

A G E N D A
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
April 10, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from March 13, 2019, regular meeting

D. PUBLIC HEARINGS

1. CBPA 19-0026 : 3017 Spotswood Cay
2. CBPA 19-0028 : 117 Godspeed Lane
3. CBPA 19-0016 : 4107 South Riverside Drive
4. CBPA 19-0023 : 573 Forest Lake Road

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 4/10/2019
TO: Chesapeake Bay Board
FROM: Chesapeake Bay Board Secretary
SUBJECT: Minutes from March 13, 2019, regular meeting

ATTACHMENTS:

	Description	Type
☐	March 13, 2019 Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/4/2019 - 8:55 AM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2019 - 9:06 AM
Publication Management	Burcham, Nan	Approved	4/4/2019 - 9:17 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/4/2019 - 9:20 AM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
March 13, 2019
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for March 13, 2019, was called to order.

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

B. ROLL CALL

Board Members Present:

David Gussman, Chair
William Apperson, Vice Chair
Charles Roadley
John Hughes
Robert Lukens, Alternate

Board Members Absent:

Larry Waltrip

County Staff Present:

Michael Woolson, Secretary to the Board, Senior Watershed Planner
Toni Small, Director, Stormwater and Resource Protection
Liz Parman, Assistant County Attorney
Trevor Long, Watershed Planner
Janice Petty, Stormwater Assistant

C. MINUTES

1. December 12, 2018, Regular Meeting Minutes

Approved as written.

D. PUBLIC HEARINGS

1. CBPA 19-0010 : 9003 Diascund Road

Senior Watershed Planner, Mr. Michael Woolson, presented the exception request submitted by Wayne Savage, Bay Design Group, on behalf of Charles and Dianne Hasbrouck for encroachments into the Resource Protection Area (RPA) buffer for the construction of a primary and reserve septic field on the property located at 9003 Diascund Road within the Diascund Creek watershed. The property is further identified as James City County Tax Map Parcel ID No. 0920100001. Mr. Woolson's presentation described the current site conditions, proposed construction and the proposed mitigation. Staff determined the impacts

associated with this project to be moderate and recommended denial because the situation is self-created. However, if the Board should choose to approve, staff recommends the conditions outlined in the resolution.

The Board deliberated on the pros and cons of this application.

Mr. Gussman stated that this is one of the first cases where the property has been acted upon by the Colonial Soil and Water Conservation District (CSWCD) for an approved reduction in the RPA and asked about the programmatic elements and enforceability.

Mr. Woolson replied that some of the recommendations were manure management, composting, rotational grazing of the pastures and on types of grasses. James City County would enforce.

Mr. Lukens requested the reference of the CSWCD plan be part of the recommendations of this Board.

Mr. Apperson questioned the mitigation requirement for the fallow field.

Mr. Lukens asked if the recommended mitigation listed is in addition to the CSWCD recommendations.

Mr. Woolson responded that the mitigation was additional so there there was a functioning 50-foot RPA buffer in place.

Mr. Gussman opened the Public Hearing.

A. Mr. Wayne Savage, Bay Design Group, handed out an outline pamphlet of the project and explained the project. He further explained that only water from washing the horses would be going into the septic system, not animal waste.

B. Mrs. Diane Hasbrouck, property owner, explained that dry shavings were used as bedding in the stalls.

A. Mr. Savage explained the elements that made up the drain field sizing and certification.

Mr. Apperson stated that it looks like that is the only place where the drain field could be located looking at the soils map.

A. Mr. Savage concurred.

Mr. Roadley stated that the soil scientist has determined that this is the best place for the septic fields, but asked if this the only suitable place for the installation of the septic fields.

A. Mr. Savage replied in the affirmative.

Mr. Gussman inquired if soil samples were taken near the storage tanks.

A. Mr. Savage responded that soil borings were taken near the storage tanks and they were determined to have high shrink swell capability and therefore the area was not suitable for drain fields.

Mr. Lukens inquired about the potential intermediate loads on the septic system itself and wondered about proposed activities such as riding classes or equestrian events at the facility.

A. Mr. Savage stated that those loads were accounted for in the design.

Mr. Lukens inquired about the potential for 20 or 30 people at the facility at the same time.

B. Mrs. Hasbrouck responded that this is a private facility. Most of the horses in the stalls are family owned and several friends will be boarding their horses. There will be no horse shows and there will be approximately five people on site at any one time.

A. Mr. Savage explained the certification process that addresses the number of people at the facility on a daily basis so that peak flows do not overload this drain field.

Mr. Roadley inquired if the soils report was provided to the County.

A. Mr. Savage responded that it goes to the Health Department and that he would provide a copy.

Mr. Apperson inquired about what was growing overtop of the drain fields.

A. Mr. Savage responded just grass. It will probably be a bush hog type situation and will not be a manicured lawn.

Mr. Gussman inquired about the details of the CSWCD plan.

A. Mr. Savage responded with the details of the plan.

C. Mr. Scott Stewart, representing the Stewart Family Trust, stated that his property shares a common border along the northern border of the subject property. He gave a review of the logging operations that occurred on the subject property in the past.

B. Mrs. Hasbrouck explained that the logging operation occurred before she bought the property.

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

Mr. Gussman explained his position about the CSWCD plan.

Mr. Apperson also explained his position about the CSWCD plan.

Mr. Lukens requested that the resolution reference the CSWCD plan.

Ms. Liz Parham stated that the Board was able to impose reasonable conditions.

Mr. Woolson stated he would add a condition to the resolution that referenced the CSWCD plan.

Mr. Apperson stated that the Board should consider natural revegetation of the 50-foot RPA instead of the proposed mitigation plantings.

Mr. Roadley made a motion to adopt the resolution for Chesapeake Bay Board Case No. CPBA 19-0010 at 9003 Diascund Road with the revision to exclude the second and the third conditions and include the requirement that the CSWCD plan become an enforceable component of the exception.

A motion to Approve w/ Conditions as modified was made by Charles Roadley. The motion

result was:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Gussman, Apperson, Roadley, Hughes, Lukens

2. CBPA-19-0015 : 2054 Jamestown Road

Watershed Planner, Mr. Trevor Long, presented the exception request submitted by Anthony Loubier, Vanasse Hangen Brustlin Inc. (VHB), on behalf of James City County for encroachments into the RPA buffer for the renovation of the Jamestown Marina. The property is located at 2054 Jamestown Road within the Powhatan Creek watershed and further identified as James City County Tax Map Parcel ID No. 4640100012. Mr. Long's presentation described the current site conditions, and proposed construction and the proposed mitigation. Staff determined the impacts associated with this project to be major and recommended approval of the exception request with the conditions outlined in the resolution.

The Board deliberated the pros and cons of this request.

Mr. Gussman questioned staff about the height of high water for flooding. Staff deferred the question to the application.

Mr. Gussman opened the Public Hearing.

A. Mr. Darryl Cook, James City County Stormwater & Resource Protection Division Assistant Director, answered questions about the flood plain regulations. He explained how the project would impact tidal flooding.

Mr. Roadley had questions about a blue line that was depicted on the exhibit.

A. Mr. Cook explained that the blue line depicted an area of the marina that was to be dredged.

Mr. John Hughes voiced concerns regarding the condition of the decreasing marsh due to boat traffic, and suggested that boat speeds on Powhatan Creek should be addressed in the future.

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

Mr. Roadley made a motion to adopt the resolution for Chesapeake Bay Board Case No. CBPA 19-0015 at 2054 Jamestown Road.

A motion to Approve w/ Conditions was made by Charles Roadley. The motion result was:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Gussman, Apperson, Roadley, Hughes, Lukens

E. BOARD CONSIDERATIONS

Mr. Woolson presented all three extension requests.

Mr. Roadley made a motion to approve the extension requests.

A motion to Approve was made by Charles Roadley. The motion result was:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Gussman, Apperson, Roadley, Hughes, Lukens

1. CBE-17-009 : 3 West Circle

Senior Watershed Planner, Mr. Michael Woolson, presented the extension request from Raffael and Florina Tusa. The Tusas are requesting a one-year extension to CBE-17-009, originally granted on January 11, 2017 and extended on December 13, 2017. Mr. Tusa requested the extension in time to meet the approved conditions and staff administratively extended his approval to this meeting.

Staff concurs with the request, with the stipulation that all permit conditions, except for the expiration date, be reauthorized and that the new date of expiration be March 13, 2020.

2. CBE-17-048 : 7515 Oak Cove Road

Senior Watershed Planner, Mr. Michael Woolson, presented the extension request from Ms. Jennifer Privette. Ms. Privette is requesting a one-year extension to CBE-17-048, originally granted on March 8, 2017 and extended on March 14, 2018.

Staff concurs with the request, with the stipulation that all permit conditions, except for the expiration date, be reauthorized and that the new date of expiration be March 13, 2020.

3. CBE-18-058 : 4447 Pleasant View Drive

Senior Watershed Planner, Mr. Michael Woolson, presented the extension request from Ms. Renie Andrews. Ms. Andrews is requesting a one-year extension to CBE-18-058, originally granted on March 14, 2018.

Staff concurs with the request, with the stipulation that all permit conditions, except for the expiration date, be reauthorized and that the new date of expiration be March 13, 2020.

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

The meeting adjourned at 6:24 p.m.

ITEM SUMMARY

DATE: 4/10/2019
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: CBPA 19-0026 : 3017 Spotswood Cay

Mr. Carl Story, Williamsburg Landing Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a new deck at 3017 Spotswood Cay, JCC Parcel No. 4820100002.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	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	4/4/2019 - 8:53 AM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2019 - 9:04 AM
Publication Management	Daniel, Martha	Approved	4/4/2019 - 9:29 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/4/2019 - 9:36 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 19-0026. 3017 Spotswood Cay
Staff Report for the April 10, 2019, Chesapeake Bay Board Public Hearing**

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: Mr. Carl Story, Williamsburg Landing Inc.
Agent: None
Location: 3017 Spotswood Cay
Tax Map/Parcel No.: 4820100002
Parcel: Part Rich Neck, Williamsburg Landing
Lot Size: 72.7 Acres
Area of Lot in Resource Protection Area (RPA): 45 Acres (+/- 62%)
Watershed: College Creek (HUC JL 34)
Floodplain: None affecting this unit
Proposed Activity: Construction of a deck
Impervious Cover: 270 square feet
RPA Encroachment: 270 square feet, landward 50-foot RPA buffer
Staff Contact: Trevor Long, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Carl Story, Williamsburg Landing Inc., has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a deck on property located at 3017 Spotswood Cay within Williamsburg Landing and the College Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4820100002. The parcel was platted prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 72.7 acres, of which 62% is located within the RPA. The proposed house plan includes the conversion of an existing deck into a sun room and adding a new deck on the back. In keeping consistent with the rest of the units in this area, Williamsburg Landing has been slowly converting other units with this proposed update, 3017 being one of the last to be converted. It is for this reason that the applicant has proposed the construction of the deck equating to 270 square feet of impervious cover in the landward 50-foot RPA. At this time, the applicant has not proposed a mitigation plan; however, staff requires one planting unit for this amount of encroachment.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a deck and finds that the application meets the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the deck is more than necessary to afford relief. Therefore, this request must be considered by the Board following a public hearing under the formal exception process. Per Sections 23-11 and 23-14 of the County Ordinance, a Water Quality Impact Assessment (WQIA) was submitted for the proposed project.

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 No. CBPA 19-0026 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;
2. A mitigation plan consisting of one canopy tree and three shrubs be provided along with a surety of \$250 in a form acceptable to the James City County Attorney's Office be provided to ensure the mitigation plantings;
3. This exception request approval shall become null and void if construction has not begun by April 10, 2020; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

TL/md
CBPA19-26SptswdCay

Attachments:

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

RESOLUTION

CASE NO. CBPA-19-0026. 3017 SPOTSWOOD CAY

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Carl Story (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 10, 2019, 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. 4820100002 and further identified as 3017 Spotswood Cay (the “Property”) as set forth in the application CBPA-19-0026 for the purpose of constructing a deck; and

WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
 - a. The applicant must obtain all other necessary federal, state, and local permits required for the project; and
 - b. A surety of \$250 in a form acceptable to the James City County Attorney’s Office to ensure the mitigation plantings of one canopy tree and three shrubs; and

- c. This exception request approval shall become null and void if construction has not begun by April 10, 2020; and
- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

David Gussman
Chair, Chesapeake Bay Board

Michael Woolson
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of April, 2019.

