

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
June 13, 2018
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from May 9, 2018, regular meeting

D. PUBLIC HEARINGS

1. W-26-18 / VMRC 18-0763 : 8401 Hicks Island Road

E. BOARD CONSIDERATIONS

1. W-17-17 / VMRC 17-0074: 7596 Uncles Neck

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 6/13/2018

TO: Wetlands Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Minutes from May 9, 2018, regular meeting

ATTACHMENTS:

	Description	Type
	Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	6/10/2018 - 12:00 PM
Wetlands Group	Geissler, Fran	Approved	6/11/2018 - 2:31 PM
Publication Management	Colonna, Tina	Approved	6/11/2018 - 3:07 PM
Wetlands Group	Secretary, Wetland	Approved	6/11/2018 - 3:33 PM

MINUTE S
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
May 9, 2018
5:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for May 9, 2018 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 their despoliation.

B. ROLL CALL

Board Members Present:

Charles Roadley
Larry Waltrip
John Hughes

Board Members Absent:

David Gussman
William Apperson

County Staff Present:

Michael Woolson, Senior Watershed Planner, Stormwater and Resource Protection
Frances Geissler, Director, Stormwater and Resource Protection
Liz Parman, Assistant County Attorney
Trevor Long, Watershed Planner, Stormwater and Resource Protection
Janice Petty, Assistant, Stormwater and Resource Protection

C. MINUTES

1. Minutes from the April 11, 2018, regular meeting

The minutes from the April 11, 2018, regular meeting were approved as written.

D. PUBLIC HEARINGS

1. W-22-18 : 7624 Uncles Neck

Mr. Woolson made a presentation for the wetland permit applied for by Mr. Daniel Winall, Water's Edge Construction, submitted on behalf of Mark and Kathryn Gillespie. Mr. Woolson explained that the permit was to protect the shoreline using the living shoreline techniques of two rock sills and beach nourishment with planting areas at 7624 Uncles Neck, within the Uncles Neck subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Parcel No. 2030200031. The presentation described the current site

conditions and the proposed project. Mr. Woolson explained that staff recommend approval for this permit with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Roadley requested that the extent of active erosion be explained further.

Mr. Woolson explained the extent of active erosion on the property.

Mr. Roadley expressed concerns over the configuration of the rock sills.

Mr. Woolson deferred the question to Mr. Winall.

Mr. Hughes asked if the debris seen in the pictures would be removed from the site.

Mr. Woolson explained that the debris would be removed.

Mr. Hughes opened the Public Comment Period.

A. Mr. Daniel Winall, Water's Edge Construction, addressed the Board and answered further questions.

Mr. Roadley requested further explanation of the sill alignment.

Mr. Winall described the reasoning behind the sill alignment.

Mr. Hughes asked about the depth of water at the end of the structures.

Mr. Winall explained that the water depth is minus one foot mean sea level.

Mr. Hughes closed the Public Comment Period, as no one else wished to speak.

Mr. Waltrip made a motion to grant the permit for Wetlands Board Case No. W-22-18/VMRC 18-0317 at 7624 Uncles Neck.

Motion was approved: 3-0
Ayes: Roadley, Waltrip, Hughes
Nays: None
Absent: Apperson, Gussman

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

The meeting adjourned at 5:13 p.m.

ITEM SUMMARY

DATE: 6/13/2018

TO: Wetlands Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: W-26-18 / VMRC 18-0763 : 8401 Hicks Island Road

Steve and Lori Caudill have applied for a wetlands permit to construct a pier at 8401 Hicks Island Road, JCC Parcel No. 0910100024A.

ATTACHMENTS:

	Description	Type
☐	Staff Memo	Cover Memo
☐	Joint Permit Application	Backup Material
☐	Agent Email	Backup Material
☐	Public Hearing Notice	Backup Material
☐	APO Notification Letter	Backup Material
☐	APO Notification List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	6/11/2018 - 11:26 AM
Wetlands Group	Geissler, Fran	Approved	6/11/2018 - 1:41 PM
Publication Management	Colonna, Tina	Approved	6/11/2018 - 3:45 PM
Wetlands Group	Secretary, Wetland	Approved	6/11/2018 - 4:40 PM

MEMORANDUM

DATE: June 13, 2018
TO: The Wetlands Board
FROM: Michael D. Woolson, Senior Watershed Planner
SUBJECT: W-26-18. 8400 Hicks Island Road

An email was sent to staff on June 4, 2018, from the agent for this project explaining that the project address was incorrectly stated in the Joint Permit Application (JPA) originally submitted. The project address listed in the JPA was the one staff used for the public notification of the project. One of the two required public notifications had already taken place on May 30, 2018, when staff received the email detailing the discrepancy. As the case has not received proper public notification, staff has rescheduled this case for the August 8, 2018, regular meeting of the Wetlands Board. Staff has also requested that the applicant repay the \$100 fee for the public advertising, as the incorrect public notification was not the fault of staff.

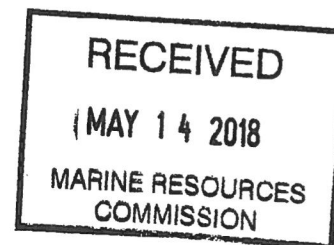
MDW/md
W26-18-8400HickIslRd-mem

Beth Howell

From: Karla Havens
Sent: Monday, May 14, 2018 2:20 PM
To: Beth JPA's; Donald Hicks
Subject: Caudill JPA
Attachments: Caudill JPA.pdf

Hi Beth,
Here is a JPA for Ms. Lori Caudill.
Karla

Sent from Mail for Windows 10



Part 1 – General Information

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

County or City in which the project is located: JAMES CITY COUNTY / LANEXA Waterway at project site: DIASCUND CREEK
--

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

STEVE & LORI T. CAUDILL
 8401 HICKS ISLAND ROAD
 LANEXA, VA 23089-9010

Contact Information:

Home ()
 Work (804) 239-5018 STEVE
 Fax ()
 Cell/ Pager (804) 239-5008 LORI
 e-mail caudills5@aol.com

