next meeting and he would provide the amended application. Mr. Hughes moved they accept his request. The Board voted unanimously to defer the case until the next meeting.

2. W-22-89 Clifford Sander

Mr. Farmer stated that Mr. Clifford E. Sander, the owner, has applied for a wetlands permit for the construction of approximately 110 linear feet of tongue and groove bulkheading at 6012 Tabiatha Lane located in the Chickahominy Haven Subdivision. The applicant proposes to construct the bulkhead at mean high water along the toe of the bank. Mr. Farmer stated that the staff recommends approval of the permit with the following conditions:

1. The alignment of the bulkhead be staked by the Code Compliance Office along the toe of the bank at mean high water prior to construction.
2. A building permit must be obtained prior to construction.
3. The Code Compliance Office must make an inspection of the filter cloth prior to backfilling.
4. This permit term shall expire on September 6, 1990.

Photographs of the site were provided and viewed by the Board. Mr. Lindsey asked if the Board had any questions of Mr. Farmer, there being none he opened the public hearing.

Mr. Sanders spoke and questioned the expiration date. Mr. Farmer explained that code required an expiration date be placed on all permits and that a year was normal.

Mr. Hughes moved that the permit be granted with the staff's recommendations.

The motion was carried unanimously without further discussion.

E. MATTERS OF SPECIAL PRIVILEGE

Mr. Farmer stated that the staff had two potential wetlands violations to discuss and that there were legal implications involved.

Mr. Lindsey closed the public meeting and the Board went into Executive session to discuss the cases.

The Board directed that Mr. Yoder, owner of 3 West Circle, be informed in writing that he was in violation of the ordinance and that if he failed to take corrective action within thirty days to reestablish the tidal flow and apply for a wetlands permit legal procedures would be initiated to correct the problem and protect the wetlands.

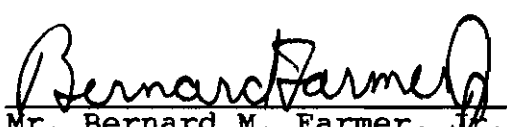
The Board further directed that notice be given in regard to a violation of the work permitted under case W-11-89. They agreed that fill had been placed, wetlands destroyed, and rip rap extended in violation of the permit. It was agreed that posting of a surety would be desirable to guarantee reestablishment of vegetation but no amount was set.

F. ADJOURNMENT

The meeting was adjourned at 8:45.



 Mr. Henry Lindsey
 Chairman



 Mr. Bernard M. Farmer, Jr.
 Secretary