

**A G E N D A**  
**JAMES CITY COUNTY CHESAPEAKE BAY BOARD**  
**REGULAR MEETING**  
**County Government Center, Building F**  
**101 Mounts Bay Road, Williamsburg 23185**  
**December 13, 2017**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. October 11, 2017 Regular Meeting Minutes

**D. PUBLIC HEARINGS**

1. CBE-18-030 : 2521 Manion Drive
2. CBE-18-013 : Stonehouse Land Bay 3 & 5
3. CBE-18-024 : 116 Nottinghamshire
4. CBE-18-040 : 112 Constance Avenue
5. CBE-18-032 : 38 Ensigne Spence
6. CBE-18-039 : 109 Mahogany Run
7. CBE-18-038 : 153 John Pott Drive
8. CBE-18-028 : 19 and 20 Mile Course

**E. BOARD CONSIDERATIONS**

1. CBE-17-009 : 3 West Circle
2. Election of Officers for 2018
3. 2018 Calendar

**F. MATTERS OF SPECIAL PRIVILEGE**

**G. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT:

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**ATTACHMENTS:**

	Description	Type
☐	Regular Meeting Minutes	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	12/4/2017 - 1:59 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 2:20 PM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 2:24 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 4:13 PM

**MINUTES**  
**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**

The Chesapeake Bay Board meeting for October 11, 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  
Louis Bott  
Charles Roadley - late  
John Hughes  
Larry Waltrip

**Absent:**

**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 September 13, 2017, regular meeting were approved as written.

**D. PUBLIC HEARINGS**

1. CBE-18-017: Flora - 108 Cove Road

Mr. Michael Woolson presented the exception request submitted by Bruce and Dena Flora to construct a retaining wall at 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. 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. Gussman opened the Public Hearing.

**A.** Mr. Don Newsom of Delightful Gardens made himself available to answer any questions about the design.

**B.** Mr. Deenesh Sohoni had questions about the size and location of the

wall as well as drainage.

Mr. Woolson answered questions about size and location of the wall.

C. Mr. Ryan Newsom of Delightful Gardens provided additional clarity about the wall design.

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

Mr. Waltrip asked for some additional clarification of the wall design.

Mr. Woolson and Mr. Ryan Newsom further clarified the grading and relative elevations of the wall.

Mr. Bott asked about rooftop downspouts.

Mr. Ryan Newsom clarified that the downspouts were to be taken through the bottom of the wall and discharged into an area of riprap.

Mr. Hughes made a motion to adopt the Resolution to grant the exception request for Chesapeake Bay Board Case No. CBE-18-017: Flora - 108 Cove Road

The motion was approved: 4-0-1

Ayes: Waltrip, Hughes, Bott, Gussman

Absent: Roadley

2. CBE-18-013: Kerr Environmental/SCP-JTL Stonehouse Owner 1 - Stonehouse Land Bay 3 & 5 - Sewer Extension

Mr. Michael Woolson presented the exception request submitted by Mr. Curtis Hickman of Kerr Environmental Services, on behalf of SCP-JTL Stonehouse Owner 1, LLC, for encroachment into the Resource Protection Area (RPA) 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. BMP outfalls, a pedestrian bridge and a sanitary sewer connection. The property is further identified as James City County Real Estate Tax Map Parcel Nos. 0440100030, 0440200001, 0440200002, 0440100022 and 0530100017 respectively. The presentation described the current site conditions and the proposed project. Staff determined the impacts associated with the proposal to be moderate and recommended the conditions outlined in the Resolution be required for approval.

Mr. Gussman asked if the Board is to decide where the natural open space is to be recorded.

Mr. Woolson stated it was the intent to allow the Board to decide.

Mr. Hughes asked about valuation of the potential easement areas.

Mr. Woolson stated that they had high potential valuation for natural open space easement due to location adjacent to RPA.

Mr. Gussman expressed his opinion for obtaining the easement now.

Mr. Gussman opened the Public Hearing.

A. Mr. Curtis Hickman with Kerr Environmental Services explained the rationale for the proposed easement locations within Tract 3.

Mr. Gussman asked the Board for their preference for the mitigation easement to be specified. There was general agreement among the Board for the mitigation easement to be further specified.

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

The Board expressed the collective opinion to have the conservation easement further delineated on a plan.

Mr. Hughes made a motion to defer the case until the December, 2017 meeting for Chesapeake Bay Board Case No. CBE-18-013: Kerr Environmental/SCP-JTL Stonehouse Owner 1 - Stonehouse Land Bay 3 & 5 - Sewer Extension

Mr. Gussman reopened the Public Hearing.

The motion was approved: 4-0-1

Ayes: Waltrip, Hughes, Bott, Gussman

Absent: Roadley

3. CBE-18-020: Mather/Roth Environmental - 102 Walton Heath

Mr. Michael Woolson presented the exception request submitted by Mr. Matt Roth of Roth Environmental, on behalf of Mr. Martin Mather, 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 presentation described the current site conditions and the proposed project. Staff determined the impacts associated with the proposal to be major and recommended the conditions outlined in the Resolution be required for approval.

Mr. Bott asked what relief was available per Ordinance for lots that are impacted by RPA.

Mr. Woolson stated the Ordinance requirements.

Mr. Hughes asked if staff was aware of any other single family dwelling cases within Ford's Colony had come before the Board that actually impacted wetlands.

Mr. Woolson stated he was aware of several, but the request was prior to the formation of the Board.

Mr. Gussman opened the Public Hearing.

Mr. Don Newsom of Delightful Gardens made himself available to answer any questions about the design.

A. Matt Roth of Roth Environmental presented the case, including Corps of

Engineers permitting, changes from the previous proposal and how this proposal addressed the Board's concerns from the previous proposal.

Mr. Gussman asked about wetland impact clarification.

Mr. Roth explained the wetland impact square footage.

Mr. Hughes asked why the footprint couldn't be moved to the south.

Mr. Roth explained the drainage proposal that affects the property and the concerns about channelizing flow.

Mr. Gussman asked about the wetland delineation methods.

Mr. Roth explained the differences in wetland delineation methods from 1981 to present day.

**B.** Mr. Martin Mather, lot owner, reiterated all of the design considerations for the proposal.

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

Mr. Bott stated that the entire property was encumbered by RPA.

Mr. Roadley stated that he thought that the majority of the lots remaining in Ford's Colony had similar issues.

Mr. Woolson agreed that the majority of the remaining lots in Ford's Colony were encumbered by RPA.

Mr. Waltrip asked about flooding concerns on this property.

Mr. Woolson stated that the lot was not in any regulated floodplain.

Mr. Roth stated that there was a floodplain associated with the stream, just not a regulated floodplain.

Mr. Hughes stated one of his concerns was precedent.

Mr. Gussman stated that the homeowners association refused relief to the setbacks which would reduce environmental impacts.

Mr. Roadley made a motion to adopt the Resolution to grant the exception request for Chesapeake Bay Board Case No. CBE-18-020: Mather/Roth Environmental - 102 Walton Heath

The motion was denied: 2-3

Ayes: Roadley, Waltrip

Nays: Hughes, Bott, Gussman

Mr. Woolson requested the Board state their reason(s) for the denial.

Ms. Parman stated that the Board did need to cite at least one of the five findings now and could submit a more detailed written statement after the meeting.

Mr. Hughes stated his denial was based on finding three.

Mr. Gussman stated his denial as based upon findings one and three.

Mr. Bott stated his denial was based upon finding three.

**E. BOARD CONSIDERATIONS**

None

**F. MATTERS OF SPECIAL PRIVILEGE**

Mr. Gussman stated his preference that future mitigation easements be fully detailed.

Mr. Bott asked if the denial was appealed to Circuit Court, would the Board be invited.

Ms. Parman stated yes.

Mr. Gussman stated that this was Ms. Davis's last meeting.

**G. ADJOURNMENT**

The meeting adjourned at 6:52 p.m.

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David Gussman  
Chesapeake Bay Board Chair

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Melanie Davis  
Secretary to the Board

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-030 : 2521 Manion Drive

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Water's Edge Construction, on behalf of Brain Clare Jr., has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Water Quality Impact Assessment	Backup Material
☐	Site Plan	Backup Material
☐	Cross Section	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	12/3/2017 - 4:17 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:09 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:15 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:21 PM



**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-030. 2521 Manion Drive  
Staff report for the December 13, 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: Brian Clare, Jr.  
Agent: Daniel Winall, Water's Edge Construction  
Location: 2521 Manion Drive  
Tax Map/Parcel No.: 4630200004  
Parcel: Lot 4, Section 1, Drummonds Field  
Lot Size: 0.86 acre  
Area of Lot in Resource Protection Area (RPA): 0.33 acre +/- (38%)  
Watershed: James River (HUC JL30)  
Floodplain: Zone VE, Base Flood Elevation 10 feet MLS Panel 0181D  
Proposed Activity: Construction of a retaining wall, step access to a pier and bank grading  
Impervious Cover: 250 square feet  
RPA Encroachment: 50-foot landward and seaward RPA buffer  
Staff Contact: Michael D. Woolson, Senior Watershed Planner Phone: 253-6823

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Daniel Winall, Water's Edge Construction, on behalf of Brian Clare has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation a retaining wall, step access to a pier and bank grading on property located at 2521 Manion Drive in the Drummonds Field subdivision and the James River watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 4630200004. The parcel was platted in 1985, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The project proposes a retaining wall fifteen feet landward of mean high water. The retaining wall will have approximately one foot of vertical face showing on the river side. The existing slope is very steep and has some erosion issues. The bank will be cut back to a more stable configuration. Also proposed is a new set of steps that provide safe access to the pier. The disturbed area within the RPA is approximately 3,600 square feet that will need to be revegetated with shrubs and mulch.

There is no mitigation plan provided with this application, although there is gravel proposed under the step access to prevent erosion from becoming a problem. The amount of disturbed area equates to nine planting units of mitigation. When the allowable substitutions are made from trees to shrubs, it equates to 100 shrubs.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a single-family dwelling with deck and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the retaining wall is an accessory structure in the RPA buffer. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

## **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 not submitted the required information as outlined in the *James City County Water Quality Impact Assessment Guidelines*. Staff will work with the applicant to arrive at an acceptable mitigation plan. A \$4,000 surety is required to guarantee the mitigation plantings.

## **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-18-030 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 with the following conditions incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$4,000 is required in a form acceptable to the County Attorney's office to guarantee the mitigation plantings; and
3. This exception request approval shall become null and void if construction has not begun by December 13, 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.

MDW/nb  
CBE18-030-2521ManionDr

### Attachments:

1. Resolution
2. Water Quality Impact Assessment Package
3. Site Plan
4. Cross Section

## RESOLUTION

CASE NO. CBE-18-030. 2521 MANION DRIVE

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Brian Clare Jr. (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 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. 4630200004 and further identified as 2521 Manion Drive in the Drummonds Field subdivision (the “Property”) as set forth in the application CBE-18-030 for the purpose of constructing a retaining wall, step access and banking grading; 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 \$4,000 will be required in a form acceptable to the County Attorney’s office to guarantee the mitigation; and
  - c. This exception request approval shall become null and void if construction has not begun by December 13, 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 13th day of December, 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: \_\_\_\_\_

CBE18-030-2521ManionDr-res

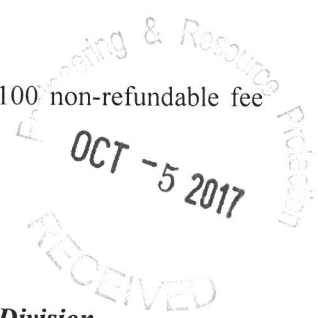


# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only  
CB Number 18-30

### 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: 9/20/17

Name: Brian Clark  
 Address: 2521 Manion Drive Williamsburg Va 23185  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### Contact (if different from above):

Name: Daniel R Winall Phone: 757-880-8503  
 Email: dwinall@WECmarine

### Project Information:

Project Address: 2521 Manion Drive  
 Subdivision Name, Lot, and Section No.: Drummonds Field  
 Parcel Identification No. or Tax Map No.: 463020004  
 Date Lot was platted: \_\_\_\_\_ Line or Bldg Permit No.: \_\_\_\_\_

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Steep Slopes $\geq$ 25 percent _____ (SF) | <input checked="" type="checkbox"/> RPA - Landward 50' _____ (SF) |
| <input type="checkbox"/> Conservation Easement _____ (SF)                     | <input checked="" type="checkbox"/> RPA - Seaward 50' _____ (SF)  |
| <input checked="" type="checkbox"/> Trees to be Removed <u>2</u> (#)          | <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 checked="" type="checkbox"/> Invasive/noxious weed removal | <input type="checkbox"/> Access path/trail |
| <input type="checkbox"/> Other: <u>stairway to pier</u>                     | <input type="checkbox"/> Redevelopment: <u>retaining wall</u>     |  |

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

Engineering & Resource Protection  
OCT -5 2017

For Office Use Only CB Number <u>18-30</u>
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**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)

5' wide x 50' long stairway low profile (as close to slope as possible)  
110' retaining wall and slope stabilization

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

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

**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?  
steps needed to access pier must cross RPA retaining wall and slope need for Erosion control

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  
removal of existing steps trellis deck and brick pillars

**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>18-30</u>
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A. Vegetation/ground cover enhancement of buffer (see Mitigation Rates Table on previous page).

- Number of native canopy trees \_\_\_\_\_
- Number of native understory trees \_\_\_\_\_
- Number of native shrubs \_\_\_\_\_
- Square feet of native ground cover \_\_\_\_\_
- Square feet of mulch \_\_\_\_\_

B. Best Management Practices (BMPs)

- |  |   |
|--|---|
| <input checked="" 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 checked="" 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 checked="" type="checkbox"/> Gravel under deck (3" of gravel over synthetic filter fabric under entire deck area) |   |
| <input type="checkbox"/> Other: _____  |   |

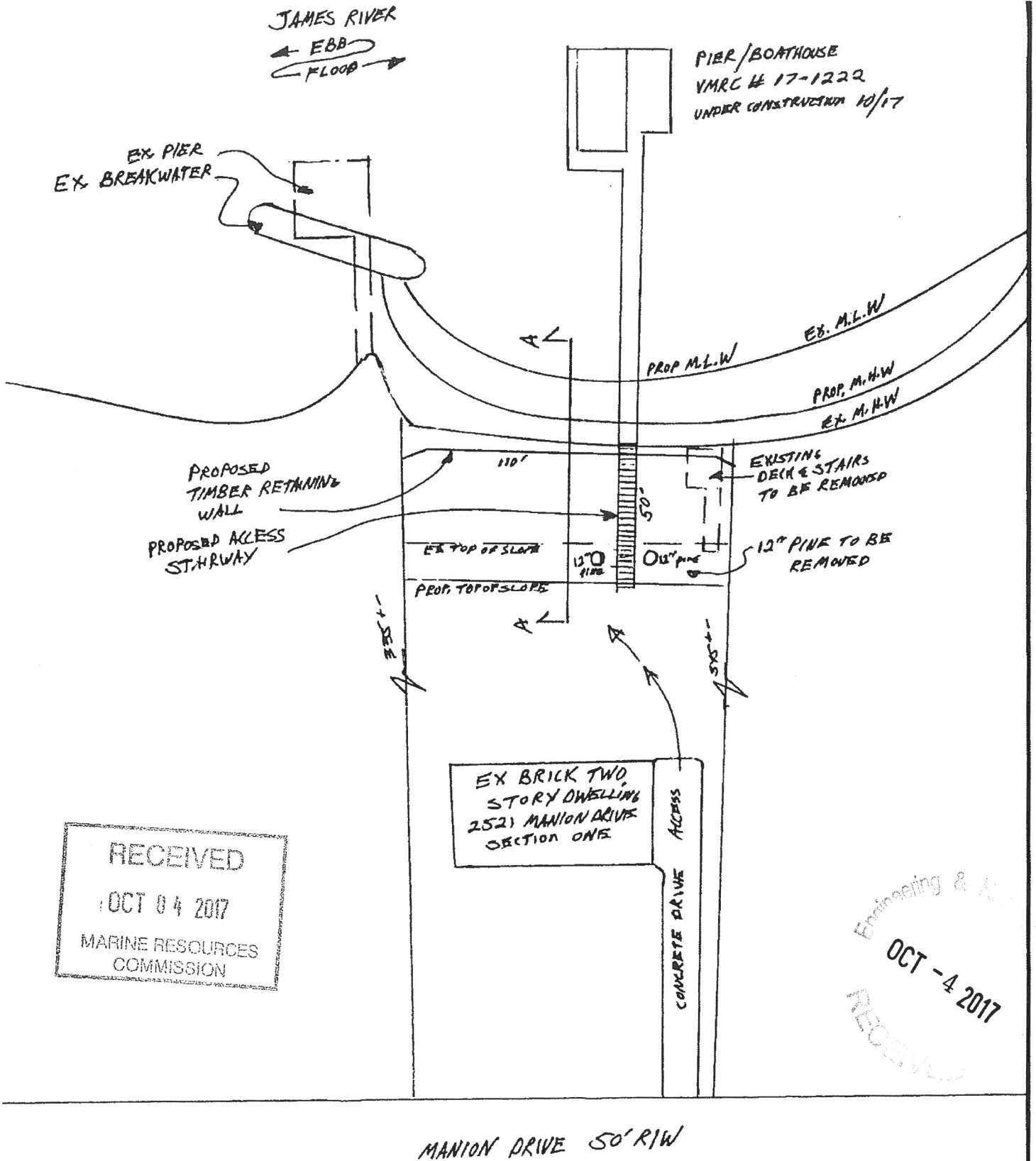
**I understand that the following are approval conditions:**

- 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 *Daniel K. Kinard* Date 10/5/17  
 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</u> Date/Rec No.: <u>10/5/17 # 3239</u>
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CBE 78-030



RECEIVED  
 OCT 04 2017  
 MARINE RESOURCES  
 COMMISSION

EX BRICK TWO  
 STORY DWELLING  
 2521 MANION DRIVE  
 SECTION ONE

Engineering & Surveying  
 OCT -4 2017  
 RECEIVED

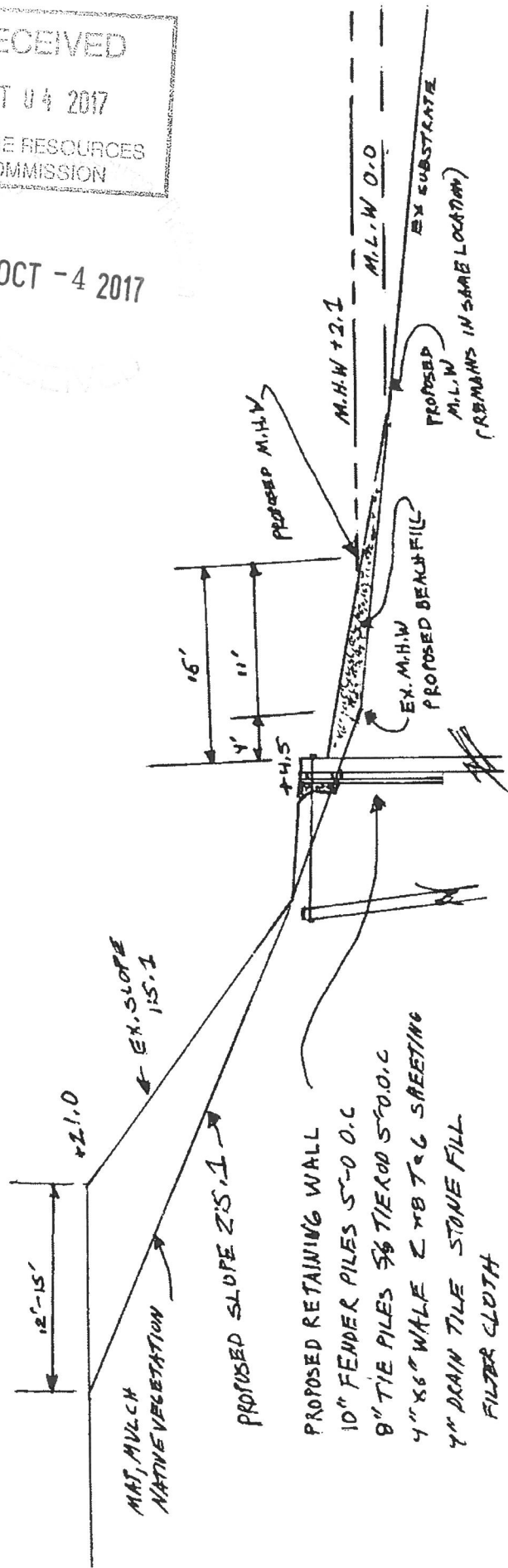
MANION DRIVE 50' RIW

<p>AP/D          1) BEITH 2519 MANION          2) MEADOR 2523 MANION</p>	<p>RETAINING WALL, STAIRWAY          AND SLOPE STABILIZATION          BRIAN CLARE TRUSTEE          2521 MANION DRIVE</p>	<p>APP BY DANIEL R. WINALL          DATUM: MLW SCALE 1"=40'-0"          OCT 4, 2017 PG 1 OF 2</p>
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RECEIVED  
 OCT 04 2017  
 MARINE RESOURCES  
 COMMISSION

OCT -4 2017



APP BY DANIEL R WIMAL  
 DATUM: M.L.W SCALE 1"=10'-0"  
 OCT 4, 2017 PG 2 OF 2

SECTION VIEW  
 RETAINING WALL, STARWAY SLOPE STAB.  
 BRIAN CLARE TRUSTEE  
 2521 MANION DRIVE

APO  
 BETH 2519 MANION  
 MEADOW 2523 MANION



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY DECEMBER 13, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

W-11-18/VMRC 17-1754: Water's Edge Construction, on behalf of Mr. Brian Clare, has applied for a wetlands permit for beach nourishment at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-024: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-18-028: RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

CBE-18-030: Water's Edge Construction, on behalf of Mr. Brian Clare, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

CBE-18-032: Olsen Fine Homebuilding, on behalf of Mr. and Mrs. Stephen and Gaye Moth, has filed an exception request for encroachment into the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

CBE-18-038: Hertzler and George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachment into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

CBE-18-039: Williams Landscape Design, on behalf of Mr. and Mrs. Tom and Sheida White,

has filed an exception request for encroachment into the RPA buffer for construction of retaining walls and patios at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

CBE-18-040: Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

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 – November 29 and December 6, 2017.

ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



General Services  
Stormwater and Resource  
Protection Division  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Resource.Protection@jamescitycountyva.gov

November 22, 2017

RE: CBE-18-030  
2521 Manion Drive  
Retaining Wall, Access Stairs, Slope Stabilization

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. Brian Clare, Jr. for encroachment into the Resource Protection Area (RPA) buffer associated with installation of a retaining wall, access stairs and slope stabilization. The project is located at 2521 Manion Drive in the Drummonds Field subdivision. The property is further identified by James City County Real Estate as Parcel No 4630200004.

A complete description, plan and other information are on file in the Stormwater 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, December 13, 2017 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

*Janice Petty*

Janice Petty  
Stormwater Assistant

cc: Clare, Brian  
Winall, Daniel R.

Mailing List for: CBE-18-030 – 2521 Manion Drive – Clare –Winall- Wall, Access Stairs, Slope Stabilization

Owner: 4630200004

Clare, Frank Brian, Jr., Trustee & Notzinger, Clar, Trustee  
2521 Manion Drive  
Williamsburg, VA 23185-1479

WEC Marine

Attn: Mr. Daniel R. Winall  
P.O. Box 352  
Toano, VA 23168

4630200005

Beith, Reiner & Leda Anne  
2519 Manion Drive  
Williamsburg, VA 23185-1479

4630200003

Meador, Charles C & Linda R  
2523 Manion Drive  
Williamsburg, VA 23185-1479

46302000024

Frantz, Mervin A, Jr. & Mary  
2520 Manion Drive  
Williamsburg, VA 23185-1478

4630200023

Morgan, Andrew S  
2518 Manion Drive  
Williamsburg, VA 23185-1478

**ITEM SUMMARY**

DATE: 12/13/2017

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 Parcels 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
☐	Mitigation Plan - Appendix B, revised	Backup Material
☐	Site Plan - Appendix C	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	12/3/2017 - 4:17 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:10 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:18 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:22 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-013. Stonehouse Land Bay 3 and 5  
Staff Report for the December 13, 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.*

---

**EXISTING SITE DATA AND INFORMATION**

Applicant: SCP-JTL Stonehouse Owner 1, LLC

Agent: 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; 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 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 be recorded in Tract 3; 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  
CBE18-13Stonehouse

### 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 is to be recorded in Tract 3 as outlined in the revised mitigation proposal; 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 13, 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 13th day of December, 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: \_\_\_\_\_

CBE18-13Stonehouse-res

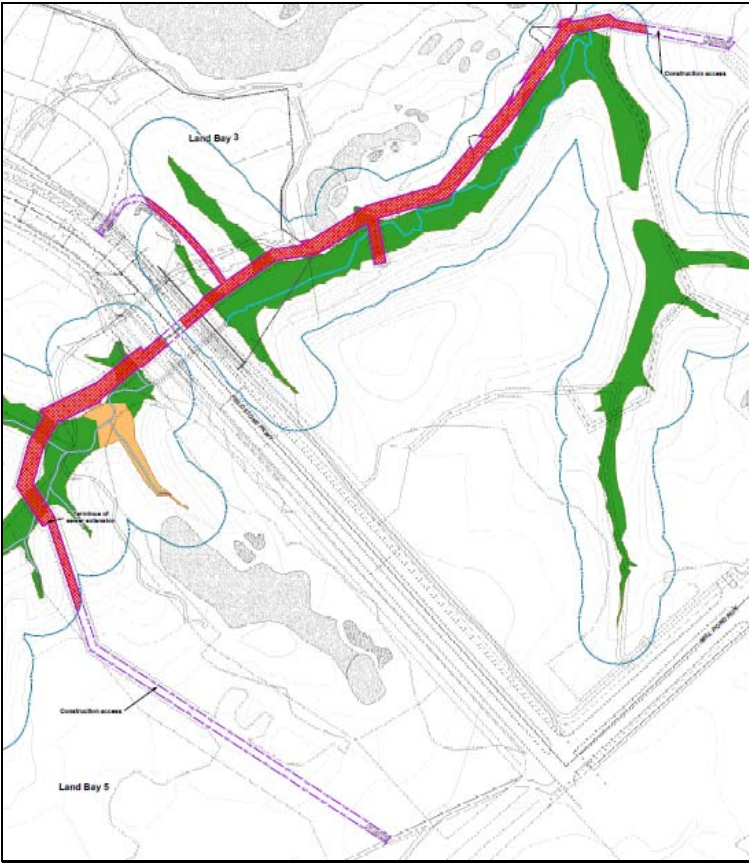
# Major Water Quality Impact Assessment

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.

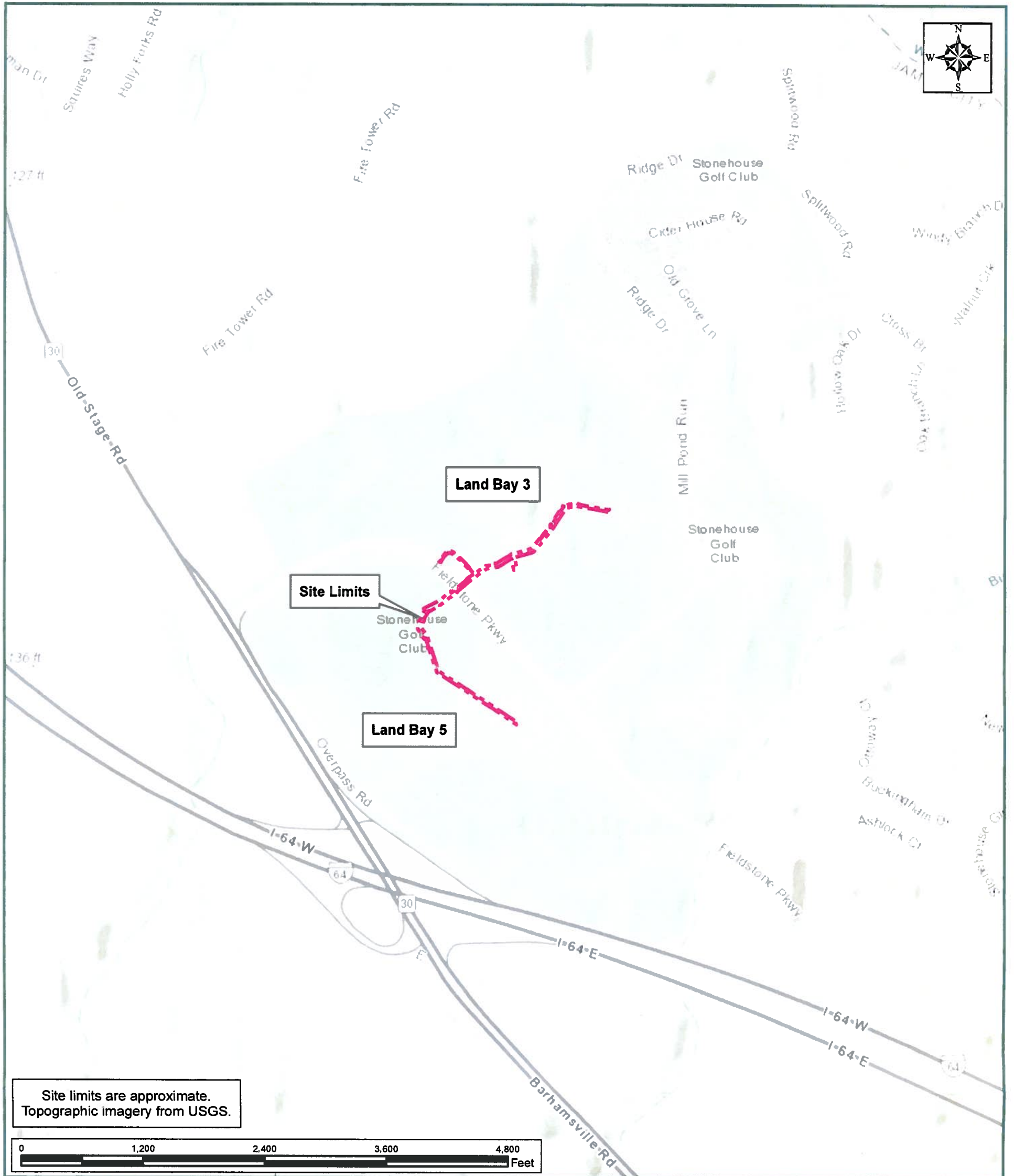
*Table 3. Table of Mitigation Offered.*

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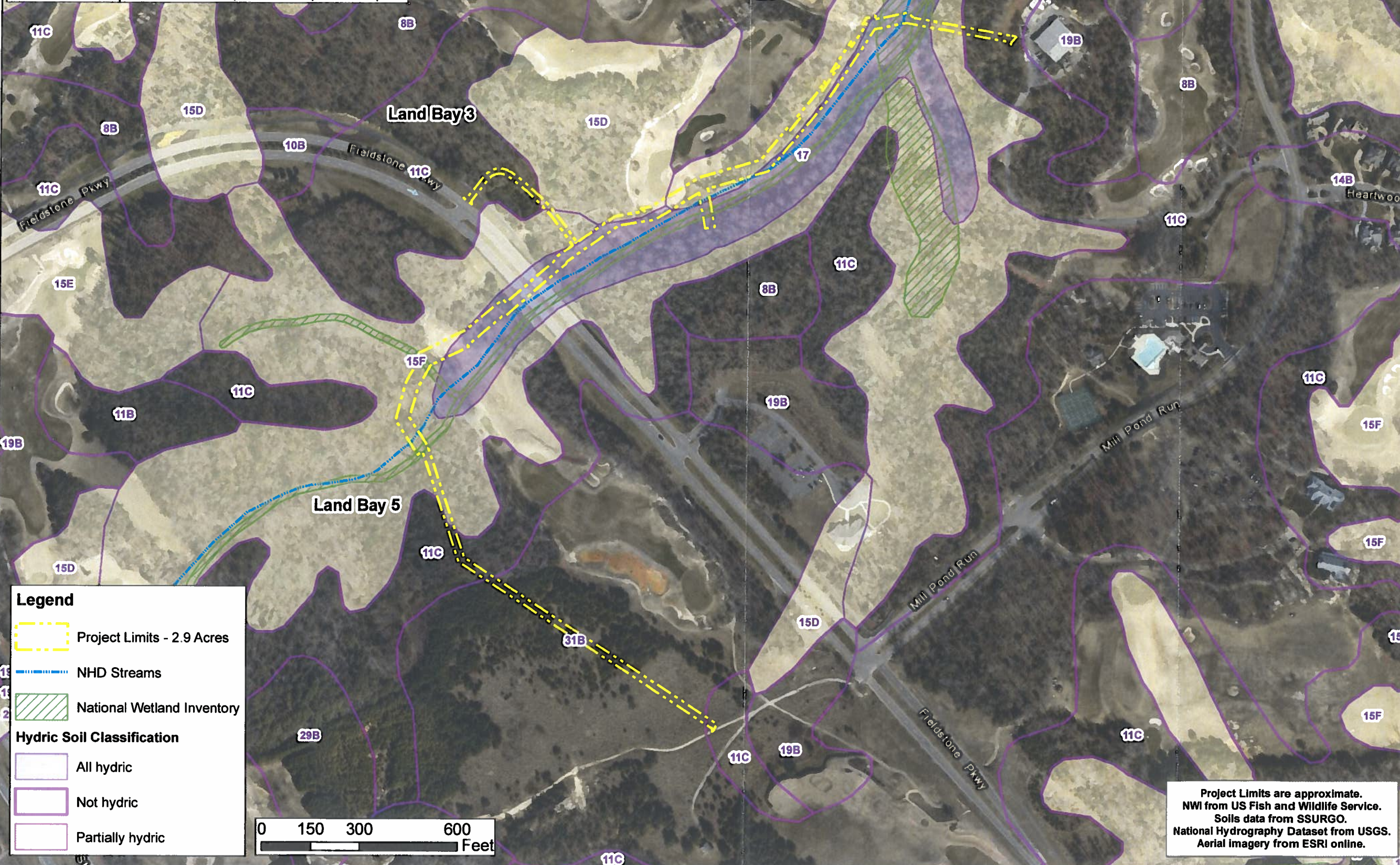
TIMMONS GROUP JOB NUMBER: 34545.016  
 PROJECT STUDY LIMITS: 2.9 ACRES  
 LATITUDE: 37°25'46.68"N  
 LONGITUDE: 76°49'14.67"W

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

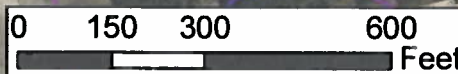


**Legend**

- 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.



