

**A G E N D A**  
**JAMES CITY COUNTY CHESAPEAKE BAY BOARD**  
**REGULAR MEETING**  
**County Government Center, Building F**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 11, 2017**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. Minutes from September 13, 2017 Regular Meeting

**D. PUBLIC HEARINGS**

1. CBE-18-017 : 108 Cove Road
2. CBE-18-020 : 102 Walton Heath
3. CBE-18-013 : Stonehouse Land Bay 3 & 5

**E. BOARD CONSIDERATIONS**

**F. MATTERS OF SPECIAL PRIVILEGE**

**G. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 10/11/2017  
TO: Chesapeake Bay Board  
FROM: Chesapeake Bay Board Secretary  
SUBJECT: Minutes from September 13, 2017 Regular Meeting

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**ATTACHMENTS:**

	Description	Type
▣	Minutes from September 13, 2017 Regular Meeting	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/4/2017 - 1:35 PM

**MINUTES**  
**JAMES CITY COUNTY CHESAPEAKE BAY BOARD**  
**REGULAR MEETING**  
**County Government Center, Building F**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**September 13, 2017**  
**5:00 PM**

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**A. CALL TO ORDER**

The Chesapeake Bay Board meeting for September 13, 2017, was Called to Order.

The responsibility of this Board is to carry out locally the Commonwealth policy to protect against and minimize pollution and deposition of sediment in wetlands, streams and lakes in James City County which are tributaries of the Chesapeake Bay.

**B. ROLL CALL**

**Board Members Present:**

David Gussman - Chair  
William Apperson  
Charles Roadley  
John Hughes

**Absent:**

Larry Waltrip

**Others Present:** County Staff (Staff):

Michael Woolson, Senior Watershed Planner  
Frances Geissler, Director, Stormwater and Resource Protection  
Liz Parman, Assistant County Attorney  
Melanie Davis, Secretary to the Board

**C. MINUTES**

The minutes from the August 9, 2017, regular meeting were approved as written.

**D. PUBLIC HEARINGS**

1. CBE-18-012 : 113 Holman Road

Mr. Michael Woolson presented the exception request submitted by Mr. Richard Arms for encroachment into the Resource Protection Area (RPA) buffer to construct a retaining wall at 113 Holman Road, in the Southall Quarter section of the Kingsmill subdivision and within the College Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 5021000025. Mr. Woolson described the current conditions of the property and the purpose for the proposed wall. Staff determined the impacts associated with the proposal to be minor and recommended the conditions outlined in the Resolution be required for approval.

Mr. Hughes asked if any trees would be removed.

Mr. Woolson pointed out one tree that would be removed for this project. He added

that the applicant may later submit an application for additional tree work as part of a buffer modification that would be administratively reviewed.

Mr. Gussman opened the Public Hearing.

A. Mr. Richard Arms described the problems with the driveway, stating it needed to be replaced but could not be done until the retaining wall was installed to stabilize the area.

Mr. Gussman closed the public hearing as no one else wished to speak.

Mr. Roadley said it was obvious the back yard had suffered erosion and because the area was already turf, he did not see this project further impacting the RPA.

Mr. Apperson made a motion to adopt the Resolution to grant the exception request for Chesapeake Bay Board Case No. CBE-18-012 at 113 Holman Road.

The motion was approved: 4-0-1

Ayes: Roadley, Hughes, Apperson, Gussman

Absent: Waltrip

2. CBE-17-044 : New Town Section 8, Parcel D

Mr. Roadley stated his firm worked on this project but he was not directly involved. Therefore, on the advice of the Assistant County Attorney, he did not need to recuse himself from considering this case.

Mr. Michael Woolson presented the exception request submitted by Mr. Jason Grimes with AES Consulting Engineers, on behalf of ABVA Development LP and Newtown Associates LLC, for encroachment into the Resource Protection Area (RPA) for construction of BMP outfalls, a pedestrian bridge and a sanitary sewer connection. The project is located on properties known as 5335 Settlers Market Boulevard and 4440 Casey Boulevard, in the New Town Section 8 subdivision, within the Powhatan Creek watershed. The properties are further identified as James City County Real Estate Tax Map Parcel Nos. 3820100015 and 3820100014. The presentation described the current site conditions and the proposed project. Staff determined the impacts associated with the proposal to be minor and recommended the conditions outlined in the Resolution be required for approval.

Mr. Gussman asked for an explanation of the easements that were impacted for this project and asked if the County would be recording these easements.

Mr. Woolson explained that the easement dedicated to the Corps of Engineers was part of a compensation package for the overall New Town development and the encroachment into this easement will require permission from the Corps of Engineers. The Natural Open Space easement is in the same area and is dedicated to the County. He explained that Staff does keep track of both easements.

Mr. Apperson asked if Staff was aware of the protected plant species area in New Town.

Mr. Woolson stated he was aware of it and this project did not impact that area.

Mr. Hughes asked how the stormwater runoff from this project would affect the integrity of the stream bed as it seemed to be a tremendous amount of water.

Mr. Woolson explained the County has a proffer agreement for New Town Sections 7 and 8 requiring stream monitoring and staff has received reports on the stability of the stream channel for several years. Any potential changes have been documented. He stated this development met all of the approved stormwater master plan criteria.

Mr. Gussman opened the Public Hearing.

A. Mr. Jason Grimes with AES Consulting, said the original developer proposed the pedestrian bridge, in a different area of the easement and this proposal was vacating that location for the new location with the associated sewer connection.

Mr. Roadley asked Mr. Grimes if the conditions required for approval were acceptable.

A. Mr. Grimes said the area vacated was greater than the current location so there would not be additional area placed in an easement.

Mr. Roadley asked Staff if it was their understanding that it was self-mitigating due to the vacating of the original bridge.

Mr. Woolson stated that is was.

Mr. Gussman closed the Public Hearing as no one else wished to speak.

Mr. Roadley said it appeared to be a reduction in impacts.

Mr. Hughes made a motion to adopt the Resolution to grant the exception request for Chesapeake Bay Board Case No. CBE-17-045 at 5335 Settlers Market Boulevard and 4400 Casey Boulevard.

The motion was approved: 4-0-1  
Ayes: Roadley, Hughes, Apperson, Gussman  
Absent: Waltrip

## **E. BOARD CONSIDERATIONS**

None

## **F. MATTERS OF SPECIAL PRIVILEGE**

None

## **G. ADJOURNMENT**

The meeting adjourned at 5:35 p.m.

**ITEM SUMMARY**

DATE: 10/11/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-017 : 108 Cove Road

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Mr. Bruce Flora has filed an exception request to encroach into the RPA buffer for installation of a retaining wall at 108 Cove Road in the Kingspoint subdivision, JCC Parcel No 4910240013.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Water Quality Impact Assessment	Backup Material
☐	Site Plan	Backup Material
☐	Mitigation Plan	Backup Material
☐	Public Hearing Notice	Backup Material
☐	APO Notification Letter	Backup Material
☐	APO Notification List	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	10/2/2017 - 12:23 PM
Chesapeake Bay Group	Geissler, Fran	Approved	10/2/2017 - 12:37 PM
Publication Management	Trautman, Gayle	Approved	10/2/2017 - 12:38 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/3/2017 - 1:20 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-017. 108 Cove Road  
Staff Report for the October 11, 2017, Chesapeake Bay Board Public Hearing**

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*This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Chesapeake Bay 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.*

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**EXISTING SITE DATA AND INFORMATION**

Applicants: Bruce and Dena Flora

Agent: Ryan Newsom, Delightful Gardens

Location: 108 Cove Road

Tax Map/Parcel No.: 4910240013

Legal Description: Lot 13, Section 4, Kingspoint

Parcel Size: 0.51 acres +/-

Area of Parcel in Resource Protection Area (RPA): 0.34 acres (66%)

Watershed: College Creek (HUC JL34)

Floodplain: Panel 0202D  
Zone X, outside the 0.2% annual chance floodplain

Proposed Activity: To construct a retaining wall to stabilize the rear yard

Impervious Cover: Approximately 60 square feet

RPA Encroachment: Impervious cover for a single-family dwelling and associated deck within the landward 50-foot RPA buffer

Staff Contact: Michael D. Woolson, Senior Watershed Planner Phone: 253-6823

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Ryan Newsom, on behalf of Bruce and Dena Flora, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a retaining wall on property known as 108 Cove Road in the Kingspoint subdivision within the College Creek Watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 4910240013. The lot was platted in 1967, prior to the adoption of the 1990 Chesapeake Bay Preservation Ordinance.

The applicant is constructing a new home and wishes to have a retaining wall to help stabilize and provide a rear yard approximately 20 feet from the rear house foundation. The required mitigation is one planting unit and the applicant is proposing in excess of the requirements.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a retaining wall and finds that the application meets the conditions in Sections 23-11 and 23-14. The application should be heard by the Board, because the improvements are accessory in nature in the RPA buffer.

## **WATER QUALITY IMPACT ASSESSMENT (WQIA)**

A WQIA must be submitted, per Sections 23-11 and 23-14 of the County Ordinance, for any proposed land disturbing activity resulting from development or redevelopment within RPAs. The applicant has submitted the required information as outlined in the *James City County Water Quality Impact Assessment Guidelines* and has submitted a mitigation proposal. The mitigation proposal, discussed above, exceeds the standard County requirements.

## **CONSIDERATION BY THE CHESAPEAKE BAY BOARD**

The exception granting body is permitted to require reasonable and appropriate conditions in granting the exception request in accordance with Section 23-14. The Chesapeake Bay Board should fully consider Chesapeake Bay Exception CBE-18-017 as outlined and presented above and review the request for exception along with the WQIA. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

## **STAFF RECOMMENDATIONS**

Staff has reviewed the application and exception request and has determined impacts associated with the proposal to be minor for the proposed development. Staff recommends approval of this exception request. Should the Board wish to approve, staff recommends that the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits and permissions as required for the project; and
2. Surety of \$500 will be required in a form acceptable to the County Attorney's office to guarantee all of the mitigation components; and
3. This exception request approval shall become null and void if construction has not begun by October 11, 2018. Written requests for an extension to this exception shall be submitted to the Stormwater and Resource Protection Division no later than six weeks prior to the expiration date.

MDW/gtt  
CBE18-017-108CoveRd

### Attachments:

1. Resolution
2. Water Quality Impact Assessment
3. Site Plan
4. Mitigation Plan



## RESOLUTION

CASE NO. CBE-18-017. 108 COVE ROAD

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Bruce Flora (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 11, 2017, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 4910240013 and further identified as 108 Cove Road in the Kingspoint subdivision (the “Property”) as set forth in the application CBE-18-017 for the purpose of constructing a retaining wall; 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 Chesapeake Bay Board of James City County, Virginia, following a public hearing, by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
  - a. The applicant must obtain all other necessary federal, state and local permits and permissions as required for the project; and
  - b. Surety of \$500 will be required in a form acceptable to the County Attorney’s office to guarantee the mitigation plantings; and
  - c. This exception request approval shall become null and void if construction has not begun by October 11, 2018. Written requests for an extension to an exception

shall be submitted to the Stormwater and Resource Protection Division no later than six weeks prior to the expiration date.

\_\_\_\_\_  
David Gussman  
Chair, Chesapeake Bay Board

\_\_\_\_\_  
Michael Woolson  
Senior Watershed Planner

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 11th day of October, 2017.

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: \_\_\_\_\_

CBE18-017-108CoveRd-res



Engineering & Resource Protection  
AUG 29 2017

# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only  
CB Number CBE 18-017

### Submission Requirements: (Check all applicable)

- A \$25 non-refundable processing fee payable to Treasurer, James City County.
- RPA - landward 50' - Complete Items 1 - 5, and sign on Page 3.
- RPA - seaward 50' - Complete Items 1 - 5, sign on Page 3 and submit an additional \$100 non-refundable fee payable to Treasurer, James City County, for the Chesapeake Bay Board.
- Conservation Easement - Complete Items 1, 2, 3, and 5, and sign on Page 3.
- Steep Slopes  $\geq$  25 percent - Complete Items 1, 2, 3, and 5, and sign on Page 3.
- Attach plans as required (see instruction on Page 4, Item 4).
- Applicable surety as required for mitigation (see Mitigation Rates Table on Page 2).

Upon completion, please return pages 1-3 to the JCC Engineering and Resource Protection Division

### Property Owner Information:

Date: 8/29/17

Name: BRUCE AND DENA FLORA  
 Address: 108 Cove Road - 11694 RIVER CREST DR. CHARLESTON, VA.  
 Phone: 804-815-1073 Fax: \_\_\_\_\_ Email: bflora@florasurvey.com

### Contact (if different from above):

Name: Jim Miller Phone: 804-815-1279  
 Email: Jimiller10k@gmail.com

### Project Information:

Project Address: 108 Cove Road  
 Subdivision Name, Lot, and Section No.: KINGS POINT LOT 13 SECTION 4  
 Parcel Identification No. or Tax Map No.: 4910240013  
 Date Lot was platted: August 25 2017 Line or Bldg Permit No.: A171475  
9/15/17

### Activity Location and Impacts (Square Feet - SF): (check all that apply)

- |  |   |
|--|---|
| <input type="checkbox"/> Steep Slopes $\geq$ 25 percent _____ (SF) | <input type="checkbox"/> RPA - Landward 50' _____ (SF)        |
| <input type="checkbox"/> Conservation Easement _____ (SF)          | <input type="checkbox"/> RPA - Seaward 50' _____ (SF)         |
| <input type="checkbox"/> Trees to be Removed _____ (#)             | <input type="checkbox"/> Proposed Impervious Cover _____ (SF) |

### Activity involves: (check all that apply)

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> New principal structure construction    | <input type="checkbox"/> Building addition to principal structure | <input type="checkbox"/> Attached Deck     |
| <input type="checkbox"/> Permitted buffer modifications:                    | <input type="checkbox"/> Dead/diseased/dying tree removal         | <input type="checkbox"/> Sightline         |
| <input checked="" type="checkbox"/> Accessory (Detached) Structure or Patio | <input type="checkbox"/> Invasive/noxious weed removal            | <input type="checkbox"/> Access path/trail |
| <input type="checkbox"/> Other: _____                                       | <input type="checkbox"/> Redevelopment: _____                     |  |

**Chesapeake Bay Preservation Ordinance  
Sensitive Area Activity Application**

For Office Use Only CBE 18-017 CB Number
--

**1. Description of requested sensitive area activity and reason for request:**

*(In the description, please indicate the reason for the proposed structure or activity, the location, sizes and dimensions of feature. For decks or expansions, indicate if ground floor, first floor or other levels)*

STABILIZE BACK YARD

2. As per Section 23-9 of the Chesapeake Bay Preservation Ordinance, if there is an on-site sewage disposal system on this property, has it been inspected and/or pumped out in the past five years?  Yes  No N/A

3. Are permits from other local, State or Federal agencies required for any portion of this project?  Yes  No  
(If yes, please explain)

**4. Water Quality Impact Assessment**

The purpose of a water quality impact assessment is to demonstrate that the project will result in the removal of no less than 75 percent of sediments and 40 percent of nutrients from post-development stormwater run-off and that it will retard runoff, prevent accelerated erosion, promote infiltration, and filter non-point source pollution equivalent to the full undisturbed 100-foot buffer.

A. Why is this encroachment necessary? Can it be relocated to avoid RPA impacts?

RPA IMPACTED IN 2004, LOT PLATTED PRIOR TO THAT

B. What measures will be used to minimize impervious area? Examples: pervious pavers, removal of existing impervious surfaces (concrete, pavement, etc.) in the RPA not needed for the project

MINIMIZE LAWN, REPLANTING MOST OF DISTURBED AREA.

**5. Proposed mitigation measures:**

**Note:** All mitigation measures must be shown in detail on a mitigation plan. Show both location of mitigation measures and plant species if applicable. All mitigation plants must be native species and be located in the sensitive area (RPA or Conservation Easement).

**Mitigation Rates Table**

<u>Impervious Area (SF)</u>	<u>Mitigation Required</u>	<u>Surety</u>
<400	1 tree and 3 shrubs	\$250
400-1,000	1 canopy tree, 2 understory trees and 3 shrubs per 400 SF (or fraction thereof)	\$1,000
>1,000	Plant at same rate as 400 – 1,000; or may be determined by Director of Engineering and Resource Protection Division	To be determined

**Chesapeake Bay Preservation Ordinance  
Sensitive Area Activity Application**

For Office Use Only
CB Number <u>COE 18-017</u>

**A. Vegetation/ground cover enhancement of buffer (see Mitigation Rates Table on previous page).**

<input type="checkbox"/>	Number of native canopy trees _____
<input type="checkbox"/>	Number of native understory trees _____
<input type="checkbox"/>	Number of native shrubs _____
<input type="checkbox"/>	Square feet of native ground cover _____
<input type="checkbox"/>	Square feet of mulch _____

**B. Best Management Practices (BMPs)**

<input type="checkbox"/>	EC-2 (degradable) erosion control matting	<input type="checkbox"/>	Bioretention or rain garden practice
<input type="checkbox"/>	Dry Swale	<input type="checkbox"/>	Infiltration Area/Trench/Drywell
<input type="checkbox"/>	Silt fence	<input type="checkbox"/>	Structural BMP (Wet or Dry Pond)
<input type="checkbox"/>	Turf (Nutrient) Management Plan	<input type="checkbox"/>	Rain Barrel
<input type="checkbox"/>	Gravel under deck (3" of gravel over synthetic filter fabric under entire deck area)		
<input type="checkbox"/>	Other: _____		

**I understand that the following are approval conditions:**

- 1) Mitigation for the above activity shall follow the approved mitigation plan and be guaranteed with a form of surety acceptable to the County Attorney.
- 2) Limits of disturbance as shown on the approved plan shall not be exceeded.
- 3) This approval shall become null and void if construction has not begun within 12 months of the approval date.
- 4) Surety will be released following the completion and inspection of mitigation plantings.

Property owner signature Bruce W. Solara Date 8/29/2017

Program Administrator \_\_\_\_\_ Date \_\_\_\_\_

Authorized Signature

For Office Use Only	Surety Amount: _____ Date/Rec No.: _____ Fee Paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amount: <u>125.00</u> Date/Rec No.: <u>8/29/17 # 3211</u>
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**Chesapeake Bay Preservation Ordinance  
Sensitive Area Activity Application**

Instructions for the JCC Single-Family Sensitive Area Activity Application

**1. When do I need to submit an application?**

This application is for any activity in the Resource Protection Area (RPA), on 25 percent or greater slopes or in Conservation Easements, on single-family, residential lots. Activities include grading, filling, building, removal of vegetation, and any other disturbances. If you are proposing to do any activities in these sensitive and protected areas, you must fill out this application. The application will be reviewed and either approved or disapproved. If the application is approved, you may proceed with the activity after receiving a letter of approval.

**2. What activities can be approved administratively and which ones need to go to the James City County Chesapeake Bay Board?**

All sensitive area activities require administrative review. Activities that must go to the Board are:

- Construction of a new principal structure within the seaward 50-foot RPA buffer.
- Construction of an accessory structure (such as a shed, garage, patio, etc.) anywhere in the 100-foot RPA.
- Any application administratively determined to exceed the minimum necessary to afford relief.
- Appeals of an administrative decision.

Activities that can be approved administratively by the Engineering and Resource Protection Division are:

- Construction of certain new principal structures within the landward 50-foot RPA buffer.
- Expansions and alterations to an existing, non-conforming (built prior to adoption of the ordinance), principal structure anywhere in the RPA buffer.
- Disturbance of steep slopes.
- Tree/vegetation removal for a sight line, path, or because the plants are dead, diseased or dying.

**3. What other permits may be needed?**

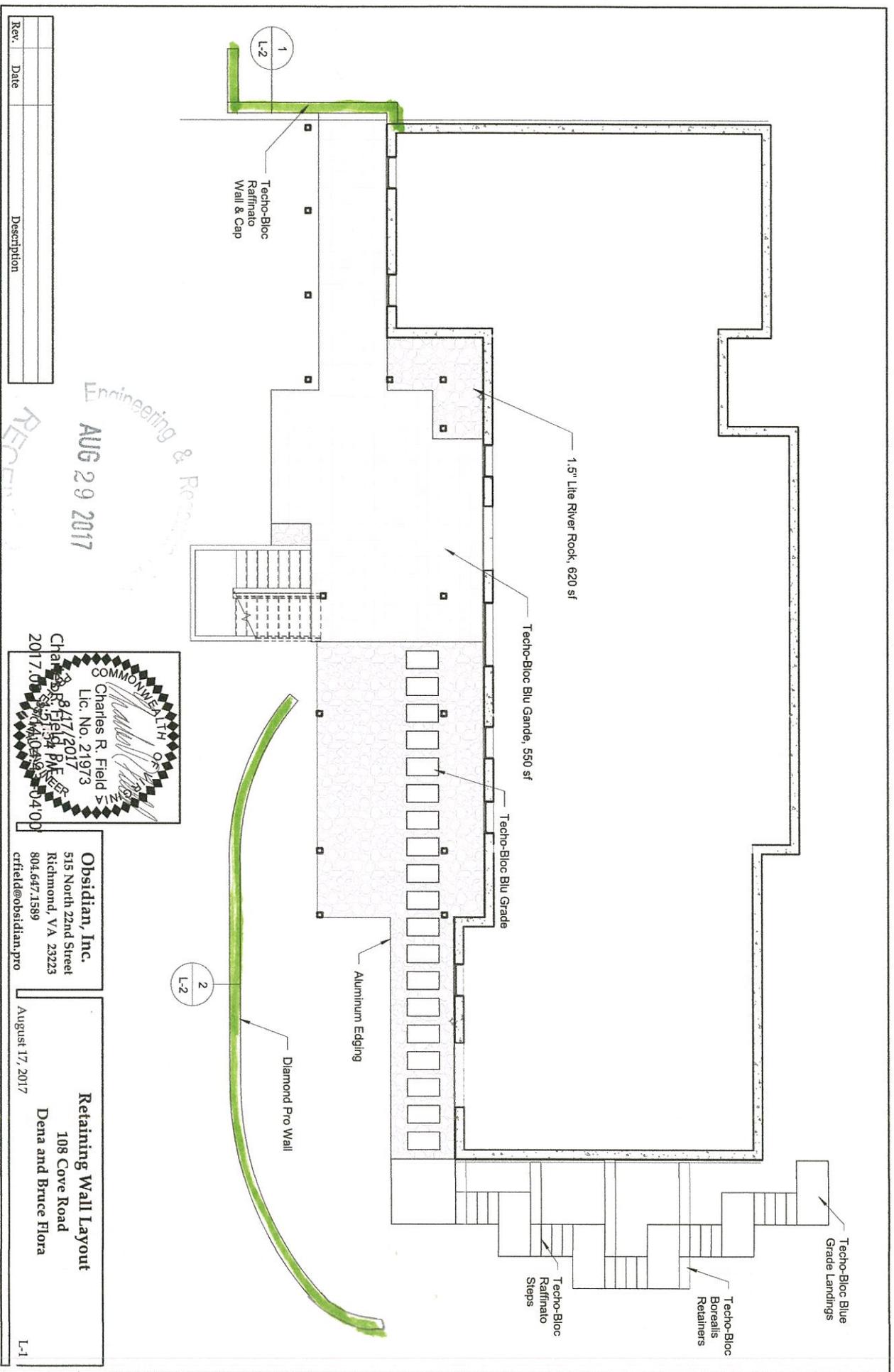
If you are proposing activity in tidal wetlands, you will need to file a Joint Permit Application (JPA) for the James City County Wetlands Board with the Virginia Marine Resources Commission (VMRC). If you are proposing activity in US Army Corps of Engineers jurisdictional wetlands, you will need to obtain a permit from them or the Department of Environmental Quality. These activities will also require the filing of a JPA. Most work involving a principal or accessory structure will require a building permit from the James City County Building Safety and Permits. The applicant is responsible for obtaining all necessary permits for the activity they are proposing.

