

MINUTES
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
April 12, 2017
7:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for April 12, 2017, was Called to Order.

As the Chair and Vice-Chair of the Wetlands Board were absent, the Board voted to appoint David Gussman as the Chairman pro tem for this meeting.

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. ROLL CALL

Board Member Present:

David Gussman - Chair pro tem
Charles Roadley
Apperson Larry Waltrip

Absent:

John Hughes
William

Others Present:

County Staff (Staff):

Michael Woolson, Senior Watershed Planner
Fran Geissler, Acting Director, Engineering and Resource Protection
Ashley Tatge, Inspector, Engineering and Resource Protection
Maxwell Hlavin, Assistant County Attorney
Liz Parman, Assistant County Attorney
Melanie Davis, Secretary to the Board
Mark Eversole, Virginia Marine Resource Commission (VMRC)

C. MINUTES

1. March 8, 2017 Regular Meeting Minutes

The minutes were approved as written.

D. PUBLIC HEARINGS

1. W-04-17 / VMRC 16-1341: 4113 South Riverside Drive

Michael Woolson presented the wetlands permit request submitted by Karla Havens, Mid-Atlantic Resource Consulting, on behalf of property owner, Steven D. Wolf. The permit request was to construct a 131-foot quarry stone sill with beach nourishment on the property known as 4113 South Riverside Drive in the Chickahominy Haven subdivision, within the Chickahominy River watershed and further identified as James City County Parcel No. 1910900006. The presentation

described the size, composition and location of the proposed sill and beach nourishment plantings and the current site conditions. Staff determined this project met the required criteria and recommended approval with the conditions outlined in the Resolution.

Mr. Gussman asked if the Board had ever considered a previous case for a sill tied into bulkheads on the adjacent properties and if this configuration would cause scouring on the adjacent bulkheads.

Mr. Woolson said there was a case approximately ten years ago on the Chickahominy Haven canal where a small revetment was placed between two bulkheads. He deferred the scouring question to the applicant.

Mr. Waltrip asked for clarification on the location of the proposed sill.

Mr. Woolson explained the sill would be located approximately 20 feet channelward of the exiting bulkhead and the purpose is to allow for enough slope to allow for wave run-up without impacting the upland bank.

Mr. Gussman opened the Public Hearing.

A. Ms. Karla Havens, Mid-Atlantic Resource Consulting, explained the purpose of this project was stop the erosion occurring prematurely on this property because of the current wave run-up and the existing bulkheads. She did not believe the location of the propose sill would adversely impact these bulkheads and if anything might allow sand to accumulate where it tied into them. She also stated Mr. Wolf was agreeable to the conditions for the permit approval.

Mr. Gussman closed the Public Hearing as no one else wished to speak.

Mr. Roadley mentioned the protest letter submitted to VMRC, from the adjacent property owner, regarding the potential for snakes in the riprap of the sill; however, this type of project was the preferred method for shoreline protection and would create a large area of vegetated tidal wetlands in an area that was currently un-vegetated.

Mr. Roadley made a motion to adopt the Resolution to Grant the Permit for Wetlands Board Case No. W-04-17/VMR C 16-1341 at 4113 South Riverside Drive.

The motion was approved: 3-0

Ayes: Roadley, Waltrip, Gussman
Absent: Apperson, Hughes

2. W-18-17 / VMR C 17-0133: William & Mary Sailing Team

Ashley Tatge presented the wetlands permit request submitted by the William & Mary Sailing Team to relocate an existing floating dock from the First Colony Marina to the Kingsmill Marina owned by the Kingsmill Resort and located at 1060 Kingsmill Road on the James River. Due to the commercial nature of the project the

application required consideration by the local Wetlands Board. The presentation described the current site conditions and the location of the proposed floating dock. Staff determined this project met the required criteria and recommended approval with the conditions outlined in the Resolution.

Mr. Roadley asked where the boats would be stored when not in use. Ms. Tatge said they would be stored on the pier.

Mr. Gussman opened the Public Hearing.

A. Mr. Patrick Firth, former Vice-Commodore of the William & Mary Sailing Team, explained the reasons for moving the dock were for a location closer to the college, better wind conditions and more space for their growing team.

Mr. Gussman closed the Public Hearing as no one else wished to speak.

Mr. Waltrip concurred the wind conditions for sailing were better at the Kingsmill Marina.

Mr. Roadley made a motion to adopt the Resolution to Grant the Permit for Wetlands Board Case No. W-18-17/VMR C 17-0133 for the floating dock at the Kingsmill Marina.

The motion was approved: 3-0

Ayes: Roadley, Waltrip, Gussman

Absent: Apperson, Hughes

E. BOARD CONSIDERATIONS

Michael Woolson described the permitted project was an 80-foot offshore sill with beach nourishment, and a 335-foot shoreline revetment. Two scenarios for modifications to this project have been proposed. The first scenario would create a 250-foot revetment and two smaller sills or spurs tied to the revetment with beach nourishment in between. This scenario only moves the offshore sill and does not change the wetlands impacts. The second scenario would create a stone revetment tied to an existing revetment and then construct the offshore sill with no beach nourishment eliminating the living shoreline aspects of the approved application. It was Staff's opinion that this scenario changed the intent of the original proposal.

Mr. Gussman stated any significant change should be considered by the Board at a public hearing for public comment.

Mr. Waltrip asked why the applicant wished to make this change.

Mr. Woolson stated he did not know. In his opinion the shoreline was stable and did not require a revetment.

Mr. Waltrip therefore agreed with Mr. Gussman that a change required a revised application and public notification.

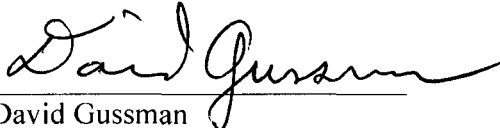
Mr. Roadley was not concerned with the reconfiguration in scenario one but, scenario two represented a significant change. He also agreed with Mr. Gussman that any significant change in a proposal should be open to public comment.

F. MATTERS OF SPECIAL PRIVILEGE

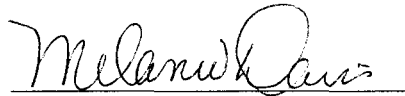
The Board directed Staff to draft a Resolution of Appreciation for Mr. Scott Thomas's service to the Wetlands and Chesapeake Bay Boards. They asked that this be presented at the next meeting Mr. Thomas would be available to attend.

G. ADJOURNMENT

The meeting adjourned at 7:38 p.m.



David Gussman
Wetlands Board Chair pro tem



Melanie Davis
Secretary to the Board