



WETLANDS/BEACHES AND CHESAPEAKE BAY BOARD
COUNTY OF NEW KENT

MINUTES

Thursday, January 7, 2016

6:00 PM

ADMINISTRATION BUILDING BOARD ROOM
12007 COURTHOUSE CIRCLE, NEW KENT

A MEETING OF THE NEW KENT COUNTY CHESAPEAKE BAY PRESERVATION BOARD WAS HELD ON THE 7th DAY OF JANUARY IN THE YEAR TWO THOUSAND SIXTEEN OF OUR LORD IN THE NEW KENT COUNTY ADMINISTRATION BUILDING BOARD ROOM AT 6:00 P.M.

IN RE: ROLL CALL

Attendance:

Mr. Paul Davis	Present
Ms. Jean Street	Present
Mr. Lyle Gleason	Present
Mr. John Bragg	Present

Also attending:

Mr. Matt Smolnik, Director of Community Development
Ms. Gail Carey, Recording Secretary
Mrs. Connie Bennett, Professional Engineer
Ms. Karla Havens, Mid Atlantic Consulting
Mr. Randy Owen, VMRC

The meeting was called to order at 6:00 PM and a quorum was established.

IN RE: DECLARATION OF POLICY FROM THE LAWS OF VIRGINIA

Chairman John Bragg read the declaration of policy from the laws of Virginia relating to the Marine Resources of Virginia and the New Kent County Code relating to Chesapeake Bay regulations.

IN RE: APPROVAL OF MINUTES

A motion was made by Mr. Gleason and seconded by Mr. Davis to approve the minutes of the November 5, 2015 meeting as presented.

The members were polled:

Mr. Lyle Gleason	Aye
Ms. Jean Street	Aye
Mr. Paul Davis	Aye
Mr. John Bragg	Aye

The motion carried with a 4:0:0 vote.

IN RE: ELECTION OF CHAIR AND VICE CHAIR

Mr. Davis nominated Mr. Bragg as 2016 Wetlands Board Chair and the motion was seconded by Ms. Street.

The members were polled:

Mr. Lyle Gleason	Aye
Ms. Jean Street	Aye
Mr. Paul Davis	Aye
Mr. John Bragg	Abstain

The motion carried with a 3:0:0 vote.

IN RE: ELECTION OF VICE CHAIR

Ms. Street nominated Mr. Gleason as 2016 Wetlands Board Vice Chair and the motion was seconded by Mr. Davis.

The members were polled:

Mr. Lyle Gleason	Abstain
Ms. Jean Street	Aye
Mr. Paul Davis	Aye
Mr. John Bragg	Aye

The motion carried with a 3:0:0 vote.

IN RE: NEW BUSINESS

Mr. Bragg mentioned, although he is pleased with the Wetlands Board, he expressed the importance of encouraging more people to sit on the Board for continuity purposes.

A staff report was presented on each of the two Vaughan properties.

Application VMRC 2015-1629, submitted by ANPAT-WINCO, Inc., c/o Mr. Winn Vaughan, to construct approximately 200 linear feet of Class II granite quarry stone riprap revetment.

Mrs. Bennett read the staff report, as well as, showed the recent photographs of the site and noted the bulkhead was in need of stabilization.

Mrs. Bennett said to Mr. Davis that the soil does appear to exit the bulkhead at this time, however it was difficult to confirm. Mr. Bragg confirmed the soil did exit the bulkhead because he had viewed the site a few months prior.

Mrs. Bennett used older photographs of the site to compare with the current site condition. At that time, three (3) options were presented in order of preference (riprap revetment; wooden bulkhead; living shoreline) and recommended to utilize riprap as the primary option, to which Mr. Bragg agreed.

Mr. Bragg suggested to the Board to vote upon each permit individually to ensure the proper process and Ms. Havens would explain, if necessary.

Application VMRC 2015-1636, submitted by Chet Vaughan Properties & Services, LLC, c/o Chester A. Vaughan, to construct approximately 106 linear feet of Class II granite quarry stone revetment over filter cloth.

Mrs. Bennett described her observations as listed in the Staff Report and presented photographs (both previous and current conditions) of the site to the Wetlands Board. Similar to application VMRC 2015-1629, three (3) options were presented in order of preference (riprap revetment; wooden bulkhead; living shoreline) and recommended utilizing riprap as the primary option.

Ms. Havens responded to the question posed by Mr. Davis regarding whether or not riprap is placed on top of the knees (supporting tiebacks) or if the knees and cable will be removed. Wilbur Jordan is the contractor for both Mr. Winn Vaughan (VMRC 2015-1629) and Mr. Chester Vaughan (VMRC 2015-1636). Per Ms. Havens, Mr. Jordan plans to leave as much of the support system as possible and will work around it. Ms. Havens added that it is clear it will be necessary to remove the cross and horizontal pieces since they will be crushed (this removal will be done in sections). The idea is to keep as much of the additional support as possible upstream and tie into the crescent of the existing stone and do the same thing downstream. On the downstream side, there is a disarray of materials from Hurricane Isabel. Mr. Jordan will attempt to overlap in an attempt to obtain a good slope to nicely blend in. The ideal slope is 2:1 to better dissipate wave energy. Ms. Havens added that Mr. Vaughan had informed her the wall was originally terraced and completely

scoured by Isabel and this was the reason why Mr. Vaughan returned and installed the terrace. However, that is not on the docket and at a later date will consider installing a small wedge on the wall as well. Ms. Havens mentioned that this is a simple project. Unfortunately, the property owner does not have the luxury of a 10:1 slope.

