

WETLANDS BOARD

MINUTES

MAY 8, 1991

A. ROLL CALL

Henry Lindsey
John Hughes
David Gussman
Susan McCleary
Ralph Cobb

OTHERS PRESENT:

Carolyn Murphy Code Compliance Officer

B. MINUTES

The minutes of the April 10, 1991 were approved as presented.

C. OLD BUSINESS

Case No. W-22-90. James T. Wood

D. NEW BUSINESS

W-6-91. Governor's Land

Ms. Murphy presented the Board with a letter from Mr. Hilton requesting this case be withdrawn.

W-7-91. Benny Lacks

Ms. Murphy presented the staff report stating that Mr. Benny L. Lacks, Sr., has reapplied for a wetlands permit to install approximately 280 linear feet of rip rap revetment and a 200' X 18' private pier at 126 Four Mile Tree located in the Riverview Plantation Subdivision. On March 8, 1989, the Wetlands Board granted Mr. Lacks a wetlands permit for this project with a one year time limit. The case was forwarded to Army Corp of Engineers for their approval. However, the Army Corp lost the application and only recently realized the error. Since the local permit has expired Mr. Lacks needs local approval to receive Army Corp approval to begin the project.

A site visit was conducted by the staffs of VIMS, VMRC and the Code Compliance Office. Wetlands consist of approximately 560 square feet of vegetated wetlands as estimated by Ms. Julie Bradshaw of VIMS.

Ms. Bradshaw has reviewed the project and recommends eliminating or reducing the overtopping apron to less than one foot rather than two feet as proposed by the applicant to reduce the loss of wetlands. It is the staff recommendation that a permit be granted for 280 linear feet of rip rap revetment at 126 Four Mile Tree subject to the following conditions:

1. The rip rap overtopping apron being reduced to one foot or less to reduce the loss of vegetated wetlands, and the height of the revetment not to exceed 2.8 feet above mean sea level.
2. The project shall be accessed by water to lessen the affects to the marsh during construction.
3. An inspection of the filter cloth must be made by the Code Compliance Office.
4. This permit shall expire on May 8, 1992.

Mr. Cobb asked about the rip rap overtopping apron.

Ms. Murphy explained the terminology.

Ms. McCleary asked if the conditions stated were the same as stated on the original permit.

Ms. Murphy stated they were the same.

Mr. Hughes asked if excavation would be necessary.

Ms. Murphy referred to Mr. Call, who stated he did not feel excavation would be necessary.

Mr. Hughes asked the reason for requiring access by water.

Ms. Murphy explained that the staff felt there would be less damage to the wetlands if access was by water rather than by land.

Mr. Lindsey opened the public hearing.

Mr. Call, contractor addressed the Board and stated he felt he could use high flotation machinery and access through the reed grass community and have minimal impact on the wetlands.

Mr. Lacks stated he felt excavation would not be necessary and that due to the depth of the water he felt access could be make by land with minimal impact.

Mr. Hughes stated that at the original Public Hearing Mr. Farmer felt access could and should be by water.

Mr. Hughes also stated at this time that if Mr. Call took the necessary precautions access could be by land.

Mr. Lindsey asked if access by land was approved did Mr. Call have any objections to accessing through the reed grass community.

Mr. Call answered he felt he could access with little impact through the reed grass community.

Mr. Hughes moved to grant a Wetlands Permit with the recommended conditions and to amended the second condition to allow land access to be determined and approved by staff after a site visit.

The vote for approval was unanimous.

W-2-91. City of Newport News

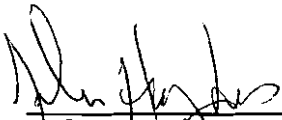
Ms. Murphy present the Board with a letter asking that this case be deferred.

E. MATTERS OF SPECIAL PRIVILEGE

Mr. Hughes asked that a letter of appreciation be sent to Ms. Lowe for her years of service to the Wetlands Board.

F. ADJOURNMENT

The meeting was adjourned at 7:30 P.M.



John Hughes
Vice Chairman



Bernard M. Farmer
Secretary