

**JAMES CITY COUNTY WETLANDS BOARD
MINUTES
Wednesday April 13, 2011**

A. ROLL CALL

John Hughes
Larry Waltrip
David Gussman
Charles Roadley

ABSENT

William Apperson

OTHERS PRESENT

Jeff Madden, Virginia Institute of Marine Science (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 November 10, 2010 Board minutes were approved as written.

C. PUBLIC HEARINGS.

1. W-14-13/VMRC 11-0255 – Levine – 2130 Lake Powell Road

Michael Woolson, Senior Watershed Planner presented the following case information:

Ms. Karla Havens on behalf of Mr. Michael J. Levine applied for a wetlands permit to undertake a revetment and kayak/canoe launch installation. The property is located at 2130 Lake Powell Road directly adjacent to a tidal portion of Mill Creek. The property is further identified as JCC Parcel Number 4740100030A. Karla Havens of Mid Atlantic Resource Consulting is the authorized agent for this project.

A site visit was conducted on March 22, 2011 by staff to evaluate both the potential scope of the project and the existing conditions on-site.

The property and specifically the proposed work area is situated in an easterly facing direction and, as stated previously, lies along a tidal portion of Mill Creek. The existing shoreline is currently lined with aged rip-rap in some areas and exhibits erosion in others. As the site lies in a well protected area away from the effects of boat wakes and storm wave action, erosion along the shoreline is most likely the result of the long term daily and storm influenced tidal changes. Both mean low and mean high water fall along the shoreline itself at varying depths. No wetlands vegetation was observed along the shoreline during the site visit. The upland areas consist of a well vegetated residential lawn. Additionally, the remains of a pier are partially submerged at the northerly end of the shoreline within the proposed limits of work.

The project design proposes to rework existing rubble and utilize new quarry stone to provide a 56' revetment and construct a 12'x18' kayak/canoe launch. Access will be provided through the adjacent upland area and due to the current conditions on-site, there will be minimal clearing and grading required at the top of the revetment during installation.

The proposed revetment is approximately 4' high consisting of Class I quarry stone installed over filter cloth with a buried toe to inhibit shoreline erosion. The existing slope will be reworked from the current grade to a 1.5:1 slope to accommodate the new revetment. The revetment will impact approximately 280 square feet of non-vegetated wetlands during installation. The proposed kayak/canoe launch will be installed directly adjacent to the proposed revetment utilizing a pressure treated 2"x8" timber box containing #3 stone over filter cloth as the fill. The proposed launch is approximately 18 feet wide and will impact an estimated 84 square feet of non-vegetated wetlands during installation.

If the board chose to approve this application the following conditions should be included in the permit:

1. Prior to any land disturbing activities, a preconstruction meeting will be held on-site.
2. All other Federal, State, and Local permits required for this project shall be obtained prior to commencing work. Evidence of the securing of these permits must be provided prior to the pre-construction meeting.
3. No woody vegetation shall be removed as part of this project unless approved by the Environmental Division.
4. 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.
5. The limits of work shall be flagged in the field prior to the pre-construction meeting.
6. The proposed seed mix for stabilization must be approved by the Environmental Division prior to the pre-construction meeting.
7. The wetlands permit for this project shall expire on April 13, 2012. 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. Waltrip asked for clarification on the exact location of the revetment.

Mr. Hughes asked if a Chesapeake Bay exception waiver would be required for the proposed canoe launch.

Mr. Woolson stated it would not because the launch was considered a water-dependent feature without significant impact to the RPA.

Mr. Hughes opened the public hearing.

A. Karla Havens, Mid-Atlantic Resource Consulting, described the conditions and the location of the proposed revetment and canoe launch.

Mr. Roadley asked if the erosion was mostly in the center of the property and also asked why the existing pier could not be reworked for the canoe launch.

Mr. Hughes and Mr. Roadley suggested the applicant consider additional upland plantings to try and reestablish a riparian buffer.

A. Karla Havens stated the shoreline was eroding or was subject to erosion and it was determined that reworking the existing stone into a revetment with filter cloth was the best solution. Dr. Levine, the owner, submitted an additional application for a new pier and boat house and desires to launch a canoe from the shore. She added that the owners were also agreeable to additional plantings and she would work with staff to accomplish this.

Mr. Hughes closed the public hearing as no one else wished to speak.

Staff asked if the Board wished to add a requirement for the upland plantings, to the current Resolution.

All Board members stated they trusted the applicant would work with staff to accomplish the additional plantings.

Mr. Gussman made a motion to grant the Wetlands Permit for case W-14-11/VMRC 11-0255 at 2130 Lake Powell Rd, Tax Parcel #4740100030A.

The motion was approved by a 4-0 vote.