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Site Development | Residential | Infrastructure | Technology | Environmental

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REVISION DESCRIPTION

DATE	DESCRIPTION

DATE  
08/01/2017

DRAWN BY  
L. MAJOR

DESIGNED BY  
L. MAJOR

CHECKED BY  
B. SEARCEY

SCALE  
1" = 300'

JOB NUMBER  
34549.016

SHEET NO.  
1 OF 1

**TIMMONS GROUP**

STONEHOUSE LANDBAY 3 & 5 - SEWER EXTENSION

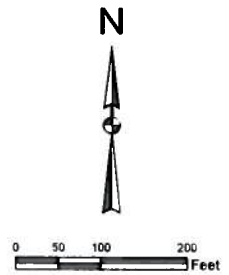
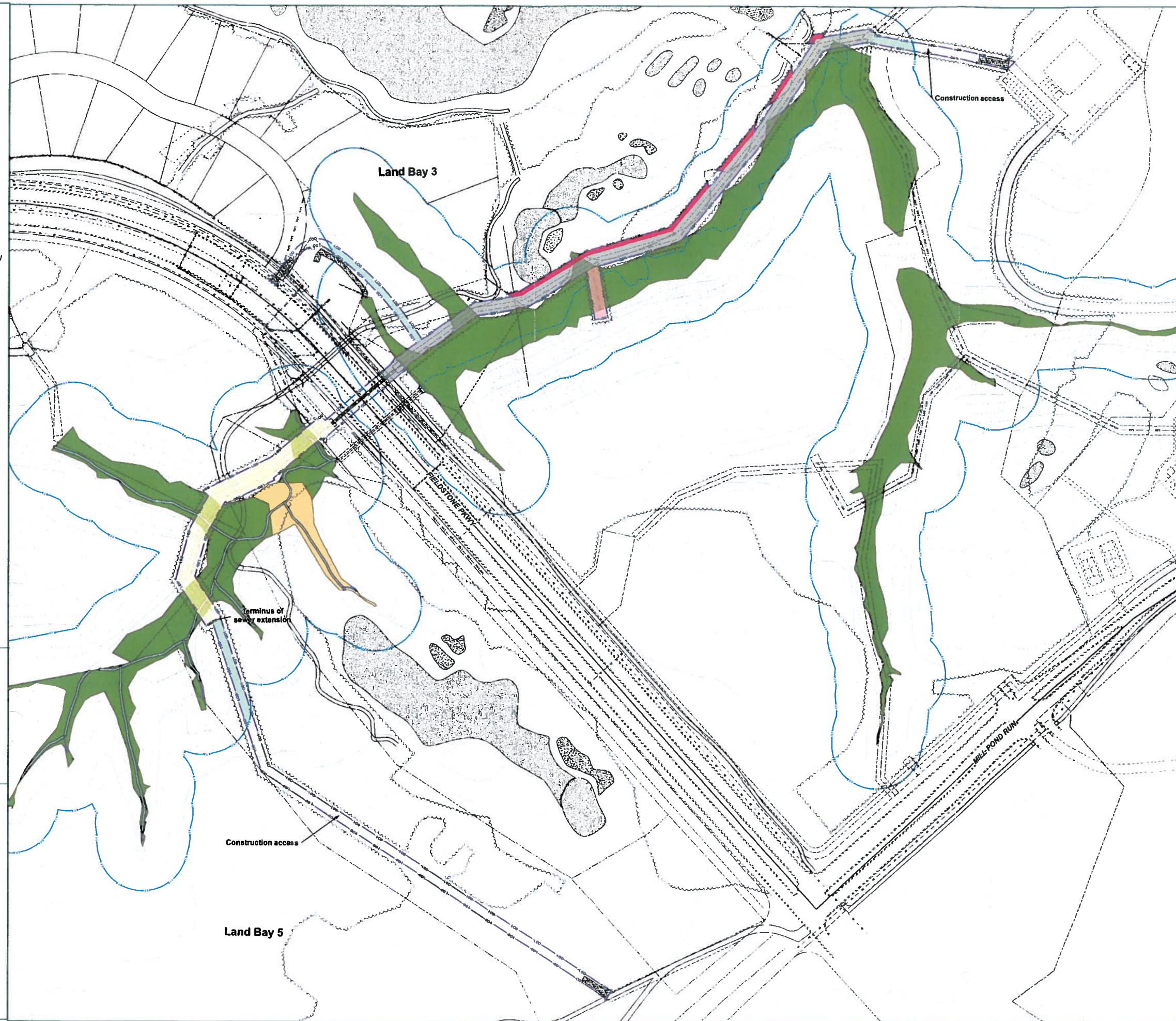
JAMES CITY COUNTY, VIRGINIA

ENVIRONMENTAL INVENTORY MAP

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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



Path: Y:\00434549\018-Stonehouse\_LB3\_5\_SewerGIS\Wetland\Impacts\34549\_018-RPA\_Impacts.mxd

# TIMMONS GROUP

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











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DATE	REVISION DESCRIPTION
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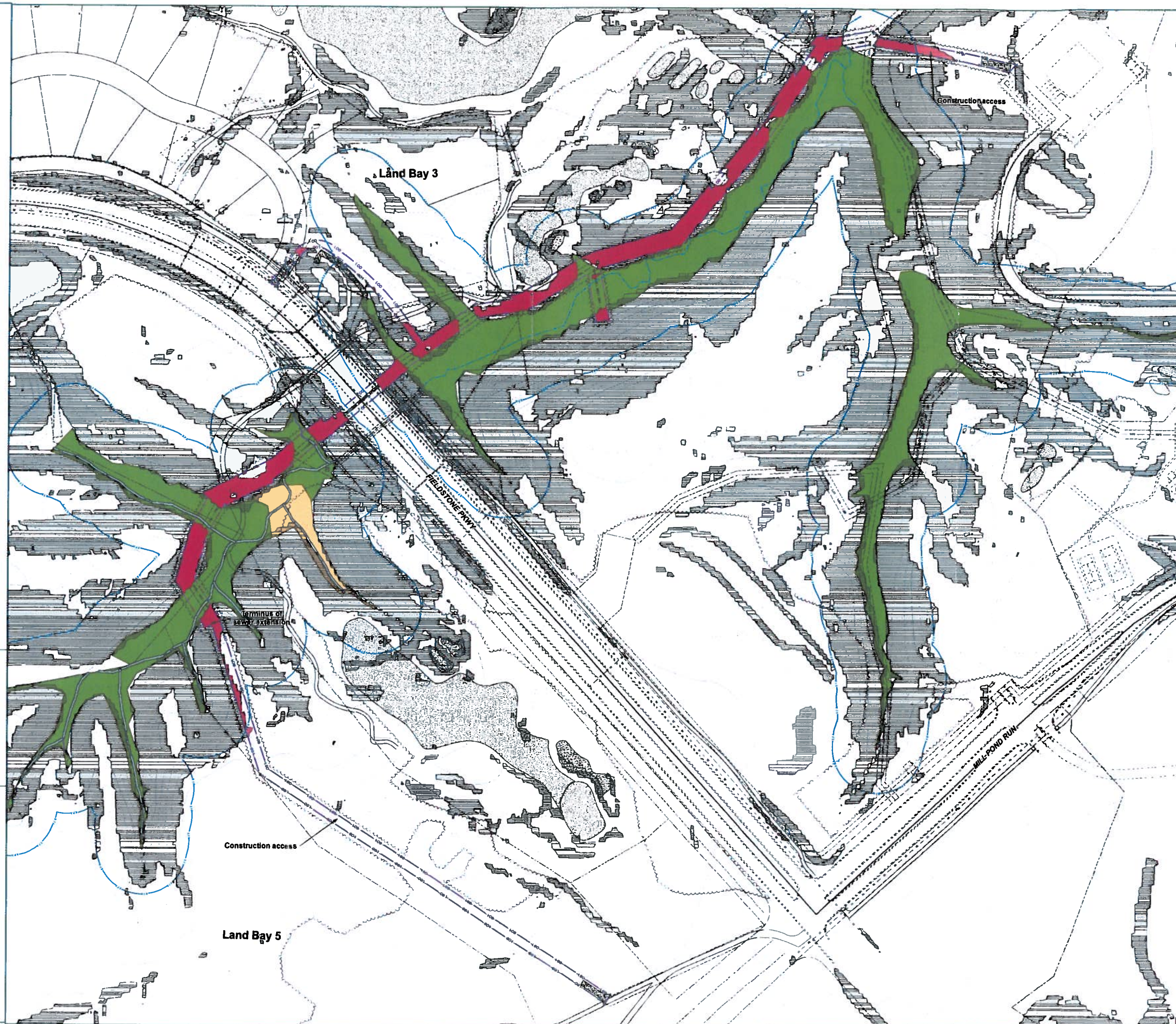
DRAWN BY  
**L. MAJOR**  
 DESIGNED BY  
 CHECKED BY  
**B. SEARCEY**  
 SCALE  
**1" = 100'**

JOB NO.  
 34549.016  
 SHEET NO.  
 1 OF 1



- Legend**
-  Project Limits / Limits of Disturbance - 2.9 Acres
  -  Resource Protection Area (RPA)
  -  Other Stream
  -  Perennial Stream (R3)
  -  Intermittent Stream (R4)
  -  Palustrine Forested (PFO) Wetlands
  -  Palustrine Scrub-Shrub (PSS) Wetlands
  -  Steep Slopes  $\geq 12.5\%$
  -  Steep Slope Impact - 68,177 sf / 1.6 ac
  -  RPA Steep Slope Impact - 66,143 sf / 1.5 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.
  6. STEEP SLOPES GENERATED FROM USGS LIDAR DATA.



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Kerr Environmental Services Corp.

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DRAWN BY	L. MAJOR
DESIGNED BY	
CHECKED BY	B. SEARCEY
SCALE	1" = 100'

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STONEHOUSE LANDBAY 3 & 5 - SEWER EXTENSION

JAMES CITY COUNTY, VIRGINIA

STEEP SLOPES IMPACTS MAP

Path: Y:\004134549\016-Stonhouse\_LB3\_5\_SewGIS\Wetland Impacts\34549\_016-Slope\_Impacts.mxd

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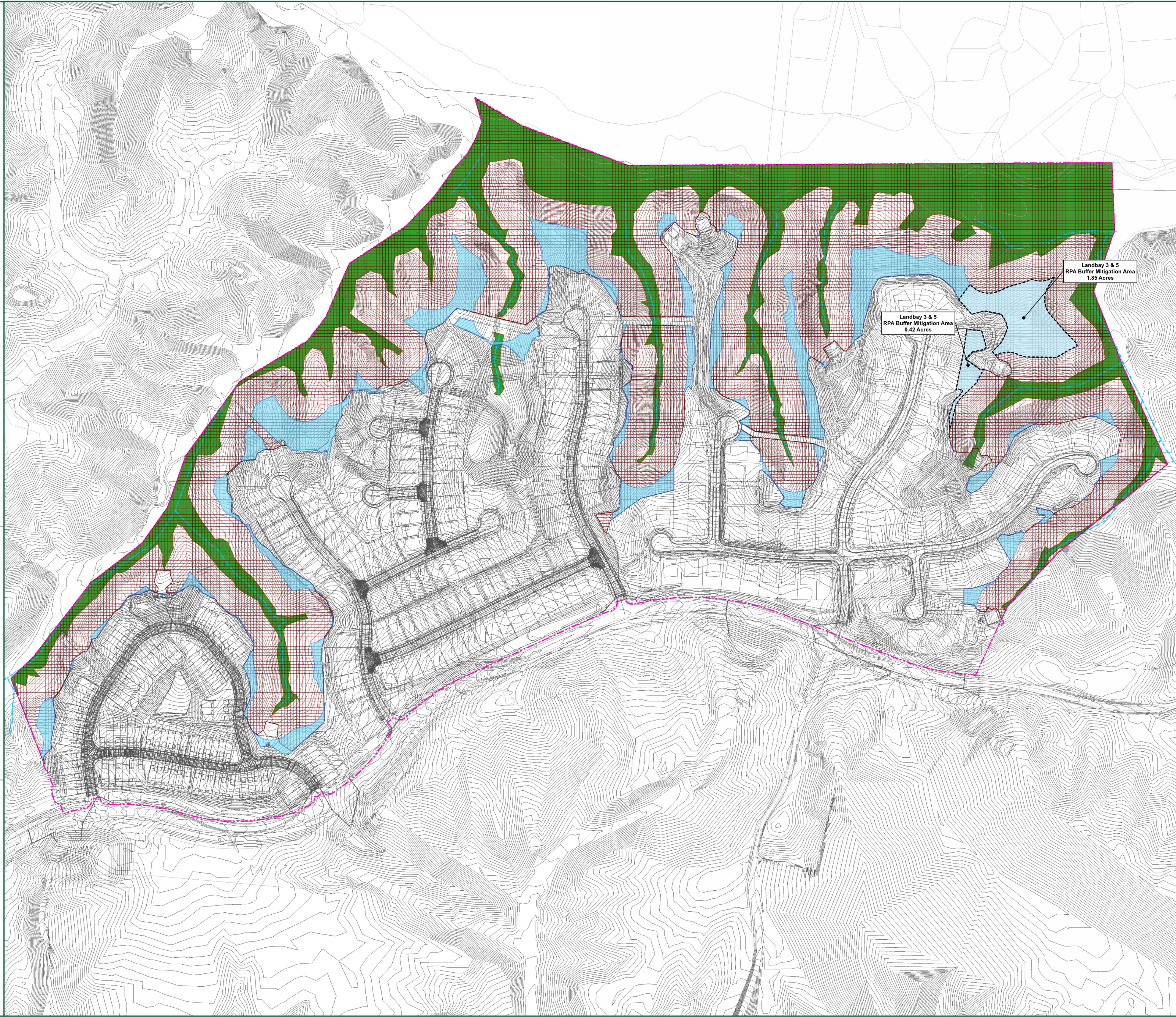
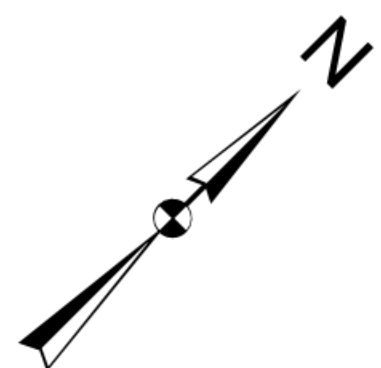
SHEET NO.  
1 OF 1

**Legend**

- Stonehouse - Tract 3 - 179.7 Acres
- Resource Protection Area (RPA)
- Landbay 3 & 5 - RPA Buffer Mitigation Area - 2.27 Acres
- 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:\804\34549\016-Stonehouse\_LEB3\_5\_Sew\GIS\Wetland Impacts\RPA Impacts\34549-WT\IM\_RPA\_Buffer\_Mitigation\_LEB3\_5.mxd

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Kern Environmental  
Services Corp.

Site Development	Residential	Infrastructure	Technology	Environmental
DATE	DATE	REVISION DESCRIPTION		
10/26/2017				
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L. MAJOR				
DESIGNED BY				
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CHECKED BY				
B. SEARCEY				
SCALE				
1" = 180'				

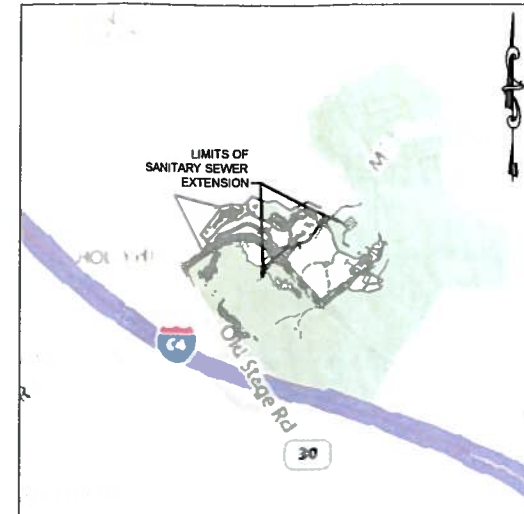
# TIMMONS GROUP

**STONEHOUSE - LANDBAY 3 & 5 - SANITARY SEWER EXTENSION**  
JAMES CITY COUNTY, VIRGINIA  
RPA BUFFER MITIGATION MAP

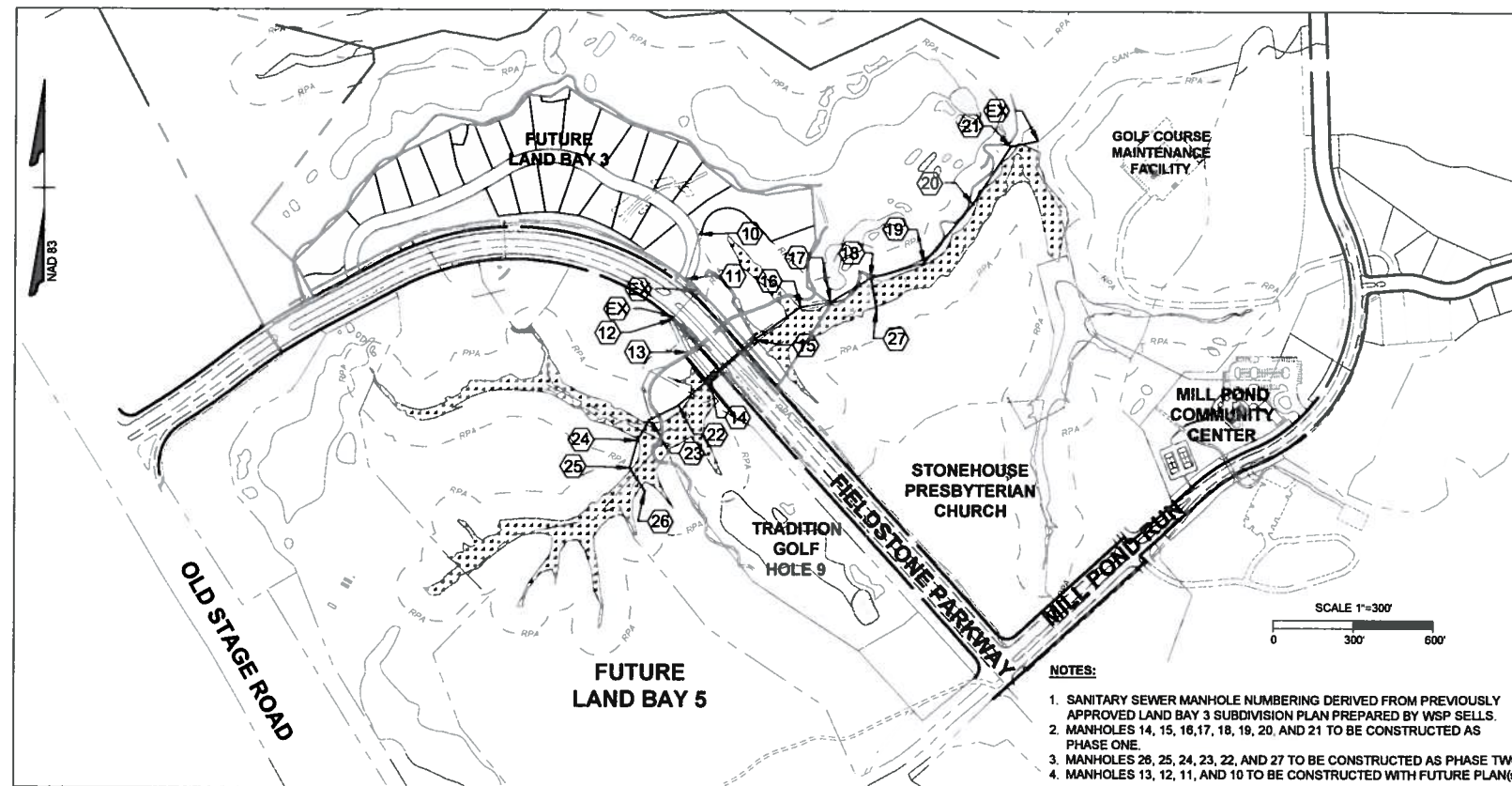
JOB NO.  
34549  
SHEET NO.  
1 of 1

# STONEHOUSE LAND BAYS 3 & 5 SANITARY SEWER EXTENSION

STONEHOUSE DISTRICT  
JAMES CITY COUNTY, VIRGINIA



VICINITY MAP  
SCALE: 1" = 2,000'



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 UTILITY" 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

- 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
- 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
- PROPERTY LOCATION: 9630 FIELDSTONE PARKWAY  
TAX MAP NUMBER 0440100030
- FEMA MAP: FIRM PANEL 5105SC0037D, EFFECTIVE DATE 12-16-2015  
ZONE X - NO SPECIAL FLOOD HAZARD AREAS
- DISTURBED AREA: 2.5 ± ACRES
- SURVEY DATUM: JCC GEODETIC MONUMENT #334  
NAD 83 - VA STATE PLAN COORDINATES, SOUTH ZONE
- THIS SITE PLAN IS IDENTIFIED AS SITE PLAN NUMBER JCC-SP-0005-2017.
- THE PROJECT SITE IS ZONED PUD-C (PLANNED UNIT DEVELOPMENT COMMERCIAL) WITH PROFFERS AND PUD-R (PLANNED UNIT DEVELOPMENT RESIDENTIAL) WITH PROFFERS.
- REZONING AND MASTER PLAN CASE NUMBERS: Z-0004/2007/MP-0004-2007  
Z-0006-2012, AND Z-0009-2014.
- HYDROLOGIC UNIT CODE (HUC): VAH06. Y062
- COUNTY WATERSHED: WARE CREEK
- 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:

- 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)
- REFER TO SHEET C3.0 FOR A COPY OF THESE VDOT PUBLICATIONS

APPROXIMATE UTILITY QUANTITIES

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



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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: 1/10/2017

DRAWN BY: P. LARGE

DESIGNED BY: S. WORTHINGTON

CHECKED BY: S. WORTHINGTON

SCALE: AS SHOWN

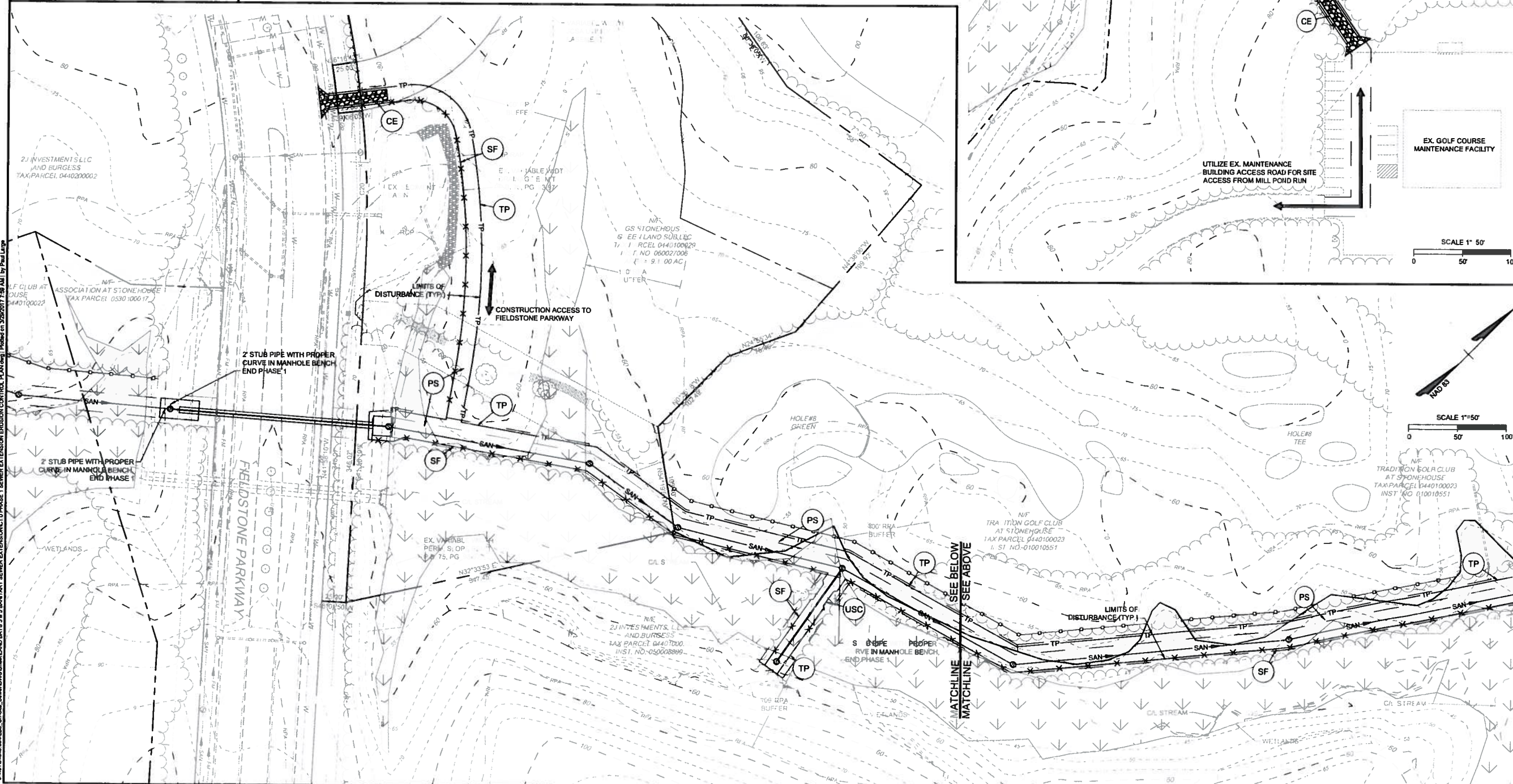
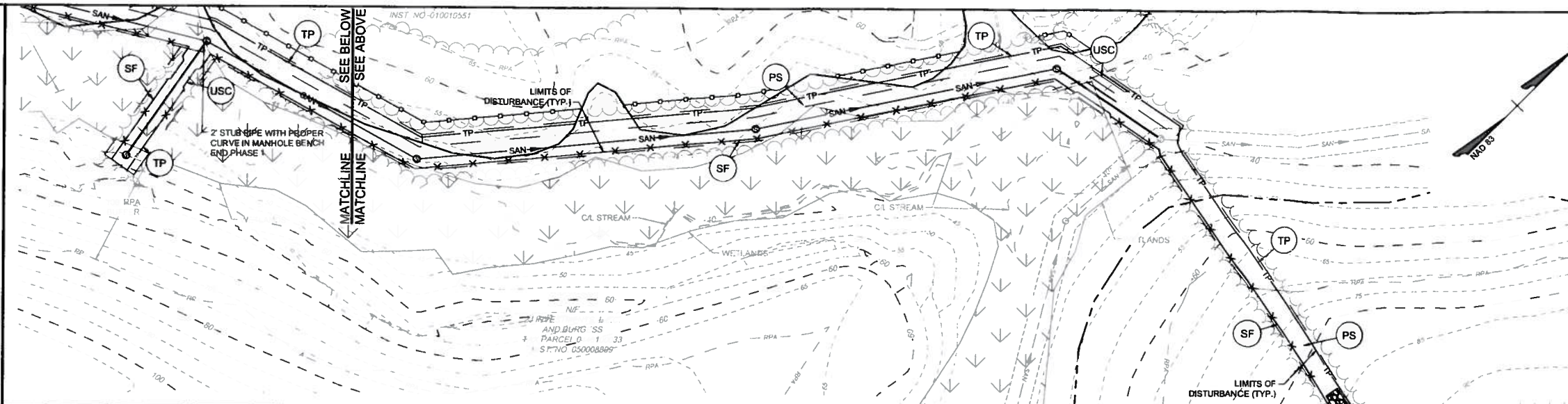
**TIMMONS GROUP**

STONEHOUSE LAND BAYS 3 & 5 SANITARY SEWER EXTENSION  
COVER SHEET

JOB NO.: 34549.004  
SHEET NO.: 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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DATE	REVISION DESCRIPTION	DATE
3/23/17	PLANS REVISED PER COUNTY, JESA AND USOT COMMENTS	1/10/2017
3/29/17	REVISED PER COUNTY AND JESA COMMENTS	

DESIGNED BY  
**S. WORTHINGTON**

CHECKED BY  
**S. WORTHINGTON**

SCALE  
**1" = 50'**

**TIMMONS GROUP**

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

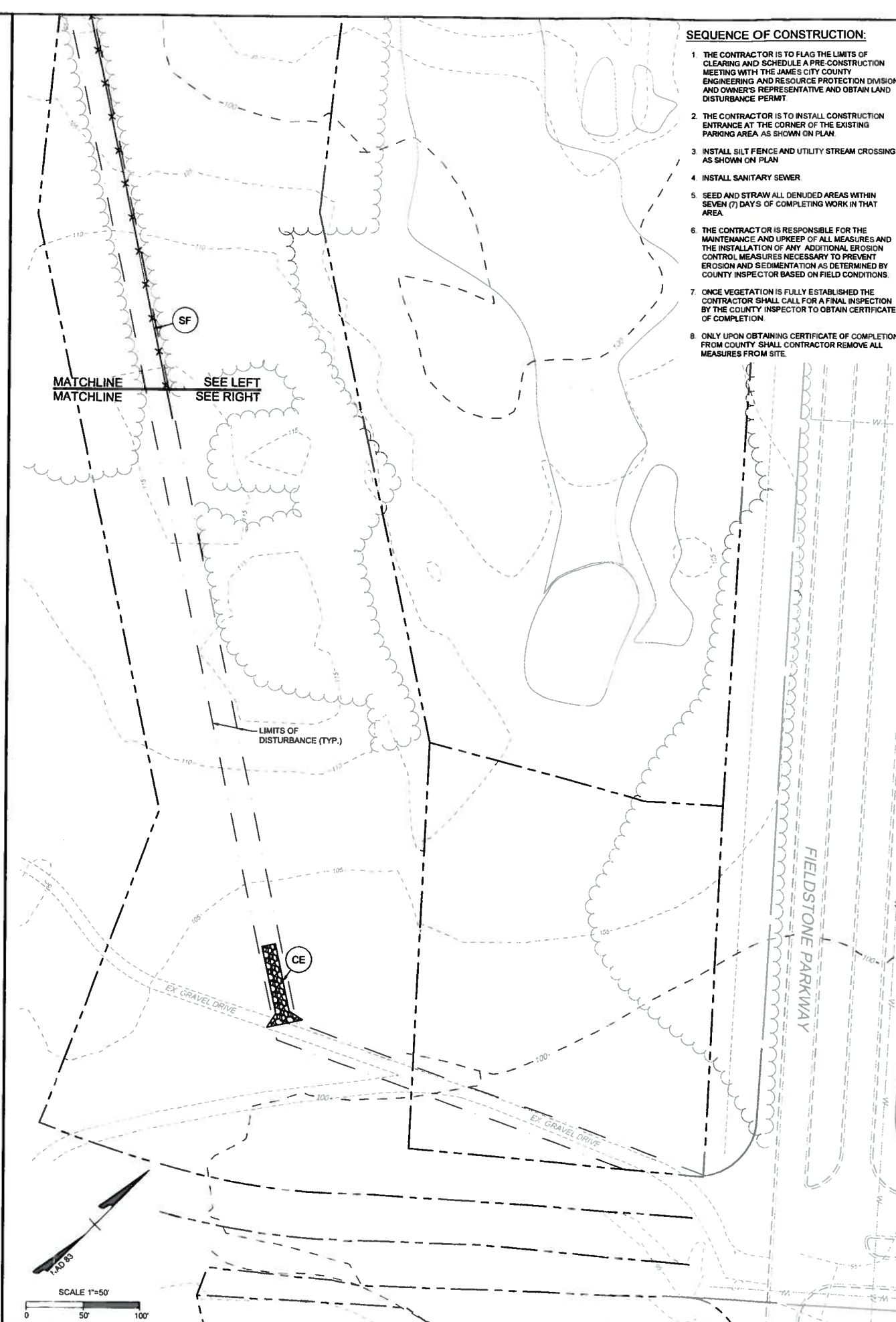
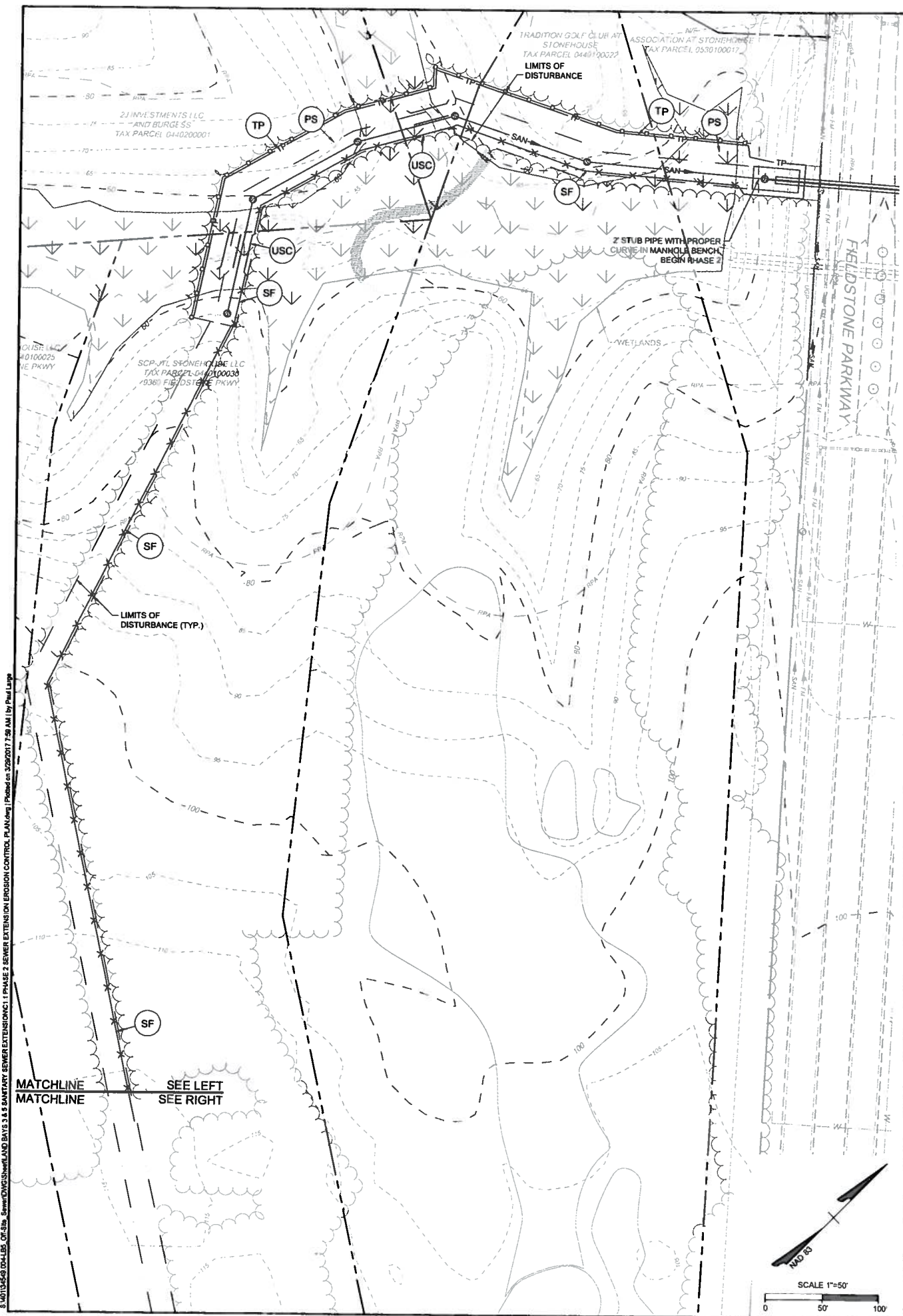
**PHASE 1 SEWER EXTENSION EROSION CONTROL PLAN**

JOB NO.  
**34549.004**

SHEET NO.  
**C1.0**

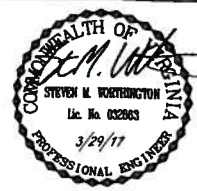
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**SEQUENCE OF CONSTRUCTION:**

- 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 DENUDEED 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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 TEL: 804.300.6500 FAX: 804.550.1016 www.timmons.com

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DATE	REVISION DESCRIPTION
2/27/17	PLANS REVISED PER COUNTY, JCSA AND UDOT 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" = 50'

**TIMMONS GROUP**

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

JOB NO.  
34549.004

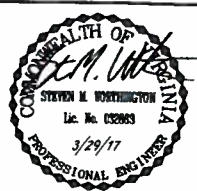
SHEET NO.  
C1.1

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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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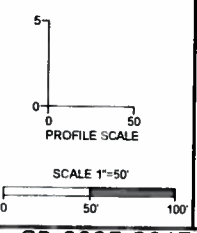
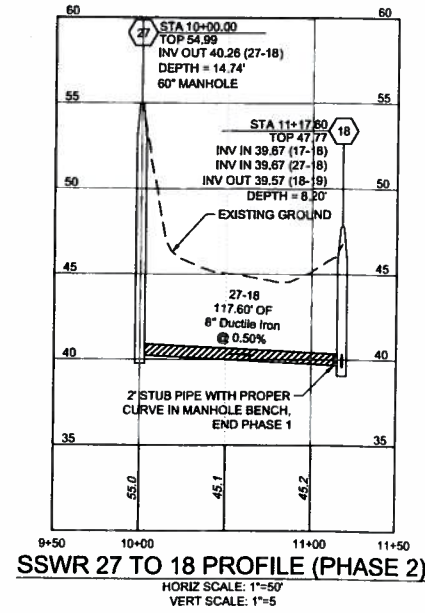
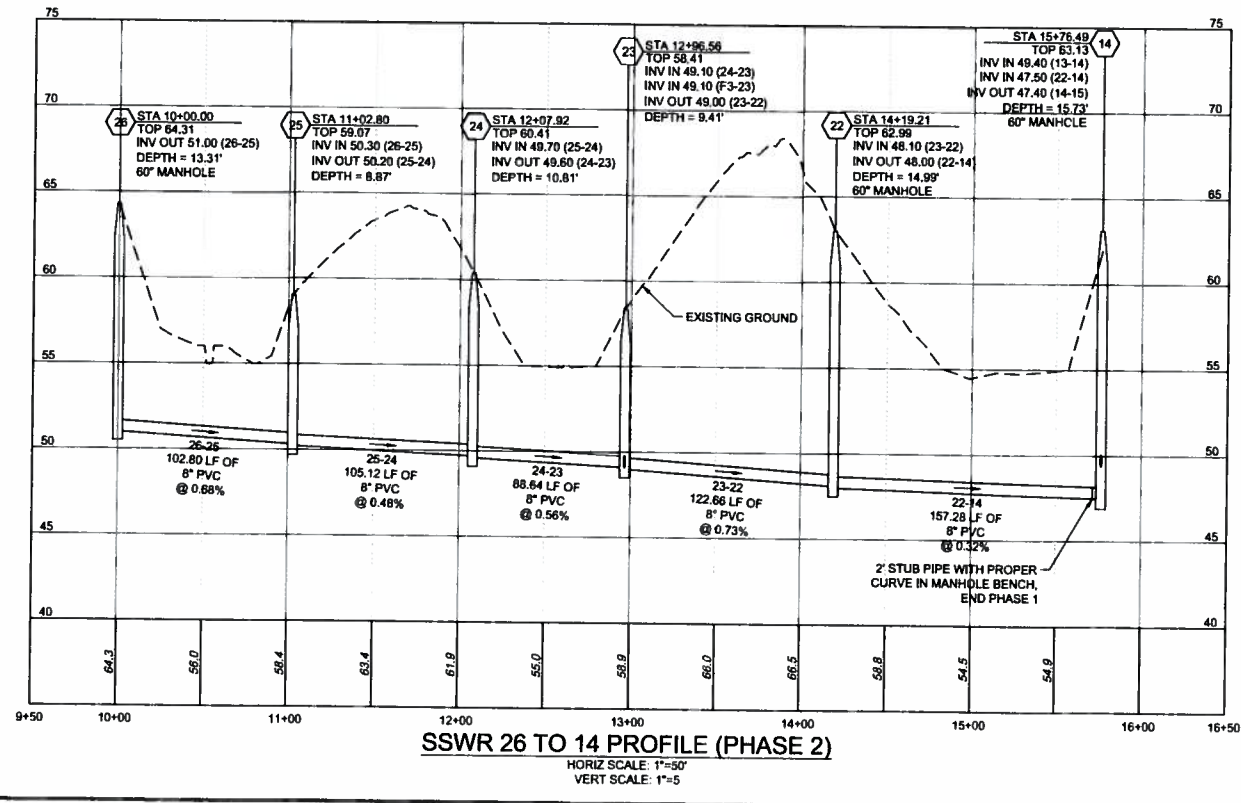
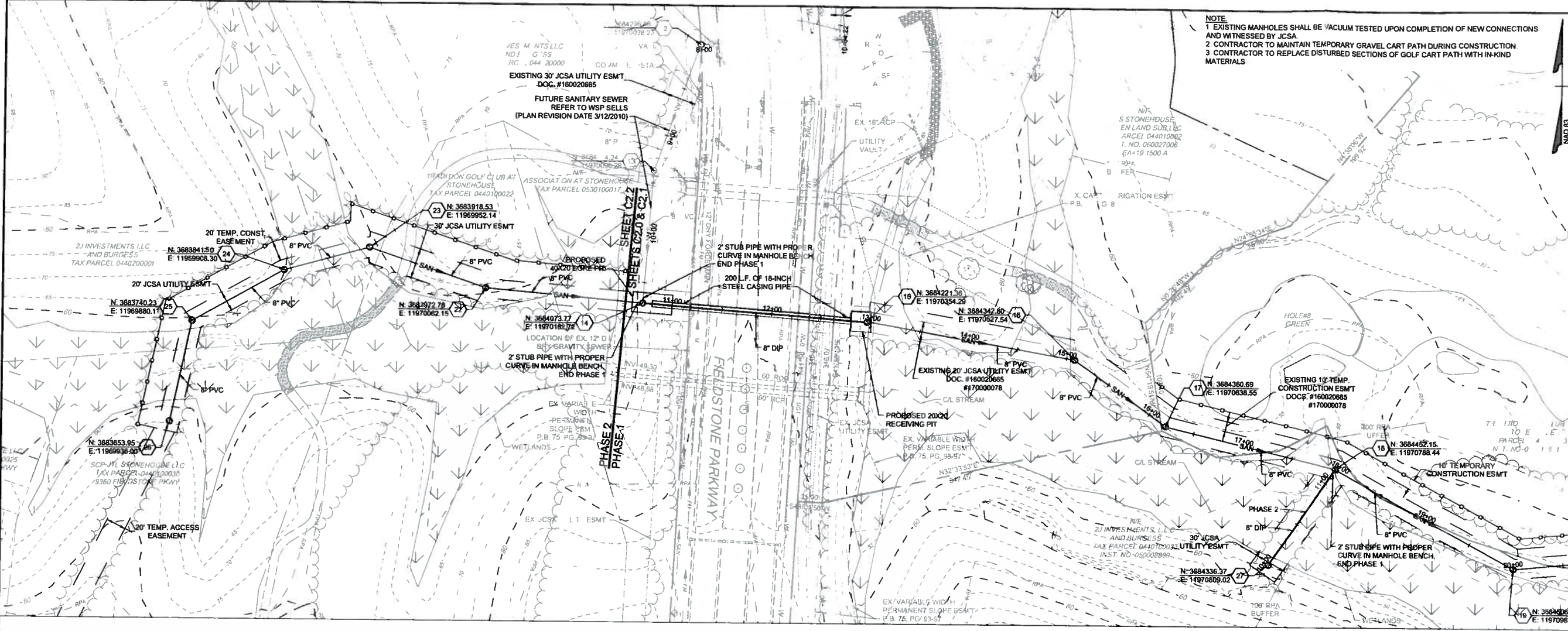
DATE	REVISION DESCRIPTION
2/22/17	PLANS REVISION PER COUNTY AND JCSA COMMENTS
3/29/17	REVISED PER COUNTY AND JCSA COMMENTS

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

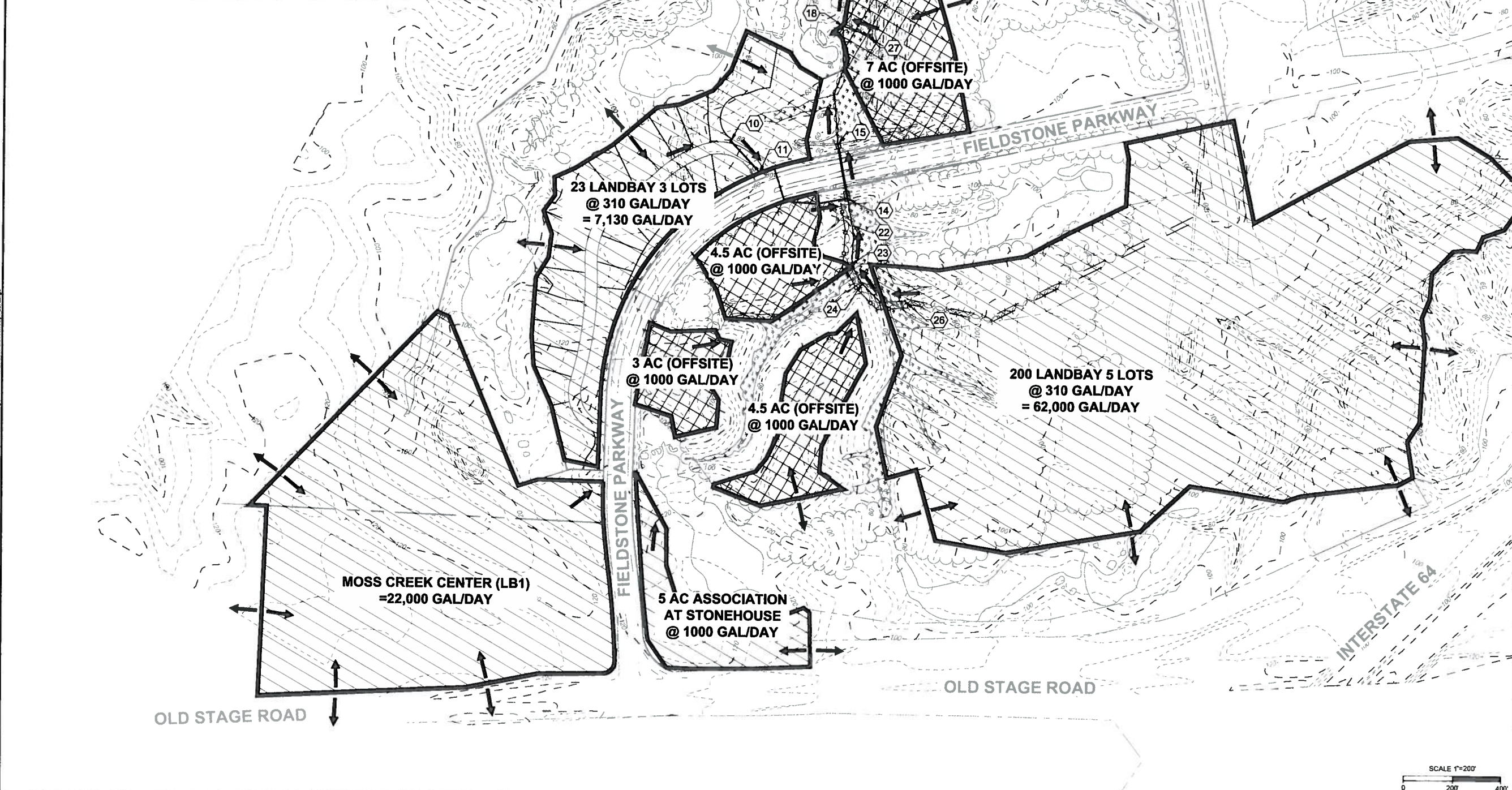


S:\MID\0408\0408\_05.dwg - Sewer\DWG\StoneHouseLand Bays 3 & 5 Sanitary Sewer Extension\PLAN & PROFILE.dwg | Printed on 3/29/2017 8:31 AM by Paul L... |

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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 DENSITY	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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## **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

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-024 : 116 Nottinghamshire

---

Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

**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	12/3/2017 - 4:16 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:08 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:12 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:21 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-024. 116 Nottinghamshire  
Staff report for the December 13, 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.*

---

**EXISTING SITE DATA AND INFORMATION**

Applicant: Larry Walk, Walk Wright Construction

Agent: Larry Walk, Walk Wright Construction

Location: 116 Nottinghamshire

Tax Map/Parcel No.: 3233100034

Parcel: Lot 34, Ford's Colony Section 12

Lot Size: 0.409 acre

Area of Lot in Resource Protection Area (RPA): 0.37 acre +/- (90%)

Watershed: Powhatan Creek, sub-watershed 207 (HUC JL31)

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

Proposed Activity: Construction of a single-family dwelling with deck

Impervious Cover: 4,792 square feet (3,274 square feet within the RPA)

RPA Encroachment: 2,602 square feet, landward 50-foot RPA buffer  
672 square feet, seaward 50-foot RPA buffer

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Larry Walk, Walk Wright Construction, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 116 Nottinghamshire within Section 12 of the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 3233100034. The parcel was platted prior to the re-adoption of the Chesapeake Bay Preservation Ordinance in 2004.