State Corporation Commission ID Number (if applicable) _____

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

PAULANNE HALL THACKER & LORI T. CAUDILL
 8401 HICKS ISLAND ROAD
 LANEXA, VA 23089-9010

Contact Information:

Home (804) 640-2886
 Work ()
 Fax ()
 Cell/ Pager ()
 e-mail *Grandyanna@aol.com*

State Corporation Commission ID Number (if applicable) _____

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

KARLA S. HAVENS
 MID-ATLANTIC RESOURCE CONSULTING
 1095 CHERRY ROW LANE
 PLAINVIEW, VA 23156

Contact Information:

Home ()
 Work (804) 785-2107
 Fax ()
 Cell/ Pager (804) 366-1768
 e-mail karlashavens@gmail.com

State Corporation Commission ID Number (if applicable) _____

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page. If for a company, use the SCC registered name.**

4. Provide a detailed description of the project in the space below. If additional space is needed, provide a separate sheet of paper with the project description. Be sure to include how the construction site will be accessed, especially if clearing and/or grading will be required.

REMOVE AN EXISTING FAILING TIMBER PIER.

CONSTRUCT A NEW 5' X 27' NON-COMMERCIAL, OPEN-PILE PIER WITH A 16' X 32' PLATFORM AND FOUR (4) MOORING PILES.

SITE TO BE ACCESSED FROM THE WATER AND THE UPLAND. NO CLEARING AND/OR GRADING

RECEIVED MAY 14 2018 MARINE RESOURCES COMMISSION	FOR AGENCY USE ONLY
	Notes: JPA # 18-0763

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? ☒ 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:

DONALD W. HICKS
WATERFRONT PIERS & BULKHEADS, INC.
P. O. BOX 341
LANEXA, VA 23089

Contact Information:

Home () _____
Work () _____
Fax () _____
Cell / Pager (757) 345-1940
email piledriver6131@yahoo.com

State Corporation Commission ID Number (if applicable) _____

* If multiple contractors, each must be listed and each must sign the applicant signature page. If for a company, use the SCC registered name.

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:

Telephone number

(757) 220-1736

VIRGINIA GAZETTE
216 IRONBOUND ROAD
WILLIAMSBURG, VA 23188

DIRECT PAYMENT
TO APPLICANT

7. Give the following project location information:

Street Address (911 address if available) 8400 HICK'S ISLAND ROAD

Lot/Block/Parcel# PARCEL ID 0910111124A / LRSN 6919

Subdivision POWHATAN

City / County LANEXA / JAMES CITY

Zipcode 23089

Latitude and Longitude at Center of Project Site (Decimal Degrees): 37.397203 - 76.897033

If the project is located in a rural area, please provide driving directions.

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.

Part 1 - General Information (continued)

8. What is the primary and secondary purpose of 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 GAIN SAFE ACCESS TO DEEP WATER.

9. Proposed use (check one):

☒ Single user (private, non-commercial, residential)
☐ Multi-user (community, commercial, industrial, government)

10. Describe 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, GRADING, EXCAVATING REQUIRED.

ALL DENUDED AREAS SHALL BE SEEDED WITH AN APPROPRIATE SEASONAL SEED MIXTURE.

PROPOSED PIER WILL BE CONSTRUCTED IN THE SAME LOCATION AS THE EXISTING PIER.

11. Have you previously had a site visit, applied to, or obtained a permit from any agency (Federal, State, or Local) for any portion of the project described in this application or any other project at the site?

☐ Yes* ☒ No * If you answered "Yes", provide the following information:

<u>Agency / Representative</u>	<u>Activity</u>	<u>Permit/Project No.</u>	<u>Action** & Date</u>
--------------------------------	-----------------	---------------------------	----------------------------

(**Issued, Denied, Withdrawn, or Site Visit)

Part 1 - General Information (continued)

12. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? ___ Yes ☒ No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
13. Approximate cost of the entire project (materials, labor, etc.): \$ 30,000
Approximate cost of that portion of the project which is below mean low water: \$ _____
14. Completion date of the proposed work: ASAP ONCE PERMITS ARE OBTAINED.
15. Adjacent Property Owner Information: List the name and complete mailing address, including zip code, of each adjacent property owner to the project. (NOTE: a property owner/applicant cannot be their own adjacent property owner. You must give the next owner down the river, creek, etc).

(8459 HICK'S ISLAND ROAD)

JAMES F. THACKER ESTATE
P. O. BOX 2600
NORFOLK, VA 23501-2600

(8408 HICK'S ISLAND ROAD)

STEVE & DIANA ROGERS
15187 ROCKFORD ROAD
MONTPELIER, VA 23192-2413

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

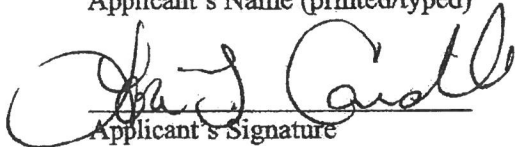
PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that 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, U.S. Army Corps of Engineers, 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.

LORI T. CAUDILL

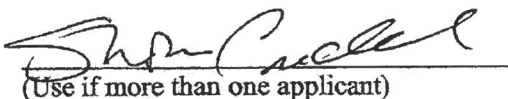
Applicant's Name (printed/typed)


Applicant's Signature

5/3/2018
Date

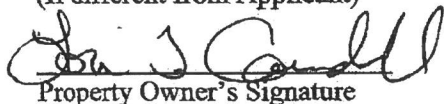
STEVE CAUDILL

(Use if more than one applicant)


(Use if more than one applicant)

LORI T. CAUDILL

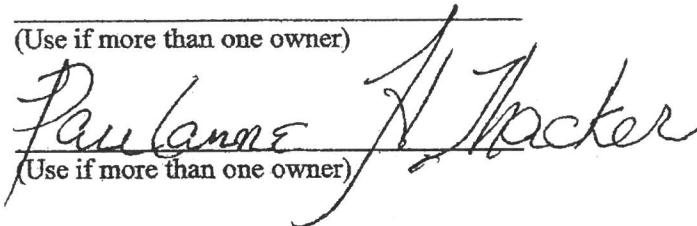
Property Owner's Name (printed/typed)
(If different from Applicant)


Property Owner's Signature

5/3/2018
Date

PAULANNE HALL THACKER

(Use if more than one owner)


(Use if more than one owner)

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

LORI & STEVE

I (we), CAUDILL, hereby certify that I (we) have authorized KARLA S. HAVENS
(Applicant's 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.

