

# APPROVED 11/2/2015

## **VIRGINIA:**

The Charles City County Wetlands Board held a public hearing on October 6, 2014 in the 238<sup>th</sup> year of the Commonwealth, and in the 380<sup>th</sup> year of the County.

**PRESENT:** Charles H. Carter, III, Chairman  
E. Van Pearce, Vice – Chairman  
Robert Walls

**OTHERS:** Matthew D. Rowe, Planning Director  
Denise D. Williams, GIS Technician - Planning Clerk  
Mike Johnson, Virginia Marine Resources Commission (VMRC)  
Karla Havens, Mid-Atlantic Resource Consulting (MARC)

**ABSENT:** A. Norman Hofmeyer, Jr.  
Clyde L. Miles

CHAIRMAN, Charles H. Carter, called the public meeting of the Charles City County Wetlands Board to order at 6:00 p.m.

Planning Director, Matthew D. Rowe, conducted the roll call of member and determined that a quorum of the Wetlands Board was present.

## **MINUTES:**

Minutes of the March 5, 2014 meeting were considered by the Board. The motion to approve the minutes as presented was made by Mr. Robert Walls and seconded by Mr. E. Van Pearce and carried unanimously by a vote of 3:0.

## **UNFINISHED BUSINESS:**

Mr. Charles H. Carter, Chairman asked the Board for any unfinished business.

There was none.

## **PUBLIC HEARING: HAMER, LESLEY C. , APPLICATION#: 14-1101 (T.M. # 80-2,3)**

Mr. Charles H. Carter, Chairman, explained the Board's procedure for conducting public hearings and the appeal process. He next asked the Board to make comment on the completeness of Application #14-1101. The Board certified that the application was complete. Mr. Carter read the legal advertisement stating that the applicant is asking the board for a permit to construct 423 LF of stone revetment with associated bank grading along a portion of the James River shoreline identified as 16951 Sandy Point Road.

Mr. Rowe, Planning Director, read the staff report and describe the site's condition for tonight's meeting. The site consists of an already sloped and stable 15" tall turf grass bank and the existing home is approximately 180' away from the shoreline. The shoreline is protected by an existing stone revetment which has been deemed by the applicant to have not been constructed properly. There appears to be no active uplands erosion or tidal erosion where the existing revetment is located. The proposed work is to correct any deficiencies of the existing stone revetment and construct an additional 47 LF of stone revetment that would tie into the adjacent parcel's proposed stone revetment and graded bank. VIM's guidance is to enhance and maintain the existing marsh and riparian buffer. Staff respectfully disagrees with VIM's assessment that the bank for both parcels is stable, since one can easily see the bank slowly creeping into the water on parcel 80-2. Staff noticed shoreline erosion and upland water seepage that has undercut and undermined the bank with vegetation and root-balls exposed on parcel 80-2. Staff addition, did not see any marsh grasses present to enhance or maintain, since it appears that the landward rate of erosion is not providing the gentle slope or area needed for marsh grasses to grow and thrive. Staff questions if any marsh vegetation would be able to survive due to near constant wave action. Staff is somewhat concerned about the potential impacts of the stone revetment on property located to the west, since it will abruptly end and taper upland at the western property line of parcel 80-2.

## APPROVED 11/2/2015

Chairman, Charles H. Carter asked if there were any comments or questions from the applicant and/or property owner.

Karla Havens spoke on behalf of the applicant pointing out that there is an existing bulkhead and stone that will be used and refurbished on the developed parcel. She then stated that on the undeveloped parcel that the buffer is going to be reestablished. She was uncertain about the ultimate placement of the extra "cut" soil for the sites. Mrs. Leslie Hammer, property owner, stated that the cut soil would be used to construct a driveway on the undeveloped parcel with the appropriate permits.

Chairman, Charles H. Carter opened the public hearing and asked for anyone wishing to speak on the application.

No one spoke. Mr. Carter closed the closed the public hearing and asked for Board discussion.

### Board Discussion:

The board discussed the application and Staff's report. Mr. Walls stated that he saw active shoreline erosion on the site and agreed that the proposed project would help solve the issue. He further stated that the Water Quality Impact Assessment mitigation must include the planting of trees since their roots will hold more soil in place and reduce upland erosion.

### MOTION:

Mr. Walls made a motion to approve the application as presented with the condition of the applicant obtaining an approved Water Quality Impact Assessment prior to the release of the Wetlands Permit. The motion was seconded by Mr. Pearce and carried by a vote of 3:0.

### **PUBLIC HEARING: SHELLMAN, STEPHEN M. & SHERRY L. , APPLICATION#: 14-1102 (T.M. # 80-4)**

Mr. Charles H. Carter is asked the Board to comment on application 14-1102, Stephan M. & Sherry L. Shellman, and determine if the application is complete. The Board certified that the application was complete. Mr. Carter read the legal advertisement stating that the applicant is requesting to construct a 200 LF of stone revetment with associated bank grading along a portion of the James River shoreline identified as 17001 Sandy Point Road.

Mr. Rowe read the staff report and other relevant information on the application. The site is currently developed with a dwelling and consists of a steep 15' tall bank with dense underbrush on its face. There appears to be no active uplands erosion, which means that the bank is likely being eroded by shoreline processes and/or unseen upland water seepage. The proposed project does indicate upland vegetation impacts and/or land disturbance since the project is to be accessed via a consolidated uplands access point and includes grading of the bank landward 30' to a stable 3:1 slope. He pointed out that this property and the adjacent property to the west are proposing to construct a connected stone revetment that not only addresses single property erosion issues but also addresses longer shoreline issues. The bank grading proposed with the project is to ensure that the bank would be consistent with other adjacent proposed activities/projects.

### Board Discussion:

The board discussed the application and staff report, and stated that they did not believe that planted marsh grasses as called for by the VIMS recommendation would survive on the high energy shoreline without an offshore breakwater. They then discussed the offshore depth and upland impacts of possibly regarding the bank to meet VIMS comments.

### MOTION:

Mr. Pearce moved to approve the application as presented, with the condition that an approved Water Quality Impact Assessment be obtained prior to the release of the Wetlands Permit. The motion was seconded by Mr. Walls and carried by a vote of 3:0.

### **PLANNING DIRECTOR**

Matthew Rowe gave a presentation on an existing project site in Charles City County along the Chickahominy River that had undergone total bank stabilization.

**PUBLIC COMMENT**

Mr. Charles Carter opened the floor for public comment.

There were none.

**ADJOURNMENT**

Chairman Carter declared the Wetlands Board meeting of October 6, 2014 was adjourned at 6:47 p.m.

Attested:

\_\_\_\_\_  
Charles H. Carter, III; Wetland Board Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Matthew D. Rowe, Wetlands Board County Staff

\_\_\_\_\_  
Date