

**JAMES CITY COUNTY WETLANDS BOARD  
MINUTES  
Wednesday January 14, 2015**

**A. ROLL CALL**

**ABSENT**

John Hughes  
William Apperson  
David Gussman  
Larry Waltrip  
Charles Roadley

**OTHERS PRESENT**

County Staff:

Michael Woolson, Senior Watershed Planner  
Greg Johnson, Senior Inspector  
Maxwell Hlavin, Assistant County Attorney  
Melanie Davis, Secretary to the Board

Mark Eversole, 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 November 13, 2014 Board minutes were approved as written.

**C. PUBLIC HEARINGS**

**1. W-02-15 / VMRC 14-1480: Trolan/Mid-Atlantic/Jordan Marine-4388 Landfall Drive**

Senior Inspector Greg Johnson presented this case for the Joint Permit Application (JPA) submitted by Karla Havens with Mid-Atlantic Resource Consulting, on behalf of property owners William and Mary Trolan at 4388 Landfall Drive in the Landfall at Jamestown subdivision, JCC Parcel Number 4732400082. The proposed activity was installation of a 98 foot vinyl bulkhead in front of an existing timber bulkhead and a 13 foot quarry stone revetment. There will be no shoreline or bank grading and access for this project will be from Landfall Drive impacting a 12 foot by 150 foot area. Staff recommended approval of this project with the conditions specified in the Resolution to Grant.

**2. W-05-15 / VMRC 14-1646: Swynford/Mid-Atlantic/Jordan Maring-4384 Landfall Drive**

Senior Inspector Greg Johnson presented this case for the Joint Permit Application (JPA) submitted by Karla Havens with Mid-Atlantic Resource Consulting, on behalf of property owner Agnew Swynford at 4384 Landfall Drive in the Landfall at Jamestown subdivision, JCC Parcel Number 4732400081. The proposed activity was installation of a 52 foot vinyl bulkhead in front of an existing timber bulkhead and a 137 foot quarry stone revetment. There will be no shoreline or bank grading and this project will use the same access area as case W-02-15 at 4384 Landfall Drive. Staff recommended approval of this project with the conditions specified in the Resolution to Grant.

Karla Havens with Mid-Atlantic Resource Consulting, representative for the applicants further described the existing conditions of the properties and clarified the location of the projects and the proposed revetments that were before the Board for consideration.

Mr. Hughes asked if the bulkhead would go down to the existing pier and asked if everything would be brought in by land.

Ms. Havens explained that the bulkhead on the Swynford property was only 52 feet and the 137 feet of revetment on the would go under the existing pier. She confirmed that all access would be from the Trolan property. Ms. Havens also commented that the recommendations in the VIMS report for grading back the bank were not feasible on these projects specifically the Trolan's property which included an archaeological site.

Mr. Waltrip asked if the vinyl bulkheads were working as well as the timber bulkheads.

Mr. Wilber Jordan, contractor for the project indicated they were.

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

Mr. Roadley said the staff reports for both projects stated there were no impacts to vegetated or non-vegetated wetlands however; both applications were for revetments in the wetlands and asked what the correct impact would be.

Staff indicated the impacts would be to non-vegetated wetlands.

Mr. Gussman made a motion to adopt the resolution granting the wetlands permit for case W-02-15/VMRC 14-1480 at 4388 Landfall Drive, Parcel No. 4732400082.

The motion was approved by a 5-0 vote.

### **RESOLUTION**

#### **GRANTING A WETLANDS PERMIT ON JCC RE TAX PARCEL 4732400082**

WHEREAS, Ms. Karla Havens, on behalf of Mr. and Mrs. William and Lori Trolan, (the "Applicant") has applied to the Wetlands Board of James City County (the "Board") 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. 4732400082 and further identified as 4388 Landfall Drive in the Landfall at Jamestown subdivision (the "Property") as set forth in the application W-02-15/VMRC 14-1480; 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 on January 14, 2015, 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:
  - The applicant must obtain all other necessary local, state, and/or federal permits required for the project.
  - Surety of \$1,000 will be required to guarantee stabilization of upland portion of project.
  - Prior to construction, a pre-construction meeting will be held on-site.
  - 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.

- The wetlands permit for this project shall expire on January 14, 2016. 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.

Mr. Hughes made a motion to adopt the resolution granting the wetlands permit for case W-05-15/VMRC 14-1646 at 4384 Landfall Drive, Parcel No. 4732400081.

The motion was approved by a 5-0 vote.

### **RESOLUTION**

#### **GRANTING A WETLANDS PERMIT ON JCC RE TAX PARCEL 4732400081**

WHEREAS, Ms. Karla Havens, on behalf of Mr. Agnew Swynford, (the "Applicant") has applied to the Wetlands Board of James City County (the "Board") 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. 4732400081 and further identified as 4384 Landfall Drive in the Landfall at Jamestown subdivision (the "Property") as set forth in the application W-05-15/VMRC 14-1646; 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 on January 14, 2015, the Wetlands Board of James City County by a majority vote of its members FINDS that:

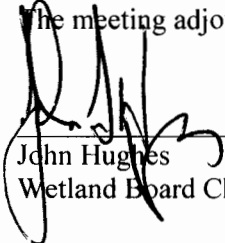
1. The anticipated public and private benefit of the proposed activity in the wetlands exceeds its anticipated public and private detriment.
2. The proposed development conforms to the standards prescribed in section 28.2-1308 of the *Code of Virginia*, and the guidelines promulgated pursuant to section 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:
  - The applicant must obtain all other necessary local, state, and/or federal permits required for the project.
  - Prior to construction, a pre-construction meeting will be held on-site.
  - 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.
  - The wetlands permit for this project shall expire on January 14, 2016. 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.

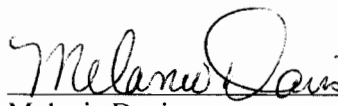
#### **D. BOARD CONSIDERATIONS - None**

#### **E. MATTERS OF SPECIAL PRIVILEGE - None**

#### **F. ADJOURNMENT**

The meeting adjourned at 7:20 p.m.

  
John Hughes  
Wetland Board Chair

  
Melanie Davis  
Secretary to the Board