Karla S. Havens
(Agent's Signature)

(Use if more than one agent)

5/3/18

(Date)

Lori & Steve Caudill
(Applicant's Signature)

Sam W. Caudill
(Use if more than one applicant)

5/3/2018
(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), LORI & STEVE CAUDILL, have contracted DONALD W. HICKS
(Applicant's 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.

DONALD W. HICKS

Contractor's name or name of firm

WATERFRONT PIERS & BULKHEADS, INC.

P. O. BOX 341

LANEXA, VA 23089

Contractor's or firms address

2705-100343 A

Contractor's License Number

(use if more than one applicant)

Donald W. Hicks
Contractor's signature and title

Applicant's signature

5/3/2018
Date

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Steven L. Rogers, own land next to (across
(Print adjacent/nearby property owner's name)

the water from/on the same cove as) the land of LORI & STEVE CAUDILL
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 3-23-18
(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).

Steven L. Rogers

Adjacent/nearby property owner's signature(s)

4/22/18
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.

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), PAULANNE H. JUNKER, own land next to (across
(Print adjacent/nearby property owner's name)

the water from/on the same cove as) the land of LORI & STEVE CAUDILL.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 3-23-18
(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).

Paulanne H. Junker
Adjacent/nearby property owner's signature(s)

4/28/18
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.

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 (private and community piers, boathouses, marinas, moorings, boat ramps, aquaculture facilities, etc). Answer all questions that apply.

1. Briefly describe your proposed project.

REMOVE AN EXISTING FAILING TIMBER PIER.

CONSTRUCT A 5' X 27' NON-COMMERCIAL, OPEN-PILE PIER WITH A 16' X 32' PLATFORM AND FOUR (4) MOORING PILES.

2. For private, noncommercial piers:

What is the overall length of the structure? 270' feet.

channelward of Mean High Water? 268 feet.

channelward of Mean Low Water? 118 feet

What is the total size of any and all L- or T-head platforms? 512 sq. ft. (16' x 32')

For boathouses, what is the overall size of the roof structure? N/A sq. ft.

Will your boathouse have sides? Yes No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by VMRC, however, pursuant to § 28.2-1203(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, (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.

3. For Corps 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 should be included:

- Written 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
- Written 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.
- Depth soundings across the waterway at increments designated by the Corps 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.). Inclusion of depth sounding data is recommended in order to expedite permit evaluation.

Part 3 – Appendices (continued)

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
TO BE PURCHASED				

- ☒ For **Marinas, Commercial 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 28.2-1205C 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 wetlands _____ square feet
 - Submerged lands _____ square feet

- ☒ 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.

- ☒ For **aquaculture-related structures**:
- Will the activity be commercial? ____ Yes ____ No

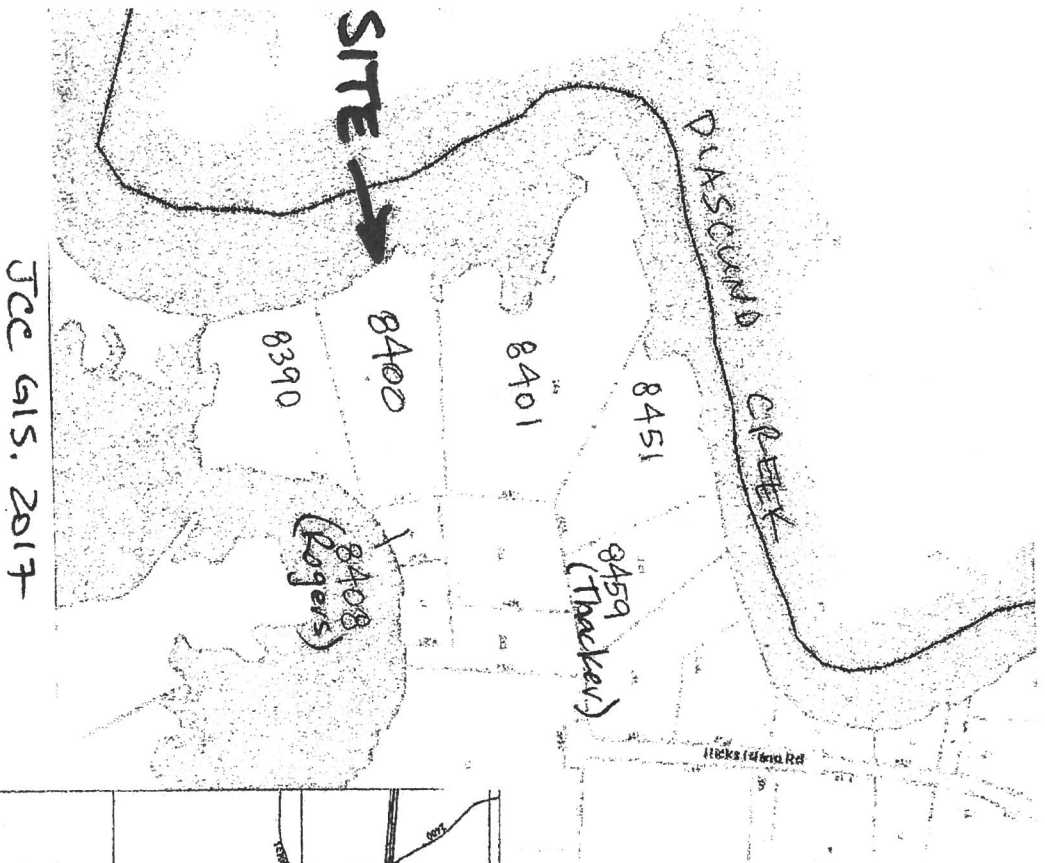
Will the proposed structures be attached to an existing pier or other structure? ____ Yes ____ No

What is the maximum area (square feet) of submerged land that will be occupied by the proposed structures? _____ square feet.

