

MINUTES
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Board, Williamsburg, Virginia 223185
June 10, 2020
5:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for June 10, 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 so as to prevent its despoliation.

B. ROLL CALL

Board Members Present:

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

Board Members Absent:

Charles Roadley

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
Janice Petty, Stormwater Assistant, Stormwater and Resource Protection

C. MINUTES

1. Minutes from May 13, 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 20-00014/VMRC 20-0643 : 3181 Derby Lane

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Mr. Glenn Horner, who has applied for a wetlands permit for the installation of a bulkhead on the property located at 3181 Derby Lane, within the Drummonds Field subdivision and the James River watershed. The property is further identified as James City County Parcel No. 4540300008. 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. Gussman inquired when the new guidelines for vegetated shorelines would start.

Mr. Trevor Long replied, July 1, 2020.

Mr. Gussman inquired if this case had come before the Board after July 1, 2020, as presented, it could not be approved.

Mr. Long replied that a living shoreline would have to be discussed if it was appropriate in this situation.

Mr. Gussman replied that from the pictures it appears that a living shoreline would work.

Mr. Woolson further explained that until the Commonwealth of Virginia clarifies what the new law means, it would be up to the Board's discretion as to whether or not the proposed project was appropriate. Applications submitted prior to July 1, 2020, would follow under the old guidelines.

Mr. Apperson opened the Public Hearing.

A. Mr. Michael Segala, 3193 Derby Lane, inquired when the work was to start. It appears work started prior to the permit being issued.

Mr. Woolson replied that he and Mr. Long met with Mr. Horner approximately one month ago and saw the patio being undermined and gave a verbal approval for work in front of the patio.

A. Mr. Segala replied that as of last Saturday, 200 feet of the bulkhead was installed.

Mr. Apperson closed the Public Hearing as there were no additional speakers.

Mr. Gussman stated that starting work before a permit is issued could cause a violation of the statute and the Board could seek legal remedies.

Mr. Gussman made a motion to Adopt the Resolution to grant the permit for Wetlands Board Case No. WJPA 20-0014/VMRC 20-0643 at 3181 Derby Lane.

A motion to Approve w/Conditions was made by Mr. Gussman, the motion result was:
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Apperson, Dunn, Gussman, Roadley
Absent: Waltrip

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

Resolution of Appreciation presentation to John Hughes

G. ADJOURNMENT

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

The meeting adjourned at 5:20 p.m.



William Apperson
Chair, Wetlands Board



Michael Woolson
Secretary to the Board