The wetlands were re-delineated by Mr. Matt Roth, Roth Environmental, in 2016. The lot has RPA buffer or RPA wetlands that cover 90% of the lot. The house has been positioned to the right (east) side of the lot to the greatest extent possible while allowing for a drainage swale. The house has been positioned 8 feet behind the front building setback. If the face of the garage was to be coincident with the front setback limit, any cars parked in the driveway would block the existing sidewalk. For this reason, staff is comfortable with the house location as shown.

The total impervious cover for the lot is 4,792 square feet, of which 3,274 square feet is within the landward 50-foot RPA buffer and 672 square feet is within the seaward 50-foot RPA buffer. The total amount of impervious cover requires a minimum of eight planting units of mitigation. Mr. Walk has proposed nine units with shrub substitutions for canopy trees, which exceeds County requirements and is acceptable. Some of the required mitigation is used as foundation plantings. Staff would request that this property be enrolled in the Turf Love program once construction is complete. This program will help alleviate problems associated with over-fertilization through the use of soil testing, timing and rate of application of any fertilizers and other soil amendments and proper turf grass selection. Staff also requests that 3 inches of gravel over filter fabric be installed under the footprint of the deck to prevent soil erosion.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a single-family dwelling with deck and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the dwelling impacts the 50-foot seaward RPA buffer. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

## **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 which exceeds 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-18-024 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 with the following conditions incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$3,500 will be required in a form acceptable to the County Attorney's office to guarantee the mitigation, including plantings, Turf Love program registration and gravel under the deck; and
3. The Applicant must record an affidavit in the land records of the Williamsburg-James City County Circuit Court regarding the environmental resource restrictions on this lot. The approved resolution and the approved site plan shall be attached to such affidavit; and

4. This exception request approval shall become null and void if construction has not begun by December 13, 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.

MDW/gt  
CBE18-24Notting

Attachments:

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

## RESOLUTION

CASE NO. CBE-18-024. 116 NOTTINGHAMSHIRE

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Larry Walk, Walk Wright Construction, LLC (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 2017, to request an exception to use of the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 3233100034 and further identified as 116 Nottinghamshire in the Ford’s Colony subdivision (the “Property”) as set forth in the application CBE-18-024 for the purpose of constructing a single-family dwelling; 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 required for the project; and
  - b. Surety of \$3,500 will be required in a form acceptable to the County Attorney’s office to guarantee the mitigation, including plantings, Turf Love program registration and gravel under the deck; and

- c. The Applicant must record an affidavit in the land records of the Williamsburg-James City County Circuit Court regarding the environmental resource restrictions on this lot. This resolution and the approved site plan shall be attached to such affidavit; and
- d. This exception request approval shall become null and void if construction has not begun by December 13, 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 13th day of December, 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: \_\_\_\_\_

CBE18-24Notting-res



# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

SEP 22 2017

Engineering & Resource Protection  
RECEIVED

For Office Use Only  
CB Number COE18024

### 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).

Engineering & Resource Protection  
APR 27 2016  
RECEIVED

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

### Property Owner Information:

Date: 04-08-2016

Name: Walkwright Construction  
 Address: 116 Nottinghamshire  
 Phone: (757) 592-6252 Fax: n/a Email: larry.walk@BHHSTowne.com

### Contact (if different from above):

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

### Project Information:

Project Address: 116 Nottinghamshire  
 Subdivision Name, Lot, and Section No.: Ford's Colony, Lot 12, Section 34  
 Parcel Identification No. or Tax Map No.: PID: 3233100034  
 Date Lot was platted: April 16, 2003 Line or Bldg Permit No.: \_\_\_\_\_

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

- |  |   |
|--|---|
| <input type="checkbox"/> Steep Slopes $\geq$ 25 percent _____ (SF) | <input checked="" type="checkbox"/> RPA - Landward 50' <u>2,602</u> (SF)        |
| <input type="checkbox"/> Conservation Easement _____ (SF)          | <input checked="" type="checkbox"/> RPA - Seaward 50' <u>672</u> (SF)           |
| <input type="checkbox"/> Trees to be Removed _____ (#)             | <input checked="" type="checkbox"/> Proposed Impervious Cover <u>4,792</u> (SF) |
|  | <u>3274</u>   |

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

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> New principal structure construction | <input type="checkbox"/> Building addition to principal structure | <input checked="" type="checkbox"/> Attached Deck |
| <input type="checkbox"/> Permitted buffer modifications:                 | <input type="checkbox"/> Dead/diseased/dying tree removal         | <input type="checkbox"/> Sightline                |
| <input 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: _____                     |   |

JUN 8 2016



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

Engineering & Resource Protection  
APR 27 2016  
RECEIVED

For Office Use Only  
cbE 18-024  
CB Number 96-093

**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)*

~~Since the RPA covers a good majority of the lot, developing the lot is impossible without RPA encroachment. The house will encroach into the seaward 50' RPA about 16' totaling 672 Sq. Ft. . The deck will be on the first story.~~

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

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?

~~There is not enough buildable area outside of the RPA.~~

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

~~Mitigation plantings~~

**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**

<b><u>Impervious Area (SF)</u></b>	<b><u>Mitigation Required</u></b>	<b><u>Surety</u></b>
<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

JUN 8 2016

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

Engineering & Resource Protection  
APR 27 2016  
RECEIVED

For Office Use Only CAE 42-024 CB Number 16093
--

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

- Number of native canopy trees 9
- Number of native understory trees 18
- Number of native shrubs 27
- Square feet of native ground cover \_\_\_\_\_
- 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 checked="" 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 *[Signature]* Date ~~4/27/16~~ 9/22/17

Program Administrator \_\_\_\_\_ Date \_\_\_\_\_  
Authorized Signature

APPROVAL EXPIRED	For Office Use Only
	Surety Amount: _____
	Date/Rec No.: _____
	Fee Paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amount: <u>25 + 100</u> Date/Rec No.: <u>4/27/16 2885</u>
	Fee Paid <input checked="" type="checkbox"/> YES Amount: <u>25 + 100</u> Date/Rec No.: <u>9/22/17 # 3226</u>

**JUN 8 2016**

**BUILDING INFORMATION**

PROPOSED RESIDENCE IS 1-STORY WITH A BASEMENT  
 PROPOSED GARAGE IS FRONT LOADING

**SITE INFORMATION**

TOTAL AREA: 17,778 S.F. / 0.408 AC.  
 DISTURBED AREA: 9,694 S.F. / 0.223 AC.  
 IMPERVIOUS: 4,792 S.F. / 0.11 AC.  
 PARCEL ID: 3233100034  
 ZONING DISTRICT: R4  
 EXISTING SITE IS WOODED AS SHOWN  
 EXISTING ADDRESS:  
 116 NOTTINGHAMSHIRE  
 JAMES CITY COUNTY, VIRGINIA

**NOTE TO CONTRACTOR**

1. ALL DISTURBED AREAS ARE TO BE SEED, SODDED, OR MULCHED WITHIN 7 DAYS OF REACHING FINAL GRADE.
2. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING "MISS UTILITY" @ 1-800-552-7001 72 HOURS PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL REPORT ANY ERRORS, OMISSIONS, CONFLICTS, OR DISCREPANCIES TO THE DEVELOPER FOR RESOLUTION BEFORE CONTINUING WITH THE WORK.
4. EROSIONS AND SEDIMENT CONTROL SHALL CONFORM TO THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO UTILITIES, PUBLIC OR PRIVATE, THAT MAY OCCUR AS A RESULT OF CONSTRUCTION ACTIVITIES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING WITH MATCHING MATERIALS, ANY PAVEMENT, DRIVEWAYS, SHOULDERS, WALKS, LAWNS, SHRUBS, DITCHES, ETC. THAT MAY BE CUT OR DAMAGED DURING OR AS A RESULT OF CONSTRUCTION ACTIVITIES.
7. CONTRACTOR IS RESPONSIBLE FOR INSTALLING ORANGE SAFETY FENCE AROUND LIMITS OF CONSTRUCTION
8. CONTRACTOR SHALL DETERMINE EXACT FINISH FLOOR ELEVATION AFTER.

**BUILDING SETBACKS (PER FORD'S COLONY)**

FRONT SETBACK: 15'  
 REAR SETBACK: 25' OR 25% OF LOT DEPTH, WHICH EVER IS GRATER  
 SIDE SETBACK: 10' AND 5'

**NOTES**

1. HOUSE DIMENSIONS SHOWN BASE ON INFORMATION PROVIDED BY OWNER. BUILDER SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
2. 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.
3. IN THE EVENT THE ARCHITECTURAL REVIEW COMMITTEE (ARC) SHALL DETERMINE THAT APPLICATION OF THE AFORESAID SETBACKS TO A PARTICULAR LOT WOULD UNREASONABLY LIMIT THE USE THEREOF BY THE OWNER AND EFFECTIVELY DEPRIVE HIM/HER OF AN APPROPRIATE CONSTRUCTION SITE, THE ARC SHALL GRANT A VARIANCE TO THE OWNER OF SAID LOT FROM THE PROVISIONS OF THESE SETBACK REQUIREMENTS.

**GENERAL NOTES**

1. A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM.
2. WETLANDS WERE LOCATED BY ROTH ENVIRONMENTAL.
3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
4. PARCEL LIES IN F.I.R.M. ZONE "X" ACCORDING TO COMMUNITY PANEL #51095C0117D, DATED DECEMBER 16, 2015.
5. LOT SERVED BY PUBLIC WATER AND SEWER.
6. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
7. ELEVATION AS SHOWN HEREON ARE IN FEET AND ARE CLOSELY RELATED TO JCC GIS.
8. DIMENSIONS SHOWN HEREON ARE TO THE FRAMLINE OF THE BUILDING.

**SURVEYORS CERTIFICATION**

THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY. ALL THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. LANDTECH RESOURCES, INC. HAS BEEN RETAINED AND PAID TO STAKE, AS A MINIMUM, THE BUILDING ENVELOPE & ANY DETACHED ACCESSORY STRUCTURE.

*Matthew H. Connolly*  
 MATTHEW H. CONNOLLY, L.S.

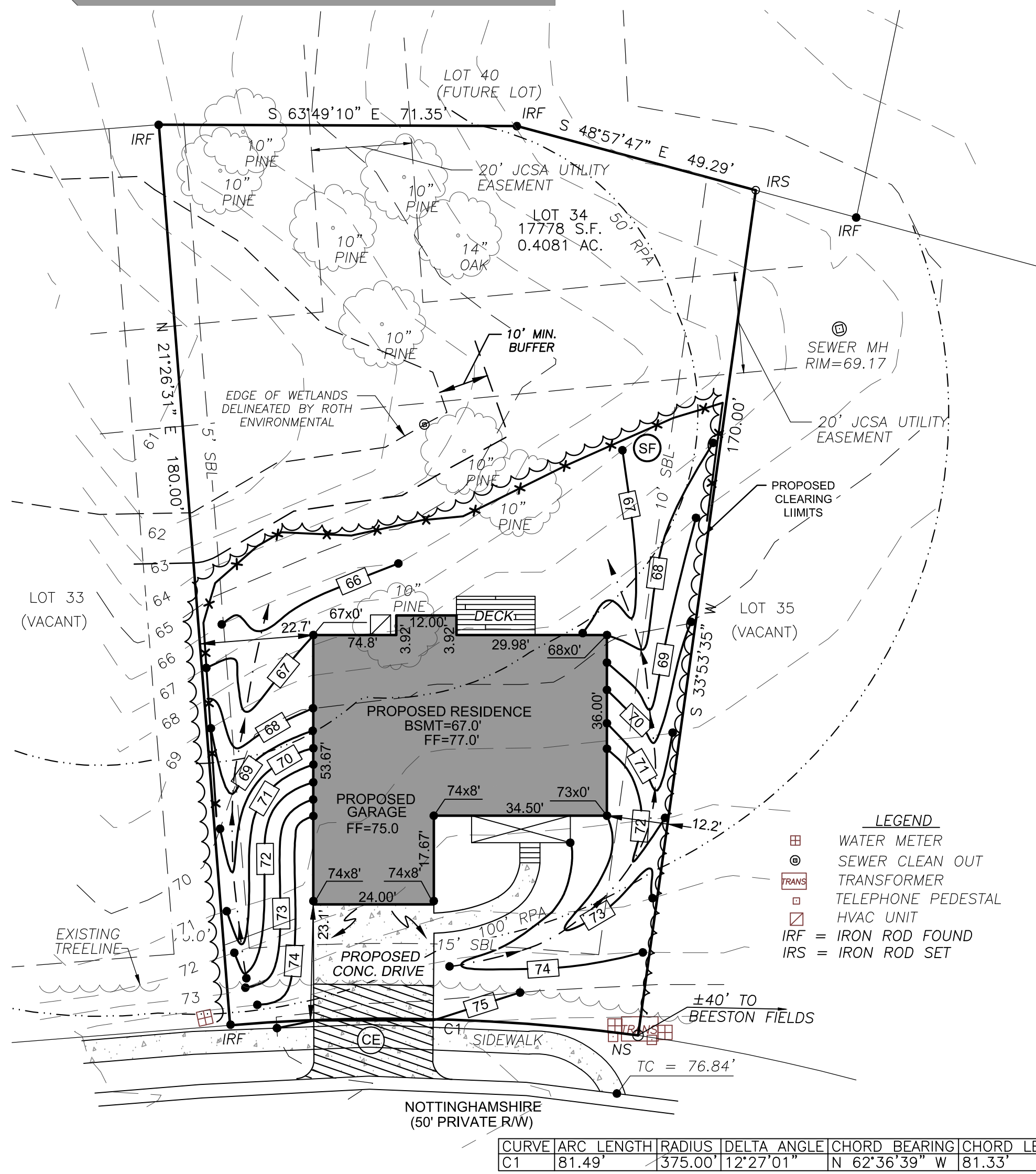
05/06/2016  
 DATE

RECORD MERIDIAN  
 P.B. 90, PG. 23-25

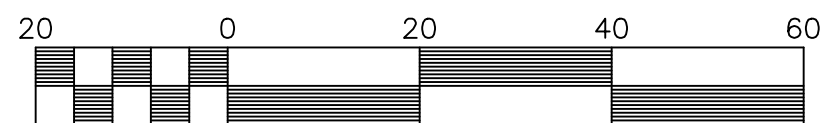
DRAINAGE CONTROL/IMPROVEMENTS SHALL BE INSTALLED IMMEDIATELY AFTER CLEARING. SUCH THAT NO DISTURBED AREA DRAINAGE FLOWS ONTO ADJACENT PROPERTIES. ( )

BEFORE CLEARING MARK TREES TO BE PRESERVED WITH PLASTIC TAPE TO BE REVIEWED AND APPROVED WITH THE ARC INSPECTOR.( )

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



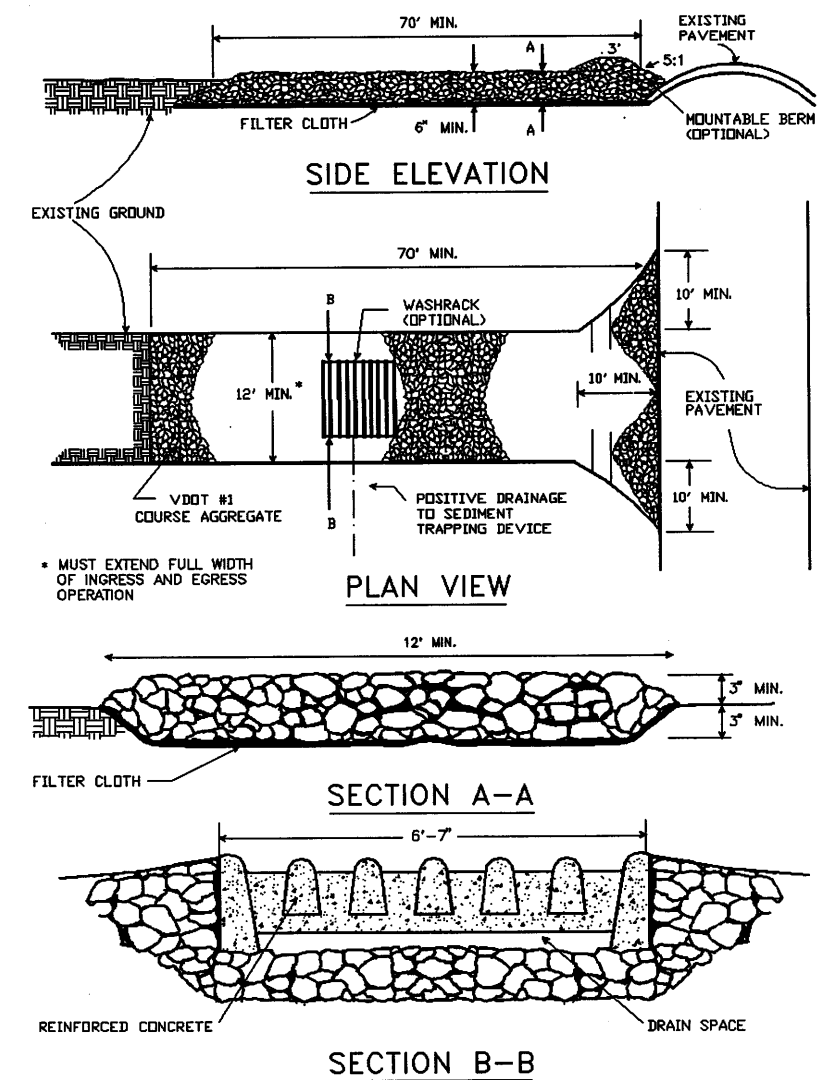
- LEGEND**
- ⊠ WATER METER
  - ⊙ SEWER CLEAN OUT
  - TRANS TRANSFORMER
  - TELEPHONE PEDESTAL
  - ⊠ HVAC UNIT
  - IRF = IRON ROD FOUND
  - IRS = IRON ROD SET



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	81.49'	375.00'	12°27'01"	N 62°36'39" W	81.33'

**SHEET 1 OF 2**

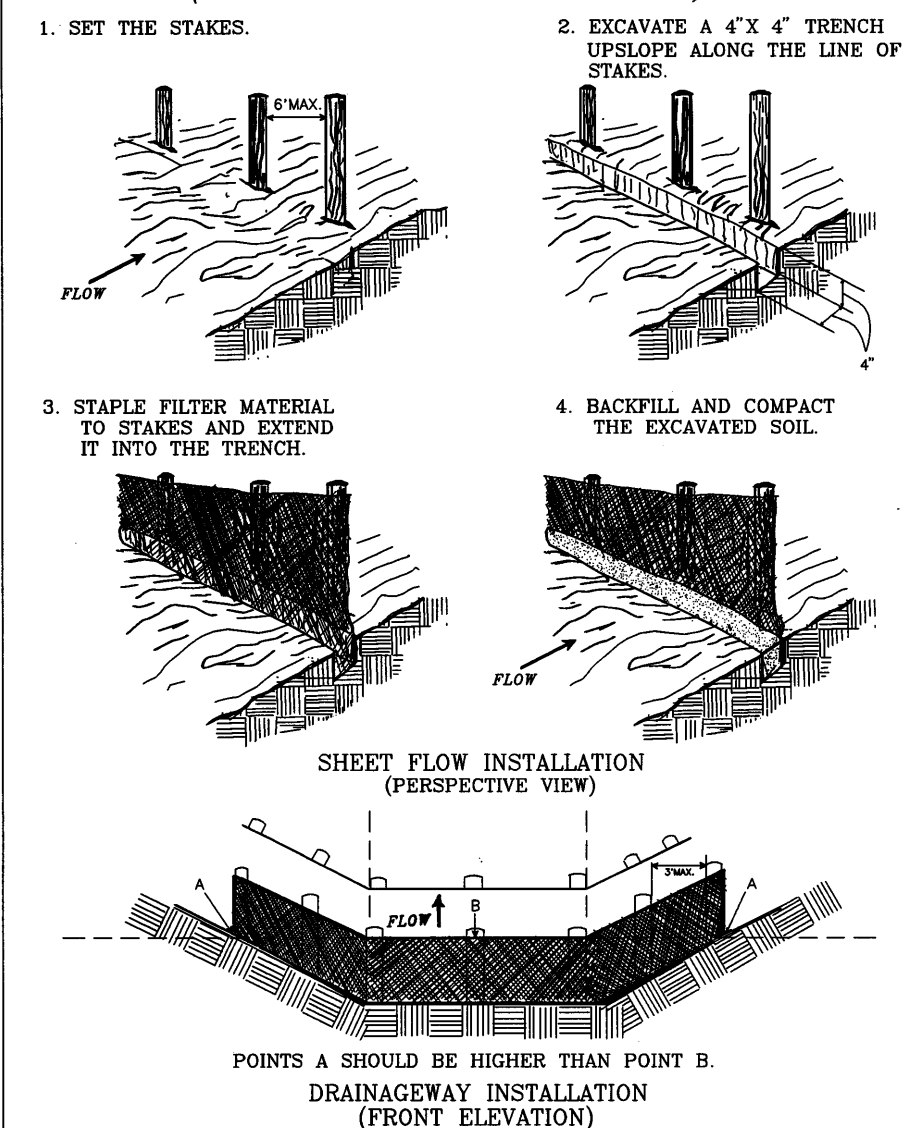
**STONE CONSTRUCTION ENTRANCE**



Source: Adapted from 1983 Maryland Standards for Soil Erosion and Sediment Control, and Va. DSWC

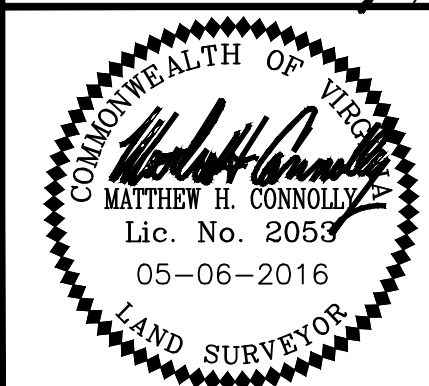
Plate 3.02-1

**CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)**



Source: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, Sherwood and Wyant

Plate 3.05-2



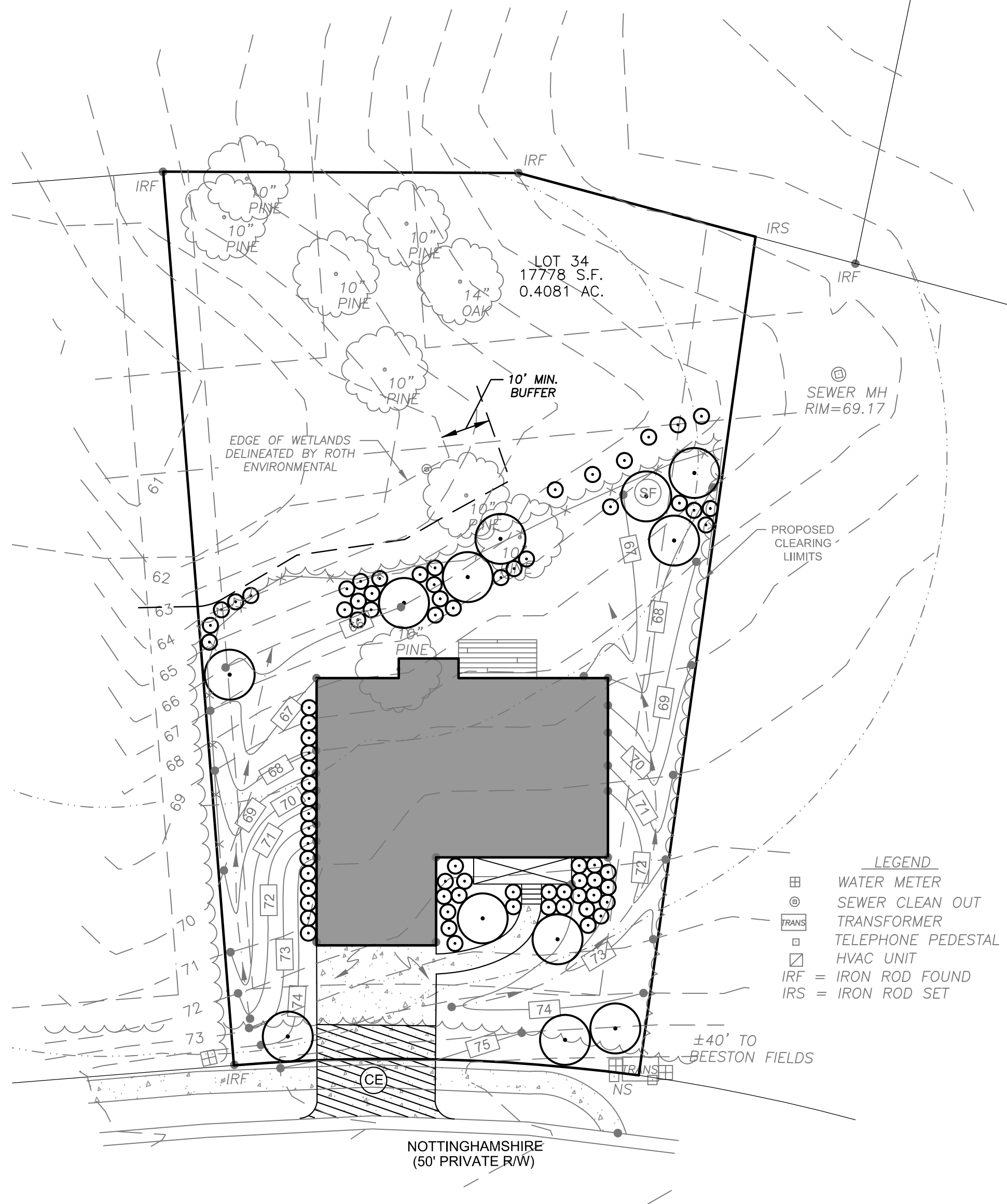
DATE: 05/06/2016  
 DRAWN BY: CG  
 PROJECT No. 16-040  
 FILE NAME: 16-040.DWG  
 REFERENCES:  
 P.B. 90, PG. 23-25

PLOT PLAN OF  
 LOT 34, SECTION 12, FORD'S COLONY  
 FOR  
 WALK-WRIGHT CONSTRUCTION  
 (GRADING & LAYOUT PLAN)  
 JAMES CITY COUNTY  
 VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE

**LRI**  
**LANDTECH**  
**RESOURCES, INC.**  
 ENGINEERING • SURVEYING • GPS  
 3925 Midlands Road, Williamsburg, VA 23188  
 Ph: (757) 565-1677 Fax: (757) 565-0782  
 web: landtechresources.com

RECORD MERIDIAN  
P.B. 90, PG. 23-25



**LEGEND**  
 [Symbol] WATER METER  
 [Symbol] SEWER CLEAN OUT  
 [Symbol] TRANSFORMER  
 [Symbol] TELEPHONE PEDESTAL  
 [Symbol] HVAC UNIT  
 IRF = IRON ROD FOUND  
 IRS = IRON ROD SET

**LEGEND**  
 IRF = IRON ROD FOUND  
 IRS = IRON ROD SET

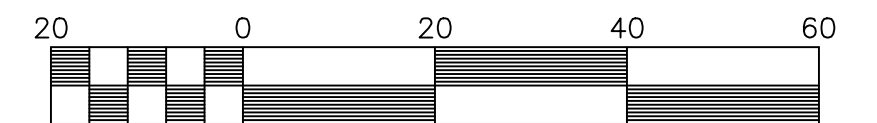
MITIGATION TABLE

MITIGATION MEASURE	QTY.(NEEDED)	QTY. (PROPOSED)
NATIVE CANOPY TREES	9	0
NATIVE UNDERSTORY TREES	18	12
NATIVE SHRUBS	27	75

2 SHRUBS PER UNDERSTORY TREE AND 4 SHRUBS PER CANOPY TREE

**LEGEND**

[Symbol] NATIVE SHRUB  
 [Symbol] NATIVE UNDERSTORY TREE



Scale: 1" = 20'

**SHEET 2 OF 2**



DATE: 05/06/2016  
 DRAWN BY: CG  
 PROJECT No. 16-040  
 FILE NAME: 16-040.dwg  
 REFERENCES:  
 P.B. 90, PG. 23-25

PLOT PLAN OF  
 LOT 34, SECTION 12, FORD'S COLONY  
 FOR  
 WALK-WRIGHT CONSTRUCTION  
 MITIGATION PLAN

JAMES CITY COUNTY

VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE

**LandTech Resources, Inc.**

Engineering • Surveying • GPS

3925 Midlands Road, Williamsburg, Virginia 23188

Telephone: 757-565-1677 Fax: 757-565-0782

Web: landtechresources.com



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY DECEMBER 13, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

W-11-18/VMRC 17-1754: Water's Edge Construction, on behalf of Mr. Brian Clare, has applied for a wetlands permit for beach nourishment at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-024: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-18-028: RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

CBE-18-030: Water's Edge Construction, on behalf of Mr. Brian Clare, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

CBE-18-032: Olsen Fine Homebuilding, on behalf of Mr. and Mrs. Stephen and Gaye Moth, has filed an exception request for encroachment into the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

CBE-18-038: Hertzler and George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachment into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

CBE-18-039: Williams Landscape Design, on behalf of Mr. and Mrs. Tom and Sheida White,

has filed an exception request for encroachment into the RPA buffer for construction of retaining walls and patios at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

CBE-18-040: Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

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 – November 29 and December 6, 2017.

ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



General Services  
Stormwater and Resource  
Protection Division  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Resource.Protection@jamescitycountyva.gov

November 22, 2017

RE: CBE-18-024  
116 Nottinghamshire  
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 Walk Wright Construction, LLC for encroachment into the Resource Protection Area (RPA) buffer associated with installation of a single family dwelling with deck. The project is located at 116 Nottinghamshire in the Ford's Colony subdivision. The property is further identified by James City County Real Estate as Parcel No. 3233100034.

A complete description, plan and other information are on file in the Stormwater 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, December 13, 2017 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

*Janice Petty*

Janice Petty  
Stormwater Assistant

cc: Walk Wright Construction

Mailing List for: CBE-18-024 – 116 Nottinghamshire – Walk Wright Construction- SFD with Deck

Owner: 3233100034 for 116 Nottinghamshire

Walk Wright Construction, LLC  
Attn: Mr. Larry Walk  
123 Hempstead Road  
Williamsburg, VA 23188-1520

3233100033 – 120 Nottinghamshire

Walk Wright Construction, LLC  
Attn: Mr. Larry Walk  
123 Hempstead Road  
Williamsburg, VA 23188-1520

3233100035 – 112 Nottinghamshire

Clark, Vivian Lovelace Zinn, Trustee  
4473 Greenwich Parkway NW  
Washington, DC 20007-2010

3233100059

Machinist, Benjamin A, Trustee & M Barbara, Trustee  
109 Nottinghamshire  
Williamsburg, VA 23188-3505

3233100001A- 170 Nottinghamshire

Fords Colony at Williamsburg Homeowners Association  
100 Manchester  
Williamsburg, VA 23188-7404

3233100040

Bartolotta, James F & Patricia R  
219 Oakmere Park  
Williamsburg, VA 23188-3507



**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-040 : 112 Constance Avenue

---

Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

**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	12/4/2017 - 1:59 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 2:20 PM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 2:23 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 4:13 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-040. 112 Constance Avenue  
Staff report for the December 13, 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.*

---

**EXISTING SITE DATA AND INFORMATION**

Applicant: John Haywood

Agent: Larry Walk, Walk Wright Construction

Location: 112 Constance Avenue

Tax Map/Parcel No.: 4730500025

Parcel: Lot 25, Section 1, Powhatan Shores

Lot Size: 0.49 acre

Area of Lot in Resource Protection Area (RPA): 0.25 acre +/- (51%)

Watershed: Powhatan Creek (HUC JL31)

Floodplain: Zone AE, special flood hazard, subject to 1% chance annual flood. Base elevation determined, 7.0 MSL  
Zone X shaded, subject to the 0.2% annual chance floodplain  
Panel 0182D

Proposed Activity: Construction of a single-family dwelling, deck, spa and pool

Impervious Cover: 3,475 square feet

RPA Encroachment: Landward 50-foot RPA buffer

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Larry Walk, Walk Wright Construction, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a single-family dwelling, deck, spa and pool on property located at 112 Constance Avenue within Section 1 of the Powhatan Shores subdivision and the Powhatan Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 4730500025. The parcel was platted in 1975, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The existing condition of this property is a moderately maintained grass field with a pier and bulkhead fronting on the canal system within the Powhatan Shores subdivision. The proposed house is located within 0.5 feet of the front setback and 2.3 feet of the side yard setback. The proposed house by itself would be an administrative review and approval because it only impacts the landward 50-foot buffer. The spa, pool and concrete pool deck are considered accessory structures and it is because of these items that the entire proposal is before the Board. The applicant is proposing the required nine mitigation units to compensate for the impacts. Staff would prefer

that the entire seaward 50-foot RPA buffer be restored with an allowance for a 5-foot-wide walkway to the existing pier.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a patio, walkway and retaining wall and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because there are accessory structures proposed. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

## **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 which meets 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-18-040 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 with the following conditions incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$4,000 will be required in a form acceptable to the County Attorney's office to guarantee the mitigation; and
3. This exception request approval shall become null and void if construction has not begun by December 13, 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.

MDW/nb  
CBE-18-040-112ConstanceAve

### Attachments:

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

## RESOLUTION

CASE NO. CBE-18-040. 112 CONSTANCE AVENUE

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. John Haywood (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 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. 4730500025 and further identified as 112 Constance Avenue in the Powhatan Shores subdivision (the “Property”) as set forth in the application CBE-18-040 for the purpose of constructing a single-family dwelling, deck, spa and pool; 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 \$4,000 will be required in a form acceptable to the County Attorney’s office to guarantee the mitigation and Turf Love program registration; and

- c. This exception request approval shall become null and void if construction has not begun by December 13, 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 13th day of December, 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: \_\_\_\_\_

CBE-18-040-112ConstanceAve-res

Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only CB Number CBE# 18-040

Submission Requirements: (Check all applicable)

- Checkboxes for submission requirements: A \$25 non-refundable processing fee, RPA - landward 50', RPA - seaward 50', Conservation Easement, Steep Slopes >= 25 percent, Attach plans, Applicable surety.