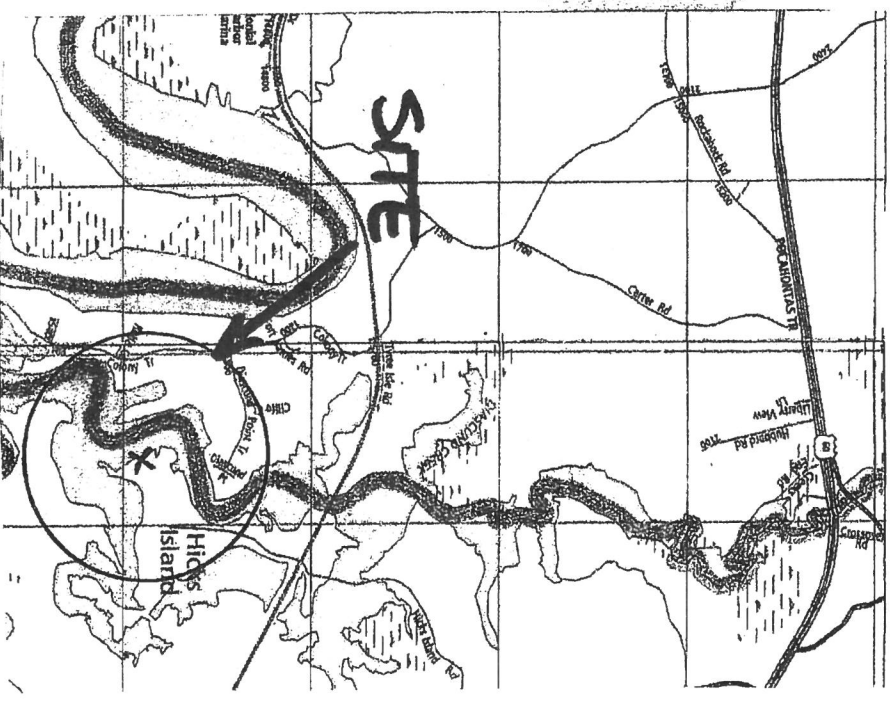
Describe the activity from time of acquisition of seed or other source material to the time of harvest, the source of the animals/plants, and clearly show distance to all proposed and existing structures and shellfish lease boundaries (if applicable) in your drawings. Include bathymetry (depths), relative to mean low water in your plan view drawing and show the location of any Submerged Aquatic Vegetation (SAV) in the project vicinity. **(NOTE: the presence or absence of SAV will be field verified during the project review).**

RECEIVED
MAY 14 2018
MARINE RESOURCES
COMMISSION

Rane McNally-Greath
Richmond Street Guide,
Pages 158 & 159, 2009



JCE GIS. 2017

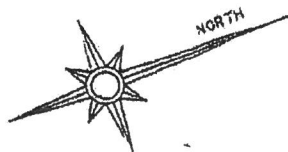


Note: Mid-Atlantic Resource Consulting is responsible only for applying to obtain local wetland, Virginia Marine Resources Commission and U.S. Army Corps of Engineers permits. Mid-Atlantic Resource Consulting is not responsible for any land disturbing activities or construction activities associated with the project.

Adjacent Property Owners	VICINITY MAP	STEVE & LORI T. CAUDILL 8401 Hicks Island Road - Lanexa on Diascund Creek
1. James F. Thacker Estate	James City County LRSN # 6919	
2. Steve & Diana Rogers		

Prepared by: Mid-Atlantic Resource Consulting - 1095 Cherry Row Lane - Plainview, VA 23156 (804) 785-2107
karlashavens@gmail.com

RECEIVED



Adjacent Property Owners 1. James F. Thacker Estate 2. Steve & Diana Rogers	DETAIL James City County LRSN # 6919	STEVE & LORI T. CAUDILL 8401 Hicks Island Road - Lanexa on Diascund Creek Date: 3-23-18 Sheet 3 of 3
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Michael Woolson

From: Karla Havens <karlashavens@gmail.com>
Sent: Monday, June 04, 2018 12:41 PM
To: Mark Eversole; Michael Woolson; Beth JPA's
Cc: caudills5@aol.com
Subject: Revised Drawings
Attachments: Caudill Drawings.pdf

Hi All,

Here are the revised drawings for the Caudill pier. The only revision is the address. The project location is not 8401 or 8400. The project address is 8390 Hick's Island Road.

Karla

Sent from [Mail](#) for Windows 10



PUBLIC HEARING NOTICE

THE WETLANDS AND CHESAPEAKE BAY BOARDS OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, JUNE 13, 2018, 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 CASE:

W-26-18/VMRC 18-0763: Mr. and Mrs. Steve and Lori Caudill have applied for a wetland permit to construct a pier at 8401 Hicks Island Road, JCC Parcel No. 0910100024A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-091: Mrs. Tabitha Partlow has filed an exception request for encroachment into the RPA buffer and conservation easement for the installation of a shed at 2148 Benomi Drive in the Peleg's Point subdivision, JCC Parcel No. 4741300084.

CBE-18-092: Mr. Vladimir Arana has filed an exception request for encroachment into the RPA buffer for the installation of a hot tub at 4069 South Riverside Drive in the Chickahominy Haven subdivision, JCC Parcel No 1910500017.

CBE-18-093: Mr. Whitford R. Strickland has filed an exception request for encroachment into the RPA buffer for the construction of a retaining wall, patio, access path and shoreline restoration at 123 Jordans Journey in the First Colony subdivision, JCC Parcel No. 4540200150.

CBE-18-094: Mr. Piotr Swietuchowski of VHB, Inc., on behalf of SeaWorld Parks & Entertainment, LLC, has filed an exception request for encroachment into the RPA buffer for the construction of a new structure in the Ireland Hamlet section of Busch Gardens at 7851 Pocahontas Trail, JCC Parcel No. 5140100009.

CBE-18-100: Mr. Joseph E. Franklin has filed an exception request for encroachment into the RPA buffer for installation of a double wide mobile home at 25 Clay Circle in the Greensprings Mobile Home Park located at 4131 Centerville Road, JCC Parcel No. 3640100001.

