A G E N D A
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23185
August 12, 2020
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from July 8, 2020, Regular Meeting

D. PUBLIC HEARINGS

1. Case No. WJPA 20-0024 / VMRC 20-1074 : 176 The Maine
2. Case No. WJPA 20-0023 / VMRC 20-1053 : 20 Marclay Road

E. BOARD CONSIDERATIONS

1. WJPA 19-0032 / VMRC 19-1124 : 7612 Uncles Neck
2. Permit Expiration Dates

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

AGENDA ITEM NO. C.1.

ITEM SUMMARY

DATE: 8/12/2020

TO: Wetlands Board

FROM: Michael Woolson, Wetlands Board Secretary

SUBJECT: Minutes from July 8, 2020, Regular Meeting

ATTACHMENTS:

	Description	Type
🗋	Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	8/8/2020 - 12:55 PM
Wetlands Group	Small, Toni	Approved	8/10/2020 - 8:54 AM
Publication Management	Daniel, Martha	Approved	8/10/2020 - 8:58 AM
Wetlands Group	Secretary, Wetland	Approved	8/10/2020 - 10:02 AM

M I N U T E S
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23185
July 8, 2020
5:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for July 8, 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
Charles Roadley
Michael O'Brien

Board Members Absent:
Larry Waltrip

Other Staff Present:
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 June 10, 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. WJPA 19-0021 / VMRC 19-0516 : 2711 Jolly Pond Road

Mr. Trevor Long, Watershed Planner, presented the permit request submitted by Ms. Karla Havens, Mid-Atlantic Resource Consulting on behalf of the owner, Mr. David and Mrs. Tonya Pegram, who has applied for a wetlands permit for the construction of a pier and boathouse on the property located at 2711 Jolly Pond Road, within the Gordon Creek watershed. The property is further identified as James City County Parcel No. 3520100015C. 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 on the surety for no net loss, protecting against the method of construction. He questioned the construction access, if it would be obtained from walking across the top of the piles or adjacent to the pier.

Mr. Trevor Long replied that construction would be from across the top of the piles.

Mr. Roadley discussion on tidal compensation at $19.00 a square foot for roughly 26 square feet of impact.

Mr. O'Brien inquired about the access to the project.

Mr. Long replied that the access will be from the land.

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

Mr. Roadley made a motion to Adopt the Resolution to grant the permit for Wetlands Board Case No. WJPA 19- 0021/VMRC 19 -0516 at 2711 Jolly Pond Road.

A motion to Approve w/Conditions was made by Mr. Gussman, the motion result was:
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Apperson, Dunn, Gussman, Roadley, O'Brien
Nays: None
Absent: Waltrip

E. BOARD CONSIDERATIONS

1. Introduction of Jeffrey P. Madden, Virginia Marine Resources Commission Engineer.

2. Michael Woolson discussion concerning expired wetlands permits. Board directed staff to explore making the expiration dates coincide with VMRC permits, which typically are a three year period.

Mr. Roadley stated that permits need to be date specific.

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 5:14 p.m.

AGENDA ITEM NO. D.1.

ITEM SUMMARY

DATE: 8/12/2020

TO: Wetlands Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Case No. WJPA 20-0024 / VMRC 20-1074 : 176 The Maine

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ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Resolution	Resolution
🗋	Presentation	Presentation
🗋	Application	Backup Material
🗋	Public Advertisement	Backup Material
🗋	APO Letter	Backup Material
🗋	APO Mailing List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Secretary, Wetland	Approved	8/10/2020 - 10:08 PM

WETLANDS BOARD CASE No. WJPA 20-0024/VMRC 20-1074. 176 The Maine
Staff Report for the August 12, 2020, Wetlands Board Public Hearing

This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Wetlands Board to assist them in making a recommendation on this assessment. It may be useful to members of the general public interested in this assessment.

EXISTING SITE DATA AND INFORMATION

Applicants:	Mr. David and Mrs. Diane Lee
Owner/Agent:	Mr. David Butler
Location:	176 The Maine
Parcel:	Lot 16, Section 3, First Colony
Parcel Identification No.:	4540200061
Watershed:	James River (HUC JL30)
Floodplain:	Zone VE - Coastal flood zone with wave action, base flood elevation determined to be 14 feet Mean Sea Level (MSL). This is a coastal flood zone with velocity hazard (wave action). Zone AE - Base flood elevation is determined to be 9 feet MSL.
Proposed Activity:	Remove and replace a portion of a pier, riprap revetment, and stairway extension and repair
Wetland Impacts:	Zero vegetated wetland impacts. 40 square feet of non-vegetated wetland impacts. 1,296 square feet of subaqueous bottom impact (not subject to local Wetlands Board jurisdiction).
Staff Contact:	Michael D. Woolson, Senior Watershed Planner Phone: 253-6823

PROJECT DISCUSSION

Mr. David Butler has applied for a wetlands permit on behalf of Mr. David and Mrs. Diane Lee to remove and replace a portion of a pier, riprap revetment, dock and stairway extension and repair, on property located at 176 The Maine within the James River watershed. The property is further identified as James City County Tax Map Parcel No. 4540200061.

There is an existing, failed wooden bulkhead on the property. Immediately behind this is a failed upland retaining wall. To repair these failures and to prevent future failures of the remaining bulkhead and retaining wall, a riprap revetment is proposed seaward of the bulkhead. The revetment extends seaward from the existing wall and will have a 12-foot bottom width. The construction of this revetment is from the water and includes a non-woven geotextile fabric overlain with Class 1 riprap core stone (150 lb. stone), two layers of Class 2 riprap armor stone (500 lb. stone), a buried toe at elevation -1.5 feet MSL and have a top elevation of 5 feet MSL. The permit drawing suggest that the bulkhead will be rebuilt in the area where it failed, with the revetment built seaward of the repaired bulkhead. The area behind the repaired bulkhead is now non-vegetated wetlands and is proposed to be filled, impacting 40 square feet.

The failed upland retaining wall on the western part of the property will not be rebuilt. The area is proposed to be filled with sand from an upland source which staff believes will not be stable at the existing slopes. The existing steps into the water will be repaired and extend over the new revetment. The area between the existing southern wall and existing bulkhead is proposed to be filled with sand which staff believes will not remain in place. The adjacent property has a revetment that is approximately 2 feet higher than this proposed revetment.

MITIGATION DISCUSSION

As published in *The Virginia Register* on July 11, 2005, the revised Wetland Mitigation Compensation Policy and Supplemental Guidelines, Regulation 4VAC 20-390-10 et seq., Virginia, as a Chesapeake Bay Program partner, is committed to "achieve a no-net loss of existing wetlands acreage and function in the signatories' regulatory programs." In order for a proposed project to be authorized to impact wetlands and compensate for the wetland loss in some prescribed manner, the following three criteria must be met:

1. All reasonable mitigative efforts, including alternative siting, which would eliminate or minimize wetland loss or disturbance must be incorporated in the proposal; and

2. The proposal must clearly be water dependent in nature; and

3. The proposal must demonstrate clearly its need to be in the wetlands and its overwhelming public and private benefits.

If the proposed project cannot meet one or more of the above criteria, the project must be denied or must occur in areas outside of wetlands. Should it satisfy all three criteria, however, compensation for the wetland loss is required. The sequence of acceptable mitigation options should be as follows: on-site, off-site within the same watershed, mitigation bank(s) in the same watershed or a payment of an in-lieu fee. If compensation is required, it should be a condition of the permit.

Staff has reviewed this application and finds that this project meets the three criteria outlined above. As there are no vegetated wetland impacts, no mitigation is required.

STAFF RECOMMENDATIONS

Staff cannot recommend approval of the application as presented. Should the Board wish to approve the application, staff suggests the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary local, state, and/or federal permits required for the project; and

2. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approval and permits prior to commencement of such activities; and

3. All backfill shall be soil, similar in texture to the existing soil, and not sand; and

4. All disturbed soil shall be stabilized accordingly; and

5. The failed upland retaining wall shall not be replaced; and

6. The top of the revetment be at elevation 7 feet MSL; and

7. The Wetlands Permit for this project shall expire on August 12, 2021, if construction has not begun; and

8. If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than July 1, 2021, six weeks prior to the expiration date.

MDW/md
WJPA20-24-176TheMaine

Attachment:
1. Resolution

R E S O L U T I O N

CASE NO. WJPA 20-0024/VMRC 20-1074. 176 THE MAINE

JAMES CITY COUNTY WETLANDS PERMIT

WHEREAS, Mr. David and Mrs. Diana Lee (the "Applicants"), have applied to the Wetlands Board of James City County (the "Board") to request a permit to use and develop in areas designated as wetlands on property identified as James City County Real Estate Tax Parcel No. 4540200061 and further identified as 176 The Maine (the "Property") as set forth in the application WJPA 20-0024/VMRC 20-1074; and

WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, BE IT RESOLVED that the Wetlands Board of James City County, Virginia, following a public hearing, by a majority vote of its members FINDS that:

1. The anticipated public and private benefit of the proposed activity in the wetlands exceeds its anticipated public and private detriment.

2. The proposed development conforms to the standards prescribed in Section 28.2-1308 of the Code of Virginia, and the guidelines promulgated pursuant to Section 28.2-1301 of the Code of Virginia.

3. The proposed activity does not violate the purpose and intent of Chapter 22 of the James City County Code or Sections 28.2-1300 et. seq. of the Code of Virginia.

4. In granting this Wetlands Permit, the following conditions are hereby imposed:

    a. The applicants must obtain all other necessary local, state, and/or federal permits required for the project; and

    b. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities; and

    c. All backfill shall be soil, similar in texture to the existing soil, and not sand; and

    d. All disturbed soil shall be stabilized accordingly; and

    e. The failed upland retaining wall shall not be replaced; and

    f. The top of the revetment be at elevation 7 feet Mean Sea Level; and

    g. The existing pier and piles to be removed, failed bulkhead and failed retaining wall shall be disposed of in an approved landfill; and

h. The Wetlands Permit for this project shall expire on August 12, 2021, if construction has not begun; and

i. If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than July 1, 2021, six weeks prior to the expiration date.

William Apperson
Chairman, Wetlands Board

Michael Woolson
Secretary to the Board

Adopted by the Wetlands Board of James City County, Virginia, this 12th day of August, 2020.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20___ IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

WJPA20-24-176TheMaine-res

Wetlands Board
of James City County, Virginia

August 12, 2020

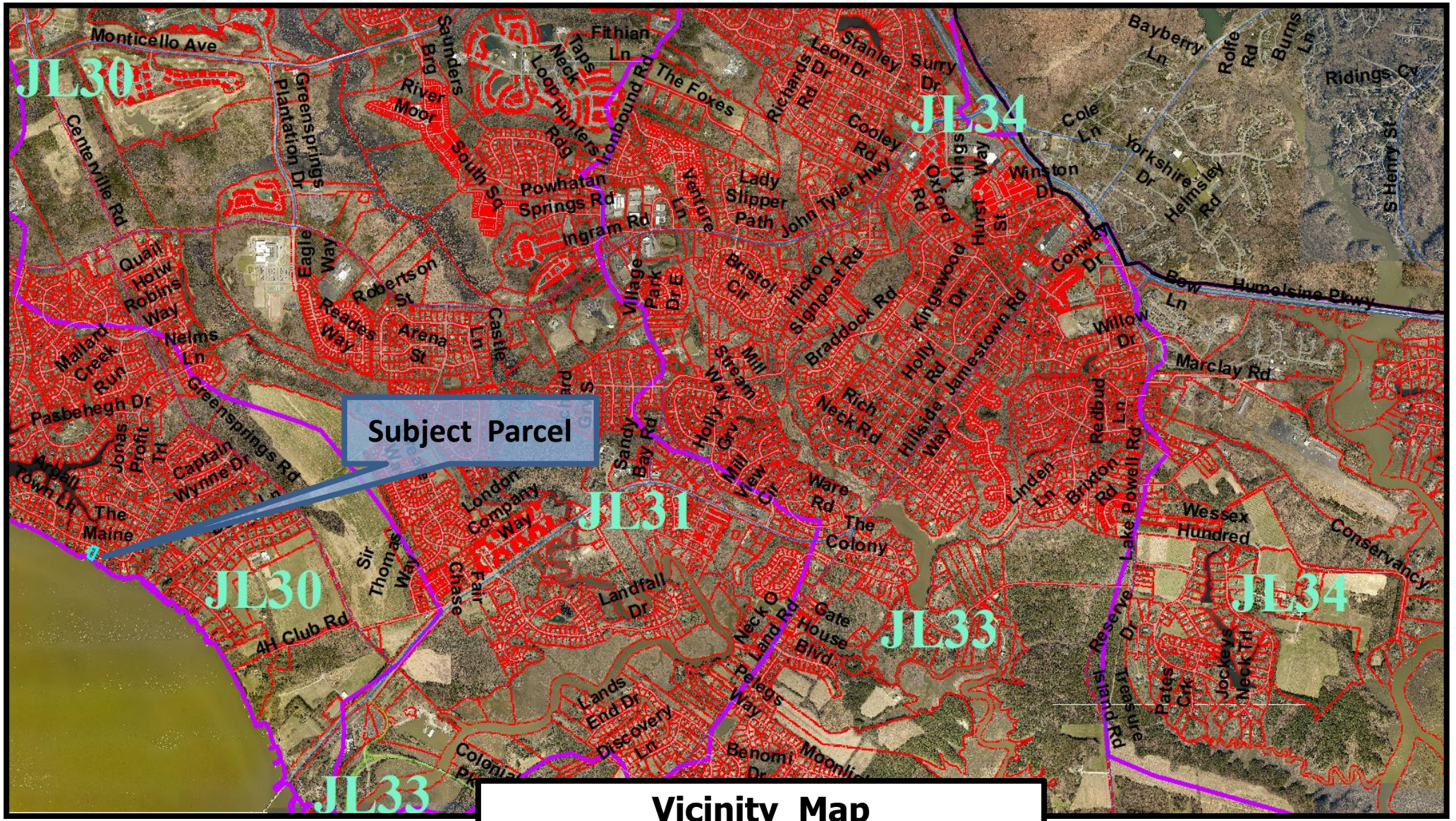
WJPA 20-0024

David and Diane Lee

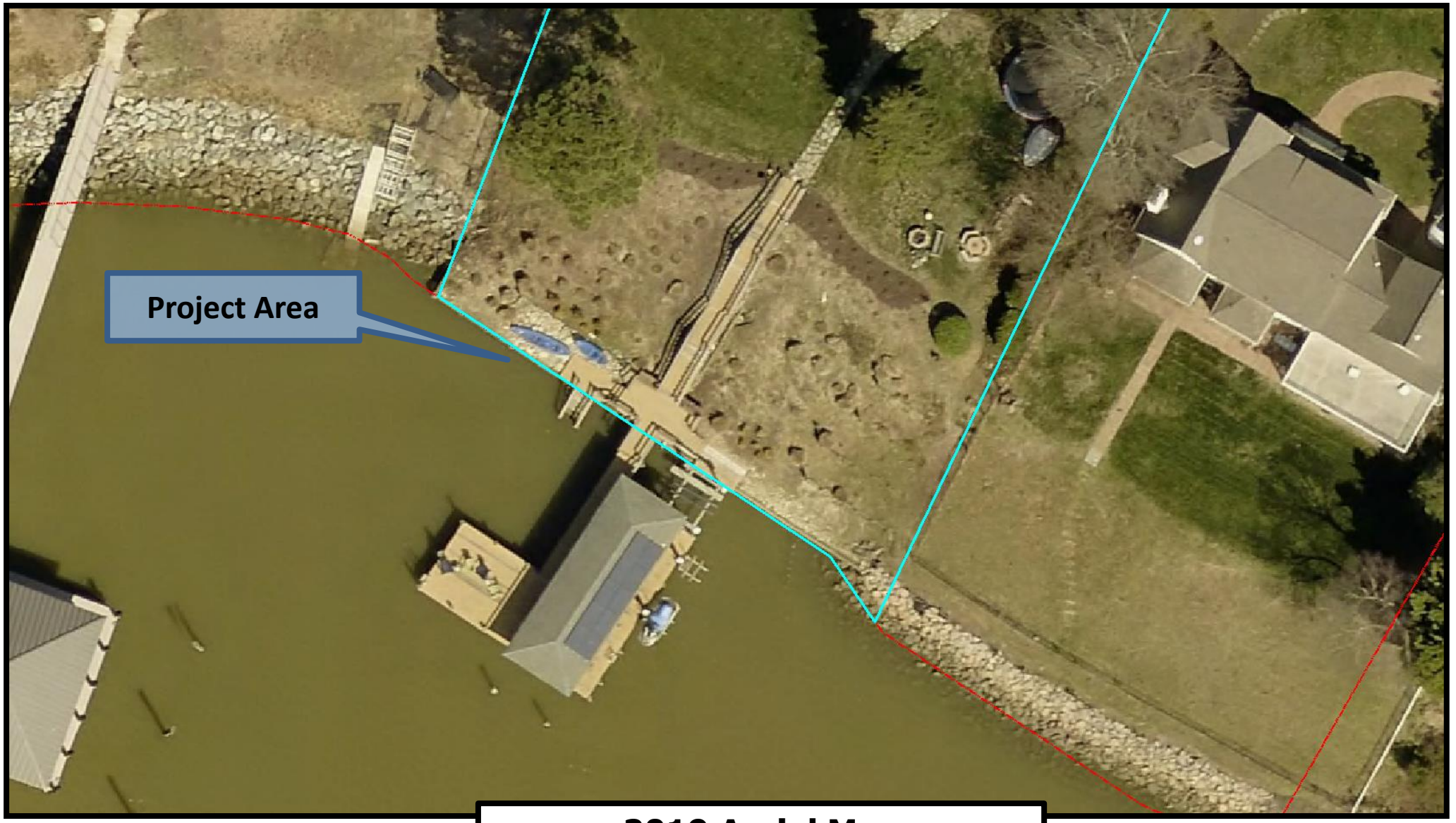
176 The Maine

Applicant Request

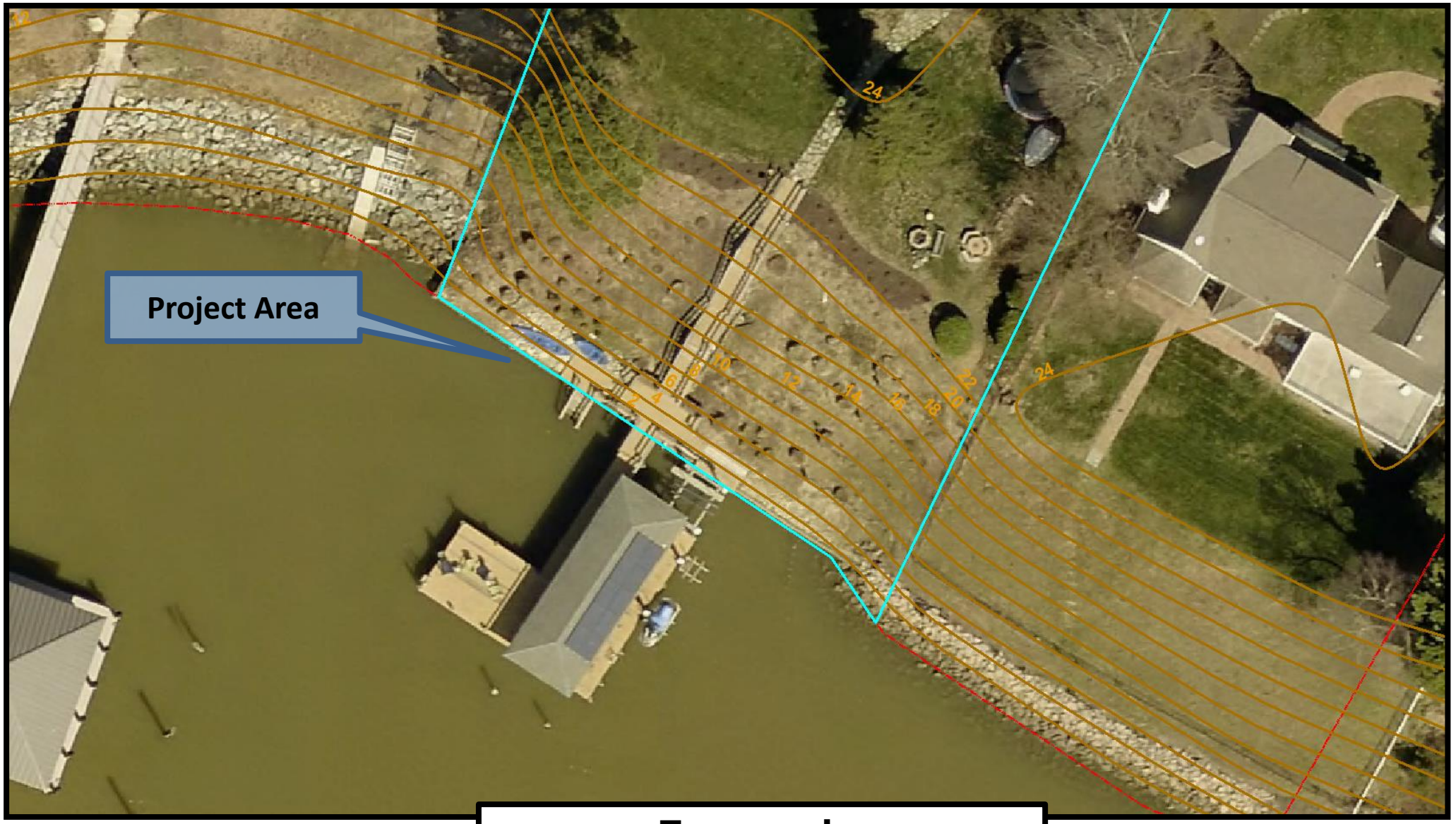
- ✓ Replacement of a pier, construct an additional adjacent pier, bulkhead repair, riprap revetment, dock and stairway extension and repair.