**4. What else needs to be submitted with the Sensitive Area Application?**

The plans submitted must be drawn to scale and the following items must be clearly shown on the overhead plan view:

- Any existing buildings/structures on the property (house, garage, pool, deck, patio, retaining wall etc).
- Location and dimensions of proposed activity.
- Type of materials to be used (examples: timber retaining wall, brick paver patio, frame shed on concrete, etc).
- Any perennial streams, wetlands or ponds on or adjacent to the property.
- The 50-ft (seaward) and 100-ft (landward) RPA buffer areas and/or the Conservation Easement.
- Approximate contours on the land (topography).
- Location of slopes  $\geq$  25 percent.
- All trees greater than 12" in diameter (measured 4.5' above the ground); include diameter and species or an outline of the wood lines if there are clumps of trees.
- Any vegetation proposed for removal or alteration.
- Erosion and sediment controls if necessary.
- Mitigation plan with surety (see page 6, Item 7).

1101011



Rev.	Date	Description

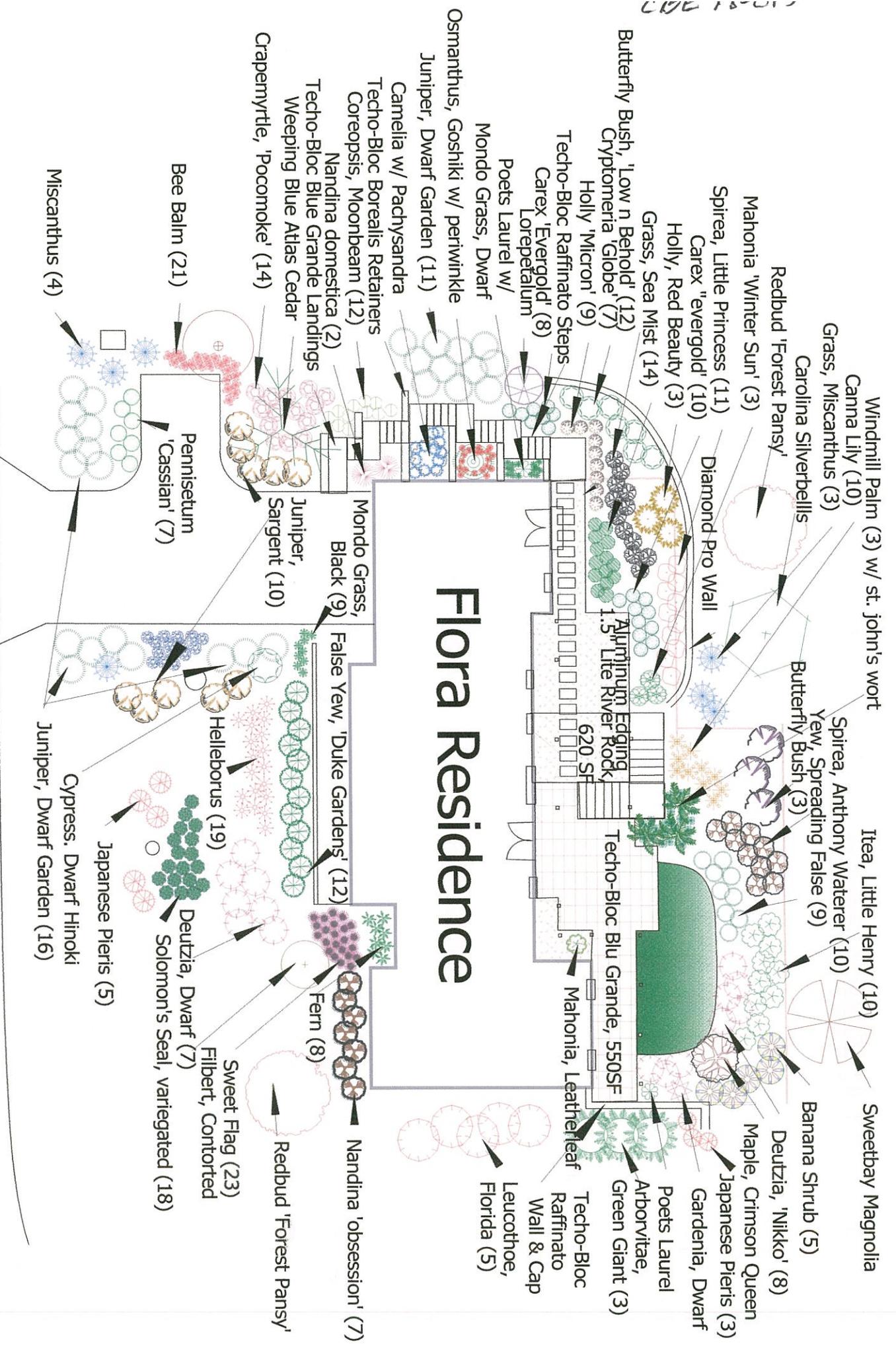
Engineering & Retention  
 AUG 29 2017  
 RECEIVED

COMMONWEALTH OF VIRGINIA  
 Charles R. Field  
 Lic. No. 21973  
 8/17/2017  
 Charles R. Field P.E.  
 2017.08.17.04.00

**Obsidian, Inc.**  
 515 North 22nd Street  
 Richmond, VA 23223  
 804.647.1589  
 crfield@obsidian.pro

**Retaining Wall Layout**  
 108 Cove Road  
 Dena and Bruce Flora

L-1



# Flora Residence

Revision #:

Scale:

Landscape Plan: 108 Cove Rd

Landscape Design by: Ryan Newsom

Date: 8/29/2017

1" = 20'

Flora Residence

Delightful Gardens





## **PUBLIC HEARING NOTICE**

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY OCTOBER 11, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA TO CONSIDER THE FOLLOWING CASES:

CBE-18-017: Mr. Bruce Flora has filed an exception request to encroach into the RPA buffer for installation of a retaining wall at 108 Cove Rd, in the Kingspoint subdivision, JCC Parcel No 4910240013.

CBE-18-020: Mr. Martin Mather with Omega Development LLC has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling at 102 Walton Heath in the Fords Colony subdivision, JCC Parcel No 3810300019.

CBE-18-013: Kerr Environmental Services, on behalf of SCP-JTL Stonehouse Owner 1 LLC has filed an exception request to encroach into the RPA buffer associated with a sanitary sewer extension for the proposed Stonehouse Land Bay 3 & 5 project. The encroachment will be on properties located at 9360, 9320, 9340 and 9350 Fieldstone Parkway, JCC Parcel Nos 0440100030, 0440200001, 0440200002 and 0440100022 as well as 9683 Mill Pond Run, JCC Parcel No 0530100017.

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 – September 27 and October 4, 2017.  
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

COPIES: PLANNING  
ASSISTANT COUNTY ATTORNEY  
CHESAPEAKE BAY BOARD MEMBERS



General Services  
Stormwater & Resource  
Protection Division  
P O Box 8784  
Williamsburg, VA 23187  
Resource.Protection@jamescitycountyva.gov

September 20, 2017

RE: CBE-18-017: 108 Cove Road  
Retaining wall

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 Chesapeake Bay Board by Mr. Bruce Flora, for encroachment into the Resource Protection Area (RPA) associated with construction of a retaining wall, on his property at 108 Cove Road in the Kingspoint subdivision. The property is further identified by James City County Real Estate as Parcel No. 4910240013.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, October 11, 2017 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,

*Melanie Davis*

Melanie Davis  
Chesapeake Bay Board Secretary  
757-253-6866

cc: Bruce Flora  
Delightful Gardens  
Jim Miller - email

Mailing List for: CBE-18-017 – 108 Cove Road - Retaining Wall

Owner - 4910240013 - 108 Cove Rd  
Bruce and Dena Flora  
11694 River Crest Dr  
Gloucester, VA 23061-2515

Delightful Gardens Landscape Company  
Attn: Ryan Newsome  
7242 Merrimac Trail  
Williamsburg, VA 23185

Jim Miller Jimmiller10k@gmail.com

4910240014  
Deenesh Sohoni and Tracy Peters  
106 Cove Road  
Williamsburg, VA 23185-4414

4910240012  
Stephen and Joyce Houff  
110 Cove Road  
Williamsburg, VA 23185-4414

4910240011  
Kenneth and Anne Allen  
112 Cove Road  
Williamsburg, VA 23185-4414

4910240010  
Donald and Judith Baxter  
113 Cove Road  
Williamsburg, VA 23185-4413

4910240009 - 111 Cove Rd  
Katherine Dvorak  
107 Lythan  
Smithfield, VA 23430-6991

4910240008  
Judith Shubert  
109 Cove Road  
Williamsburg, VA 23185-4413

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

4910240020  
David Grandis and Claudia Kessel  
133 Kingspoint Drive  
Williamsburg, VA 23185-4453

Kingspoint Club, Inc  
P O Box 365  
Williamsburg, VA 23187-0365

**ITEM SUMMARY**

DATE: 10/11/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-020 : 102 Walton Heath

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Mr. Martin Mather with Omega Development LLC has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling at 102 Walton Heath in the Fords Colony subdivision, JCC Parcel No 3810300019.

**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Staff Report
▣	Resolution	Resolution
▣	Water Quality Impact Assessment	Backup Material
▣	Site Plan	Backup Material
▣	Mitigation Plan	Backup Material
▣	Denial of CBE-17-084	Backup Material
▣	Affadavit Example	Backup Material
▣	Public Hearing Notice	Backup Material
▣	APO Notification Letter	Backup Material
▣	APO Notification List	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	10/2/2017 - 12:23 PM
Chesapeake Bay Group	Geissler, Fran	Approved	10/2/2017 - 12:37 PM
Publication Management	Trautman, Gayle	Approved	10/2/2017 - 12:39 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/3/2017 - 1:23 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-020. 102 Walton Heath  
Staff Report for the October 11, 2017, Chesapeake Bay Board Public Hearing**

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*This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Chesapeake Bay 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.*

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**EXISTING SITE DATA AND INFORMATION**

Applicant: Martin Mather, Omega Development, LLC

Agent: Matt Roth, Roth Environmental

Location: 102 Walton Heath

Tax Map/Parcel No.: 3810300019

Legal Description: Lot 19, Section 6, Ford's Colony

Parcel Size: 0.4 acres +/-

Area of parcel in Resource Protection Area (RPA): 0.4 acres (100%)

Watershed: Powhatan Creek (HUC JL31)

Floodplain: Panel 0117D  
Zone X, outside the 0.2% annual chance floodplain

Proposed Activity: To construct a single-family dwelling and deck

Impervious Cover: Approximately 2,533 square feet

RPA Encroachment: Impervious cover for a single-family dwelling and associated deck within the seaward 50-foot Resource Protection Area (RPA) buffer

Staff Contact: Michael D. Woolson, Senior Watershed Planner Phone: 253-6823

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Matt Roth of Roth Environmental, on behalf of Mr. Martin Mather, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a single-family dwelling and associated deck on property known as 102 Walton Heath, in the Ford's Colony subdivision within the Powhatan Creek Watershed. The property is further identified as James City County Tax Map Parcel No. 3810300019. The lot was platted in 1981 prior to the adoption of the 1990 Chesapeake Bay Preservation Ordinance.

This applicant filed for an exception at the June 14, 2017 Chesapeake Bay Board, which the Board denied based upon the Board's findings that the application did not meet all of the findings in Section 23-14 (c) of the Ordinance. Specifically, discussion at the Board meeting centered on Finding 1 (the minimum necessary to afford relief) and Finding 3 (that the application was a detriment to water quality).

The applicant is proposing to build a new home with a deck and the entire lot is within the RPA buffer. The applicant has reduced the size of the single-family dwelling and the resultant impervious cover by 24% from the previous application. The proposed house and deck have been designed to avoid the wetlands to the maximum extent practicable. However, there will be approximately 1,960 square feet of non-tidal wetlands impacts that will need some action from the U.S. Army Corps of Engineers. There is no way to position any house of this lot in the landward 50-foot RPA.

The impervious cover for this application is approximately 2,533 square feet. The required mitigation is six planting units and the applicant is proposing eight, which equates to eight canopy trees, 16 understory trees and 24 shrubs. In addition, they are proposing a nutrient management plan for any lawn areas, gravel under the deck and five rain barrels. Due to the environmental sensitivity of this lot, staff requests an affidavit be recorded at the courthouse.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a new single-family dwelling and deck and finds that the application meets the conditions in Sections 23-11 and 23-14. The application should be heard by the Board, because the improvements are within the seaward 50-foot RPA buffer.

## **WATER QUALITY IMPACT ASSESSMENT (WQIA)**

A WQIA must be submitted, per Sections 23-11 and 23-14 of the County Ordinance, for any proposed land disturbing activity resulting from development or redevelopment within RPAs. The applicant has submitted the required information as outlined in the *James City County Water Quality Impact Assessment Guidelines* and has submitted a mitigation proposal. The mitigation proposal, discussed above, exceeds the standard County requirements.

## **CONSIDERATION BY THE CHESAPEAKE BAY BOARD**

The exception granting body is permitted to require reasonable and appropriate conditions in granting the exception request in accordance with Section 23-14. The Chesapeake Bay Board should fully consider Chesapeake Bay Exception CBE-18-020 as outlined and presented above and review the request for exception along with the WQIA. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

## **STAFF RECOMMENDATIONS**

Staff has reviewed the application and exception request and has determined impacts associated with the proposal to be major for the proposed development. Staff recommends approval of this exception request. Should the Board wish to approve, staff recommends that the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits and permissions as required for the project; and
2. The applicant must execute an Affidavit at the Williamsburg/James City County courthouse and provide evidence of such to the County; and
3. Surety of \$4,000 will be required in a form acceptable to the County Attorney's office to guarantee all of the mitigation components; and
4. The mitigation plantings shall have a survivability of at least 90% at one year post planting prior to final surety release. Up to 50% of the surety may be released once mitigation has been planted; and

5. This exception request approval shall become null and void if construction has not begun by October 11, 2018. Written requests for an extension to this exception shall be submitted to the Stormwater and Resource Protection Division no later than six weeks prior to the expiration date.

MDW/nb  
CBE18-020-102WaltonHth

Attachments:

1. Resolution
2. Sensitive Area Application
3. Water Quality Impact Assessment
4. Site Plan
5. Mitigation Plan

## RESOLUTION

CASE NO. CBE-18-020. 102 WALTON HEATH

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Martin Mather (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 11, 2017, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 3810300019 and further identified as 102 Walton Heath in the Fords Colony subdivision (the “Property”) as set forth in the application CBE-18-020 for the purpose of constructing a single-family dwelling and deck; 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 Chesapeake Bay Board of James City County, Virginia, following a public hearing, by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
  - a. The applicant must obtain all other necessary federal, state and local permits and permissions as required for the project; and
  - b. The applicant must execute an Affidavit at the Williamsburg/James City County courthouse and provide evidence of such to the County; and
  - c. Surety of \$4,000 will be required in a form acceptable to the County Attorney’s office to guarantee all of the mitigation components; and



- d. The mitigation plantings shall have a survivability of at least 90% at one year post planting prior to final surety release. Up to 50% of the surety may be released once mitigation has been planted; and
- e. This exception request approval shall become null and void if construction has not begun by October 11, 2018. Written requests for an extension to this exception shall be submitted to the Stormwater and Resource Protection Division no later than six weeks prior to the expiration date.

\_\_\_\_\_  
 David Gussman  
 Chair, Chesapeake Bay Board

\_\_\_\_\_  
 Michael Woolson  
 Senior Watershed Planner

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 11th day of October, 2017.

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: \_\_\_\_\_

CBE18-020-102WaltonHeath-res



## ROTH ENVIRONMENTAL, LLC

**102 WALTON HEATH**  
**FORD'S COLONY**  
**OMEGA DEVELOPMENT CORPORATION**  
**WATER QUALITY IMPACT ASSESSMENT**  
**AND**  
**MITIGATION PLAN**  
**AUGUST 29, 2017**



The property located at 102 Walton Heath is situated in the central section of the Ford's Colony subdivision. The 0.4 acre wooded lot is located northeast of the intersection of Walton Heath and Edinburgh. As an "infill lot", it is completely surrounded by development.

A site plan and CBPA exception request was previously submitted to the CBPA Board and denied for this property.

The applicant has chosen to redesign the proposed primary structure on the site. A smaller structure is currently proposed.

The applicant has reduced the size of the structure, reduced the total proposed impervious area on the lot, reduced the land disturbance area, added stormwater best management practices, and included groundwater management features in the site plan.

### **General Project Information**

The topography on the lot is at its highest on the western portion of the property adjacent to the road. In this area the property is at elevation 56'. The property slopes from west to east. Along the eastern portions of the site, the property elevations are as low as 45'. An intermittent stream is found in these lower elevations. This stream is an unnamed tributary of Long Hill Swamp.

Roth Environmental performed a wetland delineation on the site. Fieldwork for the wetland delineation was performed using the *Routine Determination Method outlined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (TR-10-30)*. This manual uses three parameters (vegetation, soils, and hydrology) in determining and delineating wetlands. The limits of the wetlands and Waters of the U.S. were delineated in the field using numbered pink and black flagging. These areas have been confirmed by the U.S. Army Corps of Engineers.

Nontidal wetlands associated with an intermittent stream are found along the central and eastern edges of the site. There are also nontidal wetlands found in the central portion of the site that are associated with a hillside seep. All of the wetlands have been survey located and are shown on the attached site plan. The uplands on the property are situated in the central and western portions of the lot.

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RBE-18-020

The wetlands on the site are connected and contiguous to downstream perennial streams. A break in this system was not found during Roth Environmental's delineation of the wetlands. Pursuant to the DCR guidance document, "Resource Protection Areas: Nontidal Wetlands" revised dated December 10, 2007, nontidal wetlands that are connected and contiguous to downstream perennial streams are RPA features. Roth Environmental coordinated with the James City County Engineering and Resource Protection Division and confirmed this assessment.

A site plan is attached to this submission package. This plan shows the locations of the nontidal wetlands and the limits of the 50-foot RPA buffer. The majority of the site is either RPA feature (nontidal wetland) or is within the seaward 50-foot portion of the RPA buffer.

As shown on the site plans, the site cannot be developed without permits from the James City County CBPA Board and the Corps of Engineers. An application has been submitted to the regulatory agencies for the permitting of the encroachment into the nontidal wetlands.

The proposed plan for the development on the lot includes the construction of a house, driveway, and deck. All of these features will encroach into the RPA feature or RPA buffer. As with many of the other lots in Ford's Colony, development of the site cannot be accomplished without encroachment into nontidal wetlands and the RPA buffer.

#### **Recent Activity in the Area**

Since the time of the last CBPA submission, work was performed by Ford's Colony and JCSA in the stream and drainage easement on the eastern edge of the site. This work included substantial clearing of vegetation in the easement, grading to create a new channel that is parallel to a significantly incised channel in the drainage feature, and lining the new channel with sediment blankets and seeding it. The new channel has no sinuosity. It is straight. This channel provides a direct conduit for runoff to directly flow untreated, from a large portion of Edinburgh (paved road) and the adjacent yards, into an unnamed tributary of Longhill Swamp.

Please note that the applicant was not involved with any of this work and was not contacted for approval for any of the required permitting or mitigation associated with the creation of this ditch in the drainage system. The project proposed at 102 Walton Heath is independent of this activity.

#### **Development Alternatives**

The location of the proposed house on this lot is dictated by the front building setback. In an attempt to minimize the impact to the wetlands and RPA buffer caused by the development on the lot, the applicant submitted a request to the Ford's Colony Architecture Review Committee for a reduction in the front building setback. By moving the structure to the west, some of the wetland and RPA buffer encroachment could have been reduced.

The setback reduction request was denied. Therefore, the applicant positioned the house on the front setback limit. They cannot move the house any farther to the west.

The project team also explored shifting the house to the south to the edge of the building setback limit. This ten-foot setback does not provide adequate width to create the swale that is required around the southern side of the house. If the swale were installed in the narrower setback, the side slopes would be too steep. This would cause channelized flow, downcutting, and erosion. The feature would more likely represent a ditch. The additional room on the side of the house allows for a much more gentle slope. This will prevent concentrated flow.

**Impervious Encroachment in the RPA Buffer**

Based on the site plans, the impervious area is divided as followed:

House – 1,649 square feet

Deck and steps – 136 square feet

Driveway, sidewalk, & steps – 748 square feet

Total Impervious Area within the RPA Feature and Buffer – 2,533 square feet



As a comparison to other nearby single family development in Ford's Colony, the proposed impervious area on the subject site is similar to the impervious areas within the RPA buffers and/or wetlands on three nearby lots at 177 Southport (+5,200 s.f.), 181 Southport (4,166 s.f.), and 184 Southport (+6,800 s.f.).

The impervious area of the subject site is significantly less than these properties that have been approved for their impervious areas in the RPA.

Roth Environmental and LandTech Resources worked together to reduce the footprint of the proposed development. The table below compares the previously submitted site plan with the current site plan.

*Table 1: Comparison to Previous Application at 102 Walton Heath*

	Proposed Plan	Previous Plan	Differential
Disturbed Area	8,567 s.f.	9,754 s.f.	-1,187 s.f.
Impervious Area	2,533 s.f.	3,320 s.f.	-787 s.f.
Rain Barrels	<del>5</del> – 50 gallon	0	Increase of <b>45</b>
Permanent Wetland Impact	1960 s.f.	3,320 s.f.	-1,360 s.f.
Temporary Wetland Impact	748 s.f. (Sewer line connection)	748 s.f. (Sewer line connection)	0 s.f.

**Mitigation**

The goal of the mitigation plan is to protect the environmental resources downstream. The greatest potential for degradation of the downstream resources caused by the proposed plan is nonpoint source pollution.

