

WETLANDS BOARD

DECEMBER 13, 1989

A. ROLL CALL

Henry Lindsey
Robert Cobb
David Gussman
Carolyn Lowe

Absent
John Hughes

B. MINUTES

The November 16, 1989 minutes were approved as presented.

C. OLD BUSINESS

None

D. NEW BUSINESS

1. W-31-89. M. T. Hubbard

Mr. Farmer stated that Mr. Daniel Winall, the contractor, has applied on behalf of M.T. Hubbard, the owner for a wetlands permit for the construction of approximately 111 linear feet of tongue and groove bulkheading at 6021 Tabiatha Lane located in the Chickahominy Haven Subdivision. The Staff recommendation was for approval of 111 linear feet of tongue and groove bulkheading with the following conditions:

1. The bulkhead be constructed at mean high water.
2. The Code Compliance Office approve the alignment prior to construction.
3. The contractor obtain a building permit prior to construction.
4. The permit shall expire on December 13, 1990.

Mr. Lindsey questioned the discrepancy between the amount of wetlands to be affected as stated by the contractor and the amount actually to be affected. Mr. Farmer indicated he felt the amount stated on the application was an estimate, and the real amount would approximate what was noted in the VIMS report.

Mr. Lindsey opened the public hearing.

There being no public discussion, Mr. Lindsey closed the public hearing.

Ms. Lowe asked if most of the area in Chickahominy Haven has been bulkheaded or if a substantial number of lots still exist.

Mr. Farmer stated there are a substantial number of lots still

available for bulkheading.

Mr. Gussman moved to approve the permit subject to Staff's recommendations.

The motion for approval of the permit was carried unanimously.

2. W-29-89. Paul Krupski

Mr. Farmer stated that Mr. Bob Winstead of Riverworks Inc., the contractor, has applied on behalf of Paul Krupski, the owner, for an after-the-fact wetlands permit for a 20 foot by 3 foot riprap return wall at 203 Sherwood Forest located in the Riverview Plantation Subdivision. Mr. Farmer stated that the staff recommends, in consultation with the Virginia Institute of Marine Science, that a permit be granted for a riprap return from the most channel-ward portion of the riprap for a distance five (5) feet landward. The staff further recommends that the contractor post a surety bond in an amount sufficient to insure the restoration of wetlands disturbed or destroyed during the original installation or the required removal. The bond should be held for at least two growing seasons, until at least May of 1991, to insure regrowth has occurred.

Mr. Cobb asked about an apparent change in the VIMS position.

John Patton explained if all the wall was removed the erosion would be worse. He also stated that restoration requires new growth and that some vegetated matter has been replaced, now it is just a matter of whether it will grow this late in the season.

Ms. Lowe stated the surety amount should be ample since the extent of the damage was so great.

Mr. Gussman asked Mr. Farmer the amount of the surety.

Mr. Farmer stated the amount of the surety is to be set by the Board.

Ms. Lowe asked what amount Mr. Farmer and the Staff thought would be sufficient to cover the damage and what type of surety agreement the County accepts.

Mr. Farmer stated the amount being discussed was \$5000.00 and he has a standard agreement to be completed by the contractor.

Mr. Cobb asked the form of surety acceptable to the County.

Mr. Farmer stated it could be what ever the Board requires, but that it is usually not a bond but a Letter of Credit, Certified Check, Money Order or cash payment.

Mr. Gussman asked if Riverworks, Inc., appeals the decision if the Board could be made aware so those on the Board who wish to speak may do so.

Mr. Farmer stated he would make the Board aware of any appeals of their decision.

Mr. Lindsey opened the public hearing.

There being no public discussion, Mr. Lindsey closed the public hearing.

Mr. Gussman asked how the surety is released and requested that the Board be involved.

Mr. Farmer stated he would report to the Board before the surety is released.

Ms. Lowe moved to approve the permit with the Staff's recommendations and the posting of a \$5000.00 surety.

Mr. Cobb indicated his disagreement with the motion. He stated that the VIMS recommendation was not strong to remove the riprap.

The motion was carried three to one to grant the permit and require the surety of \$5000.00, with Mr. Cobb opposing.

E. MATTERS OF SPECIAL PRIVILEGE

Mr. Farmer advised the Board of the reimbursement of mileage available to them for related activities. He advised the Board to use their discretion as to how frequently they applied for reimbursement.

The proposed calendar for 1990 was approved.

Mr. Farmer stated he would keep the Board aware of developments concerning Governor's Land.

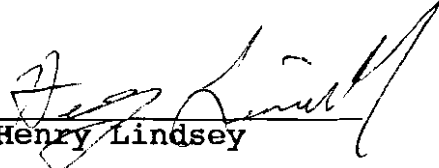
Mr. Gussman stated his concern of golf courses being a source of pollution.

Ms. Lowe indicated that a draft report from the Wetlands Roundtable had been circulated and a final report would be available soon.

Several members of the Board stated a desire for a copy of the Wetlands Roundtable Report.

F. ADJOURNMENT

The meeting was adjourned at 8:15 P.M.


Henry Lindsey


Bernard Farmer, Jr.



MEMORANDUM

Date: May 13, 2015
To: Records Management
From: James City County Wetlands Board
Subject: Wetlands Board minutes from December 13, 1989

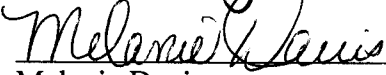
The following minutes for the Wetlands Board of James City County dated December 13, 1989 were never voted on in the year surrounding this meeting.

These minutes, to the best of my knowledge, are the official minutes for the December 13, 1989 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 December 13, 1989.



John Hughes
Current Wetlands Board Chair



Melanie Davis
Current Wetlands Board Secretary