Vicinity Map
WJPA 20-0024
176 The Maine

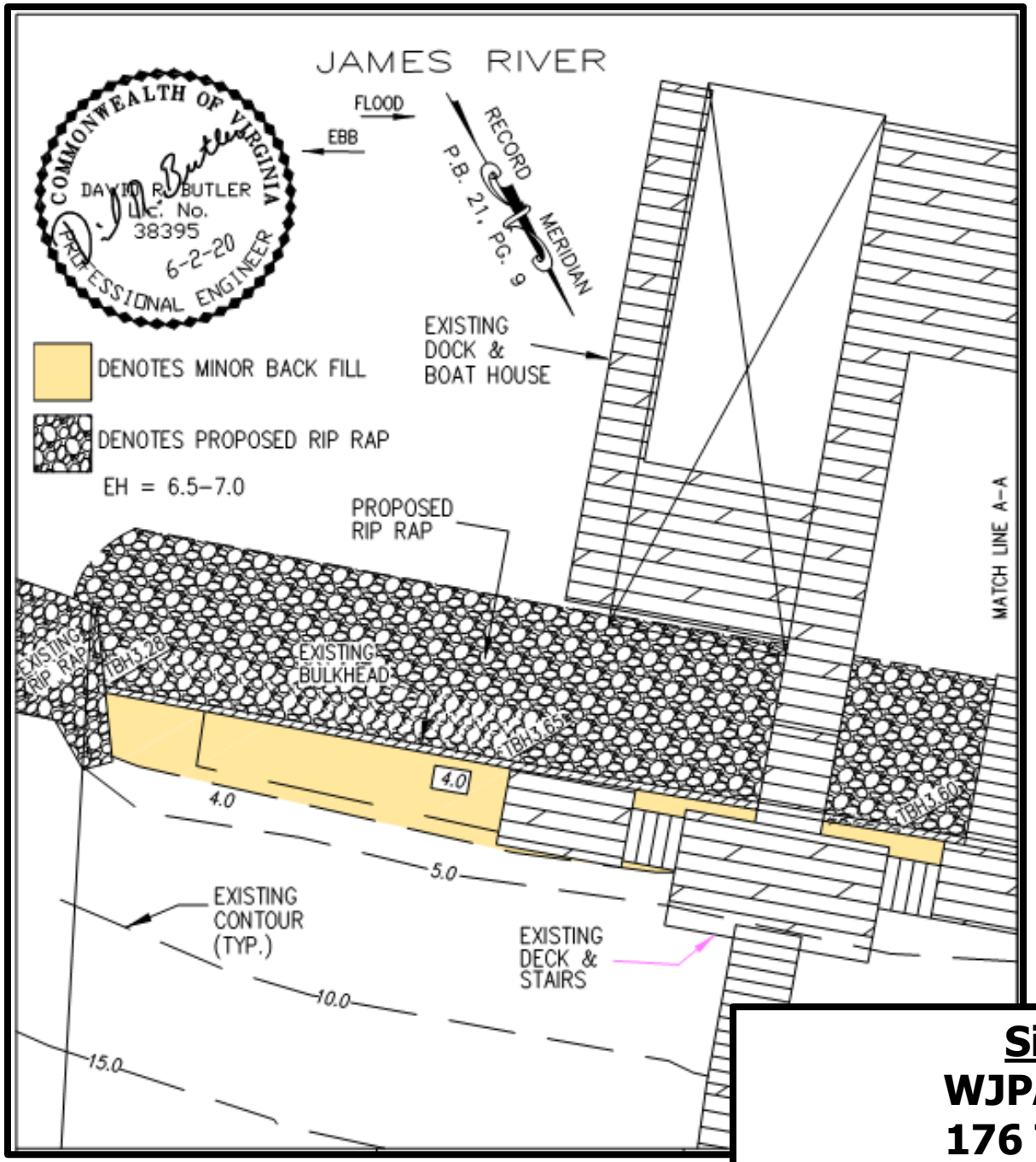


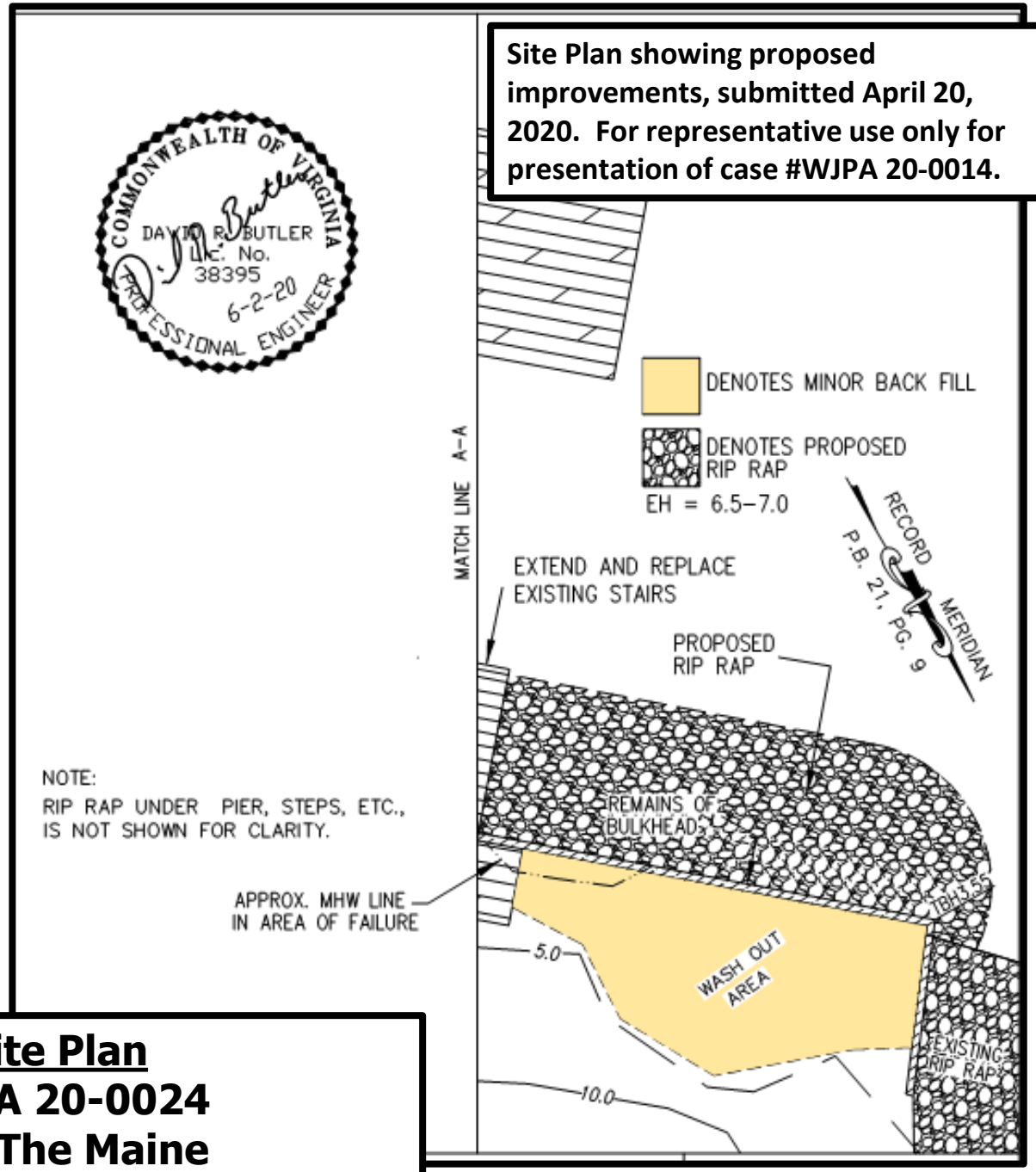
2019 Aerial Map
WJPA 20-0024
176 The Maine



Topography
WJPA 20-0024
176 The Maine

Floodplain
WJPA 20-0024
176 The Maine





Site Plan showing proposed improvements, submitted April 20, 2020. For representative use only for presentation of case #WJPA 20-0014.

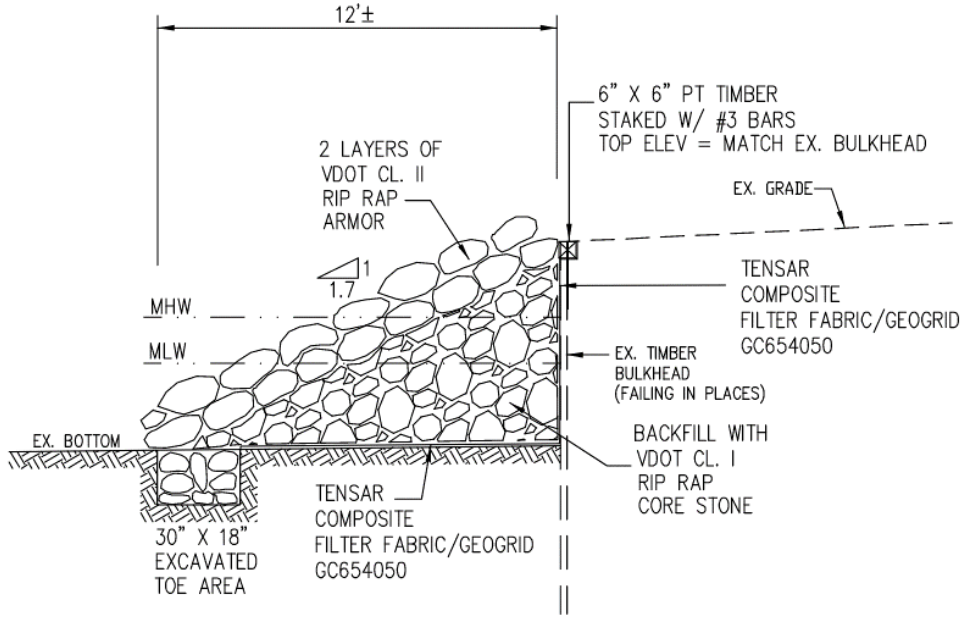
Site Plan
WJPA 20-0024
176 The Maine

Site Plan showing proposed improvements, submitted June 22, 2020. For representative use only for presentation of case #WJPA 20-0024.

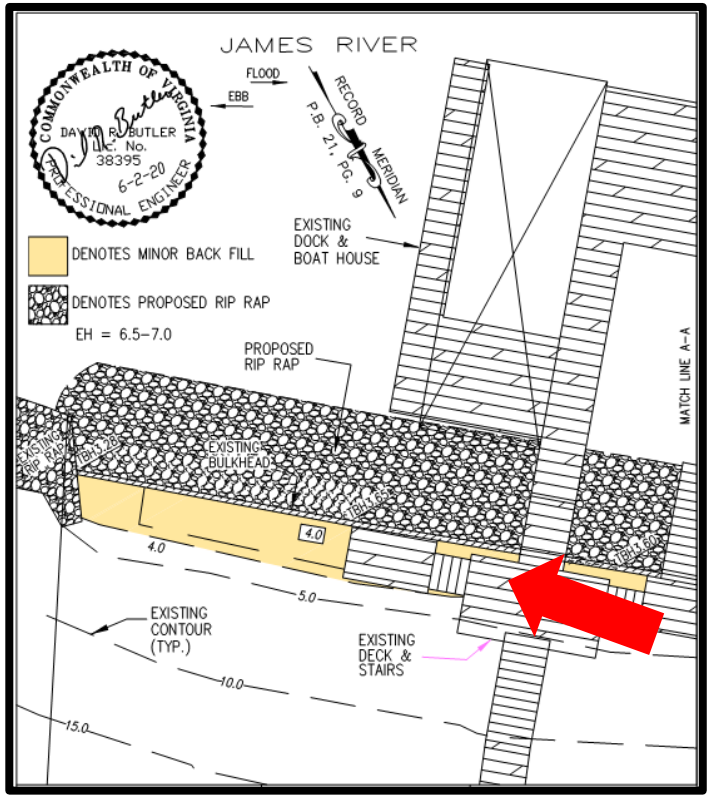
NOTES:

1. CLASS I RIP RAP SHALL 50 LBS–150 LBS PER ROCK WITH 60% BEING GREATER THAN 100 LBS
2. CLASS II RIP RAP SHALL 150 LBS–500 LBS PER ROCK WITH 60% BEING GREATER THAN 300 LBS
3. SETTLEMENT OF THE RIP RAP DURING INSTALLATION SHOULD BE ANTICIPATED

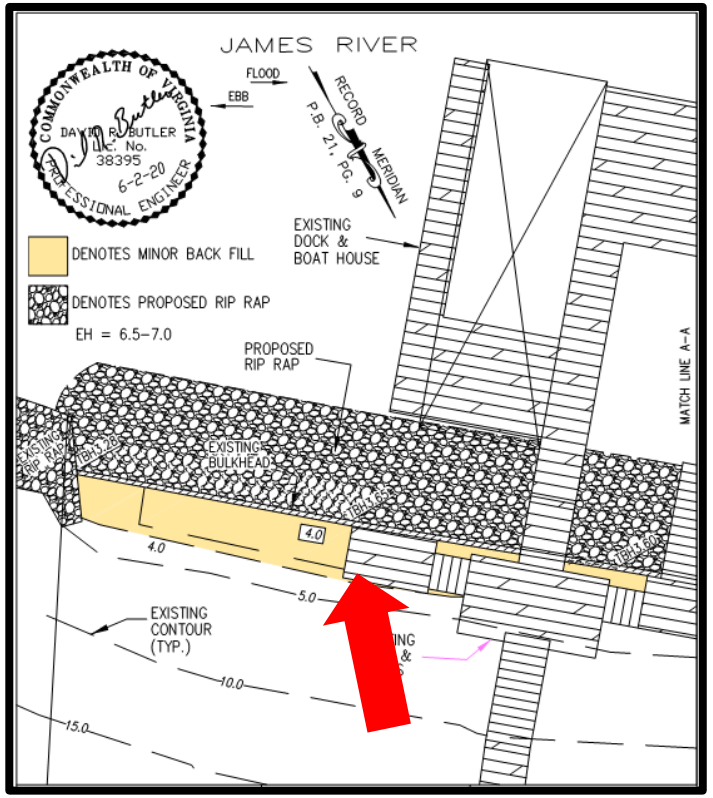
COMMONWEALTH OF VIRGINIA
DAVID R. BUTLER
LIC. No. 38395
6-2-20
PROFESSIONAL ENGINEER



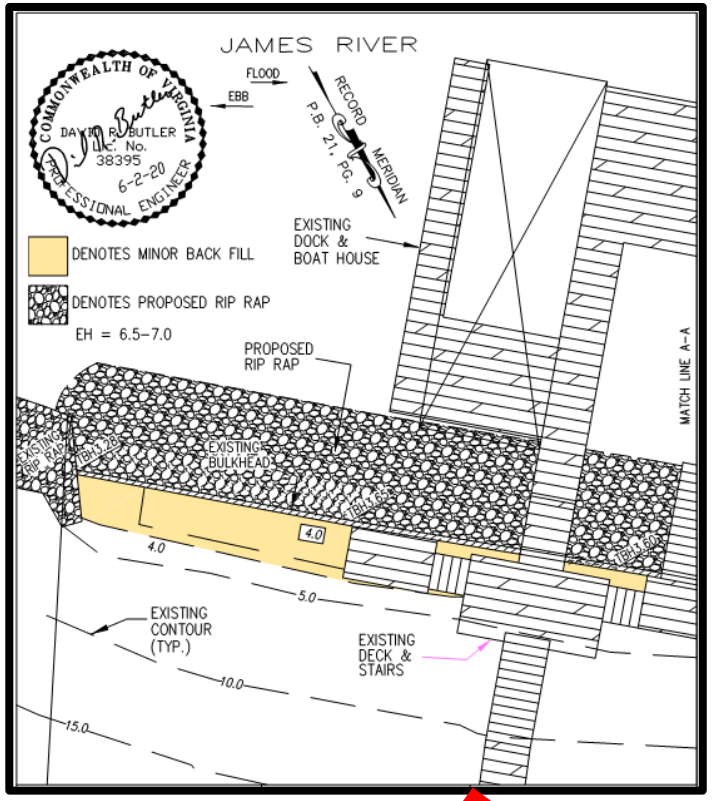
Cross Section
WJPA 20-0024
176 The Maine

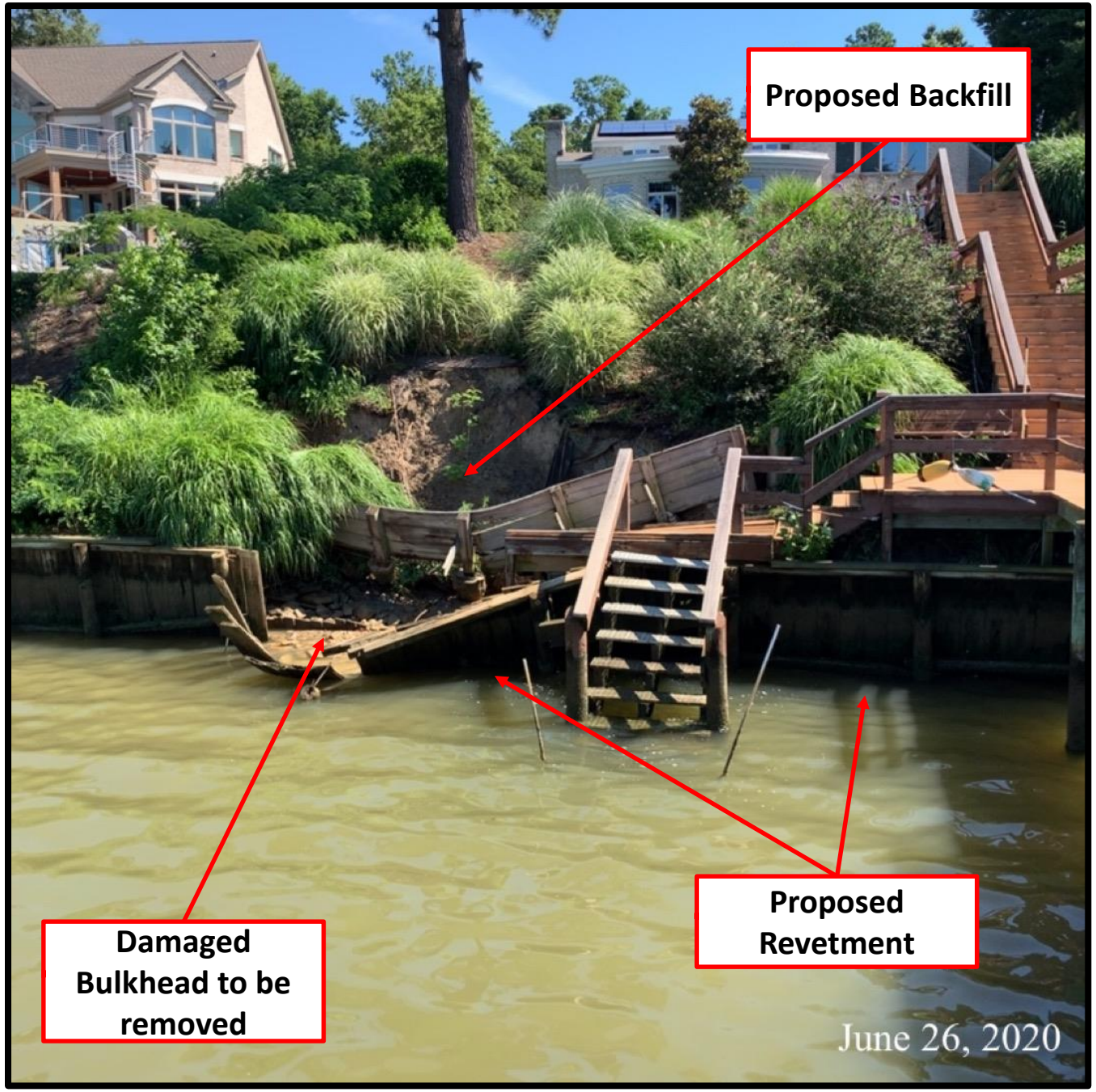


Site Photo #1
WJPA 20-0024
176 The Maine

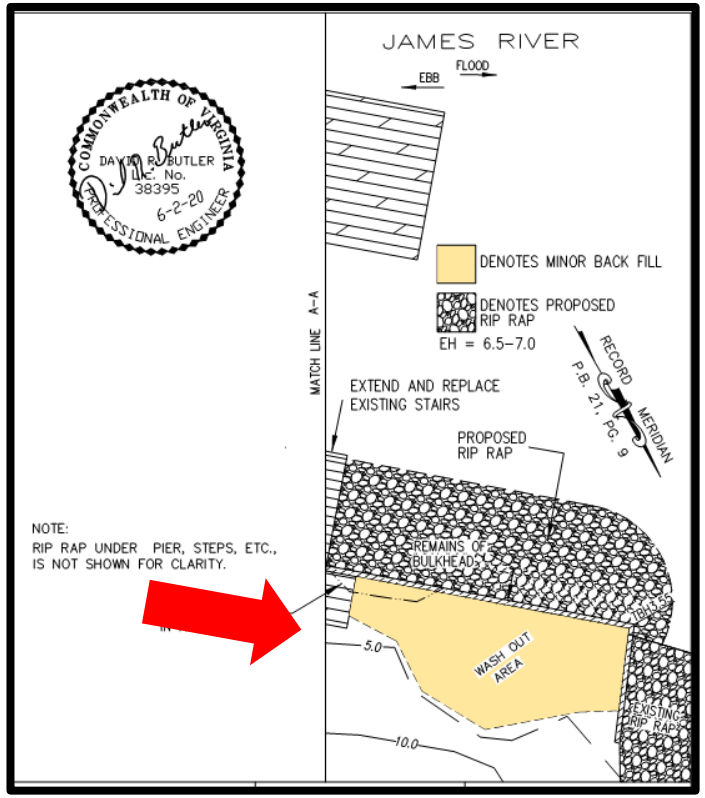


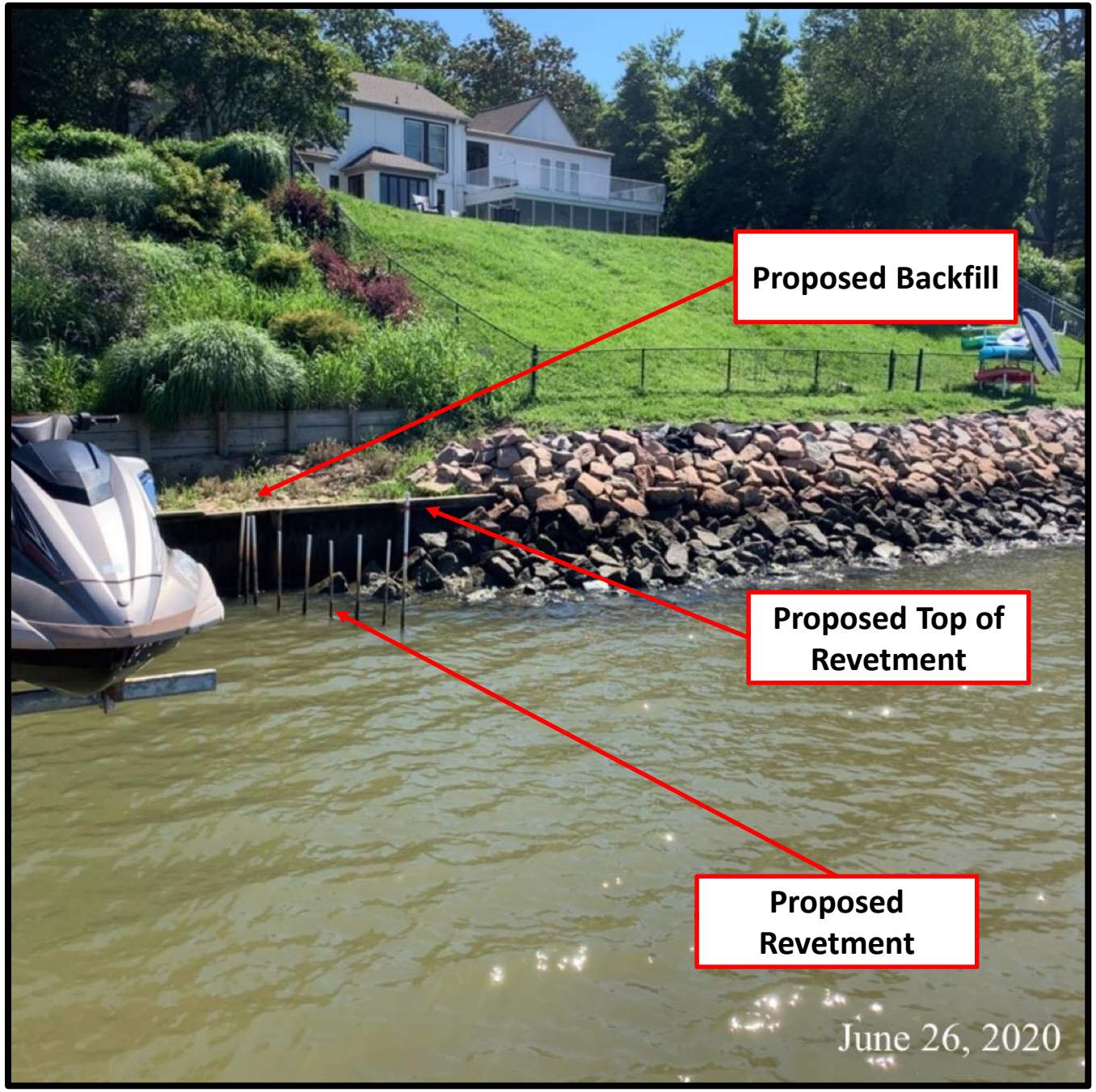
Site Photo #2
WJPA 20-0024
176 The Maine



