

JAMES CITY COUNTY WETLANDS BOARD
January 11, 2006 - 7:00PM

A. ROLL CALL

William Apperson
Henry Lindsey
David Gussman
John Hughes

ABSENT

Larry Waltrip

OTHERS PRESENT

Randy Owen, VMRC
County Staff

B. MINUTES – November 9, 2005

The November 9, 2005 minutes were approved as presented.

C. PUBLIC HEARINGS

1. W-27-05/VMRC 05-2841; 6011 Tabiatha Lane

Mr. Menichino presented the case stating that Gloucester Environmental, LLC, on behalf of Mr. John H. Lee, 6011 Tabiatha Lane; applied for a wetlands permit to install approximately 110 feet of 4-foot high vinyl bulkhead with one 5-foot return wall, and a 30-foot by 15-foot open sided boathouse and a 45-foot by 4-foot wide access pier within a man made canal off of the Chickahominy River, behind the respective property. The property is further identified as parcel (6-27), found on the James City County Real Estate Tax Map (19-1). Mr. Lee and Gloucester Environmental were advised that their attendance at the Wetlands Board meeting on January 11, 2006 was highly recommended.

This project will involve the construction of 110 feet of 4-foot high vinyl bulkhead with one 5-foot return wall, and a 30-foot by 15-foot open sided boathouse and a 45-foot by 4-foot wide access pier. The bulkhead will be constructed using C-Loc 9000 vinyl bulkhead, a 6x6 CCA continuous wale, 1 ¼ weep holes, galvanized tie rods, connected to 8 " diameter pilings. The vinyl bulkhead will be installed and aligned to tie into the existing bulkhead on the West side of the property and shall be angled so that the East end of the bulkhead will be placed at the existing natural shoreline (Mean High Water) to minimize the potential wetlands impacts. Filter fabric will be installed behind the bulkhead to eliminate the potential of sediment transport.

Environmental Division staff visited the site on December 19, 2005, along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Proposed impacts for this project were determined to be 110 square feet to the Type XV Sand/Mud Mixed Flat Community. The total fill impacts to the non-vegetated Wetlands located on this project were determined to be 110 square feet.

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. Any 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. The bulkhead tiebacks and the filter fabric shall be inspected by the Environmental Division prior to the placement of backfill.
8. The permit shall expire January 11, 2007.
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 referred to a picture of the area and asked Mr. Menichino to point out the location of the proposed bulkhead.

Mr. Menichino indicated that it would run parallel to the natural shoreline and tie into the existing bulkhead.

Mr. Lindsey then asked if a surety amount had been decided.

Mr. Menichino stated that the land disturbance had not yet been determined.

Mr. Menichino then provided the board members with copies of a last minute, minor revision to the proposed bulkhead.

Mr. Apperson opened the public hearing.

A. Ms. Christine Breddy with Gloucester Environmental, agent for the applicant, explained that the recent change was made for aesthetic reasons. She also pointed out that the area was currently all grass and minimal vegetation would need to be removed.

Mr. Apperson asked if the last minute change met environmental approval.

Mr. Menichino stated that it did.

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

Mr. Lindsey stated that while he was concerned about receiving a last minute change, if it met with the environmental staff's approval, he would accept it.

Mr. Lindsey made a motion to approve case W-27-05 with staff's recommendations.

The motion was approved by a 4-0 vote.

Ms. Christine Breddy asked about the surety requirement.

Mr. Menichino stated that he would set up a meeting with her to discuss it.

D. BOARD CONSIDERATIONS

W-23-05/VMRC 05-2245; Colonial Pipeline Corporation; Amendment to the existing Wetlands Permit

Mr. Menichino presented the case stating that on November 9, 2005 the James City County Wetlands Board authorized the issuance of a Wetlands Permit to the Colonial Pipeline Corporation. This permit was to allow for possible maintenance sites along the pipeline that might impact tidal areas within James City County. Through an administrative error by staff, one of the proposed maintenance sites was inadvertently omitted from staff's memo and report to the Board.

The omitted site is identified and shown within Colonial Pipeline's Project Report as: "Crossing No. 16, Chickahominy River, East Bank". This site was included and evaluated by staff as part of the overall review process for this project.

If the Board acts to amend the permit, then staff recommends that all conditions identified by the Board and listed on the Wetlands Permit, should be included and apply to "Crossing No.16" as well.

It is the staff's recommendation that the Board amend Wetlands Permit W-23-05 to include "Crossing No. 16".

Mr. Lindsey asked if anyone on the Board had visited this site.

The Board members responded they had not.

Mr. Lindsey stated he had no objections to the additional site if all of the same conditions applied.

Mr. Hughes made a motion that the Board amend Wetlands Permit W-23-05 to include Crossing No. 16 with staff's recommendations.


The motion was approved by a 4-0 vote.

E. MATTERS OF SPECIAL PRIVILEGE

The Resolution of Appreciation for Henry Lindsey was presented at the Chesapeake Bay Board Meeting.

F. ADJOURNMENT

The meeting adjourned at 7:20 PM.



William A. Oberson
Chairman



Patrick Menichino
Secretary