

MINUTES
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
March 11, 2020
5:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for March 11, 2020, was called to order.

The responsibility of this Board is to carry out locally the Commonwealth policy to preserve the wetlands and to accommodate economic activity as to prevent its despoliation.

B. ROLL CALL

Board Members Present:

William Apperson, Vice Chair
David Gussman
Charles Roadley
Larry Waltrip
Halle Dunn

Board Members Absent:

John Hughes, Chair

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Liz Parman, Assistant County Attorney
Michael Woolson, Senior Watershed Planner, Stormwater and Resource Protection
Trevor Long, Watershed Planner, Stormwater and Resource Protection

C. MINUTES

1. Minutes from February 12, 2020, Regular Meeting

A motion to Approve the minutes was made by Mr. Apperson. The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

1. Case No. WJPA 20-0001/VMRC 20-0051 : 7620 Uncles Neck

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Ms. Karla S. Havens, Mid-Atlantic Resource Consulting, on behalf of Mr. John Whalen, Jr. and Mrs. Susan Whalen, who have applied for a wetlands permit to construct two sections of quarry stone revetments and an open pile pier over non-vegetated tidal wetlands located at 7620 Uncles Neck, within the River's Bend at Uncles Neck Subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Parcel No. 2030200030. The presentation described the current site conditions, proposed construction, and proposed mitigation. Staff recommended approval of the permit with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Apperson opened the Public Hearing.

A. Ms. Karla S. Havens, Mid-Atlantic Resource Consulting, was available to answer any questions from the Board.

Mr. Roadley inquired if the erosion was caused by toe scour or from upland runoff.

A. Ms. Havens explained that it was a combination of upland runoff and the fluctuating water table. She described the dynamics of the erosion.

Mr. Roadley commented that the revetment was fairly low. He inquired if the revetment protected the shoreline from larger wave energy. He further questioned if the wave energy is the source of the erosion.

A. Ms. Havens responded that the boat waves were a contributing factor. It is a combination of things contributing to the erosion.

Mr. Woolson explained the ground elevations verses the adjoining neighboring properties.

A. Ms. Havens answered clarifying the topography variations to the properties on each side.

Mr. Apperson inquired why Ms. Havens decided to specify a named grass variety rather than a native variety. The native varieties are the toughest and longest living ones.

Discussion ensued concerning the use of native switch grass verses a non-native named variety or use of a mix thereof.

Mr. Woolson responded that they would recommend a native switch grass.

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

Mr. Roadley made a motion to Adopt the resolution to grant the permit, with the provision for native species, for Wetlands Board Case No. WJPA 20-0001 / VMRC 20-0051 at 7620 Uncles Neck.

A motion to Approve with Conditions was made by Mr. Roadley.

The motion result was: AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Gussman, Roadley, Apperson, Waltrip, Dunn

Absent: Hughes

2. Case No. WJPA 20-0002/VMRC 20-0127 : 8408 Hicks Island Road

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Ms. Karla S. Havens, Mid-Atlantic Resource Consulting, on behalf of Mr. Steven Rogers and Mrs. Dianna Rogers, who have applied for a wetlands permit to construct a vinyl bulkhead and an open-piled wharf over non-vegetated tidal wetlands located at 8408 Hicks Island Road, lying within the Diascund Creek watershed. The property is further identified as James City County Parcel No. 0910100028. The presentation described the current site conditions, proposed construction, and proposed mitigation. Staff recommended approval of the permit with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Apperson opened the Public Hearing.

A. Ms. Karla S. Havens, Mid-Atlantic Resource Consulting, was available to answer any questions from the Board.

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

Mr. Roadley inquired about the encroachment into the non-vegetated wetlands.

Mr. Long explained that the encroachment is minimal, approximately 5 to 10 feet.

Mr. Gussman made a motion to Adopt the resolution to grant the permit for Wetlands Board Case No. WJPA 20-0002 / VMRC 20-0127 at 8408 Hicks Island Road.

A motion to Approve with Conditions was made by Mr. Gussman.

The motion result was: AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Gussman, Roadley, Apperson, Waltrip, Dunn
Absent: Hughes

3. Case No. WJPA 19-0048/VMRC 19-2163 : 10006 Sycamore Landing Road

Mr. Michael Woolson, Senior Watershed Planner, presented the permit request submitted by Mr. David Lambey, who has applied for a wetlands permit to construct a riprap sill, a riprap revetment and a living shoreline located at 10006 Sycamore Landing Road, within the York River watershed. The property is further identified as James City County Parcel No. 0720100002. The presentation described the current site conditions, proposed construction, and proposed mitigation. Staff recommended approval of the permit with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Roadley inquired about the estimated net gain in vegetated wetlands.

Mr. Woolson explained the potential gain in wetlands with the additional plantings.

Mr. Roadley inquired if the proposed project would adjoin the adjacent property and be at the same elevations as the the neighboring project at 10010 Sycamore Landing Road.

Mr. Woolson deferred to Mr. David Lambey, property owner, for answer.

Mr. Apperson opened the Public Hearing.

A. Mr. David Lambey, the property owner, was available to answer any questions from the Board. He explained his objections to goose netting as contained in the staff report. He also voiced his objections to the amount of the surety bond. There was timing discussion for work to coincide with the neighbor at 10010 Sycamore Landing Road.

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

Mr. Roadley inquired concerning the outstanding question on the surety.

Mr. Woolson explained that staff does not object to lowering the surety to \$1,000.

Mr. Dunn made a motion to Adopt the resolution to grant the permit with modifications of

\$1,000 for surety and removal of goose netting condition for Wetlands Board Case No. WJPA 19-0048 / VMRC 19-2163 at 10006 Sycamore Landing Road.

A motion to Approve with Conditions was made by Mr. Roadley.

The motion result was: AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Gussman, Roadley, Apperson, Waltrip, Dunn
Absent: Hughes

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

1. Mr. Woolson proposed to move the August 2020, Wetlands Board meeting to the Building D Conference Room.

2. Ms. Karla Haven introduced her son, Mr. Cade Haven, working with her at Mid-Atlantic Resource Consulting.

G. ADJOURNMENT

A motion to Adjourn was made by Mr. Apperson and approved on a voice vote.

The meeting adjourned at 5:42 p.m.


Chair, Wetlands Board


Michael Woolson
Secretary to the Board

