

**JAMES CITY COUNTY WETLANDS BOARD
MINUTES
Wednesday July 9, 2014**

- A. ROLL CALL**
John Hughes
David Gussman
Larry Waltrip
Roger Schmidt

ABSENT
William Apperson
Charles Roadley

OTHERS PRESENT

County Staff:

Michael Woolson, Senior Watershed Planner

Melanie Davis, Secretary to the Board

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 June 11, 2014 Board minutes were approved as written.

C. PUBLIC HEARINGS

1. W-15-14 / VMRC 14-0707: Stabler/Winall – 141 Thomas Dale

Michael Woolson, Senior Watershed Planner presented the case for the Joint Permit Application (JPA) submitted by Daniel Winall, on behalf of property owner Mr. Scott Stabler, for impact to approximately 650 square feet of vegetated and non-vegetated wetlands for construction of a bulkhead and rock sill on Halfway Creek, at 141 Thomas Dale within the Kingsmill subdivision, Parcel No. 5030700026.

Mr. Woolson described the current conditions of the site, the proposed project, vegetated and non-vegetated wetlands impacts, and the proposed mitigation and transplanting of wetlands plants. Staff determined the impacts to the vegetated and non-vegetated wetlands to be minimal and recommended approval with the conditions specified in the Resolution to Grant the Wetlands Permit.

Mr. Hughes asked what would be used for fill and how it would be transported.

Mr. Woolson stated it would be clean sand brought in by barge.

Mr. Schmidt asked if there was any development on the adjacent property.

Mr. Woolson stated there were houses on the adjacent properties and the proposed project would not cross the property lines.

Mr. Hughes opened the public hearing.

A. Daniel Winall with Water's Edge Construction, contractor and representative for the property owner was present to answer any questions.

Mr. Hughes closed the public hearing as there were no questions for the applicant and no one else wished to speak.

Mr. Waltrip was familiar with the property and felt the proposed project was a good solution for the eroding shoreline.

Mr. Schmidt made a motion to adopt the resolution granting the wetlands permit for case #W-15-14/VMRC #14-0707 at 141 Thomas Dale, Parcel No. 5030700026.

The motion was approved by a 4-0 vote.

RESOLUTION
GRANTING A WETLANDS PERMIT ON JCC RE TAX PARCEL NO. 5030700026

WHEREAS, Daniel Winall, Water's Edge Construction on behalf of Mr. Scott Stabler (the "Applicant") has applied to the Wetlands Board of James City County (the "Board") on July 9, 2014 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.5030700026 and further identified as 141 Thomas Dale in the Kingsmill subdivision (the "Property") as set forth in the application W-15-14 / VMRC 14-0707; 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 commencing this project, 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 outside of the scope unless approved by the Engineering and Resource Protection Division.
 4. 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.
 5. The limits of work shall be flagged in the field prior to the pre-construction meeting.
 6. A surety of \$500 will be required to guarantee the mitigation plantings and must be in a form acceptable to the County Attorney's Office.
 7. The wetlands permit for this project shall expire on July 9, 2015. 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

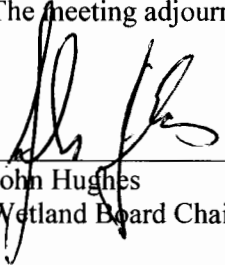
E. MATTERS OF SPECIAL PRIVILEGE

Juliette Giordano with VMRC announced that this would be her last meeting as she was moving out of the area and leaving VMRC.


The Board thanked her for her service and guidance over the past three years.

F. ADJOURNMENT

The meeting adjourned at 7:16 p.m.



John Hughes
Wetland Board Chair



Melanie Davis
Secretary to the Board