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: _____

CBPA19-26SptswdCay-res



Chesapeake Bay Board of James City County, Virginia

April 10, 2019

CBPA 19-0026

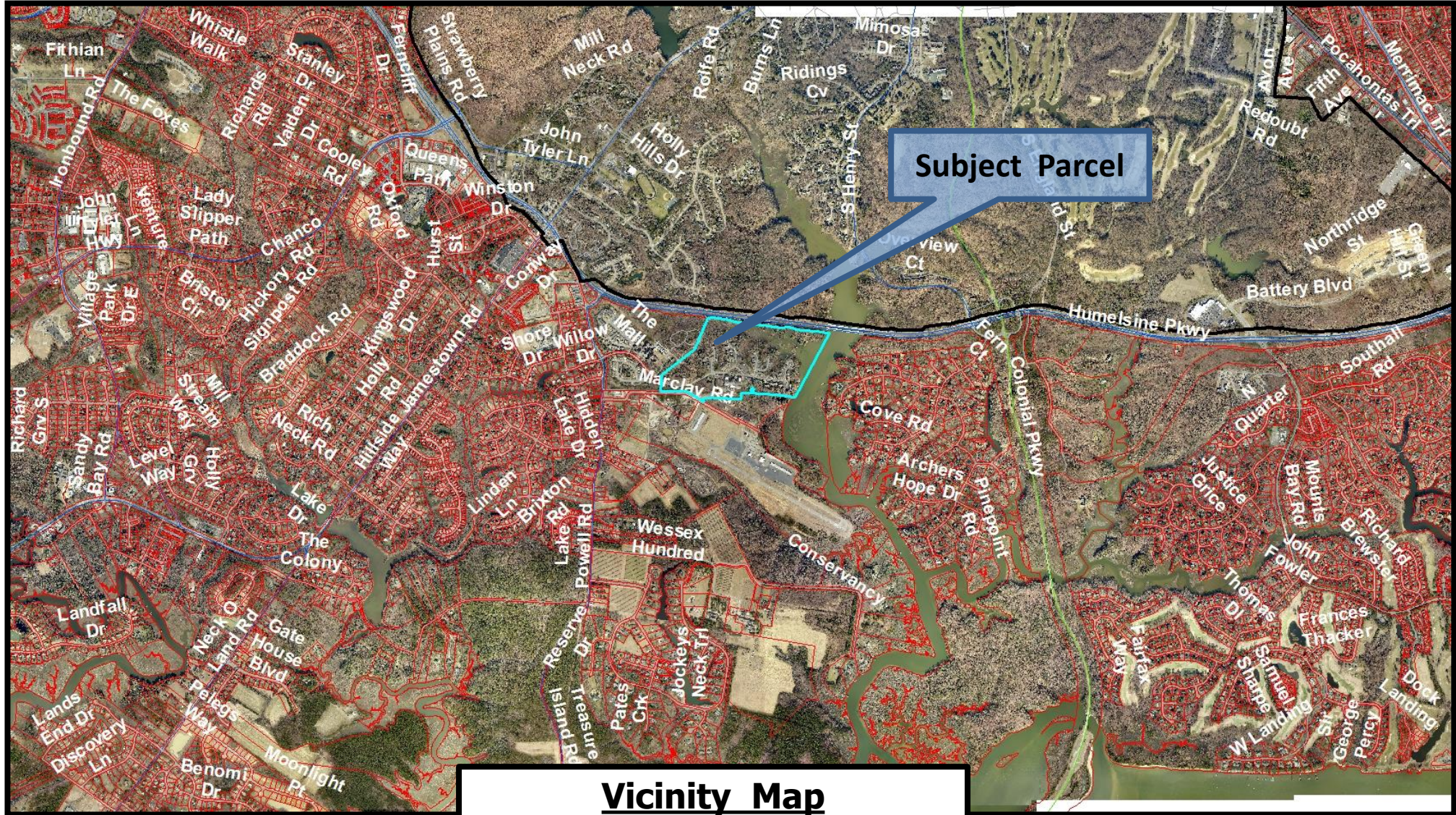
Carl Story, Williamsburg Landing Inc.

3017 Spotswood Cay



Applicant Request

- ✓ Construction of a deck.