CBE-18-101: Ms. Suzy Cheely, on behalf of SeaWorld Parks & Entertainment, LLC, has filed an exception request for encroachment into the RPA buffer for the construction of a deck behind the Pet Shenanigans Show building at Busch Gardens, located at 7851 Pocahontas Trail, JCC Parcel No. 5140100009.

Consideration of proposed Chesapeake Bay exception conditions will be heard.

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

All interested parties are invited to attend the meetings. The applications and plans are on file and may be viewed during normal office hours in the Stormwater and Resource Protection Division, 101 Mounts Bay Road, Building E, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – May 30, 2018 and June 6, 2018.
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



**General Services
Stormwater and Resource
Protection Division**

P.O. Box 8784
Williamsburg, VA 23187-8784
757-253-6670

Resource.Protection@jamescitycountyva.gov

April 18, 2018

Re: 8400 Hicks Island Road
W-26-18/VMRC 18-0763
Remove & Replace Pier

Dear Adjacent Property Owner:

In accordance with State and County Codes this letter is to notify you that a permit request has been filed with the James City County Wetlands Board by Karla S. Havens of Mid-Atlantic Resource Consulting on behalf of Stephen W. and Lori T. Caudill for removing and replacement of the pier located at 8400 Hicks Island Road in the Miller subdivision. The property is further identified by James City County Real Estate, as Parcel No. 0910100025A.

The Joint Permit Application (JPA), a complete description of the project 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 advertised public hearing on **Wednesday, June 13, 2018 at 5 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,

Janice Petty

Janice Petty
Stormwater Assistant

cc: Caudill, Stephen W. and Lori T.
Mid-Atlantic Resource Consulting
Attn: Karla S. Havens

Mailing List for: W-26-18/18-0763 – 8400 Hicks Island Road – Mid-Atlantic Resource Consulting

Owner: 0910100026 – 8400 Hicks Island Road
0910100027 for 8390 Hicks Island Road
Caudill, Stephen W & Lori T
4801 Woolridge Road
Mosely, VA 23120-1212

Mid-Atlantic Resource Consulting
Attn: Karla S. Havens
1095 Cherry Row Lane
Plainview, VA 23156

Waterfront Piers & Bulkheads, Inc.
Attn: Donald W. Hicks
P.O. Box 341
Lanexa, VA 23089

0910100024A for 8401 Hicks Island Road
Thacker, Paulanne H; Caudill, Lori T; SunTrust
Bank c/o PHI Dept (NOR5003)
P.O. Box 2600
Norfolk, VA 23501-2600

0910100028 for 8408 Hicks Island Road
Rogers, Steve & Diana
15187 Rockford Road
Montpelier, VA 23192-2413

0910100025A for 8438 Hicks Island Road
West, Donald
8414 Hicks Island Road
Lanexa, VA 23089-9009

VMRC
Attn: Mark Eversole
2600 Washington Ave, 3rd Floor
Newport News, VA 23607-4356

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

VDOT
4451 Ironbound Road
Williamsburg, VA 23188-2621

Dept of Game and Inland Fisheries
Box 90778
Henrico, VA 23228-0778

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

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

ITEM SUMMARY

DATE: 6/13/2018

TO: Wetlands Board

FROM: Trevor Long, Watershed Planner

SUBJECT: W-17-17 / VMRC 17-0074: 7596 Uncles Neck

Post construction analysis of pier and discussion about release of surety.

ATTACHMENTS:

	Description	Type
☐	Resolution - signed	Backup Material
☐	Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	6/11/2018 - 1:44 PM
Wetlands Group	Geissler, Fran	Approved	6/11/2018 - 2:13 PM
Publication Management	Colonna, Tina	Approved	6/11/2018 - 3:43 PM
Wetlands Group	Secretary, Wetland	Approved	6/11/2018 - 4:40 PM

RESOLUTION

CASE NO. W-17-17/VMRC 17-0074. 7596 UNCLE'S NECK

JAMES CITY COUNTY WETLANDS PERMIT

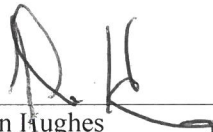
WHEREAS, Karla Havens with Mid-Atlantic Resource Consulting, on behalf of Shawn and Dawn Lemon (the "Applicant"), has applied to the Wetlands Board of James City County (the "Board") to request a permit to use and develop in areas designated as wetlands on property identified as JCC RE Tax Parcel 2010200024 and further identified as 7596 Uncle's Neck in the River's Bend at Uncle's Neck subdivision (the "Property") as set forth in the application W-17-17/VMRC 17-0074: 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; and
 - b. Prior to construction, a pre-construction meeting will be held on-site; and
 - c. A surety in the amount of \$1,000, in a form acceptable to the James City County Attorney's office, shall guarantee the 'no net-loss' wetland policy as outlined in 4VAC20-390-10 et seq; and
 - d. A meeting shall take place no later than one year after pier construction is completed to determine the extent of wetland impacts. Engineering and Resource Protection Division staff may invite representatives of the regulatory agencies dealing with tidal wetlands, The Virginia Institute of Marine Science, Applicant, agent, contractor and Wetlands Board members to this meeting. It will be determined at this meeting what the extent of wetlands impacts are if any. If there are permanent wetlands impacts beyond the six trees to be removed, the Applicant shall purchase from an approved tidal wetlands mitigation bank an equal number square footage credits to offset the unanticipated impacts. Once proof of the wetland credits has been provided the surety shall be returned; and

- e. The Wetlands Permit for this project shall expire on March 8, 2018, if construction has not begun. If an extension of the permit is needed, a written request shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.



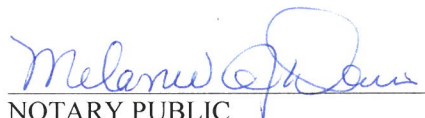
John Hughes
Chair, Wetlands Board



Michael Woolson
Senior Watershed Planner

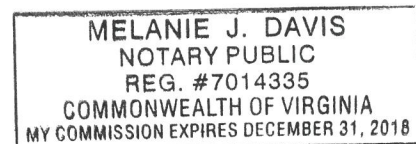
Adopted by the Wetlands Board of James City County, Virginia, this 8th day of March, 2017.

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8th DAY OF March, 2017 IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.



