

**JAMES CITY COUNTY WETLANDS BOARD  
MINUTES  
Wednesday August 14, 2013**

**A. ROLL CALL**

John Hughes  
David Gussman  
Larry Waltrip  
Roger Schmidt  
Louis Bott

**ABSENT**

William Apperson  
Charles Roadley

**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 8, 2013 Board minutes were approved as written.

**C. PUBLIC HEARINGS**

**1. W-26-12 / VMRC 12-0873 : Stonehill Co/Kerr Environmental – Westport Subdivision**

Michael Woolson, Senior Watershed advised the Board that the applicant had withdrawn this application, was redesigning the outfalls and would perhaps resubmit the application at a later date. No action was required by the Board at this time.

**2. W-27-13 / VMRC 13-0939: Harris/Winall – 7617 Cypress Drive**

Tina Creech, Senior Inspector presented the case for the Joint Permit Application (JPA) submitted by Daniel Winall, on behalf of property owner Mr. Allen Harris, for installation of two rock sills and associated sand fill beach nourishment to create a living shoreline on the Chickahominy River, at 7617 Cypress Drive within the Cypress Point subdivision, Parcel No. 1910100007.

Ms. Creech described the current conditions of the site, the proposed project, vegetated and non-vegetated wetlands impacts, the proposed plantings, the water quality benefits, and the conditions specified in the Resolution to Grant the Wetlands Permit.

Mr. Schmidt asked if turbidity curtains would be required.

Mr. Waltrip asked if the pier was being extended for access to deeper water.

Ms. Creech and Mr. Woolson stated that all erosion controls would be implemented as needed. They responded to Mr. Waltrip that the pier extension was likely for deep water access however it was not under consideration by this Board.

Mr. Hughes opened the public hearing.

Mr. Hughes and asked the applicant for the time frame on the project should the permit be granted.

A. Daniel Winall with Water's Edge Construction, contractor and representative for the property owner stated the project was to start this fall and would hopefully complete the plantings before next spring.

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

Mr. Gussman made a motion to adopt the resolution granting the wetlands permit for case #W-27-13/ VMRC #13-0939 at 7617 Cypress Drive, Parcel No. 1910100007.

The motion was approved by a 5-0 vote.

## RESOLUTION

### GRANTING A WETLANDS PERMIT ON JCC RE TAX PARCEL NO. 1910100007

WHEREAS, Mr. Daniel Winall on behalf of Mr. Allen Harris (the "Applicant") has appeared before the Wetlands Board of James City County (the "Board") on August 14, 2013 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.1910100007 and further identified as 7617 Cypress Drive in the Cypress Point subdivision (the "Property") as set forth in the application W-27-13/ VMRC 13-0939; 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:

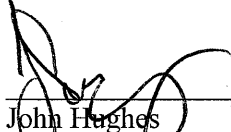
1. The anticipated public and private benefit of the proposed activity in the wetlands exceeds its anticipated public and private detriment.
2. The proposed development conforms to the standards prescribed in section 28.2-1308 of the *Code of Virginia*, and the guidelines promulgated pursuant to section 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) 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 outside of the scope unless approved by the Engineering and Resource Protection Division.
  - 4) Eight hundred (800) square feet of intertidal area shall be planted with a combination of *Spartina patens* and *Spartina alterniflora*, and other wetland species as appropriate.
  - 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 August 14, 2014. If an extension of the permit is needed a written request shall be submitted to the Engineering and Resource Protection Division no later than six 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.



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John Hughes  
Wetland Board Chair



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Melanie Davis  
Secretary to the Board