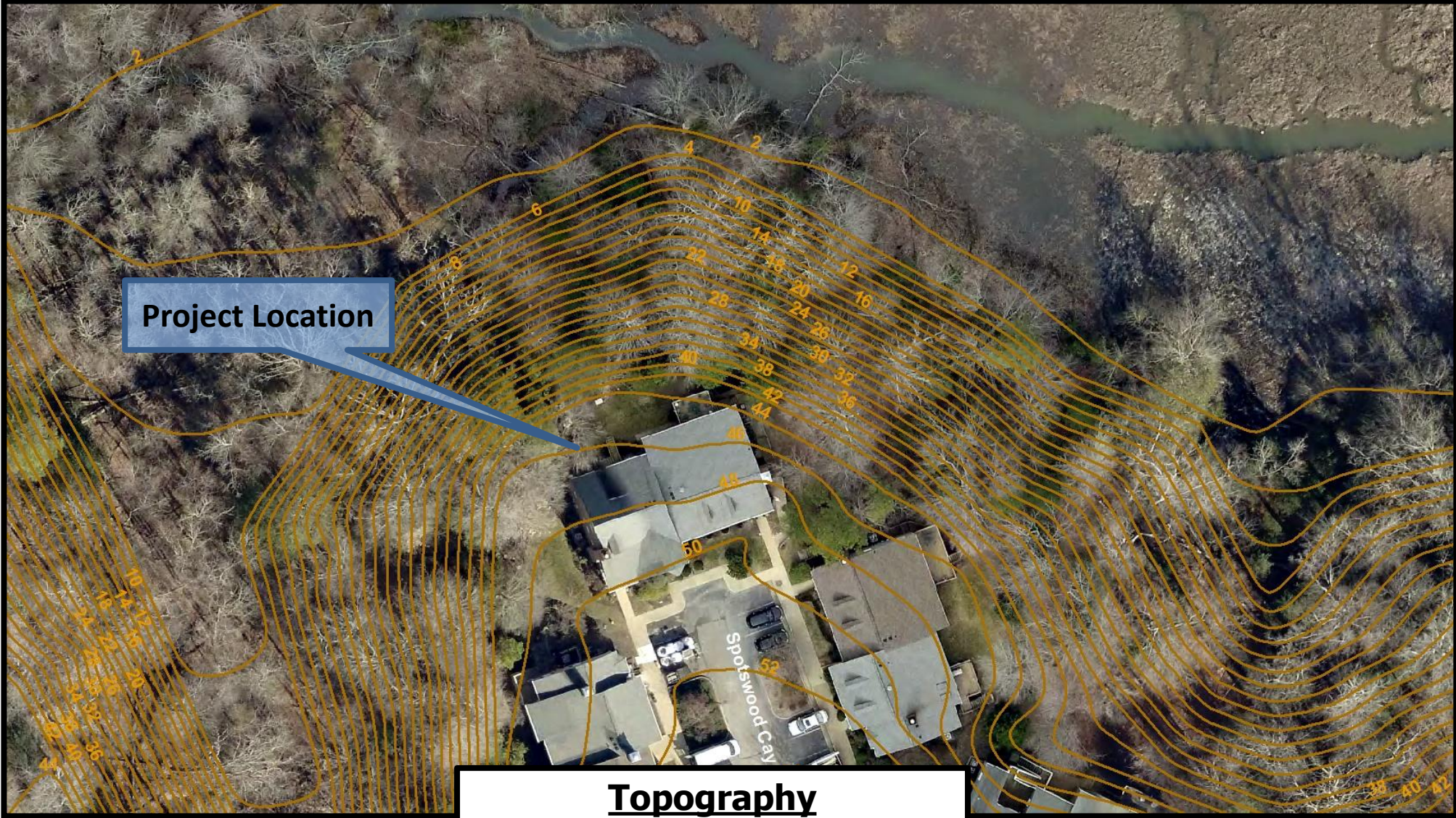
Subject Parcel

**Vicinity Map
CBPA 19-0026
3017 Spotswood Cay**



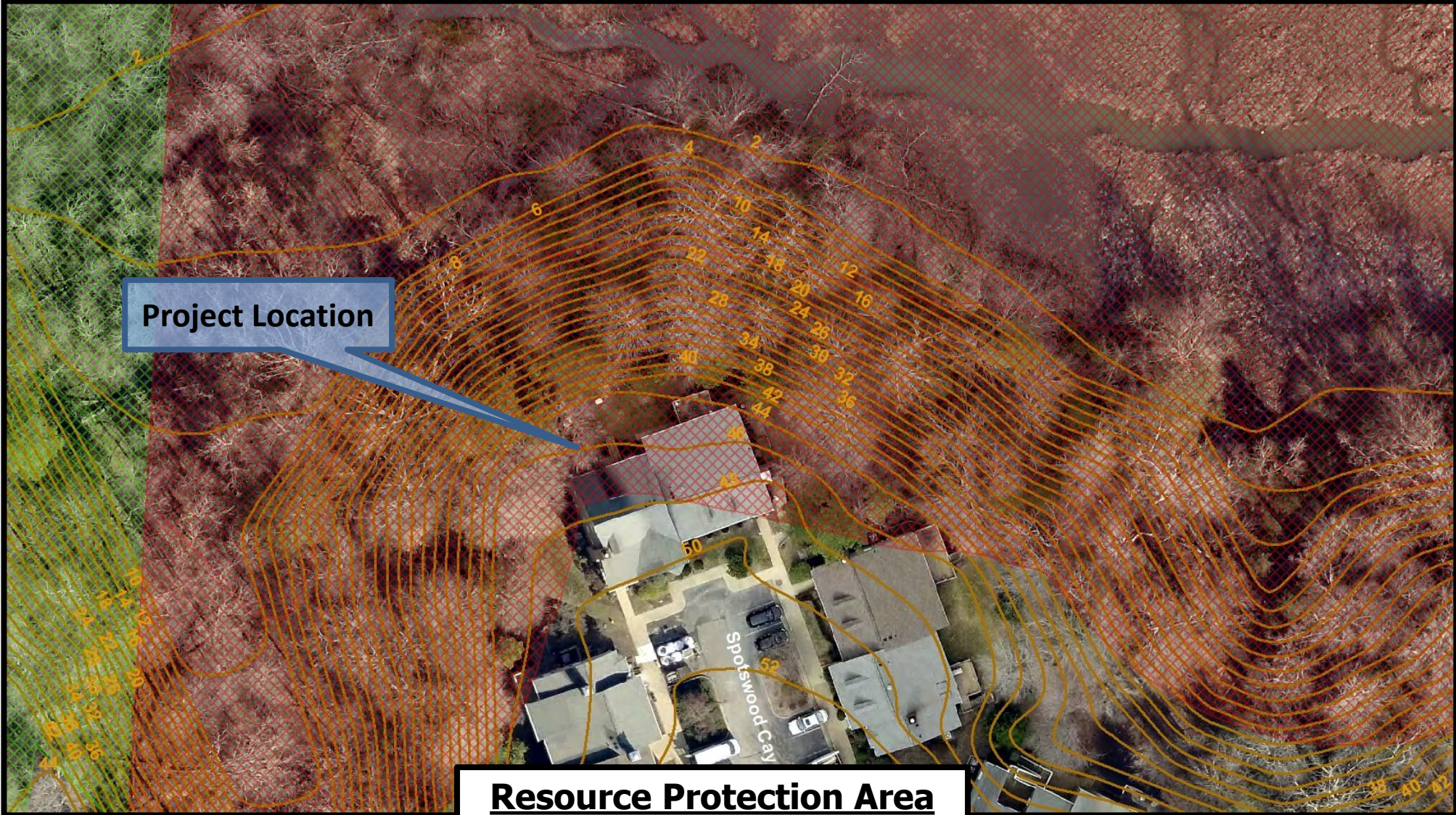
Project Location

**Aerial Photograph
CBPA 19-0026
3017 Spotswood Cay**



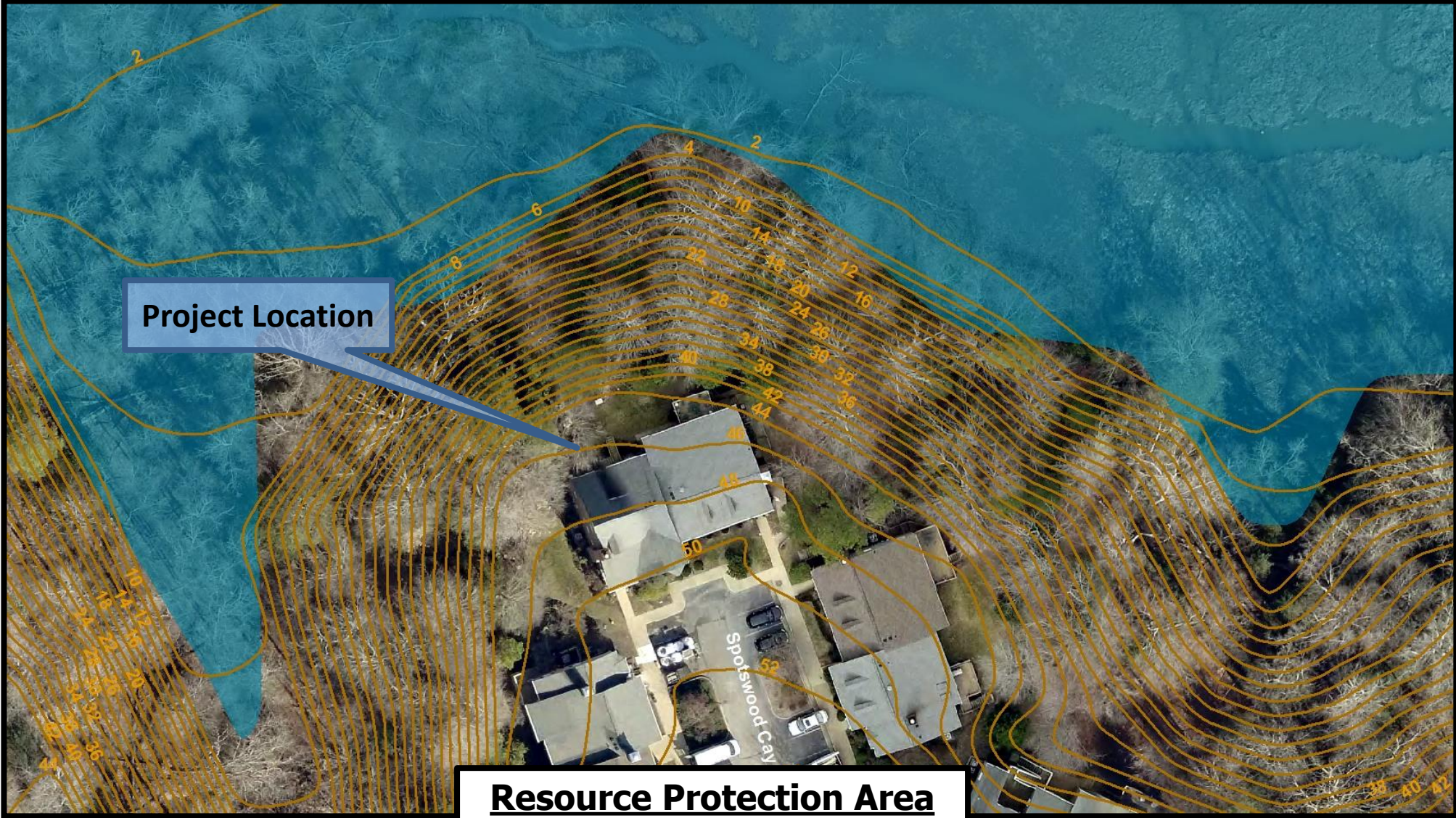
Project Location

Topography
CBPA 19-0026
3017 Spotswood Cay



Project Location

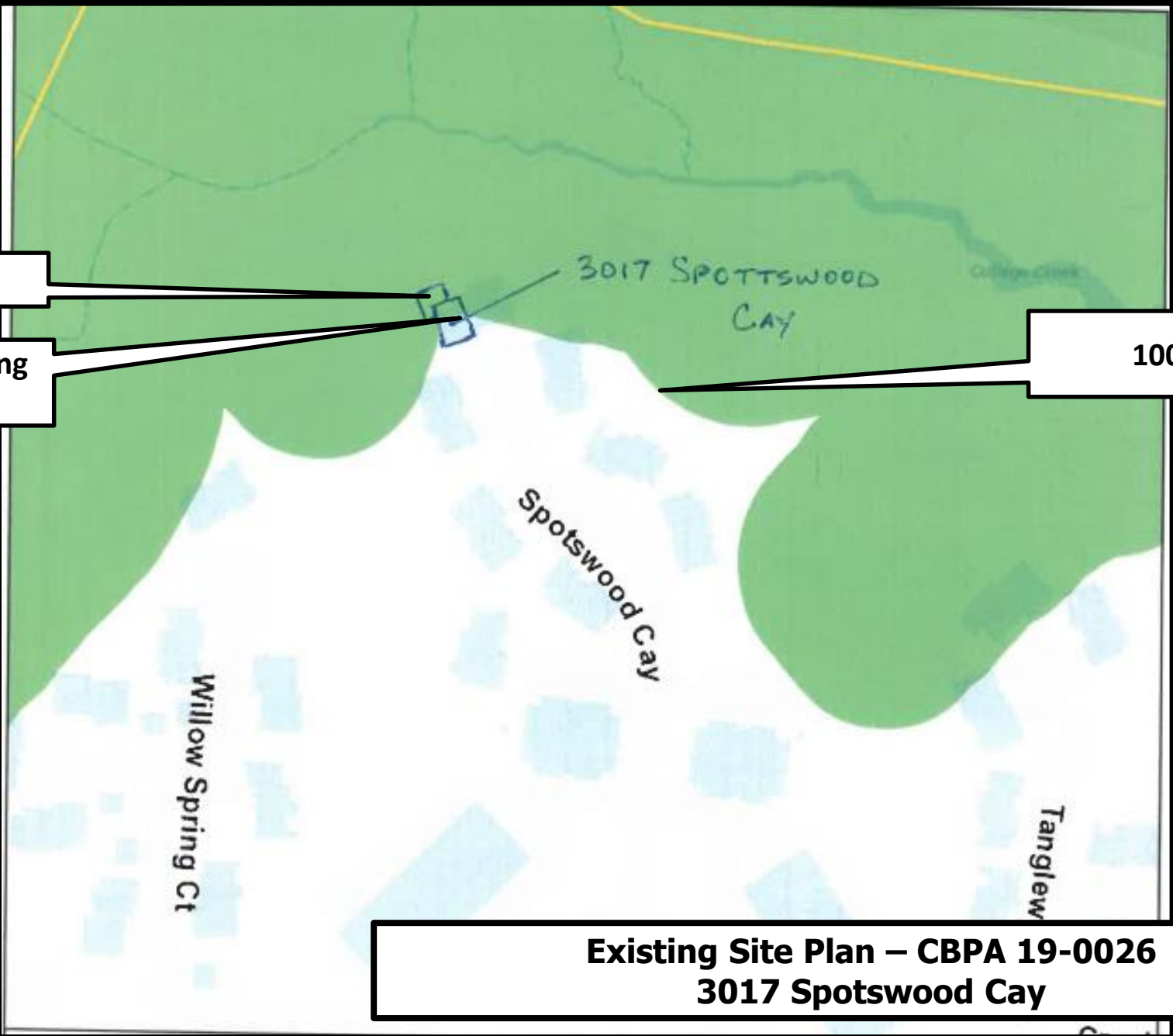
**Resource Protection Area
CBPA 19-0026
3017 Spotswood Cay**



Project Location

**Resource Protection Area
CBPA 19-0026
3017 Spotswood Cay**

Site Plan showing proposed improvements, submitted March 8, 2019. For representative use only for presentation of case #CBPA-19-0026.



Proposed

Renovation to existing unit

100 ft. RPA

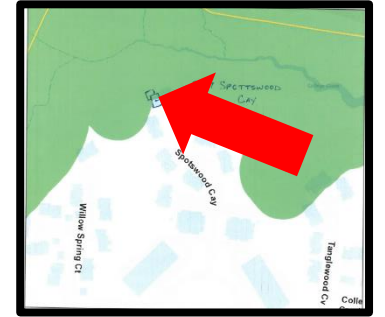
Existing Site Plan - CBPA 19-0026
3017 Spotswood Cay



**Site Photograph #1 – CBPA 19-0026
3017 Spotswood Cay**



**Site Photograph #2 – CBPA 19-0026
3017 Spotswood Cay**



**Site Photograph #3 – CBPA 19-0026
3017 Spotswood Cay**

Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary local, state and federal permits
- ✓ A mitigation plan and surety of \$500 be required
- ✓ This exception request approval shall become null and void if construction has not begun by April 10, 2020
- ✓ Written requests for extension submitted no later than February 27, 2020

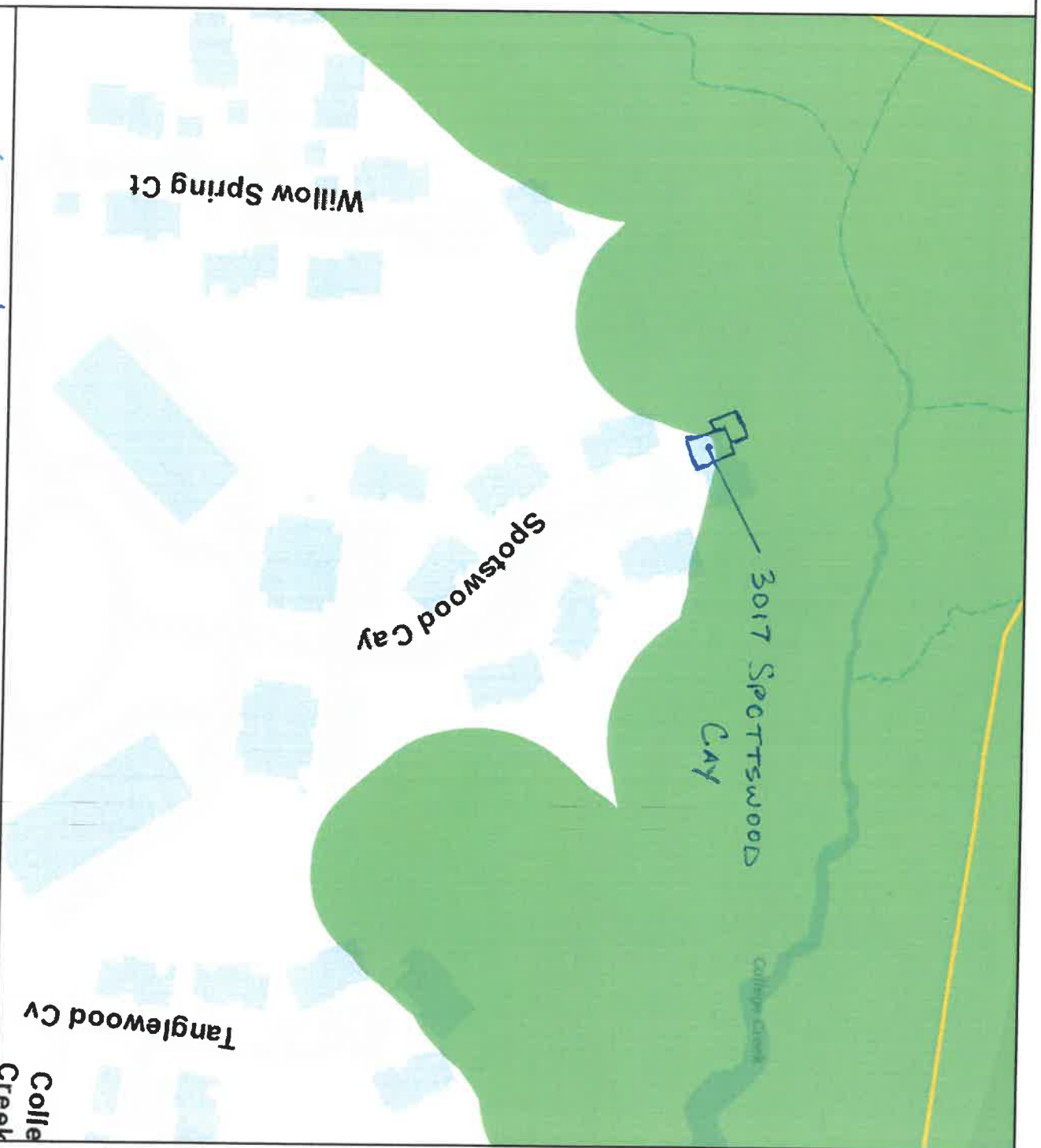
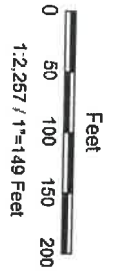
James City County, Virginia

Legend

-  Parcels
-  Resource Protection Area RPA

WILLIAMSBURG
LANDING

3017 Spottswoods Cay



Title: $LON(X): 76^{\circ}43.09.97''W$ $LAT(Y): 37^{\circ}14'52.10''N$ Date: 2/19/2019

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.



PUBLIC HEARING NOTICE

THE WETLANDS AND CHESAPEAKE BAY BOARDS OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, APRIL 10, 2019, 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:

WJPA 19-0011/VMRC 19-0033: The Governors Land Foundation has applied for a wetland permit to perform an emergency bulkhead repair at 1636 Harbor Rd, JCC Parcel No. 4320700001A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 19-0016: Mr. Jim Duguay, Performance Contracting, has filed an exception request for encroachment into the RPA buffer for the construction of two decks at 4107 S Riverside Dr, JCC Parcel No 1910900003A.