NOTARY PUBLIC

MY COMMISSION EXPIRES: 12/31/18



W17-17-7596UnclesNeck-res



Wetlands Board of James City County, Virginia

June 13, 2018

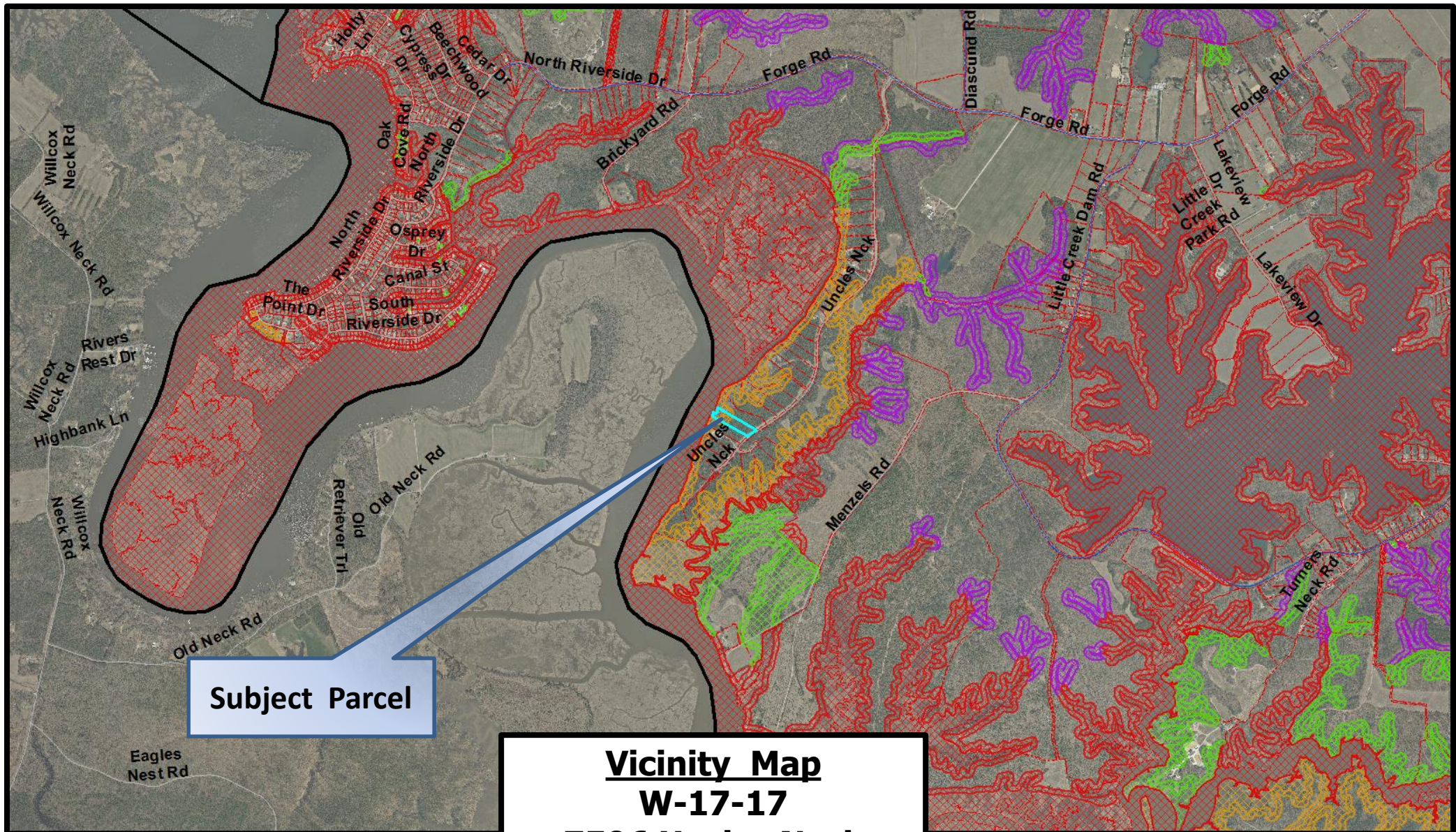
Case: W-17-17 / VMRC 17-0074

Lemon

7596 Uncles Neck

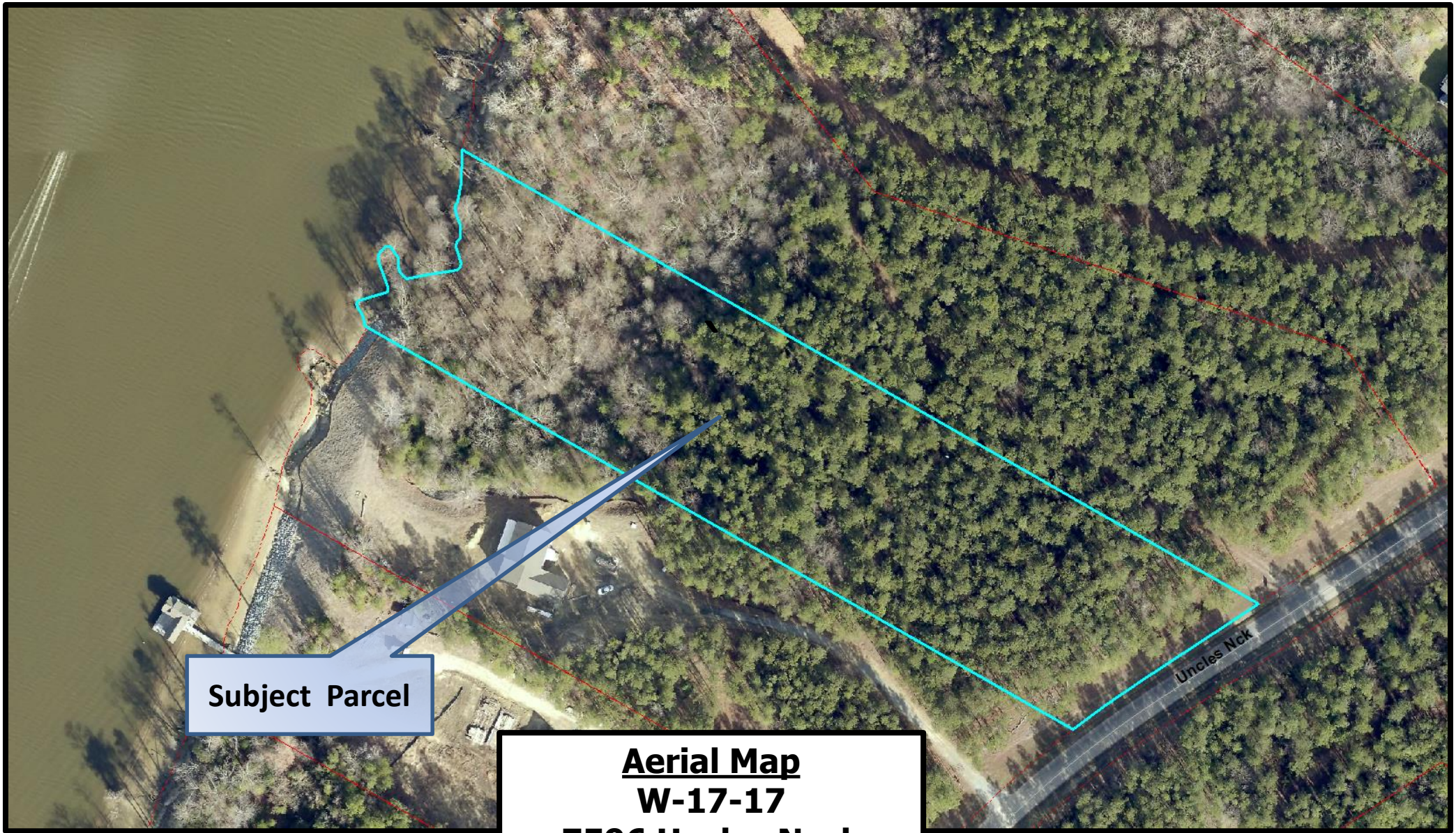
Conditions:

