

**JAMES CITY COUNTY WETLANDS BOARD
MINUTES
JANUARY 12, 2005 - 7:00PM**

A. ROLL CALL

Henry Lindsey
William Apperson
David Gussman

ABSENT

Philip Duffy
Larry Waltrip

OTHERS PRESENT

Environmental Staff

B. MINUTES – November 10, 2004

The November 10, 2004 minutes were approved as presented.

C. PUBLIC HEARINGS

1. W-47-04/VMRC 04-2382 – Ronald Johnson – 7238 Otey Drive

Mr. Joe Buchite presented staff's report stating that Mr. Steven Fisher, Woodchuck Marine Structures, on behalf of Mr. Ronald A. Johnson, had applied for a wetlands permit to install approximately 144 feet of bulkhead and returns with associated fill to replace the failing bulkhead existing on the man made canal behind his property. The property is further identified as parcel (6-7) found on the James City County Real Estate Tax Map (19-1). The project site in question is located on a tributary of the Chickahominy River. Mr. Johnson and Mr. Fisher were advised that their attendance at the Wetlands Board meeting on January 12, 2005 was highly recommended.

This project will involve the construction of 132 linear feet of vinyl bulkhead with 6 foot returns placed as close to the existing bulkhead as possible to minimize sediment travel and reduce the potential wetlands impact. The existing bulkhead will remain in place aside from the removal of the first (top) foot of the structure, which will be removed after the new bulkhead has been installed. The bulkhead will be constructed using 12' sheets of C LOC 9000 with a 6"x6" whaler, salt treated dead men, filter drain plugs, and filter fabric. The project will involve 264 square feet of impacts to jurisdictional wetlands.

Environmental Division staff visited the site on January 4, 2005, along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Proposed impacts for this project are determined to be 264 square feet to the Type XV Sand/Mud Mixed Flat Community. Total fill impacts for this project are determined to be 264 square feet.

It is 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. A turbidity curtain shall be required prior to commencement of any construction activity unless waived by the Environmental Division Director.
7. Filter fabric shall be inspected by the Environmental Division prior to the placement of backfill.
8. The permit shall expire January 12, 2006.
9. 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 suggested extending the return wall from 6 feet to 10 feet on the side of lot 8. He stated lot 8 did not have a bulkhead and the bank had eroded much further back than the bulkhead on this lot and he was concerned that over time water would wash behind the new bulkhead and destroy its integrity.

Mr. Lindsey opened the public hearing.

A. Mr. Steven Fisher, Woodchuck Marine Structures, addressed the Board. In response to Mr. Lindsey's concerns, he stated he would extend the return to 10 feet.

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

Mr. Gussman made a motion to approve case W-47-04 with staff's recommendations.

The motion was approved by a 3-0 vote.

D. BOARD CONSIDERATIONS

1. Extension of W-29-03 – Darrell Rickmond – 4 West Circle

Mr. Cook presented the case stating that Mr. Darrell C. Rickmond, owner, had requested an extension of the expiration date for Wetlands Permit No. W-29-03. Subsequent to the receipt of Mr. Rickmond's request, the Environmental Division had authorized approval of the permit expiration date from November 12, 2004 to November 12, 2005. All of the Permit conditions required within W-29-03 apply to the permit extension.

The authorization of the Wetlands Permit Extension by the Environmental Division is subject to review and confirmation by the Wetlands Board at this meeting.

Mr. Gussman made a motion to approve extending the expiration date on case W-29-03 from November 12, 2004 to November 12, 2005.

The motion was approved by a 3-0 vote.

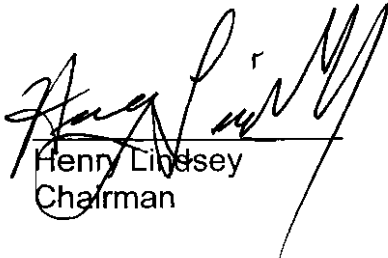
E. MATTERS OF SPECIAL PRIVILEGE

Mr. Apperson noted that the Menzel property where "The New World" was filmed was restored to a better condition than when the filming began.

Mr. Cook responded that Gerry Lewis was most responsible as he was the inspector for that project to its completion.

F. ADJOURNMENT

The meeting was adjourned at 7:18 PM.


Henry Lindsey
Chairman


Darryl E. Cook
Secretary