

STAFFORD COUNTY
Wetlands Board Minutes
February 25, 2013

The regular monthly meeting of the Stafford County Wetlands Board of June 17, 2013, was called to order at 7:00 p.m. by Amber Forestier, Environmental Planner, in the Board Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Jim Riutta, Mary Rust, Ben Rudasill, and Andy Pineau

MEMBERS ABSENT: Sam Hess

STAFF PRESENT: Amber Forestier and Aisha Medina

- A. Call to Order
- B. Roll Call
- C. Determination of a Quorum

Mrs. Forester stated she would like to call the first Stafford County Wetlands Board meeting of 2013 to order. She called the roll and with four out of the five members present there was a quorum present.

- D. Public Presentations

Mrs. Forestier opened the floor for public presentation. With no one coming forward to speak, public presentations were closed and she moved on to the first item on the agenda.

ELECTION OF OFFICERS

- 1. Election of Wetland Board Chair and Vice-Chair for 2013.

Mrs. Forestier stated the first order of business would be the election of a Chairman of the Wetlands Board. She asked for nominations for the position of chairman and stated once the nominations were complete, the Board would vote in the order in which the nominations were received. Following the election of the Chairman, the Chairman would then preside and conduct the election of the Vice Chairman. She opened the floor for nominations for Chairman.

Mr. Rudasill made a motion to nominate Jim Riutta for Chairman.

Mrs. Rust seconded the nomination.

With no other nominations Mrs. Forestier called for the vote. The motion passed 4 to 0. Mr. Hess was absent.

Mr. Riutta stated he would now open the floor for nominations for Vice Chairman.

Mr. Pineau made a motion to nominate Ben Rudasill for Vice Chairman.

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Mrs. Rust seconded the nomination.

With no other nominations Mr. Riutta called for the vote. The motion passed 4 to 0. Mr. Hess was absent.

APPROVAL OF MEETING MINUTES

2. None

Mr. Riutta stated as there were no meeting minutes to review the Board would move on to the next item on the agenda which was a public hearing. He asked Mrs. Forestier to make the presentation.

PUBLIC HEARINGS

3. Wetlands Permit WB13-01 – A wetlands permit River Creek Properties, LLC, applicant, to construct a community boat launch to include a boat ramp 16 feet wide by 90 feet in length; 2 timber jetties 75 feet in length with riprap flanking protection; an open pile tending pier 6 feet wide by 90 feet in length and an open pile tending- staging pier 6 feet wide by 90 feet in length with an “el” platform 10 feet wide by 24 feet in length on Assessor’s Parcel 60-90, Rappahannock River.

Mrs. Forestier stated the Board was to consider the application of the River Creek Properties, LLC to construct a community boat launch which would include a boat ramp 16 feet wide by 90 feet in length, 2 timber jetties 75 feet in length with riprap flanking protection, an open pile tending pier 6 feet wide by 90 feet in length and an open pile tending-staging pier 6 feet wide by 90 feet in length with an “el” platform 10 feet wide by 24 feet in length on Assessor’s Parcels 60-90 and 60-91, Rappahannock River. She stated the proposed community boat launch facility required a wetlands permit as it was not a permitted use pursuant to Section 27-18 of the Stafford County Wetlands Ordinance entitled “Permitted Uses”. The purpose of this community boat launch facility was to allow the residents of the River Creek Subdivision safer recreational access to the Rappahannock River. She stated staff visited the property on Tuesday, January 29, 2013 and the shoreline consists of a steep hill with an existing farm road and a flatter area along the river. The applicant proposes to build an 18 foot wide access road with a turn-around and parking for boat trailers as a part of the facility. The boat ramp facility would be located along a relatively flat portion of the shoreline. She stated as there were a number of separate parts to the application, each will be discussed in turn. She began with number 1, the proposed concrete boat ramp would be 16 feet wide and would impact an area 25 feet long between Mean High Water and Mean Low Water. She stated the consultant indicates there would be impacts to approximately 300 square feet of tidal wetlands. The impacts would be to non-vegetated mudflats, as no wetlands vegetation was identified on site. She stated the second item was, the proposed timber jetties would be constructed of tongue and groove timber and would have pilings 5 feet apart. The pilings for the piers would serve as pilings for the jetties every 10 feet, with additional pilings placed in between them. She stated the consultant indicated there would be impacts to an additional 50 square feet of tidal non-vegetated wetlands with the construction of the jetties. The application proposes riprap flanking of the jetties above Mean High Water at the shoreline for protection from erosion during periods of flooding. She stated the third item was two open pile tending piers 6 feet wide by 90 feet in length would be built for community use. The western pier would include an “el” platform 10 feet wide by 24 feet in length for staging use and there were no boat slips proposed with this application. She stated the application also included additional pilings to create cluster pile dolphins as needed for additional pier support against debris and ice. She stated the

