

**JAMES CITY COUNTY WETLANDS BOARD
MINUTES
Wednesday June 13, 2012**

A. ROLL CALL

John Hughes
William Apperson
David Gussman
Charles Roadley
Roger Schmidt for Larry Waltrip

ABSENT

Larry Waltrip

OTHERS PRESENT

County Staff (Staff)
Juliette Giordano, Virginia Marine Resource Commission (VMRC)

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 May 9, 2012 Board minutes were approved as written.

C. PUBLIC HEARINGS

1. W-23-12 / VMRC 12-0467 – Clark/Mid-Atlantic/Jordan Marine – 2035 Bush Neck

Michael Woolson, Senior Watershed Planner presented the following case:

This case was presented at the May 9, 2012 Wetlands Board meeting as an application for a stone revetment and at the applicants request, was deferred to the July 12, 2012 meeting. The application was then revised and re-advertised, for the Wetlands Board to consider at this, June 13, 2012 meeting.

Ms. Karla Havens, on behalf of Ms. Mary Lou Clark, applied for a wetlands permit to construct a 120 foot long coir log revetment with sand backfill and wetland vegetation located at 2035 Bush Neck Road, directly adjacent to Buzzards Bay off of the Chickahominy River. The coir logs are to be 12-inches in diameter. The property is further identified as JCC Parcel Number 3420100008.

Mr. Woolson displayed photographs and illustrations and described the proposed project.

Staff recommended approval of the project with conditions specified in the Resolution to Grant the Permit.

Mr. Hughes continued the public hearing.

A. Ms. Karla Havens, Mid-Atlantic Resource Consulting stated that with the revised proposal it was anticipated the area would be re-vegetated with indigenous vegetation before the coir logs break down in 3 to 5 years.

Mr. Roadley asked if the proposed plants would thrive in the specified area.

Mr. Schmidt asked if the proposed coir log revetment would cover the entire length of the shoreline.

A. Ms. Havens stated the plants were recommended by staff and were the types growing in the area now. Per the conditions of the permit, she would work with staff to revise the plantings as needed. She stated the coir logs would cover the eroding area but the left and right sides of the shoreline were already well vegetated as shown in the presented slides.

B. Mary Lou Clark, property owner described the existing vegetation on the property and stated she did not feel there would be a survival problem with the proposed vegetation.

Mr. Hughes mentioned receipt of an adjacent property owner letter in support of the proposal.

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

Mr. Roadley thanked the applicant for revising the initial application and proposing this softer approach.

Mr. Gussman made a motion to grant the wetlands permit for case #W-23-12 / VMRC #12-0467 at 2035 Bush Neck Road, Parcel No. 3420100008.

The motion was approved by a 5-0 vote.

Mr. Hughes asked staff to keep the Board apprised as the project progressed.

RESOLUTION

GRANTING A WETLANDS PERMIT ON JCC RE TAX PARCEL NO. 3420100008

WHEREAS, Ms. Karla Havens, on behalf of Ms. Mary Lou Clark, (the "Applicant") has appeared before the Wetlands Board of James City County (the "Board") on June 13, 2012 to request a permit to use and develop in areas designated as wetlands on a parcel of property identified as JCC RE Tax Parcel No. 3420100008 and further identified as 2035 Bush Neck Road (the "Property"). The permit is for a coir log revetment with sand backfill and wetland vegetation as set forth in the application W-23-12/VMRC 12-0467; and

WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, following a public hearing, the Wetlands Board of James City County by a majority vote of its members FINDS that:

1. The anticipated public and private benefit of the proposed activity in the wetlands exceeds its anticipated public and private detriment.
2. The proposed development conforms to the standards prescribed in section 28.2-1308 of the *Code of Virginia*, and the guidelines promulgated pursuant to section 28.2-1301 of the *Code of Virginia*.
3. The proposed activity does not violate the purpose and intent of Chapter 22 of the James City County Code or sections 28.2-1300 et. seq. of the *Code of Virginia*.
4. In granting this wetlands permit, the following conditions are hereby imposed:
 - 1) The applicant must obtain all other necessary local, state and/or federal permits required for the project

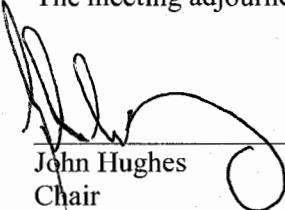
- 2) Prior to any land disturbing activities, a pre-construction meeting shall be held on-site.
- 3) Coir log installation shall follow the manufacturer's recommendations and any legitimate regulatory reference, publication or guideline (VIMS, CCRM, NOAA, USACOE, etc.) for typical installation procedure in a tidal shoreline environment.
- 4) No trees shall be removed as part of this project unless approved by the Engineering and Resource Protection Division.
- 5) The Engineering and Resource Protection Division Director reserves the right to require additional erosion and sediment control measures, including a turbidity curtain for this project, if field conditions warrant their use.
- 6) The limits of work shall be flagged in the field prior to the pre-construction meeting.
- 7) The wetlands permit for this project shall expire on June 13, 2013. If an extension of the permit is needed, a written request shall be submitted to the Engineering and Resource Protection Division no later than two weeks prior to the expiration date.

D. BOARD CONSIDERATIONS - none

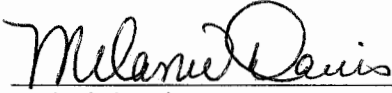
E. MATTERS OF SPECIAL PRIVILEGE - none

F. ADJOURNMENT

The meeting adjourned at 7:15 p.m.



John Hughes
Chair



Melanie Davis
Secretary