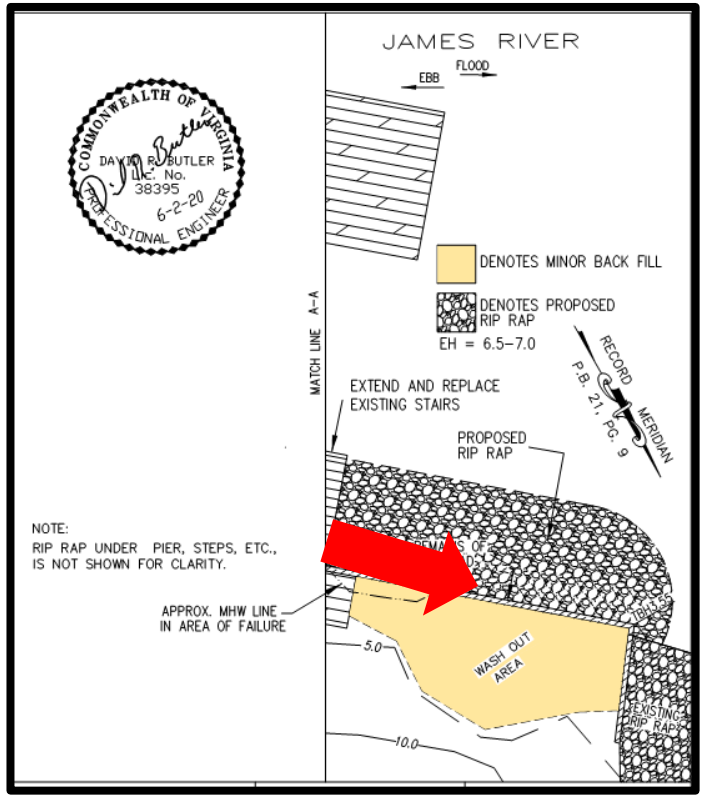


Site Photo #3
WJPA 20-0024
176 The Maine

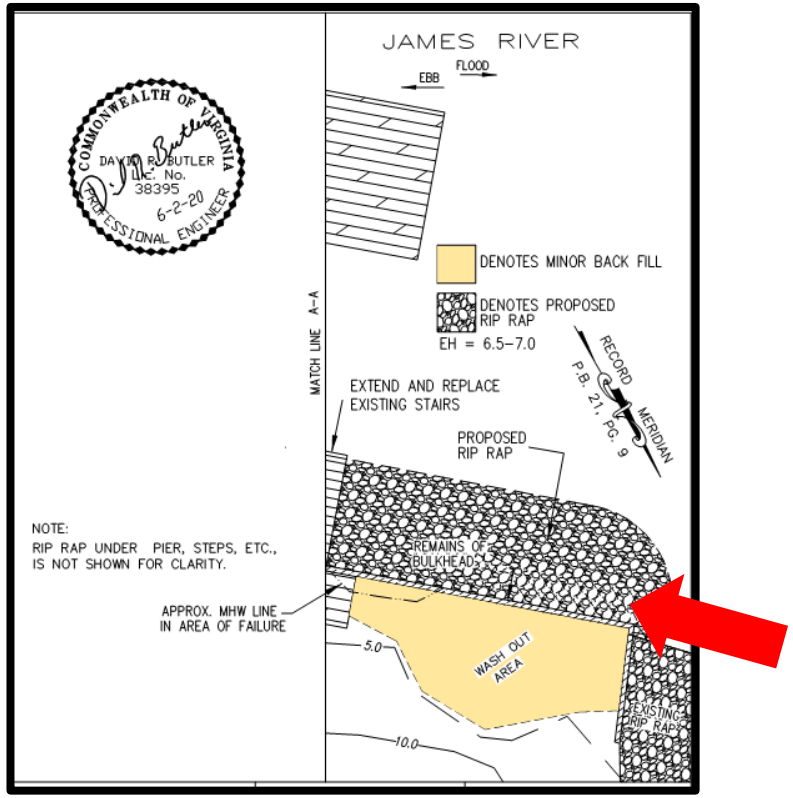


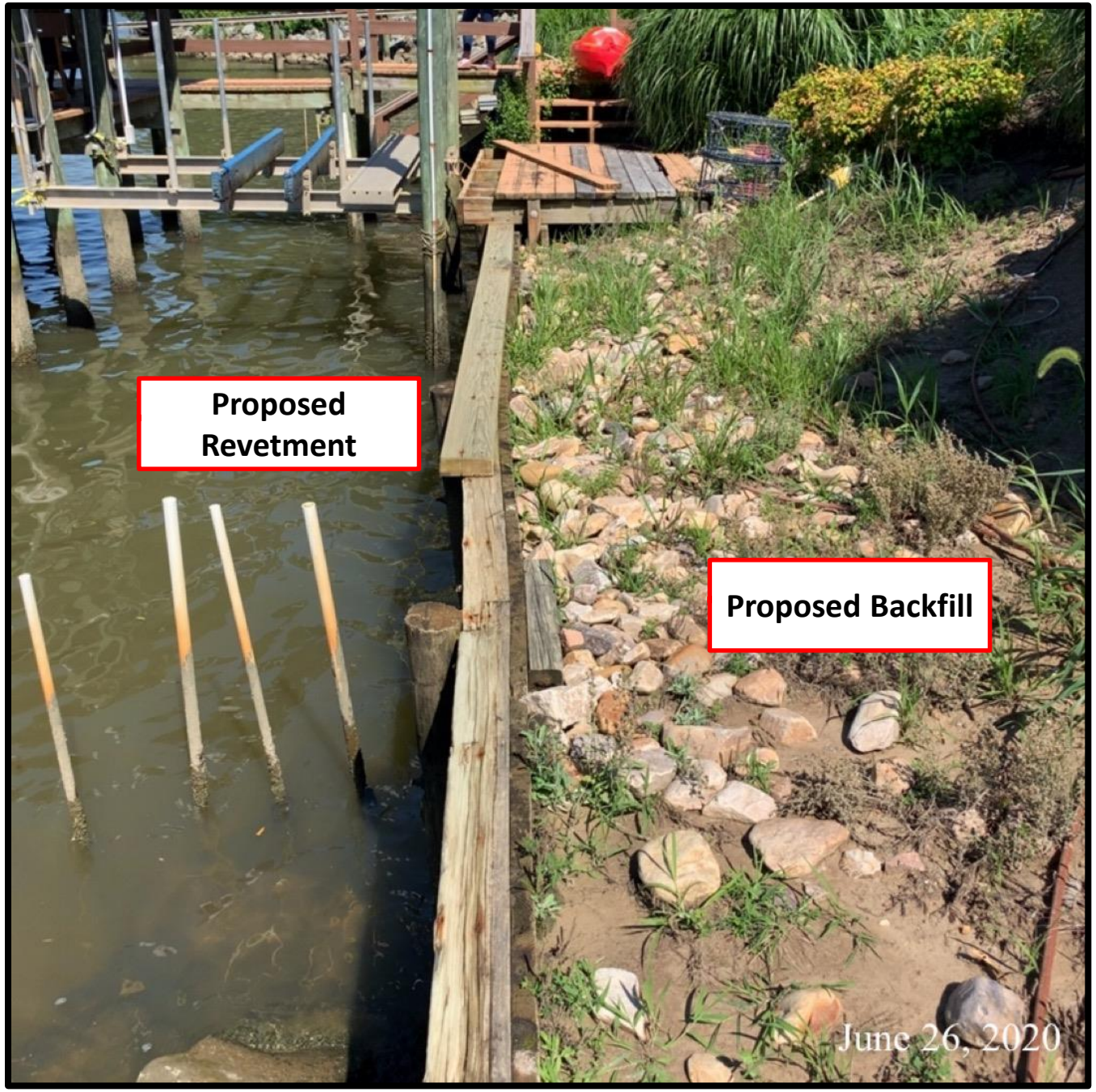


Site Photo #4
WJPA 20-0024
176 The Maine



Site Photo #5
WJPA 20-0024
176 The Maine





Site Photo #6
WJPA 20-0024
176 The Maine

Permit Conditions

Staff Recommended Conditions

- ✓ The applicant must obtain all other necessary local, state, and/or federal permits required for the project.

- ✓ All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approval and permits prior to commencement of such activities.

Permit Conditions

Staff Recommended Conditions, continued

- ✓ All soil backfill material shall be a clayey sand mixture.
- ✓ All disturbed soil shall be stabilized accordingly.
- ✓ The failed retaining wall and the failed portion of the bulkhead shall not be rebuilt.
- ✓ The top of the revetment shall be at elevation 7 ft. mean sea level.

Permit Conditions

Staff Recommended Conditions, continued

- ✓ The existing pier and piles to be removed, failed bulkhead and failed retaining wall shall be disposed of in an approved offsite disposal site.

- ✓ The Wetlands Permit shall expire on August 12, 2021, if construction has not begun.

- ✓ If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than July 1, 2021, six weeks prior to the expiration date.

From: Irma
To: Beth Howell
Subject: Lee Residence - 176 The Maine, Williamsburg
Date: Monday, June 22, 2020 4:03:42 PM
Attachments: [redacted]

Afternoon Ms. Howell - Attached is our JPA package for the above referenced property. Please forward to the review agencies. If you have any questions, please contact us. Thank you.

--

Irma L. Costa
Office Manager

GALLUP SURVEYORS & ENGINEERS
Celebrating 80 years in business!
323 First Colonial Road
Virginia Beach, VA 23454

Phone: (757) 428-8132
Fax: (757) 425-2390
irma@gallupsurveyors.com
www.gallupsurveyors.com

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Receive by VMRC June 22, 2020 /blh

- ❖ DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (http://www.deq.virginia.gov/Locations.aspx). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- ❖ VMRC: An application fee of $300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are $25.00 for projects costing $10,000 or less and $100 for projects costing more than $10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 20-1074

APPLICANTS
Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

Check all that apply		
Pre-Construction Notification (PCN) ☐ NWP # _____ *(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)*	Regional Permit 17 (RP-17) ☒	

County or City in which the project is located: James City County
Waterway at project site: James River

PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre-application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)

Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html

Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

Receive by VMRC June 22, 2020 /blh

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:

David M. & Diane K. Lee
176 The Maine
Williamsburg, VA 23185
Email: DAVID@DAVIDMLEELAW.COM

Home (____)_____
Work (____)_____
Fax (____)_____
Cell (757)561-3020
e-mail _____

State Corporation Commission Name and ID Number (if applicable) _____

2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:

Home (____)_____
Work (____)_____
Fax (____)_____
Cell (____)_____
e-mail _____

State Corporation Commission Name and ID Number (if applicable) _____

3. Authorized agent name* and complete mailing address (if applicable): Contact Information:

David R. Butler
323 First Colonial Road
Virginia Beach, VA 23454
Email: DAVE@GALLUPSURVEYORS.COM

Home (____)_____
Work (757)428-8132
Fax (757)425-2390
Cell (____)_____
e-mail dave@gallupsurveyors.c

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

Install class I and II rip rap seaward of an existing timber bulkhead. One area of the bulkhead has failed. Construction access will be from the seaward side via barge. Repair and extend stairs from the existing bulkhead cap to the water. Remove an existing section of pier and install a new section of pier. Piles will be driven via a vibratory hammer. 16 piles, 8" diameter, will be used for the pier.

1,296 sq. ft. of subaqueous bottom will be impacted. 40 sq. ft. of newly formed non vegetated wetlands will be converted to rock habitat. 231 sq. ft. of non vegetated rock habitat will be created along the plane of the new rip rap.

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complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address:

Contact Information:
Home (____)_____
Work (____)_____
Fax (____)_____
Cell (____)_____
email _____

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:
Virginian Pilot
150 W. Brambleton Avenue
Norfolk, VA 23510

Telephone number
(757) 622-1455

7. Give the following project location information:
Street Address (911 address if available) 176 the Maine
Lot/Block/Parcel# Lot 61, Section 3
Subdivision First Colony
City / County James City County ZIP Code_____
Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
N 37-14-09.01 / - W 76-48-06.62 (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

N/A

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."

Primary purpose is to halt erosion. Secondary purpose is to provide water access.

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Part 1 - General Information (continued)

9. Proposed use (check one):
   x Single user (private, non-commercial, residential)
   ___ Multi-user (community, commercial, industrial, government)

10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*

No clearing. Work will be performed from the water side via barge and heavy equipment.

11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? ___Yes x No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.

12. Approximate cost of the entire project (materials, labor, etc.): $ 86,030
    Approximate cost of that portion of the project that is channelward of mean low water: $75,000

13. Completion date of the proposed work: September 30 2020

14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

1. Paul David and Karen S Reilly
   198 The Maine
   Williamsburg, VA 23185

2. Robert L. and Jill H. Swain
   178 The Maine
   Williamsburg, VA 23185

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Part 2 - Signatures

1. Applicants and property owners (if different from applicant).
NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.
In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

David M. Lee

Applicant's Legal Name (printed/typed)

Applicant's Signature

13 June 2020

Date

Diane K. Lee

(Use if more than one applicant)

X

(Use if more than one applicant)

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

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Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), David & Diane Lee, hereby certify that I (we) have authorized David R. Butler
(Applicant's legal name(s)) (Agent's name(s))
to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

(Agent's Signature) (Use if more than one agent)

6-14-20
(Date)

(Applicant's Signature) (Use if more than one applicant)

13 June 2020
(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), _____, have contracted _____
(Applicant's legal name(s)) (Contractor's name(s))
to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Contractor's name or name of firm

Contractor's or firms address

Contractor's signature and title

Contractor's License Number

Applicant's signature

(use if more than one applicant)

Date

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U.S. Army Corps
Of Engineers
Norfolk District

REGIONAL PERMIT 17 CHECKLIST

Please review the 18-RP-17 enclosure before completing this form and note 18-RP-17 can only be used for proposed PRIVATE USE structures that comply with the terms and conditions of 18-RP-17. Copies can be obtained online at http://www.nao.usace.army.mil/Missions/Regulatory/RBregional/.

YES☒ NO☐ **(1)** Has the permittee reviewed the 18-RP-17 enclosure and verified that the proposed structure(s) is in compliance with all the terms, conditions, and limitations of 18-RP-17?

YES☒ NO☐ **(2)** Does the proposed structure(s) extend no more than one-fourth of the distance across the waterway measured from either mean high water (MHW) to MHW (including all channelward wetlands) or ordinary high water (OHW) to OHW (including all channelward wetlands)?

YES☒ NO☐ **(3)** Does the proposed structure(s) extend no more than 300 feet from MHW or OHW (including all channelward wetlands)?

YES☒ NO☐ N/A☐ **(4)** Does the proposed structure(s) attach to the upland at a point landward of MHW or OHW (including all channelward wetlands)?

YES☐ NO☐ N/A☒ **(5)** If the proposed structure(s) crosses wetland vegetation, is it an open-pile design that has a maximum width of five (5) feet and a minimum height of four (4) feet between the decking and the wetland substrate?

YES☒ NO☐ N/A☐ **(6)** Does the proposed structure(s) include no more than two (2) boatlifts and no more than two (2) boat slips?

YES☒ NO☐ N/A☐ **(7)** Is the open-sided roof structure designed to shelter a boat ≤ 700 square feet and/or is the open sided roof structure or gazebo structure designed to shelter a pier ≤ 400 square feet?

YES☒ NO☒ N/A☐ **(8)** Are all piles associated with the proposed structure(s) non-steel, less than or equal to 12" in diameter, and will less than or equal to 25 piles be installed channelward of MHW?

YES☒ NO☐ N/A☐ **(9)** Is all work occurring behind cofferdams, turbidity curtains, or other methods to control turbidity being utilized when operationally feasible and federally listed threatened or endangered species may be present?

YES☒ NO☐ N/A☐ **(10)** If the proposed structure(s) is to be located within an anadromous fish use area, will the prospective permittee adhere to the anadromous fish use area time of year restriction (TOYR) prohibiting in-water work from occurring between February 15 through June 30 of any given year if (1) piles are to be installed with a cushioned impact hammer and there is less than 492 feet between the most channelward pile and mean low water (MLW) on the opposite shoreline or (2) piles are to be installed with a vibratory hammer and there is less than 384 feet between the most channelward pile and MLW on the opposite shoreline?

YES☒ NO☐ **(11)** Is all work occurring outside of submerged aquatic vegetation (SAV) mapped by the Virginia Institute of Marine Sciences' (VIMS) most recent survey year and 5 year composite?

YES☒ NO☐ **(12)** Has the permittee ensured the construction and/or installation of the proposed structure(s) will not affect federally listed threatened or endangered species or designated critical habitat?

YES☒ NO☐ **(13)** Will the proposed structure be located outside of Broad Creek in Middlesex County, Fisherman's Cove in Norfolk, or the Salt Ponds in Hampton?

YES☒ NO☒ **(14)** Will the proposed structure(s) be located outside of the waterways containing a Federal Navigation Project listed in Permit Specific Condition 12 of 18-RP-17 and/or will all portions of the proposed structure(s) be located more than 85 feet from the Federal Navigation Project?

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YES☒ NO☐ **(15)** Will the proposed structure(s) be located outside a USACE Navigation and Flood Risk Management project area?

YES☒ NO☐ **(16)** Will the proposed structure(s) be located outside of any Designated Trout Waters?

YES☒ NO☐ N/A☒ **(17)** If the proposed structure(s) includes flotation units, will the units be made of materials that will not become waterlogged or sink if punctured?

YES☐ NO☐ N/A☒ **(18)** If the proposed structure(s) includes flotation units, will the floating sections be braced so they will not rest on the bottom during periods of low water?

YES☒ NO☐ **(19)** Is the proposed structure(s) made of suitable materials and practical design so as to reasonably ensure a safe and sound structure?

YES☒ NO☐ **(20)** Will the proposed structure(s) be located on the property in accordance with the local zoning requirements?

YES☐ NO☐ N/A☒ **(21)** If the proposed structure(s) includes a device used for shellfish gardening, will the device be attached directly to a pier and limited to a total of 160 square feet?

YES☐ NO☐ N/A☒ **(22)** If the proposed structure(s) includes a device used for shellfish gardening, does the permittee recognize this RP does not negate their responsibility to obtain an oyster gardening permit (General Permit #3) from Virginia Marina Resources Commission (VMRC)'s Habitat Management Division? Please refer to Appendix D of the Tidewater JPA for more details on VMRC's aquaculture requirements.

YES☒ NO☐ **(23)** Does the permittee recognize this RP does not authorize any dredging or filling of waters the United States (including wetlands) and does not imply that future dredging proposals will be approved by the Corps?

YES☒ NO☐ **(24)** Does the permittee understand that by accepting 18-RP-17, the permittee accepts all of the terms and conditions of the permit, including the limits of Federal liability contained in the 18-RP-17 enclosure? Does the permittee acknowledge that the structures permitted under 18-RP-17 may be exposed to waves caused by passing vessels and that the permittee is solely responsible for the integrity of the structures permitted under 18-RP-17 and the exposure of such structures and vessels moored to such structures to damage from waves? Does the permittee accept that the United States is not liable in any way for such damage and that it shall not seek to involve the United States in any actions or claims regarding such damage?

IF YOU HAVE ANSWERED "NO" TO ANY OF THE QUESTIONS ABOVE, REGIONAL PERMIT 17 (18-RP-17) DOES NOT APPLY AND YOU ARE REQUIRED TO OBTAIN WRITTEN AUTHORIZATION FROM THE CORPS PRIOR TO PERFORMING THE WORK.

IF YOU HAVE ANSWERED "YES" (OR "N/A", WHERE APPLICABLE) TO ALL OF THE QUESTIONS ABOVE, YOU ARE IN COMPLIANCE WITH REGIONAL PERMIT 17 (18-RP-17). PLEASE SIGN BELOW, ATTACH, AND SUBMIT THIS CHECKLIST WITH YOUR COMPLETED JOINT PERMIT APPLICATION (JPA). THIS SIGNED CERTIFICATE SERVES AS YOUR LETTER OF AUTHORIZATION FROM THE CORPS. YOU WILL NOT RECEIVE ANY OTHER WRITTEN AUTHORIZATION FROM THE CORPS; HOWEVER, YOU MAY NOT PROCEED WITH CONSTRUCTION UNTIL YOU HAVE OBTAINED ALL OTHER NECESSARY STATE AND LOCAL PERMITS.

I CERTIFY THAT I HAVE READ AND UNDERSTAND ALL CONDITIONS OF THE REGIONAL PERMIT 17 (18-RP-17), DATED SEPTEMBER 2018, ISSUED BY THE US ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT REGULATORY BRANCH (CENAO-WRR), NORFOLK, VIRGINIA.

D. M. Bradley

Signature of Property Owner(s) or Agent

Date 6.15.20

Proposed work to be located at:
176 The Maine, Williamsburg, VA

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Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write "N/A" in the space provided.

Appendix A: Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. **Briefly describe your proposed project.**

   Remove an 18.5' x 16.6' section of pier and construct an 18' x 21' section of pier adjacent to an existing pier

2. **For private, noncommercial piers:**

   Do you have an existing pier on your property? x Yes ____ No
   If yes, will it be removed? ____ Yes x No
   Is your lot platted to the mean low water shoreline? x Yes ____ No
   What is the overall length of the proposed structure? 70 feet.
   Channelward of Mean High Water? 70 feet.
   Channelward of Mean Low Water? 70 feet.
   What is the area of the piers and platforms that will be constructed over
   Tidal non-vegetated wetlands 0 square feet.
   Tidal vegetated wetlands 0 square feet.
   Submerged lands 378 square feet.
   What is the total size of any and all L- or T-head platforms? 378 sq. ft.
   For boathouses, what is the overall size of the roof structure? (existing) sq. ft.
   Will your boathouse have sides? ____ Yes ____ No.

   NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § 28.2-1203 A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § 28.2-1205 for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § 28.2-1204.

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Part 3 – Appendices (continued)

3. **For USACE permits**, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information must be included before the application will be considered complete. For an application to be considered complete:

   a. The USACE MAY require depth soundings across the waterway at increments designated by the USACE project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.).
   b. The applicant MUST provide a justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands.
   c. The applicant MUST provide justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.

