

JAMES CITY COUNTY WETLANDS BOARD
May 10, 2006 - 7:00PM

A. ROLL CALL

William Apperson
Larry Waltrip
John Hughes
David Gussman
Henry Lindsey

ABSENT

none

OTHERS PRESENT

Elizabeth Gallup, VMRC
County Staff

B. MINUTES – April 12, 2006

The April 12, 2006 minutes were approved as presented.

C. PUBLIC HEARINGS

1. W-05-06/VMRC 06-0616 – James Zinn and Arthur Casey – 147 and 143 West Landing

Mr. Menichino presented the case stating that Mr. Daniel Winall, Water's Edge Construction, on behalf of the owners, Mr. James Zinn, 147 West Landing and Mr. Arthur Casey, 143 West Landing applied for a wetlands permit to repair approximately 360 feet of existing concrete rubble riprap revetment by overlaying said revetment with Class 2 riprap to prevent erosion. In addition, the application included a proposed 150 ft long pier with a 16 ft X 16 ft "L" shaped deck at 143 West Landing to provide access to the James River, but this was outside the Board's jurisdiction. The properties are further identified as parcels 5031200020 and 5031200021 respectively in the James City County Real Estate system. The project site is located on the James River main stem.

Environmental Division staff visited the site on April 21, 2006, along with representatives from VMRC and VIMS to discuss the project scope and potential impacts. Total proposed impacts for this project have been determined to be 3240 sq ft, and are comprised of 2160 sq ft of impact to the Intertidal Rubble Community and 1080 sq ft of impact to subaqueous bottom. The fill caused by this project is determined to be 1080 sq ft to the Intertidal Rubble Community.

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

1. The limits of construction shall be flagged in the field prior to the preconstruction meeting.
2. All vegetation to be removed shall be clearly flagged or marked with spray paint prior to the preconstruction meeting.
3. The landward areas of the Resource Protection Area (RPA) buffer that are proposed to be cleared and disturbed through the placement of the construction access will require restoration with native vegetation consisting of trees, shrubs and ground cover. An RPA restoration plan with surety shall be submitted and approved by the Environmental Division prior to the preconstruction meeting.
4. A preconstruction meeting will be held on-site prior to construction.
5. A turbidity curtain will not be required for this project as proposed. The Environmental Director reserves the right to require a turbidity curtain if field conditions change.
6. The existing concrete riprap rubble will be broken up into smaller core size stone prior to the placement of new riprap.
7. All new riprap used shall be Class 2. The riprap shall tie into existing grade at the top and a 2' deep buried toe shall be installed at the bottom of the slope.

8. Upon completion of the shoreline work, the construction access shall be re-graded to existing slope conditions. The RPA restoration plan shall be implemented with all plantings installed as approved. The RPA surety will be held a minimum of one year after plant installation to ensure the long-term viability of the installed plant materials.
9. The permit shall expire May 10, 2007.
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

Mr. Hughes mentioned that the VIMS Report for this project noted the absence of filter cloth for the revetment and asked if this was going to be a requirement of the permit.

Mr. Menichino stated that adding filter cloth would require removal of the existing revetment and would increase the impacts. The proposal being considered called for breaking up the existing revetment in place and then overlaying with new riprap.

Mr. Apperson opened the public hearing.

A. Mr. Daniel Winall, Water's Edge Construction, contractor for the project, concurred with Mr. Menichino's statements and added that the revetment would be repaired with Class 3 stone. He informed the Board that other revetments in the area had been repaired in this manner, and had held up during Hurricane Isabel.

Mr. Lindsey asked how long the existing revetment had been in place and if there was a restoration agreement for replacing the removed vegetation.

Mr. Winall stated that the existing revetment had been in place about 20 years. He further stated that the only vegetation to be removed was on Mr. Casey's property and that he would work with the Environmental Division on a restoration plan as outlined in staff's recommendations.

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

Mr. Lindsey stated that he felt the proposed repair was necessary and that removing the concrete to install filter cloth would cause more disturbance than the proposed method.

Mr. Waltrip agreed that the proposed method was consistent with other repairs that had been done in the area.

Mr. Waltrip made a motion to approve Case W-05-06 with staff's recommendations.

The motion was approved by a 5-0 vote.

D. BOARD CONSIDERATIONS

1. Extension of W-30-04: David Hart – 7234 Otey Drive

Mr. Menichino presented the case stating that Mr. David Hart, owner, had requested an extension of the expiration date for Wetlands Permit No. W-30-04. Subsequent to the receipt of Mr. Hart's request, the Environmental Division had authorized approval of the permit expiration date from July 13, 2006 to July 13, 2007. All of the permit conditions required within W-30-04 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. Apperson asked if the Environmental Staff had any problems with extending the permit.

Mr. Menichino stated they did not.

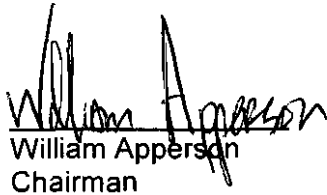
Mr. Lindsey made a motion to approve extending the permit expiration date for case W-30-04 from July 13, 2006 to July 13, 2007 with all previously approved conditions.

The motion was approved by a 5-0 vote.

E. MATTERS OF SPECIAL PRIVILEGE - none

F. ADJOURNMENT

The meeting adjourned at 7:15 PM.


William Apperson
Chairman


Patrick Menichino
Secretary