CBPA 19-0028: Mr. Mo Bloxom, Southern Landscaping & Construction, Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a retaining wall at 117 Godspeed Ln, JCC Parcel No. 4730500035.

CBPA-19-0026: Mr. Carl Story, Williamsburg Landing Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a new deck at 3017 Spotswood Cay, JCC Parcel No. 4820100002.

CBPA-19-0023: Mr. Kyle Polk, The Structures Group, has filed an exception request for encroachment into the RPA buffer for the replacement of a single family dwelling at 573 Forest Lake Rd, JCC Parcel No. 0930100002C.

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 – March 27, 2019 and April 3, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

COPIES: PLANNING

GENERAL SERVICES
ASSISTANT COUNTY ATTORNEY
WETLAND/CHESAPEAKE BAY BOARD MEMBERS



**General Services
Stormwater and Resource
Protection Division**
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6790

Resource.Protection@jamescitycountyva.gov

March 20, 2019

RE: CBPA-19-0026
3017 Spotswood Cay
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 Carl Story with Williamsburg Landing, Inc. for encroachment into the Resource Protection Area (RPA) buffer associated with the construction of a deck located at 3017 Spotswood Cay and further identified as a portion of JCC Parcel No. 4820100002.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 10, 2019 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

Mailing List for: CBPA-19-0026 – 3107 Spotswood Cay –Attached Deck

Owner: 4820100002-3017 Spotswood Cay

Williamsburg Landing, Inc.

Attn: Carl Story

5700 Williamsburg Landing Drive

Williamsburg, VA 23185-3779

ITEM SUMMARY

DATE: 4/10/2019
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: CBPA 19-0028 : 117 Godspeed Lane

Mr. Mo Bloxom, Southern Landscaping & Construction, Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a retaining wall at 117 Godspeed Lane, JCC Parcel No. 4730500035.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	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	4/4/2019 - 8:53 AM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2019 - 9:04 AM
Publication Management	Daniel, Martha	Approved	4/4/2019 - 9:35 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/4/2019 - 9:36 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 19-0028. 117 Godspeed Lane
Staff Report for the April 10, 2019, Chesapeake Bay Board Public Hearing**

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: Jess Gentry

Agent: Mr. Mo Bloxom, Southern Landscape and Construction Inc.

Location: 117 Godspeed Lane

Tax Map/Parcel No.: 4730500035

Parcel: Section 1, Lot 35, Powhatan Shores

Lot Size: 0.6 Acres

Area of Lot in Resource Protection Area (RPA): 0.13 acres +/- (22%)

Watershed: Powhatan Creek (HUC JL 31)

Floodplain: Zone A - The special flood hazard area subject to 1% annual chance flood

Proposed Activity: Construction of a retaining wall

Impervious Cover: 480 square feet

RPA Encroachment: 480 square feet, seaward 50-foot RPA buffer

Staff Contact: Trevor Long, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Mo Bloxom, Southern Landscaping & Construction, Inc., has applied for a Chesapeake Bay Exception on behalf of Jess Gentry for encroachments into the RPA buffer for the construction of a retaining wall on property located at 117 Godspeed Lane within the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4730500035. The parcel was platted in 1975, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is .6 acres, of which 22% is located within the RPA. The total impervious encroachment within the RPA is 480 square feet within the seaward 50-foot RPA. There are existing wooden landscape timbers in the location of the proposed retaining wall. The applicant is proposing to replace these timbers with a stone retaining wall and fill the otherwise sloping yard to prevent any future erosion. A Joint Permit Application for the reconstruction of a bulkhead and boat launch associated with this parcel was submitted; however, that work is outside local wetlands board jurisdiction. At this time, the applicant has proposed the plantings of 15 native shrubs and 240 square feet of mulch, therefore exceeding County mitigation requirements.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of the retaining wall and finds that the application meets the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the retaining wall is accessory in nature. Therefore, this request must be considered by the Board following a public hearing under the formal exception process. Per Sections 23-11 and 23-14 of the County Ordinance, a water quality impact assessment (WQIA) was submitted for the proposed project.

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 No. CBPA-19-0028 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;
2. A surety of \$250 in a form acceptable to the James City County Attorney's Office to ensure the mitigation;
3. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities;
4. This exception request approval shall become null and void if construction has not begun by April 10, 2020; and
5. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

TL/nb
CBPA19-0028-117Godspeed

Attachment:

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

RESOLUTION

CASE NO. CBPA-19-0028. 117 GODSPEED LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Jess Gentry (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 10, 2019, 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. 4730500035 and further identified as 117 Godspeed Lane (the “Property”) as set forth in the application CBPA-19-0028 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 required for the project; and
 - b. A surety of \$250 in a form acceptable to the James City County Attorney’s Office to ensure the mitigation plantings; and

- c. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities; and
- d. This exception request approval shall become null and void if construction has not begun by April 10, 2020.
- e. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

 David Gussman
 Chair, Chesapeake Bay Board

 Michael D. Woolson
 Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of April, 2019.

