

**WETLANDS BOARD
MINUTES
JULY 9, 2003 - 7:00PM**

A. ROLL CALL

Henry Lindsey
Larry Waltrip
Philip Duffy

ABSENT

David Gussman
William Apperson

OTHERS PRESENT

Ben Stagg, VMRC
Environmental Staff

B. MINUTES – April 9, 2003

The April 9, 2003 minutes were approved as presented.

C. OLD BUSINESS - None

D. PUBLIC HEARINGS

1. W-14-03: Stephen & Katherine Shield -107 Shellbank Drive

Mr. Joe Buchite presented the case stating that Mr. Steve Shield had applied for a wetlands permit to install approximately 114 feet of riprap revetment with associated fill to prevent future erosion and provide access to the James River. The property is further identified as parcel (2-13) found on the James City County Real Estate Tax Map (45-3). The project site in question is located on the James River. Mr. Shield had been advised that his attendance at the Wetlands Board meeting on July 9, 2003 was highly recommended.

This project will involve the construction of 114 linear feet of rip-rap revetment to be constructed with the existing bulkhead in place. Approximately 2 feet of the top of the existing bulkhead will be removed to construct the revetment; the remainder of the bulkhead will remain in place to minimize sediment travel. The revetment will be constructed over top the bulkhead using Class 2 rip-rap with A1 core stone and filter fabric. The project will involve impacts to jurisdictional wetlands and it will also include impacts to upland areas not within the Wetlands Board's jurisdiction. The project proposed will require the grading of the upland eroding slope with the new slope created at a 3:1 or less grade and stabilization with native species ground cover and shrubs.

Environmental Division staff visited the site on June 20, 2003, along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Proposed impacts for this project are determined to be 912 sq. ft to the Type XII Brackish Water Mixed Community. Total fill impacts for this project are determined to be 456 sq. ft. to the Type XII Brackish Water Mixed Community.

It is the staff's recommendation that the Board approve this application, with the following conditions:

1. Prior to any land disturbing activities, a preconstruction meeting will be held on-site.
2. The limits of construction shall be flagged in the field prior to the preconstruction meeting.

3. All vegetation to be removed shall be clearly flagged or marked with spray paint prior to the preconstruction meeting.
4. Any landward areas of the Resource Protection Area (RPA) buffer that are proposed to be cleared and disturbed during the construction process will require restoration with native vegetation consisting of trees, shrubs and ground cover. If vegetation is removed for construction access, an RPA restoration plan with surety shall be submitted and approved by the Environmental Division prior to the preconstruction meeting.
5. All vegetation to be removed for this project shall be approved by the Environmental Division prior to any land disturbance.
6. The Environmental Division reserves the right to require a turbidity curtain for this project if field conditions warrant its use.
7. All core stone used shall be A1 stone and all armor stone shall be Class 2 riprap.
8. Filter fabric shall be inspected by the Environmental Division prior to the placement of riprap.
9. The permit shall expire July 9, 2004.
10. If an extension of this permit is needed, a written request shall be submitted to the Environmental Division no later than two weeks prior to expiration date.

Mr. Lindsey referred to recommendation #4 referring to restoration of vegetation and inquired if grass (turf) would be acceptable.

Mr. Buchite responded that grass would not be allowed as it was not considered natural native vegetation.

Mr. Duffy inquired if Mr. Shield was present.

Mr. Shield indicated he was present.

Mr. Duffy noted that a large number of trees would be removed and inquired if the large tree on the border was to be removed. He also inquired what size shrubs and trees would be required for restoration.

Mr. Buchite responded that the tree on the border would remain. He stated that 2.5 inch caliper trees and 3 gallon shrubs would be required to be planted.

Mr. Lindsey opened the public hearing.

- A. Mr. Jeff Watkins, Riverworks Inc., informed the Board that he accepted staff's recommendations and stated he was available to answer their questions.

Mr. Duffy stated the bank was steep and felt safety could be an issue. He asked how the project would be accessed.

Mr. Watkins responded that they would access the bank from the adjacent property owned by Robert Clifford. He stated that he did work at Mr. Clifford's property earlier and he had Mr. Clifford's permission to access Mr. Shield's property.

B. Mr. Steve Shield, owner, acknowledged the Board and stated that he appreciated the Board's hard work and consideration of his project.

Mr. Duffy asked Mr. Shield if he planned to build a boathouse or pier in the future.

Mr. Shield responded that he would not build a boathouse, but he did have a building permit and would be constructing a pier.

As no one else wished to speak, Mr. Lindsey closed the public hearing.

Mr. Waltrip asked Mr. Watkins when he would start the project.

Mr. Watkins responded that he would begin the project once he received approvals from the State and the Army Corps of Engineers.

Mr. Duffy inquired why the Army Corps of Engineers was involved in the project and stated he felt the local Board should be involved in reviewing pier permits as the head of the pier was in their jurisdiction.

Mr. Cook and Mr. Stagg informed Mr. Duffy that the State review was a separate review from the Army Corps of Engineers.

Mr. Duffy made a motion to approve case W-14-03 with staff's recommendations.

The motion was approved by a 3-0 vote.

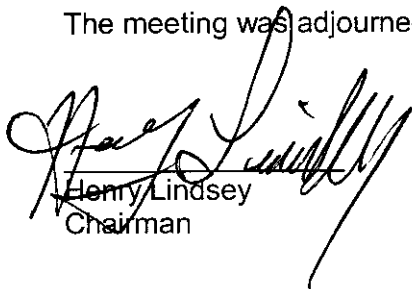
E. NEW BUSINESS - None

F. MATTERS OF SPECIAL PRIVILEGE

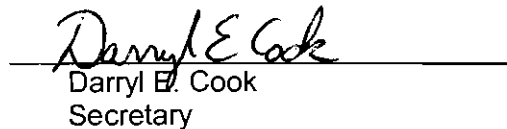
Mr. Duffy reminded Mr. Cook to include travel reimbursement for Board members in preparing the new budget.

G. ADJOURNMENT

The meeting was adjourned at 7:17 PM.



Henry Lindsey
Chairman



Darryl E. Cook
Secretary