Mitigation for the impervious surface created by the proposed plan will include four elements. These are mitigative plantings, installation of gravel under the deck, enrollment in the "Turf Love" program, and the addition of five rain barrels to the plan. By incorporating all of these elements into the site plan, the applicant has provided removal of potential nonpoint source pollutants associated with the project. Downstream wetlands and waters will not be adversely impacted by the project.

*Table 2: Nonpoint source pollutants identified in the Chesapeake Bay Preservation Act, their potential to affect the downstream resources, and the mitigation proposed to offset these potential impacts are shown in the table below.*

Pollutant	Main Potential to Affect Downstream Resources	Measures to Control Pollutants
Sediment	Moderate during construction, high flows of stormwater during and after construction, and if area around the house is left unvegetated/unstabilized	During construction – DEQ approved erosion and sediment controls. Following construction – rain barrels, permanent seeding, mitigation plantings, mulching, and gravel under decking
Nutrients	Moderate as part of lawn care	Enrollment in the Turf Love Program will reduce over-application of fertilizers and pesticides. Mitigative plantings will use available nutrients.
Bacteria	No significant sources of bacteria	N/A
Viruses	No significant sources of viruses	N/A
Oxygen Depletion	This could potentially be caused downstream by very high application of fertilizers	Enrollment in the Turf Love Program will reduce over-application of fertilizers and pesticides.
Hydrocarbons	Minimal - Potentially caused by leaks from construction equipment during land disturbing activities	Standard DEQ pollution prevention controls will be utilized during heavy equipment use on-site. This includes a spill prevention kit on-site during land disturbing activities
Toxic Metals	None – no toxic metals are anticipated to be used on the site	N/A
Toxic Chemicals	None – no toxic chemicals are anticipated to be used on the site	N/A

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Chlorides/Chlorinated Water	Low – No pools proposed, exceptionally low potential from lawn watering	Rain barrels can be used to water plantings and lawn
Increases in Water Temperature	Low/Moderate from rooftop	Rain barrels will capture the first flush or stormwater off the roof. This is the warmest water that could discharge from the site. Mitigative plantings will also provide shade that reduces potential thermal pollution in runoff.

Mitigative Plantings

The first mitigation element is plantings. Although the impervious area has been reduced, the applicant is offering the same mitigation that was offered in the original submission. The required mitigation for the proposed project is six vegetative mitigation units. The applicant is offering eight units.

Traditional vegetative mitigation accounts for 8 canopy trees, 16 understory trees, and 24 shrubs. Due to the limited clearing on the lot and number of tree species that can be installed, we are asking for a modification to this ratio by substituting two shrubs for each understory tree that cannot be incorporated into the plan.

The total amount of plantings are listed in the table below:

Plant Type	Standard Mitigation Plantings for the Impervious Area of the Development (6 Units Required)	Proposed Mitigation Units to be Planted (8 Units Offered)
Canopy Tree	6	8
Understory Tree	12	6
Shrub	18	40
Total	36	53

All plantings will be located within the RPA buffer (and feature) and will be incorporated into the landscape plan required by Ford's Colony. As such, some plantings will be located around the foundation of the house and along the edges of the clearing limits. We specifically added the plants around the clearing limits so that they would have a greater opportunity to absorb nutrients, stabilize the soils, and prevent erosion on the eastern side of the clearing limits.

Mitigative plantings have also been incorporated into the wetland on-site. The wetlands contain scattered vegetation. Increasing the density of the plantings in these areas will increase the wetland's ability to absorb nutrients, toxicants, and reduce sediments. It will also aid in stabilizing the soils in the drainage feature. The vegetation will also aid in the reduction of thermal pollution of the stormwater runoff by creating shaded areas.

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The added vegetation will also aid in treating stormwater that flows into the wetland from the adjacent lot to the south and flow from Edinburgh that has no stormwater treatment to its runoff.

Canopy trees will be a minimum of 1.5" caliper or six feet tall. Understory trees will be a minimum of 0.75" caliper or five feet tall. Shrubs will be a minimum of 3 gallons in size or 18" tall. The goal of the landscape plan is to achieve a minimum of 75% native species planted for the mitigation effort. The remainder of the species may be non-native ornamental species. It is recommended that all plantings be installed in the fall or early winter.

Native trees and shrubs have been selected from the Native Plant List found on the James City County website. They will include the following:

**Canopy Trees:**

Uplands and Wetlands – red maple (*Acer rubrum*), river birch (*Betula nigra*), bald cypress (*Taxodium distichum*), and willow oak (*Quercus phellos*).

**Understory Trees:**

Uplands – flowering dogwood (*Cornus florida*), eastern redbud (*Cercis canadensis*), American holly (*Ilex opaca*), and Canada serviceberry (*Amelanchier canadensis*).

Wetlands – white fringe tree (*Chionanthus virginicus*) and sweetbay magnolia (*Magnolia virginiana*).

**Shrubs:**

Uplands – American beautyberry (*Callicarpa americana*), inkberry holly (*Ilex glabra*), winterberry (*Ilex verticillata*), sweetspire (*Itea virginica*), New Jersey tea (*Ceanothus americanus*), waxmyrtle (*Morella cerifera*), and red chokeberry (*Aronia arbutifolia*).

Wetlands – spicebush (*Lindera benzoin*), sweet pepperbush (*Clethra alnifolia*), fetterbush (*Leucothoe racemosa*), and button bush (*Cephalanthus occidentalis*).

The Mitigation Plan included with the submission package shows the approximate location of these plantings. Once the applicants have selected the specific species for these locations, they will coordinate the final landscape plan with the CBPA Board's Staff Liaison, Michael Woolson, for review and approval.

Should specified native species not be available from local nursery stock or the applicant chooses to incorporate ornamentals into the non-native portion of the mitigation plan, they will coordinate with Mr. Woolson prior to purchase of the plant materials.

As part of the typical CBPA encroachment requirements, the applicant will post a surety for the proposed plantings. This surety will be determined by county staff and be returned to the applicant once the mitigative plantings are installed and the county verifies their installation.

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Additionally, the applicant will enter into the standard county agreement to maintain the mitigative plantings:

#### Under Deck Gravel

The applicant will incorporate gravel under the proposed deck in order to provide the opportunity for infiltration from this feature. For the installation of the gravel bed, three inches of soil will be removed, filter fabric will be used to line the excavated area. Three inches of gravel will be used to fill the area under the deck. This will allow for the infiltration of stormwater that drains through the deck. It will also slow any erosive flows of water under the deck due to large storm events.

#### Turf Love Program

With the use of turf grass in the site design, the applicants will enroll in the "Turf Love" program administered by the Virginia Cooperative Extension for all areas within the buffer that are proposed for turf grass. As part of this program, a cooperative extension agent will perform an on-site lawn/site analysis and will teach the residents how to produce healthy turf while reducing the use of fertilizers, pesticides, and insecticides.

#### Rain Barrels

The applicant is proposing to install five rain barrels on the gutter downspouts of the house. These rain barrels will be 50-gallons or larger. The rain barrels, by design, will capture the first flush of stormwater flowing off the house. This will significantly reduce runoff and capture pollutants from the roof of the house.

During larger storm events, the rain barrels will capture the first flush of stormwater off the roof. The excess rainwater will overflow the barrels and continue in the designed direction of flow. As the first flush of stormwater has the highest concentration of pollutants and the warmest water that flows from the structure, this is the most important portion of a storm to capture.

By catching stormwater from the structure, the rain barrels reduce runoff flowing into the yard during smaller storms. This will reduce runoff and pollution from the structure and yard, reduce the potential for erosion (sediments), reduces thermal pollution from heated runoff from the roof, and allows the owners to use rainwater for their landscaping needs.

#### Mitigation Alternatives Investigated

An infiltration feature would traditionally be constructed in the lower elevations of a property or in an area that slopes away from the house/other impervious area. The engineer did not recommend constructing an infiltration trench to the east of the proposed house. In this area the groundwater is very high and will fill the void spaces that are supposed to collect the runoff. In this instance, the stormwater would flow over the infiltration trench and not into it. All potential to treat stormwater using this type of BMP would be ineffective in this situation.



There would also be the potential for the infiltration feature to intercept the shallow groundwater table. This could allow the groundwater to directly discharge heavier flows to the ground surface and potentially cause erosion to downslope areas. For these reasons, rain barrels were determined to be a better alternative for stormwater management.

**Additional Considerations**

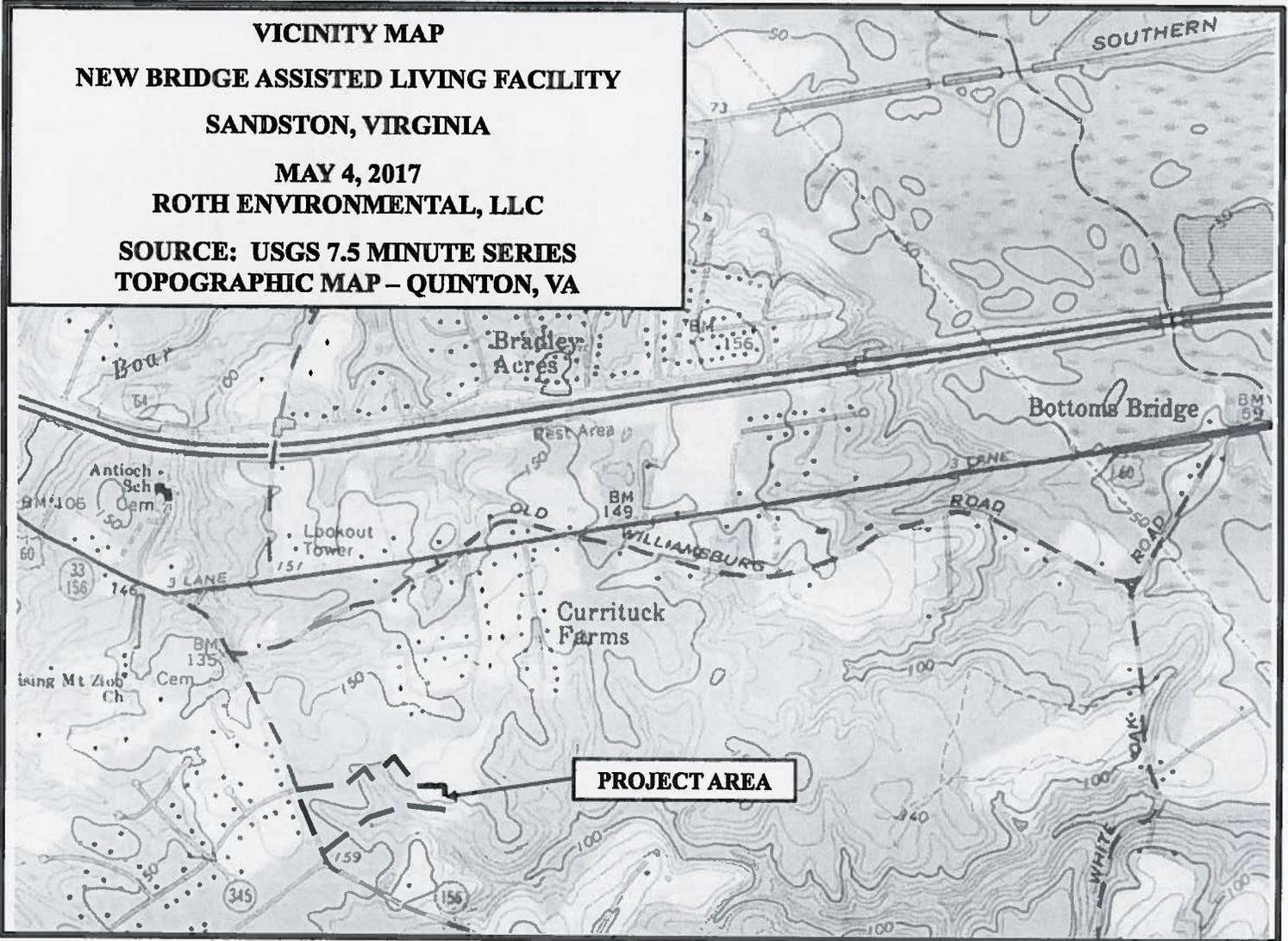
In order to address any potential concerns with a shallow groundwater table on the site in the area of the development, the applicant has designed two French drains that wrap around the front and sides of the proposed house. These drains will provide an avenue for any high groundwater to flow around the foundation of the house. Two small riprap outfalls are proposed in the areas in which the French drains will discharge.

While the two adjacent properties that are in very similar landscape positions as the subject site have not reported any concerns with groundwater, the proposed French drains will ensure that seasonal high groundwater will not be an issue for the proposed development.

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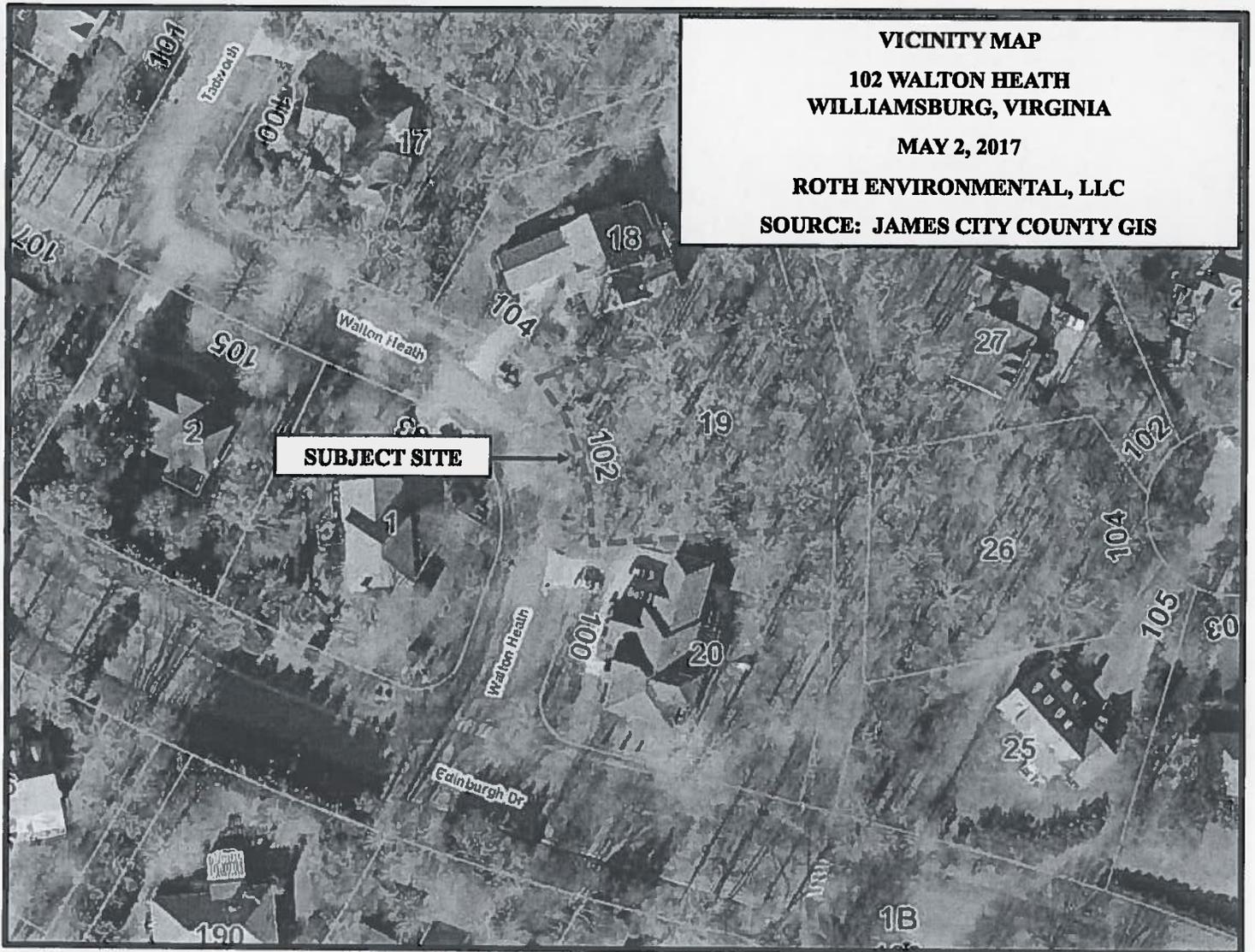


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**BUILDING INFORMATION**  
 PROPOSED RESIDENCE IS 2-STORY  
 PROPOSED GARAGE IS 1-BAY / FRONT LOADING

**SITE INFORMATION**  
 TOTAL AREA: 16,944 S.F. / 0.389 AC.  
 DISTURBED AREA: 8,567 S.F. / 0.197 AC.  
 IMPERVIOUS: 2,533 S.F. / 0.058 AC.  
 PARCEL ID: 3810300019  
 ZONING DISTRICT: R4  
 EXISTING SITE IS WOODED AS SHOWN  
 EXISTING ADDRESS:  
 102 WALTON HEATH  
 JAMES CITY COUNTY, VIRGINIA

**NOTE TO CONTRACTOR**

- ALL DISTURBED AREAS ARE TO BE SEEDED, SODDED, OR PLANTED WITHIN 7 DAYS OF REACHING FINAL GRADE.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING "JURISDICTION" FROM THE JAMES CITY COUNTY PLANNING DEPARTMENT PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL REPORT ANY ERRORS, OMISSIONS, CONFLICTS, OR DISCREPANCIES TO THE DEVELOPER FOR RESOLUTION BEFORE CONTINUING WITH THE WORK.
- EROSION AND SEDIMENT CONTROL SHALL CONFORM TO THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO UTILITIES, PUBLIC OR PRIVATE, THAT MAY OCCUR AS A RESULT OF CONSTRUCTION ACTIVITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING WITH MATCHING MATERIALS ANY TREES, SHRUBS, BUSHES, SHOULDEES, WALKS, LAWNS, SHRUBS, DITCHES, ETC. DESTROYED OR DAMAGED DURING OR AS A RESULT OF CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE FOR INSTALLING ORANGE SAFETY FENCE AROUND LIMITS OF CONSTRUCTION.
- THE CONTRACTOR SHALL DETERMINE EXACT FINISH FLOOR ELEVATION AFTER.
- CONTRACTOR TO DETERMINE LOCATION OF HVAC UNIT.

**BUILDING SETBACKS (PER FORD'S COLONY)**  
 FRONT SETBACK: 30'  
 REAR SETBACK: 35'  
 SIDE SETBACK: 10'

**NOTES**

- HOUSE DIMENSIONS SHOWN BASE ON INFORMATION PROVIDED BY OWNER. BUILDER SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- ALL TREES LARGER THAN 3" IN DIAMETER AND OUTSIDE THE LIMITS OF CLEARING SHOWN MAY NOT BE REMOVED WITHOUT THE CONSENT OF FORD'S COLONY OR ITS ASSIGNS.
- IN THE EVENT THE ARCHITECTURAL REVIEW COMMITTEE (ARC) SHALL IN THAT APPLICATION OF THE AFORESAID SETBACKS TO A PARTICULAR LOT, THE OWNER AND DEVELOPER SHALL BE RESPONSIBLE FOR THE CONSTRUCTION SETBACKS. THE DEVELOPER SHALL ADVISE THE OWNER OF SAID LOT FROM THE PROVISIONS OF THESE SETBACK REQUIREMENTS.

**GENERAL NOTES**

- A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM. WETLANDS WERE DELINEATED BY ROTH ENVIRONMENTAL AND LOCATED IN THE FIELD BY THIS FIRM.
- IN THE FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
- PARCEL LIES IN F.I.R.M. ZONE "X" ACCORDING TO COMMUNITY PANEL #51095001170, DATED DECEMBER 16, 2015.
- LOT SERVED BY PUBLIC WATER AND SEWER.
- CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
- RELATIONS TO SURROUNDING AREAS ARE IN FEET AND ARE CLOSELY RELATED TO THE FRAMELINE OF THE BUILDING.
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- WATER SERVICE NOT FOUND ON SITE AT THE TIME THE SURVEY WAS PERFORMED. CONTRACTOR TO COORDINATE WITH JAMES CITY COUNTY OFFICIALS FOR WATER METER TIE IN.