Mr. Bragg confirmed that the location where the knees (tiebacks) are located are on the property belonging to Mr. Chester Vaughan and the plans call for a buffer all the way through and leave the knees in place – how?

Ms. Haven added that there is a concern, from all of the recent rain activity, of hydrostatic pressure on the backside of the existing wall and no one is certain of the amount of time it will remain. Ms. Havens also mentioned that Mr. Jordan plans to work around it as much as possible and if anything goes, it will be the knee (tieback) support system.

At this time, Ms. Havens presented the Wetlands Board members with photographs to enter into record of the knees snapping from the weight of the wall.

Ms. Havens mentioned that Mr. Jordan would like to keep the structural integrity as tight as possible, calling this project a ‘work in progress’.

Mr. Bragg paraphrased: The wall will remain and the actual wall will be buffered by rock slope and the buried toe on the channel-ward side.

Mr. Gleason inquired about the height above the proposed rock and extended wall.

Ms. Havens responded the wall rises and lowers approximately eight (8) feet tall now, roughly approximately three (3) feet of timber is exposed on top. No load on the very top, the load is actually on the lower portion of the wall.

Mr. Bragg inquired if the areas below will have filter fabric and wanted to make this a condition.

Ms. Havens confirmed there will be filter fabric between the stone and existing bulkhead. However, if the Board members want extra filter fabric on the landside, she would be happy to make that a condition – not a problem.

Mr. Bragg confirmed that the filter fabric behind the bulkhead is to be repaired for permanence – there are some areas where fabric was failing in pictures. Mr. Bragg suggested for the contractor, Mr. Jordan, to use additional filter fabric for permanence.

At this time, Mr. Davis mentioned he had an issue with the ‘L’ shape and inquired if the Board could require the property owner to make a smooth contoured edge – adding that the photographs illustrate a sharp 90-degree angle in the corner (at the corner between the properties).

Mr. Owens stated that Mr. Chester Vaughan did the work of constructing the tall wall prior to going to the Wetlands Board and the work was authorized after the fact. Mr. Owens added that a nice, smooth transition of rock (a little bit more than ten (10) feet encroachment in the corner would be added to match up with the six (6) foot encroachment on shore.

Ms. Havens added that the property had been staked at eight (8) feet to soften the front – six (6) feet on Mr. Winn Vaughan’s property and ten (10) feet on Mr. Chester Vaughan’s property.

Ms. Havens also agreed to Mr. Bragg’s condition of implementing a curve.

Mr. Bragg then confirmed the two (2) possible conditions of the application:

1. At the interface of the two (2) Vaughan properties, a tangent will come off of two (2) posts and make riprap angled consistent with either side (rather than 90-degrees)
2. Restore the filter cloth, backfill the upslope condition and appropriate seeding of the land area to stabilize to the condition of when it was constructed, instead of saying ‘stabilize better than original condition’.

Ms. Havens confirmed that most of the work will be performed waterside. On the most downstream side of shared properties, there is a gentle slope nearby and if necessary, the contractor can place matting down to run the small piece of equipment back and forth.

Mr. Owens added that there is an access road nearby the two properties.

6:30PM Mr. Bragg declared the hearing open for VMRC 2015-1629.

Mr. Howell, an upstream, adjacent property owner spoke to the Wetlands Board at this time. Mr. Howell mentioned that he was satisfied with the conditions on the applications placed by the Board and had wanted more clarification on the lower wall which washed away. Mr. Howell mentioned the wall was stable until a couple of years ago when the waves came over.

Mr. Bragg then made a motion to approve the application as presented with the conditions to restore the upslope behind the bulkhead and also install adequate angled stone at the intersection of the two properties. Mr. Bragg also confirmed to Mr. Gleason the motion to approve did include attaching riprap. Mr. David seconded the motion to approve the application.

Mr. Howell (upstream adjacent property owner) mentioned that his property slope was stabilized and some land did extend out gently.

Mr. Bragg stated that the same motion to approve would apply for both applications.

6:36PM Mr. Bragg declared the hearing open for application VMRC 2015-1636. Since there were no public comments, the hearing was closed at 6:36PM.

Mr. Davis confirmed the motion to approve and to accept the application as presented with the understanding the improvements will have a smooth edge transition where it meets the neighbor's property (Howell) to catch the area behind the bulkhead. This motion was to approve as presented with the same conditions as VMRC 2015-1629 along with the addition of softening the upriver corner to soften the angle of adjoining bulkhead/riprap.

Mr. Gleason seconded the motion and inquired if there was also filter cloth behind the wall between the bulkhead and rock.

Ms. Havens and Mr. Bragg confirmed that the improvements will not disturb the earth except where the repairs are needed – no major changes.

IN RE: ADJOURNMENT

6:39PM A motion to adjourn was made at 6:39PM by Mr. Bragg and all were in favor.

Respectfully submitted,

Gail Carey, Recording Secretary