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: _____

CBPA19-0028-117Godspeed-res



Chesapeake Bay Board of James City County, Virginia

April 10, 2019

CBPA 19-0028

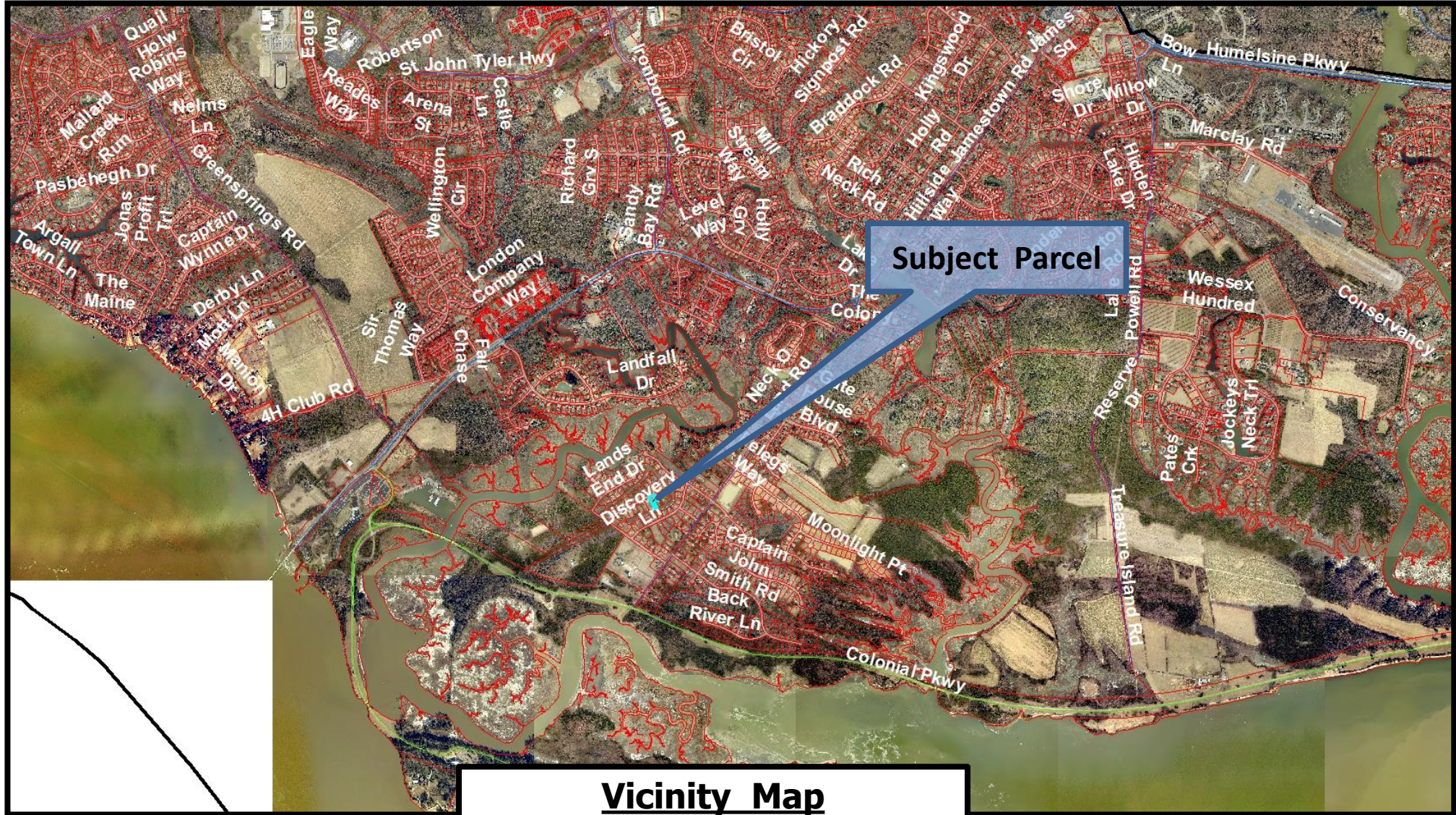
Jess Gentry

117 Godspeed Lane

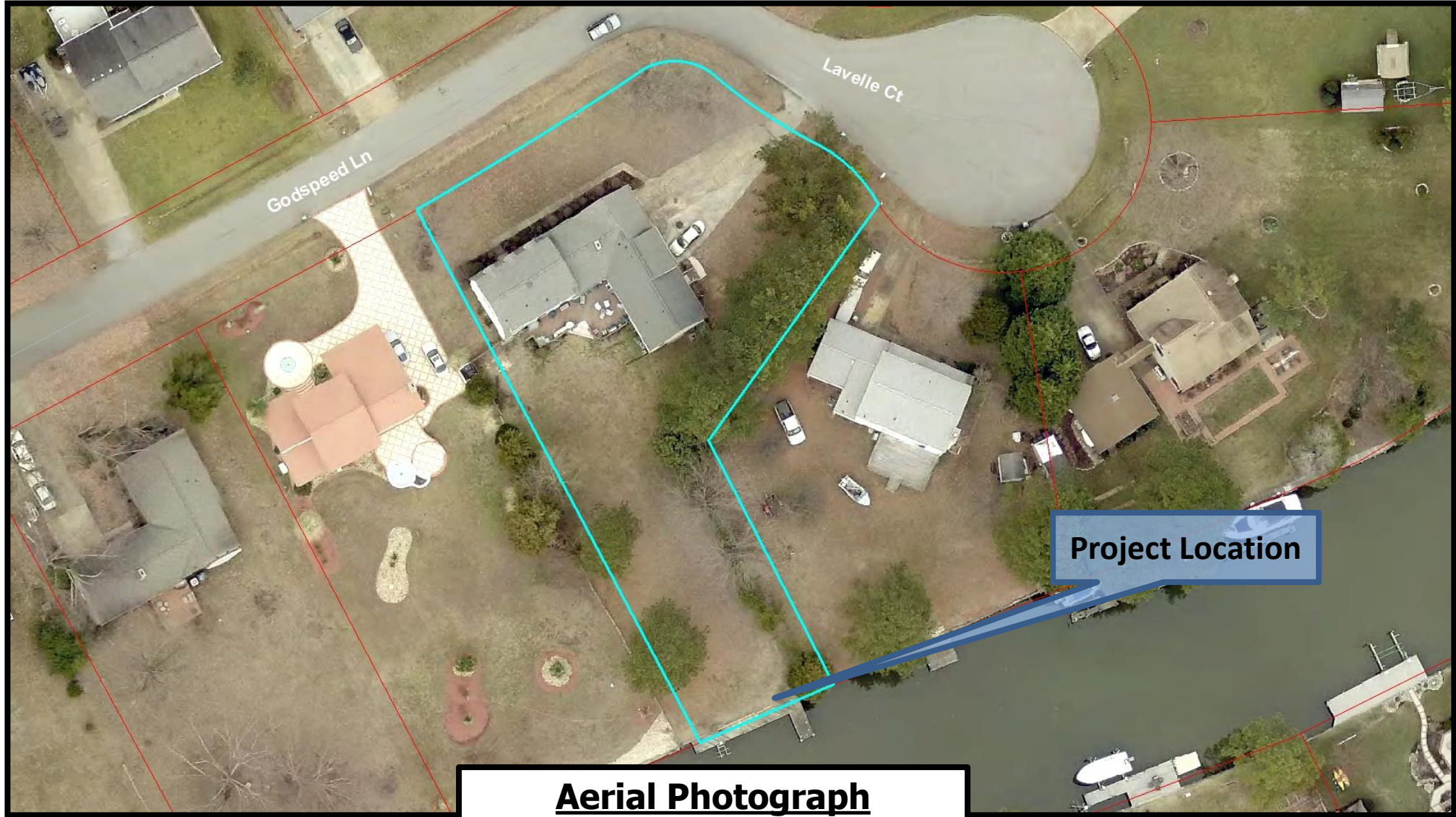


Applicant Request

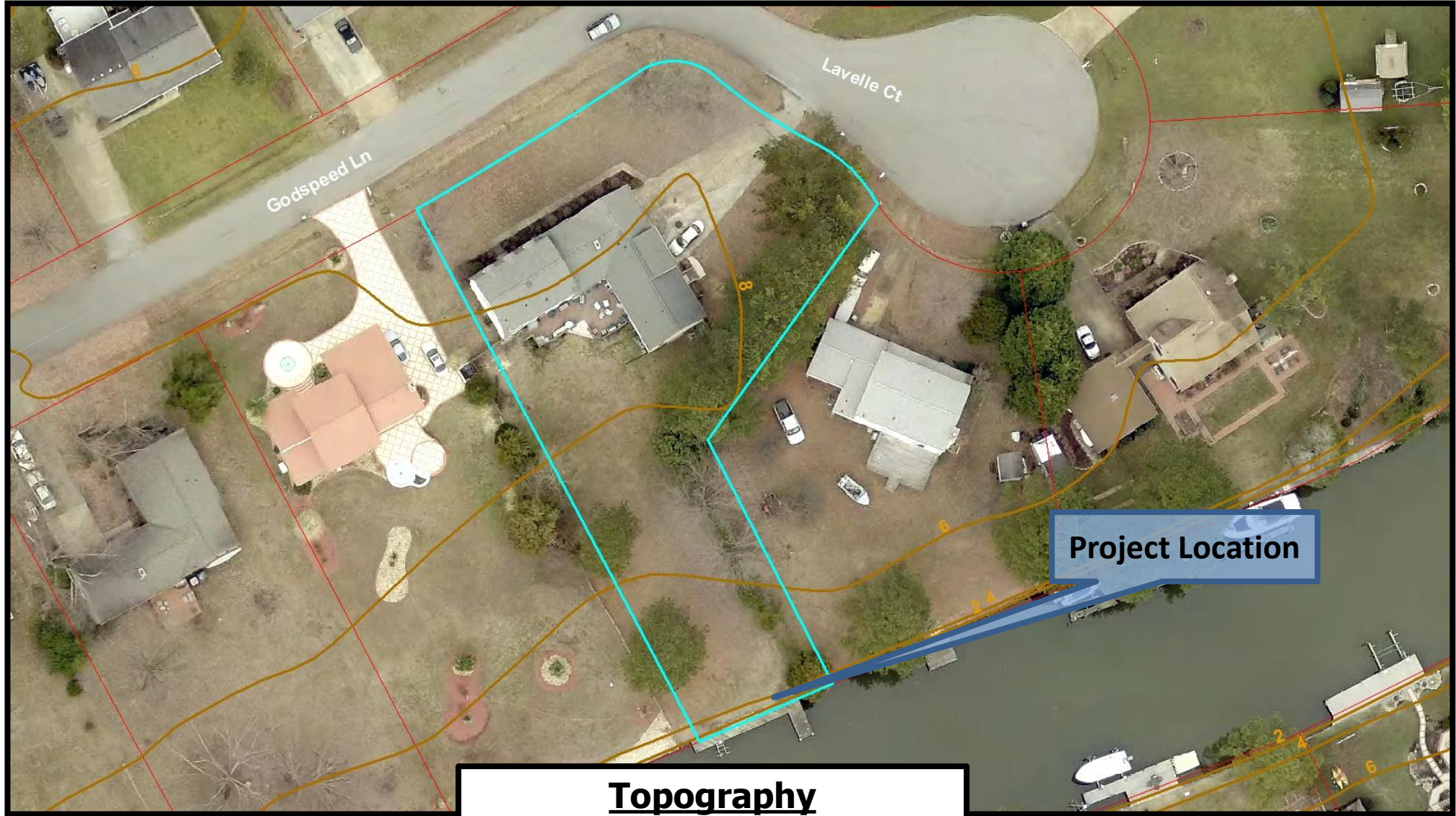
- ✓ Construction of a retaining wall.



Vicinity Map
CBPA 19-0028
117 Godspeed Ln.



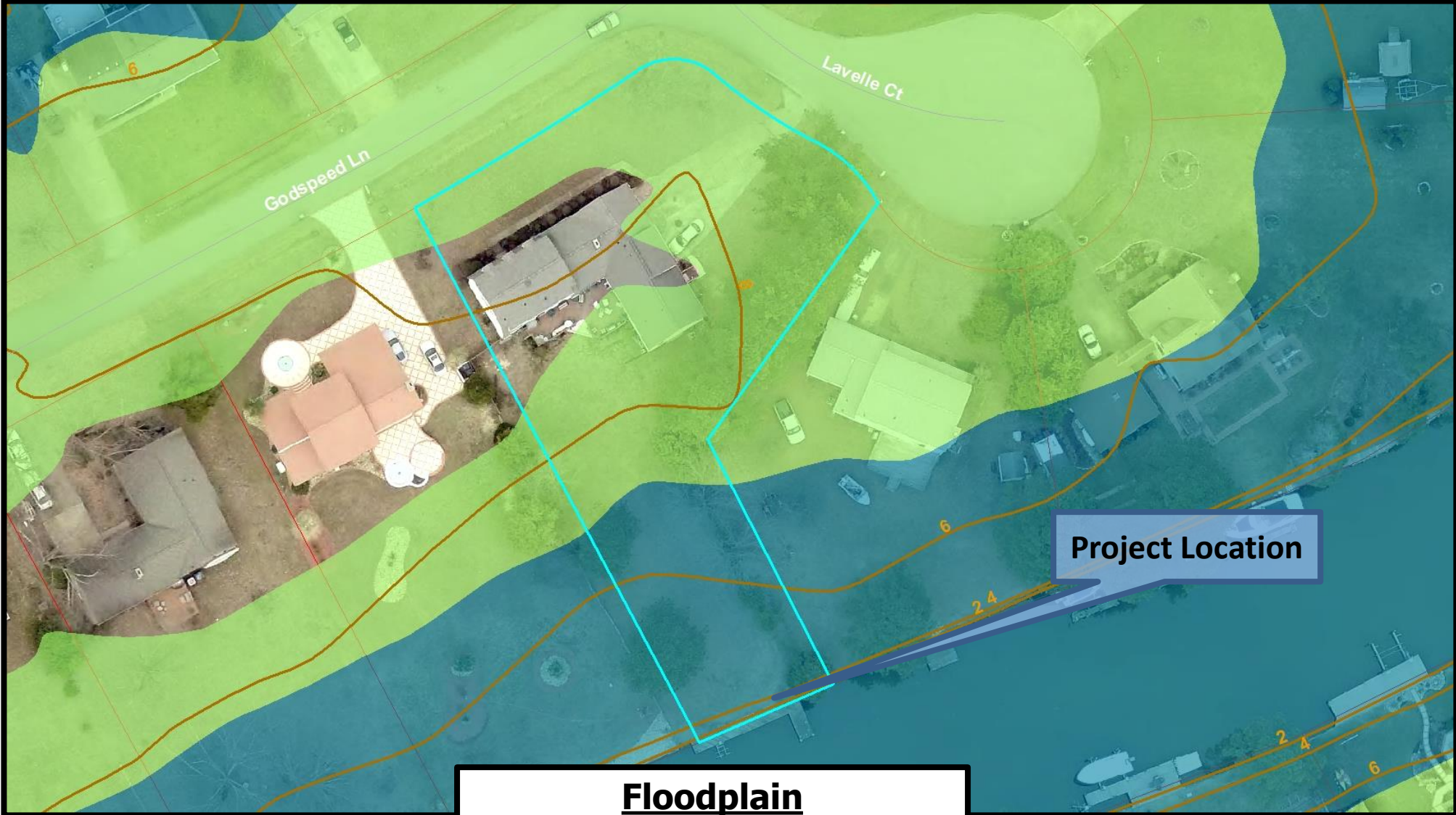
Aerial Photograph
CBPA 19-0028
117 Godspeed Ln.



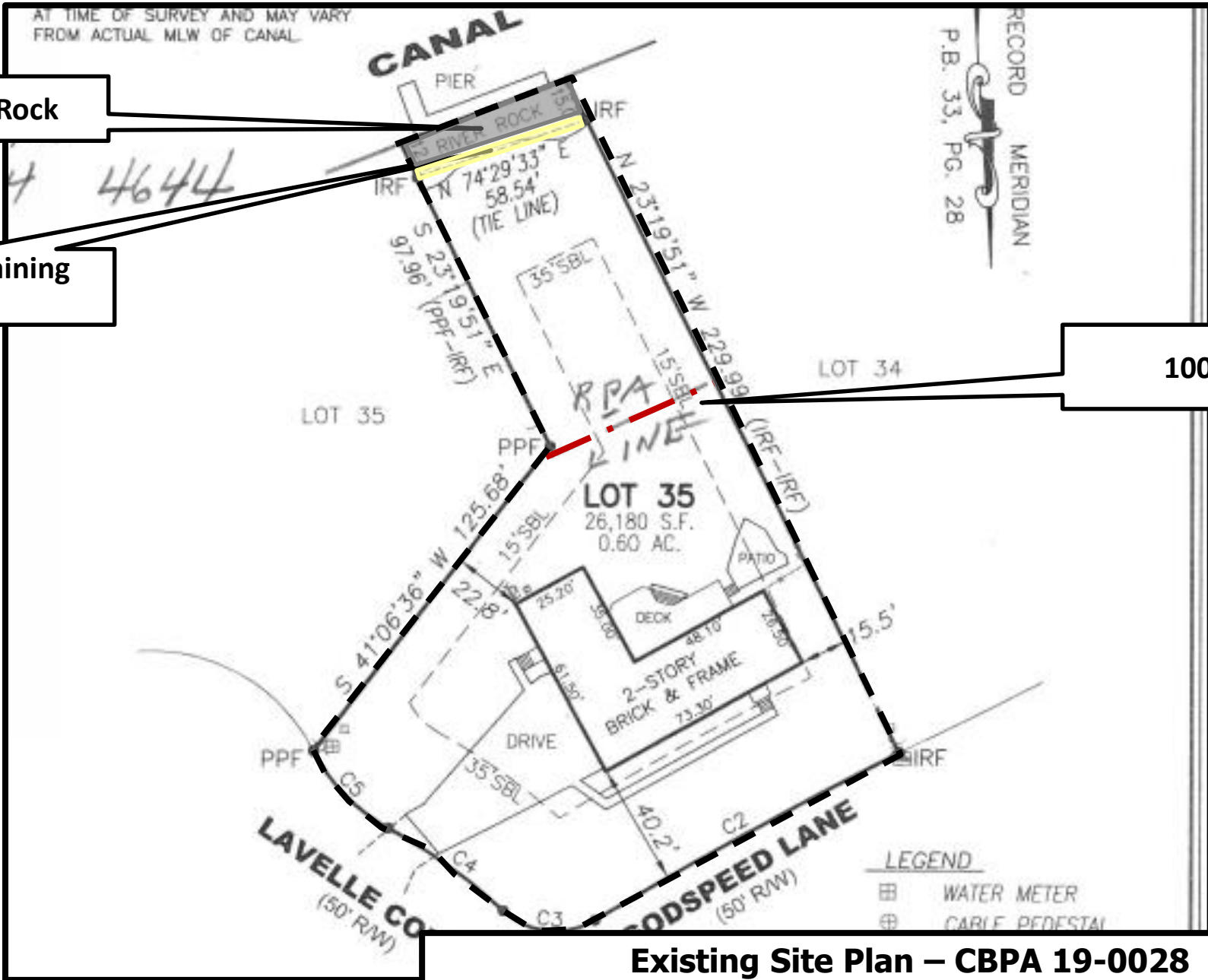
Topography
CBPA 19-0028
117 Godspeed Ln.



**Resource Protection Area
CBPA 19-0028
117 Godspeed Ln.**



Floodplain
CBPA 19-0028
117 Godspeed Ln.



Existing River Rock

Proposed Retaining Wall

Site Plan showing proposed improvements, submitted March 14, 2019. For representative use only for presentation of case #CBPA-19-0028.

100 ft. RPA

Existing Site Plan – CBPA 19-0028
117 Godspeed Ln.

AT TIME OF SURVEY AND MAY VARY FROM ACTUAL MLW OF CANAL.

RECORD MERIDIAN
P.B. 33, PG. 28

LEGEND
 WATER METER
 CABLE PEDESTAL

4644

LOT 35

LOT 34

LOT 35
26,180 S.F.
0.60 AC.