4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration #
Unknown (the pier is existing)				

5. For **Marinas, Commercial Piers, Governmental Piers, Community Piers and other non-private piers**, provide the following information:
   A) Have you obtained approval for sanitary facilities from the Virginia Department of Health?_____ (required pursuant to Section 28.2-1205 C of the Code of Virginia).
   B) Will petroleum products or other hazardous materials be stored or handled at your facility?_____.
   C) Will the facility be equipped to off-load sewage from boats?_____.
   D) How many wet slips are proposed?_____. How many are existing?_____.
   E) What is the area of the piers and platforms that will be constructed over
      Tidal non-vegetated wetlands _____ square feet
      Tidal vegetated wetlands _____ square feet
      Submerged lands _____square feet

6. For **boat ramps**, what is the overall length of the structure?_____feet.
   From Mean High Water?_____feet.
   From Mean Low Water?_____feet.

   Note: drawings must include the construction materials, method of installation, and all dimensions. If tending piers are proposed, complete the pier portion.
   Note: If dredging or excavation is required, you must complete the Standard Joint Point Permit application.

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Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

NOTE: It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://ccrm.vims.edu/coastal_zone/living_shorelines/index.html.**

1. Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

Install 112 L.F. of class I and class II rip rap seaward of an existing timber bulkhead. 236 cubic yards of rip rap is anticipated.

1,296 sq. ft. of impacts to subaqueous bottom will occur. 40 sq. ft. of non vegetated wetlands exist at a section of failed bulkhead and will be backfilled. 231 sq. ft. of non vegetated rock habitat in the tidal zone along the face of the rip rap will be created.

2. What is the maximum encroachment channelward of mean high water? 12 feet.
   Channelward of mean low water? 12 feet.
   Channelward of the back edge of the dune or beach? _____ feet.

3. Please calculate the square footage of encroachment over:
   - Vegetated wetlands 0 square feet
   - Non-vegetated wetlands 40 square feet
   - Subaqueous bottom 1,296 square feet
   - Dune and/or beach _____ square feet

4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? ____ Yes____ No.

   If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? x Yes ____No.

   If no, please provide an explanation for the purpose and need for the additional encroachment.

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Part 3 – Appendices (continued)

5. Describe the type of construction and **all** materials to be used, including source of backfill material, if applicable (e.g., vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).
NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

Class I core stone with two (2) layers of class II armor stone over Tensar Composite filter fabric/ geo grid. Backfill for the washout areas will be sand from an upland source.

6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:
Core (inner layer) material_____ pounds per stone Class size _____
Armor (outer layer) material _____ pounds per stone Class size _____

7. For **beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

- Volume of material _____ cubic yards channelward of mean low water
_____ cubic yards landward of mean low water
_____ cubic yards channelward of mean high water
_____ cubic yards landward of mean high water

- Area to be covered _____ square feet channelward of mean low water
_____ square feet landward of mean low water
_____ cubic yards channelward of mean high water
_____ cubic yards landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay):_____
- Method of transportation and placement:

_____

- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at http://www.vims.edu/about/search/index.php?q=planting+guidelines:

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GALLUP
SURVEYORS & ENGINEERS

June 22, 2020

Paul David & Karen S. Reilly
198 The Maine
Williamsburg, VA 23185

Re: Waterfront Construction Adjacent To Your Property

I have been retained by your neighbors, David and Diane Lee, to prepare plans for rip rap, a dock, and stairs to serve their property at 176 The Maine. The Waterfront Operations Department requires consulting engineers for waterfront construction projects to notify all of the property owners that are adjacent to a proposed waterfront project that construction is proposed for that particular property. I have included a preliminary copy of the waterfront plans with this letter for you to review. In addition to notifying the immediate neighbors, Virginia Marine Resources Commission requires the immediate neighbors to review, check, and sign the enclosed form. I have provided a stamped envelope for your use in returning the form to us.

Please feel free to call me if you have any questions or comments so that I may relay them to my client.

Sincerely,

GALLUP SURVEYORS & ENGINEERS

David R. Butler

David R. Butler, P.E.

DRB/ilc

323 First Colonial Road • Virginia Beach, Virginia 23454-4605
Phone (757)428-8132 • Fax (757)425-2390

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Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Paul David & Karen S. Reilly, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of David & Diane Lee.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated June 9, 2020
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT_____ ABOUT THE PROJECT.

I DO NOT OBJECT _____ TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

_____
Adjacent/nearby property owner's signature(s)

_____
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Receive by VMRC June 22, 2020 /blh

GALLUP
SURVEYORS & ENGINEERS

June 22, 2020

Robert L. & Jill H. Swain
178 The Maine
Williamsburg, VA 23185

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Part 2 – Signatures (continued)

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from/on the same cove as) the land of David & Diane Lee.
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(Before signing this form be sure you have checked the appropriate option above).

_____
Adjacent/nearby property owner's signature(s)

_____
Date

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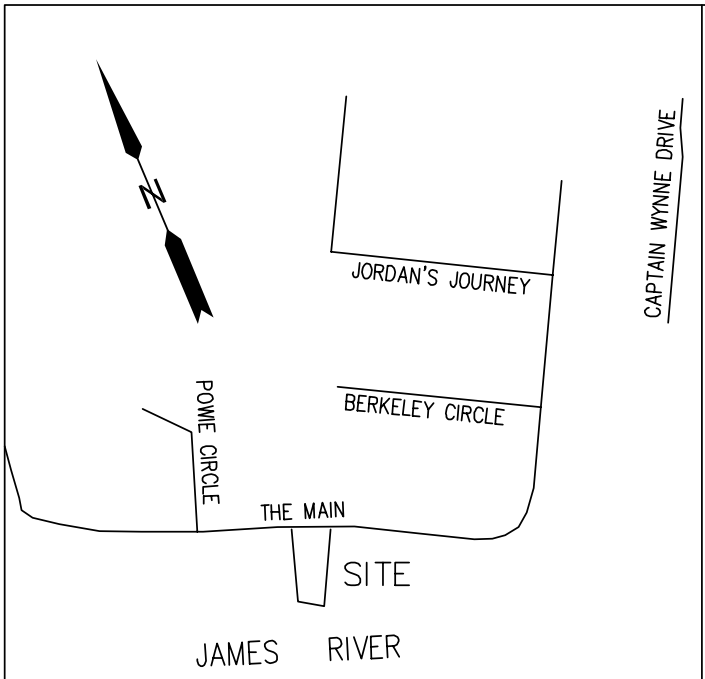


LOCATION MAP NOT TO SCALE

SITE DATA

1.) SITE ADDRESS: 176 THE MAINE
WILLIAMSBURG, VA 23185

2.) LEGAL: LOT 61, SECTION 3
FIRST COLONY
P.B. 21 P. 9

3.) PARCEL ID PIN: 4540200061

4.) VERTICAL DATUM: NAVD 88

5.) ZONED: R1

6.) THE WETLANDS COMPENSATION COMPONENT IS THE PROPOSED RIP RAP

7.) THIS PLAN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY AND/OR ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN.

8.) ALL CONSTRUCTION WILL BE PERFORMED ALONG THE SEAWARD SIDE VIA BARGE.

9.) SUBAQUEOUS IMPACT: 1,296 SQ. FT.

10.) 40 SQ. FT. ± OF NON VEGETATED WETLANDS FORMED VIA THE BULKHEAD FAILURE WILL BE IMPACTED

11.) 231 SQ. FT. OF NON VEGETATED WETLAND ROCK HABITATED WILL BE CREATED

12.) TOPOGRAPHIC SURVEY PROVIDED BY OWNER PREPARED BY LANDTECH RESOURCES, INC. DATED 9-21-06; TOPO UPDATED MAY 2020

COMMONWEALTH OF VIRGINIA
DAVID R. BUTLER
LIC. No. 38395
6-2-20
PROFESSIONAL ENGINEER

OWNER/DEVELOPER

DAVID M. & DIANE K. LEE
176 THE MAINE
WILLIAMSBURG, VA 23185
PH. 757-561-3020
EMAIL: DAVID@DAVIDMLEELAW.COM

SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER
2	TOPOGRAPHIC SURVEY
3	EXISTING CONDITIONS
4-6	ENLARGEMENT AREA PLAN
7	SHORELINE SECTION
8-13	PIER DETAILS
14	NOTES

NOTE:
SETTLEMENT OF THE RIP RAP DURING INSTALLATION SHOULD BE ANTICIPATED

GALLUP
SURVEYORS & ENGINEERS, LTD.
323 FIRST COLONIAL ROAD
VIRGINIA BEACH, VIRGINIA 23454
(757)428-8132 FAX (757)425-2390

DATE	COMMENT

REVISION SCHEDULE

PROJECT: RIP RAP, DOCK, STAIRS

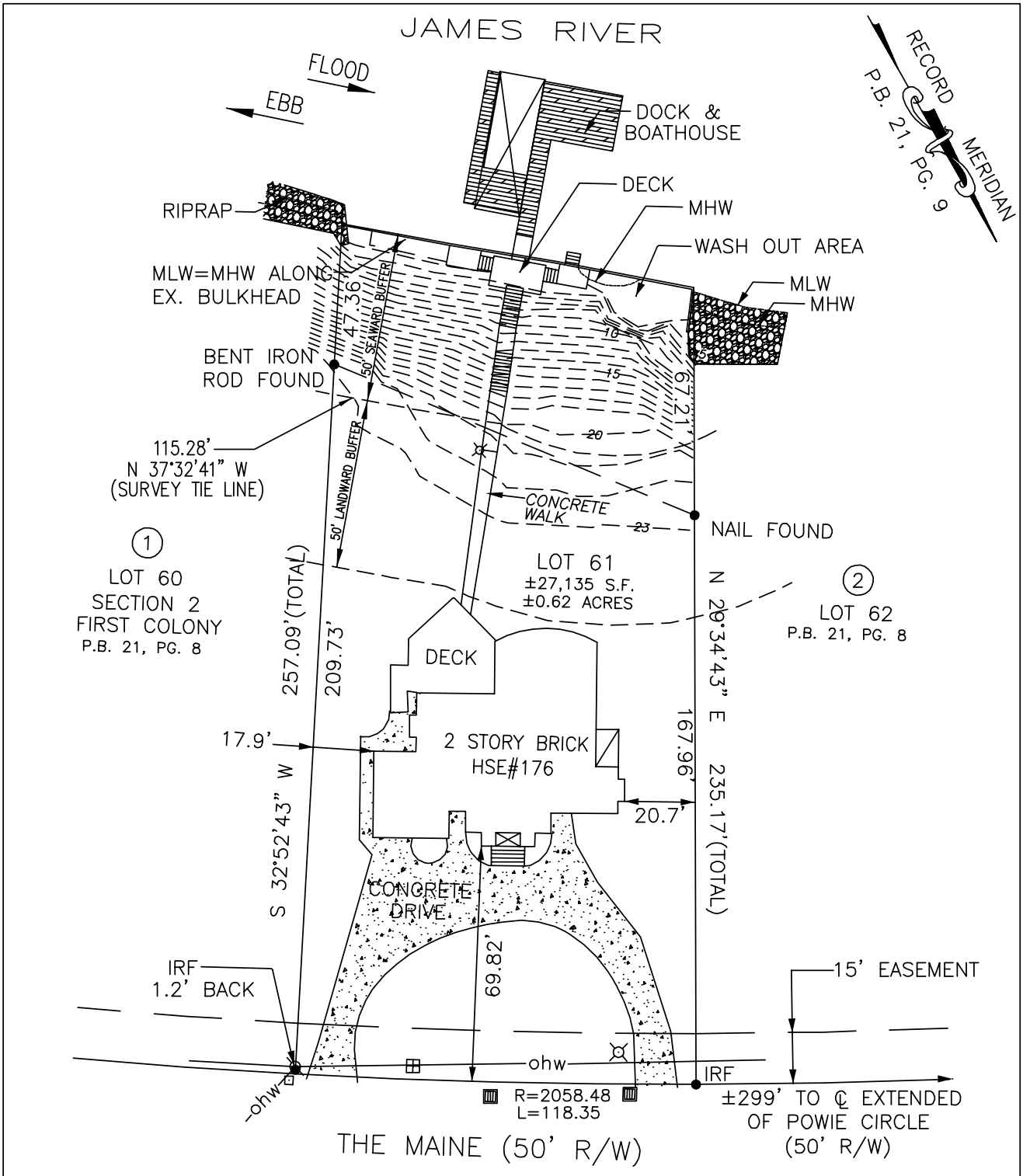
ADJACENT PROPERTY OWNERS:
1. DAVID PAUL & KAREN S. REILLY
2. ROBERT L. & JILL H. SWAIN

COVER SHEET

PROJECT: RIP RAP, DOCK, STAIRS
IN: JAMES RIVER
BY: DAVID M. & DIANE K. LEE
DATE: JUNE 9, 2020
SHEET 1 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:37:38 PM, 1:20, DB

Receive by VMRC June 22, 2020 /blh



ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	TOPOGRAPHIC SURVEY 1" = 40'	PROJECT: BULKHEAD, RIP RAP IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 2 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:47:34 PM, 1:40, DB

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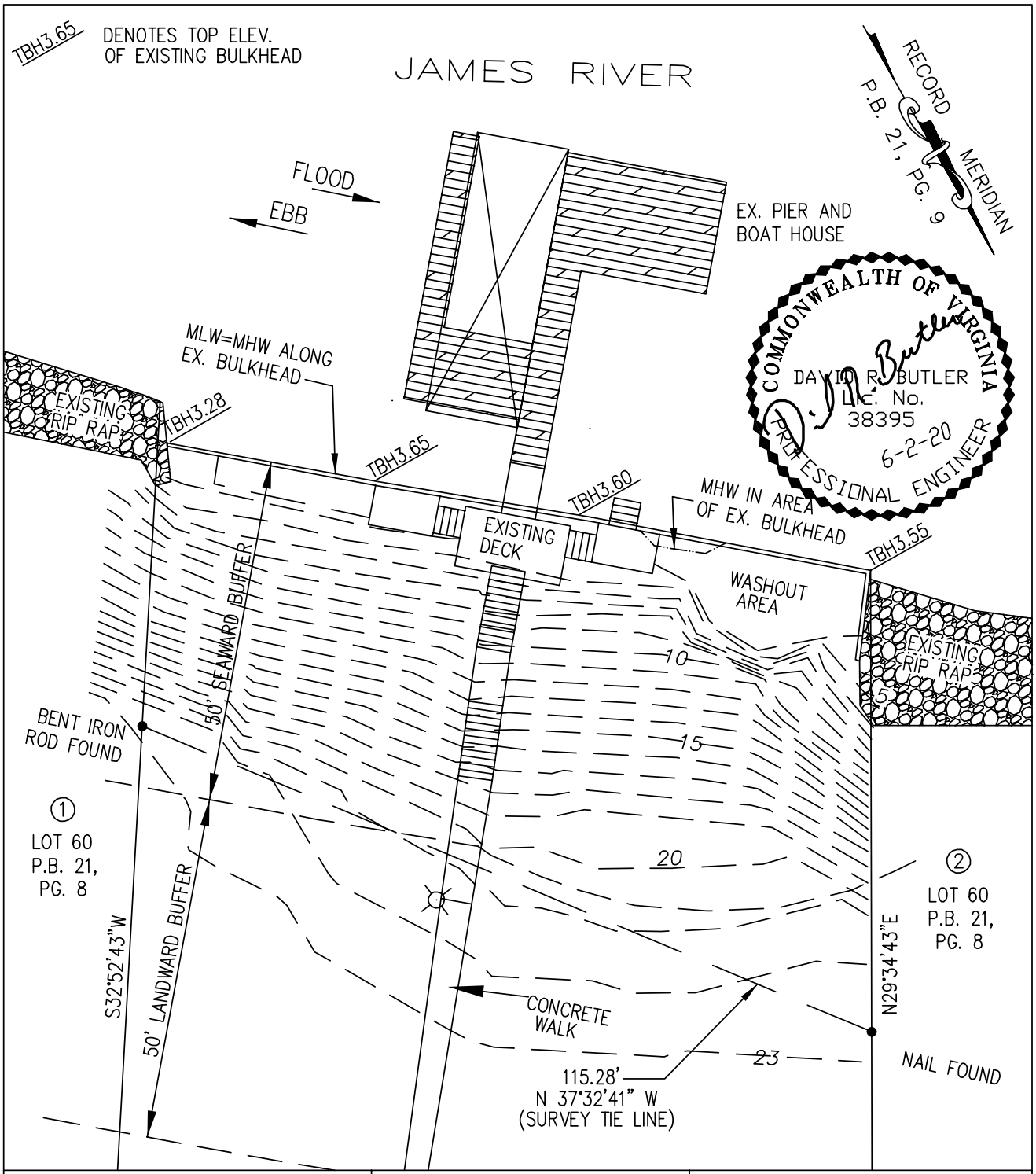

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	EXISTING CONDITIONS SCALE: 1"=20'	PROJECT: RIP RAP IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 3 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:47:51 PM, 1:20, DB

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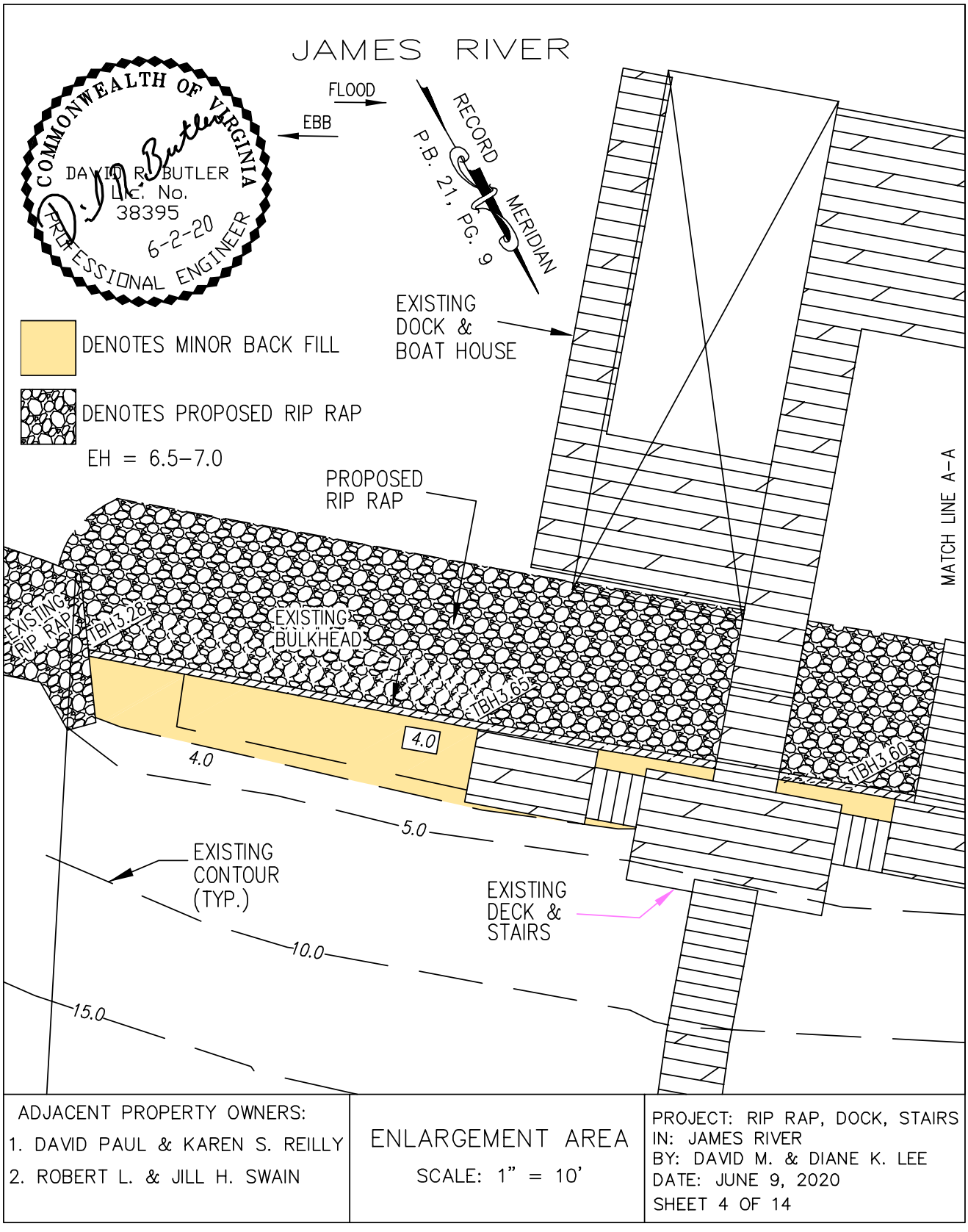

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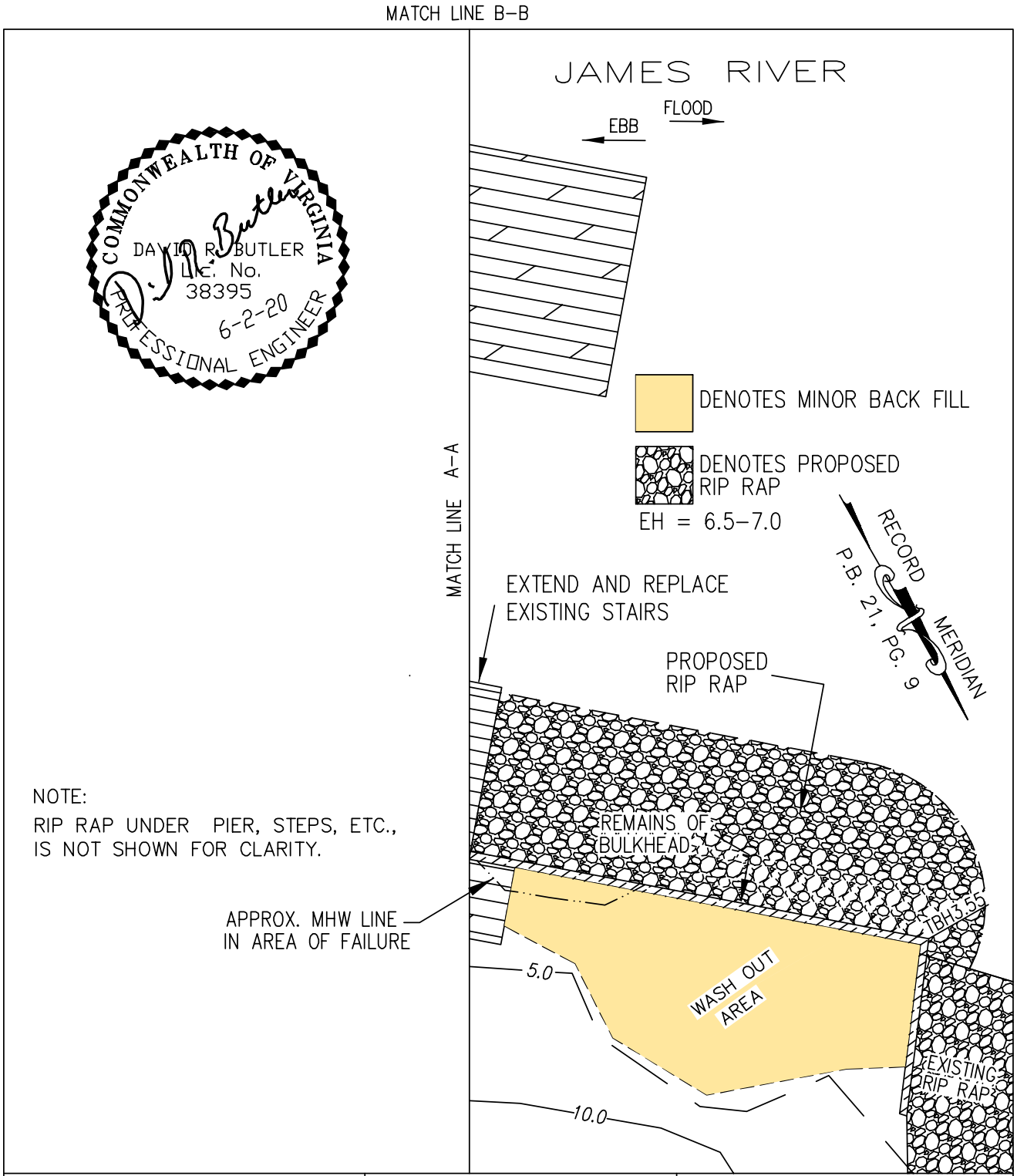

