

MINUTES
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building D
September 8, 2021
5:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for September 8, 2021, 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, Chairman
Halle Dunn
David Gussman
Charles Roadley
Larry Waltrip

Board Members Absent:

None

Other Staff Present:

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

C. MINUTES

1. Minutes from July 14, 2021, 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. WJPA-21-0043/VMRC-2021-1556 : 3475 Westport

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Mr. Matthew Roth, Roth Environmental, LLC, on behalf of Mr. Ryan Lee, Westport Neighborhood Association, Inc., who has applied for a wetlands permit to install a kayak/canoe launch and community pier located at 3475 Westport in the Gordons Creek watershed. The property is further identified as James City County Parcel Number 3620500001A. The presentation described the current site conditions, proposed construction, and mitigation with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Waltrip inquired of the construction process for the pier.

Mr. Apperson opened the Public Hearing.

A. Mr. Matthew Roth, Roth Environmental, LLC, described the current site conditions and proposed construction of the decking and pier.

Mr. Roadley inquired of the mitigation that would be purchased.

A. Mr. Roth replied, one-hundredth of an acre of non-tidal credits, around 450 square feet.

Mr. Apperson inquired when the pier is being constructed, that adjustments in the even spacing adjustments are made for the pier to avoid damage to cypress knees. He also inquired about phragmites present on-site and future control.

A. Mr. Roth replied that phragmites are farther down the creek. The contractor will avoid damaging the cypress knees.

Mr. Roadley inquired about the jurisdiction of the project.

Discussion ensued.

A. Mr. Roth explained the jurisdiction of the project.

B. Ms. Sally Walls, with Ford's Colony Homeowners Association, 103 Plantation Drive, Williamsburg, York County resident, was available to answer questions from the Board.

C. Mr. Justin Worell, Virginia Marine Resources Commission (VMRC), was available to answer questions from the Board and commented on the case.

Mr. Apperson closed the Public Hearing.

Ms. Liz Parman stated that the applicant needs to request a deferral or the Board must make a decision tonight.

Mr. Apperson reopened the Public Hearing.

A. Mr. Roth asked for a deferral.

2. WJPA-21-0045/VMRC-2021-1575 : 541 Neck - O - Land

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Mr. Tim Davis, Vanasse Hangen Brustlin, Inc. (VHB), on behalf of Mr. Justin Doyle, James River Association, and the National Park Service/Colonial National Historic Park, who has applied for a wetlands permit to install a dock, kayak and canoe launch, landing and gangway located at 541 Neck-O-Land, in the Mill Creek watershed. The property is further identified as James City County Parcel Number 5610100001. The presentation described the current site conditions, proposed construction, and mitigation with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Apperson opened the Public Hearing.

A. Mr. Tim Davis, VHB, was available to answer questions from the Board.

Mr. Roadley inquired if there was 493 square feet of uplands that would be restored.

A. Mr. Tim Davis replied there is ample amount of mitigation available to cover this project.

B. Mr. Justin Doyle, James River Association, was available to answer questions from the Board.

Mr. Apperson closed the Public Hearing.

Mr. Dunn made a motion to adopt the Resolution to grant the permit for Wetlands Board Case No. WJPA-21 -0045/VMRC 21- 1575 at 541 Neck-O-Land.

The motion to Approve with Conditions was made by Mr. Dunn, the motion result:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Dunn, Apperson, Gussman, Roadley, Waltrip

Nays: None

Absent: None

3. WJPA-21-0047/VMRC-2021-1609 : 1489 John Tyler Highway

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Mrs. Amy and Mr. Jeffrey VandeSand, who have applied for a wetlands permit to install a sill, beach nourishment, and bank grading located at 1489 John Tyler Highway in the Gordons Creek watershed. The property is further identified as James City County Parcel Number 3430300004. The presentation described the current site conditions, proposed construction, and mitigation with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Apperson opened the Public Hearing.

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

Mr. Apperson closed the Public Hearing.

Mr. Roadley made a motion to adopt the Resolution to grant the permit for Wetlands Board Case No. WJPA-21 -0047/VMRC-21- 1609 at 1489 John Tyler Highway.

The motion to Approve with Conditions was made by Mr. Roadley, the motion result:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Dunn, Apperson, Gussman, Roadley, Waltrip

Nays: None

Absent: None

E. BOARD CONSIDERATIONS

None.

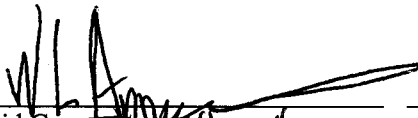
F. MATTERS OF SPECIAL PRIVILEGE

None.

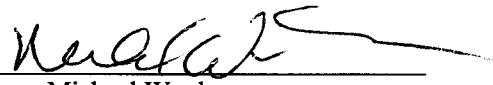
G. ADJOURNMENT

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

The meeting adjourned at 6:07 p.m.



David Gussman
Chair, Chesapeake Bay Board
Wetlands
William Apperson



Michael Woolson
Secretary to the Board