- ✓ **Pre-construction meeting**
- ✓ **A meeting at one year post construction to determine if any permanent tidal wetland impacts.**
- ✓ **Allowed to remove 6 trees.**



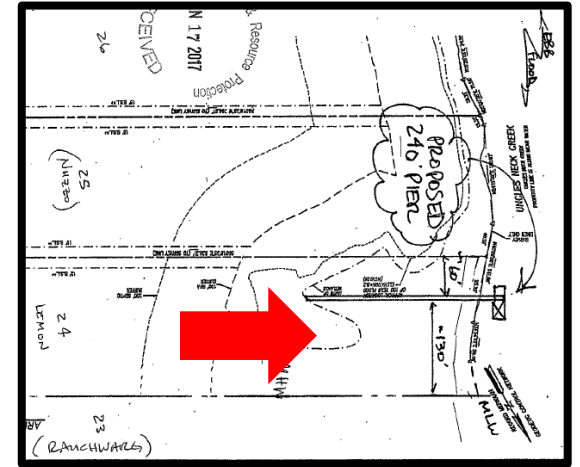
Subject Parcel

Vicinity Map
W-17-17
7596 Uncles Neck

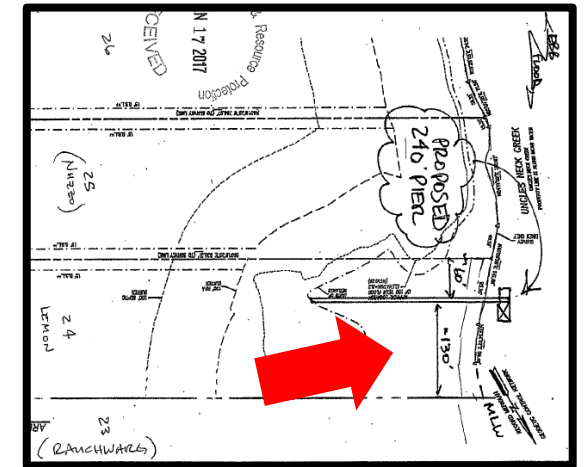


Subject Parcel

Aerial Map
W-17-17
7596 Uncles Neck



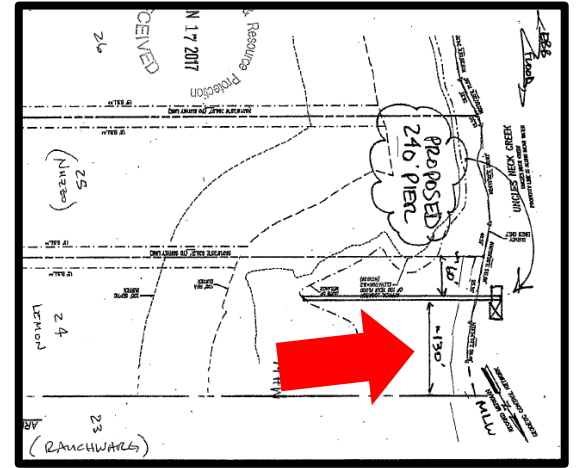
**Pre-construction Meeting Photograph #1 – W-17-17
7596 Uncles Neck**