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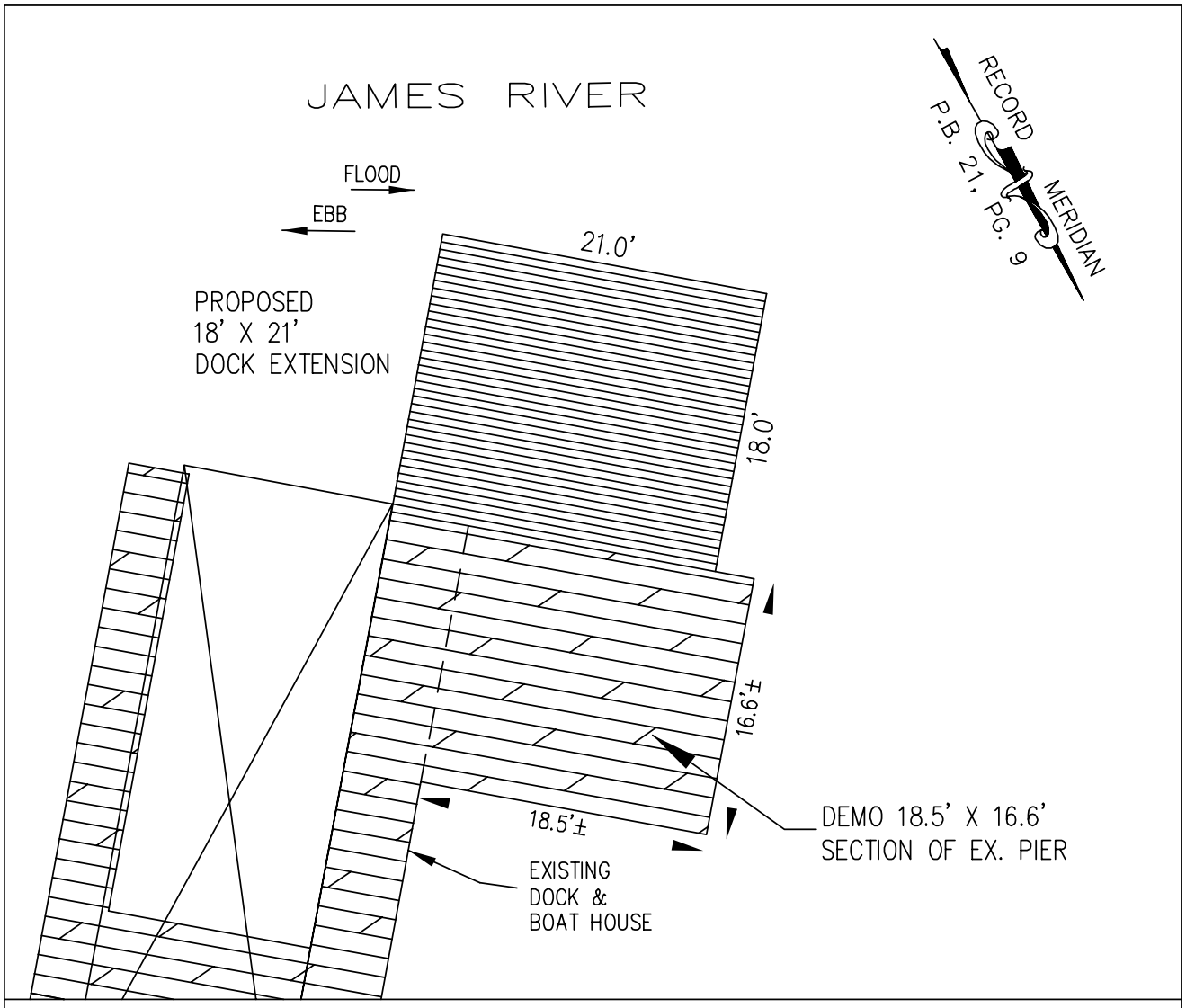

MATCH LINE B–B

COMMONWEALTH OF VIRGINIA
DAVID R. BUTLER
LIC. No.
38395
6-2-20
PROFESSIONAL ENGINEER

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	ENLARGEMENT AREA SCALE: 1" = 10'	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 6 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:50:58 PM, 1:10, DB

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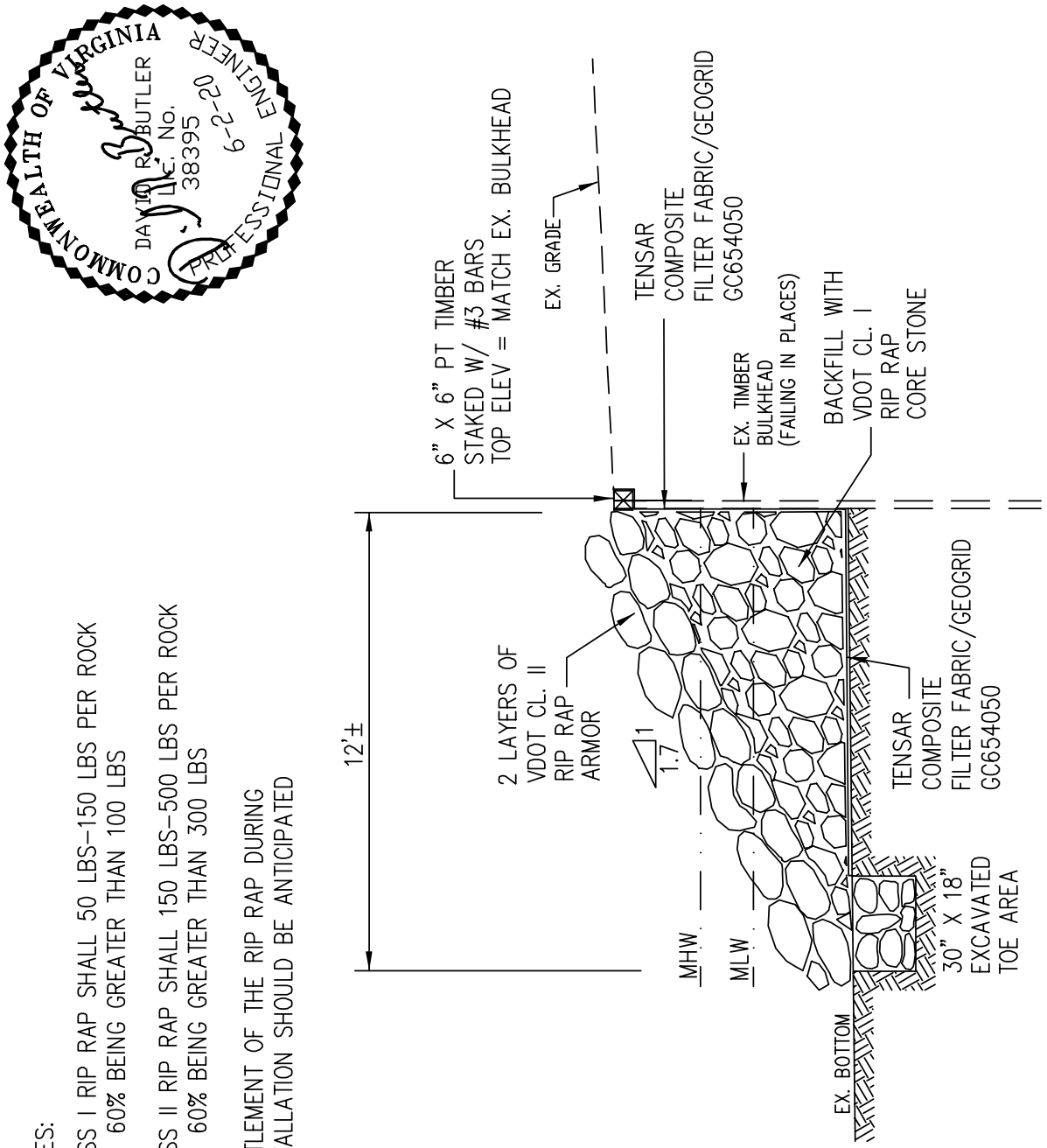

NOTES:

1. CLASS I RIP RAP SHALL 50 LBS–150 LBS PER ROCK WITH 60% BEING GREATER THAN 100 LBS
2. CLASS II RIP RAP SHALL 150 LBS–500 LBS PER ROCK WITH 60% BEING GREATER THAN 300 LBS
3. SETTLEMENT OF THE RIP RAP DURING INSTALLATION SHOULD BE ANTICIPATED

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	SHORELINE SECTION 1" = 4'	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 7 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:51:15 PM, 1:4, DB

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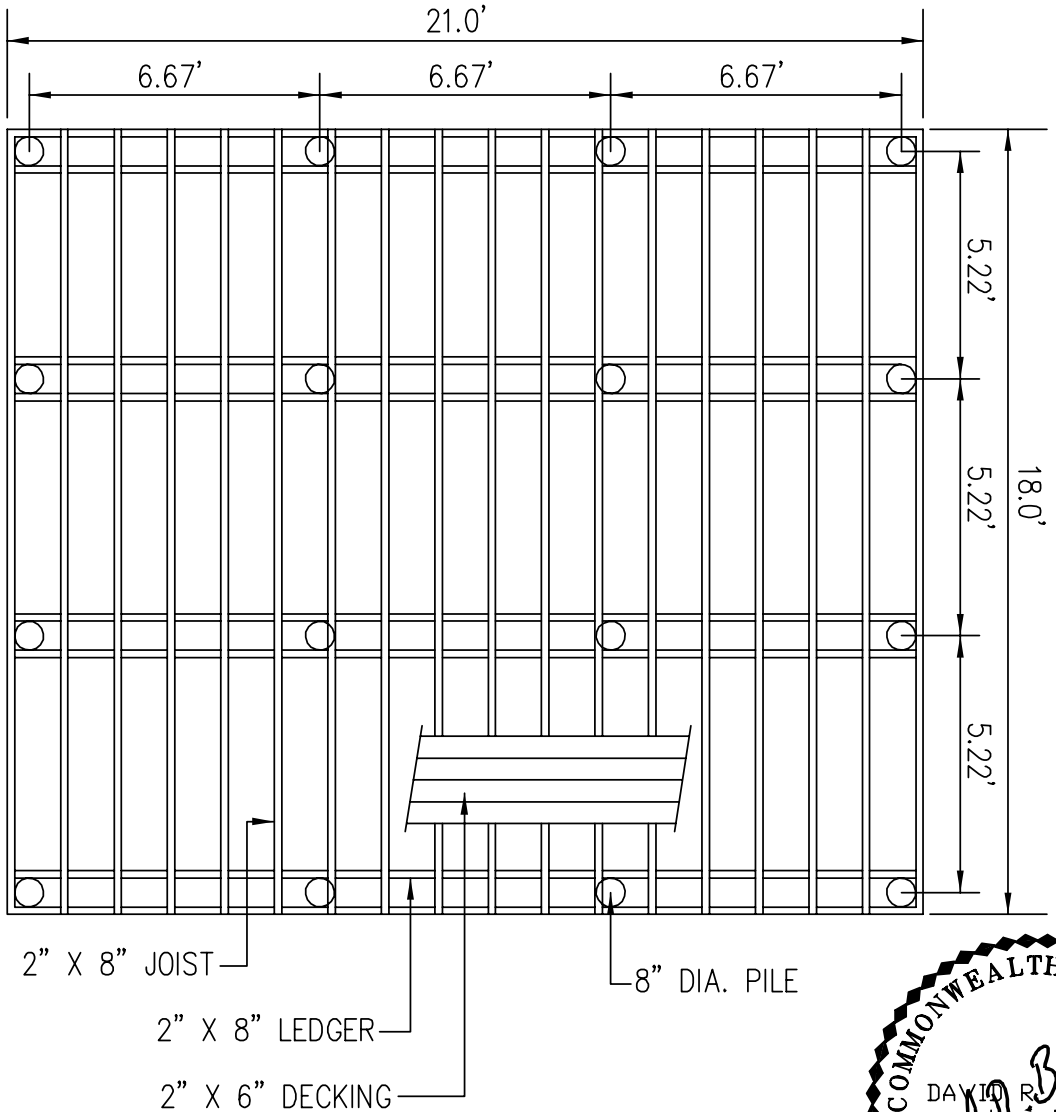
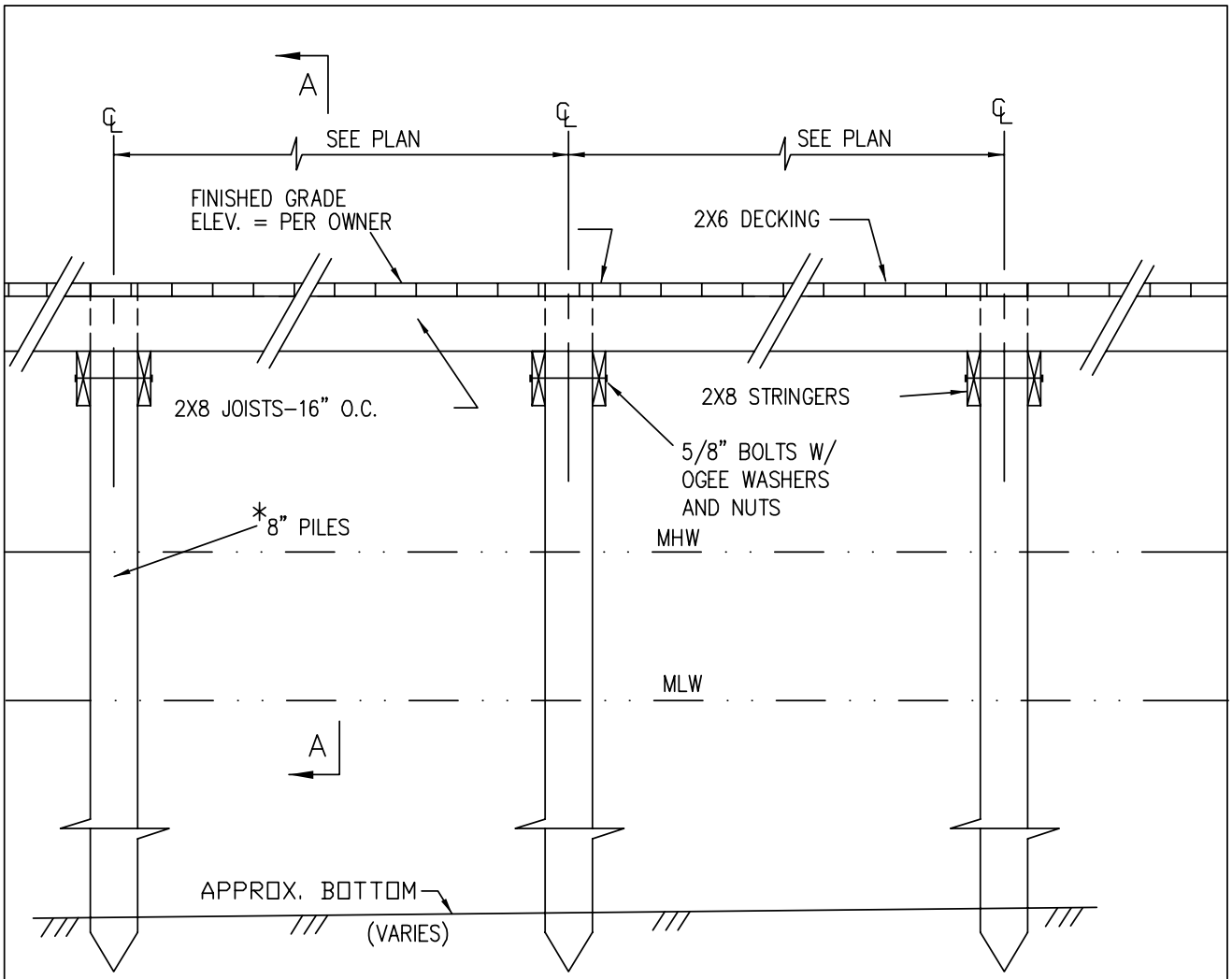


COMMONWEALTH OF VIRGINIA
DAVID R. BUTLER
LIC. No. 38395
6-2-20
PROFESSIONAL ENGINEER

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	PIER FRAMING PLAN 1" = 4'	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 8 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:51:26 PM, 1:4, DB

Receive by VMRC June 22, 2020 /blh



NOTES

1. ALL FRAMING LUMBER SHALL BE SYP SALT TREATED WITH A MIN. RETENTION OF 0.80 LBS. PER CUBIC FOOT
2. ALL PIER PILES SHALL BE SYP SALT TREATED WITH A MIN. RETENTION OF 2.5 LBS. PER CUBIC FOOT
3. ALL HARDWARE AND FASTENERS SHALL BE HOTTED DIPPED GALVANIZED

PROP. PIER
TYPICAL SECTION

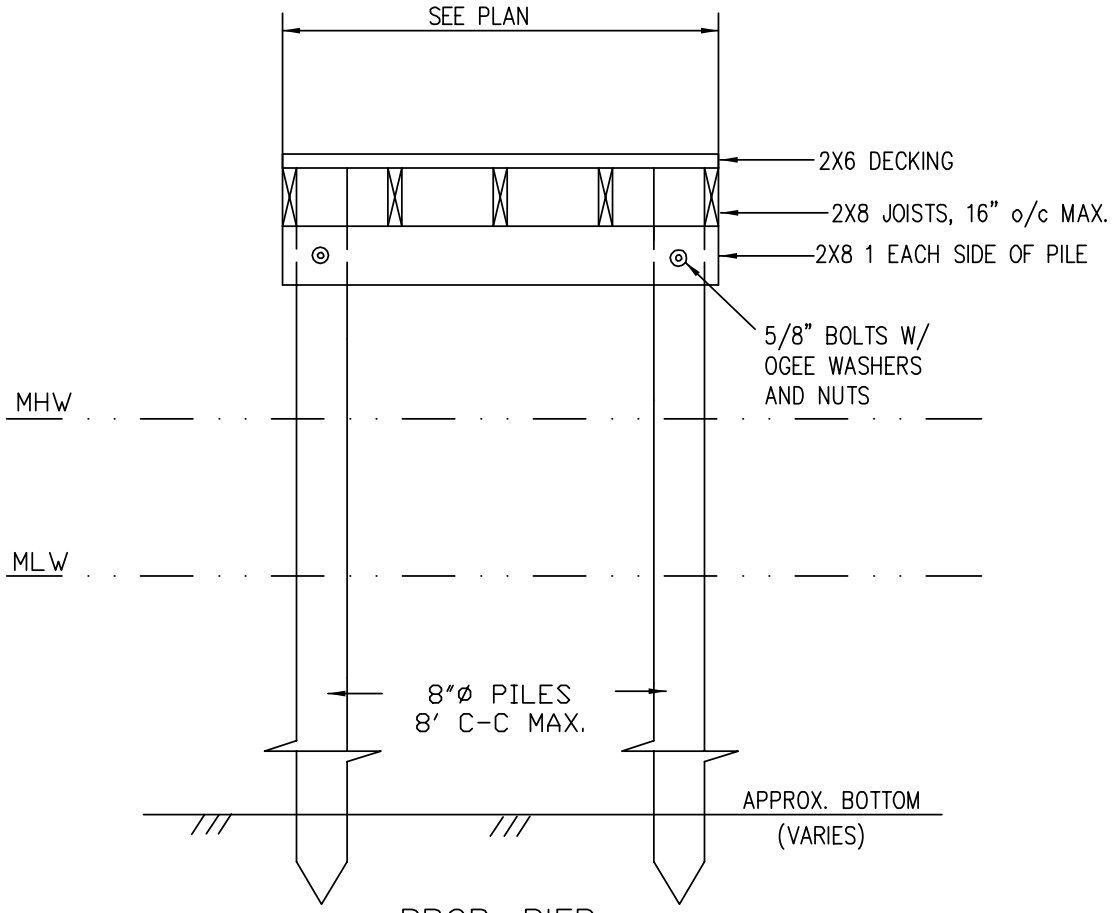
* ALL PIER PILES SHALL BE DRIVEN TO MIN. 50 PERCENT PENETRATION BELOW THE BOTTOM OF THE MUDLINE
(NO SOIL BORINGS OR SOUNDINGS WERE PROVIDED)

COMMONWEALTH OF VIRGINIA
DAVID R. BUTLER
LIC. No. 38395
6-2-20
PROFESSIONAL ENGINEER

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	PIER DETAIL 1/2" = 1'	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 9 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:51:37 PM, 1:20, DB

Receive by VMRC June 22, 2020 /blh



PROP. PIER
SECTION A–A

COMMONWEALTH OF VIRGINIA
DAVID R. BUTLER
Lic. No.
38395
6-2-20
PROFESSIONAL ENGINEER

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	PIER DETAIL 1/2" = 1'	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 10 OF 14