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

Property Owner Information:

Date: 11/1/2017

Name: John Haywood, John S Dawson, III Address: 112 Constance Ave Phone: 757-871-1147 Fax: Email: CHAYWOOD@THEWISC.COM

Contact (if different from above):

Name: Larry Walk (Walk Wright Construction) Phone: 757 592 6252 Email:

Project Information:

Project Address: 112 Constance Ave. Subdivision Name, Lot, and Section No.: Lot 25, Section 1, Powhatan Shores Parcel Identification No. or Tax Map No.: 4730500025 Date Lot was platted: December 12th 1975 Line or Bldg Permit No.:

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

- Checkboxes for activity location and impacts: Steep Slopes >= 25 percent, Conservation Easement, Trees to be Removed, RPA - Landward 50', RPA - Seaward 50', Proposed Impervious Cover.

Activity involves: (check all that apply)

- Checkboxes for activity involves: New principal structure construction, Permitted buffer modifications, Accessory (Detached) Structure or Patio, Other, Building addition to principal structure, Dead/diseased/dying tree removal, Invasive/noxious weed removal, Redevelopment, Attached Deck, Sightline, Access path/trail.

<p><b>For Office Use Only</b>                  CB Number <u>CPE# 18-040</u></p>
---

**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)*

~~The lot does not have enough area outside of the RPA to construct a residence. The impacts will remain outside of the seaward 50'.~~

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

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?  
\_\_\_\_\_

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

~~Plant Mitigation~~  
\_\_\_\_\_

**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**

<b><u>Impervious Area (SF)</u></b>	<b><u>Mitigation Required</u></b>	<b><u>Surety</u></b>
<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**

<p><b>For Office Use Only</b></p> <p>CB Number <u>CBE*18-040</u></p>
--

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

<input type="checkbox"/>	Number of native canopy trees _____
<input checked="" type="checkbox"/>	Number of native understory trees <u>6</u>
<input checked="" type="checkbox"/>	Number of native shrubs <u>87</u>
<input type="checkbox"/>	Square feet of native ground cover _____
<input checked="" type="checkbox"/>	Square feet of mulch <u>1,767</u>

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 checked="" 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 *James Paul Doreese* Date 11/1/17

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

Authorized Signature

For Office Use Only	<p><b>Surety Amount:</b> _____</p> <p><b>Date/Rec No.:</b> _____</p> <p><b>Fee Paid?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Amount:</b> <u>125.00</u></p> <p><b>Date/Rec No.:</b> <u>4/2/17 #3253</u></p>
---------------------	---



**GENERAL NOTES**

- 1) A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM.
- 2) WETLANDS, IF ANY, WERE NOT RESEARCHED OR LOCATED FOR THIS PLAT.
- 3) THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
- 4) PARCELS LIES PARTIALLY IN FLOOD ZONE AE & X ACCORDING TO F.I.R.M. MAP #51095C0182D EFFECTIVE DATE 12/16/2015.
- 5) LOT SERVED BY PUBLIC WATER AND SEWER
- 6) CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
- 7) ELEVATIONS AS SHOWN HEREON ARE IN FEET AND ARE RELATED TO THE JCC GIS.
- 8) RPA LINES SHOWN AS MEASURED FROM BULKHEAD.

**NOTE TO CONTRACTOR**

1. ALL DISTURBED AREAS ARE TO BE SEEDED, SODDED, OR MULCHED WITHIN 7 DAYS OF REACHING FINAL GRADE.
2. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING "MISS UTILITY" @ 1-800-552-7001 72 HOURS PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL REPORT ANY ERRORS, OMISSIONS, CONFLICTS, OR DISCREPANCIES TO THE DEVELOPER FOR RESOLUTION BEFORE CONTINUING WITH THE WORK.
4. EROSION AND SEDIMENT CONTROL SHALL CONFORM TO THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO UTILITIES, PUBLIC OF PRIVATE, THAT MAY OCCUR AS A RESULT OF CONSTRUCTION ACTIVITIES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING WITH MATCHING MATERIALS ANY PAVEMENT, DRIVEWAYS, SHOULDERS, WALKS, LAWNS, SHRUBS, DITCHES, ETC. THAT MAY BE CUT OR DAMAGED DURING OR AS A RESULT OF CONSTRUCTION ACTIVITIES.
7. CONTRACTOR IS RESPONSIBLE FOR INSTALLING ORANGE SAFETY FENCE AROUND LIMITS OF CONSTRUCTION.

**BUILDING INFORMATION**

PROPOSED RESIDENCE IS 1 STORY.  
PROPOSED GARAGE IS COURT YARD LOADING.

**SITE INFORMATION**

TOTAL AREA: 21,230 SF. / 0.487 Ac.  
PARCEL ID: 4730500025  
EXISTING SITE IS OPEN  
ZONING DISTRICT: R1  
EXISTING ADDRESS:  
112 CONSTANCE AVE.  
JAMES CITY COUNTY, VA

**BUILDING SETBACKS (P.B. 33/28)**

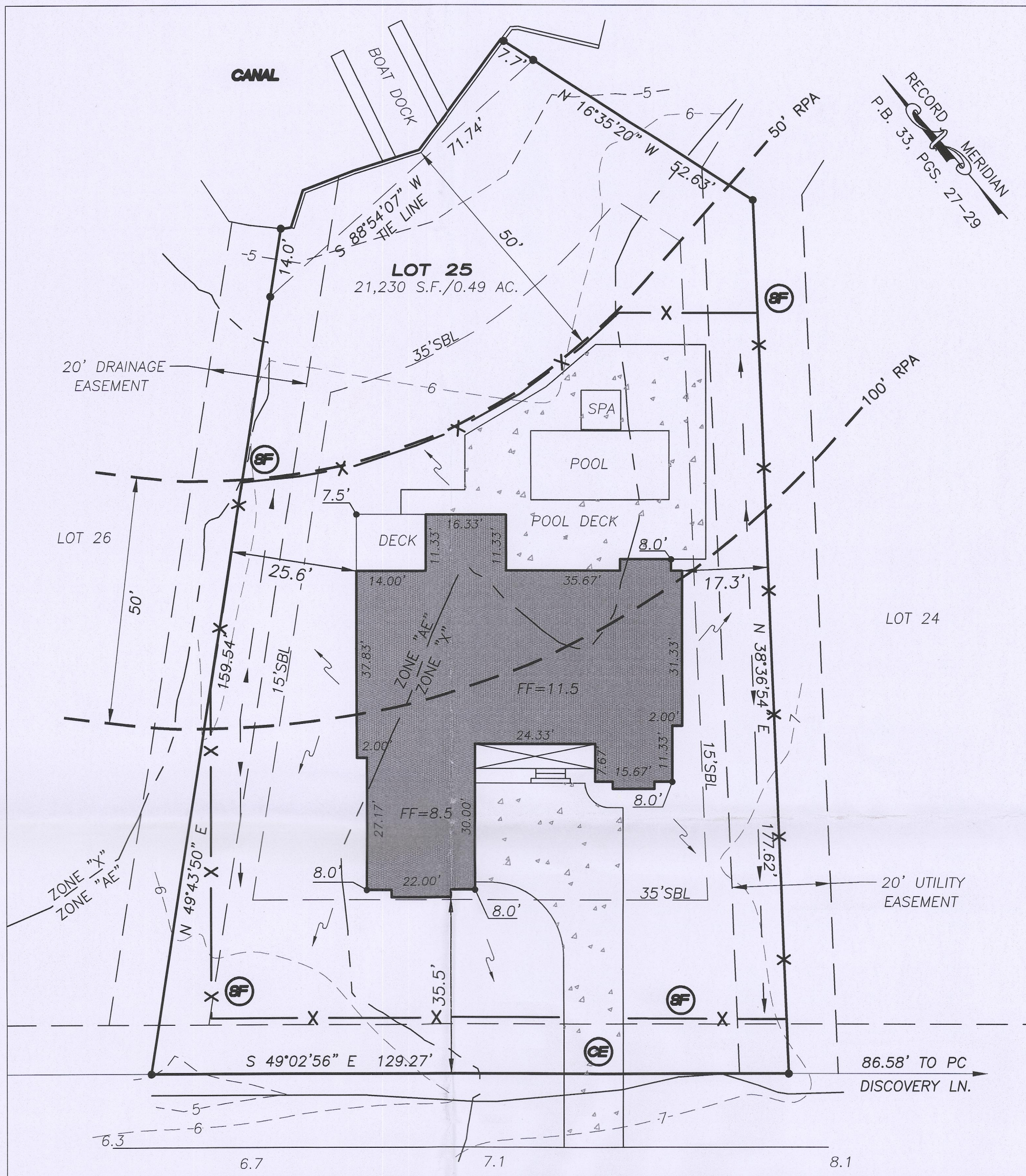
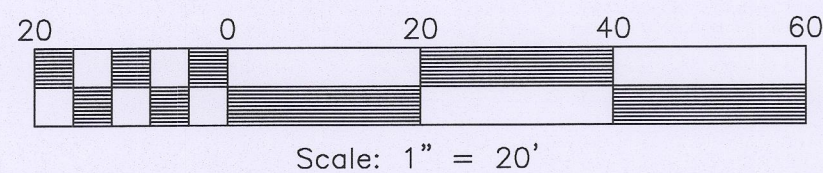
FRONT SETBACK: 35'  
REAR SETBACK: 35'  
SIDE SETBACK: 15'

**LAND DISTURBANCE**

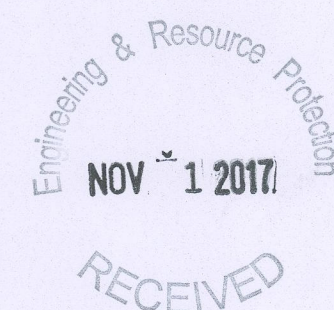
IMPERVIOUS IN RPA = 3,471 S.F./0.08 AC.  
TOTAL IMPERVIOUS = 6,628 S.F./0.15 AC.  
TOTAL LAND DISTURBANCE = 12,884 S.F./0.29 AC.

**LEGEND**

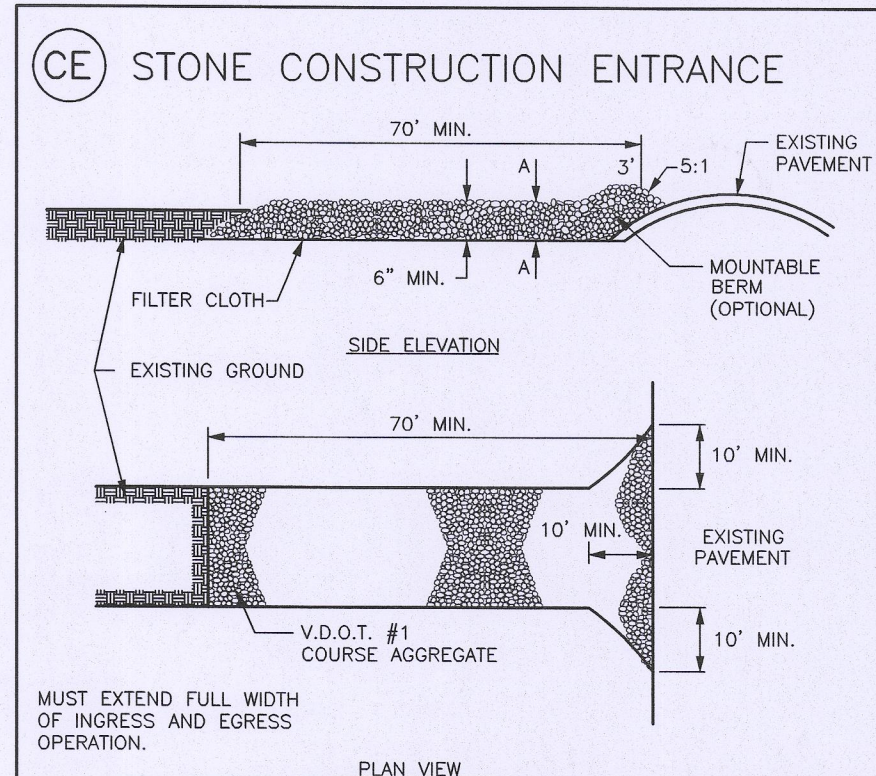
- ⊙ CLEANOUT
- ⊕ CABLE PEDESTAL
- ⊞ ELECTRIC PEDESTAL
- ⊞ PROPOSED HVAC
- ⊞ TELEPHONE PEDESTAL
- ⊞ WATER METER
- IRF = IRON ROD FOUND
- IRS = IRON ROD SET



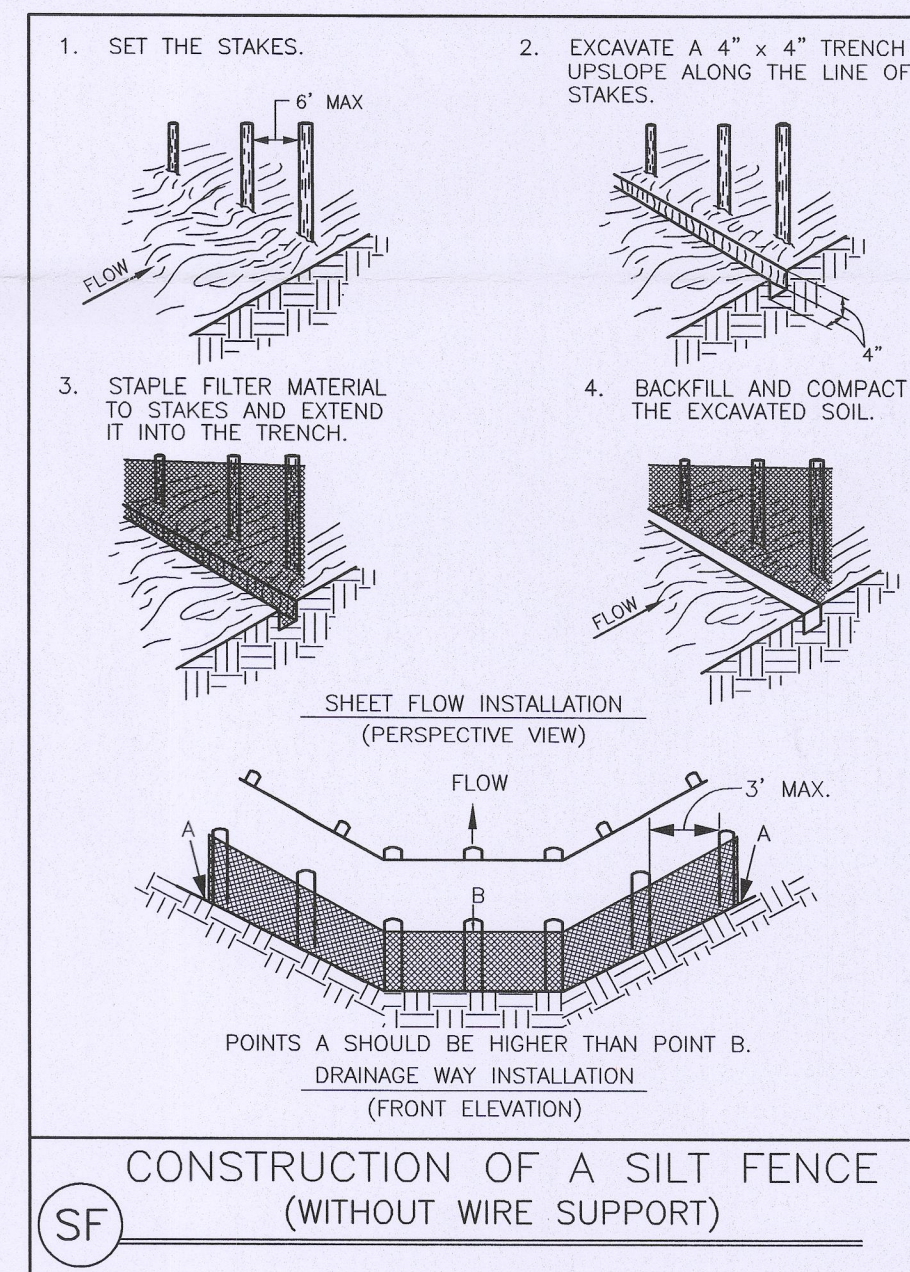
**CONSTANCE AVENUE  
(50' R/W)**



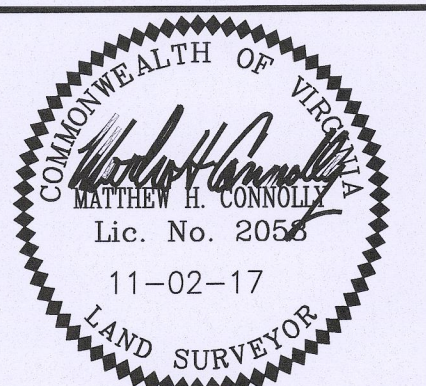
**EROSION CONTROL NOTE:**  
UPON REMOVAL OF ALL EROSION AND SEDIMENT CONTROL ITEMS, ALL TRAPPED/CONTAINED SEDIMENT SHALL BE REMOVED FROM LOT AND PROPERLY DISPOSED OF. ROADSIDE DITCH AND, IF APPLICABLE, OUTFALL DITCHES, SHALL BE CLEANED OF SEDIMENT/OR CONSTRUCTION DEBRIS ON A REGULAR BASIS DURING CONSTRUCTION.



**CE** PROVIDE STONE CONSTRUCTION ENTRANCE DURING CONSTRUCTION. CONTRACTOR RESPONSIBLE FOR KEEPING STREET FREE OF MUD AND DEBRIS ADJACENT TO PROPOSED DRIVEWAY



**CONSTRUCTION OF A SILT FENCE  
(WITHOUT WIRE SUPPORT)**



DATE: 11-02-2017  
DRAWN BY: MHC  
PROJECT No. 17-555  
FILE NAME: 17-555.DWG  
REFERENCES:  
P.B. 33, PG 27-29

PLOT PLAN OF  
**LOT 25, SECTION 1, POWHATAN SHORES**  
FOR  
**WALK WRIGHT CONSTRUCTION  
(HAYWOOD RESIDENCE)**  
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE

**LandTech Resources, Inc.**  
Surveying • GPS • Engineering  
3925 Midlands Road, Williamsburg, Virginia 23188  
Telephone: 757-565-1677 Fax: 757-565-0782  
Web: landtechresources.com

**LANDSCAPING NOTES**

- SPECIES OF PLANTS TO BE COORDINATED WITH THE JAMES CITY COUNTY ENGINEERING AND RESOURCE PROTECTION DIVISION.

IMPERVIOUS IN RPA  $\frac{3,471 \text{ SQ. FT.}}{400 \text{ SQ. FT.}} = 9 \text{ MITIGATION UNITS}$

MITIGATION TABLE		
MITIGATION MEASURE	REQUIRED	PROVIDED
MULCH AREAS	N/A	1,767 S.F.
NATIVE SHRUBS	27	87
NATIVE UNDERSTORY TREES	18	6
NATIVE CANOPY TREES	9	0

2 SHRUBS PER UNDERSTORY TREE AND 4 SHRUBS PER CANOPY TREE.

**BUILDING INFORMATION**

PROPOSED RESIDENCE IS 1 STORY.  
PROPOSED GARAGE IS COURT YARD LOADING.

**SITE INFORMATION**

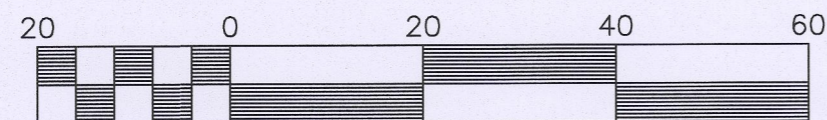
TOTAL AREA: 21,230 SF. / 0.487 Ac.  
PARCEL ID: 4730500025  
EXISTING SITE IS OPEN  
ZONING DISTRICT: R1  
EXISTING ADDRESS:  
112 CONSTANCE AVE.  
JAMES CITY COUNTY, VA

**LAND DISTURBANCE**

IMPERVIOUS IN RPA = 3,471 S.F./0.08 AC.  
TOTAL IMPERVIOUS = 6,628 S.F./0.15 AC.  
TOTAL LAND DISTURBANCE = 12,884 S.F./0.29 AC.

**LEGEND**

- ⊙ CLEANOUT
- ⊕ CABLE PEDESTAL
- ⊞ ELECTRIC PEDESTAL
- ⊞ PROPOSED HVAC
- TELEPHONE PEDESTAL
- ⊞ WATER METER
- IRF = IRON ROD FOUND
- IRS = IRON ROD SET



2 OF 2

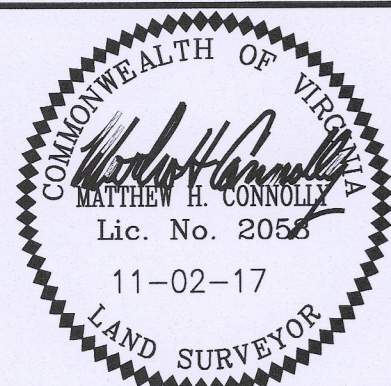


**CONSTANCE AVENUE**  
(50' R/W)

**MITIGATION LEGEND**

- AREAS TO BE MULCHED
- NATIVE SHRUB
- NATIVE UNDERSTORY TREE

Engineering & Resource Protection  
NOV 1 2017  
RECEIVED



DATE: 11-02-2017  
DRAWN BY: MHC  
PROJECT No. 17-555  
FILE NAME: 17-555.DWG  
REFERENCES:  
P.B. 33, PG. 27-29

MITIGATION PLAN  
**LOT 25, SECTION 1, POWHATAN SHORES**  
FOR  
**WALK WRIGHT CONSTRUCTION**  
**(HAYWOOD RESIDENCE)**  
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE

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Telephone: 757-565-1677 Fax: 757-565-0782  
Web: landtechresources.com



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY DECEMBER 13, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

W-11-18/VMRC 17-1754: Water's Edge Construction, on behalf of Mr. Brian Clare, has applied for a wetlands permit for beach nourishment at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-024: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-18-028: RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

CBE-18-030: Water's Edge Construction, on behalf of Mr. Brian Clare, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

CBE-18-032: Olsen Fine Homebuilding, on behalf of Mr. and Mrs. Stephen and Gaye Moth, has filed an exception request for encroachment into the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

CBE-18-038: Hertzler and George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachment into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

CBE-18-039: Williams Landscape Design, on behalf of Mr. and Mrs. Tom and Sheida White,

has filed an exception request for encroachment into the RPA buffer for construction of retaining walls and patios at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

CBE-18-040: Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

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 – November 29 and December 6, 2017.

ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



General Services  
Stormwater and Resource  
Protection Division  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Resource.Protection@jamescitycountyva.gov

November 22, 2017

RE: CBE-18-040  
112 Constance Avenue  
Single Family Dwelling

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 John Haywood for encroachment into the Resource Protection Area (RPA) buffer associated with installation of a single family residence, deck, spa and pool. The project is located at 112 Constance Avenue in the Powhatan Shores subdivision. The property is further identified by James City County Real Estate as Parcel No 4730500025.

A complete description, plan and other information are on file in the Stormwater 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, December 13, 2017 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

*Janice Petty*

Janice Petty  
Stormwater Assistant

cc: Haywood, John  
Walk Wright Construction, Larry Walk



Mailing List for: CBE-18-040 – 112 Constance Avenue – Haywood & Walkwright Construction – SFD

Owner: 4730500025

Dawson, John S, III & Deborah J (TO CHANGE TO NEW OWNER: Haywood, John)  
129 Branscome Boulevard  
Williamsburg, VA 23185-3115

Walk Wright Construction  
Attn: Mr. Larry Walk  
132 South Turnberry  
Williamsburg, VA 23188-8924

4730500024

Noble, Mark R & Noble, Mark E  
100 Discovery Lane  
Williamsburg, VA 23185-3105

4730500026

Smith, Stephen T & Jessica D  
114 Constance Avenue  
Williamsburg, VA 23185-3145

4732500002 - 115 Constance Avenue

Burris, Bryan D & Barbara R  
109 Melvins End  
Yorktown, VA 23693-2566

4730500026

Decamp, Philip D, Trustee  
105 Constance Avenue  
Williamsburg, VA 23185-3102

4730500001

Insley, Peter Sherwood & D'Andrea E  
104 Constance Avenue  
Williamsburg, VA 23185-3103

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-032 : 38 Ensigne Spence

---

Olsen Fine Homebuilding, on behalf of Stephen and Gaye Moth, has filed an exception request for encroachment in the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Water Quality Impact Assessment	Backup Material
☐	Site 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	12/3/2017 - 4:17 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:10 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:16 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:21 PM



**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-032. 38 Ensigne Spence  
Staff report for the December 13, 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.*

---

**EXISTING SITE DATA AND INFORMATION**

Applicants: Stephen and Gaye Moth

Agent: Beverly Olsen, Olsen Fine Homebuilding

Location: 38 Ensigne Spence

Tax Map/Parcel No.: 5021100015

Parcel: Lot 15, Section1, Hampton Key, Kingsmill

Lot Size: 0.98 acre

Area of Lot in Resource Protection Area (RPA): 0.78 acre +/- (80%)

Watershed: College Creek (HUC JL34)

Floodplain: Zone X, determined to be outside the 0.2% annual chance floodplain Panel 0206D

Proposed Activity: Construction of a deck and step access to water (Kingsmill Pond)

Impervious Cover: 300 square feet proposed

RPA Encroachment: 50-foot seaward RPA buffer

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Ms. Beverly Olsen, Olsen Fine Homebuilding, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a deck and steps to access the water at Kingsmill Pond on property located at 38 Ensigne Spence within the Hampton Key section of the Kingsmill subdivision and the College Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 5021100015. The parcel was platted in 1974, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The home that was recently constructed received an administrative exception for impacts to the RPA under CBE-17-034. All mitigation required for that construction has been completed, reviewed by staff and the project closed out. The impervious area for this application is slightly less than 300 square feet. The deck is being placed in an area that has historically been damaged by beaver. No mature vegetation is being proposed to be removed. The mitigation requirements for the amount of impervious cover will be six shrubs. To date, a mitigation plan has not been submitted. Staff requests a \$250 surety to guarantee the mitigation.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a deck and step access to the water and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the deck is an accessory structure in the RPA buffer. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

## **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 which meets 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-18-032 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 with the following conditions incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$250 will be required in a form acceptable to the County Attorney's office to guarantee the mitigation; and
3. This exception request approval shall become null and void if construction has not begun by December 13, 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.

MDW/nb  
CBE18-032-38EnsigneS

### Attachments:

1. Resolution
2. Water Quality Impact Assessment Package
3. Site Plan

## RESOLUTION

CASE NO. CBE-18-032. 38 ENSIGNE SPENCE

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Stephen and Gaye Moth (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 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. 5021100015 and further identified as 38 Ensigne Spence in the Kingsmill subdivision (the “Property”) as set forth in the application CBE-18-032 for the purpose of constructing a deck and step access to the water; 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 \$250 will be required in a form acceptable to the County Attorney’s office to guarantee the mitigation; and

- c. This exception request approval shall become null and void if construction has not begun by December 13, 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 13th day of December, 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: \_\_\_\_\_

CBE18-032-38EnsigneS-res



# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only  
CPE #18-032  
CB Number

**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: 09/15/2017

Name: Stephen and Gaye Motu  
 Address: 3608 Neal Court, Williamsburg, VA 23185  
 Phone: 1-757-389-1640 Fax: N/A Email: gaye.motu@longandfoster.com  
stephen.motu@tc.com

**Contact (if different from above):**

Name: Beverly Olsen, President - Olsen Phone: 757-784-0799  
Fine Homebuilding Email: olsenfinehomebuilding@cox.net

**Project Information:**

Project Address: 38 Ensigne Spence  
 Subdivision Name, Lot, and Section No.: Kingsmill, 15, Hampton Key  
 Parcel Identification No. or Tax Map No.: 5021100015  
 Date Lot was platted: 09/26/2016 Line or Bldg Permit No.: B17-0247  
 Approved: 12/02/2016

**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 checked="" type="checkbox"/> RPA - Seaward 50' <u>192</u> (SF)         |
| <input checked="" type="checkbox"/> Trees to be Removed <u>Less than</u> (#)<br><u>(5)</u> | <input checked="" type="checkbox"/> Proposed Impervious Cover <u>192</u> (SF) |

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

- |   |  |   |
|---|--|---|
| <input 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 checked="" 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 checked="" type="checkbox"/> Access path/trail |
| <input type="checkbox"/> Other: _____                                       | <input type="checkbox"/> Redevelopment: _____                        |   |

For Office Use Only <i>CB# 18-032</i> 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)*

*The Motu's desire a small area to seat friends + family nearest to Kingsmill Pond with access for canoe/kayak drop-in. Located at top of slope nearest to roughly 50' off principle structure; proposed 12' x 16' wood deck will have finished floor = 26.0 with steps to waters edge.*

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

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?

*This 12x16 wood deck provides best line of sight of entire Kingsmill Pond with the least impact to natural surrounding area. The deck cannot be relocated and achieve the desired goal without substantial impacts to natural cover.*

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

*There will be a deck in the aforementioned area but area under + around will be left as natural cover. The primary intention is limited disruption. Homeowners are willing to add to current mitigation plan at primary residence to reduce further impact.*

**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**  
*Case 18-032*  
 CB Number \_\_\_\_\_

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

- Number of native canopy trees \_\_\_\_\_
- Number of native understory trees \_\_\_\_\_
- Number of native shrubs \_\_\_\_\_ *See Attached*
- Square feet of native ground cover \_\_\_\_\_ *Landscaping Plan*
- Square feet of mulch \_\_\_\_\_

B. Best Management Practices (BMPs) *AREA UNDER DECK UNDISTURBED*

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

**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 *[Signature]* Date *7/27/17*

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: <i>25.00</i> Date/Rec No.: <i>10/5/17 # 3238</i>
---------------------	---

**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).



- General Notes:
- Boundary, easements and setback information as shown was taken from record plat. Other easements and/or encumbrances may exist. Topography, as shown, is based upon a current field survey. No underground utilities have been located with the exception of visible structures which may be shown. Contractor to contact "Miss Utility" prior to any land disturbance.
  - House dimensions are based upon information supplied by the owner and/or builder. Contractor shall verify all dimensions, alignments and provisions shown hereon prior to beginning construction.
  - All trees may be removed within the clearing limits shown hereon.
  - Silt fence to be provided on downslope side of all disturbed areas.
  - Contractor to provide standard V.D.O.T. coarse aggregate #1 stone construction entrance and 15" RCP unless shown otherwise.
  - The licensed surveyor shown hereon shall not be considered as the "Responsible Land Disturber".

I HEREBY CERTIFY THAT THIS PLAT IS BASED UPON A CURRENT FIELD SURVEY. ALL ELEVATIONS ARE RELATIVE TO THE BENCHMARK SHOWN.

*A.P. Sebert* 09/26/2016  
A.D. SEBERT, L.S.

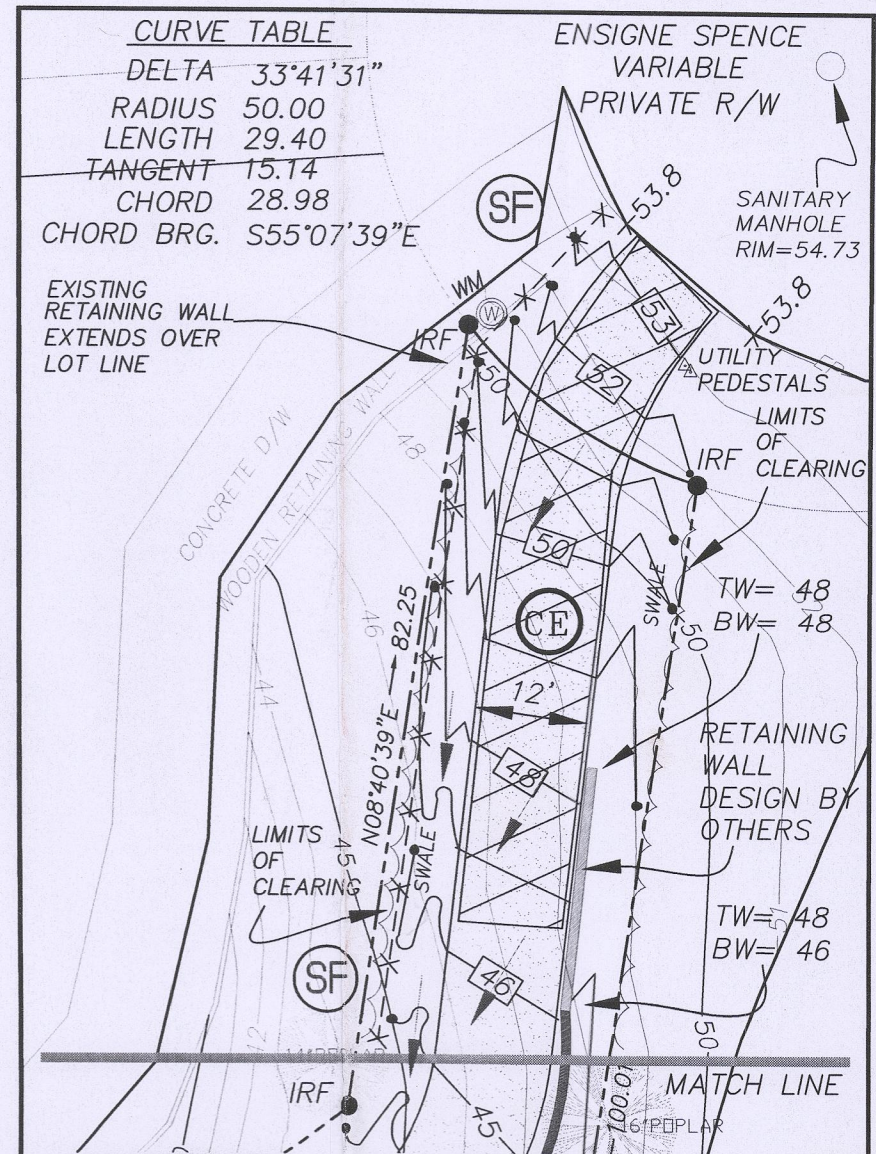
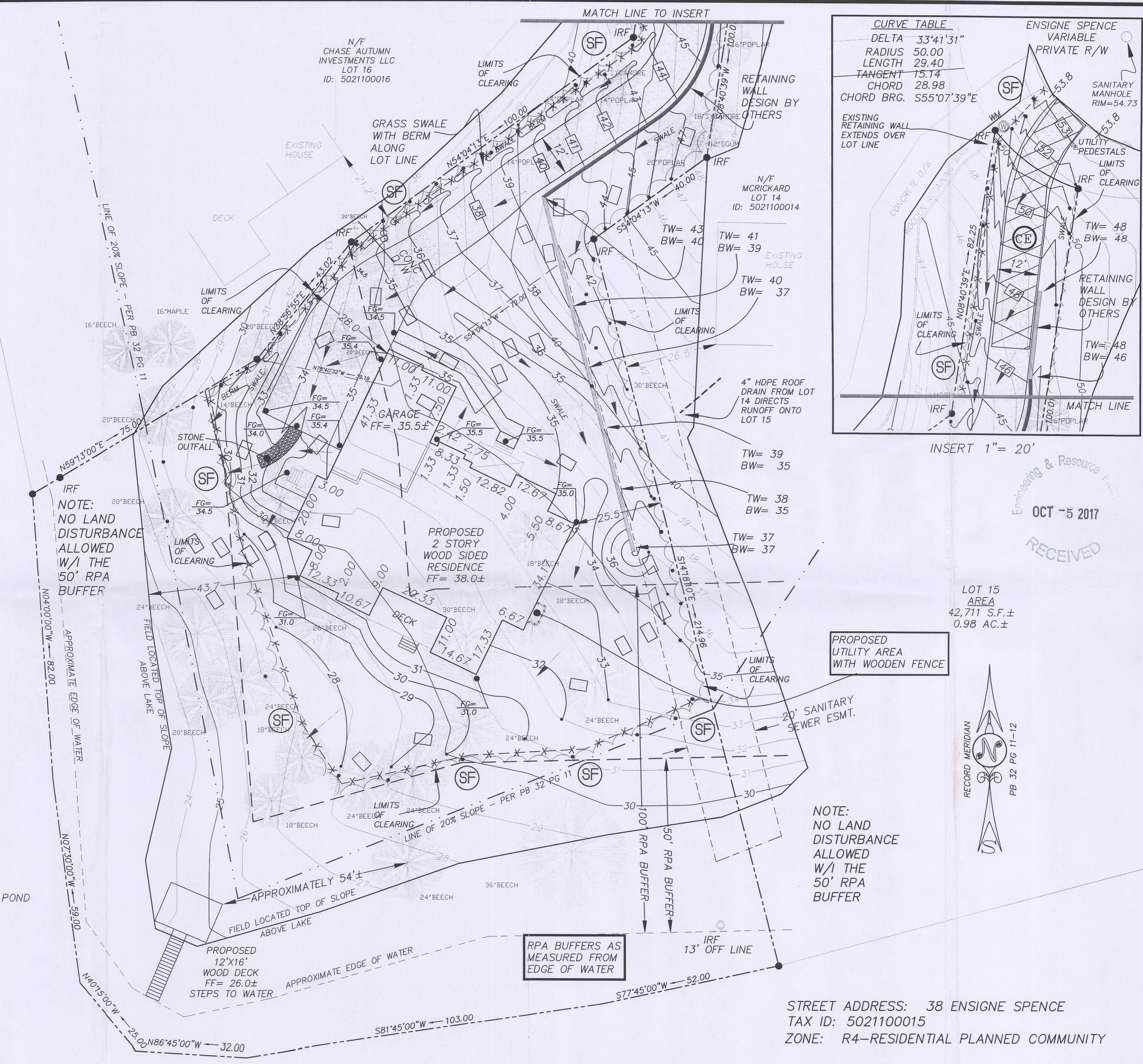
NOTE: CONTRACTOR TO VERIFY ALL BUILDING DIMENSIONS PRIOR TO BEGINNING CONSTRUCTION. (DIMENSIONS ARE SHOWN TO BRICK LINE)

NOTE: ALL DISTURBED AREAS ARE TO BE SEEDED, SODDED OR MULCHED WITHIN 7 DAYS OF REACHING FINAL GRADE.

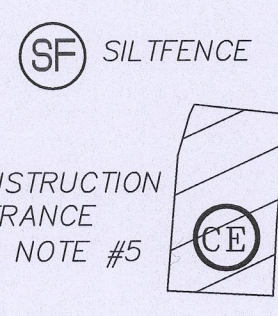
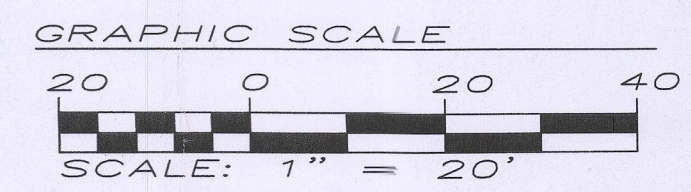
NOTE: DRAINAGE CONTROL AND/OR IMPROVEMENTS SHALL BE INSTALLED IMMEDIATELY AFTER CLEARING, SUCH THAT NO DISTURBED AREA DRAINAGE FLOWS ONTO ADJACENT PROPERTIES.