2. W-15-11/VMRC 11-0256 – Eckenfels – 6019 Tabiatha Lane

Michael Woolson, Senior Watershed Planner, presented the following case information:

Ms. Karla Havens on behalf of Mr. Christopher Eckenfels applied for a wetlands permit to undertake a bulkhead replacement project and subsequent re-stabilization. The property is located at 6019 Tabiatha Lane within the Chickahominy Haven subdivision directly adjacent to a man-made canal. The property is further identified as JCC Parcel Number 191060023. Karla Havens of Mid Atlantic Resource Consulting is the authorized agent for this project.

A site visit was conducted on March 22, 2011 by staff to evaluate both the potential scope of the project and the existing conditions on-site.

The location of the existing bulkhead and proposed work borders a canal that empties into the Chickahominy River. The property is situated in a southerly facing direction and does not experience heavy wave action from storm events due to its protected location within the canal although it may be influenced by boat wakes. Although vegetation has established itself in several areas where sloughing has occurred, the bulkhead displays heavy degradation which has in turn created unstable conditions. Both mean high and mean low water fall along the face of the existing bulkhead at varying depths. No wetlands vegetation was observed along the shoreline. The surrounding area is composed of a well vegetated residential lawn and access to the site will be through the applicant's driveway.

The project design proposes to remove the existing timber bulkhead and replace it with 131 linear feet of 8"x18" Diamond Pro anchor block over a sand base no further than approximately 3' landward and no further than 2' channelward of the existing bulkhead. The proposed block wall is approximately 6' high, will impact approximately 20 square feet of non-vegetated wetlands, and 131 square feet of subaqueous bottom. The block wall is proposed to be backfilled with course stone and reinforced with MiraGrid geotechnical material to provide soil stability behind the proposed wall. The backfill will then be stabilized with an appropriate seed mix and mulch to establish vegetative cover. The backfill operation will encroach no further than 5' landward from the back side of the proposed wall.

An engineered construction drawing has been provided illustrating how the wall will be constructed in the field.

If the board chooses to approve this application the following conditions should be included in the permit:

1. Prior to any land disturbing activities, a pre-construction meeting will be held on-site.
2. All other federal, state, and local permits required for this project shall be obtained prior to commencing work. Evidence of the securing of these permits must be provided prior to the pre-construction meeting.
3. No woody vegetation shall be removed as part of this project unless approved by the Environmental Division as per the approved plan.
4. 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.
5. The limits of work shall be flagged in the field prior to the pre-construction meeting.
6. The proposed seed mix for stabilization must be approved by the Environmental Division prior to the pre-construction meeting.
7. The wetlands permit for this project shall expire on April 13, 2012. 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. Gussman asked for a description of how the wall foundations would be constructed.

Mr. Roadley asked if the Board had previously approved this type of structure for a shoreline.

Mr. Hughes asked if staff was concerned with the comments from the Virginia Institute of Marine Science (VIMS) regarding the engineering and testing of the wall components.

Mr. Woolson stated the Board had previously approved the construction of a similar wall along the Chickahominy River and the application included a professionally engineered drawing for the wall construction.

Mr. Hughes opened the public hearing.

A. Stuart Usher, contractor for the project, described the construction of the wall base and reiterated there was an engineered drawing for the structure. He also stated this would be the sixth bulkhead in Chickahominy Haven replaced with this type of structure.

Mr. Waltrip asked if there had been any settling problems with the previously constructed walls.

A. Mr. Usher stated there was not.

Mr. Hughes closed the public hearing as no one else wished to speak.

Mr. Roadley stated the existing wall was obviously failing and he would not dispute the engineer's drawings for the proposed structure.

Mr. Hughes stated it was definitely more aesthetic than the timber wall.

Mr. Gussman made a motion to grant the Wetlands Permit for case W-15-11/VMRC 11-0256 at 6019 Tabiatha Lane, Tax Parcels #1910600023.

The motion was approved by a 4-0 vote.

D. BOARD CONSIDERATIONS - none

E. MATTERS OF SPECIAL PRIVILEGE

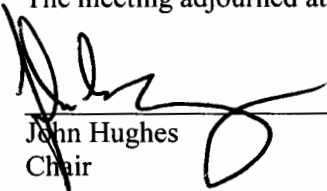
1. Presentation on the Jamestown Beach Living Shoreline Restoration Project

Carla Brittle, Administrator of Development with the County Department of Parks and Recreation, described the purpose and process for obtaining the Living Shoreline Grant from the Chesapeake Bay Trust and NOAA. Patrick Menichino, Environmental Specialist with the County Stormwater Division, gave a presentation on the current conditions, the proposed project, and the construction currently in progress.

The Board thanked them for the presentation.

F. ADJOURNMENT

The meeting adjourned at 7:50 PM.



John Hughes
Chair



Melanie Davis
Secretary