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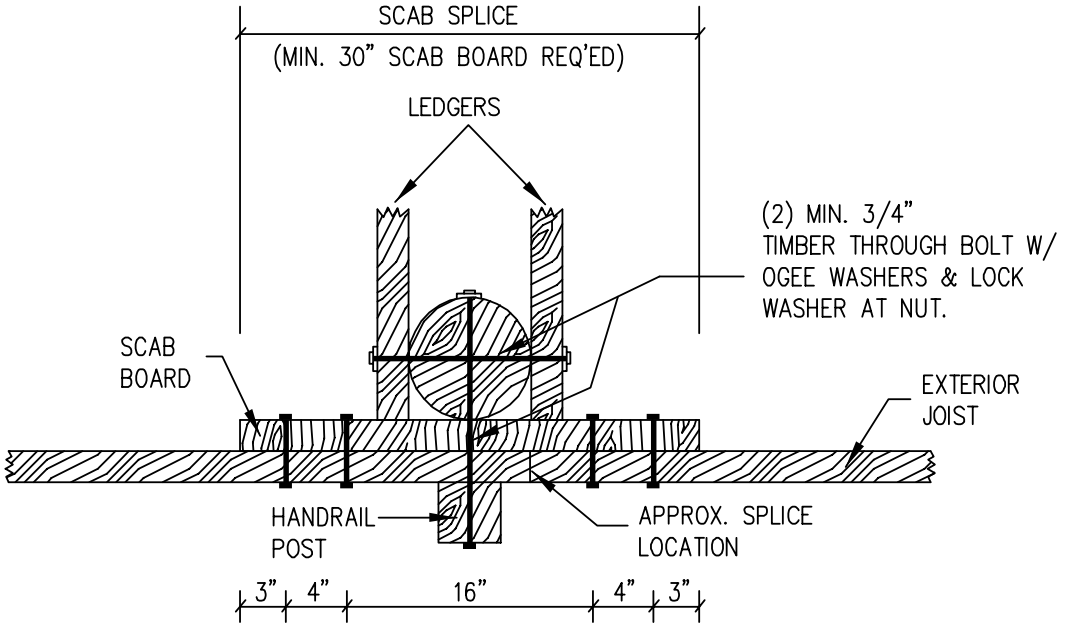
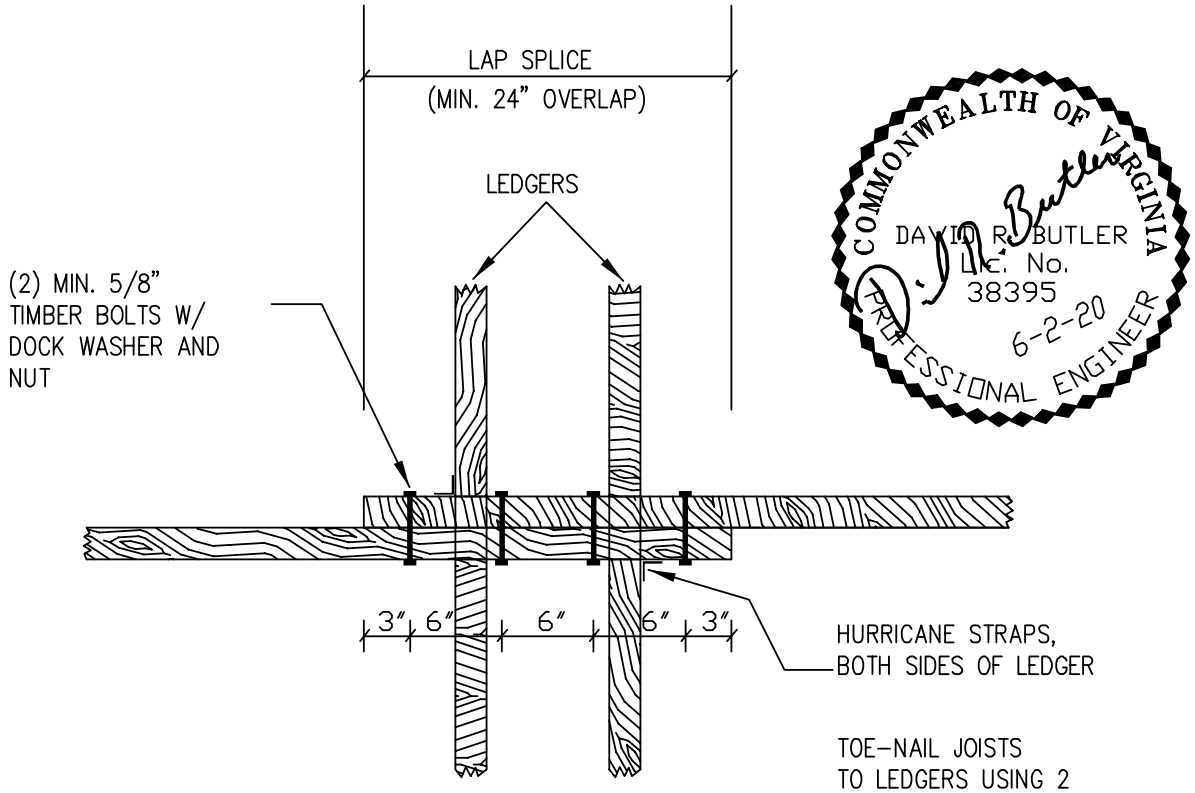


SCAB SPLICE DETAIL



LAP SPLICE DETAIL

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	PIER DETAILS (NO SCALE)	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 11 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:51:52 PM, 1:20, DB

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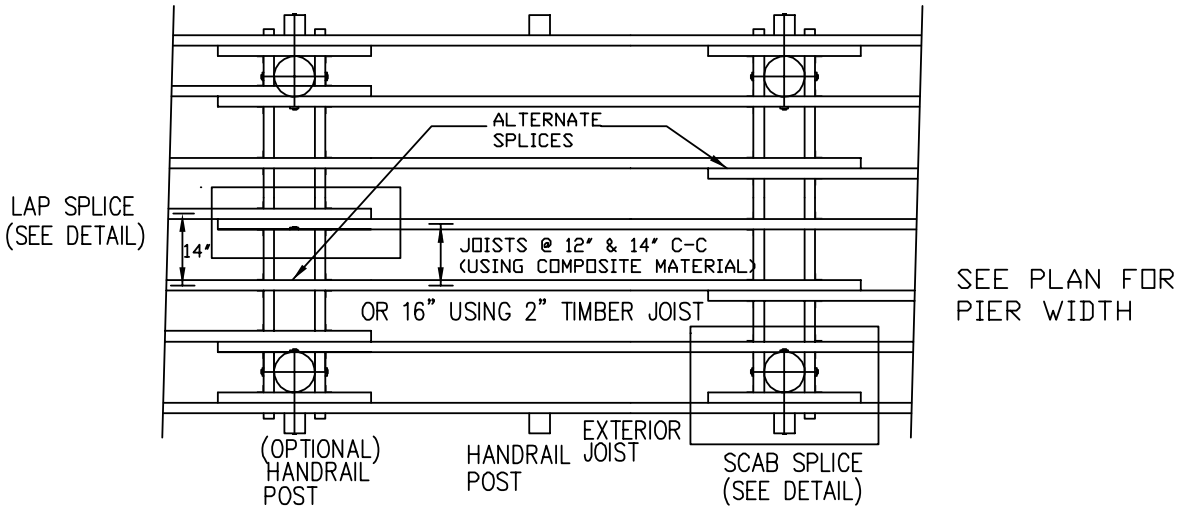
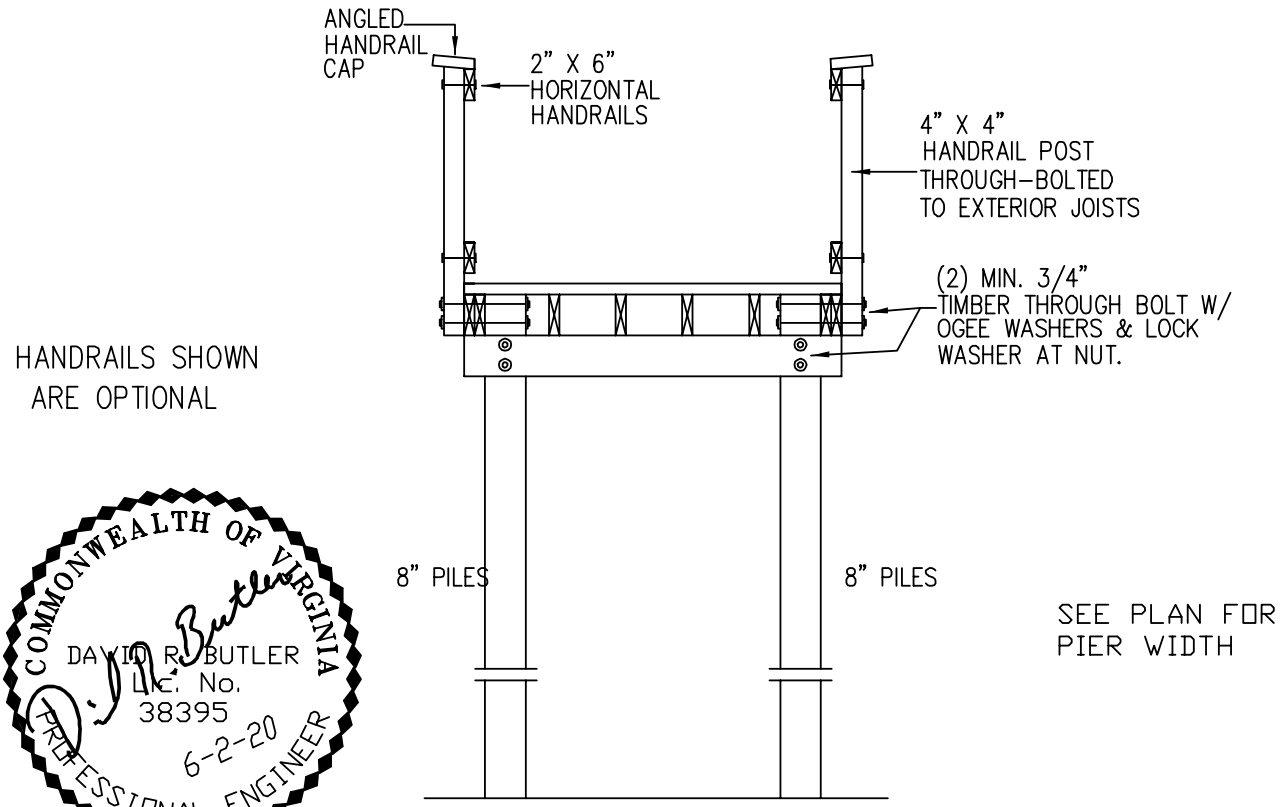


PLAN



SECTION

COMMONWEALTH OF VIRGINIA
DAVID R. BUTLER
Lic. No. 38395
6-2-20
PROFESSIONAL ENGINEER

ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	PIER DETAILS (NO SCALE)	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 12 OF 14

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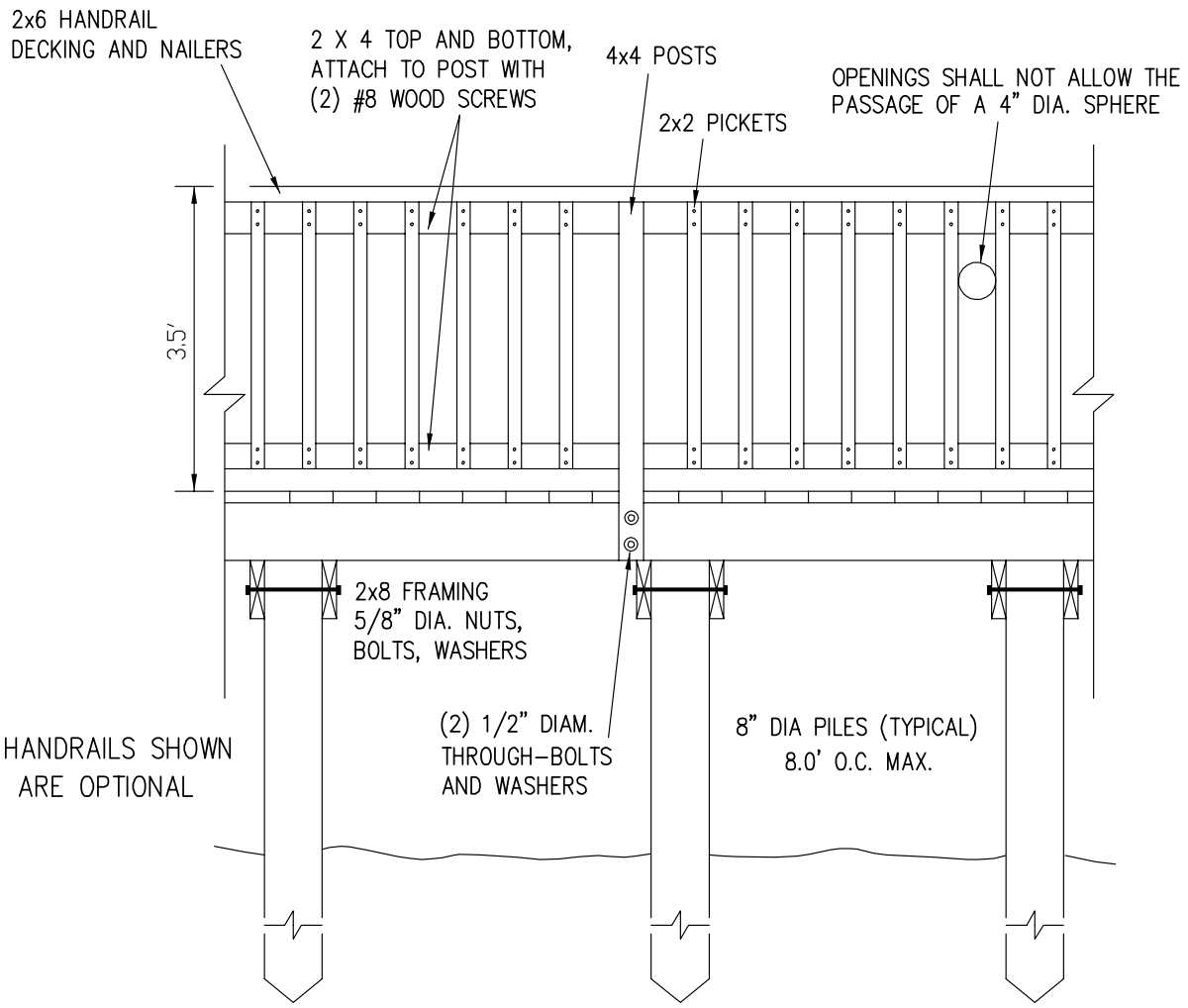
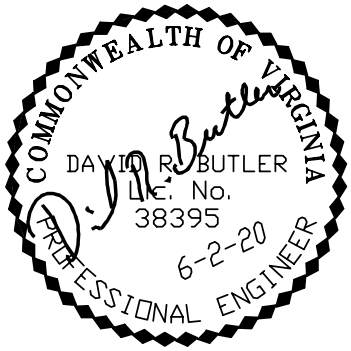


WALKWAY
CROSS SECTION

MATERIALS SPECIFICATIONS
ALL PILES CCA 2.5 pcf (MP-88)
ALL OTHER TIMBER CCA 0.80 pcf
ALL HARDWARE H.D. GALVANIZED
ALL LUMBER SYP. NO. 2 GRADE AND BETTER



ADJACENT PROPERTY OWNERS: 1. DAVID PAUL & KAREN S. REILLY 2. ROBERT L. & JILL H. SWAIN	HANDRAIL DETAIL 1/2" = 1'	PROJECT: RIP RAP, DOCK, STAIRS IN: JAMES RIVER BY: DAVID M. & DIANE K. LEE DATE: JUNE 9, 2020 SHEET 13 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:52:05 PM, 1:20, DB

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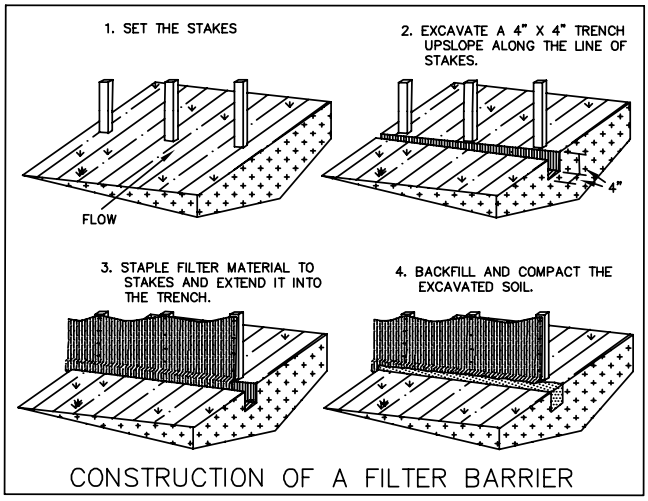


CONSTRUCTION OF A FILTER BARRIER

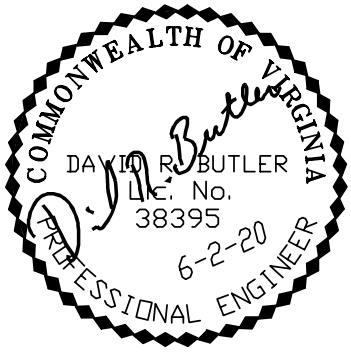
DETAIL - SILT FENCE (SF)

CONSTRUCTION SEQUENCE

1. OBTAIN ALL REQUIRED PERMITS
2. SET UP PRECONSTRUCTION MEETING
3. STAGE MATERIALS/BARGE, ETC.
4. DEMO PART OF PIER
5. INSTALL RIP RAP
6. SET PILES
7. FRAME PIER
8. SEED & MULCH DISTURBED AREAS

TURFGRASS PLANTING SPECIFICATIONS

TURF TYPE	TIME OF YEAR TO SEED	SEEDING RATE	COMMENTS
KENTUCKY 31 FESCUE	9–16 – 4–30 (OR SOD ANY SEASON WITH ADEQUATE WATER PROVIDED)	8 LB. PER 1000 SQ. FT.	MIX WITH ANNUAL RYE FOR QUICK STABILIZATION
NARROW LEAFED FESCUES	9–16 – 4–30 (OR SOD ANY SEASON WITH ADEQUATE WATER PROVIDED)	6 LB. PER 1000 SQ. FT.	IMPROVED FESCUES. MIX WITH ANNUAL RYE FOR QUICK STABILIZATION
BERMUDA (HULLED)	5–1 – 9–15 (OR SOD DURING THIS SAME TIME PERIOD)	2 LB. PER 1000 SQ. FT.	



ADJACENT PROPERTY OWNERS:
1. DAVID PAUL & KAREN S. REILLY
2. ROBERT L. & JILL H. SWAIN

NOTES
(NO SCALE)

PROJECT: RIP RAP, DOCK, STAIRS
IN: JAMES RIVER
BY: DAVID M. & DIANE K. LEE
DATE: JUNE 9, 2020
SHEET 14 OF 14

W:\Lee, David M-176 The Maine\2004-20-37.dwg, 6/22/2020 2:52:13 PM, 1:20, DB

Receive by VMRC June 22, 2020 /blh

PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY AUGUST 12, 2020 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA 20-0023/VMRC 20-1053: Mr. Daniel Winall of Waters Edge Construction, on behalf of Larry Waltrip, has applied for a wetlands permit to install a floating pier, retaining wall, bulkhead, riprap revetment and a boat house at 20 Marclay Road, JCC Parcel 4820100012.

WJPA 20-0024/VMRC 20-1074: Mr. David Butler of Gallup Surveyors & Engineers, on behalf of David and Diane Lee, has applied for a wetlands permit for a bulkhead repair, riprap revetment, pier repair and replacement, a new adjacent pier and stairway extension and repair at 176 The Maine, JCC Parcel 4540200061.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASE:

CBPA 20-0053: Mr. Don Newsom of Delightful Gardens, on behalf of Mr. Charles Turbeville, has filed an exception request for encroachments into the RPA buffer for a retaining wall at 146 Red Oak Landing, JCC Parcel 4730100033.

Appeals from decisions under the Chesapeake Bay Preservation Ordinance may also be heard.

All interested parties are invited to attend the meetings. There is also a call-in option for the public hearings. To participate, call 757-253-6772 to record a comment that will be played during the meeting. Recorded comments must be submitted no later than noon on the day of the meeting. Please give your name and address for the public record and limit comments to five minutes or less. Questions? Call 757-253-6823.

The applications and plans are on file and may be viewed during normal office hours in the Stormwater and Resource Protection Division, 101-E Mounts Bay Road, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – July 29 and August 5, 2020.

ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

COPIES: PLANNING
ASSISTANT COUNTY ATTORNEY
WETLANDS/CHESAPEAKE BAY BOARD MEMBERS

General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov

jamescitycountyva.gov

Capital Projects
107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet
103 Tewning Road
Williamsburg, VA 23188
757-259-4122

Stormwater and Resource Protection
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

July 22, 2020

RE: WJPA-20-0024
176 The Maine
Pier repair & replacement, additional adjacent Pier, Bulkhead repair, Riprap, Revetment, Dock, Stairway Repair & extension

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Wetlands Board by Mr. David R. Butler, Gallup Surveyors & Engineers on behalf of David and Diane Lee, for encroachment into the tidal wetlands associated with construction, repair and replacement of a pier, additional adjacent pier, bulkhead repair, riprap, revetment, dock and stairway extension and repair. The project is located at 176 The Maine and further identified as JCC Parcel No. 4540200061.

A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Wetlands Board will hold an advertised public hearing on **August 12, 2020 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Michael D. Woolson

Michael D. Woolson
Wetlands Board Secretary
757-253-6823
michael.woolson@jamescitycountyva.gov

cc: Gallup Surveyors & Engineers
Attn: Mr. David R. Butler

MDW: jep

Mailing List for: WJPA-20-0024 – 176 The Maine –Lee, David & Diane– Pier repair & replacement, adjacent Pier, Bulkhead repair, Riprap, Stair repair & extend, backfill

Applicant: 4540200061
Lee, David M & Diane K
176 The Maine
Williamsburg, VA 23185-1423

Contractors:
Gallup Surveyors & Engineers
Attn: Mr. David R. Butler
323 First Colonial Road
Virginia Beach, VA 23454-4605

4540200060 – 174 The Maine
Reilly, Paul David, Trustee & Karen S
198 The Maine
Williamsburg, VA 23185-1423

4540200062
Swain, Robert L & Jill H
178 The Maine
Williamsburg, VA 23185-1423

4540200121
Coll, Thomas J & Patricia
173 The Maine
Williamsburg, VA 23185-1439

4540200120
Hofmeister, Mark D
175 The Maine
Williamsburg, VA 23185-1439

Virginia Marine Resource Center
Attn: Mr. Jeffrey P. Madden
380 Fenwick Road, Building 96
Fort Monroe, VA 23651-1064

Department of Game and Inland Fisheries
P.O Box 90778
Henrico, VA 23228-0778

VIMS Wetlands Program
Attn: Dawn Fleming
P.O. Box 1346
Gloucester Point, VA 23062-1346

State Water Control Board
c/o Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218-1105

VDOT
4451 Ironbound Road
Williamsburg, VA 23188-2621

Regulatory Branch Army Corps of Engineers
803 Front Street
Norfolk, VA 23510-1011

AGENDA ITEM NO. D.2.

ITEM SUMMARY

DATE: 8/12/2020

TO: Wetlands Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Case No. WJPA 20-0023 / VMRC 20-1053 : 20 Marclay Road

---

ATTACHMENTS:

	Description	Type
🗋	Deferral Request	Backup Material
🗋	Application	Backup Material
🗋	Public Advertisement	Backup Material
🗋	APO Letter	Backup Material
🗋	APO Mailing List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Secretary, Wetland	Approved	8/10/2020 - 10:02 PM

Michael Woolson

From: Mike Woolson <mwoolson1@cox.net>
Sent: Tuesday, August 11, 2020 11:01 AM
To: Michael Woolson
Subject: [External] To the Wet Land Board I would like to defer case # WJPA 20-0023 to...

To the Wet Land Board I would like to defer case # WJPA 20-0023 to September meeting, to give more time to study. Project. Thank you for your consideration, Larry Waltrip.

