

WETLANDS BOARD

MINUTES

JUNE 9, 1993

A. ROLL CALL

PRESENT

Mr. Lindsey
Mr. Gussman
Mr. Hughes

ABSENT

Mr. Cobb
Ms. McCleary

OTHERS PRESENT:

John Patton, JCC Zoning Officer

B. MINUTES

The minutes of the April 14, 1993 meeting were approved as presented.

C. NEW BUSINESS

W-13-93; James W. Smith

Mr. Patton presented staff report stating that James W. Smith has applied for a wetlands permit to construct eighty-six linear feet of tongue and groove bulkhead and a two foot return wall to replace an existing bulkhead at 4065 S. Riverside Drive in the Chickahominy subdivision. The property is further identified as parcel (5-15) found on James City County Real Estate Tax Map (19-1).

He further stated that the property in question consists of a tidally influenced portion of the Chickahominy River. The existing bulkhead is poorly constructed and is bowing outward indicating that it will fail in the near future if not replaced. It is estimated that approximately one hundred seventy-two square feet of tidal area (Type XV), Sand/Mud Flat Community, channelward of the bulkhead will be impacted by this request. The new bulkhead will be tied into an existing bulkhead at one end and with a return wall adjacent to an existing riprap bulkhead at the other.

It is the staff's recommendation that a wetlands permit be granted for the construction of the bulkhead as proposed in the application with the following conditions:

1) The bulkhead be constructed no more than two feet channelward of the existing bulkhead and that it tie in to the existing adjacent bulkhead.

WETLANDS BOARD
MINUTES
JUNE 9, 1993
PAGE 2

2) A building permit be obtained prior to commencing work and an inspection of the filter cloth, tiebacks, and bulkhead be conducted and approved by the Code Compliance Office prior to backfilling.

3) This permit shall expire June 8, 1994.

Mr. Lindsey opened the public hearing.

No one present chose to speak..

Mr. Lindsey closed the public hearing.

Mr. Hughes motioned to grant a wetlands permit with the staff's recommendations.

The motion was carried by a unanimous vote.

D. OLD BUSINESS

W-37-92; W. Walker Ware, IV

Mr. Patton stated that at this point Mr. Leo Rogers is pursuing whether or not we could legally seek judgement in Federal Court.

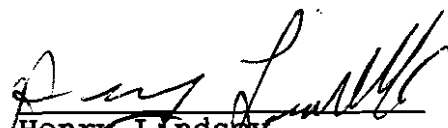
Mr. Gussman asked that the board have the opportunity to speak with Mr. Rogers in a closed meeting in order to discuss legal action.


E. MATTERS OF SPECIAL PRIVILEGE

None

F. ADJOURNMENT

The meeting was adjourned at 7:50 P.M.


Henry Lindsey
Chairman


John Patton
Zoning Officer