

**WETLANDS BOARD
MINUTES**

MAY 12, 1999 - 7:00PM

- | | |
|---------------------|---------------|
| A. ROLL CALL | ABSENT |
| Henry Lindsey | David Gussman |
| Larry Waltrip | John Hughes |
| James Jones | |

OTHERS PRESENT

David Meador, Environmental Division
Joan Etchberger, Environmental Division

B. MINUTES

Approval of the April 14, 1999 minutes were approved.

C. OLD BUSINESS - None

D. PUBLIC HEARINGS

1. W-6-99/VMRC # 99-0523: Powhatan Resort - 1350 John Tyler Highway

Mr. Meador presented the case stating that Powhatan Resort had applied for an after-the-fact wetlands permit for the replacement of an existing pier and an existing boat dock on their property located at 1350 John Tyler Highway. The permit also includes the proposed replacement of another boat dock. The property is further identified as parcel (1-2) found on James City County Tax Map No. (34-3) and is located on Gordons Creek and the Chickahominy River.

In March 1999, it was brought to the attention of the James City County Environmental Division that a pier had been rebuilt at Powhatan Resort. An Environmental Inspector along with other agency personnel visited the site. The pier and the boat ramps were originally built in the 1960's and were in need of repair. Since the pier and the boat ramps are not impacting any additional wetlands within our jurisdiction, no mitigation will be required.

It is the staff's recommendation to approve this application with the following conditions:

- 1) The Environmental Division shall be contacted prior to commencing the proposed replacement of the boat dock.

- 2) The Environmental Division shall be contacted after the construction to conduct a final inspection.
- 3) The permit shall expire on May 12, 2000.

Mr. Lindsey opened the public hearing and as no one wished to speak, he closed the public hearing.

Mr. Jones made a motion to approve case W-6-99 with staff's recommendations.

The motion was approved by a 3-0 vote.

2. W-7-99/VMRC #99-0713: Governor's Land Associates - Cypress Isle

Mr. Meador presented the case stating that Governor's Land Management Company had applied for a wetlands permit to construct two pedestrian footbridges in the Cypress Isle section in the Governor's Land subdivision. The property is further identified as parcel (1-16) found on James City County Tax Map No. (44-2) and is located along the north shore of the James River.

The construction of the walking bridges will require hand clearing of trees for equipment access. It is proposed that minor shifts in the alignment of these bridges may be made in order to prevent the cutting of mature baldcypress trees.

An Environmental Division Inspector along with Pam Mason from VIMS visited the site on April 27, 1999. It is estimated that approximately 240 square feet of Type V, (Big Cordgrass Community) and approximately 480 square feet of Type XI, (Freshwater Mixed Community) could potentially be impacted by this project. Previous footbridge installations have proven that avoiding mature trees and gap-spacing the boards minimizes the impact to wetlands and, therefore, no further mitigation will be required.

It is the staff's recommendation that a wetlands permit be issued for this application with the following conditions:

- 1) A preconstruction meeting shall be held on-site with an Environmental Division Inspector prior to any construction activity. Any trees needing to be removed should be properly flagged and approved by the Environmental Division prior to any disturbance.
- 2) The gap spacing between the boards shall be 5/8 inch in order to decrease the amount of shading to the wetland.
- 3) The construction debris will be removed promptly and disposed of properly.
- 4) All disturbed areas shall be stabilized with native species.
- 5) After construction is completed, the Environmental Division shall be contacted so a final inspection can be conducted.

6) The permit shall expire on May 12, 2000.

As requested, the cumulative wetland impacts to date since 1990 for Governor's Land are 102,992 square feet.

The Board agreed, after looking at pictures provided by staff, that previously permitted footbridges like the bridges requested had minimal impacts on wetlands.

Mr. Lindsey opened the public hearing.

A. Ms. Robin Morgan, Williamsburg Environmental Group, Inc. and agent for the owner, informed the Board that she was available to answer questions.

B. Mr. John Berkenkamp, 1828 Cypress Isle, spoke in favor of the proposal.

Mr. Lindsey closed the public hearing.

Mr. Jones made a motion to approve case W-7-99 with staff's recommendations.

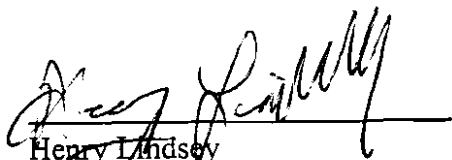
The motion was approved by a 3-0 vote.


E. BOARD CONSIDERATIONS - none

F. MATTERS OF SPECIAL PRIVILEGE - none

G. ADJOURNMENT

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


Henry Lindsey
Chairman


Darryl E. Cook
Secretary