LAVELLE CO.
(50' R/W)

GODSPEED LANE
(50' R/W)

2-STORY BRICK & FRAME
DRIVE
DECK
PATIO

CANAL

C3
C4
C5

C2

PPF

PPF

SIRF

S 23°19'51" E
97.96'
(PPF-IRF)

S 41°06'36" W
125.68'
22.8'

N 74°29'33" E
58.54'
(TIE LINE)

N 23°19'51" W
228.99'
(IRF-IRF)

35'SBL

15'SBL

35'SBL

40.2'

73.30'

48.10'

25.20'

15.5'

15'SBL

15'SBL

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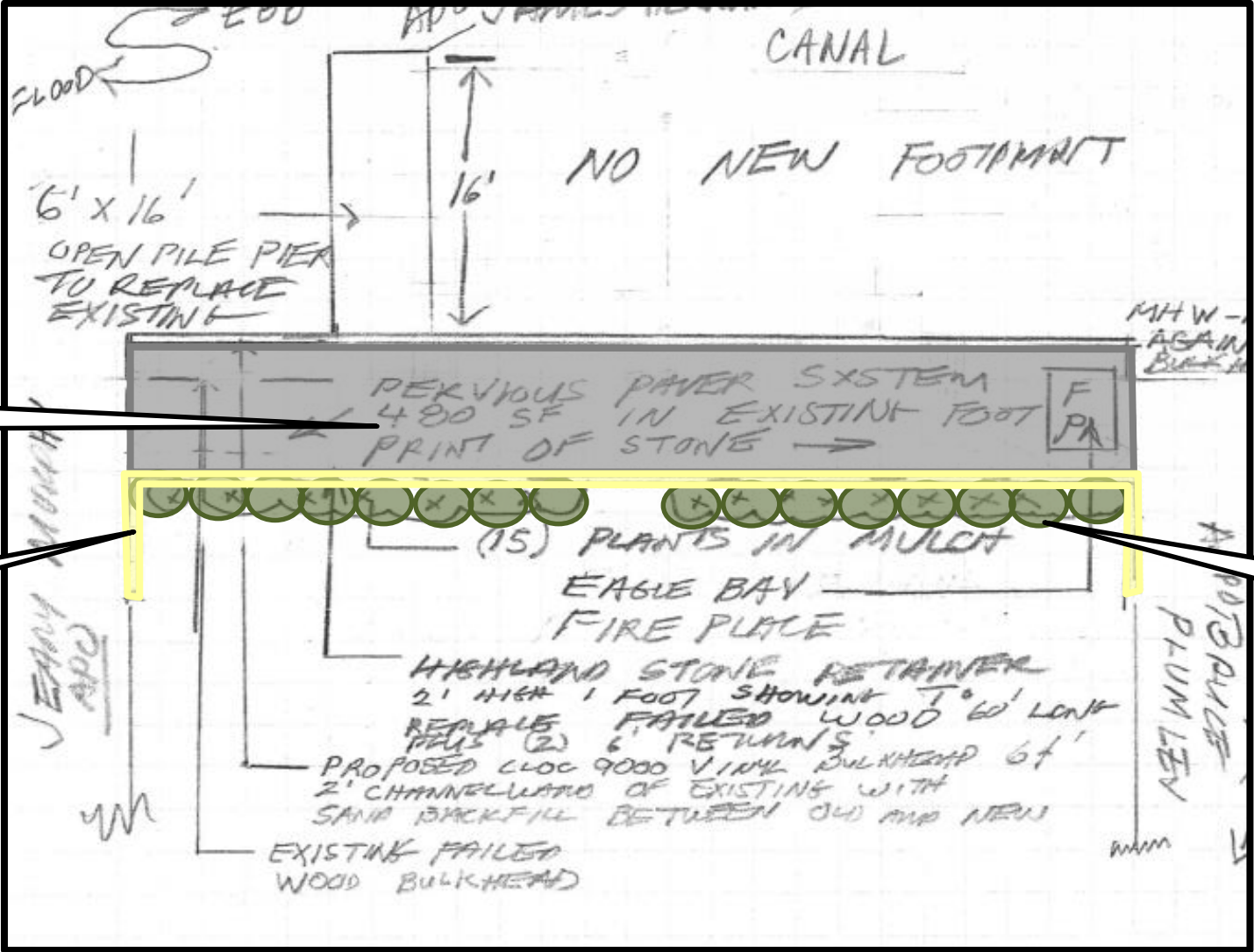
15'SBL

15'SBL

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15'SBL

Site Plan showing proposed improvements, submitted March 14, 2019. For representative use only for presentation of case #CBPA-19-0028.



Proposed Pervious Pavers

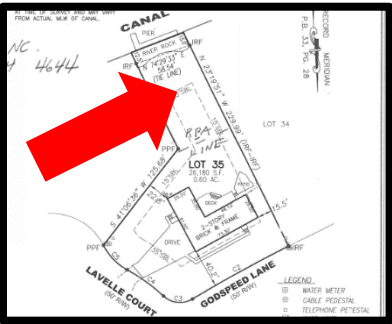
Proposed Retaining Wall

Proposed Plantings

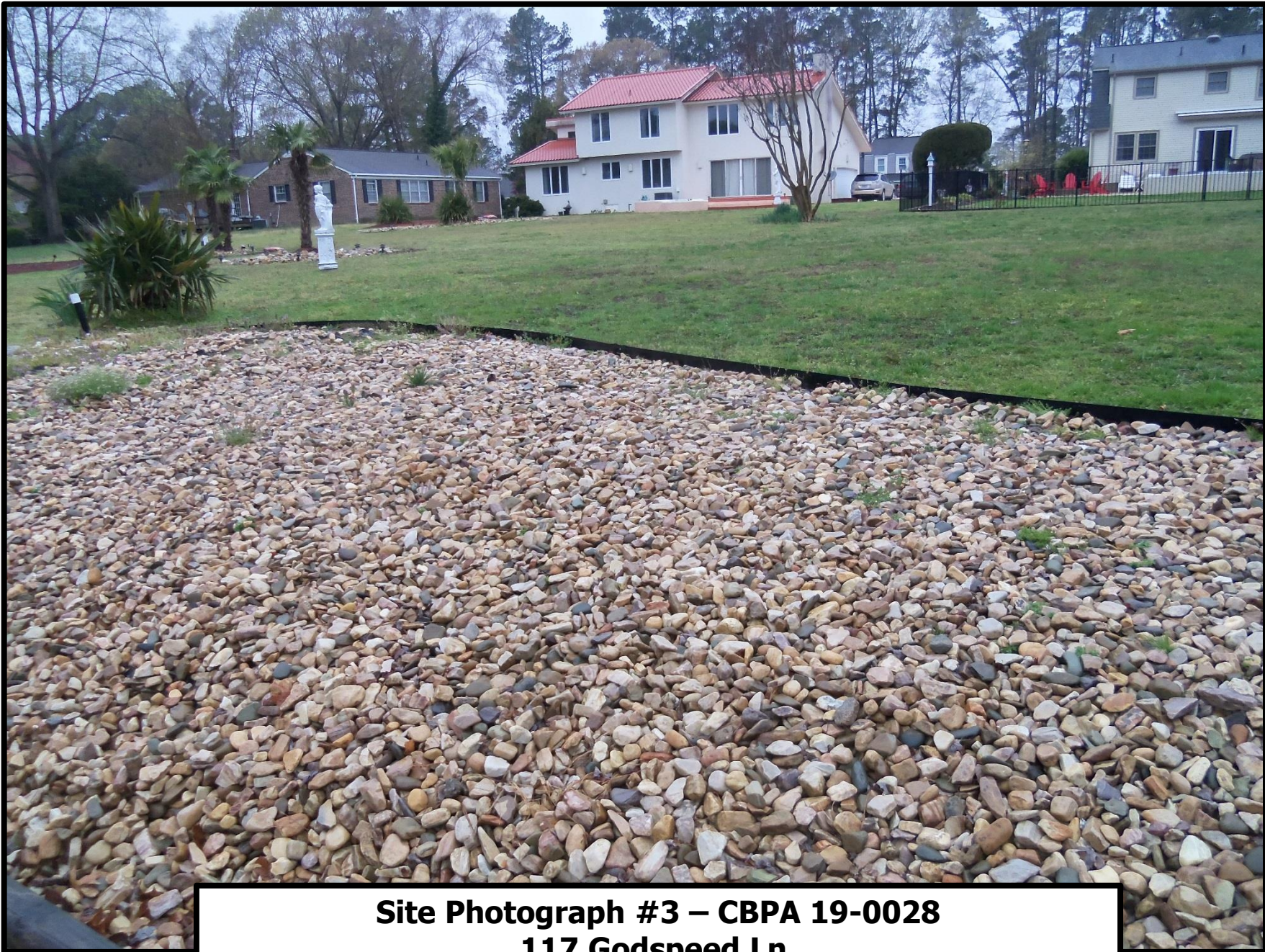
Existing Site Plan – CBPA 19-0028
117 Godspeed Ln.



**Site Photograph #1 – CBPA 19-0028
117 Godspeed Ln.**



**Site Photograph #2 – CBPA 19-0028
117 Godspeed Ln.**



**Site Photograph #3 – CBPA 19-0028
117 Godspeed Ln.**





**Site Photograph #4 – CBPA 19-0028
117 Godspeed Ln.**

Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary local, state and federal permits
- ✓ All development activities located in the special flood hazard area shall comply with Article VI Division 3 Floodplain Area Regulations
- ✓ A surety of \$250 be required
- ✓ This exception request approval shall become null and void if construction has not begun by April 10, 2020
- ✓ Written requests for extension submitted no later than February 27, 2020

NOTES:

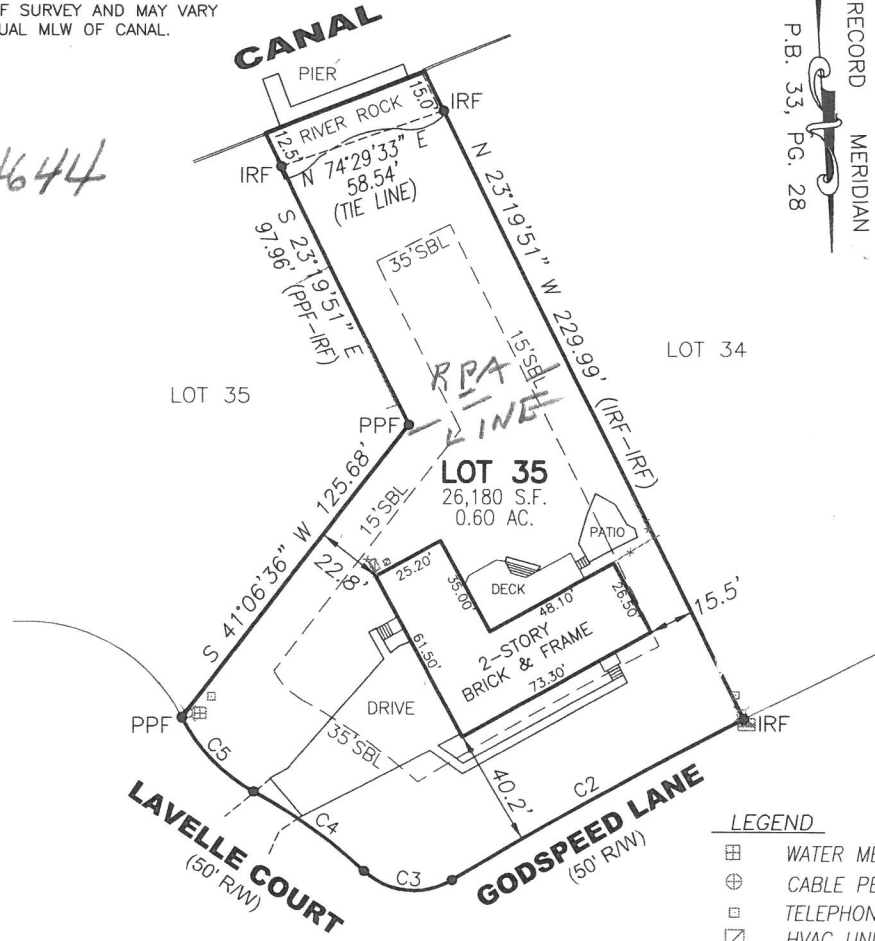
1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 33 PG. 27-29.
2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
3. LOT LIES IN F.I.R.M. ZONE "AE" AND ZONE "X" ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0182D, DATED DECEMBER 16, 2015.
4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	1317.85'	113.63'	113.59'	S 64°11'57" W	4°56'24"
C3	25.00'	32.53'	30.28'	N 80°59'52" W	74°32'39"
C4	185.00'	46.64'	46.52'	N 50°56'50" W	14°26'45"
C5	60.00'	35.46'	34.95'	N 41°14'16" W	33°51'56"

** REAR PROPERTY LINE IS MEAN LOW WATER OF CANAL (P.B. 33/28)
PROPERTY LINE SHOWN WAS LEVEL AT TIME OF SURVEY AND MAY VARY FROM ACTUAL MLW OF CANAL.