Sent from my iPhone

From:	Larry Waltrip
To:	jpa.permits@mrc.virginia.gov; Debbie Shaw
Subject:	Fwd: Jpa permit for Waltrip's Landing
Date:	Wednesday, June 17, 2020 12:40:29 PM
Attachments:	File0779.PDF ATT00001.htm

Sent from my iPad

Begin forwarded message:

> **From:** Daniel Winall <dwinall@wecmarine.com>
> **Date:** June 8, 2020 at 3:15:18 PM EDT
> **To:** Larry Waltrip <larry@wjairport.com>
> **Cc:** Debbie Shaw <debbie@wjairport.com>
> **Subject: Jpa permit for Waltrip's Landing**
>
> Larry, included is 14 page permit application for your project at Waltrip's Landing. Download and send to jpa.permits@mrc.virginia.gov
> If permit comes from you then all correspondence related to permit from all agencies will come to you. A project this size is going to generate a lot of energy from a lot of different agencies but should be doable unless there is a lot of opposition to project. I will send the APO forms for adjoining property owners a little later. The main thing now is getting permit submitted to the state as quickly as possible so it can be processed and on the agenda. Thanks, Danny
>
> Thanks,
>
> *Daniel R. Winall*
> *President*
> Water's Edge Construction
> P.O. Box 352
> Toano, VA 23168
> Phone: 757-566-0149
> *Email: dwinall@wecmarine.com*
> *www.wecmarine.com*

- DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (http://www.deq.virginia.gov/Locations.aspx). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- VMRC: An application fee of $300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are $25.00 for projects costing $10,000 or less and $100 for projects costing more than $10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 20-1053

APPLICANTS
Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

Check all that apply		
Pre-Construction Notification (PCN) ☐ NWP # _____ *(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)*	Regional Permit 17 (RP-17) ☐	

County or City in which the project is located: James City

Waterway at project site: College Creek

PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)

Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html

Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:

   Short Neck LLC
   100 Marclay Road
   Williamsburg, VA 23185

   Home (____)_____
   Work (____)_____
   Fax (____)_____
   Cell (____)_____
   e-mail _____

   State Corporation Commission Name and ID Number (if applicable) _____

2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:

   Home (____)_____
   Work (____)_____
   Fax (____)_____
   Cell (____)_____
   e-mail _____

   State Corporation Commission Name and ID Number (if applicable) _____

3. Authorized agent name* and complete mailing address (if applicable):

   Larry Waltrip
   100 Lands End Drive
   Williamsburg,VA 23185

   Contact Information:
   Home (____)_____
   Work (757)8768655
   Fax (____)_____
   Cell (757)8768655
   e-mail larry@wjairport.com

   State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

   Install 200'-0" long North Riprap revetment overlay on top of existing broken concrete revetment. Install 75'-0" long bulkhead, install 20'-0" bulkhead with 7'-0" long return wall, install 20'-0" long retaining wall, install 200'-0" long South Riprap revetment, install a 136'-0" long x 8'-0" wide floating pier with 5-5'-0" wide x 10'-0" long finger pier and two Class B anchor piles, install a dual slip 33'-0" wide x 40'-0" long open sided boathouse with 5'-0" wide walkways on each side and 12'-0" x 33'-0" inboard deck over proposed Riprap revetment.

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? X Yes* ___ No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address:

Water's Edge Construction
P.O Box 352
Toano, Virginia 23168

Contact Information:
Home (____)_____
Work (757)5660149
Fax (____)_____
Cell (757)8808503
email dwinall@wecmarine.com

State Corporation Commission Name and ID Number (if applicable) 0322616-4

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

The Daily Press
703 Mariners Row
Newport News, Virginia 23606

Telephone number
(____) _____

7. Give the following project location information:

Street Address (911 address if available) 20 Marclay Road Williamsburg, VA 23185
Lot/Block/Parcel# 4820100012 25.59 ac
Subdivision Acreage Lots Roberts
City / County Williamsburg, VA ZIP Code 23185
Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
37.1435.62 / -76425589 (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."

primary purpose of project is to protect shoreline of property
secondary purpose of project is to provide access to creek

Part 1 - General Information (continued)

9. Proposed use (check one):
   X Single user (private, non-commercial, residential)
   ___ Multi-user (community, commercial, industrial, government)

10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*

    Timber mats used in sensitive areas. Waterborne barges used for most construction

11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? ___Yes X___No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.

12. Approximate cost of the entire project (materials, labor, etc.): $ 75,000.00
    Approximate cost of that portion of the project that is channelward of mean low water:
    $ 60,000.00

13. Completion date of the proposed work: 2020 - _____

14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

    Williamsburg Landing Inc
    5700 Williamsburg Landing Drive
    Williamsburg, Va 23185-3779

    Williamsburg-Jamestown Airport,Inc
    100 Marclay Road
    Williamsburg, VA 23185-3723

Part 2 - Signatures

1. **Applicants and property owners (if different from applicant).**
   NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.
In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Short Neck LLC

Applicant's Legal Name (printed/typed) _____ (Use if more than one applicant)

X Larry T Waltrip

Applicant's Signature _____ (Use if more than one applicant)

5/28/2020

Date

Larry T. Waltrip

Property Owner's Legal Name (printed/typed) _____ (Use if more than one owner)
(If different from Applicant)

Larry T Waltrip

Property Owner's Signature _____ (Use if more than one owner)

5/28/2020

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), Short Neck LLC (Applicant's legal name(s)), hereby certify that I (we) have authorized Larry Waltrip (Agent's name(s)) to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

X Larry Y Waltrip
(Agent's Signature)

(Use if more than one agent)

(Date)

X Larry Y Waltrip
(Applicant's Signature)

(Use if more than one applicant)

5/28/2020
(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), Short Neck LLC (Applicant's legal name(s)), have contracted Water's Edge Construction (Contractor's name(s)) to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Water's Edge Construction
Contractor's name or name of firm

P.O Box 352 Toano, VA 23168
Contractor's or firms address

Daniel R Wimal President
Contractor's signature and title

2705029454-A
Contractor's License Number

X Larry Y Waltrip
Applicant's signature

(use if more than one applicant)

5/28/2020
Date

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write "N/A" in the space provided.

Appendix A: (TWO PAGES) Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. **Briefly describe your proposed project.**

   Install 200'-0" long North Riprap revetment overlay on top of existing broken concrete revetment. Install 75'-0" long bulkhead, install 20'-0" bulkhead with 7'-0" long return wall, install 20'-0" long retaining wall, install a 8'-0" wide x 20'-0" long deck on top of 20'-0" long bulkhead and retaining wall, install 200'-0" long South Riprap revetment, install a 136'-0" long x 8'-0" wide floating pier with 5-5'-0" wide x 10'-0" long finger piers and two Class B anchor piles, install a dual slip 33'-0" wide x 40'-0" long open sided boathouse with 5'-0" wide walkways on each side and 12'-0" x 33'-0" inboard deck over proposed Riprap revetment

2. **For private, noncommercial piers:**
   Do you have an existing pier on your property? X Yes ____ No
   If yes, will it be removed? X Yes ____ No
   Is your lot platted to the mean low water shoreline? X Yes ____ No
   What is the overall length of the proposed structure? 136 feet.
   Channelward of Mean High Water? 40 feet.
   Channelward of Mean Low Water? 36 feet.
   What is the area of the piers and platforms that will be constructed over
   Tidal non-vegetated wetlands 556 square feet.
   Tidal vegetated wetlands _____ square feet.
   Submerged lands 1338 square feet.
   What is the total size of any and all L- or T-head platforms? 1894 sq. ft.
   For boathouses, what is the overall size of the roof structure? 1320 sq. ft.
   Will your boathouse have sides? _____ Yes ____ No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § 28.2-1203 A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § 28.2-1205 for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § 28.2-1204.

Part 3 – Appendices (continued)

3. **For USACE permits**, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information must be included before the application will be considered complete. For an application to be considered complete:

   a. The USACE MAY require depth soundings across the waterway at increments designated by the USACE project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.).
   b. The applicant MUST provide a justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands.
   c. The applicant MUST provide justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.

4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration #
Power 18'-0" 8'-0" VA9144BF Power 22'-6" 8'-0" VA3829AV Power 23'-6" 8'-0" VA4565AV Power 18'-6 7'-0" VA 9400BD				
Power 21'-0" 8'-0" VA 9701AY Power 19'-6" 8'-0" VA1832BT Power 11'-0" 4'-0" VA822BA				
Power 30'-0" 9'-0" VA6665CB Power 25'-0" 10'-0" VA9385YY				

5. For **Marinas, Commercial Piers, Governmental Piers, Community Piers and other non-private piers**, provide the following information:
   A) Have you obtained approval for sanitary facilities from the Virginia Department of Health?_____ (required pursuant to Section 28.2-1205 C of the Code of Virginia).
   B) Will petroleum products or other hazardous materials be stored or handled at your facility?_____.
   C) Will the facility be equipped to off-load sewage from boats?_____.
   D) How many wet slips are proposed?_____. How many are existing?_____.
   E) What is the area of the piers and platforms that will be constructed over
      Tidal non-vegetated wetlands _____ square feet
      Tidal vegetated wetlands _____ square feet
      Submerged lands _____square feet

6. For **boat ramps**, what is the overall length of the structure?_____feet.
   From Mean High Water?_____feet.
   From Mean Low Water?_____feet.

   Note: drawings must include the construction materials, method of installation, and all dimensions. If tending piers are proposed, complete the pier portion.
   Note: If dredging or excavation is required, you must complete the Standard Joint Point Permit application.

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

NOTE: It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://ccrm.vims.edu/coastal_zone/living_shorelines/index.html.**

1. Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

   Install 200'-0" long North Riprap revetment overlay on top of existing broken concrete revetment. Install 75'-0" long bulkhead, install 20'-0" bulkhead with 7'-0" long return wall, install 20'-0" long retaining wall, install 200'-0" long South Riprap revetment,

2. What is the maximum encroachment channelward of mean high water? 10 feet.
   Channelward of mean low water? 3 feet.
   Channelward of the back edge of the dune or beach? N/A feet.

3. Please calculate the square footage of encroachment over:
   - Vegetated wetlands _____ square feet
   - Non-vegetated wetlands 1600 square feet
   - Subaqueous bottom 1200 square feet
   - Dune and/or beach _____ square feet

4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? ____ Yes X No.

   If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? _____Yes ____No.

   If no, please provide an explanation for the purpose and need for the additional encroachment.

Part 3 – Appendices (continued)

5. Describe the type of construction and **all** materials to be used, including source of backfill material, if applicable (e.g., vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).
NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

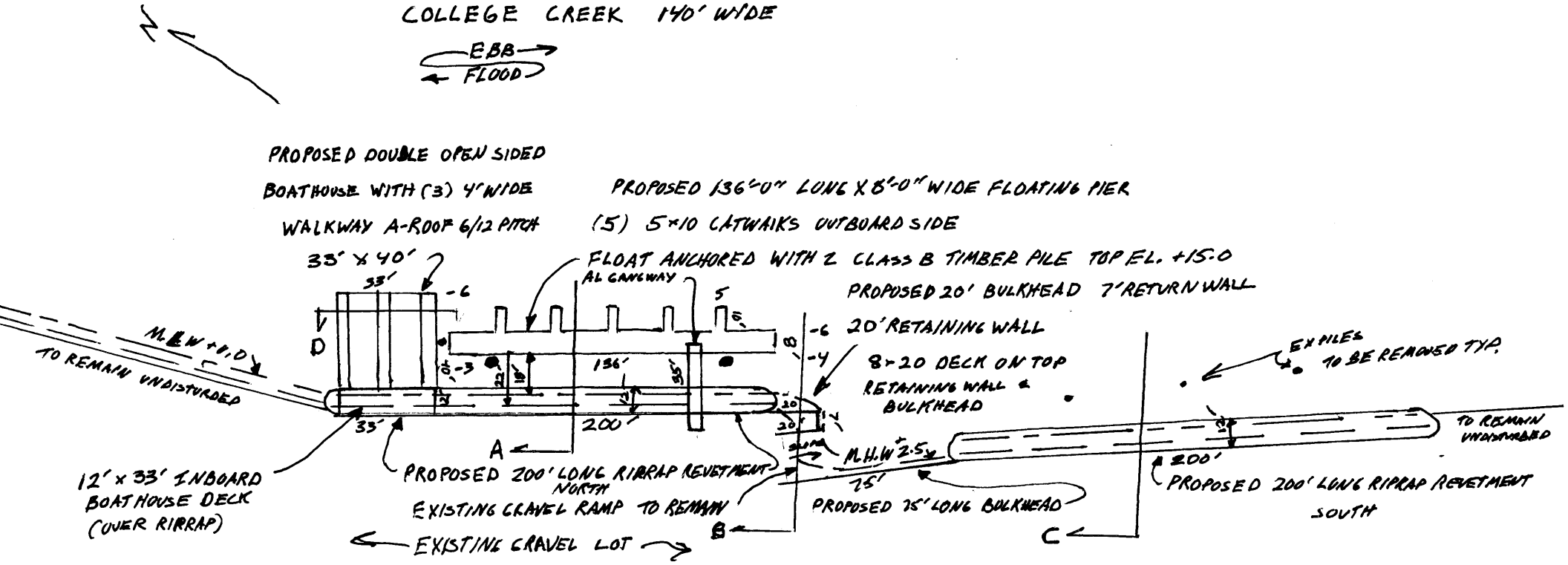
   Revetments: VDOT #1 bedding stone Class 1 armor stone, Non- woven geotextile fabric Bulkhead and retaining wall: 10" butt fender piles, 4"x6" wale 2"x8" T&G timber sheet pile , 8" diameter anchor piles; geotextile filter fabric. All timber material 2.5CCA. all fasteners H.D.G

6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:
   Core (inner layer) material .10 pounds per stone Class size VDOT #1
   Armor (outer layer) material 150 pounds per stone Class size 1

7. For **beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

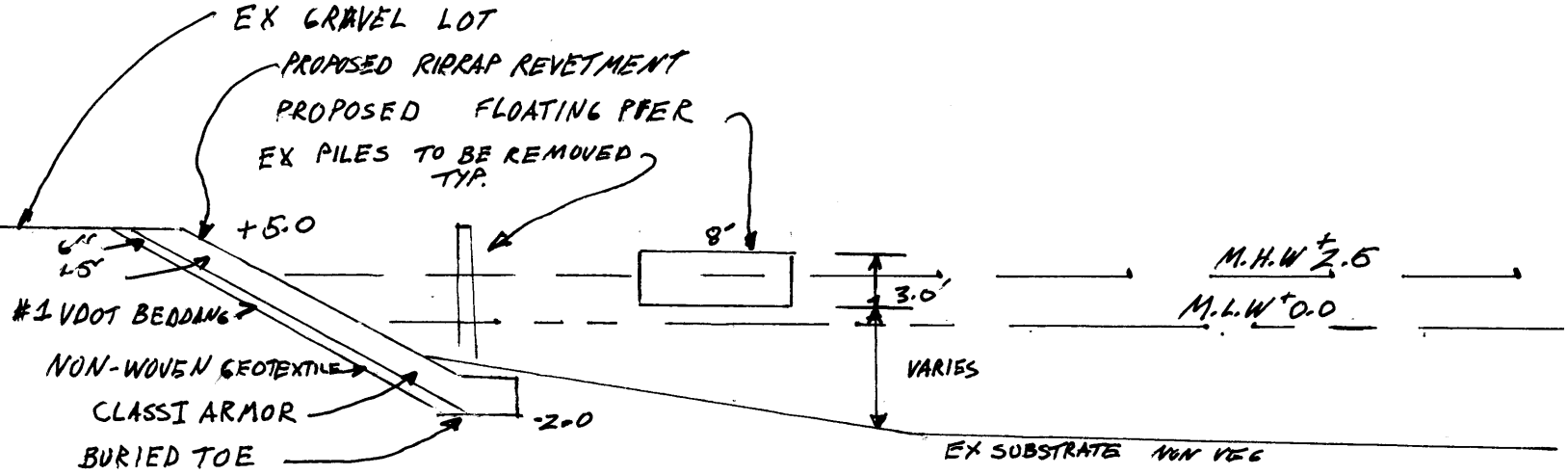
   - Volume of material
     _____ cubic yards channelward of mean low water
     _____ cubic yards landward of mean low water
     _____ cubic yards channelward of mean high water
     _____ cubic yards landward of mean high water
   - Area to be covered
     _____ square feet channelward of mean low water
     _____ square feet landward of mean low water
     _____ cubic yards channelward of mean high water
     _____ cubic yards landward of mean high water
   - Source of material, composition (e.g. 90% sand, 10% clay):_____
   - Method of transportation and placement:

     _____
   - Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at http://www.vims.edu/about/search/index.php?q=planting+guidelines:

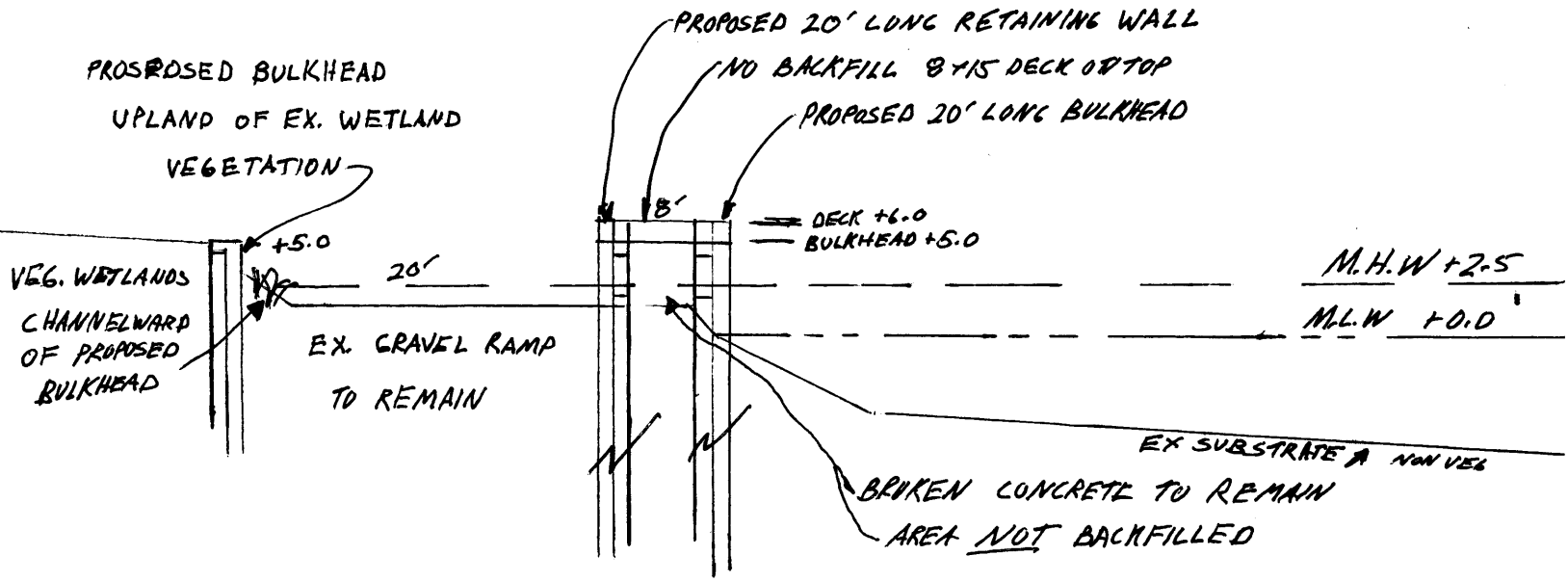


25.59 AC ROBERTS DIST RB
SHORT NECK LLC
PARCEL ID 4820100012
20 MARCLAY ROAD
WILLIAMSBURG VA 23185

APO #1 WILLIAMSBURG LANDING INC APO #2 WILLIAMSBURG-JAMESTOWN AIRPORT INC 06/01/2020	PLAN VIEW OF PROPOSED BULKHEAD NORTH REVETMENT, SOUTH REVETMENT, FLOATING PIER, DECKS BOATHOUSE & RETAINING WALL SHORT NECK LLC	DRW BY DRW 06/01/2020 DATUM M.L.W SCALE 1" = 60'-0" PL #1 of 4



SECTION A-A NORTH REVETMENT FLOATING PIER

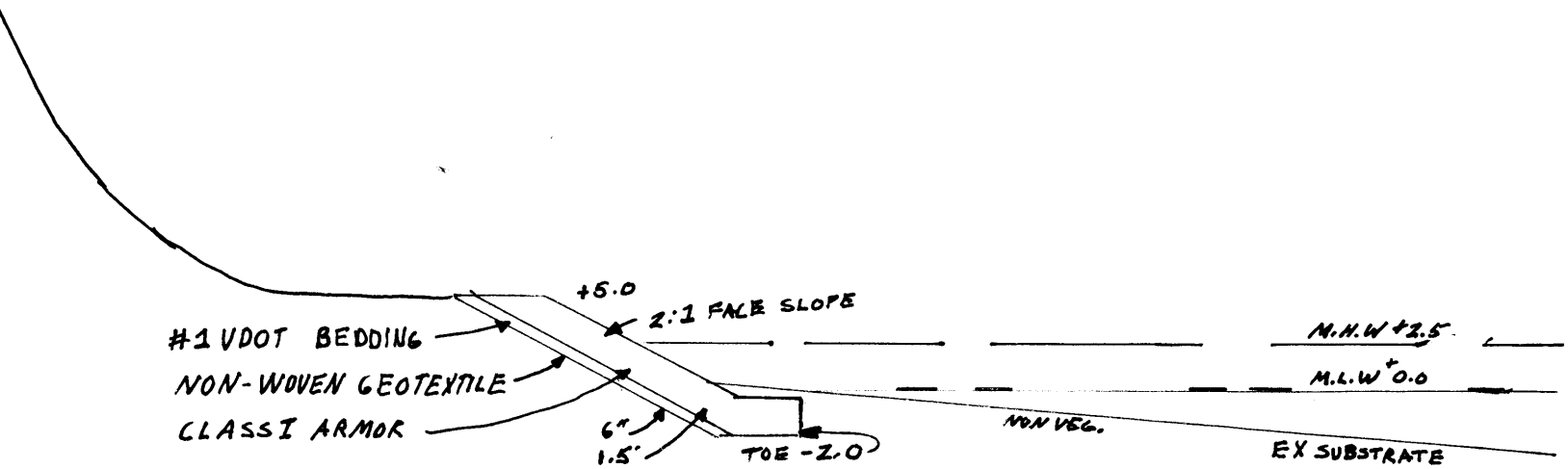


SECTION BB BULKHEAD, RETAINING WALL GRAVEL RAMP AREA

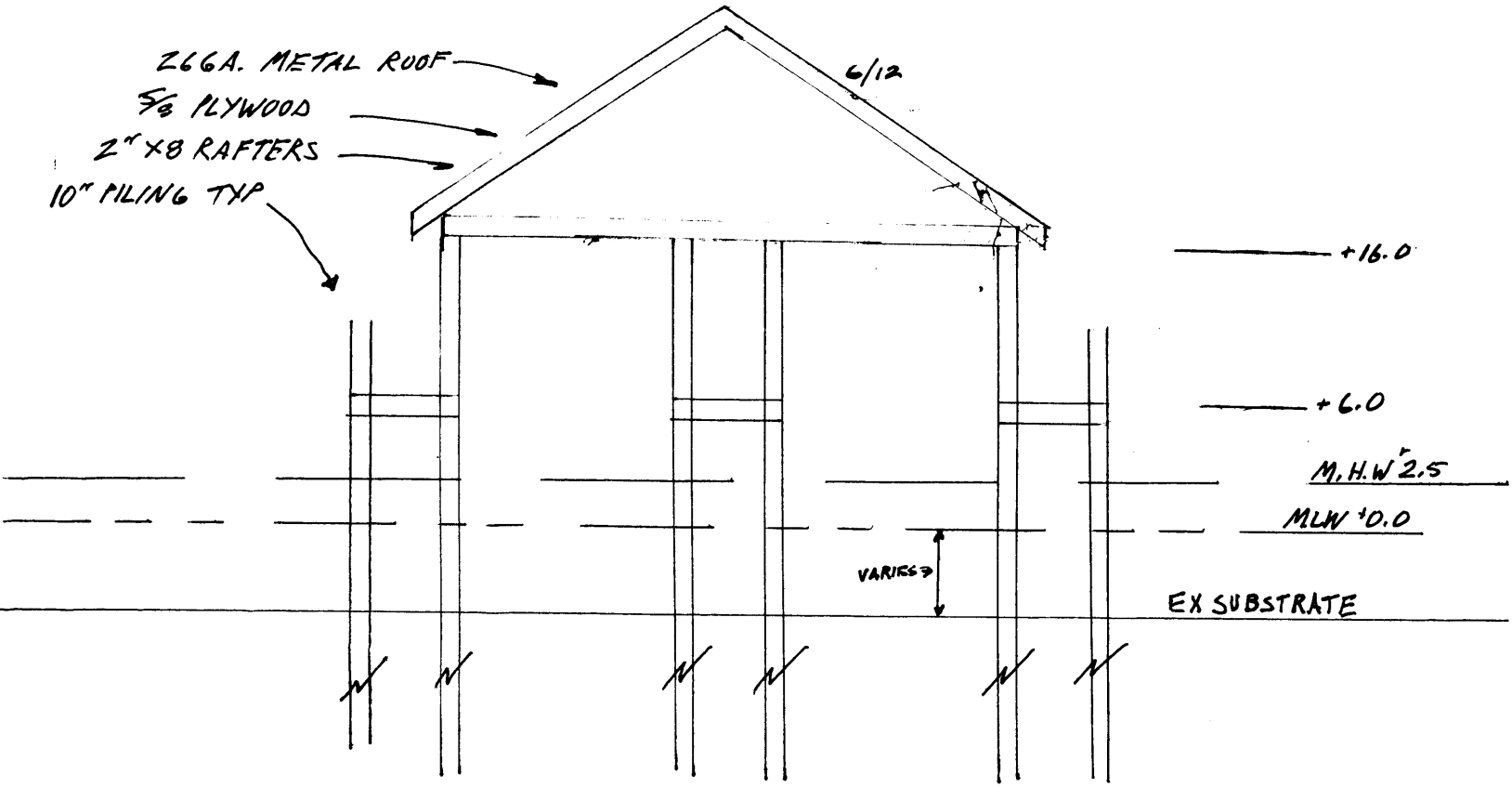
APO #1 WILLIAMSBURG LANDING
APO #2 WILLIAMSBURG-JAMESTOWN AIRPORT INC
06/01/2020