IN THE EVENT THAT THE ARCHITECTURAL REVIEW BOARD SHALL DETERMINE THAT APPLICATION OF THE AFORESAID SETBACKS TO A PARTICULAR LOT WOULD UNREASONABLY LIMIT THE USE THEREOF BY THE OWNER AND EFFECTIVELY DEPRIVE HIM OF AN APPROPRIATE CONSTRUCTION SITE, THE ARCHITECTURAL REVIEW BOARD MAY GRANT A VARIANCE TO THE OWNER OF SAID LOT FROM THE PROVISIONS OF THESE SETBACK REQUIREMENTS.

CONTRACTOR RESPONSIBLE FOR KEEPING ENSIGNE SPENCE FREE OF MUD AND DEBRIS

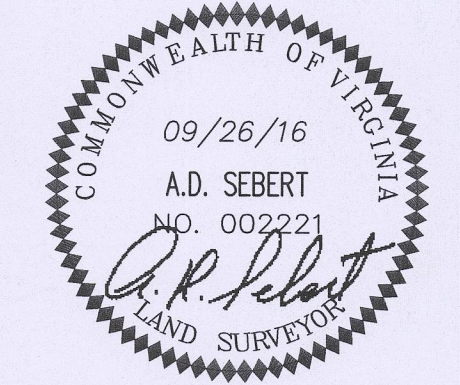


Engineering & Resource  
OCT -5 2017  
RECEIVED



# SEBERT SURVEYING & LAYOUT, LLC

173 BARLOW ROAD  
WILLIAMSBURG, VA  
PHONE 345-0931  
sebertsurveying@cox.net



LEGEND:

N/F	NOW OR FORMERLY
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS	IRON ROD SET
BSL	BUILDING SETBACK LINE
R/W	RIGHT-OF-WAY
SMH	SANITARY MANHOLE
CO	SANITARY CLEANOUT
WM	WATER METER
WV	WATER VALVE
X 98.2	EXISTING SPOT ELEVATION
● 98.2	PROPOSED SPOT ELEVATION

RESIDENTIAL SITE PLAN  
LOT 15, HAMPTON KEY  
KINGSMILL ON THE JAMES  
MOTH RESIDENCE  
PREPARED FOR  
OLSEN FINE HOMEBUILDING

VIRGINIA  
JAMES CITY COUNTY  
ROBERTS DISTRICT

REVISIONS

1	MOVED HOUSE REVISED GRADING REVISED RET WALL	10/1/16
2	ADDED TIES	10/26/16
3	ADDED DECK	09/01/17

DESIGNED BY: ADS  
DATE: 09/26/2016  
SCALE: 1" = 30'

PROJECT NO. J502-2  
DRAWING NO.  
1 OF 1



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY DECEMBER 13, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

W-11-18/VMRC 17-1754: Water's Edge Construction, on behalf of Mr. Brian Clare, has applied for a wetlands permit for beach nourishment at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-024: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-18-028: RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

CBE-18-030: Water's Edge Construction, on behalf of Mr. Brian Clare, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

CBE-18-032: Olsen Fine Homebuilding, on behalf of Mr. and Mrs. Stephen and Gaye Moth, has filed an exception request for encroachment into the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

CBE-18-038: Hertzler and George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachment into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

CBE-18-039: Williams Landscape Design, on behalf of Mr. and Mrs. Tom and Sheida White,

has filed an exception request for encroachment into the RPA buffer for construction of retaining walls and patios at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

CBE-18-040: Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

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 – November 29 and December 6, 2017.

ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



General Services  
Stormwater and Resource  
Protection Division  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Resource.Protection@jamescitycountyva.gov

November 22, 2017

RE: CBE-18-032  
38 Ensigne Spence  
Accessory Structure

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. Stephen Moth and Mrs. Gaye Moth for encroachment into the Resource Protection Area (RPA) buffer associated with installation of an accessory structure. The project is located at 38 Ensigne Spence in the Kingsmill subdivision. The property is further identified by James City County Real Estate as Parcel No 5021100015.

A complete description, plan and other information are on file in the Stormwater 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, December 13, 2017 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

*Janice Petty*

Janice Petty  
Stormwater Assistant

cc: Moth, Gaye & Stephen  
Olsen Fine Homebuilding, LLC, Beverly Olsen and Simon Olsen

Mailing List for: CBE-18-032 – 38 Ensigne Spence – Moth & Olsen Fine Homebuilding – Accessory Structure

Owner: 5021100015

Moth, Stephen A & Gaye  
3508 Neal Court  
Williamsburg, VA 23185-8409

Olsen Fine Homebuilding  
Attn: Beverly Olsen & Olsen, Simon  
209 Castlerock  
Williamsburg, VA 23188-8930

5021100014

McRickard, Francis J, Jr., Trustee  
36 Ensigne Spence  
Williamsburg, VA 23185-5561

5021100016 for 35 Ensigne Spence

Chase Autumn Investments, LLC  
48 Hillwood Road  
Mobile, AL 36608-2310

5030200134

Bost, Stephen A & Dee A  
144 Macaulay Road  
Williamsburg, VA 23185-5554

5030200136 for 141 Macaulay Road

Morelli, Carrie P & Gerard J  
2273 Lake Powell Road  
Williamsburg, VA 23185-3116

5040300017

Malone, Linda A  
17 Whittakers Mill Road  
Williamsburg, VA 23185-5534

5040300017

Cherry, Thomas Franklin & Amy Shoemaker  
18 Whittakers Mill Road  
Williamsburg, VA 23185-5534

5010100010

Kingsmill Community Service Association  
P.O. Box 348  
Williamsburg, VA 23187-0348



**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-039 : 109 Mahogany Run

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Williams Landscape and Design, on behalf of Tom and Sheida White, has filed an exception request for encroachment into the RPA buffer for construction of patios and retaining walls at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Water Quality Impact Assessment	Backup Material
☐	Site Plan	Backup Material
☐	Retaining Wall Design	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	12/3/2017 - 4:17 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:10 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:19 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:22 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-039. 109 Mahogany Run  
Staff report for the December 13, 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: Tom and Sheida White

Agent: Robert Root, Williams Landscape and Design, Inc.

Location: 109 Mahogany Run

Tax Map/Parcel No.: 3131000010

Parcel: Lot 10, Section 18, Ford's Colony

Lot Size: 0.56 acre

Area of Lot in Resource Protection Area (RPA): 0.34 acre +/- (61%)

Watershed: Powhatan Creek, sub-watershed 204 (HUC JL31)

Floodplain: Zone X, determined to be outside the 0.2% annual chance floodplain Panel 0116D

Proposed Activity: Construction of a retaining wall

Impervious Cover: 100 square feet proposed

RPA Encroachment: 50-foot landward RPA buffer

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Robert Root, Williams Landscape and Design, Inc., has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a retaining wall on property located at 109 Mahogany Run within Section 18 of the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 3131000010. The parcel was platted in 1996, prior to the re-adoption of the Chesapeake Bay Preservation Ordinance in 2004.

The home that recently was constructed received an administrative exception for impacts to the RPA under CBE-17-022. At that time, it was agreed to allow the home construction to begin with a surety in place to guarantee the mitigation component. The impervious area allowed for the house is 1,682 square feet. The impervious area requested with this application is 100 additional square feet. Therefore, the total impervious cover that needs to be mitigated for is 1,782 square feet, or five mitigation units. Staff requests that this property be enrolled in a nutrient management plan, such as the Turf Love program.



## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a single-family dwelling with deck and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the retaining wall is an accessory structure in the RPA buffer. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

## **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 which exceeds 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-18-039 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 with the following conditions incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$3,000 has already been posted under CBE-17-022 to guarantee the mitigation, including plantings and Turf Love program registration. No further surety is requested; and
3. This exception request approval shall become null and void if construction has not begun by December 13, 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.

MDW/nb  
CBE-18-039-109MahoganyR

### Attachments:

1. Resolution
2. Water Quality Impact Assessment Package
3. Site Plan, House
4. Site Plan, Retaining Wall
5. Retaining Wall Report

## RESOLUTION

CASE NO. CBE-18-039. 109 MAHOGANY RUN

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Tom and Sheida White (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 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. 3131000010 and further identified as 109 Mahogany Run in the Ford's Colony subdivision (the “Property”) as set forth in the application CBE-18-039 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 \$3,000 has already been posted under CBE-17-022 to guarantee the mitigation, including plantings and Turf Love program registration. No further surety is requested; and
  - c. This exception request approval shall become null and void if construction has not begun by December 13, 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 13th day of December, 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: \_\_\_\_\_

CBE-18-039-109MahoganyR-res



OCT 31 2017

# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only

CB Number CB/E18-C39

### 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:

Name: Tom and Sheila White Date: 10/16/17  
 Address: 109 Matthews Lane, Williamsburg VA.  
 Phone: 202-633-0207 Fax: \_\_\_\_\_ Email: TSWHITE@AOL.COM  
 Contact (if different from above): \_\_\_\_\_

### Project Information:

Project Address: 109 Matthews Lane Williamsburg, VA.  
 Subdivision Name, Lot, and Section No.: LEADS COLONY, 18 ROYAL ASSOCIATES  
 Parcel Identification No. or Tax Map No.: 313100010  
 Date Lot was platted: 8/13/96 Line or Bldg Permit No.: 417-1789

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

- Steep Slopes  $\geq$  25 percent \_\_\_\_\_ (SF)
- Conservation Easement \_\_\_\_\_ (SF)
- Trees to be Removed \_\_\_\_\_ (#)
- RPA - Landward 50' \_\_\_\_\_ (SF)
- RPA - Seaward 50' \_\_\_\_\_ (SF)
- Proposed Impervious Cover \_\_\_\_\_ (SF)

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

- New principal structure construction
- Permitted buffer modifications:
- Accessory (Detached) Structure or Patio
- Other: RETAINING WALLS AND PATIO SPACES
- Building addition to principal structure
- Dead/diseased/dying tree removal
- Invasive/noxious weed removal
- Redevelopment:
- Attached Deck
- Sightline
- Access path/trail

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

For Office Use Only
CB Number <u>CB18-039</u>

**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)

*\*SEE PAGE A ATTACHED*

*THE RETAINING WALL IS 45' LONG - 1' DRIP IT WILL HELP WITH USABLE SPACE BEHIND THE RIGHT REAR CORNER OF THE LOT AND ALSO WITH DRAINAGE OF THAT AREA OVER A LEVEL SPREADER*

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 *NON-ONSITE*

3. Are permits from other local, State or Federal agencies required for any portion of this project?  Yes  No  
(If yes, please explain) *A Building Permit is required from James City County, VA.*

**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?  
*IT CANNOT BE RELOCATED - THE HOME IS ALSO IN THE LANDWARD 50'. THE WALL WILL HELP WITH ALL OF THE ABOVE.*

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  
*NONE CAN BE USED*

**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**

Impervious Area (SF)	Mitigation Required	Surety
<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>CBE 18-039</u>

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

Number of native canopy trees \_\_\_\_\_  
 1 Number of native understory trees RED BUD  
 3 Number of native shrubs ITEA  
 Square feet of native ground cover \_\_\_\_\_  
 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.

x Property owner signature Tom White Date 10/27/2017  
07328D7C5F6A45D...

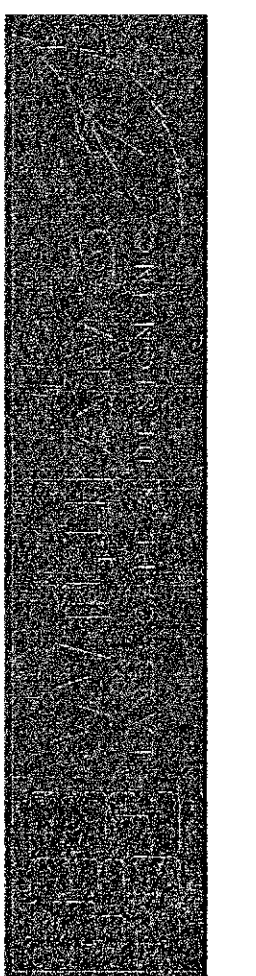
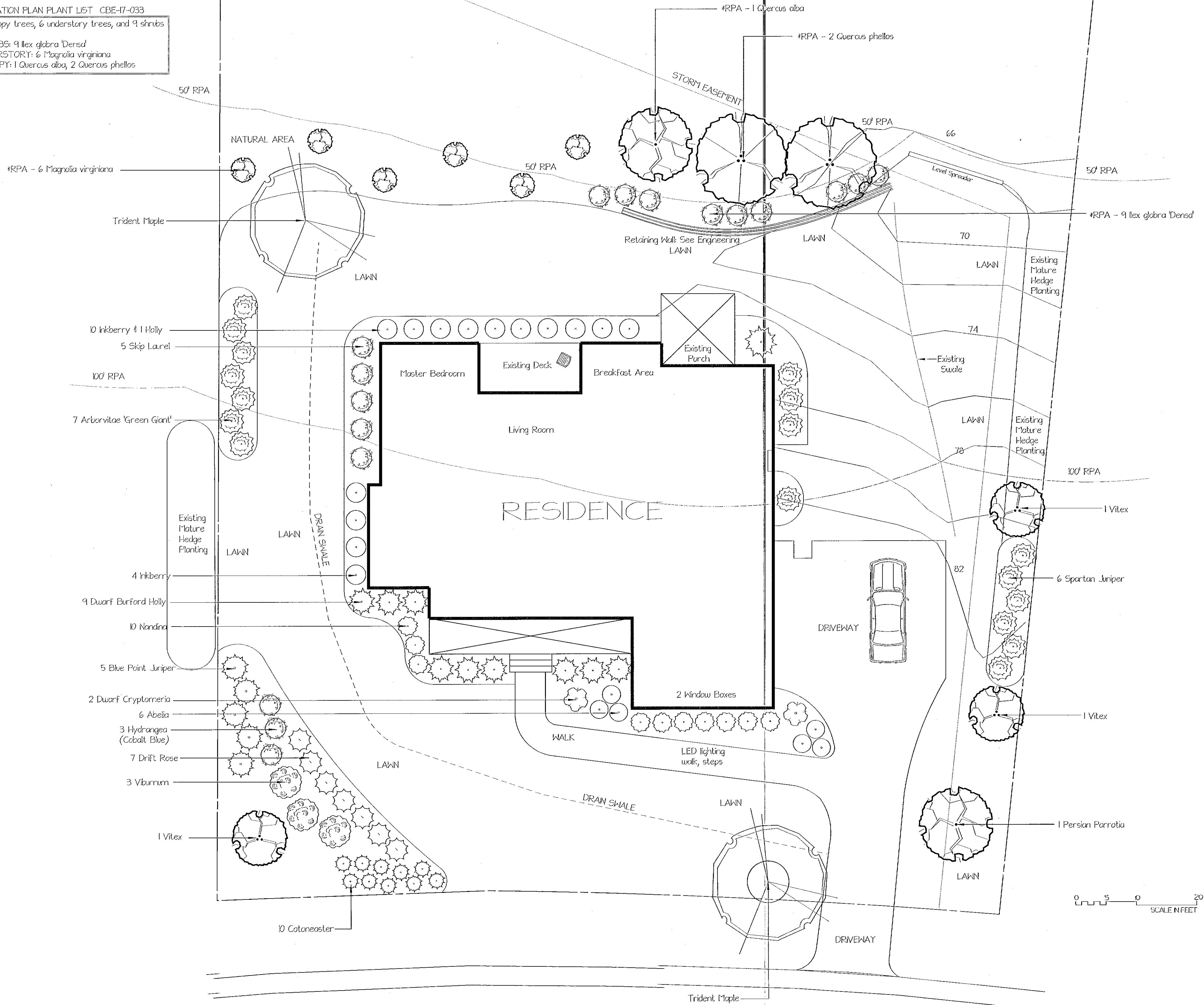
x Program Administrator [Signature] Date 10/26/17  
 Authorized Signature

For Office Use Only
Surety Amount: <u>250.00</u>
Date/Rec No.: <u>10/31/17 # 3249</u>
Fee Paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Amount: <u>25.00</u>
Date/Rec No.: <u>10/31/17 # 3249</u>

# PAGE A

- ADDED PAVER PATIO SECTIONS AND STEPS TO CONNECT PATIOS TO MAKE USE OF OUTDOORS ON PROPERTY.
- LOW WALLS ARE REQUIRED (BETWEEN 12" AND 20") TO CREATE FLAT PATIO SPACE FOR USE OF OUTDOOR SPACE.
- THE FLAT PATIO SPACES AND LOW WALLS WILL PROVIDE ADDED HILLSIDE STABILIZATION. SHRUBS AND GROUNDCOVER WILL BE PLANTED INBETWEEN AND AROUND THE PATIO/WALL SPACES FOR ADDED RUNOFF CONTROL AND ROOTING STABILIZATION.

MITIGATION PLAN PLANT LIST CBE-17-033  
 3 canopy trees, 6 understory trees, and 9 shrubs  
 SHRUBS: 9 Ilex glabra 'Densa'  
 UNDERSTORY: 6 Magnolia virginiana  
 CANOPY: 1 Quercus alba, 2 Quercus phellos



NORTH

WHITE RESIDENCE  
 109 MAHOGANY RUN, WILLIAMSBURG VA

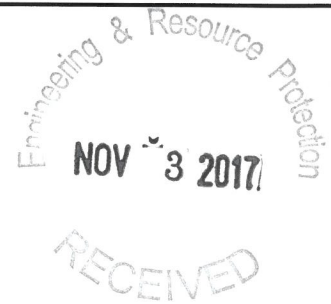
DATE: 7/12/2017  
 DRAWING #: LID086  
 Update 1/20/2017 Add mitigation plantings  
 Update 1/21/2017 Swale location, East lawn  
 Update 1/22/2017 Remove hardscaping  
 Update 10/16/2017 reconfig/relocate Persian Garden  
 Update 10/15/2017 area for Tree Bay Application



# LRI

LANDTECH RESOURCES, INC.

## SEGMENTAL RETAINING WALL DESIGN



LOCATED AT

109 MAHOGANY RUN  
WILLIAMSBURG, VA

## WHITE RESIDENCE

IN  
JAMES CITY COUNTY, VIRGINIA



LRI JOB No. 16-062

DATE

09/19/2017

REVISED 10/05/2017

REVISED 11/01/2017

### SHEET INDEX

<u>No.</u>	<u>TITLE</u>	<u>No.</u>	<u>TITLE</u>
1	PLAN 1	10	DETAILS
2	PROFILE A-A	11	DETAILS
3	NOTES	12	SOILS REPORT
4	SPECIFICATIONS		
5	SPECIFICATIONS		
6	SPECIFICATIONS		
7	SPECIFICATIONS		
8	DETAILS		
9	DETAILS		

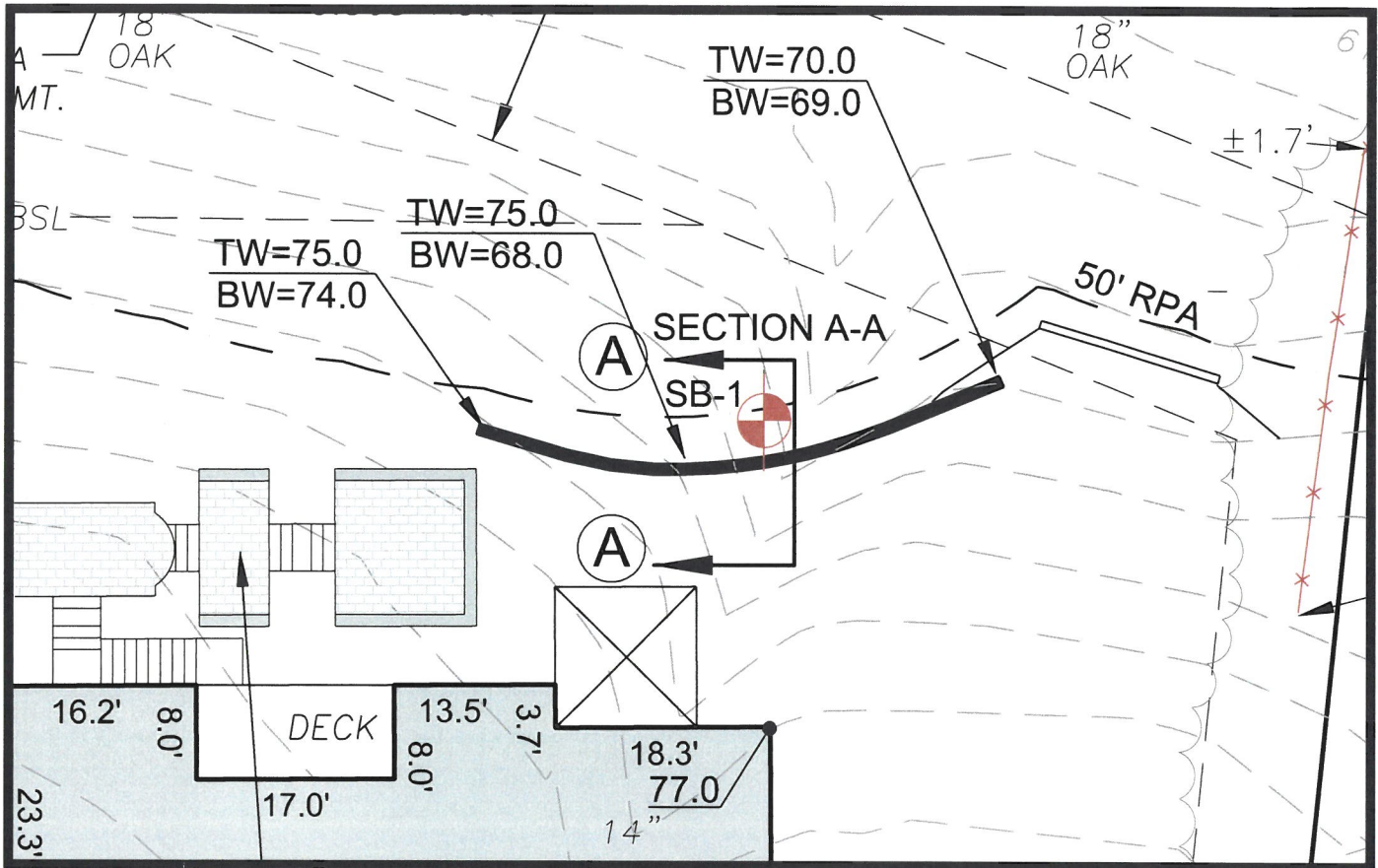
CONTRACTOR

WILLIAMSLANDSCAPING  
1554 PENNIMAN ROAD  
WILLIAMSBURG, VA 23185  
PH: (757)-564-7011

PREPARED BY

LANDTECH RESOURCES, INC.  
3925 MIDLANDS ROAD  
WILLIAMSBURG, VA 23188  
PH: (757) 565-1677

# RETAINING WALL PLAN



PROPOSED HARDSCAPE IMPROVEMENTS,  
SEE WILLIAMS LANDSCAPE PLANS FOR  
MORE DETAIL.

## NOTES:

1. RETAINING WALL PLAN VIEW PER LANDTECH RESOURCES SITE PLAN.

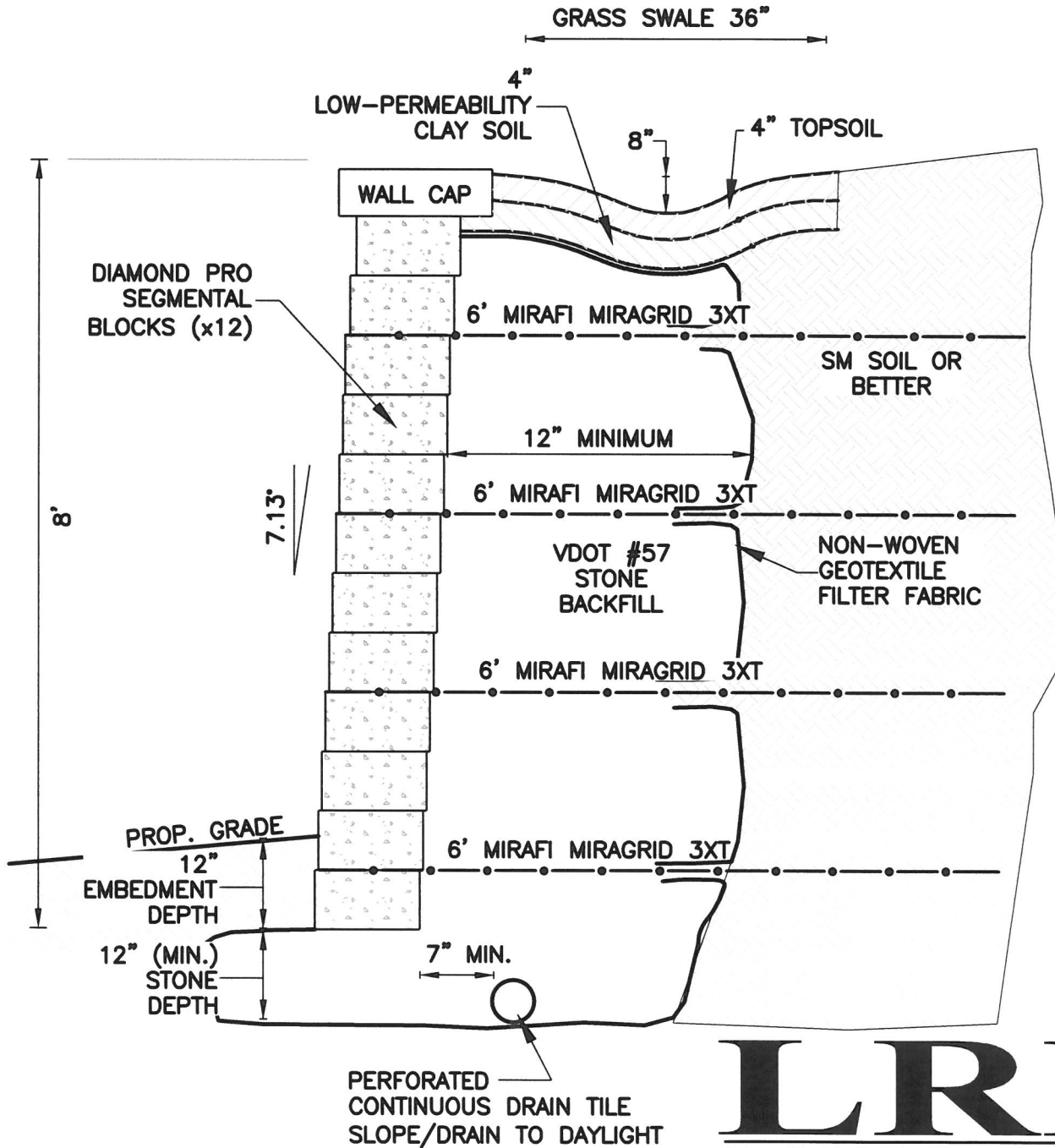
**JAMES CITY COUNTY, VIRGINIA**  
**LRI PROJECT No. 16-062**  
**SHEET 1 OF 12**  
**NOT TO SCALE**

**LRI**  
**LANDTECH**  
**RESOURCES, INC.**  
**ENGINEERING • SURVEYING • GPS**

3925 Midlands Road Williamsburg, VA 23188  
 Ph: (757) 565-1677 Fax: (757) 565-0782  
 web: landtechresources.com

# RETAINING WALL SECTION A-A

NOT TO SCALE



## PROJECT INFORMATION

109 MAHOGANY RUN  
WILLIAMSBURG, VIRGINIA 23188  
JAMES CITY COUNTY  
LRI PROJECT No. 16-062

# LRI

## LANDTECH

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web: landtechresources.com

# RETAINING WALL NOTES

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## **NOTES:**

1. RETAINING WALL PLAN VIEW (SHEET 1) FROM APPROVED PLANS BY LANDTECH RESOURCES (THIS FIRM).
2. ALL RETAINING WALLS CONSTRUCTED ARE TO IMPLEMENT DRAIN TILE AS SHOWN ON WALL PROFILES AND INCLUDED DRAIN TILE DETAIL. SECTIONS DO NOT SHOW DRAIN TILE THROUGH FACE FOR CLARITY.
3. BACKFILL SHALL BE COMPACTED TO 95% MAXIMUM DRY DENSITY IN MAXIMUM 8" LIFTS.

## **DIMENSIONAL TOLERANCES**

DIMENSIONAL TOLERANCES PROVIDED PER THE NATIONAL CONCRETE MASONRY ASSOCIATION'S DESIGN MANUAL FOR SEGMENTAL RETAINING WALLS, 3rd EDITION (2010) AND VALUES LISTED REPRESENT MAXIMUM TOLERANCES ALLOWABLE.

**VERTICAL CONTROL:**  $\pm 1.25$  in. (32mm) MAXIMUM OVER A 10 ft (3m) DISTANCE; 3 in. (75 mm) MAXIMUM

**HORIZONTAL LOCATION CONTROL:** (STRAIGHT LINES)  $\pm 1.25$  in. (32mm) OVER A 10 ft (3m) DISTANCE; 3 in. (75 mm) MAXIMUM

**ROTATION:** (FROM ESTABLISHED PLAN WALL BATTER):  $\pm 2^\circ$

COMPACTION WITHIN THREE FEET OF THE FRONT OF THE WALL FACE SHOULD BE LIMITED TO HAND OPERATED EQUIPMENT (VIBRATING PLATE COMPACTOR) WITH A MINIMUM WEIGHT OF 250 LBS.

# SPECIFICATIONS

## **MATERIALS SPECIFICATIONS**

PER THE NATIONAL CONCRETE MASONRY ASSOCIATION'S DESIGN MANUAL FOR SEGMENTAL RETAINING WALLS, 3rd EDITION (2010)

### **PART 1: GENERAL**

#### **1.1 DESCRIPTION**

ALL WORK SHALL CONSIST OF FURNISHING ALL MATERIALS, LABOR, EQUIPMENT, AND SUPERVISION TO INSTALL A SEGMENTAL RETAINING WALL SYSTEM IN ACCORDANCE WITH THESE SPECIFICATIONS AND IN REASONABLY CLOSE CONFORMITY WITH THE LINES, GRADES, DESIGN AND DIMENSIONS SHOWN ON THE PLANS OR AS ESTABLISHED BY THE OWNER OR OWNER'S ENGINEER.

#### **1.2 REFERENCE STANDARDS**

##### **1.2.1 ENGINEERING DESIGN**

- A. NCMA DESIGN MANUAL FOR SEGMENTAL RETAINING WALLS, 3rd EDITION (2010)
- B. ASTM D 6638 - STANDARD TEST METHOD FOR DETERMINING THE CONNECTION STRENGTH BETWEEN GEOSYNTHETICS REINFORCEMENT AND SEGMENTAL CONCRETE UNITS
- C. ASTM D 6916 - STANDARD TEST METHOD FOR DETERMINING THE SHEAR STRENGTH BETWEEN SEGMENTAL CONCRETE UNITS

##### **1.2.2 SEGMENTAL RETAINING WALL UNITS**

- A. ASTM C 140 - STANDARD TEST METHODS FOR SAMPLING AND TESTING CONCRETE MASONRY UNITS AND RELATED UNITS
- B. ASTM C 1262 - STANDARD TEST METHOD FOR EVALUATING THE FREEZE-THAW DURABILITY OF MANUFACTURED CONCRETE MASONRY UNITS AND RELATED CONCRETE UNITS
- C. ASTM C 1372 - STANDARD SPECIFICATION FOR DRY-CAST SEGMENTAL RETAINING WALL UNITS

##### **1.2.3 GEOSYNTHETIC REINFORCEMENT**

- A. ASTM D 4596 - STANDARD TEST METHOD FOR TENSILE PROPERTIES OF GEOTEXTILES BY THE WIDE-WIDTH STRIP METHOD
- B. ASTM D 5262 - STANDARD TEST METHODS FOR EVALUATING THE UNCONFINED TENSION CREEP AND CREEP RUPTURE BEHAVIOR OF GEOSYNTHETICS
- C. ASTM D 5321 - STANDARD TEST METHOD FOR DETERMINING THE COEFFICIENT OF SOIL AND GEOSYNTHETIC OR GEOSYNTHETIC AND GEOSYNTHETIC FRICTION BY THE DIRECT SHEAR METHOD
- D. ASTM D 5818 - STANDARD PRACTICE FOR EXPOSURE AND RETRIEVAL OF SAMPLES TO EVALUATE INSTALLATION DAMAGE OF GEOSYNTHETICS
- E. ASTM D 6637 - STANDARD TEST METHOD FOR DETERMINING TENSILE PROPERTIES OF GEOGRIDS BY THE SINGLE OR MULTI-RIB TENSILE METHOD
- F. ASTM D 6706 - STANDARD TEST METHOD FOR MEASURING GEOSYNTHETIC PULLOUT RESISTANCE IN SOIL
- G. ASTM D 6992 - STANDARD TEST METHOD FOR ACCELERATED TENSILE CREEP AND CREEP-RUPTURE OF GEOSYNTHETIC MATERIALS BASED ON TIME-TEMPERATURE SUPERPOSITION USING STEPPED ISOTHERMAL METHOD

##### **1.2.4 SOILS**

- A. ASTM D 422 - STANDARD TEST METHOD FOR PARTICLE-SIZE ANALYSIS OF SOILS
- B. ASTM D 698 - STANDARDS TEST METHOD FOR LABORATORY COMPACTION CHARACTERISTICS OF SOIL USING STANDARD EFFORT (12 400 ft-lbf/ft<sup>3</sup> (2,700 kN-m/m<sup>3</sup>))
- C. ASTM D 1556 - STANDARD TEST METHOD FOR DENSITY AND UNIT WEIGHT OF SOIL IN PLACE BY THE SAND-CONE METHOD.
- D. ASTM D 1557 - STANDARD TEST METHOD FOR LABORATORY COMPACTION CHARACTERISTICS OF SOIL USING MODIFIED EFFORT (56,000 ft-lbf/ft<sup>3</sup> (2,700 kN-m/m<sup>3</sup>))
- E. ASTM D 2487 - STANDARD PRACTICE FOR CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES (UNIFIED SOIL CLASSIFICATION SYSTEM)
- F. ASTM D 6938 - STANDARD TEST METHOD FOR IN-PLACE DENSITY AND WATER CONTENT OF SOIL AND SOIL-AGGREGATE BY NUCLEAR METHODS (SHALLOW DEPTH)
- G. ASTM D 4318 - STANDARD TEST METHODS FOR LIQUID LIMIT, PLASTIC LIMIT, AND PLASTICITY INDEX OF SOILS

# SPECIFICATIONS

- H. ASTM D 6913 – STANDARD TEST METHODS FOR PARTICLE-SIZE DISTRIBUTION (GRADATION) OF SOILS USING SIEVE ANALYSIS
- I. ASTM G 51 – STANDARD TEST METHOD FOR MEASURING pH OF SOIL FOR USE IN CORROSION TESTING

## 1.2.5 DRAIN PIPE

- A. ASTM F 405 – STANDARD SPECIFICATION FOR CORRUGATED POLYETHYLENE (PE) PIPE AND FITTINGS
- B. ASTM F 758 – STANDARD SPECIFICATION FOR SMOOTH-WALL POLY(VINYL CHLORIDE) (PVC) PLASTIC UNDERDRAIN SYSTEMS FOR HIGHWAY, AIRPORT, AND SIMILAR DRAINAGE

- 1.2.7 WHERE SPECIFICATIONS AND REFERENCE DOCUMENTS CONFLICT, THE OWNER'S ENGINEER SHALL MAKE THE FINAL DETERMINATION OF THE APPLICABLE DOCUMENT.

## 1.3 APPROVED SEGMENTAL RETAINING WALL SYSTEMS

### 1.3.1 SEGMENTAL WALL UNITS

- A. DIAMOND PRO SYSTEM

### 1.3.2 GEOSYNTHETIC REINFORCEMENTS

- A. MIRAFI MIRAGRID 3XT

## 1.4 SUBMITTALS

### 1.4.1 MATERIAL SUBMITTALS

- A. THE CONTRACTOR SHALL SUBMIT MANUFACTURER'S CERTIFICATIONS, 30 DAYS PRIOR TO THE START OF WORK, STATING THAT THE SRW UNITS, GEOSYNTHETIC REINFORCEMENT, REINFORCED BACKFILL, AND GRAVEL FILL MEET THE REQUIREMENTS OF **PART 2** OF THIS SPECIFICATION. THE CONTRACTOR SHALL PROVIDE A LIST OF SUCCESSFUL PROJECTS WITH REFERENCES SHOWING THAT THE INSTALLER FOR THE SEGMENTAL RETAINING WALL IS QUALIFIED AND HAS A RECORD OF SUCCESSFUL PERFORMANCE.

### 1.5 DELIVERY, STORAGE & HANDLING

- A. THE CONTRACTOR SHALL INSPECT THE MATERIALS UPON DELIVERY TO ASSURE THAT PROPER TYPE AND GRADE OF MATERIAL HAS BEEN RECEIVED.
- B. THE CONTRACTOR SHALL STORE AND HANDLE MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND IN A MANNER TO PREVENT DETERIORATION OR DAMAGE DUE TO MOISTURE, TEMPERATURE CHANGES, CONTAMINANTS, CORROSION, BREAKING, CHIPPING OR OTHER CAUSES.
- C. THE CONTRACTOR SHALL PROTECT THE MATERIALS FROM DAMAGE. DAMAGED MATERIAL SHALL NOT BE INCORPORATED INTO RETAINING WALLS SHOWN WITHIN THESE PLANS.

## PART 2: MATERIAL

### 2.1 CONCRETE SEGMENTAL RETAINING WALL UNITS

- A. CONCRETE SEGMENTAL UNITS SHALL CONFORM TO THE REQUIREMENTS OF ASTM C 1372 AND HAVE A MINIMUM NET AVERAGE 28 DAYS COMPRESSIVE STRENGTH OF 3,000 PSI AND A MAXIMUM ABSORPTION OF 13 pcf (FOR NORMAL WEIGHT) AS DETERMINED IN ACCORDANCE WITH ASTM C 140. FOR AREAS SUBJECT TO DETRIMENTAL FREEZE-THAW CYCLES, AS DETERMINED BY THE OWNER OR OWNER'S ENGINEER, THE CONCRETE SHALL HAVE ADEQUATE FREEZE/THAW PROTECTION AND MEET THE REQUIREMENTS OF ASTM C 1372 WHEN TESTED IN ACCORDANCE WITH ASTM C 1262.
- B. ALL UNITS SHALL BE SOUND AND FREE OF CRACKS OR OTHER DEFECTS THAT WOULD INTERFERE WITH THE PROPER PLACING OF THE UNIT OR SIGNIFICANTLY IMPAIR THE STRENGTH OR PERMANENCE OF THE CONSTRUCTION. ANY CRACKS OR CHIPS OBSERVED DURING CONSTRUCTION SHALL FALL WITHIN THE GUIDELINES OUTLINED IN ASTM C 1372.
- C. SRW UNITS DIMENSIONS SHALL NOT DIFFER MORE THAN  $\pm 1/8$  in., AS MEASURED IN ACCORDANCE WITH ASTM C 140. THIS TOLERANCE DOES NOT APPLY TO ARCHITECTURAL SURFACES, SUCH AS SPLIT FACES.
- D. SRW UNITS SHALL MATCH THE COLOR, SURFACE FINISH, AND DIMENSION FOR HEIGHT, WIDTH, DEPTH, AND BATTER AS SHOWN ON THE PLANS.
- E. IF PINS OR CLIPS ARE USED BY THE RETAINING WALL SUPPLIER TO INTERCONNECT SRW UNITS, THEY SHALL CONSIST OF A NONDEGRADING POLYMER OR GALVANIZED STEEL AND BE MADE FOR THE EXPRESS USE WITH THE SRW UNITS SUPPLIED.
- F. CAP ADHESIVE SHALL MEET THE REQUIREMENTS OF THE SRW UNIT MANUFACTURER.

