

**JAMES CITY COUNTY WETLANDS BOARD
MINUTES
May 12, 2010**

A. ROLL CALL

ABSENT

John Hughes - Chairman
David Gussman
William Apperson
Terence Elkins
Larry Waltrip

OTHERS PRESENT

Elizabeth Murphy - Virginia Marine Resource Commission (VMRC)
County Staff (Staff)

The responsibility of this Board is to carry out locally the Commonwealth policy to preserve the wetlands and to accommodate economic activity so as to prevent their despoliation.

B. MINUTES

The February 11, 2010 and March 10, 2010 Board minutes were approved as written.

C. PUBLIC HEARINGS

1. W-09-10 / VMRC 10-0153 HRSD/Carter's Grove LLC – 250/300 Ron Springs Drive

Mike Majdeski, Senior Environmental Inspector presented the following case:

The Hampton Roads Sanitation District (HRSD) applied for a Wetlands Permit to undertake a beach nourishment project with an incorporated breakwater sill and subsequent re-vegetation at the HRSD sewage treatment facility within James City County. The property is located directly adjacent to 300 Ron Springs Road and is further identified as JCC Parcel Number 52820100002. Tom Langley, PE, LS, of Langley and McDonald Corporation is the authorized agent for this project.

A site visit was conducted on April 15, 2010 by staff to evaluate both the potential scope of the project and the existing conditions on-site.

The existing location of the proposed work borders the James River in a southwesterly facing direction and has in the past experienced extensive erosion caused by large wave action from previous storm events and strong winds. Breakwaters have previously been installed in this area to reduce shoreline erosion and to reduce the impacts to the HRSD Treatment Plant infrastructure. Although two of these breakwaters currently reside adjacent to the proposed work area, they cannot be extended, as two treatment plant outfalls are located between the existing breakwaters. According to the applicant, ongoing shoreline erosion is threatening the existing infrastructure and the proposed modification will improve shoreline protection for the two treatment plant outfalls.

The project design proposes to install a breakwater sill composed of Class I rip rap approximately 40' wide located between and landward of two existing rip rap breakwaters. In addition to the proposed breakwater sill, approximately 300 cubic yards of sand will be placed adjacent to the aforementioned rip rap breakwaters and proposed sill structure to provide beach nourishment in this area. To provide for further stabilization of the proposed beach area, the sand fill located between MLW (-1) and MHW (+1)

is to be planted with Smooth Cordgrass (*Spartina alterniflora*) on 18" centers. The remaining sand fill area that extends from above MHW to existing ground is proposed to be planted with *Spartina patens* on 18" centers.

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. No woody vegetation shall be removed as part of this project, as per the approved plan.
3. The Environmental Division Director reserves the right to require erosion and sediment control measures, including a turbidity curtain, for this project if field conditions warrant their use.
4. The limits of clearing and grading shall be flagged in the field prior to the pre-construction meeting.
5. Surety in an amount to be determined by the Director of the Environmental Division is required to be posted to guarantee the installation of the proposed mitigation plantings.
6. All re-planted areas should be periodically monitored for one year to ensure proper vegetative establishment.
7. The wetlands permit for this project shall expire on May 12, 2011. If an extension of the permit is needed, a written request shall be submitted to the Environmental Division no later than two weeks prior to the expiration date.

Mr. Elkins referred to the Virginia Institute of Marine Science (VIMS) report on this case, where they noted a discrepancy in the impact area estimates, and asked for clarification on this discrepancy.

Mr. Majdeski referred this question to Mr. Langley, Langley and McDonald Corporation, who stated VIMS had been contacted and the VIMS report was in error.

Mr. Elkins stated that was also his conclusion.

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

Mr. Elkins made a motion to adopt the resolution granting the permit for Wetlands Board case W-09-10 / VMRC #10-0153, on Tax Parcel #52820100002.

The motion was approved by a 5-0 vote.

D. BOARD CONSIDERATIONS - None

E. MATTERS OF SPECIAL PRIVILEGE

In conjunction with the Chesapeake Bay Board, the Wetlands Board presented the following Resolution of Appreciation to Pat Menichino for his service to the Board:

WHEREAS, Patrick T. Menichino served the citizens of James City County as an advisor and Secretary to the Wetlands Board from January 2006 to March 2010; and

WHEREAS, Patrick T. Menichino served the citizens of James City County as an advisor and case manager to the Chesapeake Bay Board from April 2004 to March 2010; and

WHEREAS, his knowledge and guidance has assisted the Boards in rendering fair and impartial decisions to protect the wetlands and natural resources in James City County

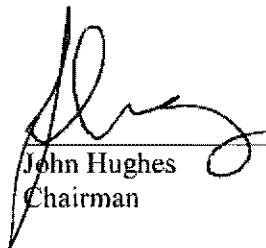
NOW, THEREFORE BE IT RESOLVED that the Wetlands Board and Chesapeake Bay Board of James City County do hereby proclaim great appreciation to Patrick T. Menichino for his dedication, commitment, and exceptional service to the Boards and to the citizens of James City County.

BE IT FURTHER RESOLVED that the issuance of this Resolution be entered into the official minutes of the Wetlands Board and Chesapeake Bay Board of James City County.

So ordered on this day of May 12, 2010

F. ADJOURNMENT

The meeting adjourned at 7:10 PM.



John Hughes
Chairman



Melanie Davis
Secretary to the Board