**SURVEYORS CERTIFICATION**

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MATTHEW H. COMOLLY, L.S.  
 DATE: 01/27/2017

DATE: 01/27/2017  
 DRAWN BY: LRI  
 PROJECT NO. 16-550  
 FILE NAME: 16-550.DWG  
 REFERENCES:  
 P.B. 45, PG. 39

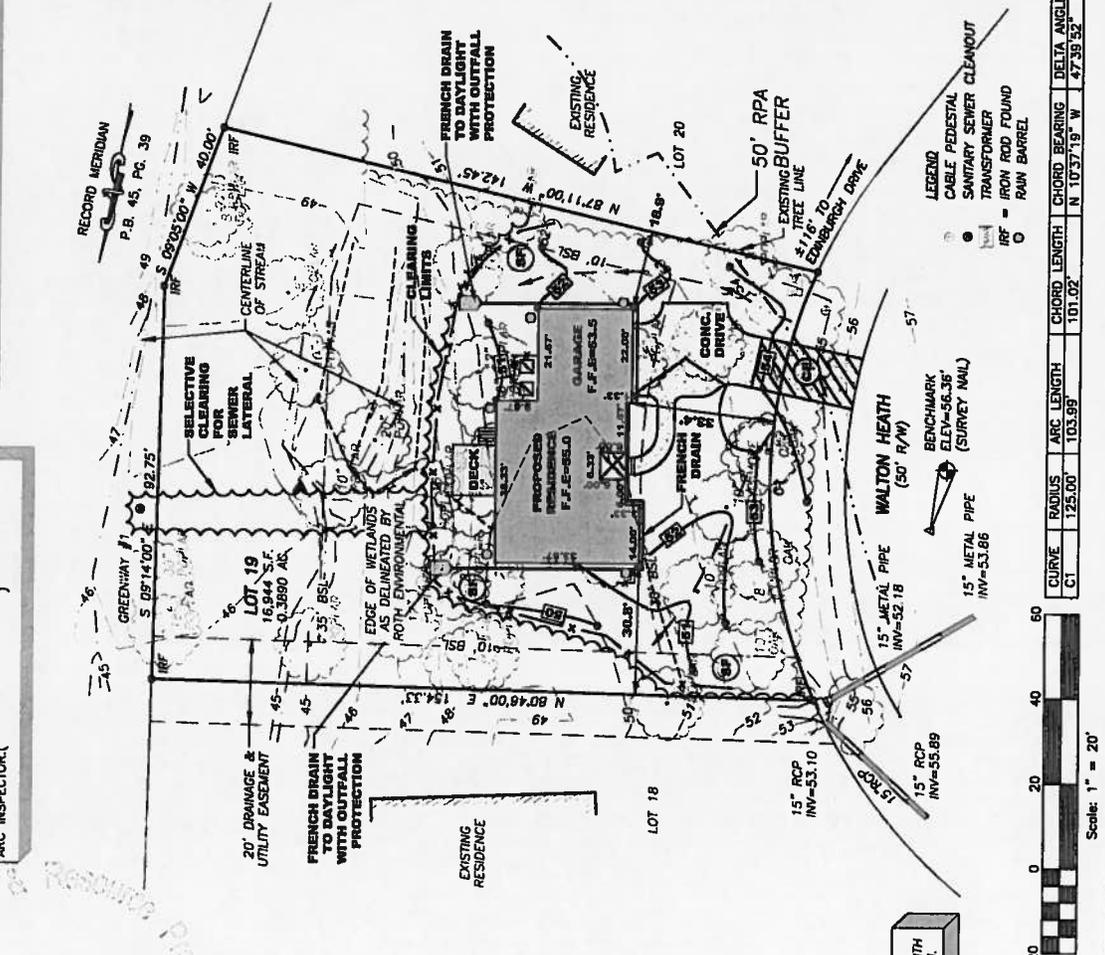


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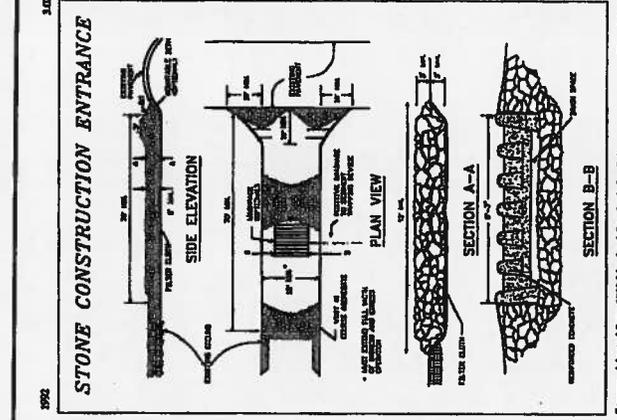
CURB & GUTTER SECTIONS WILL REQUIRE (2) SCHEDULE 40-4" CONDUITS PLACED 3' BELOW GRADE, OR AS LOW AS POSSIBLE TO NOT CONFLICT WITH OTHER UTILITIES, DIRECTLY BEHIND THE CURB FOR FUTURE WIRES. SECTIONS: 3B, 8A, 8B, 10, 12, 13A, 13B, 14A, 14B, 15, 17, 18, 30, 31 & 32

SIGNED: \_\_\_\_\_  
 DATE: \_\_\_\_\_

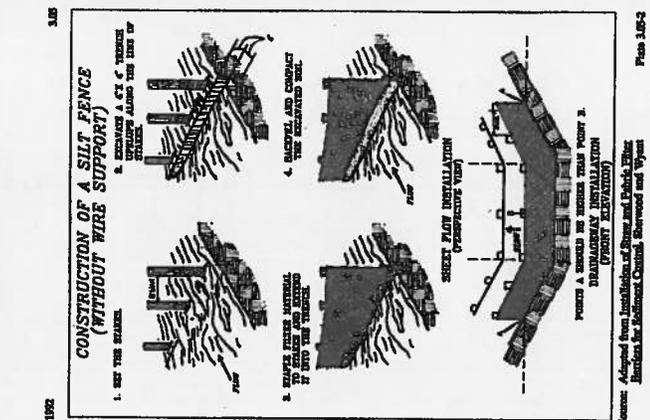


NO.	DATE	REVISION / COMMENT / NOTE
1	8/28/17	REVISED HOUSE

LOT 19, SECTION VI, FORD'S COLONY  
 FOR  
 OMEGA CONCRETE & CONSTRUCTION  
 VIRGINIA  
 JAMES CITY COUNTY



Plan 3.02-1  
 Source: Adapted from 1983 Mechanical Standards for Soil Erosion and Sediment Control and Va. DMWC



Plan 3.02-2  
 Source: Adapted from Installation of Stone and Fabric Silt Fences for Sediment Control, Sherwood and Wynn



CBE-18-020

**BUILDING INFORMATION**  
 PROPOSED RESIDENCE IS 2-STORY  
 PROPOSED GARAGE IS 1-BAY / FRONT LOADING

**SITE INFORMATION**  
 TOTAL AREA: 16,944 S.F. / 0.389 AC.  
 DISTURBED AREA: 8,567 S.F. / 0.197 AC.  
 IMPERVIOUS: 2,533 S.F. / 0.058 AC.  
 PARCEL ID: 3810300019  
 ZONING DISTRICT: R4  
 EXISTING SITE IS WOODED AS SHOWN  
 EXISTING ADDRESS: 102 WALTON HEATH  
 JAMES CITY COUNTY, VIRGINIA

**GENERAL NOTES**

- A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM.
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- CONTRACTOR TO PROVIDE 3" OF GRAVEL UNDER THE DECK.
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- MITIGATION LEGEND**
- ◻ AREAS TO BE MULCHED
  - NATIVE SHRUB
  - NATIVE UNDERSTORY TREE
  - NATIVE CANOPY TREE

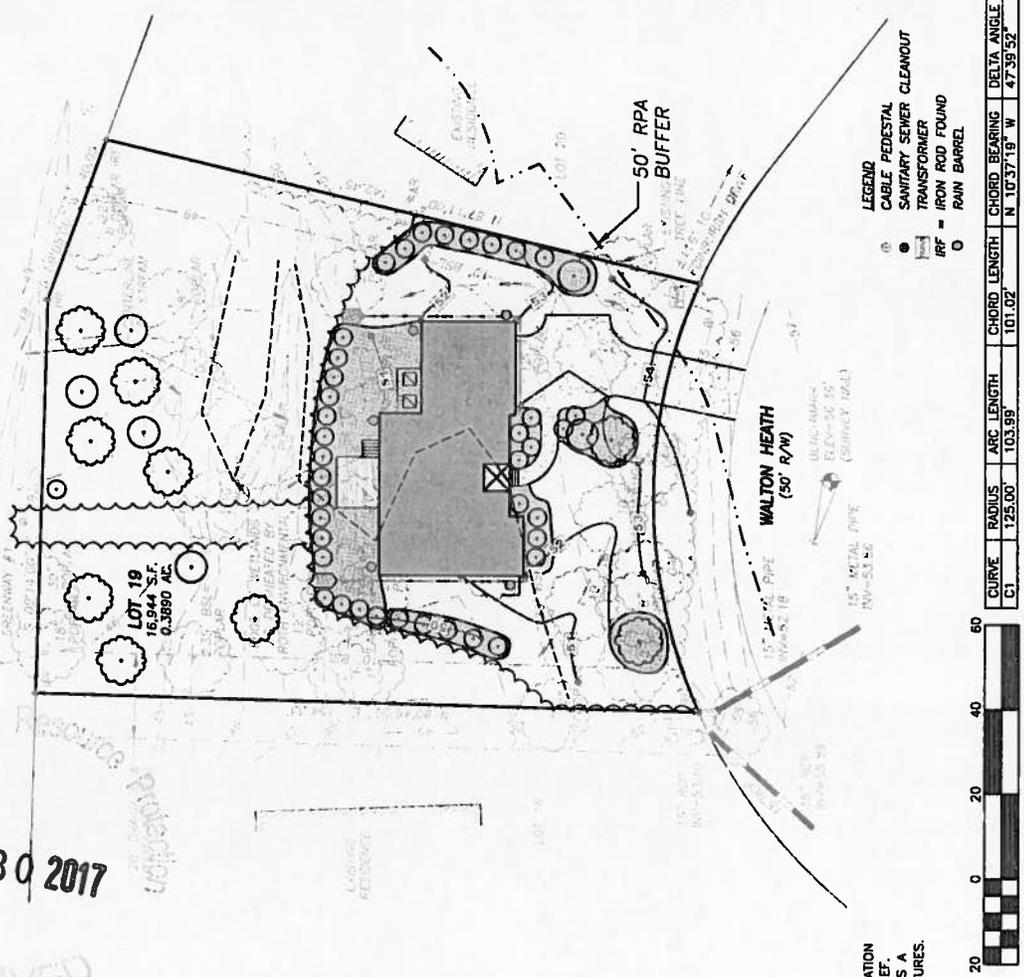
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MULCH AREAS	2,168 S.F.
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**SURVEYORS CERTIFICATION**  
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*Matthew H. Connolly*  
 MATTHEW H. CONNOLLY, L.S.  
 05-03-2017 DATE

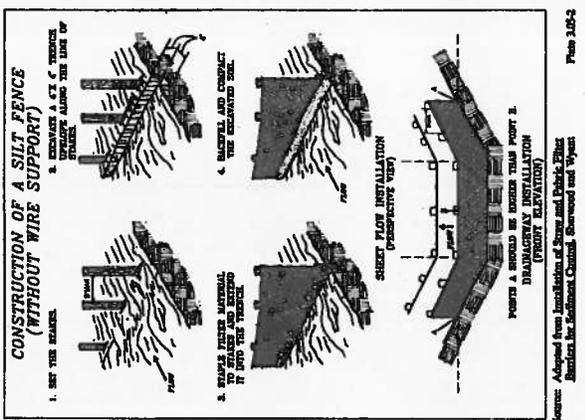
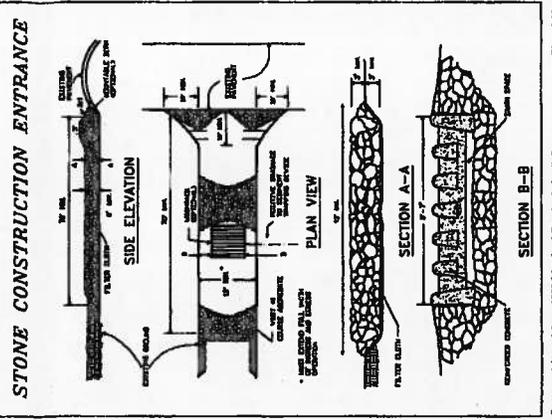


AUG 30 2017



MITIGATION PLAN OF  
 LOT 19, SECTION VI, FORD'S COLONY  
 FOR  
 OMEGA CONCRETE & CONSTRUCTION  
 JAMES CITY COUNTY VIRGINIA

DATE: 05/03/2017  
 DRAWN BY: LRI  
 PROJECT No. 16-550  
 FILE NAME: 16-550.DWG  
 REFERENCES:  
 P.B. 45, PG. 39



310  
 1992

**LRI LANDTECH RESOURCES, INC.**  
 2500 Lakeside Road, Yorktown, VA 23090  
 Phone: 757-863-1100  
 Fax: 757-863-1101  
 www.landtechresources.com

NO.	DATE	REVISION / COMMENT / NOTE
1	8/28/17	REVISED HOUSE

CBE-18-020

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 102 WALTON HEATH  
 JAMES CITY COUNTY, VIRGINIA

**NOTE TO CONTRACTOR**

- ALL DISTURBED AREAS ARE TO BE SEDED, SODDED, OR PLANTED WITHIN 7 DAYS OF REACHING FINAL GRADE.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING "JURISDICTION" FROM THE JAMES CITY COUNTY PLANNING BOARD PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL REPORT ANY ERRORS, OMISSIONS, CONFLICTS, OR DISCREPANCIES TO THE DEVELOPER FOR RESOLUTION BEFORE CONTINUING WITH THE WORK.
- EROSION AND SEDIMENT CONTROL SHALL CONFORM TO THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO UTILITIES, PUBLIC OR PRIVATE, THAT MAY OCCUR AS A RESULT OF CONSTRUCTION ACTIVITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING WITH MATCHING MATERIALS ANY DRIVEWAYS, SHOULDERS, WALKS, LAWNS, SHRUBS, DITCHES, ETC. DESTROYED OR DAMAGED DURING OR AS A RESULT OF CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE FOR INSTALLING ORANGE SAFETY FENCE AROUND LIMITS OF CONSTRUCTION.
- THE CONTRACTOR SHALL DETERMINE EXACT FINISH FLOOR ELEVATION AFTER.
- CONTRACTOR TO DETERMINE LOCATION OF HVAC UNIT.

**BUILDING SETBACKS (PER FORD'S COLONY)**  
 FRONT SETBACK: 30'  
 REAR SETBACK: 35'  
 SIDE SETBACK: 10'

**NOTES**

- HOUSE DIMENSIONS SHOWN BASE ON INFORMATION PROVIDED BY OWNER. BUILDER SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- ALL TREES LARGER THAN 3" IN DIAMETER AND OUTSIDE THE LIMITS OF CLEARING SHOWN MAY NOT BE REMOVED WITHOUT THE CONSENT OF FORD'S COLONY OR ITS ASSIGNS.
- IN THE EVENT THE ARCHITECTURAL REVIEW COMMITTEE (ARC) SHALL IN THAT APPLICATION OF THE AFORESAID SETBACKS TO A PARTICULAR PROPERTY, THE OWNER AND DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY VARIANCE TO THE CONSTRUCTION SETBACKS FROM AN APPROPRIATE AUTHORITY PRIOR TO CONSTRUCTION.
- OWNER OF SAID LOT FROM THE PROVISIONS OF THESE SETBACK REQUIREMENTS.

**GENERAL NOTES**

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MATTHEW H. COMOLLY, L.S.  
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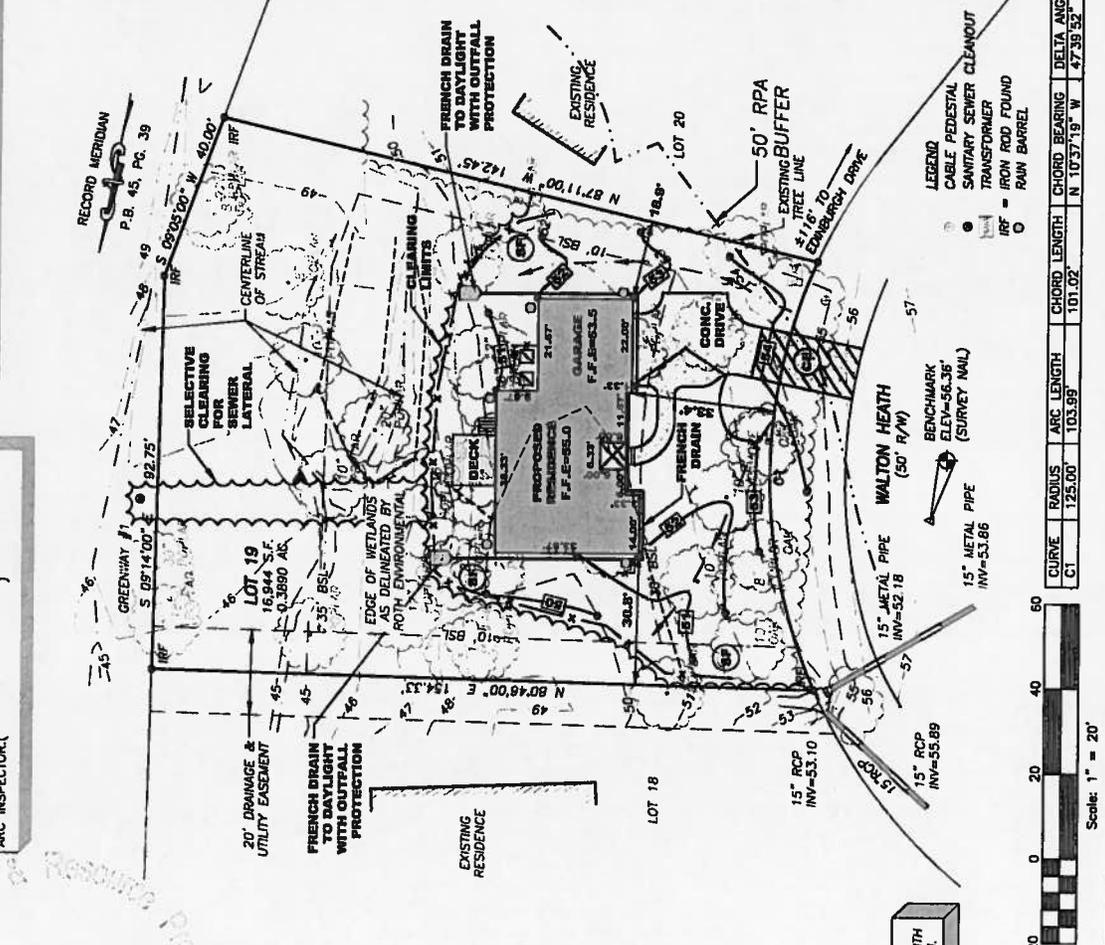
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 PROJECT NO. 16-550  
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 REFERENCES:  
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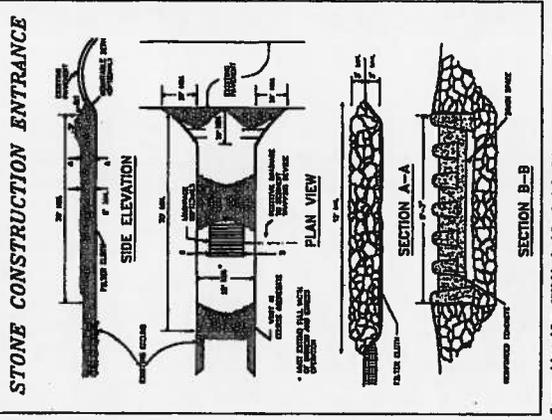
SIGNED: \_\_\_\_\_  
 DATE: \_\_\_\_\_



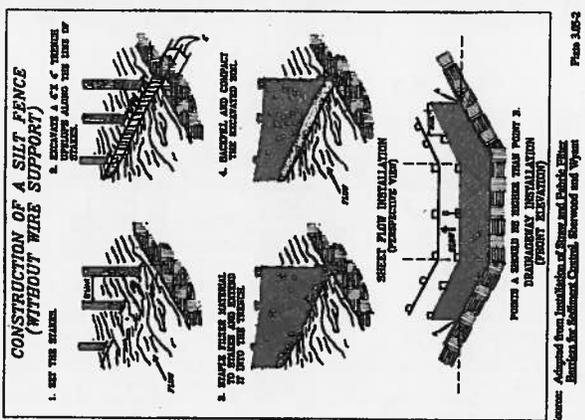
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	DELTA ANGLE
C1	125.00	103.99	N 10°37'19" W	47°39'52"

Scale: 1" = 20'

LOT 19, SECTION VI, FORD'S COLONY  
 FOR  
 OMEGA CONCRETE & CONSTRUCTION  
 VIRGINIA  
 JAMES CITY COUNTY



STONE CONSTRUCTION ENTRANCE  
 Plan 3.00-3  
 Source: Adapted from 1983 Mechanical Standards for Soil Erosion and Sediment Control and Va. DMWC



CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)  
 Plan 3.00-3  
 Source: Adapted from 1983 Mechanical Standards for Soil Erosion and Sediment Control and Va. DMWC

**LRI LANDTECH RESOURCES, INC.**  
 2884 Midway Ave., Suite 100  
 Richmond, VA 23228  
 Tel: (703) 964-1927 Fax: (703) 964-2288  
 Web: lri@landtechresources.com

NO.	DATE	REVISION / COMMENT / NOTE
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CBE-18-020

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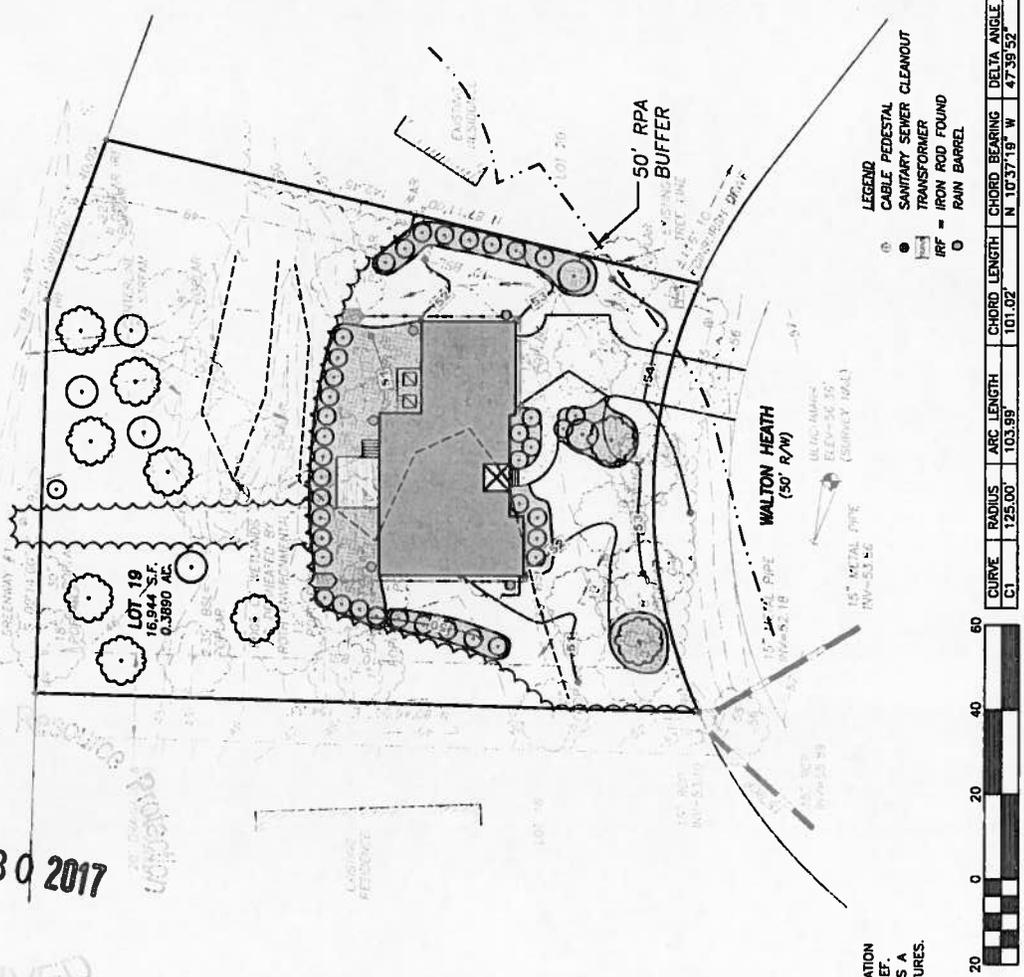
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 05-03-2017 DATE

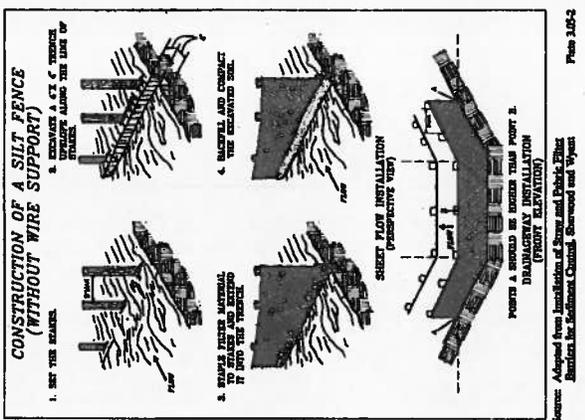
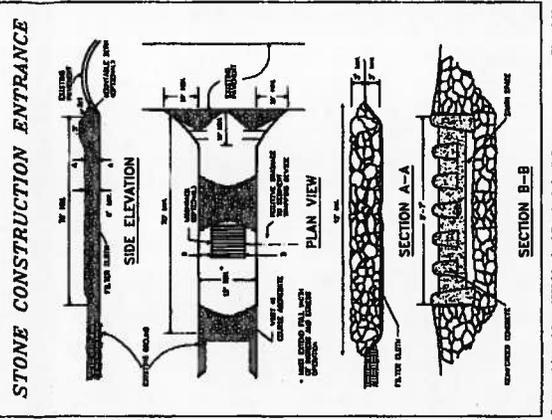


AUG 30 2017



MITIGATION PLAN OF  
 LOT 19, SECTION VI, FORD'S COLONY  
 FOR  
 OMEGA CONCRETE & CONSTRUCTION  
 JAMES CITY COUNTY VIRGINIA

DATE: 05/03/2017  
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 PROJECT No. 16-550  
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NO. 1  
 DATE 8/28/17  
 REVISION / COMMENT / NOTE  
 REVISED HOUSE

**LRI LANDTECH RESOURCES, INC.**  
 2500 Lakeside Road, Yorktown, VA 23090  
 Phone: 800-828-8888  
 Fax: 800-828-8888  
 www.landtechresources.com



JAMES CITY COUNTY WETLANDS BOARD

PUBLIC HEARING

June 14, 2017

CASE DECISION WORK SHEET

CASE NO: CBE17-084: 102 Walton Heath  
OWNER/AGENT: Martin Mather, Omega Development LLC / Matt Roth, Roth Environmental  
PERMIT REQUESTED: Chesapeake Bay Board Exception  
RESOLUTION: Encroachment into the Resource Protection Area for construction of a single-family dwelling and associated deck at 102 Walton Heath in the Ford's Colony subdivision within the Powhatan Creek Watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 3810300019.