# SPECIFICATIONS

## 2.2 GEOSYNTHETIC REINFORCEMENTS

- A. GEOSYNTHETIC REINFORCEMENTS SHALL CONSIST OF HIGH TENACITY PET GEOGRIDS, HDPE GEOGRIDS, OR GEOTEXTILES MANUFACTURED FOR SOIL REINFORCEMENT APPLICATIONS. THE TYPE, STRENGTH AND PLACEMENT LOCATION OF THE REINFORCING GEOSYNTHETIC SHALL BE AS SHOWN ON THE PLANS. THE DESIGN PROPERTIES OF THE REINFORCEMENT SHALL BE DETERMINED ACCORDING TO THE PROCEDURES OUTLINED IN THIS SPECIFICATION AND THE NCMA DESIGN MANUAL FOR SEGMENTAL RETAINING WALLS, 3rd EDITION (2009). DETAILED TEST DATA SHALL BE SUBMITTED TO THE OWNER'S ENGINEER FOR APPROVAL AT LEAST 30 DAYS PRIOR TO CONSTRUCTION AND SHALL INCLUDE TENSILE STRENGTH (ASTM D 4595 OR ASTM D 6637), CREEP (ASTM D 5262), SITE DAMAGE (ASTM D 5818), DURABILITY (FHWA GUIDANCE (FHWA NCI-00-043, FHWA NHI-00-044)), PULLOUT (ASTM D 6706), DIRECT SHEAR (ASTM D 5321 AND) AND CONNECTION (ASTM D 6638) TEST DATA.

## 2.3 DRAINAGE PIPE

- A. THE DRAINAGE COLLECTION PIPE SHALL BE A PERFORATED OR SLOTTED PVC OR CORRUGATED HDPE PIPE. THE PIPE AND GRAVEL FILL MAY BE WRAPPED WITH A GEOTEXTILE THAT WILL FUNCTION AS A FILTER.
- B. DRAINAGE PIPE SHALL BE MANUFACTURED IN ACCORDANCE WITH ASTM F 405 OR ASTM F 758.

## 2.4 GRAVEL FILL

- A. GRAVEL FILL SHALL BE A VDOT #57 STONE OR CLEAN CRUSHED STONE OR GRANULAR FILL MEETING THE FOLLOWING GRADATION AS DETERMINED IN ACCORDANCE WITH ASTM D 422:

<u>SIEVE SIZE</u>	<u>PERCENT PASSING</u>
1 in.	100
3/4 in.	75-100
No. 4	0-60
No. 200	0-5

## 2.5 REINFORCED BACKFILL

- A. THE REINFORCED BACKFILL SHALL BE FREE OF DEBRIS AND CONSIST OF ONE OF THE FOLLOWING INORGANIC USCS SOIL TYPES: GP, GW, SW, SP, SM, MEETING THE FOLLOWING GRADATION AS DETERMINED IN ACCORDANCE WITH ASTM D 422.

<u>SIEVE SIZE</u>	<u>PERCENT PASSING</u>
1 in.	100
3/4 in.	100-20
No. 4	0-60
No. 200	0-35 <sup>2.5(B)</sup>

- B. COHESIONLESS, COARSE-GRAINED SOILS ARE PREFERRED; FINER SOILS WITH LOW-PLASTICITY (PI OF FINES<20) MAY BE USED ONLY WITH THE CONSENT OF THE OWNER'S ENGINEER FIRST. WITH THE CONSENT, THE ENGINEER SHALL GIVE ADDITIONAL DESIGN CRITERIA TO BE IMPLEMENTED.
- C. THE pH OF THE BACKFILL MATERIAL SHALL BE BETWEEN 3 AND 9 WHEN TESTED IN ACCORDANCE WITH ASTM G 51.

## 2.6 GEOTEXTILE FILTER

- A. DRAINAGE GEOTEXTILE SHALL HAVE THE FOLLOWING MINIMUM PROPERTIES OR SHALL MEET THE CRITERIA RECOMMENDED BY THE WALL DESIGN ENGINEER:
- |                 |             |
|-----------------|-------------|
| AOS             | ASTM D 4751 |
| GRAB TENSILE    | ASTM D 4632 |
| TRAP TEAR       | ASTM D 4533 |
| WATER FLOW RATE | ASTM D 4491 |
| PUNCTURE        | ASTM D 4833 |

## PART 3: CONSTRUCTION

### 3.1 CONSTRUCTION OBSERVATION

- A. THE OWNER OR OWNER'S ENGINEER SHOULD VERIFY THE MATERIALS SUPPLIED BY THE CONTRACTOR MEET ALL THE REQUIREMENTS OF THE SPECIFICATION. THIS INCLUDES ALL SUBMITTALS AND PROPER INSTALLATION OF THE SYSTEM.

# SPECIFICATIONS

- B. THE CONTRACTOR'S FIELD CONSTRUCTION SUPERVISOR SHALL HAVE DEMONSTRATED EXPERIENCE AND BE QUALIFIED TO DIRECT ALL WORK AT THE SITE.

## 3.2 EXCAVATION

- A. THE CONTRACTOR SHALL EXCAVATE TO THE LINES AND GRADES SHOWN ON THE PLANS. THE CONTRACTOR SHALL TAKE PRECAUTIONS TO MINIMIZE OVER-EXCAVATION. EXCAVATION SUPPORT, IF REQUIRED, SHALL BE DESIGNED BY THE CONTRACTOR.

## 3.3 FOUNDATION PREPARATION

- A. FOLLOWING EXCAVATION FOR THE LEVELING PAD AND THE REINFORCED SOIL ZONE, FOUNDATION SOIL SHALL BE EXAMINED BY THE OWNER'S GEOTECHNICAL ENGINEER TO ASSURE THE ACTUAL FOUNDATION SOIL STRENGTH MEETS OR EXCEEDS THE ASSUMED DESIGN BEARING STRENGTH. SOILS NOT MEETING THE REQUIRED STRENGTH SHALL BE REMOVED AND REPLACED WITH SOIL MEETING THE DESIGN CRITERIA, AS DIRECTED BY THE OWNER'S GEOTECHNICAL ENGINEER.

## 3.4 LEVELING PAD PREPARATION

- A. A MINIMUM 6 in. THICK LAYER OF COMPACTED GRANULAR MATERIAL SHALL BE PLACED FOR USE AS A LEVELING PAD UP TO THE GRADES AND LOCATIONS AS SHOWN ON THE CONSTRUCTION DRAWINGS. THE GRANULAR BASE SHALL BE COMPACTED TO PROVIDE A FIRM, LEVEL BEARING PAD ON WHICH TO PLACE THE FIRST COURSE OF CONCRETE SRW UNITS. A LEVELING PAD CONSISTING OF 6 in. (MINIMUM) THICK LEAN, UNREINFORCED CONCRETE MAY BE USED AT THE WALL CONTRACTOR'S OPTION, OR IF SO DETAILED ON THE PLANS. THE LEVELING PAD SHOULD EXTEND A MINIMUM OF 6 in. FROM THE TOE AND HEEL OF THE SRW UNIT.

## 3.5 SRW AND GEOSYNTHETIC REINFORCEMENT PLACEMENT

- A. ALL MATERIALS SHALL BE INSTALLED AT THE PROPER ELEVATION AND ORIENTATION AS SHOWN IN THE WALL DETAILS ON THE CONSTRUCTION PLANS OR AS DIRECTED BY THE OWNER'S ENGINEER. THE CONCRETE SEGMENTAL WALL UNITS AND GEOGYNTHETIC REINFORCEMENT SHALL BE INSTALLED IN GENERAL ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. THE DRAWINGS SHALL GOVERN IN ANY CONFLICT BETWEEN THE TWO REQUIREMENTS.
- B. OVERLAP OR SPLICE CONNECTIONS OF THE GEOSYNTHETIC IN THE DESIGN STRENGTH DIRECTION SHALL NOT BE PERMITTED. THE DESIGN STRENGTH DIRECTION IS THAT LENGTH OF GEOSYNTHETIC REINFORCEMENT PERPENDICULAR TO THE WALL FACE AND SHALL CONSIST OF ONE CONTINUOUS PIECE OF MATERIAL. ADJACENT SECTIONS OF GEOSYNTHETIC SHALL BE PLACED IN A MANNER TO ASSURE THAT THE HORIZONTAL COVERAGE SHOWN ON THE PLANS IS PROVIDED.
- C. GEOSYNTHETIC REINFORCEMENT SHOULD BE INSTALLED UNDER TENSION. A NOMINAL TENSION SHALL BE APPLIED TO THE REINFORCEMENT AND MAINTAINED BY STAPLES, STAKES, OR HAND TENSIONING UNTIL THE REINFORCEMENT HAS BEEN COVERED BY AT LEAST 6 in. OF SOIL FILL.
- D. BROKEN, CHIPPED, STAINED OR OTHERWISE DAMAGED UNITS SHALL NOT BE PLACED IN THE WALL UNLESS THEY ARE REPAIRED, AND THE REPAIR METHOD AND RESULTS ARE APPROVED BY THE SRW DESIGN ENGINEER.

## 3.6 BACKFILL PLACEMENT

- A. THE REINFORCED BACKFILL SHALL BE PLACED AS SHOWN IN CONSTRUCTION PLANS IN MAXIMUM COMPACTED LIFT THICKNESS OF 8 in. AND SHALL BE COMPACTED TO A MINIMUM 95% OF STANDARD PROCTOR DENSITY. BACKFILL SHALL BE PLACED SPREAD AND COMPACTED IN SUCH A MANNER THAT MINIMIZED THE DEVELOPMENT OF WRINKLES OR MOVEMENT OF THE GEOSYNTHETIC REINFORCEMENT AND THE WALL FACING UNITS.
- B. ONLY HAND-OPERATED COMPACTION EQUIPMENT SHALL BE ALLOWED WITHIN 3 ft OF THE FRONT OF THE WALL FACE. A MAXIMUM COMPACTED LIFT THICKNESS OF 8 in. SHALL BE USED IN THIS ZONE. SOIL DENSITY IN THIS AREA SHALL NOT BE LESS THAN 95% PROCTOR DENSITY WITHOUT AFFECTING WALL ALIGNMENT. SOIL DENSITY TESTING IN THIS AREA SHOULD BE VERIFIED BY FIELD DENSITY TESTING.
- C. CONSTRUCTION EQUIPMENT SHALL NOT BE OPERATED DIRECTLY ON THE GEOSYNTHETIC REINFORCEMENT. A MINIMUM BACKFILL THICKNESS OF 6 in. IS REQUIRED PRIOR TO OPERATION OF TRACKED VEHICLES OVER THE GEOSYNTHETIC REINFORCEMENT. TURNING OF TRACKED VEHICLES SHOULD BE KEPT TO A MINIMUM TO PREVENT DISPLACING THE FILL AND DAMAGING OR MOVING THE GEOSYNTHETIC REINFORCEMENT.
- D. AT THE END OF EACH DAY'S OPERATION, THE WALL CONTRACTOR SHALL SLOPE THE LAST LEVEL OF BACKFILL AWAY FROM THE WALL FACING TO DIRECT RUNOFF OF RAINWATER AWAY FROM THE WALL FACE. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ENSURING SURFACE RUNOFF FROM ADJACENT AREAS IS NOT ALLOWED TO ENTER THE WALL CONSTRUCTION AREA.



# SPECIFICATIONS

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## 3.7 GRAVEL FILL AND DRAINAGE PLACEMENT

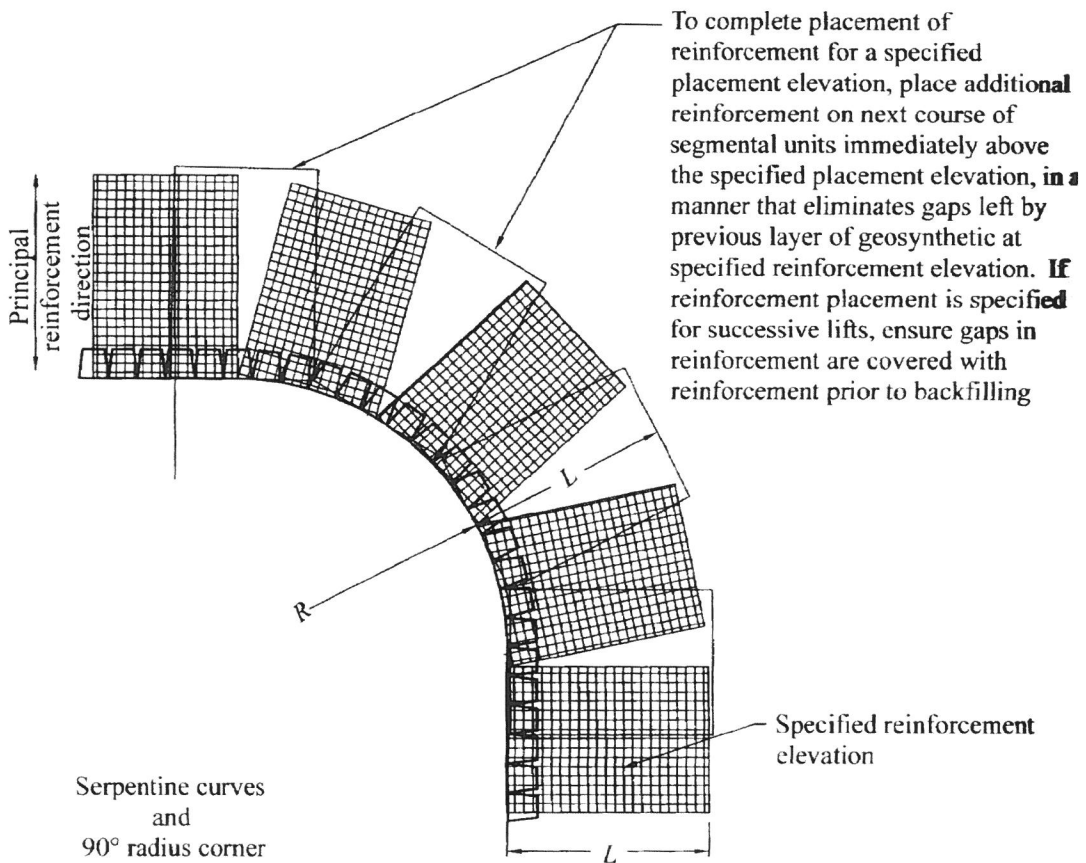
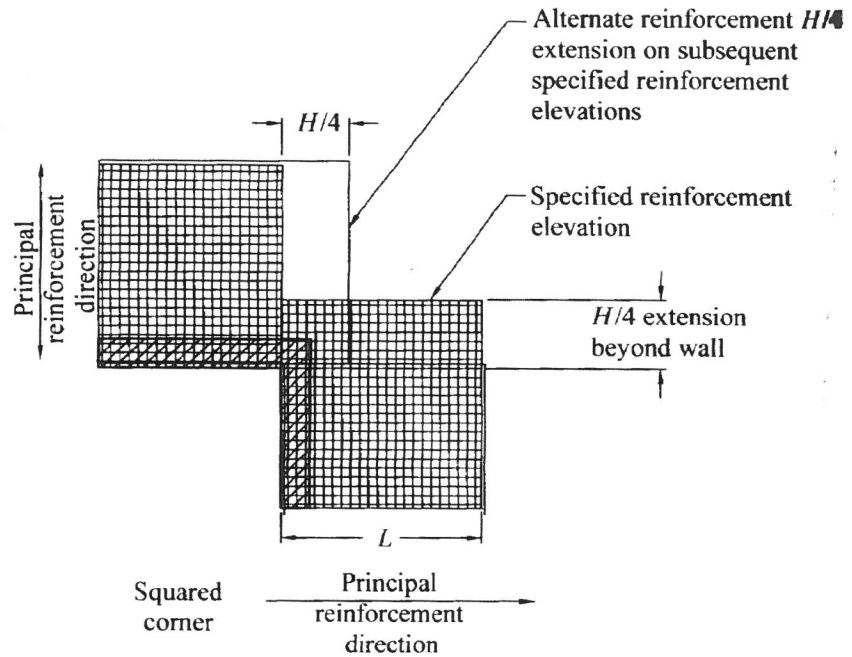
- A. GRAVEL FILL SHALL BE PLACED TO THE MINIMUM FINISHED THICKNESS AND WIDTHS SHOWN ON THE CONSTRUCTION PLANS.
- B. DRAINAGE COLLECTION PIPES SHALL BE INSTALLED TO MAINTAIN GRAVITY FLOW OF WATER OUTSIDE OF THE REINFORCED SOIL ZONE. THE DRAINAGE COLLECTION PIPE SHOULD DAYLIGHT INTO A STORM SEWER MANHOLE OR ALONG A SLOPE AT AN ELEVATION LOWER THAN THE LOWEST POINT OF THE PIPE WITHIN THE AGGREGATE DRAIN.
- C. THE MAIN COLLECTION DRAIN PIPE, JUST BEHIND THE BLOCK FACING, SHALL BE A MINIMUM OF 3 in. IN DIAMETER. THE SECONDARY COLLECTION DRAIN PIPES SHOULD BE SLOPED A MINIMUM OF TWO PERCENT TO PROVIDE GRAVITY FLOW INTO THE MAIN COLLECTION DRAIN PIPE. DRAINAGE LATERALS SHALL BE SPACED AT A MAXIMUM 50 ft. SPACING ALONG THE WALL FACE.

## 3.8 CAP BLOCK PLACEMENT

- A. THE CAP BLOCK AND/OR TOP SRW UNIT SHALL BE BONDED TO THE SRW UNITS BELOW USING CAP ADHESIVE DESCRIBED IN PART 2.01F. THE BLOCK SHALL BE DRY AND SWEEP CLEAN PRIOR TO ADHESIVE PLACEMENT.

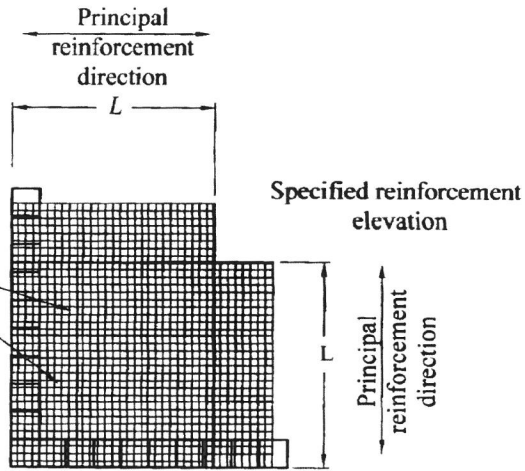
# DETAILS

Notes:  
Alternate placement of reinforcement extension on specified reinforcement elevations.



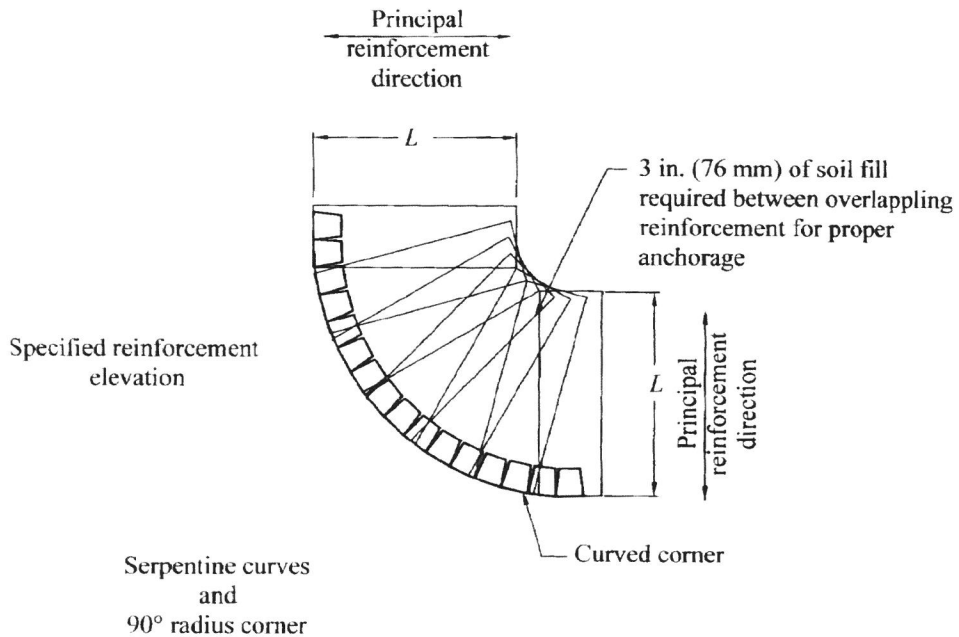
# DETAILS

3 in. (76 mm) of soil required between overlapping reinforcement for proper anchorage if both layers placed at the same SRW unit elevation.



Squared Corner

Alternative to overlapping in a single course, reinforcement could be placed in the perpendicular principle direction in the corr-over area on the succeeding course.



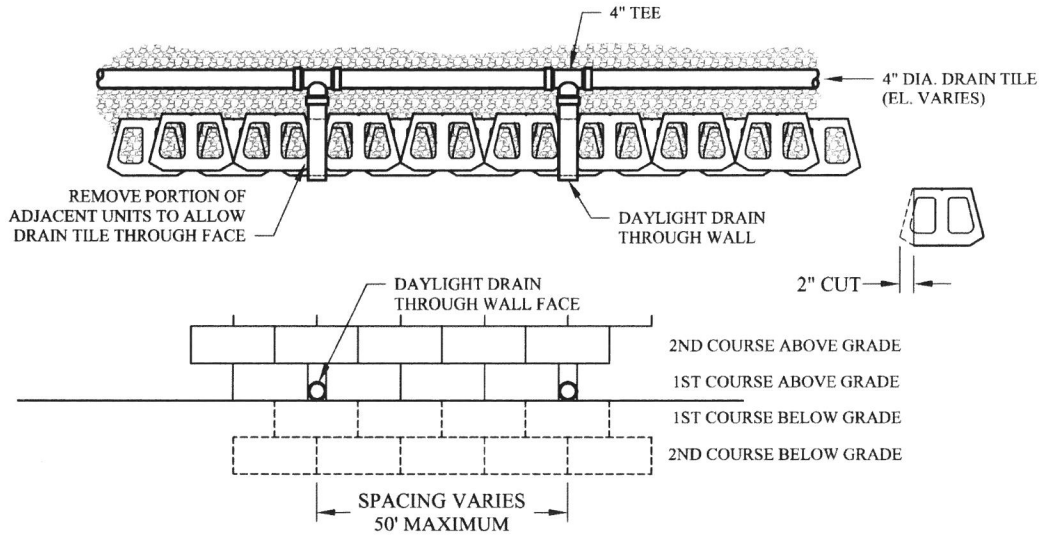
Serpentine curves and 90° radius corner

# DETAILS

www.anchorwall.com

Toll-Free Customer Service: (877) 295-5415

DiamondPro-DrainTile-Daylight-Face



**ANCHOR**<sup>™</sup>  
BUILD SOMETHING BEAUTIFUL

Anchor Wall Engineering, LLC  
5959 Baker Road, Suite 390  
Minnetonka, MN 55345

These graphic representations are intended for preliminary design purposes only and are not to be used for construction without the signature of a registered professional engineer.

©2008 Anchor Wall Engineering, LLC  
® and ™ Anchor Wall Systems, Inc.

Drawn By: AWE  
Date: 3/18/2008  
Scale: 3/8"=1'-0"

Drawing Title: **Diamond Pro<sup>®</sup> Retaining Wall System  
Daylighting Drain Tile Through Wall**

Project Information: Typical Retaining Wall Details  
www.anchorwall.com

JAMES CITY COUNTY, VIRGINIA  
LRI PROJECT No. 16-062  
SHEET 11 OF 12



LANDTECH RESOURCES, INC.

September 19, 2017

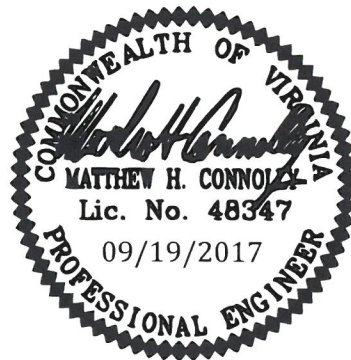
Re: White Residence  
Retaining Wall Soil Evaluation  
109 Mahogany Run  
James City County, VA

LandTech Resources has made a field visit to the above referenced property to inspect the soils at the foundation of the proposed retaining wall. We visually classified the soil in accordance with ASTM D2488 as silty sands (SM). The approximate soil boring location is shown on page 1 of 12 of this report.

If you have any questions feel free to contact me.

Sincerely,

**Matthew H. Connolly, L.S., P.E.**  
President  
mconnolly@landtechresources.com



**ENGINEERING & SURVEYING CONSULTANTS**

3925 Midlands Road Williamsburg, VA 23188  
Ph.: (757) 565-1677 Fax: (757) 565-0782  
Web: landtechresources.com



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY DECEMBER 13, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

W-11-18/VMRC 17-1754: Water's Edge Construction, on behalf of Mr. Brian Clare, has applied for a wetlands permit for beach nourishment at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-024: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-18-028: RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

CBE-18-030: Water's Edge Construction, on behalf of Mr. Brian Clare, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

CBE-18-032: Olsen Fine Homebuilding, on behalf of Mr. and Mrs. Stephen and Gaye Moth, has filed an exception request for encroachment into the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

CBE-18-038: Hertzler and George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachment into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

CBE-18-039: Williams Landscape Design, on behalf of Mr. and Mrs. Tom and Sheida White,

has filed an exception request for encroachment into the RPA buffer for construction of retaining walls and patios at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

CBE-18-040: Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

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 – November 29 and December 6, 2017.

ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



General Services  
Stormwater and Resource  
Protection Division  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Resource.Protection@jamescitycountyva.gov

November 22, 2017

RE: CBE-18-039  
109 Mahogany Run  
Retaining Walls and Patios

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 Thomas and Sheida White for encroachment into the Resource Protection Area (RPA) buffer associated with installation of retaining walls and patios. The project is located at 109 Mahogany Run of Ford's Colony subdivision. The property is further identified by James City County Real Estate as Parcel No 3131000010.

A complete description, plan and other information are on file in the Stormwater 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, December 13, 2017 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

*Janice Petty*

Janice Petty  
Stormwater Assistant

cc: White, Tom & Sheida  
Williams Landscaping





Mailing List for: CBE-18-039 – 109 Mahogany Run – White, Tom & Sheida- Retaining Wall

Owner: 3131000010

White, Thomas Gaillard & Sheida  
212 Foothill Court  
Charlottesville, VA 22903

Williams Landscaping  
Attn: Mr. Robert C. Root  
1554 Penniman Road  
Williamsburg, VA 23185-5821

3131000011 – 105 Mahogany Run

Zotto, Anthony M & Kathleen A  
21492 Hearthstone Court  
Broadlands, VA 20148-5001

3131000009

Eide, Kermit M, Trustee & MacGregor, Roberta A, Trustee  
113 Mahogany Run  
Williamsburg, VA 23188-8412

3131000002

Sydow, Philip Daniel & Sunhai Chung  
108 Mahogany Run  
Williamsburg, VA 23188-8412

3131000003

Spitalnik, Paul L, Trustee & Sharon L  
112 Mahogany Run  
Williamsburg, VA 23188-8412

3130100031 - 3975 Longhill Road

War Hill Corporation  
4560 Longhill Road  
Williamsburg, VA 23188-1533

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-038 : 153 John Pott Drive

---

Hertzler & George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachments into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Water Quality Impact Assessment	Backup Material
☐	Existing Conditions	Backup Material
☐	Site 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	12/3/2017 - 4:17 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:10 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:19 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:22 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-038. 153 John Pott Drive  
Staff report for the December 13, 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: Curtis and Stacy Carl

Agent: Andy Flint, Hertzler and George

Location: 153 John Pott Drive

Tax Map/Parcel No.: 31402F0022

Parcel: Lot 22, Section 1, Block F, Middle Plantation Country Club

Lot Size: 0.72 acre

Area of Lot in Resource Protection Area (RPA): 0.41 acre +/- (57%)

Watershed: Powhatan Creek (HUC JL31)

Floodplain: Zone AE, special flood hazard, subject to 1% chance annual flood. In floodway, base elevation determined, 33 MSL.  
Zone AE, special flood hazard, subject to 1% chance annual flood. Base elevation determined, 33.5 MSL.  
Zone X, subject to the 0.2% annual chance floodplain  
Panel 0117D.

Proposed Activity: Construction of a patio, walkway and retaining wall

Impervious Cover: 4,150 square feet existing  
100 square feet proposed

RPA Encroachment: No further encroachment

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Andy Flint, Hertzler and George, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a patio, walkway and retaining wall on property located at 153 John Pott Drive within Section 1 of the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 31402F0022. The parcel was platted in 1974, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

There is an existing stone path that the homeowners wish to reconfigure into a patio. They also wish to increase the usable area in the lower portion of their lot by cutting into the existing slope and installing a retaining wall. They also wish to install a fescue lawn inside the existing fence. The net increase in impervious cover is approximately 100 square feet. They are proposing to replant the slope that the retaining wall is cutting into.

Staff also requests the implementation of a nutrient management plan such as the Turf Love program for the new fescue lawn.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a patio, walkway and retaining wall and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the improvements are accessory to the main structure. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

## **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 which exceeds 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-18-038 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 with the following conditions incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits 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 the mitigation and Turf Love program registration; and
3. This exception request approval shall become null and void if construction has not begun by December 13, 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.

MDW/nb  
CBE-18-038-153JPottDr

### Attachments:

1. Resolution
2. Water Quality Impact Assessment Package
3. Existing Conditions
4. Site Plan

## RESOLUTION

CASE NO. CBE-18-038. 153 JOHN POTT DRIVE

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Curtis and Stacy Carl (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 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. 31402F0022 and further identified as 153 John Pott Drive in the Ford's Colony subdivision (the “Property”) as set forth in the application CBE-18-038 for the purpose of constructing a patio, walkway and 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 and Turf Love program registration; and
  - c. This exception request approval shall become null and void if construction has not begun by December 13, 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 13th day of December, 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: \_\_\_\_\_

CBE-18-038-153JPottDr-res



Engineering & Resource Protection  
OCT 31 2017

# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only

CB Number CBE 18-038

**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: 10-25-17

Name: Curtis Carl & Stacy Carl  
 Address: 153 John Pott Williamsburg, VA 23185  
 Phone: 017-974-2535 Fax: --- Email: stacycarl916@gmail.com

**Contact (if different from above):**

Name: Andy Flint Phone: 757-784-3824  
 Email: aflint@hertzlergeorge.com

**Project Information:**

Project Address: 153 John Pott Williamsburg, VA 23185  
 Subdivision Name, Lot, and Section No.: Ford's Colony, lot 22, section 1F  
 Parcel Identification No. or Tax Map No.: 31402 F 0022  
 Date Lot was platted: most recent = 5-18-17 Line or Bldg Permit No.: \_\_\_\_\_  
revised = 10-2-17

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

- Steep Slopes  $\geq$  25 percent 2250 (SF)
- Conservation Easement \_\_\_\_\_ (SF)
- Trees to be Removed \_\_\_\_\_ (#)
- RPA - Landward 50' 4150 (SF)
- RPA - Seaward 50' \_\_\_\_\_ (SF)
- Proposed Impervious Cover 200 (SF)  
 > to be redistributed from already impervious area

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

- New principal structure construction
- Permitted buffer modifications:
- Accessory (Detached) Structure or Patio
- Other: \_\_\_\_\_
- Building addition to principal structure
- Dead/diseased/dying tree removal
- Invasive/noxious weed removal
- Redevelopment: \_\_\_\_\_
- Attached Deck
- Sightline
- Access path/trail



For Office Use Only  
CB Number CBE 18-038

**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)*

Build 83' of ~~retaining~~ retaining wall @ 300 sq/ft of patio. Patio will be built using existing bluestone that is already in RPA zone. Installing 1800 sq/ft of Fescue lawn. Possible native shrub planting. Wall installed to retain earth & gain lawn for a more usable 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

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?

To provide resident with improved backyard area - more plantings should be a benefit for erosion purposes. Cannot be relocated

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

Reusing bluestone that is already in the area - to be set in sand

**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).

Hertler and George currently provides a Turf Love program for this property - and plans on providing turf love for the ~~proposed~~ proposed turf in the RPA.

**Mitigation Rates Table**

<b><u>Impervious Area (SF)</u></b>	<b><u>Mitigation Required</u></b>	<b><u>Surety</u></b>
<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>CBE 18-038</u>
--

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

- Number of native canopy trees \_\_\_\_\_
- Number of native understory trees \_\_\_\_\_
- Number of native shrubs approx. 50
- Square feet of native ground cover approx 250 sq/ft
- Square feet of mulch approx 500 sq/ft

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 checked="" 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 Stacy Carl Date 10/26/2017  
 Program Administrator \_\_\_\_\_ Date \_\_\_\_\_  
 Authorized Signature

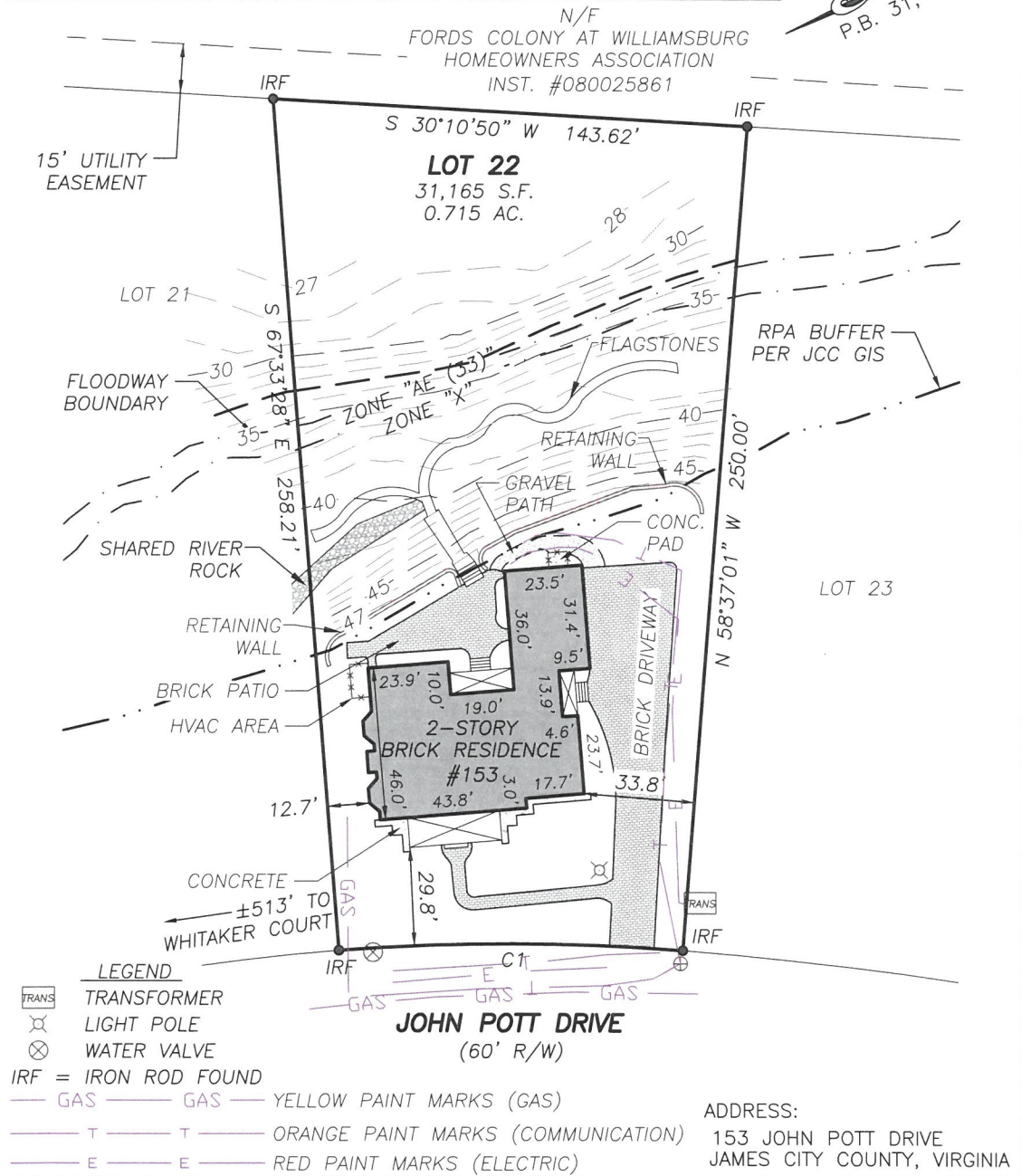
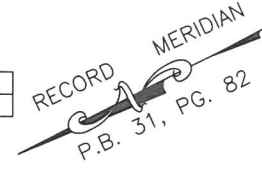
For Office Use Only	Surety Amount: _____ Date/Rec No.: _____ Fee Paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amount: <u>25.00</u> Date/Rec No.: <u>10/31/17 #3248</u> <u>credit card at Treas. use/8</u>
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CBE12-038

NOTES:

1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 31, PG. 76-87.
2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
3. LOT LIES IN F.I.R.M. ZONE "X", ZONE "AE (33)", AND ZONE "AE FLOODWAY" ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0117D, DATED DECEMBER 16, 2015.
4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
5. UNDERGROUND UTILITIES SHOWN PER MISS UTILITY PAINT MARKINGS.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	665.69'	103.88'	103.77'	N 26°54'45" E	8°56'27"



REFERENCES:  
P.B. 31, PG. 76-87

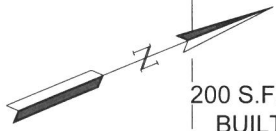
REVISED:  
10/2/2017

DATE: 05/18/17  
SCALE: 1"=40'  
JOB# 17-246  
CAD File  
17-246.dwg

PARTIAL TOPOGRAPHIC SURVEY OF LOT 22, SECTION I, BLOCK F  
**MIDDLE PLANTATION COUNTRY CLUB, INC.**  
For:  
**CURTIS A. & STACY L. CARL**  
JAMES CITY COUNTY VIRGINIA

**LandTech Resources, Inc.**  
Engineering & Surveying Consultants  
3925 Midlands Road, Williamsburg, Virginia 23188  
Telephone: 757-565-1677 Fax: 757-565-0782  
Web: landtechresources.com

CPE 18-038



PRELIMINARY PLANT TOTALS  
50 - 3 GALLON PLANTS  
40 - PERENNIALS

35' CONTOUR FLOODLINE

200 S.F. PATIO BUILT FROM EXISTING BLUESTONE WALKWAY

WALKWAY TO BE REMOVED AND STONES REDISTRIBUTED FOR PATIO

1,900 S.F. NEW FESCUE LAWN

PLANTED SLOPE

FENCE LOCATION

275 S.F. NEW FESCUE LAWN

WALKWAY TO BE REMOVED AND STONES REDISTRIBUTED FOR PATIO

83 L.F. RETAINING WALL; APPROX. 300 FACE FEET

POSSIBLY REMOVE EXISTING SWEETBAY

EXISTING SWEETBAY

REWORK EXISTING WALL TO CREATE ACCESS PATH FOR MOWER

630 S.F. NEW FESCUE LAWN

PLANTED SLOPE

EXISTING SWEETBAYS

RPA BUFFER PER JCC GIS

Scale 1/16" = 1'-0"



CARL RESIDENCE  
10-27-17

153 John Pott  
Williamsburg, VA  
23185





## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY DECEMBER 13, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

W-11-18/VMRC 17-1754: Water's Edge Construction, on behalf of Mr. Brian Clare, has applied for a wetlands permit for beach nourishment at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-024: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-18-028: RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

CBE-18-030: Water's Edge Construction, on behalf of Mr. Brian Clare, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

CBE-18-032: Olsen Fine Homebuilding, on behalf of Mr. and Mrs. Stephen and Gaye Moth, has filed an exception request for encroachment into the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

CBE-18-038: Hertzler and George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachment into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

CBE-18-039: Williams Landscape Design, on behalf of Mr. and Mrs. Tom and Sheida White,

has filed an exception request for encroachment into the RPA buffer for construction of retaining walls and patios at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

CBE-18-040: Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

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 – November 29 and December 6, 2017.

ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



General Services  
Stormwater and Resource  
Protection Division  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Resource.Protection@jamescitycountyva.gov

November 22, 2017

RE: CBE-18-038  
153 John Pott Drive  
Patio, Walkway and 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 Curtis Stacy Carl for encroachment into the Resource Protection Area (RPA) buffer associated with installation of a patio, walkway and retaining wall. The project is located at 153 John Pott Drive in Ford's Colony subdivision. The property is further identified by James City County Real Estate as Parcel No 31402F0022.

A complete description, plan and other information are on file in the Stormwater 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, December 13, 2017 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

*Janice Petty*

Janice Petty  
Stormwater Assistant

cc: Carl, Curtis and Stacy  
Hertzler & George, Andy Flint

Mailing List for: CBE-18-038 – 153 John Pott Drive – Carl/Hertzler & George – Patio, Walkway, Retaining Wall

Owner: 31402f0022

Carl, Curtis & Stacy  
153 John Pott Drive  
Williamsburg, VA 23188-6327

Hertzler & George  
Attn: Mr. Andy Flint  
P.O. Box 457  
Williamsburg, VA 23187-0457

31402f0021

Hornsby, Steven R & Pamela M  
151 John Pott Drive  
Williamsburg, VA 23188-6327

31402f0023

Biaett, Doddridge H Trustee, III & Je  
155 John Pott Drive  
Williamsburg, VA 23188-6327

31402F0001A & 3140200002C

Ford's Colony at Williamsburg Homeowners Association  
100 Manchester  
Williamsburg, VA 23188-7404

3140200002

Clubcorp NV XV, LLC  
P.O. Box 790830  
San Antonio, TX 78279-0830



**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-18-028 : 19 and 20 Mile Course

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RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Water Quality Impact Assessment - Anton	Backup Material
☐	Water Quality Impact Assessment - Pulley	Backup Material
☐	Site 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	12/3/2017 - 4:16 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:08 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:13 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:21 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-18-028. 19 and 20 Mile Course  
Staff report for the December 13, 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: Susan Anton  
Lawrence and Penny Pulley

Agent: Dean Van Arsdale, RVA Construction

Locations: 19 Mile Course  
20 Mile Course

Tax Map/Parcel Nos.: 5040200019  
5040200020

Parcels: Lot 19, Section 1, Mile Course, Kingsmill  
Lot 20, Section 1, Mile Course, Kingsmill

Lot Sizes: 1.62 acre  
0.99 acre

Areas of Lots in Resource  
Protection Area (RPA): 1.15 acre +/- (72%)  
0.76 acres +/- (76%)

Watershed: College Creek (HUC JL34)

Floodplain: Zone X, determined to be outside the 0.2% annual chance floodplain  
Panel 0206D

Proposed Activity: Construction of a bulkhead with backfill

Impervious Cover: 470 square feet proposed

RPA Encroachment: 50-foot seaward RPA buffer

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Dean Van Arsdale, RVA Construction, has applied for a Chesapeake Bay Exception (CBE) for encroachments into the RPA buffer for the construction of a bulkhead with backfill adjacent to Kingsmill Pond located at 19 Mile Course and 20 Mile Course within the Mile Course section of the Kingsmill subdivision and within the College Creek watershed. The properties are further identified as James City County Real Estate Tax Map Parcel Nos. 5040200019 and 5040200020 respectively. The parcels were platted in 1974, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The home at 20 Mile Course was built in 1982. The home at 19 Mile Course is currently under construction. It was approved under CBE-16-033 at the October 14, 2015 Chesapeake Bay Board meeting. Staff has walked

the property several times and has failed to notice any shoreline erosion present. There is evidence of past beaver activity on some of the small trees present at the shoreline. There is an old wooden structure landward of the shore at 20 Mile Course and the decks on 19 Mile Course were previously approved to be reconstructed as part of that CBE approval.

According to the drawing submitted, the construction of the bulkhead will entail the placement of anchor piles approximately 8-feet landward of the bulkhead location and then tie rods used between the anchor piles and the walers on the bulkhead. The anchor piles are placed approximately every 5.5 feet apart. Helical screw piles will be used where trees are present and present obstacles to using anchor piles. It is staff opinion that construction of the bulkhead in this way will destroy the mature woody vegetation present on the shoreline and suggests that helical screw piles be the only method of anchoring allowed in order to preserve the mature vegetation.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of a bulkhead and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the deck is an accessory structure in the RPA and RPA buffer. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

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

A WQIA was 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 which meets 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-18-028 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 could be major for the proposed development. Staff does not recommend approval of this exception request. However, if the Board should wish to approve this exception request, staff recommends that the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$1,000 is required in a form acceptable to the County Attorney's office to guarantee the mitigation plantings for 19 Mile Course and a surety of \$500 is required in a form acceptable to the County Attorney's office to guarantee the mitigation planting for 20 Mile Course; and
3. The owners or the contractor provide written permission from the Kingsmill Community Services Association to allow the barge access and stockpile/laydown area as proposed; and

4. This exception request approval shall become null and void if construction has not begun by December 13, 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.

MDW/nb

CBE18-028-19-20MileCrse

Attachments:

1. Resolution
2. Water Quality Impact Assessment Package, 19 Mile Course
3. Water Quality Impact Assessment Package, 20 Mile Course
4. Site Plan

## RESOLUTION

CASE NO. CBE-18-028. 19 AND 20 MILE COURSE

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Susan Anton and Lawrence and Penny Pulley (the “Applicants”), have applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 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. 5040200019 and 5040200020 and further identified as 19 Mile Course and 20 Mile Course respectively in the Kingsmill subdivision (the “Property”) as set forth in the application CBE-18-028 for the purpose of constructing a bulkhead; 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 \$1,000 is required in a form acceptable to the County Attorney’s Office to guarantee the mitigation plantings for 19 Mile Course and a surety of \$500 is required in a form acceptable to the County Attorney’s Office to guarantee the mitigation planting for 20 Mile Course; and

- c. The owners or the contractor provide written permission from the Kingsmill Community Services Association to allow the barge access and stockpile/laydown area as proposed; and
- d. This exception request approval shall become null and void if construction has not begun by December 13, 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 13th day of December, 2017.

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

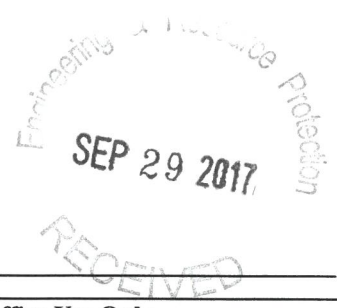
\_\_\_\_\_  
 NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

CBE18-028-19-20MileCrse-res



# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application



For Office Use Only

CB Number CBE-18-028

**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: 9/25/2017

Name: SUSAN ANTON  
 Address: 19 MILE COURSE WILLIAMSBURG, VA 23185  
 Phone: 757.719.9962 Fax: \_\_\_\_\_ Email: aa@legacyportfolio.co.uk

**Contact (if different from above):**

Name: Dean Van Arsdale Phone: 804.516.9860  
 Email: dvanarsdale@rvaconstruction.com

**Project Information:**

Project Address: 19 MILE COURSE WILLIAMSBURG, VA 23185  
 Subdivision Name, Lot, and Section No.: KINGSMILL LOT 19 MILE COURSE  
 Parcel Identification No. or Tax Map No.: 5040200019  
 Date Lot was platted: MAY 16, 1974 Line or Bldg Permit No.: \_\_\_\_\_

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Steep Slopes $\geq$ 25 percent <u>1320</u> (SF) | <input type="checkbox"/> RPA - Landward 50' _____ (SF)                        |
| <input type="checkbox"/> Conservation Easement _____ (SF)                           | <input checked="" type="checkbox"/> RPA - Seaward 50' <u>1320</u> (SF)        |
| <input checked="" type="checkbox"/> Trees to be Removed <u>1</u> (#)                | <input checked="" type="checkbox"/> Proposed Impervious Cover <u>409</u> (SF) |

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

- |   |   |  |
|---|---|--|
| <input 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 type="checkbox"/> Invasive/noxious weed removal            | <input type="checkbox"/> Access path/trail |
| <input type="checkbox"/> Accessory (Detached) Structure or Patio  | <input type="checkbox"/> Redevelopment: _____                     |  |
| <input checked="" type="checkbox"/> Other: <u>Bulkhead with backfill positioned landward and adjacent to waters' edge</u> |   |  |

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

**For Office Use Only**

**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)*

The proposed bulkhead is needed to control erosion along the toe of slope at the water's edge. Said bulkhead will follow shoreline 399' plus a 10' landward return at eastern property line and extend vertically a maximum of 2' above pool elevation.

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

3. Are permits from other local, State or Federal agencies required for any portion of this project?  Yes  No  
(If yes, please explain) Submitted JPA may result in USACE permit verification

**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?  
The proposed bulkhead will reduce eroded sediments from entering the lake. Its purpose and function fix location at the waters' edge.

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  
The above ground items of the bulkhead are sheetpiles, wales, and capboard. These elements that contribute to impervious cover are the basic structural elements and are necessary to complete the structure.

**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**

<b><u>Impervious Area (SF)</u></b>	<b><u>Mitigation Required</u></b>	<b><u>Surety</u></b>
<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**

<p><b>For Office Use Only</b></p> <p>CB Number _____</p>
--

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

- Number of native canopy trees 2
- Number of native understory trees 4
- Number of native shrubs 6
- Square feet of native ground cover 1320 for backfill area of typical 2' width & ancho
- 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 checked="" 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 [Signature] Date 9/25/2017

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

Authorized Signature

For Office Use Only	<p><b>Surety Amount:</b> _____</p> <p><b>Date/Rec No.:</b> _____</p> <p><b>Fee Paid?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Amount:</b> <u>125</u></p> <p><b>Date/Rec No.:</b> <u>9/29/17 # 3234</u></p>
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# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

Engineering & Resource Protection  
SEP 29 2017  
RECEIVED

For Office Use Only  
CB Number CBE-18-028

**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: 9/25/2017

Name: LAWRENCE S & PENNY P PULLEY  
 Address: 20 MILE COURSE WILLIAMSBURG, VA 23185  
 Phone: 757.532.0190 Fax: \_\_\_\_\_ Email: pennypal@cox.net

**Contact (if different from above):**

Name: Dean Van Arsdale Phone: 804.516.9860  
 Email: dvanarsdale@rvaconstruction.com

**Project Information:**

Project Address: 20 MILE COURSE WILLIAMSBURG, VA 23185  
 Subdivision Name, Lot, and Section No.: KINGSMILL LOT 19 MILE COURSE  
 Parcel Identification No. or Tax Map No.: 5040200020  
 Date Lot was platted: MAY 16, 1974 Line or Bldg Permit No.: \_\_\_\_\_

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Steep Slopes $\geq$ 25 percent <u>160</u> (SF) | <input type="checkbox"/> RPA - Landward 50' _____ (SF)                       |
| <input type="checkbox"/> Conservation Easement _____ (SF)                          | <input checked="" type="checkbox"/> RPA - Seaward 50' <u>160</u> (SF)        |
| <input type="checkbox"/> Trees to be Removed _____ (#)                             | <input checked="" type="checkbox"/> Proposed Impervious Cover <u>60</u> (SF) |

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

- |   |   |  |
|---|---|--|
| <input 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 type="checkbox"/> Accessory (Detached) Structure or Patio  | <input type="checkbox"/> Invasive/noxious weed removal            | <input type="checkbox"/> Access path/trail |
| <input checked="" type="checkbox"/> Other: <u>Bulkhead with backfill positioned landward and adjacent to waters' edge</u> | <input type="checkbox"/> Redevelopment: _____                     |  |

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

For Office Use Only 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)*

The proposed bulkhead is needed to control erosion along the toe of slope at the water's edge. Said bulkhead will follow shoreline 50' plus a 10' landward return at northern end and extend vertically a maximum of 2' above pool elevation.

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
3. Are permits from other local, State or Federal agencies required for any portion of this project?  Yes  No  
(If yes, please explain) Submitted JPA may result in USACE permit verification

**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?  
The proposed bulkhead will reduce eroded sediments from entering the lake. Its purpose and function fix location at the waters' edge.

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  
The above ground items of the bulkhead are sheetpiles, wales, and capboard. These elements that contribute to impervious cover are the basic structural elements and are necessary to complete the structure.

**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**

<p><b>For Office Use Only</b></p> <p>CB Number _____</p>
--

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

- Number of native canopy trees \_\_\_\_\_
- Number of native understory trees 1
- Number of native shrubs 3
- Square feet of native ground cover 160 for backfill area of typical 2' width & anchor installations
- 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 checked="" 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 *[Signature]* Date 25 Sept 2017

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

Authorized Signature

<p>For Office Use Only</p>	<p><b>Surety Amount:</b> _____</p> <p><b>Date/Rec No.:</b> _____</p> <p><b>Fee Paid?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Amount:</b> _____</p> <p><b>Date/Rec No.:</b> _____</p>
----------------------------	---

# SITE PLAN OF PROPOSED BULKHEAD PROJECT

**BULKHEAD TIEDOWN**  
 VA SPC 83 [USFT]

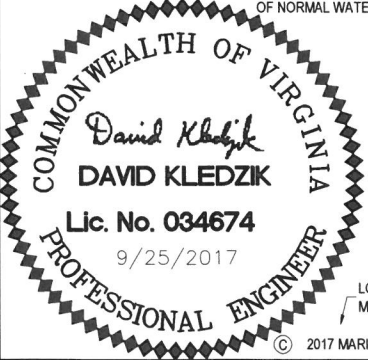
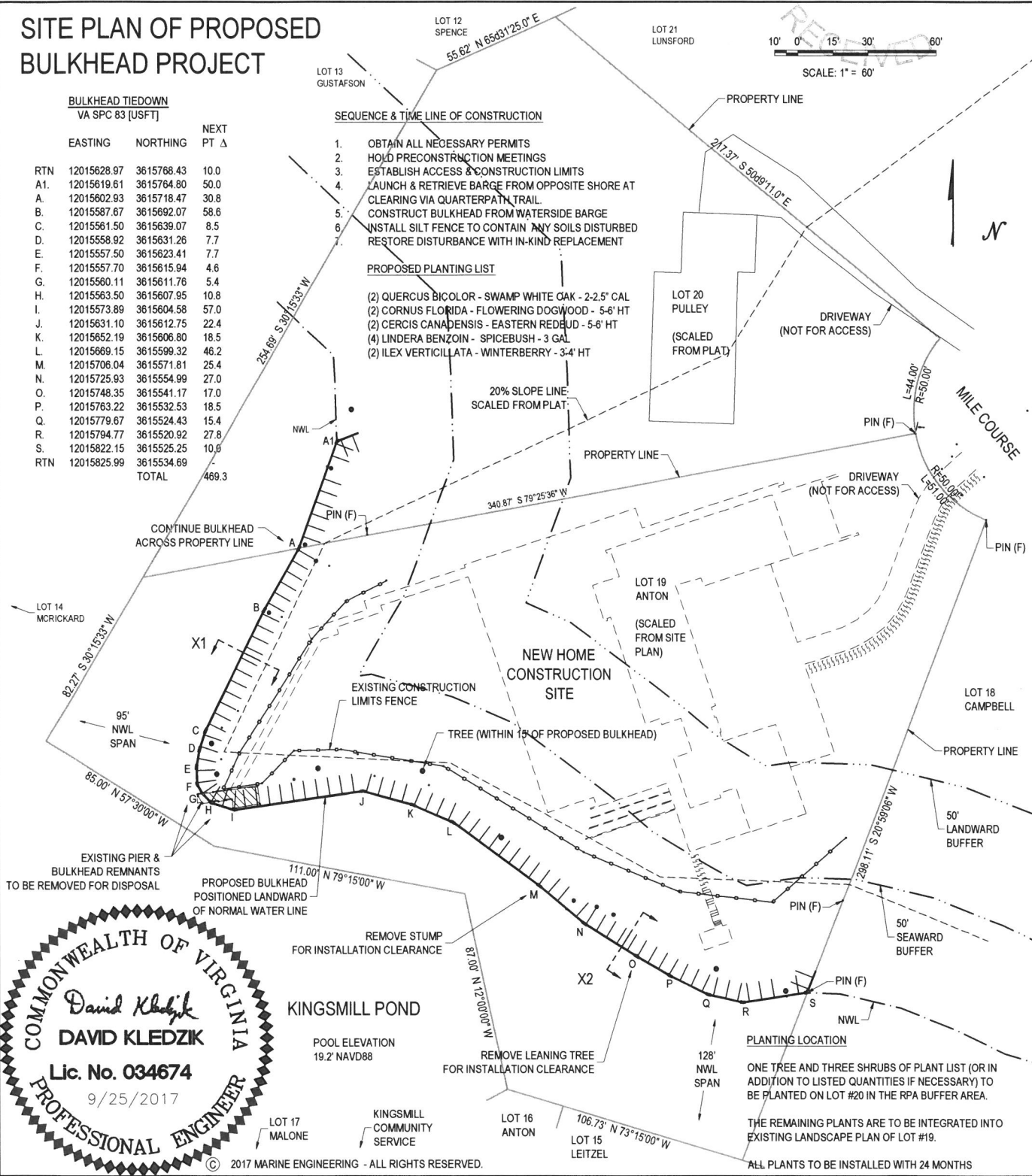
	EASTING	NORTHING	NEXT PT Δ
RTN	12015628.97	3615768.43	10.0
A1.	12015619.61	3615764.80	50.0
A.	12015602.93	3615718.47	30.8
B.	12015587.67	3615692.07	58.6
C.	12015561.50	3615639.07	8.5
D.	12015558.92	3615631.26	7.7
E.	12015557.50	3615623.41	7.7
F.	12015557.70	3615615.94	4.6
G.	12015560.11	3615611.76	5.4
H.	12015563.50	3615607.95	10.8
I.	12015573.89	3615604.58	57.0
J.	12015631.10	3615612.75	22.4
K.	12015652.19	3615606.80	18.5
L.	12015669.15	3615599.32	46.2
M.	12015706.04	3615571.81	25.4
N.	12015725.93	3615554.99	27.0
O.	12015748.35	3615541.17	17.0
P.	12015763.22	3615532.53	18.5
Q.	12015779.67	3615524.43	15.4
R.	12015794.77	3615520.92	27.8
S.	12015822.15	3615525.25	10.0
RTN	12015825.99	3615534.69	
TOTAL			469.3

**SEQUENCE & TIME LINE OF CONSTRUCTION**

1. OBTAIN ALL NECESSARY PERMITS
2. HOLD PRECONSTRUCTION MEETINGS
3. ESTABLISH ACCESS & CONSTRUCTION LIMITS
4. LAUNCH & RETRIEVE BARGE FROM OPPOSITE SHORE AT CLEARING VIA QUARTERPATH TRAIL
5. CONSTRUCT BULKHEAD FROM WATERSIDE BARGE
6. INSTALL SILT FENCE TO CONTAIN ANY SOILS DISTURBED RESTORE DISTURBANCE WITH IN-KIND REPLACEMENT

**PROPOSED PLANTING LIST**

- (2) QUERCUS BICOLOR - SWAMP WHITE OAK - 2-2.5" CAL
- (2) CORNUS FLORIDA - FLOWERING DOGWOOD - 5-6" HT
- (2) CERCIS CANADENSIS - EASTERN REDBUD - 5-6" HT
- (4) LINDERA BENZOIN - SPICEBUSH - 3 GAL
- (2) ILEX VERTICILLATA - WINTERBERRY - 3-4" HT

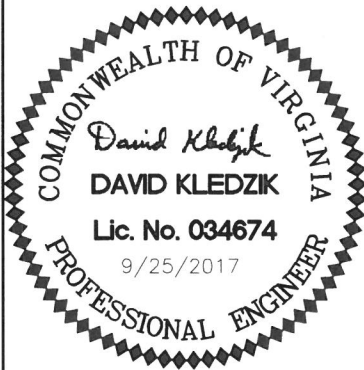


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APPLICANT: RVA CONSTRUCTION, INC  
 C/O DEAN VAN ARSDALE  
 8001 FRANKLIN FARMS DR STE 138  
 RICHMOND, VA 23229  
 ADJACENT PROPERTY OWNERS  
 SHOWN ON SHEET 1

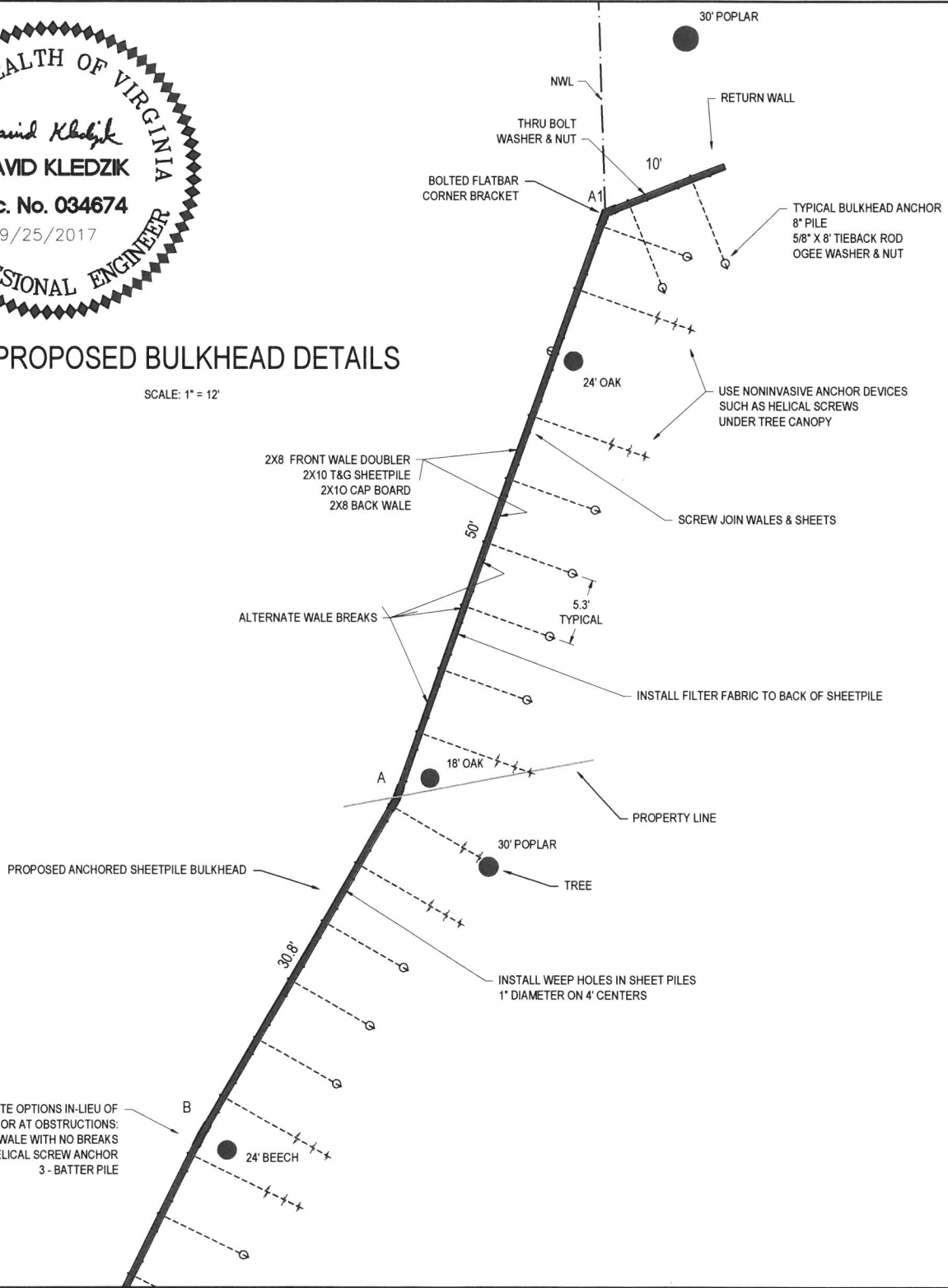
**MARINE ENGINEERING**  
 4212 DOUGHERTY CT  
 VIRGINIA BEACH, VA 23455  
 PH: (757) 477-4787

PROPOSED PROJECT FOR EROSION CONTROL  
 DATUM: NWL = 0.00'  
 SHEET 1 OF 9  
 DATE: JANUARY 12, 2017  
 REVISION 1: SEPTEMBER 25, 2017



# PROPOSED BULKHEAD DETAILS

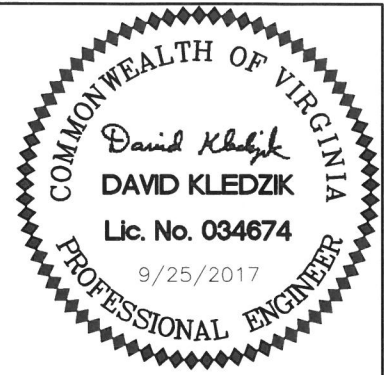
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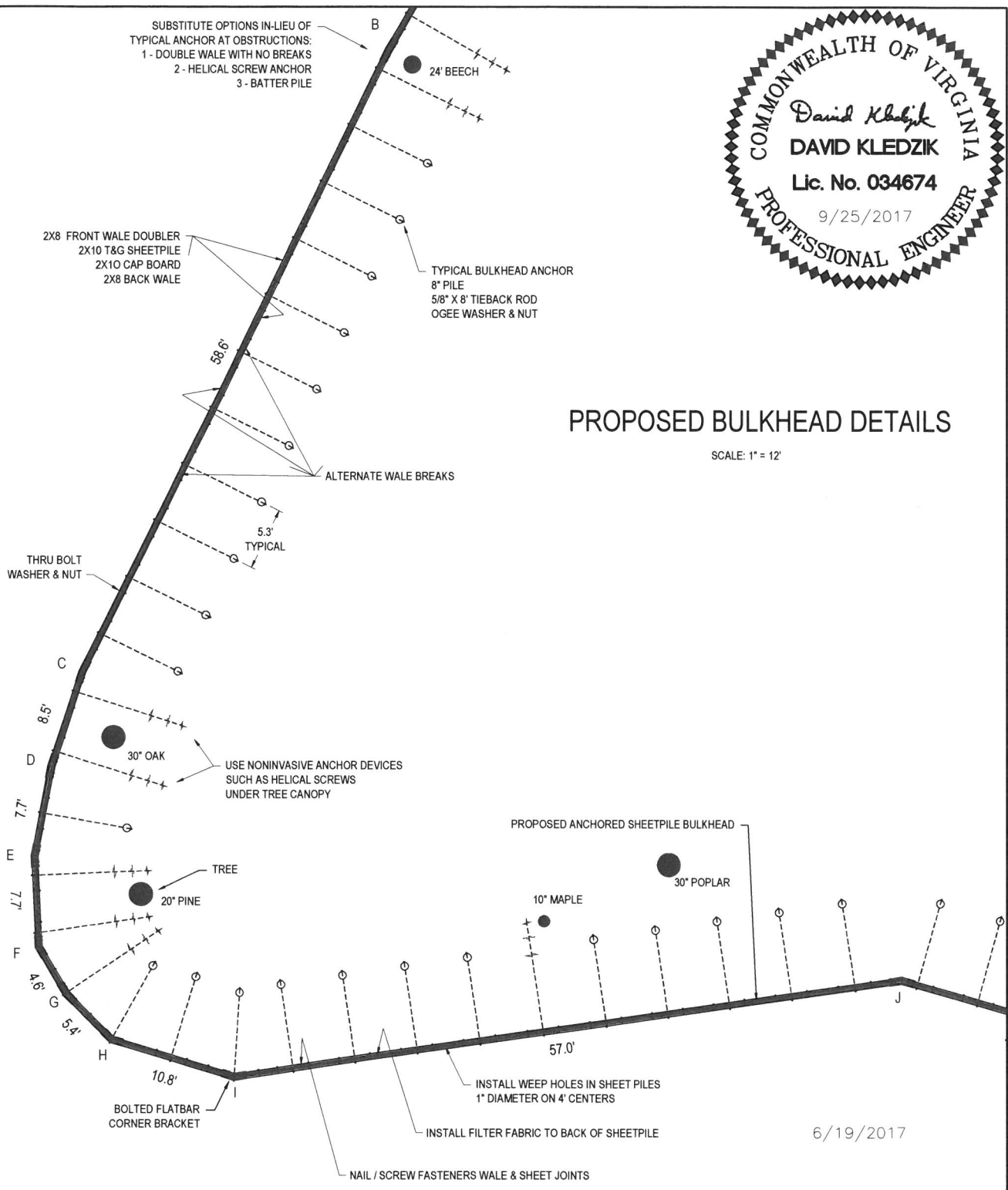
APPLICANT:  
 RVA CONSTRUCTION, INC  
 C/O DEAN VAN ARSDALE  
 8001 FRANKLIN FARMS DR STE 138  
 RICHMOND, VA 23229

**MARINE ENGINEERING**  
 4212 DOUGHERTY CT  
 VIRGINIA BEACH, VA 23455  
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PROPOSED PROJECT FOR EROSION CONTROL  
 DATUM: NWL = 0.00'  
 SHEET 2 OF 9  
 DATE: JANUARY 12, 2017  
 REVISION 1: SEPTEMBER 25, 2017



SUBSTITUTE OPTIONS IN-LIEU OF TYPICAL ANCHOR AT OBSTRUCTIONS:  
 1 - DOUBLE WALE WITH NO BREAKS  
 2 - HELICAL SCREW ANCHOR  
 3 - BATTER PILE



### PROPOSED BULKHEAD DETAILS

SCALE: 1" = 12'

6/19/2017

APPLICANT:  
 RVA CONSTRUCTION, INC  
 C/O DEAN VAN ARSDALE  
 8001 FRANKLIN FARMS DR STE 138  
 RICHMOND, VA 23229

**MARINE ENGINEERING**  
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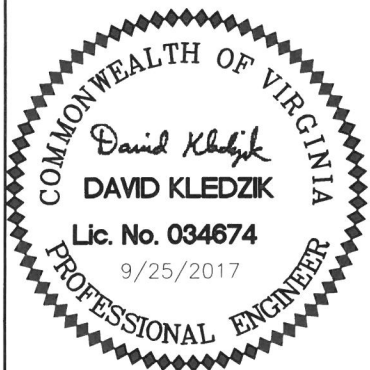
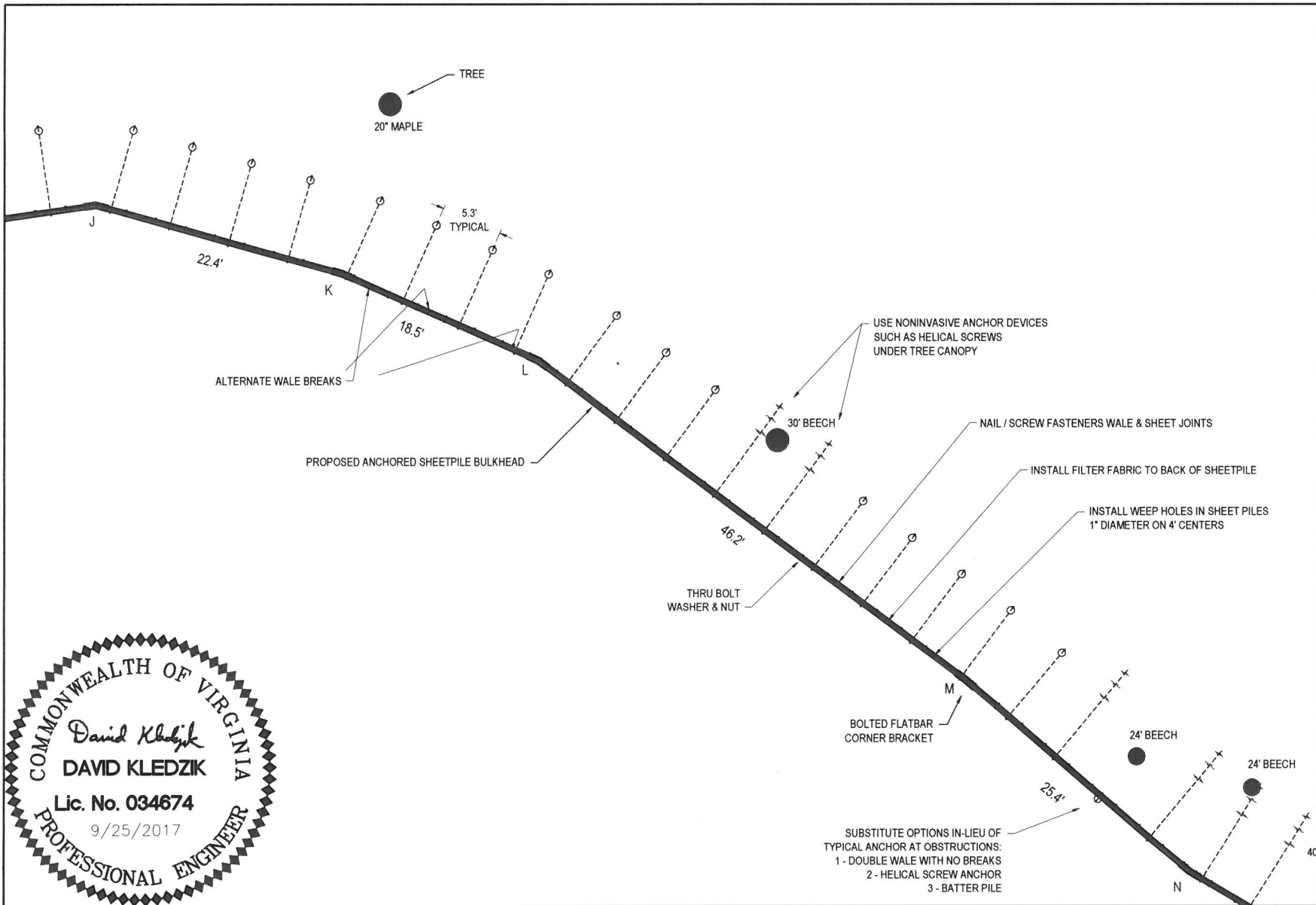
PROPOSED PROJECT FOR EROSION CONTROL

DATUM: NWL = 0.00'

SHEET 3 OF 9

DATE: JANUARY 12, 2017

REVISION 1: SEPTEMBER 25, 2017



APPLICANT:  
 RVA CONSTRUCTION, INC  
 C/O DEAN VAN ARSDALE  
 8001 FRANKLIN FARMS DR STE 138  
 RICHMOND, VA 23229

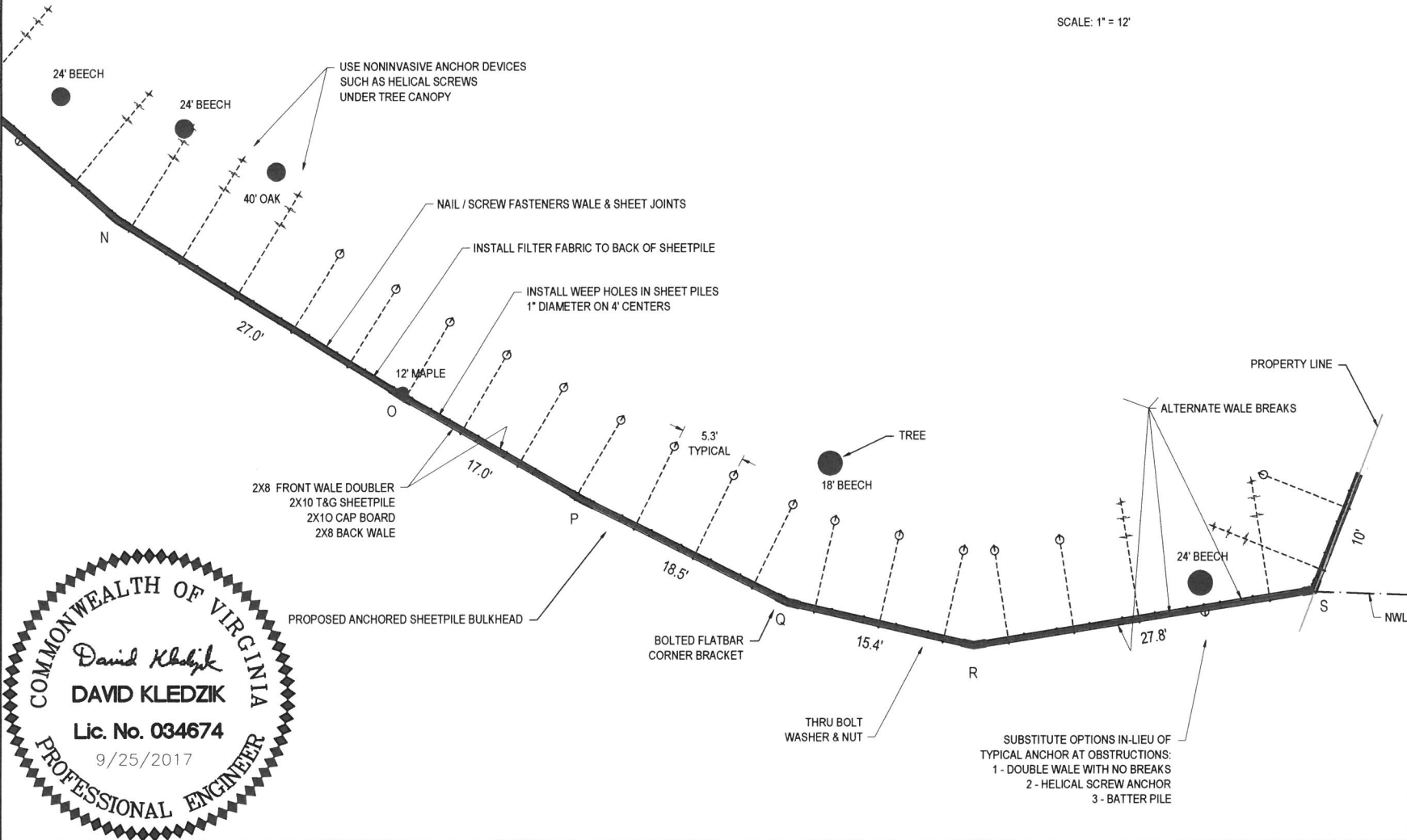
**MARINE ENGINEERING**  
 4212 DOUGHERTY CT  
 VIRGINIA BEACH, VA 23455  
 PH: (757) 477-4787