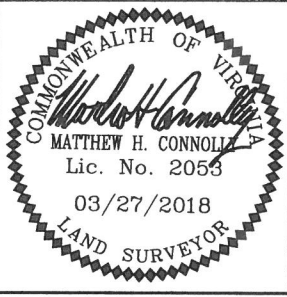
RECORD MERIDIAN
P.B. 33, PG. 28

SLC INC.
757 874 4644



- LEGEND**
- ⊕ WATER METER
 - ⊕ CABLE PEDESTAL
 - ⊕ TELEPHONE PEDESTAL
 - HVAC UNIT
 - ⊕ COMM. PEDESTAL
 - ⊕ LIGHT POLE
 - IRF = IRON ROD FOUND
 - IRS = IRON ROD SET
 - PPF = PINCHED PIPE FOUND

ADDRESS:
117 GODSPEED LANE
JAMES CITY COUNTY, VIRGINIA

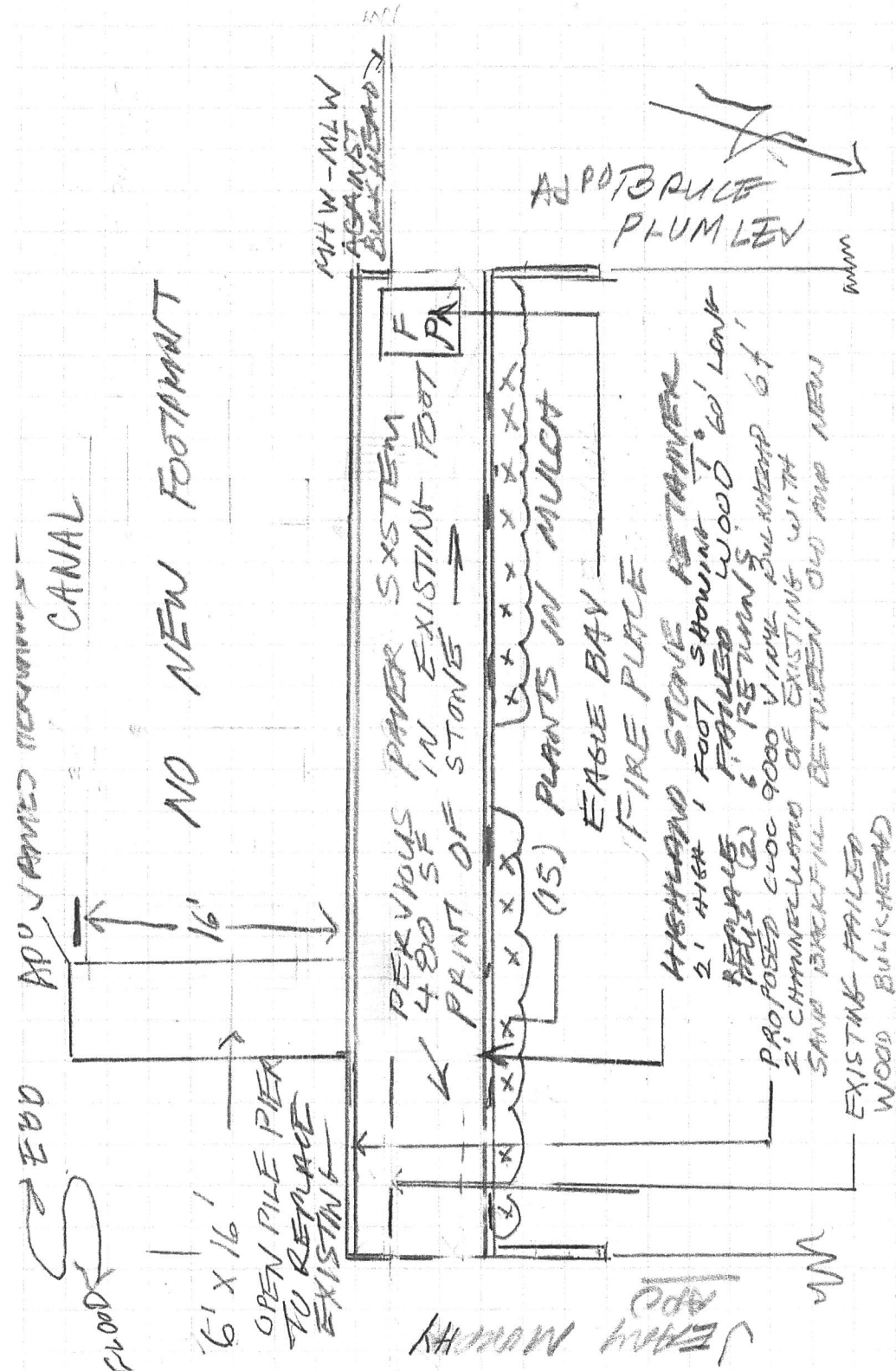


REFERENCES:
P.B. 33, PG. 27-29

DATE: 03/27/18
SCALE: 1"=50'
JOB# 18-100
CAD File
18-100.dwg

PHYSICAL SURVEY OF LOT 35, SECTION 1
POWHATAN SHORES
For:
JEFF GENTRY
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



SPECIFICATIONS:

- (1) DEMOLITION REQUIRED TO DO BULKHEAD
- (2) LAWN ACCESS PATH TO BE SEPARATE
- (3) BULKHEAD HEIGHT TO BE 1' HIGHER THAN EXISTING
- (4) ALL MATERIAL AND DIGGING MANHOLE TRENCH
- (5) ALL HANDWORK NOT COVERED GRADUALLY
- (6) C LOC 9000 SYSTEM 2" x 12' CLAM CELL
- (7) DECKING 2" x 3" #1 DRESSED SOUND CONTACT

SCALE 1" = 10'

V.M.A.C. # 19-0140

MODIFIED MARCH 8-2019

PIER COMPLETES

117 GODSPER LANE

WILLIAMS BUCK VA 23185

* CANAL OFF POINT

Landscaping & Construction
 Class A Contractors License #2701 034 192A
 Residential • Industrial • Commercial
 Licensed & Insured



SOUTHERN LANDSCAPING & CONSTRUCTION INC.
MO BLOXOM
 President

P.O. Box 275, Rt. 33 & 14
 Shackelfords, VA 23156
 Office: (804) 785-4242
 Fax: (804) 785-4241
 Cell: (804) 366-1999

P.O. Box 426
 Williamsburg, VA 23187
 (757) 874-4644
 email: solandconinc@gmail.com
 www.southernlandcon.com



PUBLIC HEARING NOTICE

THE WETLANDS AND CHESAPEAKE BAY BOARDS OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, APRIL 10, 2019, 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:

WJPA 19-0011/VMRC 19-0033: The Governors Land Foundation has applied for a wetland permit to perform an emergency bulkhead repair at 1636 Harbor Rd, JCC Parcel No. 4320700001A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 19-0016: Mr. Jim Duguay, Performance Contracting, has filed an exception request for encroachment into the RPA buffer for the construction of two decks at 4107 S Riverside Dr, JCC Parcel No 1910900003A.

CBPA 19-0028: Mr. Mo Bloxom, Southern Landscaping & Construction, Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a retaining wall at 117 Godspeed Ln, JCC Parcel No. 4730500035.

CBPA-19-0026: Mr. Carl Story, Williamsburg Landing Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a new deck at 3017 Spotswood Cay, JCC Parcel No. 4820100002.

CBPA-19-0023: Mr. Kyle Polk, The Structures Group, has filed an exception request for encroachment into the RPA buffer for the replacement of a single family dwelling at 573 Forest Lake Rd, JCC Parcel No. 0930100002C.

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 – March 27, 2019 and April 3, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

COPIES: PLANNING

GENERAL SERVICES
ASSISTANT COUNTY ATTORNEY
WETLAND/CHESAPEAKE BAY BOARD MEMBERS



General Services
Stormwater and Resource
Protection Division
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6790

Resource.Protection@jamescitycountyva.gov

March 20, 2019

RE: CBPA-19-0028
117 Godspeed Lane
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 Jess Gentry, for encroachment into the Resource Protection Area (RPA) buffer associated with the construction of a retaining wall located at 117 Godspeed and further identified as JCC Parcel No. 4730500035.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 10, 2019 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: Mo Bloxom, Southern Landscaping & Construction, Inc.

Mailing List for: CBPA-19-0028 – 117 Godspeed –Retaining Wall

Owner: 4730500035

Gentry, Jess J & Amanda M
117 Godspeed Lane
Williamsburg, VA 23185-3171

4730500041

Mitchell Revocable Living Trust, Dean S & Martha S
10 Lavelle Court
Williamsburg, VA 23185-3127

Southern Landscaping & Construction, Inc.
Attn: Mo Bloxom
P.O. Box 275
Saluda, VA 23149

4730500040-12 Lavelle Court

Mangano, Edward J, Trustee & Anna Mar
3429 Mallard Creek Run
Williamsburg, VA 23185-8729

4730500034

Plumley, Bruce B
115 Godspeed Lane
Williamsburg, VA 23185-3171

4730500039

Helderman, Karen K & Michael P
9 Lavelle Court
Williamsburg, VA 23185-3167

4730500045

Chantry, Stephen J & Donna D
118 Godspeed Lane
Williamsburg, VA 23185-3108

4730500019

Hernandez, James L, Trustee & Eileen R, Trustee
114 Discovery Lane
Williamsburg, VA 23185-3105

4730500045

Murphy, Jeany Devilla
3 Lavelle Court
Williamsburg, VA 23185-3167

4730500044

Kosloski, Joseph J, Jr. & Debra
4 Lavelle Court
Williamsburg, VA 23185-3127

4730500043

Newton, Gary D & Janice M
6 Lavelle Court
Williamsburg, VA 23185-3127

4730500042

Marten, Mabel M Living Trust
8 Lavelle Court
Williamsburg, VA 23185-3127

4730500041

Mitchell Revocable Living Trust, Dean S & Martha S
10 Lavelle Court
Williamsburg, VA 23185-3127

4730500040-12 Lavelle Court

Mangano, Edward J, Trustee & Anna Mar
3429 Mallard Creek Run
Williamsburg, VA 23185-8729

4730500039

Helderman, Karen K & Michael P
9 Lavelle Court
Williamsburg, VA 23185-3167

4730500019

Hernandez, James L, Trustee & Eileen R, Trustee
114 Discovery Lane
Williamsburg, VA 23185-3105

ITEM SUMMARY

DATE: 4/10/2019
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: CBPA 19-0016 : 4107 South Riverside Drive

Mr. Jim Duguay, Performance Contracting, has filed an exception request for encroachment into the RPA buffer for the construction of two decks at 4107 South Riverside Dr, JCC Parcel No. 1910900003A.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	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	4/4/2019 - 8:53 AM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2019 - 9:03 AM
Publication Management	Daniel, Martha	Approved	4/4/2019 - 9:38 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/4/2019 - 10:00 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 19-0016. 4107 South Riverside Drive
Staff Report for the April 10, 2019, Chesapeake Bay Board Public Hearing**

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: Mr. Bernie Sheetz

Agent: Mr. Jim Duguay, Performance Contracting

Location: 4107 South Riverside Drive

Tax Map/Parcel No.: 1910900003A

Parcel: Lot 3A, Section 8, Chickahominy Haven

Lot Size: 0.89 acres

Area of Lot in Resource Protection Area (RPA): 0.60 acres +/- (67%)

Watershed: Yarmouth Creek (HUC JL 28)

Floodplain: Zone A - the special flood hazard area subject to 1% annual chance flood

Proposed Activity: Construction of two decks and fill

Impervious Cover: 798 square feet of new impervious
1,102 square feet of impervious removed in the RPA (2,204 square feet total)

RPA Encroachment: 798 square feet, landward 50-foot RPA buffer

Staff Contact: Trevor Long, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Jim Duguay, Performance Contracting, has applied for a Chesapeake Bay Exception on behalf of Mr. Bernie Sheetz for encroachments into the RPA buffer for the construction of two decks and fill on property located at 4107 South Riverside Drive within the Yarmouth Creek watershed. The property is further identified as James City County Tax Map Parcel No. 1910900003A. The parcel was platted in 1965, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.89 acres, of which 67% is located within the RPA. The total impervious encroachment associated with the two decks is 798 square feet within the landward 50-foot RPA. Additionally, the applicant has proposed bringing in fill in order to decrease ponding in a depressional area of the lot. The placement of fill will not require the removal of any existing canopy trees. The applicant is proposing to remove 2,204 square feet derived from the driveway and accessory shed structure of which 1,102 square feet exist within the RPA. Therefore, staff is not requiring mitigation for the proposed encroachments into the RPA.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of two decks and fill and finds that the application meets the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the fill is considered accessory in nature and must be considered by the Board following a public hearing under the formal exception process. Per Sections 23-11 and 23-14 of the County Ordinance, a Water Quality Impact Assessment (WQIA) was submitted for the proposed project.