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impacts to 350 square feet of tidal wetlands between Mean High Water and Mean Low Water must be mitigated through on-site or off-site restoration of tidal wetlands or through the payment of in-lieu fees to the County. The in-lieu fees were calculated based upon the average assessed value of a square foot of undeveloped riparian tidal land. The fees were created based upon the type of structures built and no distinction was made between vegetated and non-vegetated wetlands. The fee for Riprap structures stands at \$7.30 per square foot of impacts and the fee for all other erosion control structures is \$14.60 per square foot of impacts. At the time the fees were enacted there was no discussion of structures for access to the water or other activities such as dredging. She stated a permit would also be required from VMRC. No correspondence had been received from the Army Corps of Engineers'. She stated the alternatives available to the Board were, 1) adopt proposed Resolution WB13-01, which approves the request. 2) Adopt proposed Resolution WB13-02, which denies the request or 3) take no action at this time. She stated staff recommends that the Wetlands Board adopt Resolution WB13-01, which approves the request with the conditions, including the payment of an in-lieu fee. The in-lieu fees are calculated based upon the average assessed value of a square foot of undeveloped riparian tidal land. She stated the fees were created based upon the type of structures built and no distinction was made between vegetated and non-vegetated wetlands. The fee for riprap structures stands at \$7.30 per square foot of impacts and the fee for all other erosion control structures is \$14.60 per square foot of impacts. At the time the fees were enacted there was no discussion of structures for access to the water or other activities such as dredging. Staff believes that the lower in-lieu fee of \$7.30 per square foot of impacts should apply to this project, as it was for water access and did not affect the connection between the upland and the river in any significant way. She stated the in-lieu fee for 350 square feet of impacts would be \$2,555.

Mr. Riutta stated he would open the public hearing and asked the applicant if he would like to come forward to address the Board.

Craig Palubinski, Bayshore Designs, presented some photographs for the Board to see and stated this project was to serve 40 lots in the River Creek Subdivision. He gave a brief overview of the project and stated there were no impacts to the vegetated wetlands upstream. He stated adjoin property owners were notified and there were no objections to the project.

Mr. Riutta asked if anyone else would like to comment on this application. Seeing no one he stated he would close the public hearing and open up the floor for discussion by the Board.

Mr. Pineau asked if this site was selected because of the lack of vegetation.

Mr. Palubinski stated it was more for the uniform grade.

Mrs. Rust asked the reach or distance of water.

Mr. Palubinski stated 40 feet.

Mrs. Rust asked if that was across.

Mr. Palubinski stated 440 feet.

Mrs. Forestier stated the Army Corp of Engineers looks at no blocking of the channel.

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Mrs. Rust asked about the materials being used for the parking and turnabout areas.

Mr. Palubinski stated those would be gravel.

Mr. Riutta asked if there was any further discussion. Hearing none he asked for a motion.

Mr. Pineau made a motion to approve application WB13-01.

Mr. Rudasill seconded the motion.

The motion passed 4 to 0. Mr. Hess was absent.

Mr. Riutta stated the motion carried. He stated as there was no old business to discuss we will continue to new business, which was a review of recently submitted applications. He asked staff to please review the applications.

NEW BUSINESS

3. **Review of recently submitted applications**

Mrs. Forestier stated the recently submitted applications were:

VMRC# 12-1703	Stafford County Road improvements (non-tidal)
VMRC# 12-1769	Shawn Desmond (pier)
VMRC# 12-1795	Rocky Ridge Joint Venture Trail (non-tidal)
VMRC# 12-1805	Tricord, Inc. (non-tidal)
VMRC# 12-1806	Webb Investment Group, LLC (non-tidal)
VMRC# 13-0082	John Biddulph dredging (subaqueous)
VMRC# 13-0097	River Creek (tidal)
VMRC# 13-0104	Stafford County Utilities (non-tidal)
VMRC# 13-0205	Stafford County High School (non-tidal)

CHAIRMAN'S & STAFF REPORT

Mr. Riutta stated as I have nothing to discuss for the Chairman's Report and staff indicates they have nothing to report we will move on to adjournment. He asked if there was a motion to adjourn.

ADJOURNMENT

Mr. Rudasill made a motion to adjourn.

Mr. Pineau seconded the motion.

The motion passed 4 to 0. Mr. Hess was absent.

With no further business to discuss the meeting was adjourned at 7:16 p. m.