The exception request was denied because the request did not meet all the following requirements:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant special privileges not allowed by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, and the request arises from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions can be imposed, which will prevent the exception request from causing a degradation of water quality.

DATE OF DECISION: June 14, 2017

DATE FILED IN OFFICE: June 15, 2017

WETLANDS BOARD SECRETARY:

  
Melanie Davis



**From:** David Gussman [<mailto:dsgussman@cox.net>]  
**Sent:** Thursday, June 15, 2017 3:27 PM  
**To:** Michael Woolson <[Michael.Woolson@jamescitycountyva.gov](mailto:Michael.Woolson@jamescitycountyva.gov)>  
**Subject:** June 14, 2017 Chesapeake Bay Meeting

In regard to the June 14, 2017 Chesapeake Bay Board Meeting, the Board denied the exception request for CBE-17-084: 102 Walton Heath because the request did not meet the following requirements:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant special privileges not allowed by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, and the request arises from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions can be imposed, which will prevent the exception request from causing a degradation of water quality.

**AFFIDAVIT**

We, RAFFAEL TUSA, and FLORINA TUSA-WYSS, husband and wife, do hereby attest and affirm our sole ownership of that parcel of property at 3 West Circle, located in James City County, Virginia and further identified as James City County Real Estate Tax Parcel Number 4540200080A (the “Property”).

We do further attest and affirm the following:

1. The entirety of the Property is located within the Resource Protection Area of the James City County Chesapeake Bay Preservation Ordinance (the “Ordinance”).
2. By resolution of the James City County Chesapeake Bay Board (the “Board”), which is attached as Exhibit 1, we received an exception from the Ordinance to impact the Property.
3. The exception granted by the Board is conditioned on satisfying the limits of impact and mitigation plan as proposed in the Water Quality Impact Analysis, which is attached as Exhibit 2.
4. We hereby acknowledge, and put subsequent purchasers on notice, that any impact to the resources protected by the Ordinance outside of those identified in Exhibit 2 is in violation of the Ordinance.

**(SIGNATURE PAGE FOLLOWS)**

\_\_\_\_\_  
Raffael Tusa

COMMONWEALTH OF VIRGINIA,  
County/City of \_\_\_\_\_, to wit:

The foregoing Affidavit was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by RAFFAEL TUSA.

(SEAL)

\_\_\_\_\_  
Notary Public

Notary No. \_\_\_\_\_

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Florina Tusa-Wyss

COMMONWEALTH OF VIRGINIA,  
County/City of \_\_\_\_\_, to wit:

The foregoing Affidavit was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by FLORINA TUSA-WYSS.

(SEAL)

\_\_\_\_\_  
Notary Public

Notary No. \_\_\_\_\_

My Commission expires: \_\_\_\_\_



## **PUBLIC HEARING NOTICE**

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY OCTOBER 11, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA TO CONSIDER THE FOLLOWING CASES:

CBE-18-017: Mr. Bruce Flora has filed an exception request to encroach into the RPA buffer for installation of a retaining wall at 108 Cove Rd, in the Kingspoint subdivision, JCC Parcel No 4910240013.

CBE-18-020: Mr. Martin Mather with Omega Development LLC has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling at 102 Walton Heath in the Fords Colony subdivision, JCC Parcel No 3810300019.

CBE-18-013: Kerr Environmental Services, on behalf of SCP-JTL Stonehouse Owner 1 LLC has filed an exception request to encroach into the RPA buffer associated with a sanitary sewer extension for the proposed Stonehouse Land Bay 3 & 5 project. The encroachment will be on properties located at 9360, 9320, 9340 and 9350 Fieldstone Parkway, JCC Parcel Nos 0440100030, 0440200001, 0440200002 and 0440100022 as well as 9683 Mill Pond Run, JCC Parcel No 0530100017.

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 – September 27 and October 4, 2017.  
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

COPIES: PLANNING  
ASSISTANT COUNTY ATTORNEY  
CHESAPEAKE BAY BOARD MEMBERS



General Services  
Stormwater & Resource  
Protection Division  
P O Box 8784  
Williamsburg, VA 23187  
Resource.Protection@jamescitycountyva.gov

September 10, 2017

RE: CBE-18-020– 102 Walton Heath  
Single Family Dwelling with deck

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 Chesapeake Bay Board by Martin Mather with Omega Development LLC, for encroachment into the Resource Protection Area (RPA) associated with construction of a single family dwelling and deck, at 102 Walton Heath in the Ford's Colony subdivision. The property is further identified by James City County Real Estate as Parcel No. 3810300019.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, October 11, 2017 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,

*Melanie Davis*

Melanie Davis  
Chesapeake Bay Board Secretary  
757-253-6866

cc: Martin Mather, Omega Development LLC  
Roth Environmental

Mailing List for: CBE-18-020 – 102 Walton Heath - SFD with deck

3810300019 - Owner 102 Walton Heath

Omega Development, LLC  
Attn: Martin Mather  
1012 Estates Court  
Portsmouth, VA 23703

Roth Environmental

Attn: Matt Roth  
700 Prescott Circle  
Newport News, VA 23602

3810300020

Patrice Perry-Rivers and Keith Rivers  
100 Walton Heath  
Williamsburg, VA 231889164

3810300001

Maria and Norma Imbrogno  
103 Walton Heath  
Williamsburg, VA 231889166

3810300018

Ted and Carol Drake  
104 Walton Heath  
Williamsburg, VA 23188

3810300026

David Fastabend and Karen Maculley  
104 Royal West Norfolk  
Williamsburg, VA 231889180

3810300027 - 102 Royal West Norfolk

Bernard Enterprises, Inc  
116 Royal North Devon  
Williamsburg, VA 231887423

3810300030

James and Beverly Whitley  
103 Brancaster  
Williamsburg, VA 231889179

38110300001A - Common Area

Ford's Colony at Williamsburg Homeowners  
Association  
100 Manchester Drive  
Williamsburg, VA 231887404

**ITEM SUMMARY**

DATE: 10/11/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-013 : Stonehouse Land Bay 3 & 5

---

Kerr Environmental Services, on behalf of SCP-JTL Stonehouse Owner 1 LLC has filed an exception request to encroach into the RPA buffer associated with a sanitary sewer extension for the proposed Stonehouse Land Bay 3 & 5 project. The encroachment will be on properties located at 9360, 9320, 9340 and 9350 Fieldstone Parkway, JCC Parcel Nos 0440100030, 0440200001, 0440200002 and 0440100022 as well as 9683 Mill Pond Run, JCC Parcel No 0530100017.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Water Quality Impact Assessment	Backup Material
☐	Water Quality Impact Assessment - Appendix A	Backup Material
☐	Site Plan - Appendix C	Backup Material
☐	Mitigation Plan - Appendix B	Backup Material
☐	Public Hearing Notice	Backup Material
☐	APO Notification Letter	Backup Material
☐	APO Notification List	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	10/4/2017 - 4:51 PM
Chesapeake Bay Group	Geissler, Fran	Approved	10/4/2017 - 4:54 PM
Publication Management	Burcham, Nan	Approved	10/4/2017 - 4:56 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/5/2017 - 7:20 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-013. Stonehouse Land Bay 3 and 5  
Staff Report for the October 11, 2017, Chesapeake Bay Board Public Hearing**

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*This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Chesapeake Bay 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.*

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**EXISTING SITE DATA AND INFORMATION**

Applicant: SCP-JTL Stonehouse Owner 1, LLC

Agent: Mr. Curtis Hickman, Kerr Environmental Services Corporation

Locations: 9360, 9320, 9340 and 9350 Fieldstone Parkway and 9683 Mill Pond Run

Tax Map/Parcel Nos.: 0440100030, 0440200001, 0440200002, 0440100022 and 0530100017

Legal Descriptions: Parcel B-1, Stonehouse Development Area 1  
Lot 1, Section 1A, Stonehouse  
Lot 2, Section 1A, Stonehouse  
Parcel 3, Legends at Stonehouse Golf Course  
New Best Management Practice Open Space Portion of Parcel A, Stonehouse

Parcel Sizes: 8.95 acres; 16.2 acres; 4.8 acres; 9.14 acres; and 1.65 acres

Area of Parcels in Resource Protection Area (RPA): 1.1 acres (12%); 6.9 acres (43%); 1.4 acres (29%); 2.3 acres (25%); 0.9 acres (55%)

Watershed: Ware Creek (HUC YO62)

Floodplain: Panel 0037D

Proposed Activity: To construct a sanitary sewer trunk line

Impervious Cover: None proposed

RPA Encroachment: 49,433 square feet of RPA impact, of which 11,547 square feet is temporary and 37,886 square feet is permanent conversion to scrub-shrub habitat from forested

Staff Contact: Michael D. Woolson, Senior Watershed Planner Phone: 253-6823

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Curtis Hickman of Kerr Environmental Services, on behalf of SCP-JTL Stonehouse Owner 1, LLC, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a sanitary sewer trunk main on property known as 9360, 9320, 9340 and 9350 Fieldstone Parkway and 9683 Mill Pond Run, in the Stonehouse subdivision within the Ware Creek Watershed. The property is further identified as James City County Real Estate Tax Map Parcel Nos. 0440100030, 0440200001, 0440200002, 0440100022 and 0530100017 respectively. The subject parcels are undeveloped except for 9350 Fieldstone Parkway, which has a portion of the Legends at Stonehouse Golf Course located on it. A perennial stream study was recently conducted to set the limits of the RPA for the subject parcels.



The owner is proposing additional sanitary sewer installation by tying into a previously approved, but not yet built, sanitary sewer (CBE-14-051) for Land Bay 3. The approval for CBE-14-051 was recently extended to December 11, 2018. There is a proposed extension from Land Bay 3 to an adjacent property (9683 Mill Pond Run) and a proposed sewer extension to Land Bay 5 (9360, 9320, 9340 and 9350 Fieldstone Parkway). The owner has already submitted a permit modification request to the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality to include these additional impacts in the previously approved wetland permits.

The proposed sanitary sewer extension stops south of the wetland system in the RPA south of Fieldstone Parkway. There will be further RPA impacts in the future at this location. The development plans for Land Bay 5 have not yet been developed. For this reason, staff is not at this time requiring that the construction access be restored for this project. It must only be stabilized per County requirements. In the future, if the construction access shown on these plans is not planned to be within the sanitary sewer easement, it will be restored when the additional exception is requested.

Proposed mitigation for this proposal is preservation of additional forested lands within the Tract 3 section of Stonehouse. Tract 3 was recently approved for RPA impacts for sanitary sewer and has an excess of suitable land for conservation easement purposes. The additional conservation easement would be provided at a 2:1 ratio and would encompass 2.27 acres of additional conservation easement. This additional conservation easement would be recorded with the recordation of Parcels A and B of Tract 3, which is soon to start construction.

Staff would normally request that the additional 2.27 acres of conservation easement be recorded with Land Bay 5 with the understanding that there is no clear timetable for construction and/or recordation of Land Bay 5, nor is there any clear indication of where the conservation easement will be placed. Given these two options for mitigation, staff requests that the Board choose which option they prefer: Option 1, the immediacy, time-wise, of the conservation easement being recorded in Tract 3; or Option 2, the immediacy, distance-wise, of the conservation easement being recorded in Land Bay 5 with no timetable for development. Staff also requests that the expiration date for this exception request, if granted, match that of CBE-14-051.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a sanitary sewer extension and finds that the application meets the conditions in Sections 23-11 and 23-14. The application should be heard by the Board, because the improvements are not water dependent and within the RPA buffer.

## **WATER QUALITY IMPACT ASSESSMENT (WQIA)**

A WQIA must be submitted, per Sections 23-11 and 23-14 of the County Ordinance, for any proposed land disturbing activity resulting from development or redevelopment within RPAs. The applicant has submitted the required information as outlined in the *James City County Water Quality Impact Assessment Guidelines* and has submitted a mitigation proposal. The mitigation proposal, discussed above, meets the standard County requirements.

## **CONSIDERATION BY THE CHESAPEAKE BAY BOARD**

The exception granting body is permitted to require reasonable and appropriate conditions in granting the exception request in accordance with Section 23-14. The Chesapeake Bay Board should fully consider Chesapeake Bay Exception CBE-18-013 as outlined and presented above and review the request for exception along with the WQIA. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

## STAFF RECOMMENDATIONS

Staff has reviewed the application and exception request and has determined impacts associated with the proposal to be moderate for the proposed development. Staff recommends approval of this exception request. Should the Board wish to approve, staff recommends that the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits and permissions as required for the project; and
2. A conservation easement of 2.27 acres is to be recorded either in Tract 3 or Land Bay 5; and
3. Surety of \$5,000 will be required in a form acceptable to the County Attorney's office to guarantee the recording and the conservation easement and deed of easement; and
4. This exception request approval shall become null and void if construction has not begun by December 11, 2018. Written requests for an extension to this exception shall be submitted to the Stormwater and Resource Protection Division no later than six weeks prior to the expiration date.

MDW/gt  
CBE18-013Stnhs3&5

### Attachments:

1. Resolution
2. Water Quality Impact Assessment
3. Site Plans
4. Mitigation Plans

## RESOLUTION

CASE NO. CBE-18-013. STONEHOUSE LAND BAY 3 AND 5

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, SCP-JTL Stonehouse Owner 1, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 11, 2017, to request an exception to use the Resource Protection Area (the “RPA”) on parcels of property identified as James City County Real Estate Tax Map Parcel Nos. 0440100030, 0440200001, 0440200002, 0440100022 and 0530100017 and further identified as 9360, 9320, 9340 and 9350 Fieldstone Parkway and 9683 Mill Pond Run in the Stonehouse subdivision (the “Property”) as set forth in the application CBE-18-013 for the purpose of constructing a sanitary sewer trunk line; 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 Chesapeake Bay Board of James City County, Virginia, following a public hearing, by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
  - a. The applicant must obtain all other necessary federal, state and local permits and permissions as required for the project; and
  - b. A conservation easement of 2.27 acres be recorded in either Tract 3 or Land Bay 5; and

- c. Surety of \$5,000 will be required in a form acceptable to the County Attorney's office to guarantee all of the mitigation components; and
- d. This exception request approval shall become null and void if construction has not begun by December 11, 2018. Written requests for an extension to this exception shall be submitted to the Stormwater and Resource Protection Division no later than six weeks prior to the expiration date.

\_\_\_\_\_  
David Gussman  
Chair, Chesapeake Bay Board

\_\_\_\_\_  
Michael Woolson  
Senior Watershed Planner

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 11th day of October, 2017.

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: \_\_\_\_\_

CBE18-013Stnhs3&5-res

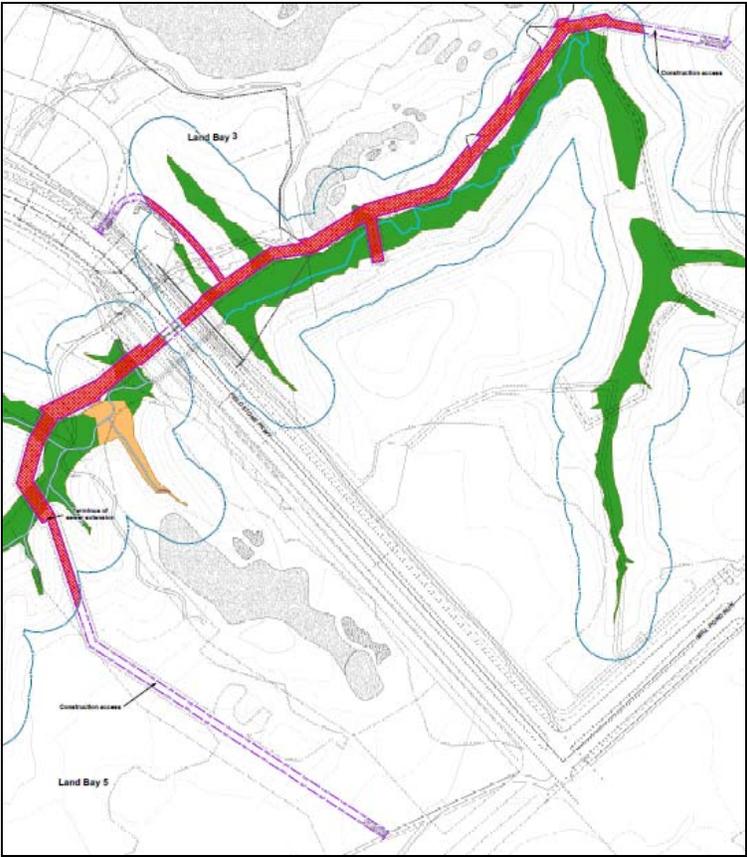
# Major Water Quality Impact Assessment

Stonehouse Land Bays 3 & 5 Sanitary Sewer Extension

for

SCP-JTL Stonehouse Owner 1, LLC

James City County, Virginia



August 2017



**Kerr Environmental  
Services Corp.**

Sustainable Ecological Restoration  
and Environmental Consulting

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**APPENDIX A.....PROJECT OVERVIEW**

- Stonehouse Landbay 3 & 5- Sewer Extension Vicinity Map (*Figure 1*)
- Stonehouse Landbay 3 & 5- Sewer Extension Environmental Inventory Map
- Stonehouse Landbay 3 & 5- Sewer Extension Resource Protection Area (RPA) Impact Map
- Stonehouse Landbay 3 & 5- Sewer Extension Steep Slopes Impacts Map

**APPENDIX B.....MITIGATION DETAILS**

- Stonehouse Tract 3, Parcel "A", "B", & "C) Potential Buffer Mitigation Map

**APPENDIX C.....DESIGN PLANS**

- Stonehouse Land Bays 3 & 5 Sanitary Sewer Extension (revised 3/29/2017)

**APPENDIX D.....PREVIOUS AUTHORIZATIONS**

# Major Water Quality Impact Assessment

## Sewer Line Extension: Land Bay 3 & Land Bay 5

### 1.0 INTRODUCTION

#### 1.1 Purpose

SCP-JTL Stonehouse Owner 1, LLC requests the James City County authorize an exception of the Chesapeake Bay Preservation Ordinance for new encroachment into 49,433 square feet (1.13 acres) of the Resource Protection Area (RPA) buffer in association with the proposed construction of approximately 2,540 linear feet of gravity sanitary sewer line installation and permanent maintenance easement in a 2.9 acre project area in Stonehouse Land Bay 3 and Land Bay 5 for the Stonehouse Development in James City County, Virginia (*Figure 1-Appendix A*). An exception for use of RPA for portions of the project in Land Bay 3 were previously authorized under CBE 14-051 as described below. This additional authorization is required for new components of the project including:

- Sewer Extension to Land Bay 5
- Sewer Extension to Adjacent Property in Land Bay 3
- Additional Permanent Maintenance Easement Required in Land Bay 3
- Construction Access

This WQIA is being provided in support of the request for exception for the following Construction Plans:

- Stonehouse Land Bays 3 & 5 Sanitary Sewer Extension, revised 3/29/17

Section 23-14(c) of the ordinance states that the James City County Chesapeake Bay Board may grant an exception for a non-water dependent component within an RPA buffer provided that:

- 1) The exception request is the minimum necessary to afford relief;
- 2) Granting the exception will not confer upon the applicant any special privileges denied by this chapter to other property owners similarly situated in the vicinity;
- 3) The exception request will be in harmony with the purpose and intent of this chapter, and is not of substantial detriment to water quality;
- 4) The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances that are self-created or self-conforming that are related to adjacent parcels; and



- 5) Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

It is our understanding that this request is consistent with the provisions listed above.

Under Section 23-11 of the Ordinance, a Water Quality Impact Assessment (WQIA) must be submitted for any proposed land disturbing activity resulting from development or redevelopment within the Resource Protection Area. This document has been prepared to satisfy this requirement pursuant to the *James City County WQIA Guidelines* and the *James City County's Chesapeake Bay Preservation Ordinance*.

## 1.2 Site Description and RPA Components

Stonehouse Land Bay 3 and Land Bay 5 (collectively 'Site') are located within the Stonehouse Development, located east of I-64 in the northeast corner of James City County, Virginia. Stonehouse Land Bay 3 consists of an approximately 19 acre parcel located along the northern side of Fieldstone Parkway between Old State Road and Mill Pond Run. Land Bay 5 is an approximately 90-acre parcel located west of the intersection of Fieldstone Parkway and Mill Pond Run (*Figure 1-Appendix A*). Both parcels are currently undeveloped and zoned PUD-C 'Planned Unit Development Commercial' and PUD-R 'Planned Unit Development Residential'. The Site is bordered by the Traditions Golf Club at Stonehouse (Legends Golf Course) to the north and largely undeveloped land to the east and west. There is no existing sewer infrastructure; properties to the north of Land Bay 3 are serviced by a gravity sewer and pumphouse station that was constructed in the 1990s and will provide the connection to future service for Land Bay 3 and Land Bay 5. The current project area consists of a 2.9 acre limits of disturbance area.

