

WETLANDS BOARD

MINUTES

AUGUST 12, 1992

A. ROLL CALL

PRESENT

Mr. Lindsey
Mr. Cobb
Mr. Hughes
Ms. McCleary

ABSENT

Mr. Gussman

OTHERS PRESENT:

Bernard M. Farmer, Jr. Secretary to the Board
John Patton, Zoning Officer

B. MINUTES

The minutes of the July 8, 1992 meeting were approved as presented.

C. OLD BUSINESS

None

D. NEW BUSINESS

W-18-92

Mr. Farmer presented the staff report stating that Mike Kelly of the Williamsburg Environmental Group, on behalf of Governor's Land Management Company, Inc., has applied for a wetlands permit to construct an approximately 100 foot long submarine crossing of an eight inch gravity sewer line. The sewer line is to serve Bay 2, Pod 5, of the residential development of Governor's Land at Two Rivers.

The property in question consists of a fully vegetated tidal area surrounded by low sloping ground of the golf course to the north, and a peninsula (on which residential lots are to be developed) to the south. Representatives from VMRC and Code Compliance visited the site on August 5, 1992 and Mr. Barnard of VIMS conducted a site visit on August 4. It is estimated that approximately 2000 square feet of tidal area (Type XI Freshwater Mixed Community) will be impacted by this request through the use of a 20 foot wide sewer line easement. Though the trench is only

to be 2 feet wide, the construction activity and subsequent maintenance will most likely permanently alter the entire easement length.

The wetlands area involved is a Group one vegetated wetlands. Since this wetlands area is part of a much larger undisturbed wetlands contiguous to a tidal creek, island sanctuary area, and the James River, its value in terms of habitat area and productivity is expected to be high. In this case, an alternative of avoidance exists (use of a grinder pump system) which would allow all activity to take place outside of wetlands areas. Mr Farmer spoke about the general and specific criteria and their application to this project. Mr Farmer also stated that due to maintenance activities the vegetative cover would probably be permanently altered.

The County's Development Review Committee, as part of the proffered zoning conditions for Governor's Land reviewed the use of the wetlands area for the sewer line. For purposes of environmental review it was their feeling that the Wetlands Board was in the best position to review the possible impacts. They approved the proposed location of the gravity sewer line, and indicated acceptance to the use of a grinder pump system. In taking the action they indicated their decision was not meant to influence the Wetlands Board deliberations.

Since the adverse impacts of the proposed development are avoidable, a viable alternative exists, the activity proposed is not inherently water dependent, and because the wetlands area is considered to be of high value, staff recommends that the wetlands permit be denied. If the Wetlands Board feels differently and desires to grant a permit, then staff is prepared to propose reasonable conditions to mitigate the impacts of the work.

Mr. Cobb asked if all the lots in Bay 2, Pod 5, would be serviced by the gravity sewer if permitted.

Mr. Farmer answered no, even if the gravity sewer is permitted several lots will still require a grinder pump installation. He also, explained the operations of a grinder pump.

Ms. McCleary asked if the grinder pump system eventually hooks into a public sewer line.

Mr. Farmer answered yes, and explained with the help of the site plan he provided.

Mr. Hughes asked how the grinder pump keeps the effluent flowing in the correct direction.

Mr. Farmer explained.

Mr. Lindsey commented on the guidelines set by the State which regulate how Wetlands Boards should decide issues before them.

Mr. Lindsey asked how the water would be managed during construction.

Mr. Farmer explained how it could be pumped and filtered back into the wetlands area.

Mr. Lindsey asked about the cutting of a lane through the wooded area.

Mr. Farmer stated that certain vegetation and wetlands grasses would come in but he stated that he felt that the shrub and tree canopy would probably never reestablish.

Mr. Lindsey opened the public hearing.

Mike Kelly, vice president of the Williamsburg Environmental Group, spoke and complimented Mr. Farmer on his description of the area and the proposed work. Mr. Kelly introduced Mr. Jim Bennett who spoke on the cost and maintenance of grinder pumps.

Mr. Bennett stated that Governor's Land Management Group's main reasons for preferring the gravity sewer system is cost and the negative connotation grinder pump lots sometime have. He stated that grinder pumps have their place but that in Governor's Land he feels that the gravity sewer line system would be more favorable.

Mr. Cobb asked if the gravity system was installed if all the lots would be serviced.

Mr. Bennett explained that there would still be 4 lots which would not be accessible to the gravity system but that the pump station for those lots would be considerably less expensive than a pump station for the entire section.

Mr. Hughes asked if this was the only area in the subdivision which would need to cross wetlands with the sewer line.

Mr. Bennett explained the master plan which was originally submitted and did show other areas where wetlands might be crossed.

Mr. Hughes asked if the lots in question are waterfront.

Mr. Bennett answered no.

Mr. Hughes asked the cost of lots in question.

Mr. Bennett answered \$80,000 to \$100,000 per lot.

Mr. Kelly stated that perhaps horizontal drilling could be used to maintain the integrity of the wetlands and achieve the developer's purpose.

Mr. Bennett stated that the horizontal bore would be a better alternative than the grinder pump system.

Mr. Bennett stated that a gravity sewer system is the first choice but if it is denied then Governor's Land Management Corp., will approach the James City Service Authority about the possibility of a horizontal bore.

Mr. Farmer introduced Mr. Wayland Bass, County Engineer

Mr. Lindsey closed the public hearing.

Mr. Hughes stated he was not in favor of grinder pump situations but felt that he would have to vote against granting the permit.

Ms. McCleary stated that she agreed with Mr. Hughes.

Mr. Cobb moved to deny the motion.

The vote to deny the Wetlands Permit was unanimous.

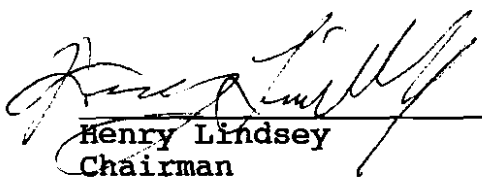
Mr. Lindsey stated that there was some interest among the Board Members for the horizontal drilling option.

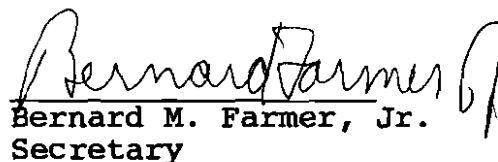
E. MATTERS OF SPECIAL PRIVILEGE

None

F. ADJOURNMENT

The meeting was adjourned at 9:00 P.M.


Henry Lindsey
Chairman


Bernard M. Farmer, Jr.
Secretary