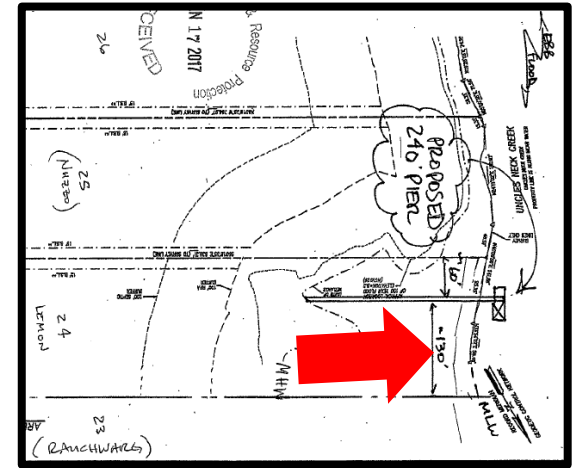


**Pre-construction Meeting Photograph #2 – W-17-17
7596 Uncles Neck**

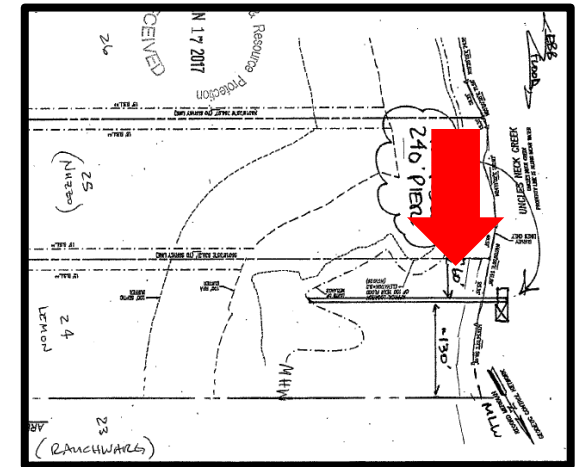


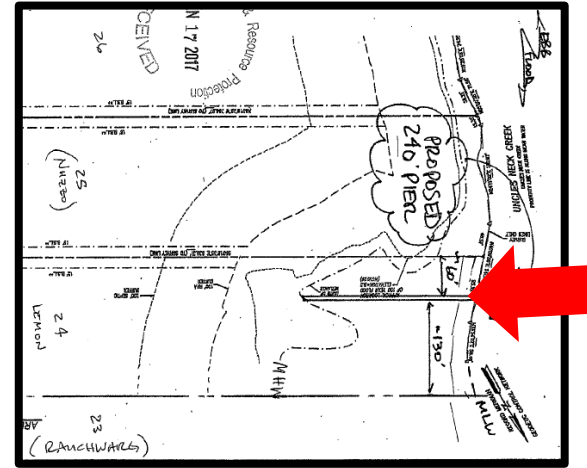
**Pre-construction Meeting Photograph #3 – W-17-17
7596 Uncles Neck**



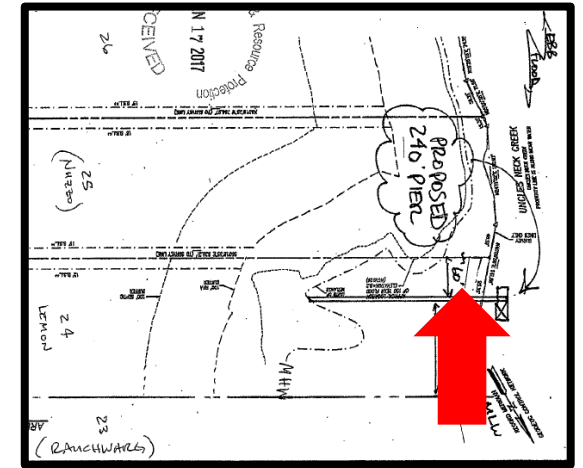


**Pre-construction Meeting Photograph #4 – W-17-17
7596 Uncles Neck**

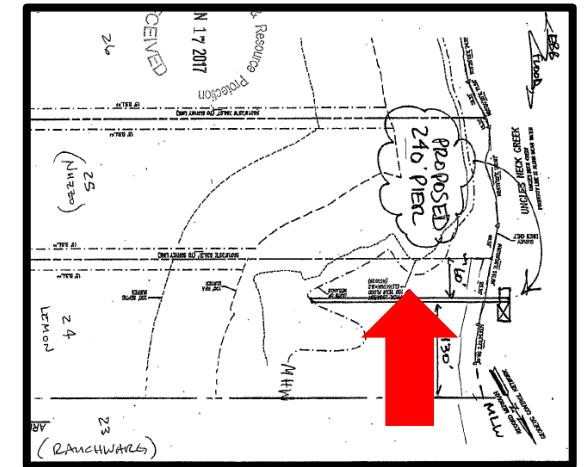




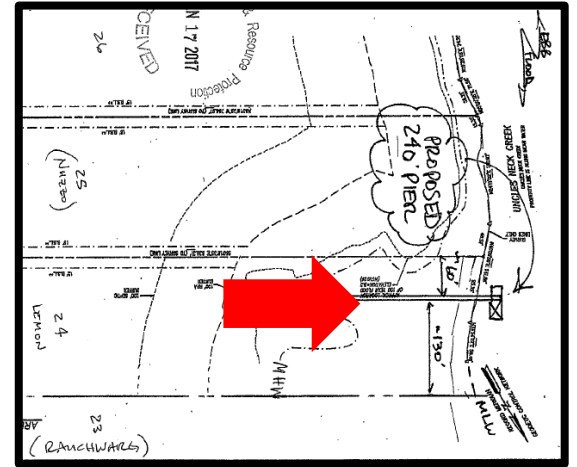
**Post construction Meeting Photograph #1 – W-17-17
7596 Uncles Neck**



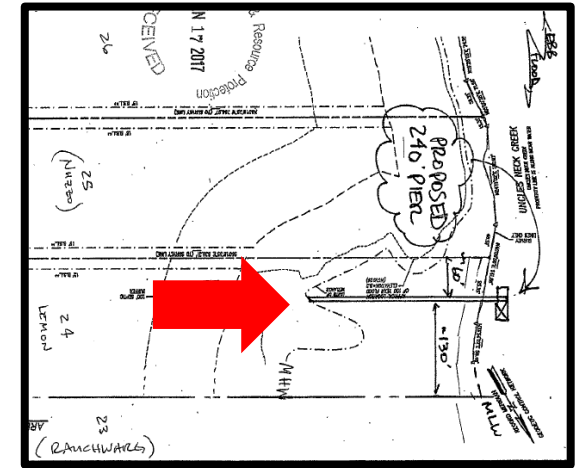
**Post construction Meeting Photograph #2 – W-17-17
7596 Uncles Neck**



**Post construction Meeting Photograph #3 – W-17-17
7596 Uncles Neck**



**Post construction Meeting Photograph #4 – W-17-17
7596 Uncles Neck**



**Post construction Meeting Photograph #5 – W-17-17
7596 Uncles Neck**

Recommendations:

- ✓ **Staff did not see any signs of permanent wetland habitat loss except for the 6 trees that were approved to be removed.**
- ✓ **Staff recommends the return of the surety with no purchase of tidal wetland credits.**