The existing site topography, limits of wetlands, and RPA buffers are shown on *Resource Protection Area (RPA) Impacts Map- Appendix A*. A perennial stream (unnamed tributary to Bird Swamp) flows to the north, from its headwaters located to the south of Fieldstone Parkway, through a box culvert under Fieldstone Parkway, along the eastern property boundary of Land Bay 3. It is understood that this feature and its attendant wetlands are subject to the 100 foot RPA buffers as designated by Section 23-3 of *James City County Chesapeake Bay Preservation Ordinance*. Specific limits of the RPA within Land Bay 3 were confirmed by the County in a letter dated July 8, 2008; limits of wetlands and WOUS within Land Bay 5 were confirmed by the USACE in 2004 (NAO-2004-02699); the parcel was re-delineated by KES in 2017 and USACE confirmation is pending.

Approximately 89,734 square feet (2.06 acres) of the project area is located within the 100-foot RPA buffer. Approximately 66,143 square feet (1.5 acres) of this area is considered to have steep slopes ( $\geq 12.5\%$  slope) (*Resource Protection Area (RPA) Impacts Map & Steep Slopes Impacts Map -Appendix A*).

### 1.3 Previous Authorizations

An exception for use of RPA for portions of the project in Land Bay 3 including installation of a gravity sewer line, 20 foot wide permanent maintenance easement, 10 foot temporary construction easement and construction access to Fieldstone Parkway were previously authorized under CBE 14-051 (*December 11, 2013 extended through December 11, 2018*). These encroachments were originally authorized *December 9, 2009* (CBE-10-032). Documentation can be found in Appendix D. Encroachments from this authorization are required for the current project.

CBE 14-051 authorized the following impacts:

Permanent encroachment	24,004 square feet (0.55 ac)
<u>Temporary encroachment</u>	<u>16,266 square feet (0.37 ac)</u>
Total	<b>40,270 square feet (0.92 ac)</b>

### 1.4 Proposed Encroachments

Land disturbing activities associated with the following new components of the proposed sanitary sewer installation included in this WQIA total 2.9 acres:

- Sewer Extension to Land Bay 5
- Sewer Extension from Land Bay 3 to Adjacent Property
- Additional Permanent Maintenance Easement Required in Land Bay 3
- Construction Access

Details of the proposed RPA encroachments are shown in *Resource Protection Area (RPA) Impacts Map*- Appendix A and are discussed in Section 3 of this document.

## **2.0 SITE CONDITIONS**

### 2.1 Existing Topography and Vegetation

The Site varies in elevation between approximately 45 feet and 80 feet above mean sea level. Approximately 66,143 square feet (1.5 acres) of the RPA buffer is considered steep slopes ( $\geq$

12.5%) located primarily within the sewer alignment area (*Steep Slopes Impacts Map-Appendix A*).

The vegetation within limits of disturbance consist primarily of an extensive hardwood forest consisting of a canopy of various oaks (*Quercus* spp.), hickories (*Carya* spp.) and an understory of mountain laurel (*Kalmea latifolia*), American holly (*Ilex opaca*), and viburnum (*Viburnum dentatum* and *Viburnum nudum*). Wetlands within the easement are also forested with a canopy of various oaks, red maple (*Acer rubrum*), and sweetgum (*Liquidambar styraciflua*), an understory of mountain laurel (*Kalmea latifolia*), and highbush blueberry (*Vaccinium corymbosum*), and various herbaceous plants such as lizard's tail (*Saururus cernuus*), woolgrass (*Scirpus cyperinus*), and various sedges (*Carex* spp.).

## 2.2 Existing Soils

Existing soil types are shown on the *Environmental Inventory Map-Appendix A*. According to the James City County soils survey, the majority of the RPA buffer consists of Emporia Complex (25%-50% slopes) soils along the slopes and Johnston soils within the wetland and drainage way areas. Emporia complex soils are deep, well drained soils often found on side slopes along rivers, creeks and drainage ways. These soils have moderate permeability and rapid surface runoff. Johnston soils are poorly drained with seasonal high water table 1 foot above the surface to 1 ½ feet below the surface, with flooding or ponding typical from late in fall to late in spring.

## 2.3 Existing Hydrology

The Site is located outside of the 100-year floodplain per Federal Emergency Management Agency Flood Insurance Rate Map (FIRM No. 51095C0037D, dated December 16, 2015). Most stormwater on Site drains to the unnamed tributary that forms south of Fieldstone Parkway and flows north. The stream converges near the northwestern corner of Hole 8 of the Traditions at Stonehouse Golf Course with another unnamed tributary and drains into Bird Swamp. Drainage then flows into Richardson Millpond to Ware Creek and the York River.

### 3.0 PROPOSED IMPACTS

#### 3.1 Proposed Encroachments

##### *3.1.1 Gravity Sewer Line and Easement*

##### *Sewer Extension to Land Bay 5*

Since the previous exception was issued, the Stonehouse Properties have undergone ownership changes and a revised development approach which prioritizes the development of Land Bay 5 over Land Bay 3. This revised approach requires the extension of the sewer line currently authorized within Land Bay 3 into Land Bay 5 which is located directly across Fieldstone Parkway. The previously authorized sewer line in Land Bay 3 is necessary to connect the sewer line in Land Bay 5 to the Pump Station North of Land Bay 3.

Approximately 844 feet of additional sewer line south of Fieldstone Parkway is proposed. The proposed encroachments include a permanent, 20-30 foot James City County Service Authority utility maintenance easement and a 20-foot temporary construction easement as shown in *Sheet C2.2-Appendix C*. The gravity line will be constructed below existing grade and the ground will be returned to pre-existing elevations. The proposed line will cross an unnamed tributary between Manhole 26 (ST 10+00.00) and Manhole 25 (ST 11+02.80). The proposed encroachment is the minimum necessary to facilitate the sewer line and will result in 26,560 square feet (0.61 acre) of encroachment into the RPA.

##### *Sewer Extension to Adjacent Property in Land Bay 3*

The developer is being required to construct an additional sewer main perpendicular to the sewer line in Land Bay 3 as a condition of obtaining the necessary easements for the proposed sewer extension into Land Bay 5 by the adjacent property owner. This proposed sewer main line extension would tie into the trunk sewer line within Land Bay 3 and extend south across the unnamed tributary to Bird Swamp from Manhole 18 (ST 11\_17.60) to Manhole 27 (ST 10+00.00) as shown in *Sheet C2.2-Appendix C*. The gravity line will be constructed below existing grade and the ground will be returned to pre-existing elevations. The proposed encroachment will result in 3,483 square feet (0.08 acre) of encroachment into the RPA.

### Additional Permanent Maintenance Easement Required in Land Bay 3

A wider construction and maintenance easement is being required by James City County in areas where the proposed sewer line needs to be placed at greater depths than previously proposed (between Manhole 17 (ST 16+20.74) & Manhole 21 (ST 25+45.24) (Sheets C2.0 & C2.1-Appendix C). The changes in the line depth are necessary to facilitate connection to the adjacent parcel and is necessary to provide adequate slope for the gravity sewer line. This change will result in 7,843 square feet (0.18 acre) of additional encroachment into the RPA.

### Construction Access

Proposed construction access will result in 11,547 square feet (0.27 acre) of encroachment into the RPA.

### *3.1.2 RPA Buffer Encroachments Summary*

The sanitary sewer utility has been designed to minimize impacts to RPA and wetlands to the extent practicable resulting in a total of 49,433 square feet (1.13 acres) of new RPA buffer encroachment (*Table 1*). Site restrictions require that the proposed gravity sewer tie into existing systems requiring crossings of the unnamed tributary to Bird Swamp. The proposed gravity sewer line is to be located within the toe of the slope of the western side of a ravine above the stream channel elevation, within the seaward limits of the RPA.

Table 1. Table of Encroachments to the Resource Protected Area

RPA Encroachment	Proposed Activities	RPA Buffer Encroachment (Ft <sup>2</sup> )
Gravity Sanitary Sewer Line- Land Bay 5	Clearing	26,560
Sewer Extension to Adjacent Property Land Bay 3	Clearing	3,483
Additional Permanent Maintenance Easement Required in Land Bay 3	Clearing	7,843
Construction Access	Clearing	11,547
<b>TOTAL (FT<sup>2</sup>)</b>		<b>49,433</b>

### 3.2 Impacts of Proposed Development to Topography

Limits of clearing and grading are denoted on the *Erosion and Sediment Control Plans* within the Construction Plan. All construction areas will have final contours and grades consistent with all applicable stabilization and erosion and sediment control regulations. This will ensure minimal potential impacts to topography outside the limits of disturbance and ensure integrity of the Site. All construction areas associated with the gravity sewer line easement will be returned to existing grade.

### 3.3 Impacts of Proposed Development on Soils

The proposed development will strive to minimize deleterious impacts to soils. Erosion and sediment control measures will be employed throughout all phases of the project, consistent with *Virginia Erosion and Sediment Control Regulations* and the *Virginia Erosion and Sediment Control Handbook*. For construction of the gravity sewer line, clean, in-situ soils will be re-used to backfill the trench as each section of the sewer line is completed. Therefore, proposed fill for the project area will be free of any deleterious material and identical to existing soils. Soils will be temporarily stockpiled before it is re-used as backfill.

### 3.4 Impacts of Proposed Development on Hydrology

After construction is completed within the RPA buffer it will remain pervious and vegetated. Therefore, the development of the Site will have minimal effect on hydrology.

### 3.5 Impacts of Proposed Development to Ecology and Vegetation

The construction of the proposed sewer line should have negligible impacts to ecology of the adjacent lands, and the unnamed tributaries. Impacts to water quality will be minimized by following the *Erosion and Sediment Control Plans*. Impacts associated with stream crossings have been minimized by aligning utilities perpendicular to the stream, and thus as short as possible and will be temporary. While existing vegetation will be cleared within portions of the utility easement (maintenance easement), these impacts will be minimal and vegetation will be allowed to regenerate and be maintained as a shrub-scrub community.

### 3.7 Proposed Wetland Encroachments

The proposed changes will result in 0.09 acres of temporary impacts and 0.17 acres of permanent conversion to wetlands and 159 lf of temporary impacts to streams.

The Developer has submitted a permit modification request to the U.S. Army Corps of Engineers (USACE) and Virginia Department of Quality (VDEQ) to include these additional impacts into the previously authorized permits for portions of work within Land Bay 3 as described above (USACE Individual Permit: NAO-2009-091264, VDEQ Individual: VWP Permit 09-V0523).

The Developer will notify James City County of permit coverage, once authorized by the regulatory agencies.

### 3.7 Construction Sequence

The following represents the anticipated sequence for Erosion & Sediment Control and Construction:

1. The contractor is to flag the limits of clearing and schedule a pre-construction meeting with the James City County Engineering and Resource Protection Division and owner's representative and obtain land disturbance permit.
2. The contractor is to install construction entrance at the corner of the existing parking area as shown on plan.
3. Install silt fence and utility stream crossings as shown on plan.
4. Install sanitary sewer.

5. Seed and straw all denuded areas within seven (7) days of completing work in that area.
6. The contractor is responsible for the maintenance and upkeep of all measures and the installation of any additional erosion control measures necessary to prevent erosion and sedimentation as determined by County inspector based on field conditions.
7. Once vegetation is fully established the contractor shall call for a final inspection by the County inspector to obtain certificate of completion.
8. Only upon obtaining certificate of completion from County shall contractor remove all measures from site.

### 3.8 Required Permits

The Developer will submit applications for all permits listed below. All permits will be secured before construction.

*Table 2. Required Permits for Stonehouse Land Bays 3 & 5 Sanitary Sewer Extension*

1.	Exception for Disturbance of Steep Slopes
2.	U.S. Corps of Engineers – Individual Permit and Permit Modification
3.	DEQ – Individual Permit and Permit Modification
4.	JCSA Construction Permit
5.	JCC Land Disturbing Permit
6.	JCC Certification to Construction and Standard Inspection/Maintenance Agreement for Stormwater
7.	General VSMP permit
8.	JCC Siltation Agreement with surety

## **4.0 PROPOSED MITIGATION MEASURES FOR PROPOSED ENCROACHMENTS**

Land disturbance has been limited to the minimum area necessary for encroachments to the RPA buffer. The following section describes the proposed mitigation measures for these encroachments:

### 4.1 Erosion and Sediment Control Plan

Erosion and sediment controls are shown on the Construction Plans and are designed in accordance with *Virginia Erosion and Sediment Control (E&SC) Law and Regulations, the Virginia Stormwater Management Act and Regulations (VSMP), State Erosion and Sediment Control and Stormwater Management Handbooks* and applicable guidance. Controls will be installed and maintained as to protect down-slope and downstream areas from sedimentation as much as practicable. Methods employed include: minimizing the disturbed area, installing perimeter silt fence around areas of disturbance, minimizing the length of time of disturbance, installing tree protection prior to land disturbing activities, and installing and maintaining a stabilized construction entrance.



Inspections of the erosion control measures will be conducted by the contractor, in accordance with *Virginia Stormwater Management Program (VSMP) Stormwater Construction Permit*, including after significant rainfall events, to ensure that erosion control measures are functioning properly. Seeding, fertilizing, mulching, and watering shall achieve permanent stabilization. The contractor will strictly adhere to the previously described, detailed 'Sequences of Construction' to minimize erosion and promote rapid stabilization.

#### 4.3 Mitigation

Mitigation will be provided in accordance with *James City County Water Quality Impact Assessment (WQIA) Guidelines D.2.3* which states that a Major Water Quality Assessment must include proposed mitigation measures. The proposed RPA buffer mitigation plan satisfies Options 3 of the *County Guidelines*.

Option #3 Demonstration that the design of the plan will preserve to the greatest extent possible, any significant trees and vegetation on site and will provide maximum erosion control and overload flow benefits from such vegetation;

##### *4.3.1 Previously authorized mitigation*

An exception for use of RPA for portions of the project in Land Bay 3 was previously authorized under CBE 14-051 as described above. Mitigation required under CBE 14-051 includes:

- Replanting temporary construction easement (16,266 sq ft)
- Preservation of 14,810 sq ft of non-RPA land in Land Bay 3 to be placed within a conservation easement and dedicated to James City County
- Payment of \$8,734.70 into the County established Chesapeake Bay Mitigation Fund

##### *4.3.2 Proposed mitigation*

Mitigation for new permanent RPA encroachments will be provided by preservation of additional forested lands within Tract 3 of Stonehouse Development at a ratio of 2:1. Tract 3 of the Stonehouse Development is located to the northwest of Six Mount Zion Rd approximately 1 mile east of the project area and consists of similar topography and vegetative cover as Land Bays 3 & 5. Tract 3 contains a total of 11.7 acres of potential buffer mitigation (forested areas adjacent to RPAs) (*Stonehouse Tract 3, Parcel "A", "B", & "C) Potential Buffer Mitigation Map -Appendix B*). Pursuant to CBE-17-087, 3.95 acres

of the available 11.7 will be placed into a conservation easement as mitigation for sanitary sewer connections and permanent easements associated with the development of Tract 3. This mitigation plan proposed that 98,866 square feet (2.27 acres) of the remaining potential mitigation area in Tract 3 be preserved as compensation for unavoidable impacts to the RPA associated with the current proposed sanitary sewer installation on Land Bays 3 & 5.

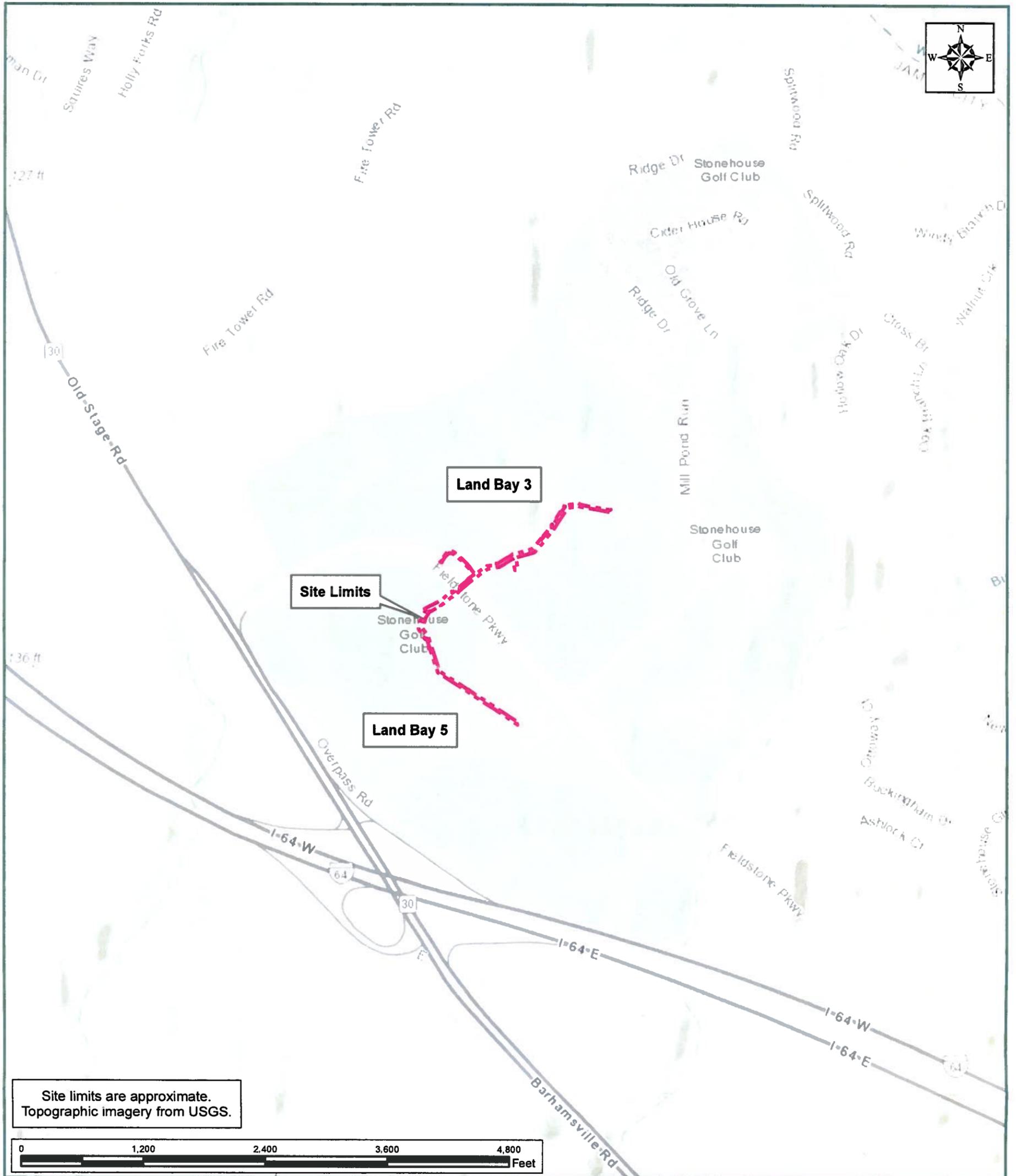
*Table 3. Table of Mitigation Offered.*

<b>ON-SITE PRESERVATION</b>		
<b>Description</b>	<b>Type Mitigation Offered</b>	<b>Compensation Area (Square feet)</b>
Tract 3- Adjacent to RPA buffer	Conservation Easement	98,866

## **5.0 CONCLUSION**

In summary, the findings of this WQIA indicate that:

- The disturbance to existing wetlands and RPA features represents the minimum disturbance necessary to install the gravity sewer lines;
- The development will not result in significant disruption of the hydrology of the site;
- The development will not result in unnecessary destruction of plant materials on site;
- Proposed erosion and sediment control plans are adequate to achieve the reduction in runoff and prevent off-site sedimentation;
- Proposed on-site preservation will provide mitigation will preserve to the greatest extent possible, significant trees and vegetation on site and will provide maximum erosion control and overload flow benefits from such vegetation.
- Proposed on-site riparian buffer preservation will provide adequate mitigation for impacts to RPAs



**STONEHOUSE LANDBAY 3 & 5 - SEWER EXTENSION**  
 JAMES CITY COUNTY, VIRGINIA  
**FIGURE 1: VICINITY MAP**



TIMMONS GROUP JOB NUMBER: 34545.016  
 PROJECT STUDY LIMITS: 2.9 ACRES  
 LATITUDE: 37°25'46.68"N  
 LONGITUDE: 76°49'14.67"W

U.S.G.S. QUADRANGLE(S): TOANO  
 DATE(S): 2016  
 WATERSHED(S): YORK  
 HYDROLOGIC UNIT CODE(S): 02080107

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Path: Y:\804\34549\_016-Stonehouse\_LB3\_5\_SewGIS\GIS\Common Shared Exhibits\34549\_016-EIM.mxd

York Soils	
Mapunit Symbol	Mapunit Name
17	Johnston complex
15F	Emporia complex, 25 to 50 percent slopes
15D	Emporia complex, 10 to 15 percent slopes
31B	Suffolk fine sandy loam, 2 to 6 percent slopes
11C	Craven-Uchee complex, 6 to 10 percent slopes

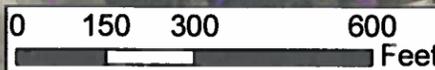


**Legend**

- Project Limits - 2.9 Acres
- NHD Streams
- National Wetland Inventory

**Hydric Soil Classification**

- All hydric
- Not hydric
- Partially hydric



Project Limits are approximate.  
 NWI from US Fish and Wildlife Service.  
 Soils data from SSURGO.  
 National Hydrography Dataset from USGS.  
 Aerial imagery from ESRI online.