PROPOSED PROJECT FOR EROSION CONTROL  
 DATUM: NWL = 0.00'  
 SHEET 4 OF 9  
 DATE: JANUARY 12, 2017  
 REVISION 1: SEPTEMBER 25, 2017



# PROPOSED BULKHEAD DETAILS

SCALE: 1" = 12'



APPLICANT:  
RVA CONSTRUCTION, INC  
C/O DEAN VAN ARSDALE  
8001 FRANKLIN FARMS DR STE 138  
RICHMOND, VA 23229

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VIRGINIA BEACH, VA 23455  
PH: (757) 477-4787

PROPOSED PROJECT FOR EROSION CONTROL  
DATUM: NWL = 0.00'  
SHEET 5 OF 9  
DATE: JANUARY 12, 2017  
REVISION 1: SEPTEMBER 25, 2017

# SECTION X1 - X1 PROPOSED BULKHEAD DETAILS

SCALE: 1" = 5'

**BULKHEAD CONSTRUCTION MATERIALS:**

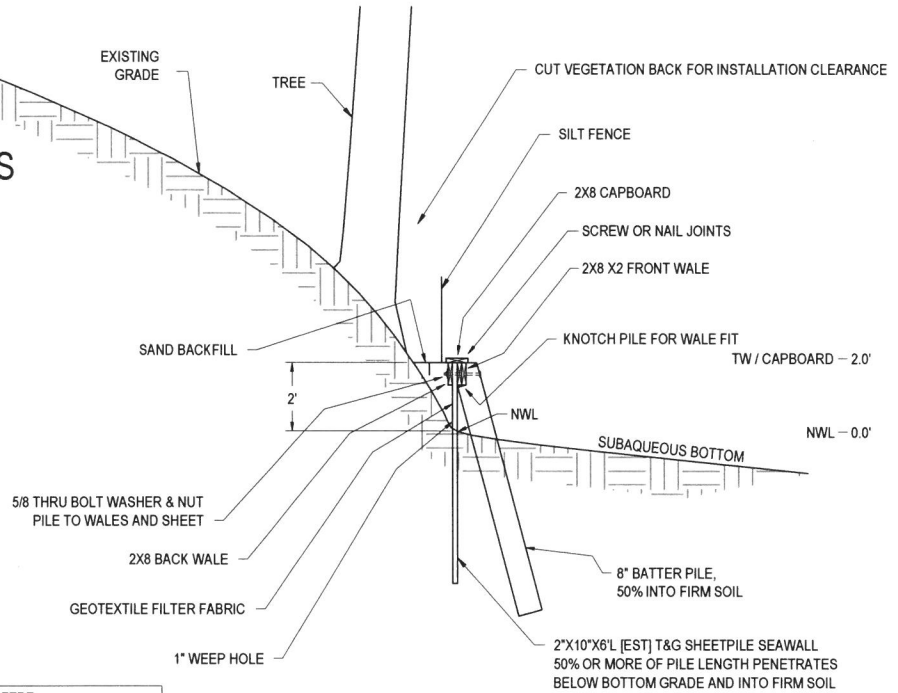
MARINE CONSTRUCTION GRADE HARDWARE  
HOT DIPPED GALVANIZED PER ASTM 153

5/8" THRU BOLT, NUT, & DOCK WASHER  
5/8" TIE ROD, NUT, & O.G. WASHER  
#10X3" SCREW  
16d NAILS

MARINE CONSTRUCTION GRADE SOUTHERN PINE  
TIMBER TREATED IAW AWPA FOR UC5B USE

8" BUTT DIAMETER PILE  
2" X 10" T&G SEA WALL SHEET PILE  
2" X 8" WALES  
2" X 8" CAPBOARD  
8" BUTT DIAMETER ANCHOR PILE

CONSTRUCTION FROM WATERSIDE BARGE

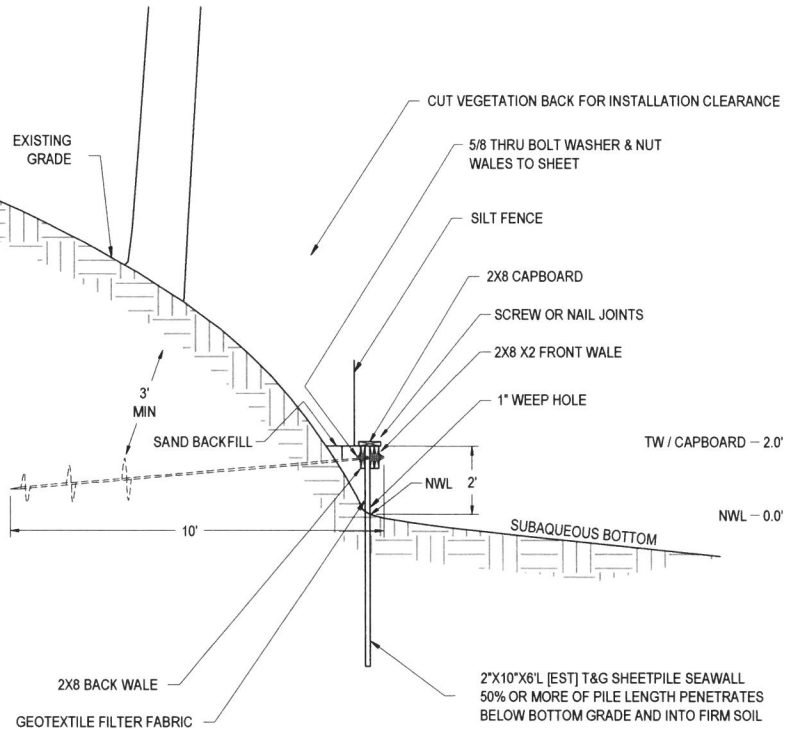


IF LANDFORM, TREE OR ROOT INTERFERE WITH STANDARD PILE & ROD ANCHOR SYSTEM - AS DETAILED IN SECTION X2 - SUBSTITUTE HELICAL SCREW ANCHOR, BATTER PILE OR ADDITIONAL & CONTINUOUS WALES TO SPAN OBSTACLE.

DESIGN BASED ON STANDARD PRACTICES WITHOUT THE BENEFIT OF SOIL SAMPLING. NO ALLOWANCES HAVE BEEN MADE FOR ATYPICAL SUBSOIL CONDITIONS. DEVELOPER TO CONTACT THE ENGINEER OF RECORD IF EITHER MINIMUM PENETRATION DEPTHS OF PILES CANNOT BE MET OR IF SOIL DISCOVERED NOT FIRM. ALL DIMENSIONS AND MATERIAL SPECIFICATIONS ARE MINIMUMS UNLESS OTHERWISE SPECIFIED.

SILT FENCES WILL BE PROPERLY INSTALLED (STAKED AND TRENCHED) SEAWARD OF ALL DISTURBED AREAS AT THE CONCLUSION OF EACH WORK DAY AND MAINTAINING EXISTING VEGETATIVE COVER HAS BEEN ESTABLISHED.

ALL MATERIALS REMOVED SHALL BE PROPERLY DISPOSED IN LAWFUL MANNER



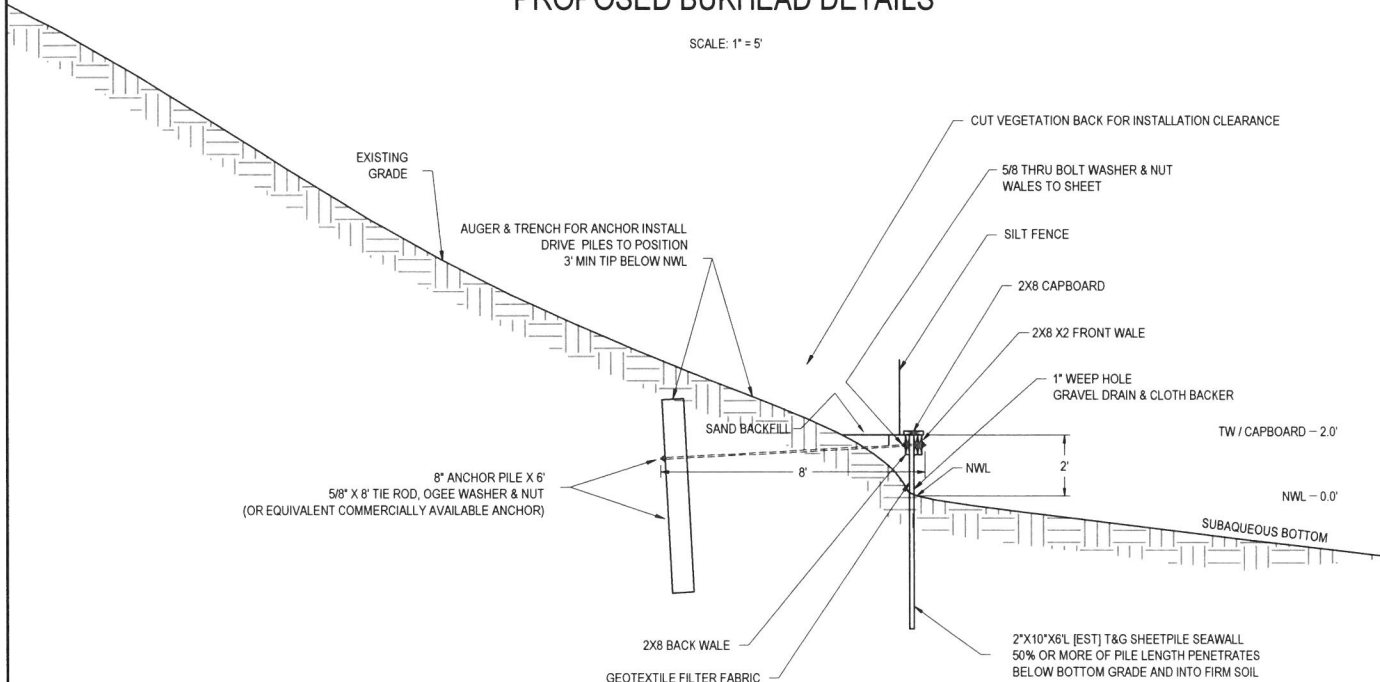
APPLICANT:  
RVA CONSTRUCTION, INC  
C/O DEAN VAN ARSDALE  
8001 FRANKLIN FARMS DR STE 138  
RICHMOND, VA 23229

MARINE ENGINEERING  
4212 DOUGHERTY CT  
VIRGINIA BEACH, VA 23455  
PH: (757) 477-4787

PROPOSED PROJECT FOR EROSION CONTROL  
DATUM: NWL = 0.00'  
SHEET 6 OF 9  
DATE: JANUARY 12, 2017  
REVISION 1: SEPTEMBER 25, 2017

## SECTION X2 - X2 PROPOSED BULKHEAD DETAILS

SCALE: 1" = 5'



DESIGN BASED ON STANDARD PRACTICES WITHOUT THE BENEFIT OF SOIL SAMPLING. NO ALLOWANCES HAVE BEEN MADE FOR ATYPICAL SUBSOIL CONDITIONS. DEVELOPER TO CONTACT THE ENGINEER OF RECORD IF EITHER MINIMUM PENETRATION DEPTHS OF PILES CANNOT BE MET OR IF SOIL DISCOVERED NOT FIRM. ALL DIMENSIONS AND MATERIAL SPECIFICATIONS ARE MINIMUMS UNLESS OTHERWISE SPECIFIED.

SILT FENCES WILL BE PROPERLY INSTALLED (STAKED AND TRENCHED) SEAWARD OF ALL DISTURBED AREAS AT THE CONCLUSION OF EACH WORK DAY AND MAINTAINED UNTIL A PERMANENT VEGETATIVE COVER HAS BEEN ESTABLISHED.

ALL MATERIALS REMOVED SHALL BE PROPERLY DISPOSED IN LAWFUL MANNER

**BULKHEAD CONSTRUCTION MATERIALS:**

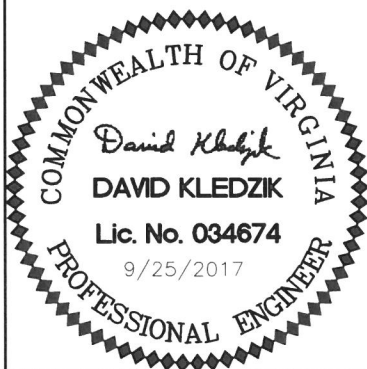
MARINE CONSTRUCTION GRADE HARDWARE  
HOT DIPPED GALVANIZED PER ASTM 153

5/8" THRU BOLT, NUT, & DOCK WASHER  
5/8" TIE ROD, NUT, & O.G. WASHER  
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16d NAILS

MARINE CONSTRUCTION GRADE SOUTHERN PINE  
TIMBER TREATED IAW AWPA FOR UC5B USE

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2' X 8" WALES  
2' X 8" CAPBOARD  
8" BUTT DIAMETER ANCHOR PILE

CONSTRUCTION FROM WATERSIDE BARGE



APPLICANT:  
RVA CONSTRUCTION, INC  
C/O DEAN VAN ARSDALE  
8001 FRANKLIN FARMS DR STE 138  
RICHMOND, VA 23229

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VIRGINIA BEACH, VA 23455  
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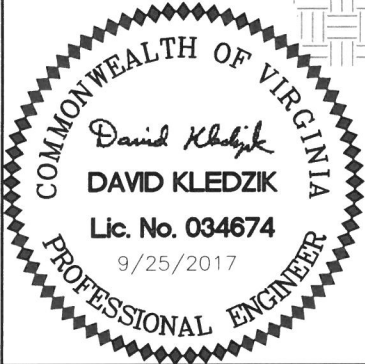
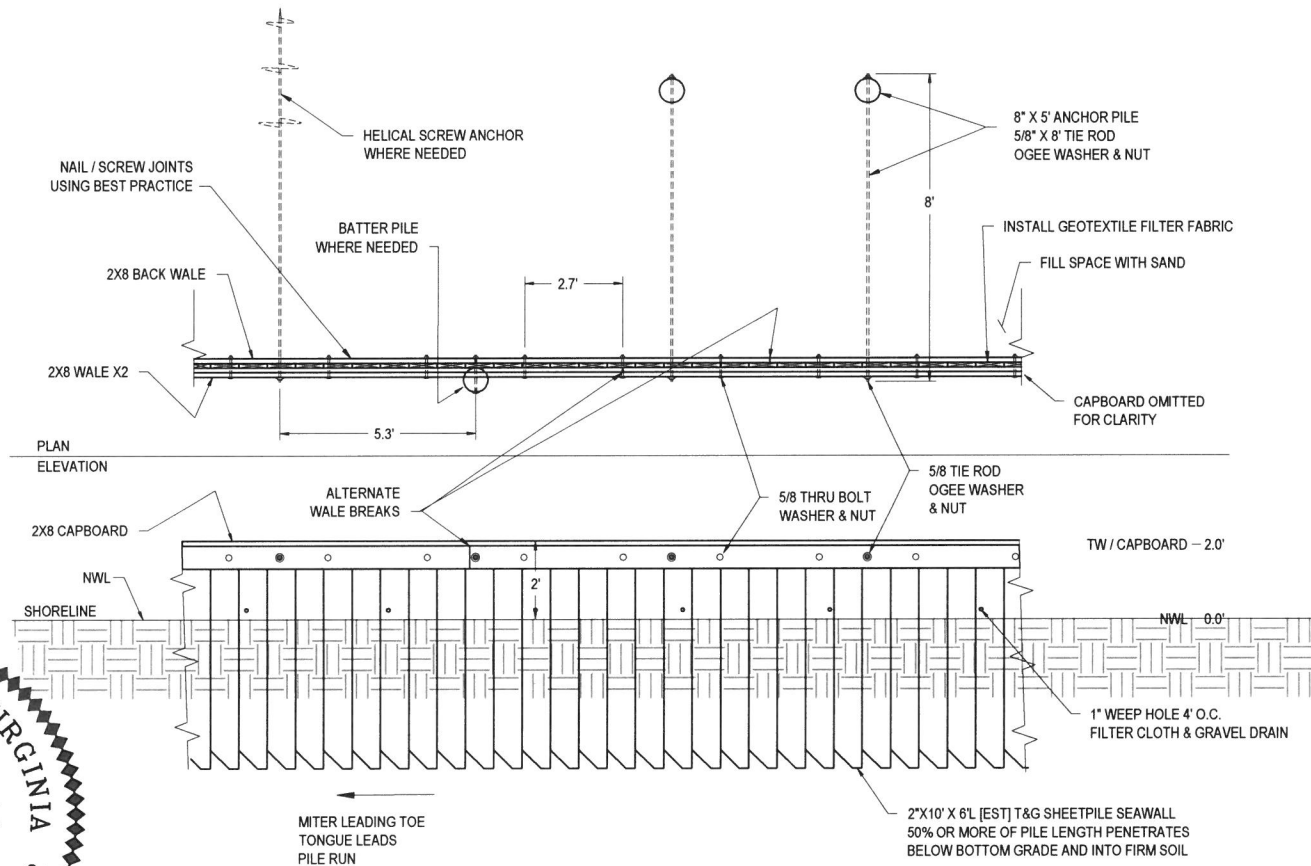
PROPOSED PROJECT FOR EROSION CONTROL

DATUM: NWL = 0.00'

SHEET 7 OF 9  
DATE: JANUARY 12, 2017  
REVISION 1: SEPTEMBER 25, 2017

# PLAN/ELEVATION PROPOSED BULKHEAD DETAILS

SCALE: 1" = 5'



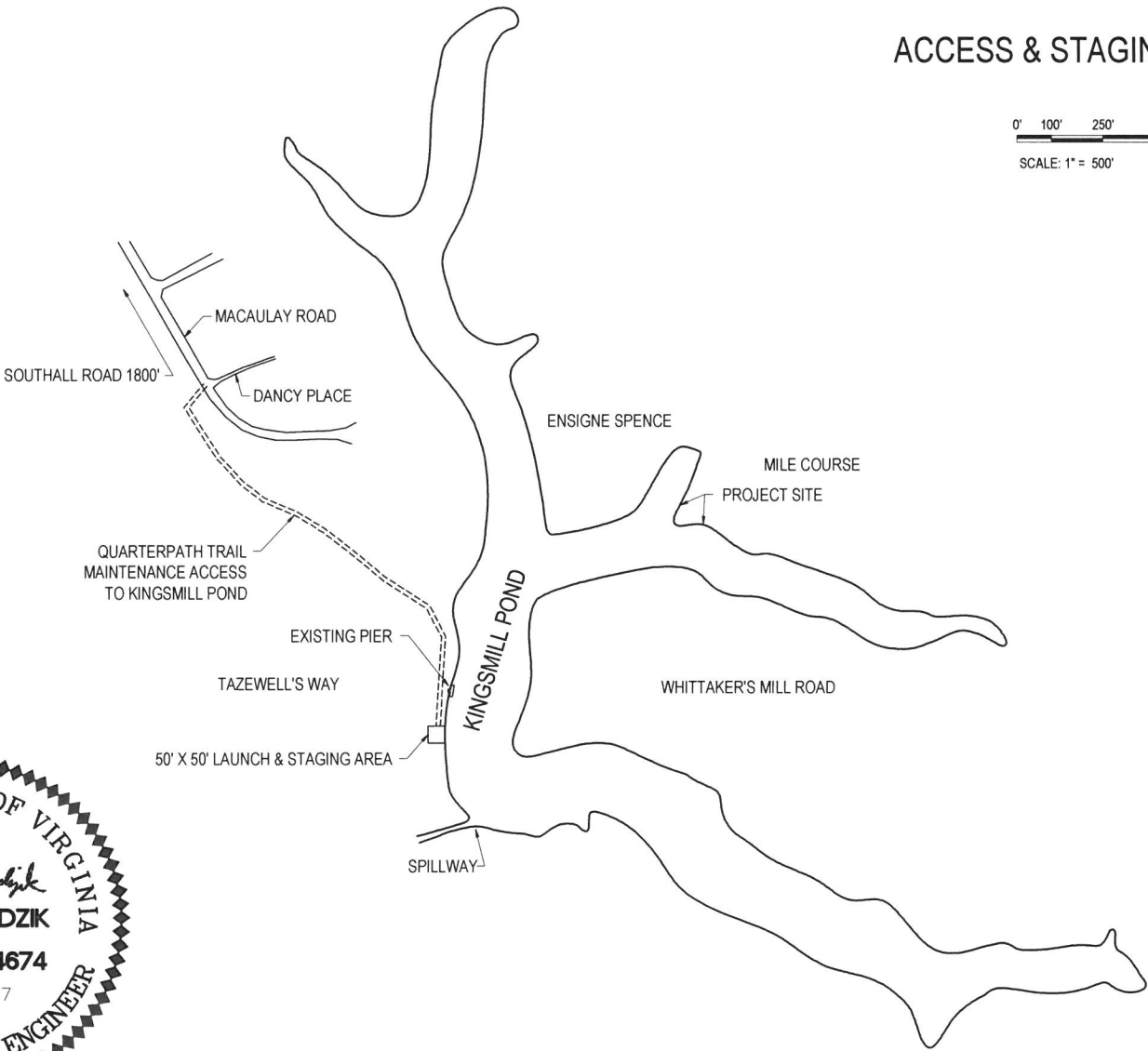
APPLICANT:  
 RVA CONSTRUCTION, INC  
 C/O DEAN VAN ARSDALE  
 8001 FRANKLIN FARMS DR STE 138  
 RICHMOND, VA 23229

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PROPOSED PROJECT FOR EROSION  
 CONTROL  
 DATUM: NWL = 0.00'  
 SHEET 8 OF 9  
 DATE: JANUARY 12, 2017  
 REVISION 1: SEPTEMBER 25, 2017

# ACCESS & STAGING AREA MAP

0' 100' 250' 500'  
SCALE: 1" = 500'



APPLICANT:  
RVA CONSTRUCTION, INC  
C/O DEAN VAN ARSDALE  
8001 FRANKLIN FARMS DR STE 138  
RICHMOND, VA 23229

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PROPOSED PROJECT FOR EROSION CONTROL  
DATUM: NWL = 0.00'  
SHEET 9 OF 9  
DATE: JANUARY 12, 2017  
REVISION 1: SEPTEMBER 25, 2017



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY DECEMBER 13, 2017 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

W-11-18/VMRC 17-1754: Water's Edge Construction, on behalf of Mr. Brian Clare, has applied for a wetlands permit for beach nourishment at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBE-18-024: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-18-028: RVA Construction, on behalf of Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall/bulkhead at 19 and 20 Mile Course in the Kingsmill subdivision, JCC Parcel No 5040200019 and JCC Parcel No 5040200020.

CBE-18-030: Water's Edge Construction, on behalf of Mr. Brian Clare, has filed an exception request for encroachment into the RPA buffer for construction of a retaining wall, bank grading and stairway access at 2521 Manion Drive in the Drummonds Field subdivision, JCC Parcel No 4630200004.

CBE-18-032: Olsen Fine Homebuilding, on behalf of Mr. and Mrs. Stephen and Gaye Moth, has filed an exception request for encroachment into the RPA buffer for construction of a deck and step access to the water at 38 Ensigne Spence in the Kingsmill subdivision, JCC Parcel No 5021100015.

CBE-18-038: Hertzler and George, on behalf of Mr. and Mrs. Curtis and Stacy Carl, has filed an exception request for encroachment into the RPA buffer for construction of a patio, walkway and retaining wall at 153 John Pott Drive in the Fords Colony subdivision, JCC Parcel No 31402F0022.

CBE-18-039: Williams Landscape Design, on behalf of Mr. and Mrs. Tom and Sheida White,

has filed an exception request for encroachment into the RPA buffer for construction of retaining walls and patios at 109 Mahogany Run in the Fords Colony subdivision, JCC Parcel No 3131000010.

CBE-18-040: Walkwright Construction, on behalf of Mr. John Haywood, has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling, deck, spa and pool at 112 Constance Avenue in the Powhatan Shores subdivision, JCC Parcel No 4730500025.

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 – November 29 and December 6, 2017.

ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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



General Services  
Stormwater and Resource  
Protection Division  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Resource.Protection@jamescitycountyva.gov

November 22, 2017

RE: 19 and 20 Mile Course  
CBE-18-028  
Bulkhead

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Ms. Susan Anton and Mr. and Mrs. Lawrence and Penny Pulley for encroachment into the Resource Protection Area (RPA) buffer associated with installation of a bulkhead. The project are located at 19 and 20 Mile Course in the Kingsmill subdivision. The properties are further identified by James City County Real Estate as Parcel Nos 5040200019 and 5040200020.

A complete description, plan, and other information are on file in the Stormwater 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, December 13, 2017 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

*Janice Petty*

Janice Petty  
Stormwater Assistant

cc: Anton, Susan  
Pulley, Lawrence and Penny  
RVA Construction



Mailing List for: CBE-18-028 – 19 & 20 Mile Course – Anton –Pulley-Van Arsdale- Bulkhead & backfill

Owner: 5040200019

Anton, Susan  
19 Mile Course  
Williamsburg, VA 23185-5525

RVA Construction  
Attn: Mr. Dean VanArsdale  
515 Hull Street  
Richmond, VA 23224-4137

Owner: 5040200020

Pulley, Lawrence B & Penny S  
20 Mile Course  
Williamsburg, VA 23185-5525

5040200018

Campbell, Wesley L  
18 Mile Course  
Williamsburg, VA 23185-5525

5021100014

McRickard, Francis J, Jr. Trustee & Kathleen P, Trustee  
36 Ensigne Spence  
Williamsburg, VA 23185-5561

5040300015

Leitzel, Robert L & Karen R  
15 Whittakers Mill  
Williamsburg, VA 23185-5534

5040300016 – 16 Whittakers Mill

Susan Anton  
18 Yeardleys Grant  
Williamsburg, VA 23185-6529

504030006A – .17 A, LPZ A6 S-1 Whitakers Mill

Kingsmill Community Service Association c/o Harry Knight  
100 Kingsmill Road  
Williamsburg, VA 23185-5579

5040300017 – 17 Whittakers Mill

Malone, Linda A  
17 Whittakers Mill Road  
Williamsburg, VA 23185-5534

5010100010 –Kingsmill Pond

Kingsmill Community Service Association  
P.O. Box 348  
Williamsburg, VA 23187-0348

5021200021

Lunsford, Andra & Jeff

21 Mile Course

Williamsburg, VA 23185-5525

5021100012

Stanley, David I & Catherine

32 Ensigne Spence

Williamsburg, VA 23185-5561

5021100013

Gustafson, Paul F & Sharon L

34 Ensigne Spence

Williamsburg, VA 23185-5561

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-17-009 : 3 West Circle

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Raffael and Florina Tusa have requested a one-year extension to CBE-17-009, originally granted on January 11, 2017.

**ATTACHMENTS:**

	Description	Type
☐	Staff Memo	Staff Report
☐	Resolution	Resolution
☐	Extension Request	Backup Material
☐	Original Staff Report	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	12/3/2017 - 4:17 PM
Chesapeake Bay Group	Geissler, Fran	Approved	12/4/2017 - 11:10 AM
Publication Management	Burcham, Nan	Approved	12/4/2017 - 11:17 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/4/2017 - 1:22 PM

**MEMORANDUM**

DATE: December 13, 2017  
TO: The Chesapeake Bay Board  
FROM: Michael D. Woolson, Senior Watershed Planner  
SUBJECT: Case No. CBE-17-009. 3 West Circle – Granting an Extension of an Exception

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Raffael and Florina Tusa are requesting a one-year extension to CBE-17-009, originally granted on January 11, 2017, due to the fine-tuning and value engineering of the means and methods of construction of their home. Staff concurs with this request with the stipulation that all permit conditions, except for the expiration date, be reauthorized and that the new date of expiration be January 11, 2019.

MDW/gt  
CB317-09-WestCircle-mem

Attachment

## RESOLUTION

CASE NO. CBE-17-009. 3 WEST CIRCLE –

### GRANTING AN EXTENSION OF AN EXCEPTION

WHEREAS, Raffael and Florina Tusa (the “Applicant”) have requested an extension of the exception granted by the Chesapeake Bay Board of James City County (the “Board”) on January 11, 2017. The exception request is for use of the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 45402000080A and further identified as 3 West Circle in the First Colony subdivision (the “Property”) as set forth in the application CBE-17-009, for the construction of a single-family dwelling, deck and pool; 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 on January 11, 2017, 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 a Declaration of Covenants, Inspection/Maintenance of Drainage Systems with James City County and record said document at the Williamsburg/James City County courthouse and provide evidence to the County; and

- c. The applicant must execute the Affidavit at the Williamsburg/James City County courthouse and provide evidence of such to the County; and
- d. Design and construction of the on-lot runoff reduction/pollutant removal practices proposed shall generally follow micro-scale specifications found in the Virginia Department of Environmental Quality’s Stormwater Design Specifications No. 1 (Rooftop Disconnection), No. 8 (Infiltration), No. 7 (permeable pavement) and/or No. 9 (Bioretention) as applicable; or alternatively, an equivalent and acceptable published and agreed upon standard for on-lot residential runoff reduction/best management practices; and
- e. Surety of \$10,000 will be required in a form acceptable to the County Attorney’s office; and
- f. This exception request approval shall become null and void if construction has not begun by January 11, 2019; and
- g. 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 13th day of December, 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: \_\_\_\_\_

October 18, 2017

Mr. Michael Woolson  
Senior Watershed Planner  
Stormwater and Resource Protection Division  
General Services Department  
101-E Mounts Bay Road  
Williamsburg, VA 23185



Re: Chesapeake Bay Board Case No. 17-009: 3 West Circle

Dear Mr. Woolson,

Please accept this letter as our request and application for a one-year extension of the approved case referenced above.

We intend to execute the project in 2018 and have spent the recent months fine-tuning the building planning and value engineering the means and methods of construction. The project scope generally remains similar to the approved concept and it is clearly understood that the revised proposal may not exceed the areas approved for development.

Accordingly, we kindly request the extension of CBE permit 17-009 to January 11, 2019.

Thank you for your consideration,

Raffael & Florina Tusa

Handwritten signatures of David M. Stemann, W. Douglas Mettler, and Matt Roth. The signatures are in black ink and are written over the typed names of the individuals.

CC: David M. Stemann, Stemann-Pease  
W. Douglas Mettler, VHB  
Matt Roth, Roth Environmental

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-17-009. 3 West Circle  
Staff Report for the January 11, 2017, Chesapeake Bay Board Public Hearing**

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*This staff report is prepared by James City County Engineering 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: Raffael and Florina Tusa

Agent: Matthew Roth, Roth Environmental

Location: 3 West Circle

Tax Map/Parcel Nos.: 4540200080A

Legal Description: Lot 80A Rev Pt Section 3, First Colony subdivision

Lot Size: 1.71 acres +/-

Area of Lot in Resource Protection Area (RPA): 1.71 acres +/- (100%)

Watershed: James River (HUC Code JL35)

Floodplain: Panel 0181D  
Zone VE, coast flood zone with wave action, base flood elevation 10 MSL  
Zone AE, base flood elevation 9.0 MSL  
Zone AE, base flood elevation 8.0 MSL

Proposed Activity: Construction of a single-family dwelling, deck and pool

Impervious Cover: Approximately 8,750 square feet

RPA Encroachment: Approximately 11,600 square feet (0.26 ac.)

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Mr. Matthew Roth, Roth Environmental, on behalf of Raffael and Florina Tusa, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a single-family dwelling, deck and pool on property known as 3 West Circle, within the James River watershed. The property is further identified as James City County Tax Map Parcel No. 45402000080A. The parcel was platted prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The 1.71-acre parcel, located in the First Colony subdivision, consists of a narrow upland area to the southwest of West Circle and an upland island that is situated between the cul-de-sac and the First Colony Marina. A previous owner prepared plans and received permits for the installation of a bridge to provide vehicle access to the island. The previous owner also designed and submitted for permits for shoreline improvements, a pier, beach nourishment and upland fill through Virginia Marine Resources Commission, the James City County Wetlands Board (JCC WB) and the James City County Chesapeake Bay Board (JCC CBB). Further, a single-family dwelling and Mitigation Plan were approved by the JCC CBB and while the mitigation plantings were



installed, the dwelling was never built and approvals have expired.

In July 2015, the Tusa family purchased the property with the goal of developing a permanent residence on the site. Due to the environmental sensitivity nature of the property, they have contracted a team of architects, engineers and environmental consultants to assist them with preparing the house design and site plans with the goal of remaining in the original landward 50-foot portion of the RPA buffer, no further impact to water quality, and establishing native plantings between the structure and the tidal waters surrounding it.

The development plan locates the residence in the original landward 50-foot portion of the RPA buffer, dictating that the residential structure will be kept to the north of the steep slopes associated with the shoreline armoring. The residence, decking and pool have been designed specifically to fit in this building envelope. The driveway extends from the bridge to the entry plaza of the house. The entry plaza is 1,839 square feet in size to accommodate vehicle parking and turnaround area due to the single-lane bridge which is the only access to the house. The applicant is proposing to use a managed permeable paver system in the entry plaza area to reduce and treat stormwater runoff from impervious cover associated with the proposed development.

Onlot bioretention (rain garden) areas will be created along the northern and eastern portions of the development envelope to capture and treat stormwater runoff generated by site development. The rain garden areas flow to small outfalls near the base of the slopes, upslope of the wetlands. These outfalls will be formed into energy dissipation stilling basins to prevent erosion at each location. Any water that flows out of the rain garden areas will be released through these stilling basins to the tidal marsh areas.

## **STAFF EVALUATION**

Staff has evaluated the application and exception request for the construction of the single-family dwelling, deck and pool and finds that the application has met the conditions in Sections 23-11 and 23-14 and should be heard by the Board because the pool is considered an accessory structure and the nature of the project is not the minimum necessary to afford relief. Therefore, this request must be considered by the Board, following a public hearing under the formal exception process.

## **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 consists of an underground gravel vault with underdrains to promote infiltration under the entry plaza. This vault is networked to the rain garden areas as a bypass mechanism due to expected limited infiltration rates in the entry plaza area. The proposal also captures all of the proposed impervious cover runoff and directs it into one of five rain garden areas. The rain garden areas will utilize a proprietary type Manufactured Treatment Device (MTD) identified as FocalPoint Biofiltration Systems® which are very versatile and require relatively little space. The size of the rain garden areas have been calculated using the latest stormwater methods approved by VaDEQ, the Virginia Runoff Reduction Method (VRRM), and then doubled in size.

To further stabilize the area and replace trees removed as part of the site development, a significant number of plantings are proposed. As depicted on the Mitigation Plan, these plantings will be incorporated on each side of the driveway and around the structure and entry plaza. All the disturbed areas will be mulched. There will be no areas of turf grass proposed as part of the project.

There are 17 units of native vegetative mitigation required (1 Mitigation Unit = 1 canopy tree, 2 understory trees and 3 shrubs) to offset the proposed impervious areas and 56 new canopy trees to offset the 28 trees needed to be removed as part of the development. In developing the proposal, 23 trees are required to be

removed, with an additional 5 trees to be removed in order to install the rain garden areas and the outfalls. All trees will be replaced at a 2:1 ratio (total of 56 replacement trees).

The number of shrubs necessary to accomplish the vegetative mitigation requirement was calculated by converting each mitigation unit to 11 shrubs/bunch grasses/perennials. For the 28 trees removed, the applicant will substitute four shrubs/bunch grasses/perennials for each replacement tree. This equates to 224 shrubs/bunch grasses/perennials. The total mitigation required for the proposed development using the conversion to shrubs/bunch grasses/perennials is 411 individual plants. The proposed plan provides 4 canopy trees, 6 understory trees, 60 shrubs, 345 native grasses and 186 perennials, which exceeds County requirements for the required mitigation.

### **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-17-009 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 with the following conditions 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. Execute a Declaration of Covenants, Inspection/Maintenance of Drainage Systems with James City County and record said document at the Williamsburg/James City County Courthouse and provide evidence to the County; and
3. Execute the Affidavit at the Williamsburg/James City County Courthouse and provide evidence of such to the County; and
4. Design and construction of the on-lot runoff reduction/pollutant removal practices proposed shall generally follow micro-scale specifications found in Virginia DEQ Stormwater Design Specifications No. 1 (Rooftop Disconnection), No. 8 (Infiltration), No. 7 (permeable pavement) and/or No. 9 (Bioretention) as applicable; or alternatively, an equivalent and acceptable published and agreed upon standard for on-lot residential runoff reduction/best management practices; and
5. Surety of \$10,000 will be required in a form acceptable to the County Attorney's office; and
6. This exception request approval shall become null and void if construction has not begun by January 11, 2018; and
7. Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.

MW/kb  
CBE-17-009WestCircle-mem

Attachments:

1. Water Quality Impact Assessment Package
2. Site Plan
3. Grading Plan
4. Mitigation Plan
5. Drainage Area Map
6. FoacIPoint datasheet
7. Ecoraster Bloxx datasheet
8. Declaration of Covenants
9. Affidavit
10. Case History
11. Chesapeake Bay Restoration Agreement – 2007
12. Chesapeake Bay Restoration Agreement - Map

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: Election of Officers for 2018

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Current Chair: David Gussman  
Current Vice Chair: William Apperson  
Current Secretary: Melanie Davis

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Geissler, Fran	Approved	11/17/2017 - 4:32 PM
Chesapeake Bay Group	Geissler, Fran	Approved	11/17/2017 - 4:32 PM
Publication Management	Burcham, Nan	Approved	11/17/2017 - 4:47 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/3/2017 - 4:20 PM

**ITEM SUMMARY**

DATE: 12/13/2017  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: 2018 Calendar

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**ATTACHMENTS:**

	Description	Type
☐	2018 Calendar	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay Group	Geissler, Fran	Approved	11/17/2017 - 4:35 PM
Chesapeake Bay Group	Geissler, Fran	Approved	11/17/2017 - 4:36 PM
Publication Management	Burcham, Nan	Approved	11/17/2017 - 4:46 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	12/3/2017 - 4:20 PM

# JAMES CITY COUNTY

## 2018 WETLAND AND CHESAPEAKE BAY BOARD MEETING CALENDAR

January 2018	February 2018	March 2018	April 2018
Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 <b>10</b> 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 <b>14</b> 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 <b>14</b> 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 <b>11</b> 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
May 2018	June 2018	July 2018	August 2018
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September 2018	October 2018	November 2018	December 2018
Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 <b>12</b> 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 <b>10</b> 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 <b>14</b> 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 <b>12</b> 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31