SECTION VIEWS A & B
SHORT NECK LLC

DRW BY DRW
DATUM M.L.W
SCALE 1"=10'-0"
PG 2 OF 4



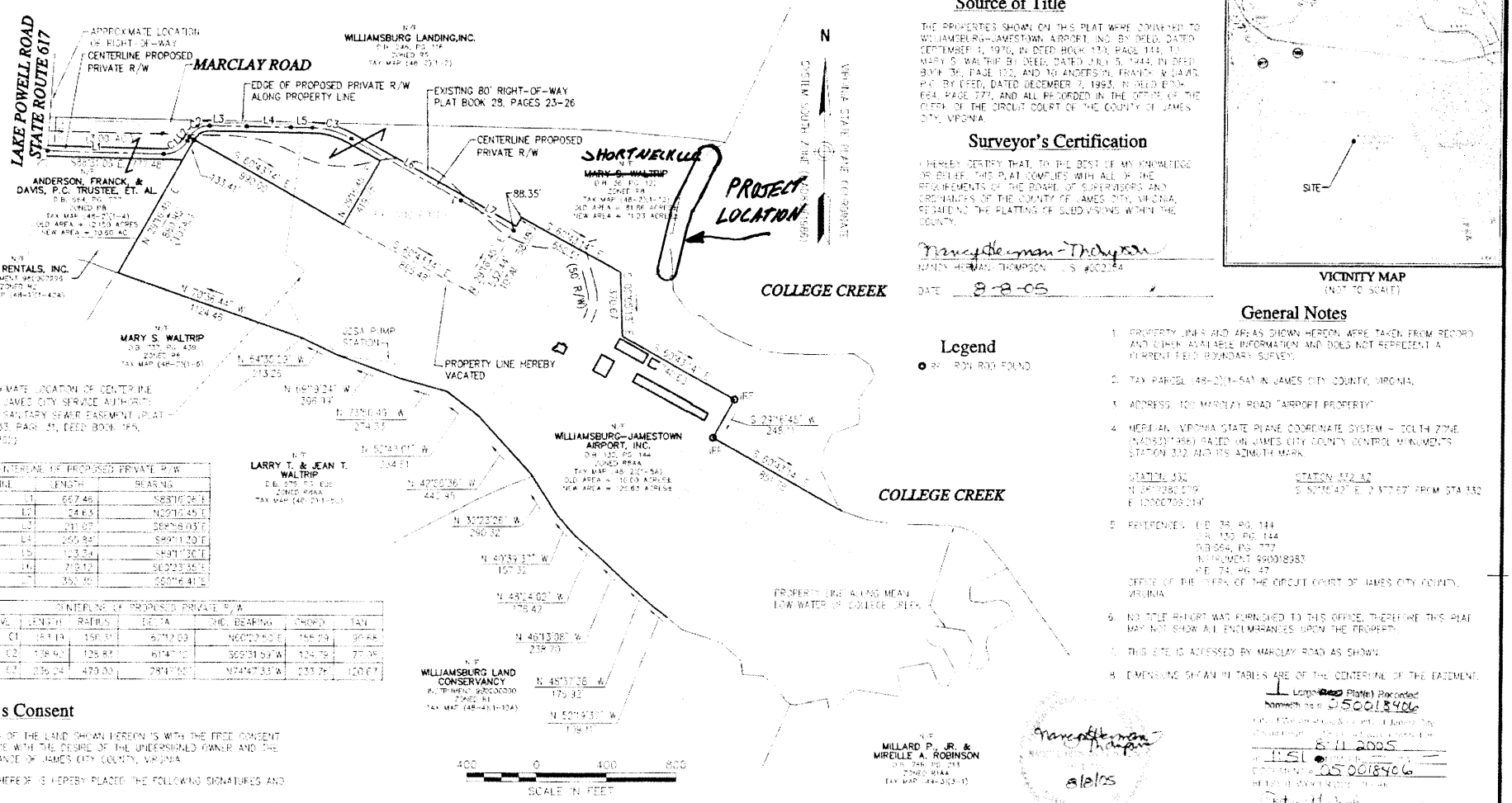
SECTION C-C 1"= 10'-0" SOUTH REVETMENT



SECTION D-D 1"= 10'-0" BOATHOUSE

APO #1 WILLIAMSBURG LD. INC APO # WILLIAMSBURG-JAMESTOWN AIRPORT INC 06/01/2020	SECTION VIEWS C & D SHORT NECK LLC	DRW BY DRW DATUM M.L.W SCALE 1"=10'-0" PG 3 OF 4

#0500018406



CENTERLINE OF PROPOSED PRIVATE R/W		
LINE	LENGTH	BEARING
L1	667.46	S85°16'36"E
L2	24.63	N29°10'45"E
L3	211.02	S89°26'03"E
L4	260.89	S89°11'20"E
L5	123.24	S79°11'30"E
L6	71.87	S60°23'35"E
L7	350.10	S60°16'41"E

CENTERLINE OF PROPOSED PRIVATE R/W						
CURVE	LENGTH	RADIUS	DELTA	CHD. BEARING	CHORD	TAN
C1	164.13	150.31	62°32'03"	N60°02'50"E	155.99	90.66
C2	138.40	125.82	63°01'12"	S59°31'59"W	131.49	77.06
C3	236.24	473.00	28°37'55"	N74°47'33"W	233.76	120.67

Source of Title

THE PROPERTIES SHOWN ON THIS PLAT WERE CONVEYED TO WILLIAMSBURG-JAMESTOWN AIRPORT, INC. BY DEED, DATED SEPTEMBER 1, 1970, IN DEED BOOK 130, PAGE 144, TO MARY S. WALTRIP BY DEED, DATED JULY 5, 1944, IN DEED BOOK 56, PAGE 122, AND TO ANDERSON, FRANCK & DAVIS, P.C. BY DEED, DATED DECEMBER 7, 1993, IN DEED BOOK 564, PAGE 777, AND ALL RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY, VIRGINIA.

Surveyor's Certification

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE OR BELIEF, THIS PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA, PERTAINING TO THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY.

Nancy Herman-Thompson

NANCY HERMAN THOMPSON L.S. #002254

DATE 8-8-05

VICINITY MAP
(NOT TO SCALE)

Legend

○ IPF IRON PIPE FOUND

General Notes

1. PROPERTY LINES AND AREAS SHOWN HEREON WERE TAKEN FROM RECORD AND OTHER AVAILABLE INFORMATION AND DOES NOT REPRESENT A CURRENT FIELD BOUNDARY SURVEY.
2. TAX PARCEL (48-2)(1-54) IN JAMES CITY COUNTY, VIRGINIA.
3. ADDRESS: 100 MARCLAY ROAD "AIRPORT PROPERTY"
4. MERIDIAN: VIRGINIA STATE PLANE COORDINATE SYSTEM - SOUTH ZONE (NAD83)(1993) RADED ON JAMES CITY COUNTY CONTROL MONUMENTS STATION 332 AND ITS AZIMUTH MARK.

STATION 332	STATION 332 AZ
N 24°12'26.07"E	S 50°26'43" E, 2,377.67' FROM STA 332
E 1,020,799.21'	

5. REFERENCES: D.B. 56, PG. 144
D.B. 130, PG. 144
D.B. 564, PG. 777
INSTRUMENT #960018387
P.B. 73, PG. 47
OFFICE OF THE CLERK OF THE CIRCUIT COURT OF JAMES CITY COUNTY, VIRGINIA
6. NO TITLE REPORT WAS FURNISHED TO THIS OFFICE, THEREFORE THIS PLAT MAY NOT SHOW ALL ENCUMBRANCES UPON THE PROPERTY.
7. THIS SITE IS ACCESSED BY MARCLAY ROAD AS SHOWN
8. DIMENSIONS SHOWN IN TABLES ARE OF THE CENTERLINE OF THE EASEMENT.

1 Large Deed Plat(s) Recorded
Beneath Deed # 0500018406
8/11/2005
11:51
0500018406

Owner's Consent

THE PLATTING OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER AND THE SUBDIVISION ORDINANCE OF JAMES CITY COUNTY, VIRGINIA.

IN WITNESS THEREOF IS HEREBY PLACED THE FOLLOWING SIGNATURES AND SEALS:

Larry Waltrip President 8/10/05

AGENT, WILLIAMSBURG-JAMESTOWN AIRPORT, INC. DATE

STATE OF VIRGINIA
COMMONWEALTH AT LARGE

I, Heather Gilbert, A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE DO HEREBY CERTIFY THAT Larry Waltrip WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, HAS PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE SAME ON THIS 10 DAY OF August 2005

Heather Gilbert
NOTARY PUBLIC Jwas Commissioned as Heather Rondi

MY COMMISSION EXPIRES 12-31-07

Certificate of Approval

THIS SUBDIVISION IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD

AGENT FOR THE JAMES CITY COUNTY DATE

Owner's Consent

THE PLATTING OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER AND THE SUBDIVISION ORDINANCE OF JAMES CITY COUNTY, VIRGINIA.

IN WITNESS THEREOF IS HEREBY PLACED THE FOLLOWING SIGNATURES AND SEALS:

Mary S. Waltrip 8/10/05

MARY S. WALTRIP DATE

STATE OF VIRGINIA
COMMONWEALTH AT LARGE

I, Heather Gilbert, A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE DO HEREBY CERTIFY THAT Mary Waltrip WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, HAS PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE SAME ON THIS 10 DAY OF August 2005

Heather Gilbert
NOTARY PUBLIC Jwas Commissioned as Heather Rondi

MY COMMISSION EXPIRES 12-31-07

Owner's Consent

THE PLATTING OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER AND THE SUBDIVISION ORDINANCE OF JAMES CITY COUNTY, VIRGINIA.

IN WITNESS THEREOF IS HEREBY PLACED THE FOLLOWING SIGNATURES AND SEALS:

ALVIN P. ANDERSON, TRUSTEE DATE

STATE OF VIRGINIA
COMMONWEALTH AT LARGE

I, Heather Gilbert, A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE DO HEREBY CERTIFY THAT Alvin Anderson WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, HAS PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE SAME ON THIS 11 DAY OF August 2005

Heather Gilbert
NOTARY PUBLIC Jwas Commissioned as Heather Rondi

MY COMMISSION EXPIRES 12-31-07

REV. 8/8/05

BOUNDARY LINE ADJUSTMENT PLAT OF THE PROPERTIES OWNED BY

WILLIAMSBURG-JAMESTOWN AIRPORT, INC., MARY S. WALTRIP AND ANDERSON, FRANCK, & DAVIS, P.C. TRUSTEE, ET. AL.

JAMESTOWN DISTRICT
JAMES CITY COUNTY, VIRGINIA

DATE: 7/14/05 SHEET 1 OF 1
SCALE: 1"=400' DRAWN BY: RWP/NLHT

VHB Vanasse Hangen Brustlin, Inc.
Transportation Land Development Environmental Services
477 McLaws Circle, Suite 1
Williamsburg, Virginia 23185
(757) 220-0500 • FAX (757) 220-8544

PROJECT No.: 31749.00 FILE No.: 31749EasmtPLAT

P6 4 of 4

PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY AUGUST 12, 2020 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA 20-0023/VMRC 20-1053: Mr. Daniel Winall of Waters Edge Construction, on behalf of Larry Waltrip, has applied for a wetlands permit to install a floating pier, retaining wall, bulkhead, riprap revetment and a boat house at 20 Marclay Road, JCC Parcel 4820100012.

WJPA 20-0024/VMRC 20-1074: Mr. David Butler of Gallup Surveyors & Engineers, on behalf of David and Diane Lee, has applied for a wetlands permit for a bulkhead repair, riprap revetment, pier repair and replacement, a new adjacent pier and stairway extension and repair at 176 The Maine, JCC Parcel 4540200061.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASE:

CBPA 20-0053: Mr. Don Newsom of Delightful Gardens, on behalf of Mr. Charles Turbeville, has filed an exception request for encroachments into the RPA buffer for a retaining wall at 146 Red Oak Landing, JCC Parcel 4730100033.

Appeals from decisions under the Chesapeake Bay Preservation Ordinance may also be heard.

All interested parties are invited to attend the meetings. There is also a call-in option for the public hearings. To participate, call 757-253-6772 to record a comment that will be played during the meeting. Recorded comments must be submitted no later than noon on the day of the meeting. Please give your name and address for the public record and limit comments to five minutes or less. Questions? Call 757-253-6823.

The applications and plans are on file and may be viewed during normal office hours in the Stormwater and Resource Protection Division, 101-E Mounts Bay Road, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – July 29 and August 5, 2020.

ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

COPIES: PLANNING
ASSISTANT COUNTY ATTORNEY
WETLANDS/CHESAPEAKE BAY BOARD MEMBERS

General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov

jamescitycountyva.gov

Capital Projects
107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet
103 Tewning Road
Williamsburg, VA 23188
757-259-4122

Stormwater and Resource Protection
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

July 22, 2020

RE: WJPA-20-0023
20 Marclay Road
Boathouse, Floating Pier, Riprap, Revetment, Retaining Wall & Bulkhead

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Wetlands Board by Mr. Daniel Winall, Water's Edge Construction on behalf of Mr. Larry Waltrip, Short Neck, LLC for encroachment into the tidal wetlands associated with construction of a floating pier, retaining wall, bulkhead, riprap, revetment, inboard deck, dual slip, and open sided boathouse. The project is located at 20 Marclay Road and further identified as JCC Parcel No. 4820100012.

A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Wetlands Board will hold an advertised public hearing on **August 12, 2020 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Michael D. Woolson

Michael D. Woolson
Wetlands Board Secretary
757-253-6823
michael.woolson@jamescitycountyva.gov

cc: Water's Edge Construction
Attn: Mr. Daniel Winall

MDW: jep

Mailing List for: WJPA-20-0023 – 20 Marclay Road – Waters Edge Construction/Short Neck, LLC/Larry Waltrip– Boathouse, Retaining Wall/Bulkhead,Floating Pier, Riprap, Revetment

Applicant: 4820100012-20 Marclay Road
Short Neck LLC
Attn: Mr. Larry Waltrip
100 Marclay Road
Williamsburg, VA 23185-3723

Short Neck, LLC
3 Marclay Road
Williamsburg, VA 23185-3713

Contractors:
Water's Edge Construction
Attn: Mr. Daniel Winall
P.O. Box 352
Toano, VA 23168-0352

4820100005A
Williamsburg-Jamestown Airport, Inc.
100 Marclay Road
Williamsburg, VA 23185-3723

4820100012A - 99 Marclay Road
4810100063 –5550 Williamsburg Landing Dr
4820100002
Williamsburg Landing, Inc.
5700 Williamsburg Landing Drive
Williamsburg, VA 23185-3779

4820100004 – 3 Marclay Road:
Marclay, LLC
100 Lands End Drive
Williamsburg, VA 23185-3126

4910240024 .
4910240023 – 139 Kingspoint Drive
Williamson, Forrest W, Trustee & Christine L, Trustee
143 Kingspoint Drive
Williamsburg, VA 23185-4453

4910240022
Galke, Benjamin R & Mary Kate
137 Kingspoint Drive
Williamsburg, VA 23185-4453

4910240021
Schneider, William J, Trustee
135 Kingspoint Drive
Williamsburg, VA 23185-4453

4910240011
Allen, Kenneth L & Allen, Anne B, Trustee
112 Cove Road
Williamsburg, VA 23185-4414

4910240010
Baxter, Donald J & Judith G
113 Cove Road
Williamsburg, VA 23185-4413

4910230026 – 105 Black Oak Drive
Riley, Kevin J & Riley, Mark P
211 McLaws Circle, Suite 1
Williamsburg, VA 23185-5871

4910230031
Elton, William N & Rebecca N
122 Northpoint Drive
Williamsburg, VA 23188-4450

4910230032
Milliman, John D & Ann B
124 Northpoint Drive
Williamsburg, VA 23185-4450

4910230033
Miller, David K & Wendy C
126 Northpoint Drive
Williamsburg, VA 23185-4450

4910230034
Bradley, Kenneth R, Trustee & Susan M
127 Northpoint Drive
Williamsburg, VA 23185-4449

Virginia Marine Resource Center
Attn: Mr. Jeffrey P. Madden
380 Fenwick Road, Building 96
Fort Monroe, VA 23651-1064

Department of Game and Inland Fisheries
P.O Box 90778
Henrico, VA 23228-0778

VIMS Wetlands Program
Attn: Dawn Fleming
P.O. Box 1346
Gloucester Point, VA 23062-1346

State Water Control Board
c/o Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218-1105

VDOT
4451 Ironbound Road
Williamsburg, VA 23188-2621

Regulatory Branch Army Corps of Engineers
803 Front Street
Norfolk, VA 23510-1011

AGENDA ITEM NO. E.1.

ITEM SUMMARY

DATE: 8/12/2020

TO: Wetlands Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: WJPA 19-0032 / VMRC 19-1124 : 7612 Uncles Neck

Mr. Wilbur Jordan, on behalf of Ms. Theresa Whelan, is requesting a 1-yr extension to the approved wetlands permit originally granted on August 14, 2019.

ATTACHMENTS:

	Description	Type
🗋	Staff Memo	Staff Report
🗋	Resolution	Resolution
🗋	Extension Request	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Secretary, Wetland	Approved	8/10/2020 - 10:45 PM

MEMORANDUM

Date: August 12, 2020

To: The Wetlands Board

From: Michael D. Woolson, Senior Watershed Planner

Subject: Wetlands Permit No. WJPA 19-0032 / VMRC 19-1124. 7612 Uncles Neck

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Mr. Wilbur Jordan, on behalf of Ms. Theresa Whelan, is requesting a one-year extension to WJPA 19-0032, originally granted on August 14, 2019. The project is scheduled to begin before the end of calendar year 2020. Staff concurs with this request, with the stipulation that all permit conditions, except for the expiration date, be reauthorized and that the new date of expiration be August 12, 2021.

R E S O L U T I O N

CASE NO. WJPA 19-0032/VMRC 19-1124. 7612 UNCLES NECK

JAMES CITY COUNTY WETLANDS PERMIT EXTENSION

WHEREAS, Ms. Theresa Whelan (the "Applicant"), has applied to the Wetlands Board of James City County (the "Board") to request a permit to use and develop in areas designated as wetlands on property identified as James City County Real Estate Tax Map Parcel No. 2030200028 and further identified as 7612 Uncles Neck in the Uncles Neck subdivision (the "Property") as set forth in the application WJPA 19-0032/VMRC 19-1124; and

WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, BE IT RESOLVED that the Wetlands Board of James City County, Virginia, following a public hearing, by a majority vote of its members FINDS that:

1. The anticipated public and private benefit of the proposed activity in the wetlands exceeds its anticipated public and private detriment.

2. The proposed development conforms to the standards prescribed in Section 28.2-1308 of the Code of Virginia, and the guidelines promulgated pursuant to Section 28.2-1301 of the Code of Virginia.

3. The proposed activity does not violate the purpose and intent of Chapter 22 of the James City County Code or Sections 28.2-1300 et. seq. of the Code of Virginia.

4. In granting this Wetlands Permit, the following conditions are hereby imposed:

    a. The applicant must obtain all other necessary local, state, and/or federal permits required for the project;

    b. Staff from the Resource Protection Division shall meet with the applicant on-site prior to the commencement of construction to determine the exact amount of vegetated wetland loss and amend mitigation requirements and surety amount accordingly;

    c. A surety in the amount of $450 shall guarantee the 'no net-loss' wetland policy as outlined in 4VAC20-390-10 et seq. The surety shall be in a form acceptable to the James City County Attorney's Office. A minimum of 5,000 square feet of the beach nourishment area must be planted. Saltmeadow hay, saltmeadow cordgrass, black needlerush, common three square, arrow arum, and pickerel weed are all acceptable plant species.

    d. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City

County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities; and

e. The Wetlands Permit for this project shall expire on August 12, 2021 if construction has not begun; and

f. If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than July 1, 2020, six weeks prior to the expiration date.

_____	_____
William Apperson	Michael Woolson
Chairman, Wetlands Board	Secretary to the Board

Adopted by the Wetlands Board of James City County, Virginia, this 12th day of August, 2020.

Michael Woolson

From: j_m_c_i_@cox.net j_m_c_i_@cox.net <j_m_c_i_@cox.net>
Sent: Monday, August 10, 2020 1:47 PM
To: Michael Woolson
Subject: [External] request extension for Theresa M. Whelan

request extension for Theresa M. Whelan

Wetland permit # VMRC#19-V1124 (Chickahominy River)

6712 Uncles Neck- Toano

Please send reply upon receiving

Thank You

Wilber Jordan

JMCI

AGENDA ITEM NO. E.2.

ITEM SUMMARY

DATE: 8/12/2020

TO: Wetlands Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Permit Expiration Dates

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Secretary, Wetland	Approved	8/10/2020 - 10:07 PM