TIMMONS GROUP

STONEHOUSE LANDBAY 3 & 5 - SEWER EXTENSION

JAMES CITY COUNTY, VIRGINIA

ENVIRONMENTAL INVENTORY MAP

THIS DRAWING PREPARED AT THE CORPORATE OFFICE 1001 Boulders Parkway, Suite 300   Richmond, VA 23225 TEL 804.200.8500 FAX 804.660.1648 www.timmons.com	Site Development   Residential   Infrastructure   Technology   Environmental												
DATE: 08/01/2017 DRAWN BY: L. MAJOR DESIGNED BY: L. MAJOR CHECKED BY: B. SEARCEY SCALE: 1" = 300'	REVISION DESCRIPTION <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	DESCRIPTION									
NO.	DATE	DESCRIPTION											
JOB NUMBER: 34549.016 SHEET NO.: 1 OF 1													

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- Legend**
- Project Limits / Limits of Disturbance - 2.9 Acres
  - Resource Protection Area (RPA)
  - Other Stream
  - Perennial Stream (R3)
  - Intermittent Stream (R4)
  - Palustrine Forested (PFD) Wetlands
  - Palustrine Scrub-Shrub (PSS) Wetlands
  - RPA Impacts - 2.06 ac**
  - Previously Authorized - 40,270 sf / 0.92 ac
  - Proposed, Landbay 3 Additional Permanent Maintenance Easement - 7,843 sf / 0.18 ac
  - Proposed, Sewer Extension to Adjacent Property - 3,483 sf / 0.08 ac
  - Proposed, Sanitary Sewer in Landbay 5 - 26,560 sf / 0.61 ac
  - Proposed, Construction Access - 11,547 sf / 0.27 ac

- NOTES:**
- 1 LIMITS OF WETLANDS AND STREAMS HAVE BEEN CONFIRMED BY THE USACE FOR LAND BAY 3
  - 2 LIMITS OF WETLANDS AND STREAMS WITHIN LAND BAY 5 HAVE BEEN GPS LOCATED BY KERR ENVIRONMENTAL SERVICES. CONFIRMATION FIELD VISIT PENDING
  - 3 PROJECT STUDY LIMITS ARE APPROXIMATE
  - 4 TOPOGRAPHY BASED ON SURVEY
  - 5 COWARDIN STREAM CLASSIFICATIONS ARE BASED SOLELY ON FIELD OBSERVATIONS. NO FORMAL STREAM ASSESSMENT METHODOLOGY WAS COMPLETED TO DETERMINE THESE COWARDIN CLASSIFICATIONS



**TIMMONS GROUP**

**STONEHOUSE LANDBAY 3 & 5 - SEWER EXTENSION**  
 JAMES CITY COUNTY, VIRGINIA  
 RESOURCE PROTECTION AREA (RPA) IMPACTS MAP

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Kerr Environmental Services Corp.

Site Development	Residential	Technology	Environmental

DATE	REVISION DESCRIPTION
08/01/2017	

DRAWN BY  
L. MAJOR

DESIGNED BY

CHECKED BY  
B. SEARCEY

SCALE  
1" = 100'

JOB NO.  
34549.016

SHEET NO.  
1 OF 1

Path: Y:\00434549\016-Stonehouse\_LB3\_5\_SewerGIS\Wetland\Impacts\34549\_016-RPA\_Impacts.mxd

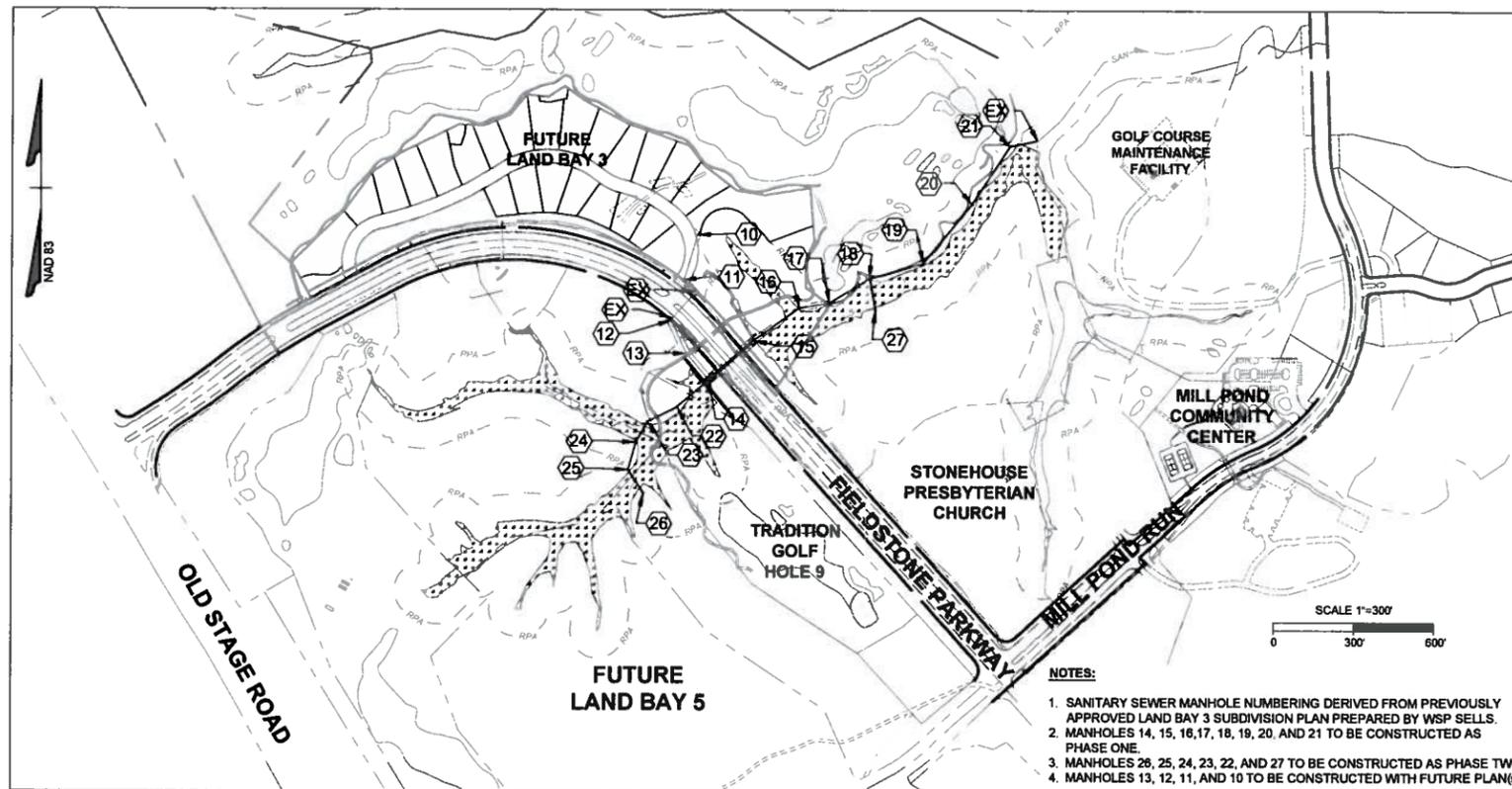


# STONEHOUSE LAND BAYS 3 & 5 SANITARY SEWER EXTENSION

STONEHOUSE DISTRICT  
JAMES CITY COUNTY, VIRGINIA



**VICINITY MAP**  
SCALE: 1" = 2,000'



- NOTES:**
1. SANITARY SEWER MANHOLE NUMBERING DERIVED FROM PREVIOUSLY APPROVED LAND BAY 3 SUBDIVISION PLAN PREPARED BY WSP SELLS.
  2. MANHOLES 14, 15, 16, 17, 18, 19, 20, AND 21 TO BE CONSTRUCTED AS PHASE ONE.
  3. MANHOLES 26, 25, 24, 23, 22, AND 27 TO BE CONSTRUCTED AS PHASE TWO.
  4. MANHOLES 13, 12, 11, AND 10 TO BE CONSTRUCTED WITH FUTURE PLAN(S).

**PROJECT LOCATION MAP**

**SCP-JTL STONEHOUSE OWNER 1 LLC**

1/10/2017



UNDERGROUND UTILITIES MAY BE IN THE CONSTRUCTION AREA. THE CONTRACTOR SHALL CALL "MISS UTILITIES" AT 1-800-552-7001 48 HOURS PRIOR TO THE START OF EXCAVATION. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES IN AREA OF CONSTRUCTION PRIOR TO STARTING WORK.

THE PROFESSIONAL WHOSE SEAL IS AFFIXED HEREON SHALL ACT AS THE RESPONSIBLE LAND DISTURBER FOR PURPOSES OF PLAN APPROVAL PROCESS ONLY. PRIOR TO ISSUANCE OF THE LAND DISTURBING PERMIT, THE OWNER OR DEVELOPER SHALL PROVIDE THE NAME OF AN RLD WHO SHALL ASSUME RESPONSIBILITY OF RLD FOR THE CONSTRUCTION PHASE OF THE PROJECT.

**Sheet List Table**

Sheet Number	Sheet Title
C0.0	COVER SHEET
C1.0	PHASE 1 SEWER EXTENSION EROSION CONTROL PLAN
C1.1	PHASE 2 SEWER EXTENSION EROSION CONTROL PLAN
C1.2	EROSION CONTROL NOTES & DETAILS
C2.0	PHASE 1 SEWER EXTENSION PLAN & PROFILE
C2.1	PHASE 1 SEWER EXTENSION PLAN & PROFILE
C2.2	PHASE 2 SEWER EXTENSION PLAN & PROFILE
C2.3	SANITARY SEWERSHED ANALYSIS PLAN
C3.0	NOTES & DETAILS

**PROJECT DATA**

1. DEVELOPER: SCP-JTL STONEHOUSE OWNER 1 LLC  
C/O MIKE ETCHEMENDY  
20 ROCK DEVELOPMENT LLC  
40393 BROWNS CREEK PLACE  
LEESBURG, VA 20175  
EMAIL: metchemandy@meqllp.com  
PHONE: 307.413.4165
2. ENGINEER: TIMMONS GROUP  
1001 BOULDERS PARKWAY, SUITE 300  
RICHMOND, VA 23225  
CONTACT PERSON: STEVE WORTHINGTON, P.E.  
EMAIL: steve.worthington@timmons.com  
TELEPHONE: (804) 200-6493  
FAX: (804) 560-1016
3. PROPERTY LOCATION: 9630 FIELDSTONE PARKWAY  
TAX MAP NUMBER 0440100030
4. FEMA MAP: FIRM PANEL 5105SC0037D, EFFECTIVE DATE 12-16-2015  
ZONE X - NO SPECIAL FLOOD HAZARD AREAS
5. DISTURBED AREA: 2.5 ± ACRES
6. SURVEY DATUM: JCC GEODETIC MONUMENT #334  
NAD 83 - VA STATE PLAN COORDINATES, SOUTH ZONE
7. THIS SITE PLAN IS IDENTIFIED AS SITE PLAN NUMBER JCC-SP-0005-2017.
8. THE PROJECT SITE IS ZONED PUD-C (PLANNED UNIT DEVELOPMENT COMMERCIAL) WITH PROFFERS AND PUD-R (PLANNED UNIT DEVELOPMENT RESIDENTIAL) WITH PROFFERS.
9. ZONING AND MASTER PLAN CASE NUMBERS: Z-0004/2007/MP-0004-2007  
Z-0006-2012, AND Z-0009-2014.
10. HYDROLOGIC UNIT CODE (HUC): VAH06. Y062
11. COUNTY WATERSHED: WARE CREEK
12. ALL OBJECTIONABLE AND DELETERIOUS MATERIAL IS TO BE REMOVED FROM THE SITE AND DISPOSED OF IN A STATE APPROVED FACILITY MEETING THE REQUIREMENTS OF ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.

THIS PROJECT IS PARTIALLY COVERED BY THE PROVISIONS OF CBE 14-051.

**VDOT NOTES:**

1. CONTRACTOR SHALL FOLLOW THE VDOT INVESTIGATION REQUIREMENTS FOR TRENCHLESS PIPE APPLICATION (MD 388-16) AND THE VDOT SPECIAL PROVISION FOR JACK AND BORE (DATED JULY 2016)
2. REFER TO SHEET C3.0 FOR A COPY OF THESE VDOT PUBLICATIONS

**APPROXIMATE UTILITY QUANTITIES**

SEWER	EA
60" MANHOLE	2
48" MANHOLE	12
8" PVC PIPE	1,830
8" D.I. PIPE	450
18" STEEL CASING PIPE	200



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DATE	REVISION DESCRIPTION
2/27/17	PLANS REVISED PER COUNTY, JCSA AND VDOT COMMENTS
3/29/17	REVISED PER COUNTY AND JCSA COMMENTS

DATE	SCALE
1/10/2017	AS SHOWN

DESIGNED BY	CHECKED BY
P. LARGE	S. WORTHINGTON
S. WORTHINGTON	S. WORTHINGTON

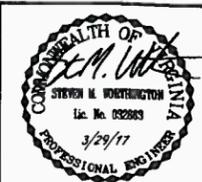
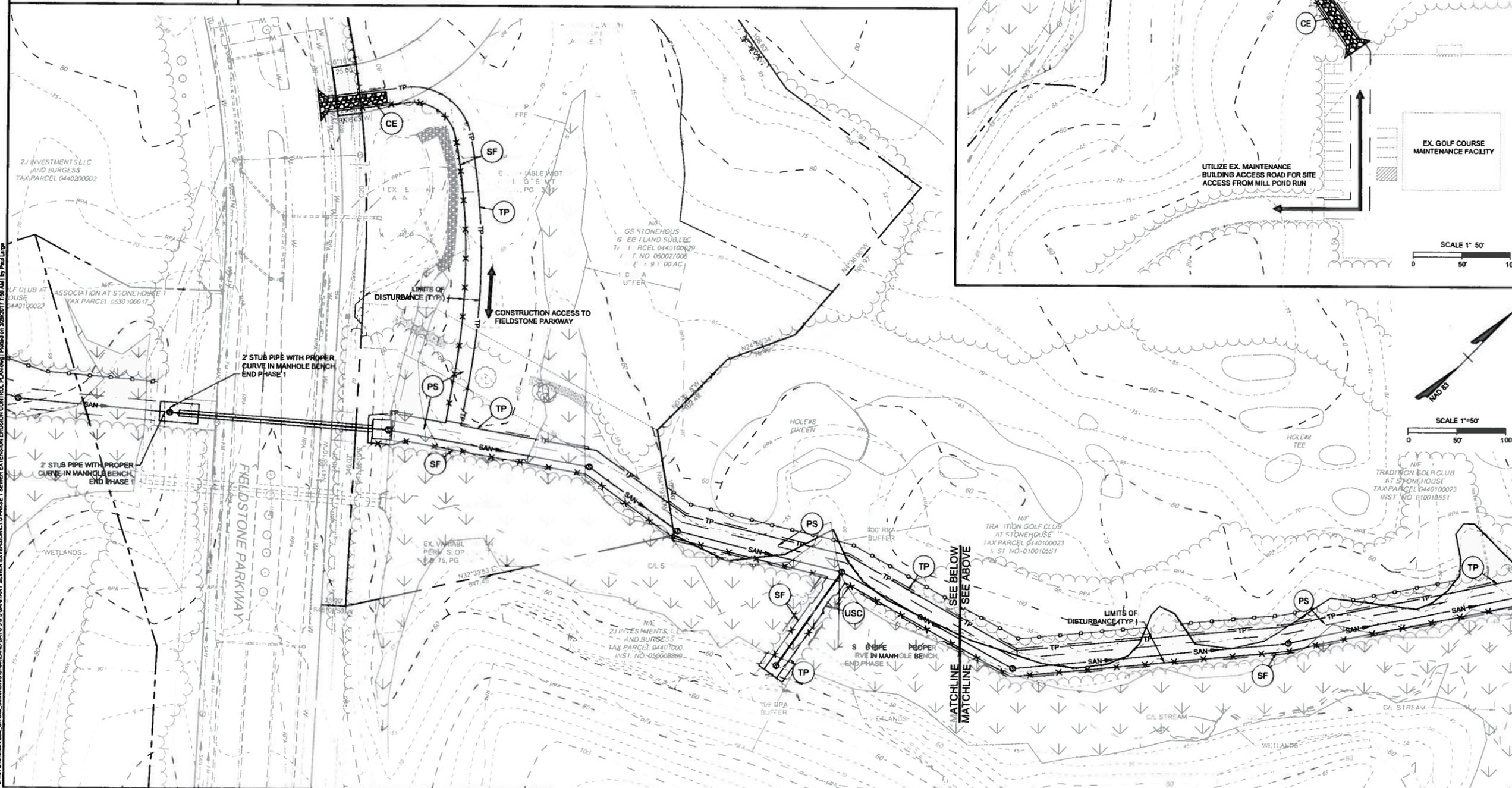
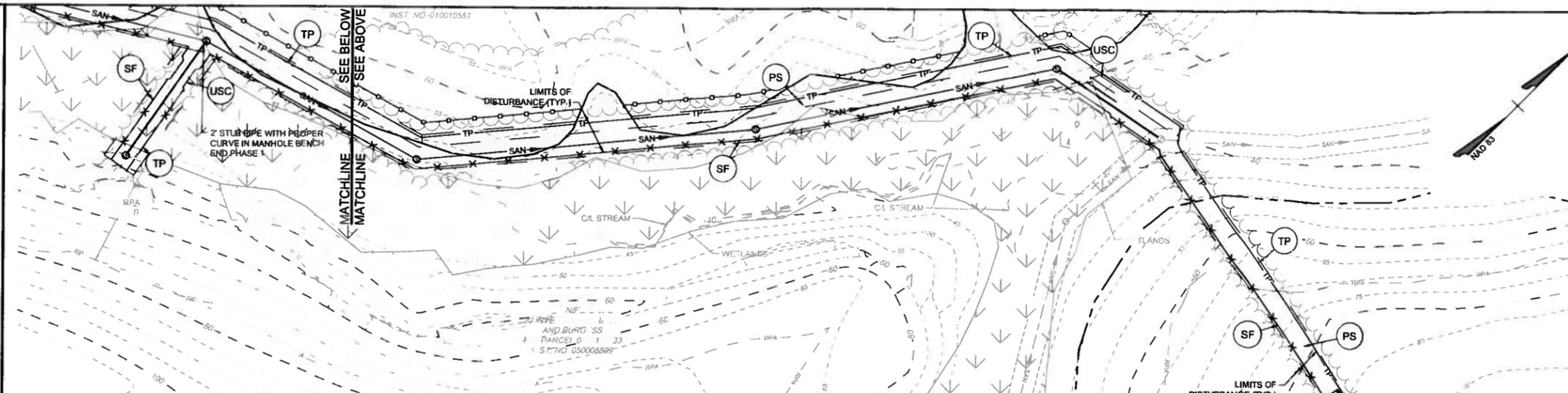
**TIMMONS GROUP**

STONEHOUSE LAND BAYS 3 & 5 SANITARY SEWER EXTENSION  
COVER SHEET

JOB NO.	SHEET NO.
34549.004	C0.0

**SEQUENCE OF CONSTRUCTION:**

1. THE CONTRACTOR IS TO FLAG THE LIMITS OF CLEARING AND SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE JAMES CITY COUNTY ENGINEERING AND RESOURCE PROTECTION DIVISION AND OWNER'S REPRESENTATIVE AND OBTAIN LAND DISTURBANCE PERMIT.
2. THE CONTRACTOR IS TO INSTALL CONSTRUCTION ENTRANCE AT THE CORNER OF THE EXISTING PARKING AREA AS SHOWN ON PLAN.
3. INSTALL SILT FENCE AND UTILITY STREAM CROSSINGS AS SHOWN ON PLAN.
4. INSTALL SANITARY SEWER.
5. SEED AND STRAW ALL DENUDED AREAS WITHIN SEVEN (7) DAYS OF COMPLETING WORK IN THAT AREA.
6. THE CONTRACTOR IS RESPONSIBLE FOR THE MAINTENANCE AND UPKEEP OF ALL MEASURES AND THE INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY COUNTY INSPECTOR BASED ON FIELD CONDITIONS.
7. ONCE VEGETATION IS FULLY ESTABLISHED THE CONTRACTOR SHALL CALL FOR A FINAL INSPECTION BY THE COUNTY INSPECTOR TO OBTAIN CERTIFICATE OF COMPLETION.
8. ONLY UPON OBTAINING CERTIFICATE OF COMPLETION FROM COUNTY SHALL CONTRACTOR REMOVE ALL MEASURES FROM SITE.



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3/29/17	REVISED PER COUNTY AND JESA COMMENTS

DATE	1/10/2017
DRAWN BY	P. LARGE
DESIGNED BY	S. WORTHINGTON
CHECKED BY	S. WORTHINGTON
SCALE	1" = 50'

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STONEHOUSE LAND BAYS 3 & 5 SANITARY SEWER EXTENSION  
STONEHOUSE DISTRICT - JAMES CITY COUNTY - VIRGINIA

PHASE 1 SEWER EXTENSION EROSION CONTROL PLAN

JOB NO.  
34549.004

SHEET NO.  
C1.0









NOTE  
 1. EXISTING MANHOLES SHALL BE VACUUM TESTED UPON COMPLETION OF NEW CONNECTIONS AND WITNESSED BY JCSA  
 2. CONTRACTOR TO MAINTAIN TEMPORARY GRAVEL CART PATH DURING CONSTRUCTION  
 3. CONTRACTOR TO REPLACE DISTURBED SECTIONS OF GOLF CART PATH WITH IN-KIND MATERIALS



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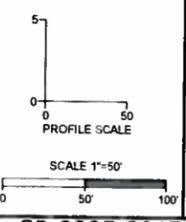
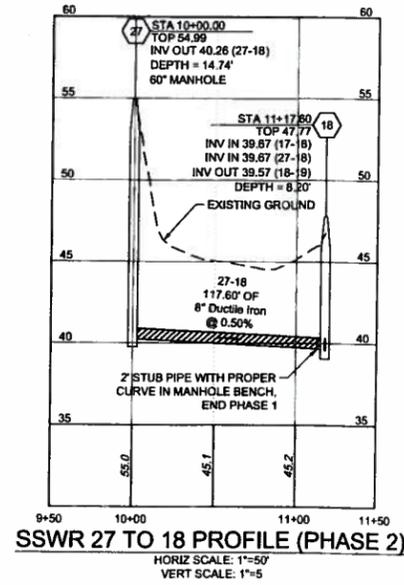
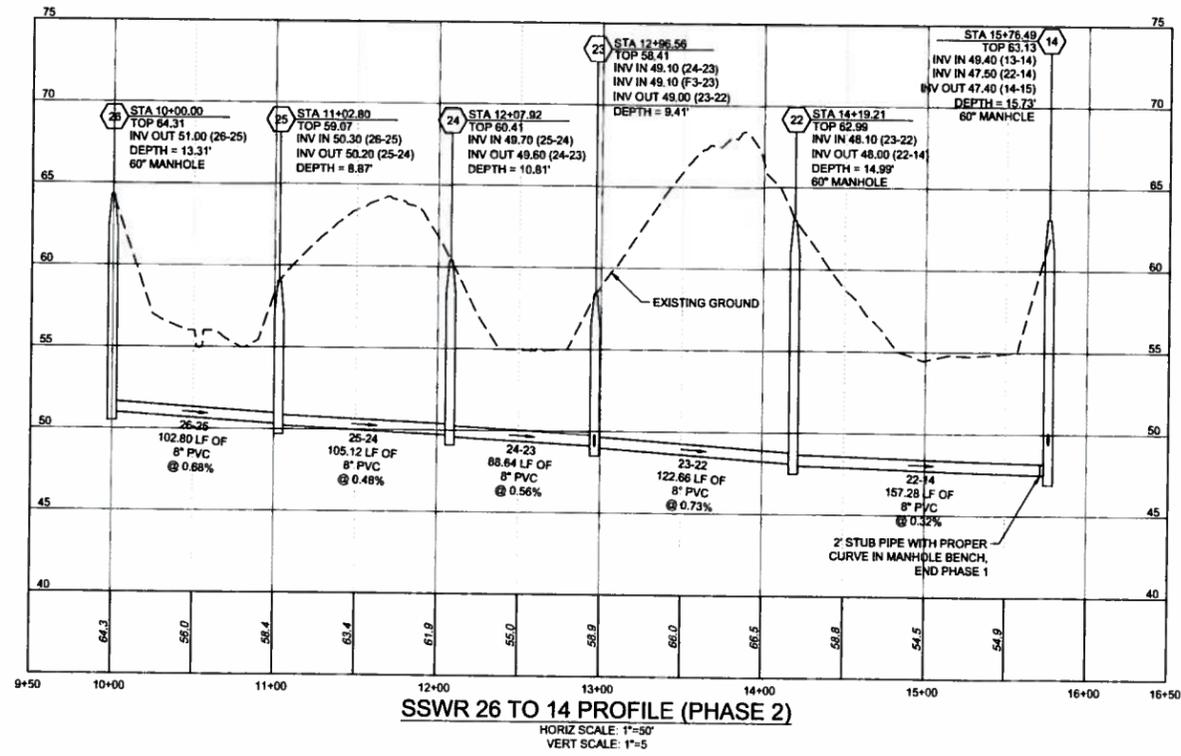
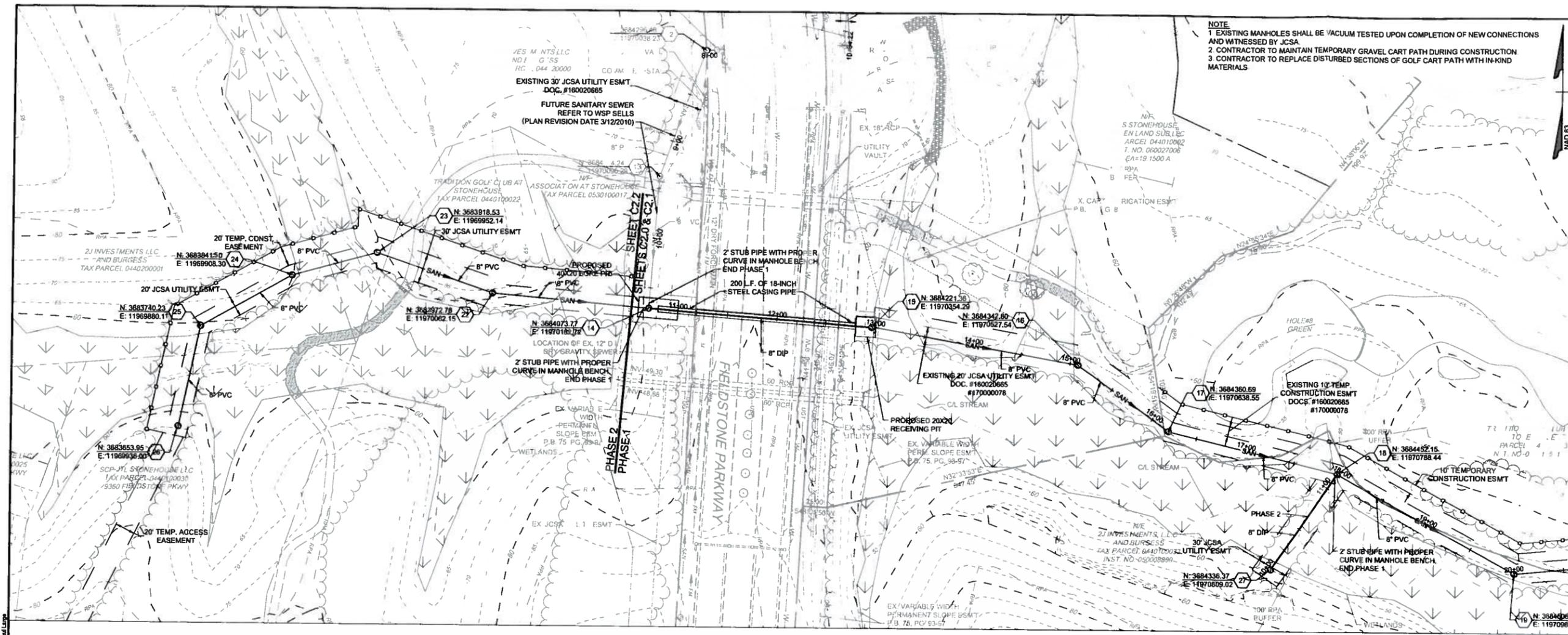
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2/22/17	PLANS REVISION PER COUNTY, JCSA AND JDOT COMMENTS
3/29/17	REVISED PER COUNTY AND JCSA COMMENTS

DATE: 1/10/2017  
 DRAWN BY: P. LARGE  
 DESIGNED BY: S. WORTHINGTON  
 CHECKED BY: S. WORTHINGTON  
 SCALE: H: 1" = 50'  
 V: 1" = 5'

# TIMMONS GROUP

STONEHOUSE LAND BAYS 3 & 5 SANITARY SEWER EXTENSION  
 STONEHOUSE DISTRICT - JAMES CITY COUNTY - VIRGINIA  
 PHASE 2 SEWER EXTENSION PLAN & PROFILE

JOB NO.: 34549.004  
 SHEET NO.: C2.2

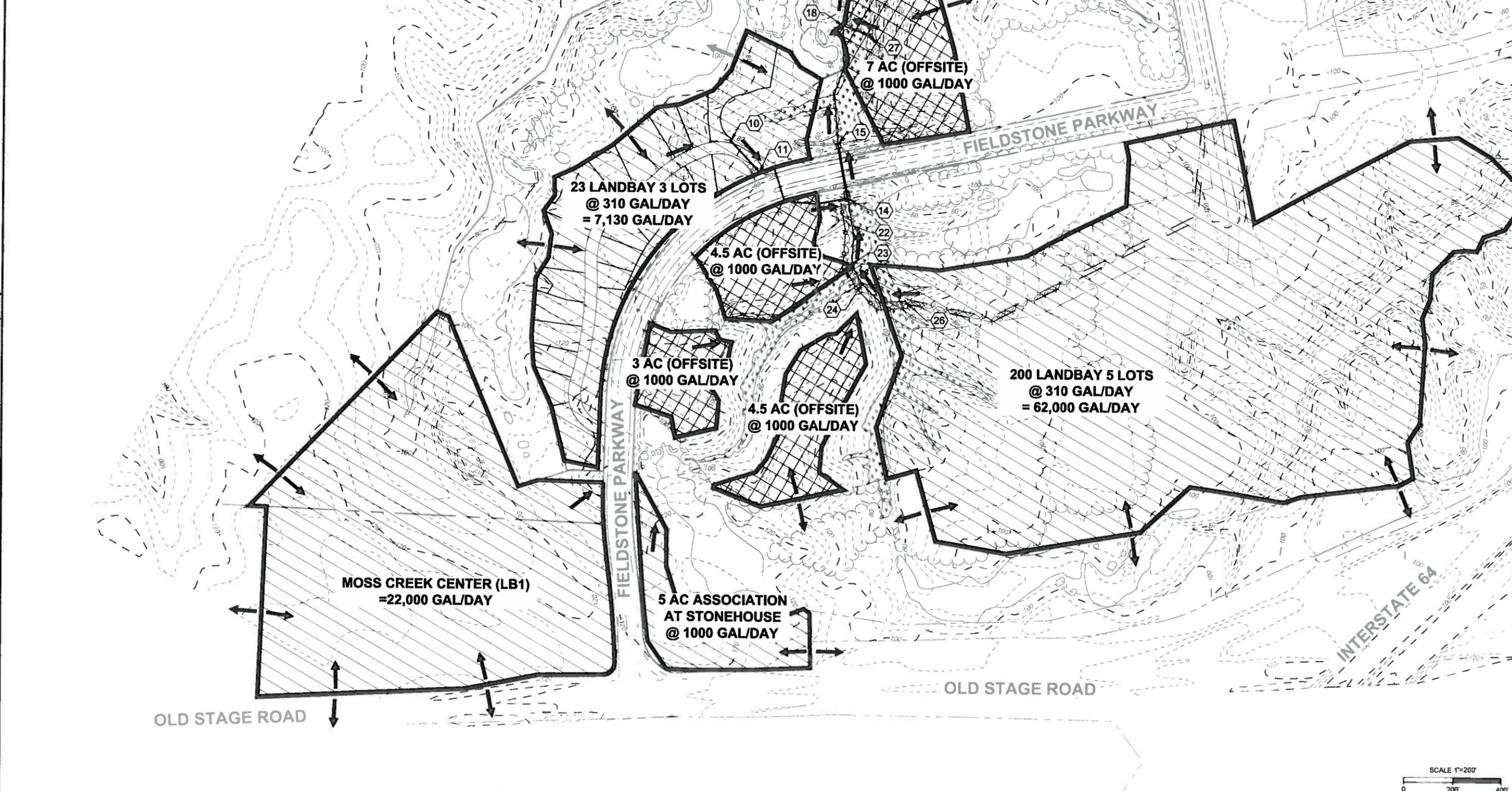


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**STONEHOUSE - LANDBAY 3 OFF-SITE SANITARY SEWER**  
**HYDRAULIC ANALYSIS FOR SANITARY SEWER DESIGN**  
 PREPARED BY TIMMONS GROUP 12-16-2016

SERVICE AREA	MANHOLE		AREA SERVED				INCREMENTAL FLOW				TOTAL FLOW				PIPE			FULL PIPE			FULL PIPE		
	FROM	TO	GROSS	NET	POPULATION	GROSS	NET	AVG FLOW	PEAK	AVG DAILY	PEAK	AVG DAILY	PEAK	AVG DAILY	LENGTH	DIAMETER	SLOPE	CAPACITY	UTILIZATION	VELOCITY	VELOCITY	VELOCITY	
(1)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	
LB3	10	11				23	23	310	0.007	0.018				132.67	8	4.50%	2.78	1.800	0.0%			7.36	
Moss Creek Centre (LB1)	10	11							0.022	0.067	0.029	0.073											
LB5	26	25				200	223	310	0.062	0.155	0.062	0.155		226.33	8	1.00%	1.31	0.848	16.3%			3.47	
2 1/2 Investments	23	22	12	12	1,000				0.012	0.030													
Association at Stonehouse	23	22	5	5	1,000				0.005	0.015	0.079	0.198											
	14	15				0	223	310	0.000	0.000	0.108	0.325		211.59	8	1.10%	1.38	0.890	36.5%			3.64	
	15	16				0	223	310	0.000	0.000	0.108	0.325		211.59	8	1.10%	1.38	0.890	36.5%			3.64	
	16	17				0	223	310	0.000	0.000	0.108	0.271		112.44	8	0.84%	1.20	0.778	34.8%			3.18	
	17	18				0	223	310	0.000	0.000	0.108	0.271		175.59	8	0.50%	0.93	0.600	45.1%			2.45	
2 1/2 Investments	27	18	7	7	1,000	0	223	310	0.007	0.018	0.007	0.018		203.22	8	0.50%	0.93	0.600	2.9%			2.45	
	18	19				0	223	310	0.000	0.000	0.115	0.288		286.47	8	0.80%	1.17	0.788	38.0%			3.10	
	19	20				0	223	310	0.000	0.000	0.115	0.288		286.47	8	0.80%	1.17	0.788	38.0%			3.10	
	20	21				0	223	310	0.000	0.000	0.115	0.288		259.25	8	1.00%	1.31	0.848	34.0%			3.47	
	21	EX				0	223	310	0.000	0.000	0.115	0.288		105.40	8	1.12%	1.38	0.888	32.1%			3.67	



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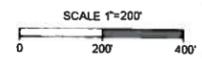
DATE	REVISION DESCRIPTION
2/27/17	PLANS REVISED PER COUNTY, JCSA AND JDOT COMMENTS
3/29/17	REVISED PER COUNTY AND JCSA COMMENTS

DATE: 1/10/2017  
 DRAWN BY: P. LARGE  
 DESIGNED BY: S. WORTHINGTON  
 CHECKED BY: S. WORTHINGTON  
 SCALE: 1"=200'

**TIMMONS GROUP**

STONEHOUSE LAND BAYS 3 & 5 SANITARY SEWER EXTENSION  
 STONEHOUSE DISTRICT - JAMES CITY COUNTY - VIRGINIA  
 SANITARY SEWER ANALYSIS PLAN

JOB NO. 34549.004  
 SHEET NO. C2.3



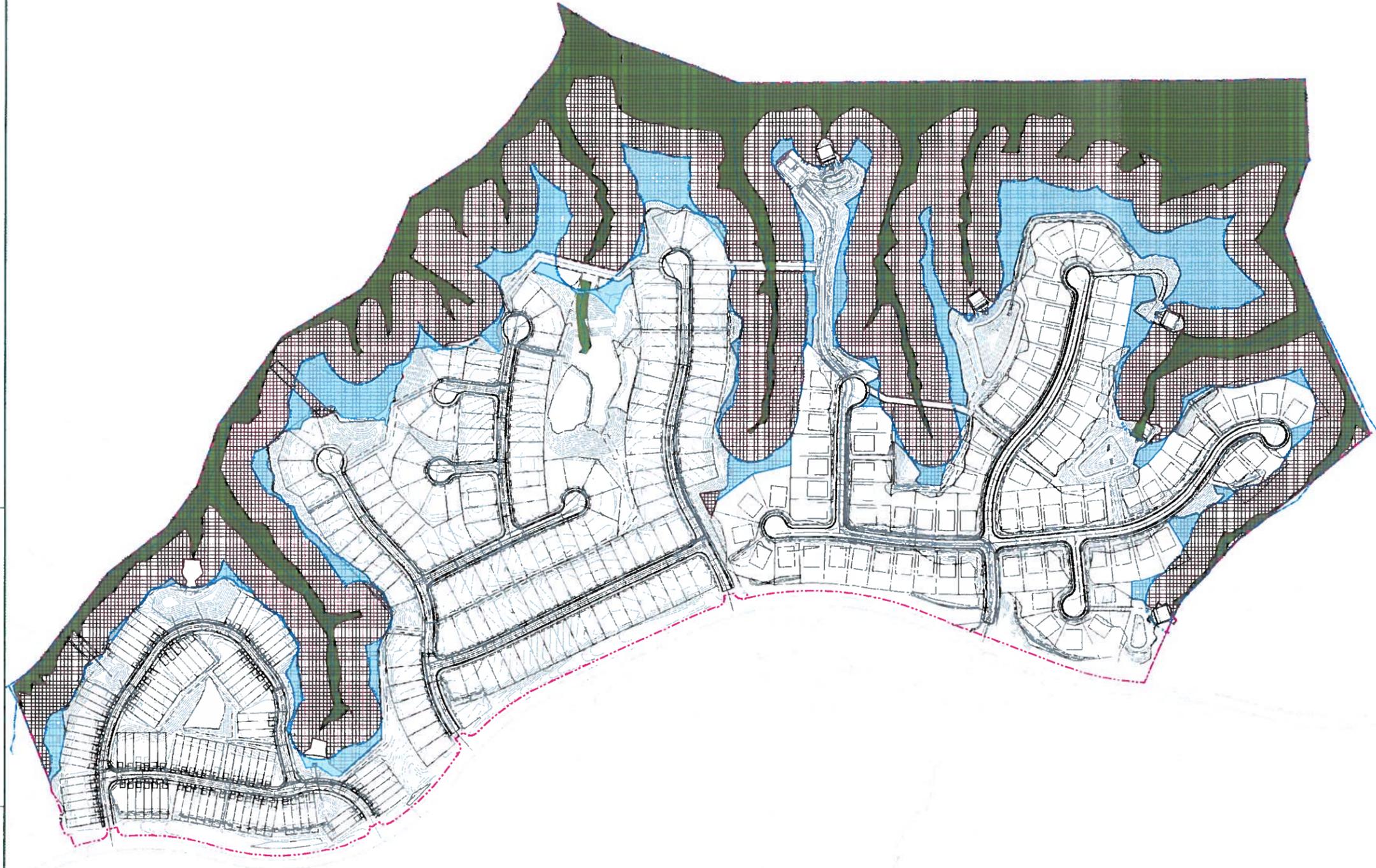
SP-0005-2017

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- Legend**
- Project Study Limits - 179.7 Acres
  - Resource Protection Area (RPA)
  - Potential Buffer Mitigation Area - 11.7 Acres
  - Streams
  - Natural Open Space
  - Wetlands

- NOTES:**
1. WATERS OF THE U.S. WITHIN THE PROJECT STUDY LIMITS HAVE BEEN GPS LOCATED BY TIMMONS GROUP.
  2. WATERS OF THE U.S. HAVE NOT BEEN CONFIRMED BY THE U.S. ARMY CORPS OF ENGINEERS.
  3. PROJECT STUDY LIMITS ARE APPROXIMATE.
  4. TOPOGRAPHY BASED ON USGS LIDAR DATA.
  5. COWARDIN STREAM CLASSIFICATIONS ARE BASED SOLELY ON FIELD OBSERVATIONS. NO FORMAL STREAM ASSESSMENT METHODOLOGY WAS COMPLETED TO DETERMINE THESE COWARDIN CLASSIFICATIONS.



Path: Y:\04\34549\000-Stonehouse\_Env\_Eval\GIS\Wetland Impacts\RPA\Impacts\34549-NTM\_RPA\_Buffer\_Mitigation.mxd

# TIMMONS GROUP

**STONEHOUSE - TRACT 3, PARCEL "A", "B" & "C"**  
 JAMES CITY COUNTY, VIRGINIA  
 POTENTIAL BUFFER MITIGATION MAP

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Site Development	Residential	Infrastructure	Technology	Environmental
DATE	DATE	DATE	DATE	DATE
5/1/2017				
DRAWN BY				
L. MAJOR				
DESIGNED BY				
CHECKED BY				
B. SEARCEY				
SCALE				
1" = 180'				

JOB NO.  
34549  
SHEET NO.  
1 of 1



## **PUBLIC HEARING NOTICE**

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY OCTOBER 11, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA TO CONSIDER THE FOLLOWING CASES:

CBE-18-017: Mr. Bruce Flora has filed an exception request to encroach into the RPA buffer for installation of a retaining wall at 108 Cove Rd, in the Kingspoint subdivision, JCC Parcel No 4910240013.

CBE-18-020: Mr. Martin Mather with Omega Development LLC has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling at 102 Walton Heath in the Fords Colony subdivision, JCC Parcel No 3810300019.

CBE-18-013: Kerr Environmental Services, on behalf of SCP-JTL Stonehouse Owner 1 LLC has filed an exception request to encroach into the RPA buffer associated with a sanitary sewer extension for the proposed Stonehouse Land Bay 3 & 5 project. The encroachment will be on properties located at 9360, 9320, 9340 and 9350 Fieldstone Parkway, JCC Parcel Nos 0440100030, 0440200001, 0440200002 and 0440100022 as well as 9683 Mill Pond Run, JCC Parcel No 0530100017.

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 – September 27 and October 4, 2017.  
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

COPIES: PLANNING  
ASSISTANT COUNTY ATTORNEY  
CHESAPEAKE BAY BOARD MEMBERS





**General Services  
Stormwater & Resource  
Protection Division**

P O Box 8784  
Williamsburg, VA 23187  
Resource.Protection@jamescitycountyva.gov

September 20, 2017

RE: CBE-18-013 – Stonehouse Land Bays 3 & 5  
Sanitary Sewer 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 Chesapeake Bay Board by Kerr Environmental on behalf of property owners, SCP-JTL Stonehouse Owner 1 LLC, for encroachment into the Resource Protection Area (RPA) associated with a sanitary sewer extension for the proposed Stonehouse Land Bay 3 & 5 project located at 9360 and 9354 Fieldstone Parkway. The impacted properties are further identified by James City County Real Estate as:

<u>Address</u>	<u>Parcel No.</u>	<u>Owner</u>
9360 Fieldstone Parkway	0440100030	SCP-JTL Stonehouse Owner 1, LLC
9320 Fieldstone Parkway	0440200001	2J Investments LLC & Burgess Enterprises
9340 Fieldstone Parkway	0440200002	2J Investments LLC & Burgess Enterprises
9350 Fieldstone Parkway	0440100022	Tradition Golf Club at Stonehouse
9683 Mill Pond Run	0530100017	The Association at Stonehouse, Inc

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, October 11, 2017 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,

*Melanie Davis*

Melanie Davis  
Chesapeake Bay Board Secretary  
757-253-6866

cc: SCP-JTL Stonehouse Owner 1 LLC, 2J Investments LLC & Burgess Enterprises,  
Tradition Golf Club at Stonehouse, The Association at Stonehouse, Inc  
Kerr Environmental Services

Mailing List for: CBE-18-013 – Stonehouse Land Bays 3 &5 - Sanitary Sewer Extension

Owner - 0440100030 - 9360 Fieldstone Pkwy  
SCP-JTL Stonehouse Owner 1 LLC  
4807 W Lovers Lane Fl 2  
Dallas, TX 75209-3137

Owner - 0440100022 - 9350 Fieldstone Pkwy  
Tradition Golf Club at Stonehouse  
9700 Mill Pond Run  
Toano, VA 23168-9605

Owner - 0440200001 - 9320 Fieldstone Pkwy  
0440200002 - 9340 Fieldstone Pkwy  
2J Investments LLC & Burgess Enterprises  
2273 West Island Road  
Williamsburg, VA 23185-7684

Owner - 0530100017 - 9683 Mill Pond Run  
Association at Stonehouse, Inc  
9701 Mill Pond Run  
Toano, VA 23168-9606

Kerr Environmental Services  
Attn: Curtis Hickman  
1008 Old Virginia Beach Rd, Suite 200  
Virginia Beach, VA 23451

**APOs**

0440100025 - 9354 Fieldstone Pkwy  
0440100029 - 9235 Fieldstone Pkwy  
SCP-JTL Stonehouse Owner 1 LLC  
4807 W Lovers Lane Fl 2  
Dallas, TX 75209-3137

0440100021 - 9310 Fieldstone Pkwy  
Tradition Golf Club at Stonehouse  
9700 Mill Pond Run  
Toano, VA 23168-9605

0440100024B - 9330 Fieldstone Pkwy  
Association at Stonehouse, Inc  
9701 Mill Pond Run  
Toano, VA 23168-9606

0440100033 - 9315 Fieldstone Pkwy  
2J Investments LLC & Burgess Enterprises  
2273 West Island Road  
Williamsburg, VA 23185-7684

0530100011 - 9401 Fieldstone Pkwy  
Presbyterian League of the Presbytery of Eastern Virginia  
801 Loudon Avenue  
Portsmouth, VA 28707-3216