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 No. CBPA 19-0016 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 the grading impacts associated with the proposal to be major and the impervious cover impacts 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;
2. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities;
3. This exception request approval shall become null and void if construction has not begun by April 10, 2020; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

TL/md
CBPA19-16SRvrside

Attachments:

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

RESOLUTION

CASE NO. CBPA-19-0016. 4107 SOUTH RIVERSIDE DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Bernie Sheetz (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 10, 2019, 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. 1910900003A and further identified as 4107 South Riverside Drive (the “Property”) as set forth in the application CBPA-19-0016 for the purpose of constructing a deck and fill in the RPA; 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. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior

to commencement of such activities; and

- c. This exception request approval shall become null and void if construction has not begun by April 10, 2020; and
- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

 David Gussman
 Chair, Chesapeake Bay Board

 Michael Woolson
 Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of April, 2019.

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: _____

CBPA19-16SRvrside-res



Chesapeake Bay Board of James City County, Virginia

April 10, 2019

CBPA 19-0016

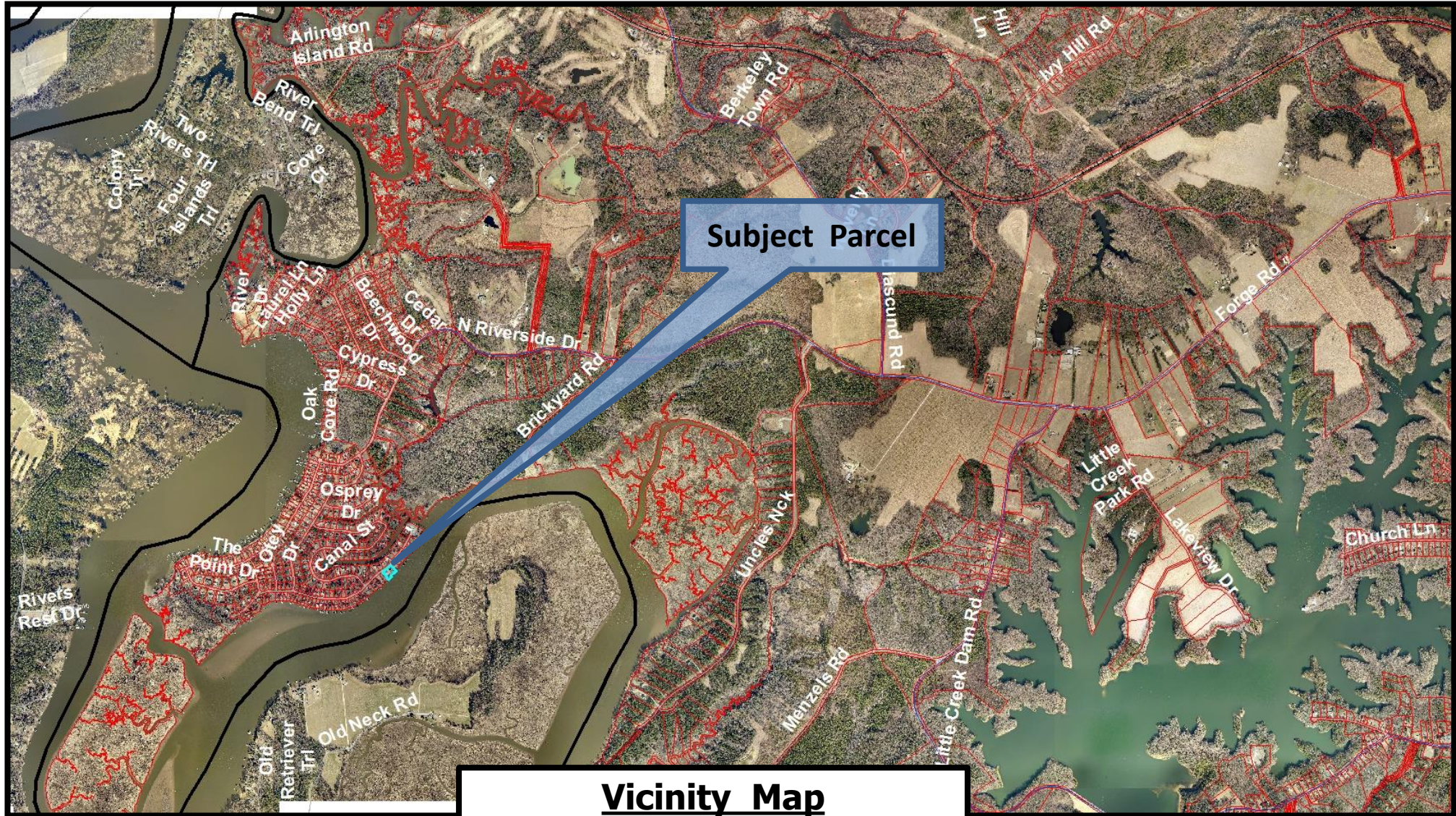
Bernie Sheetz

4107 South Riverside Drive

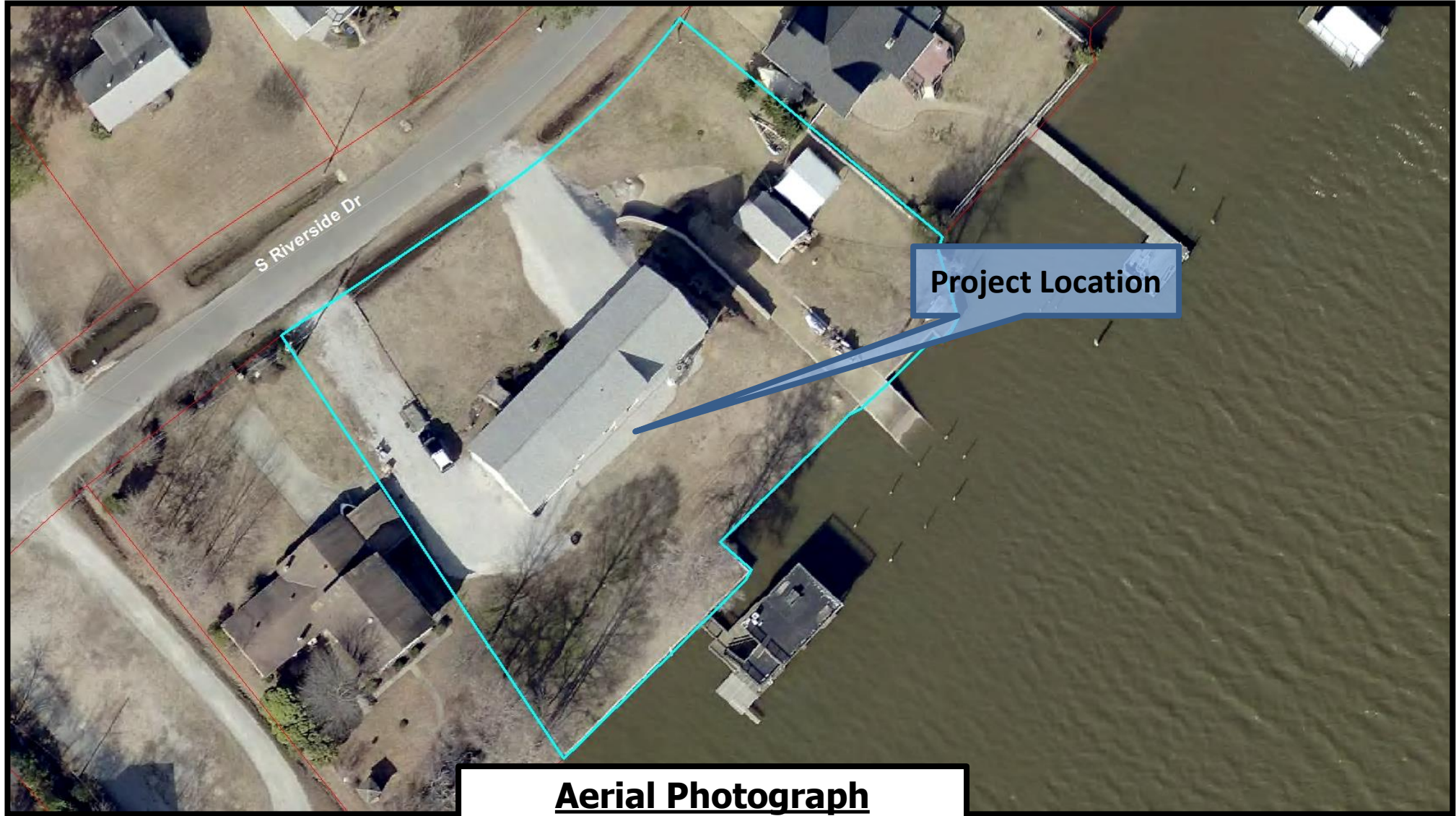


Applicant Request

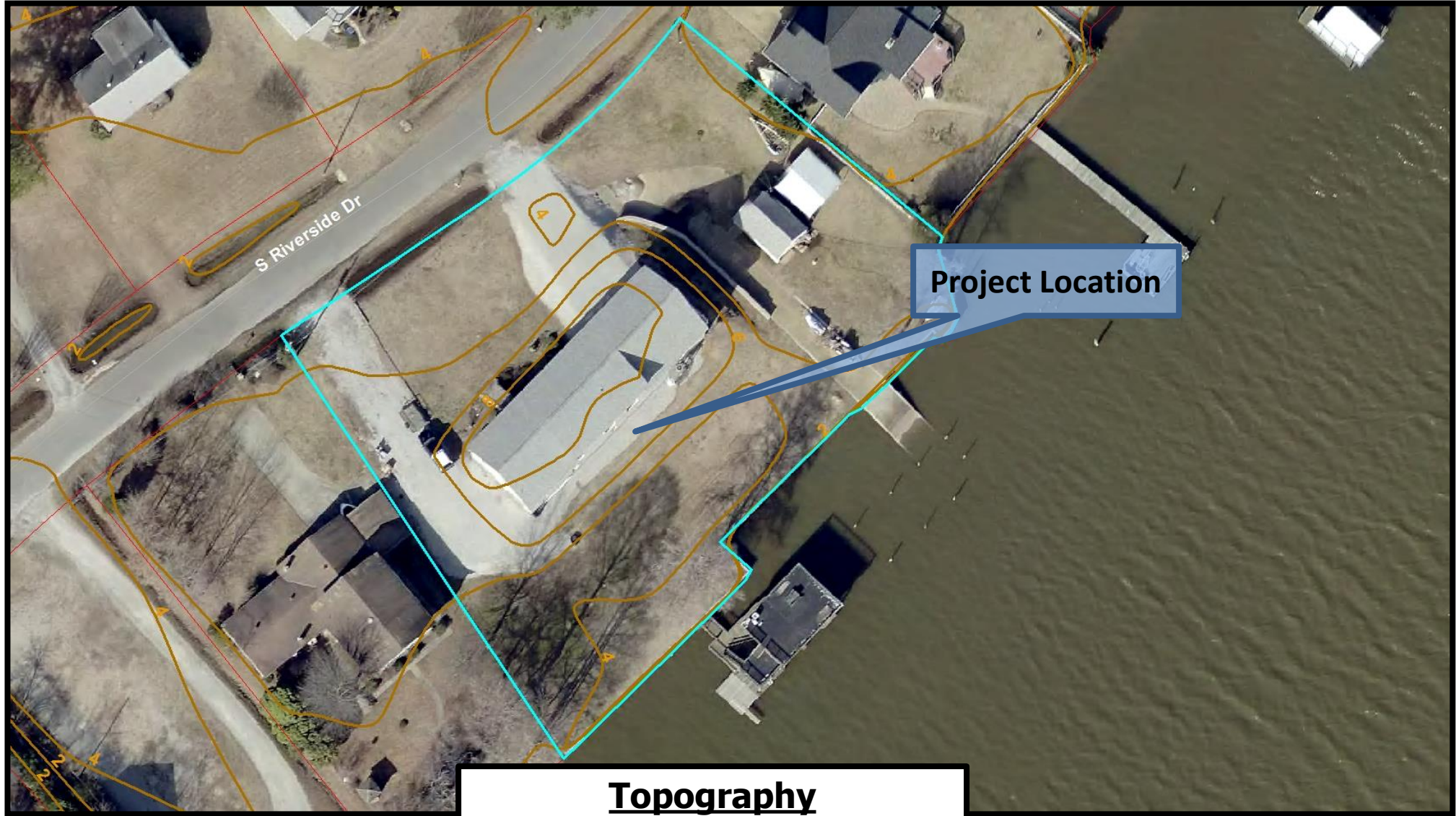
- ✓ Construct two decks and fill



Vicinity Map
CBPA-19-0016
4107 South Riverside



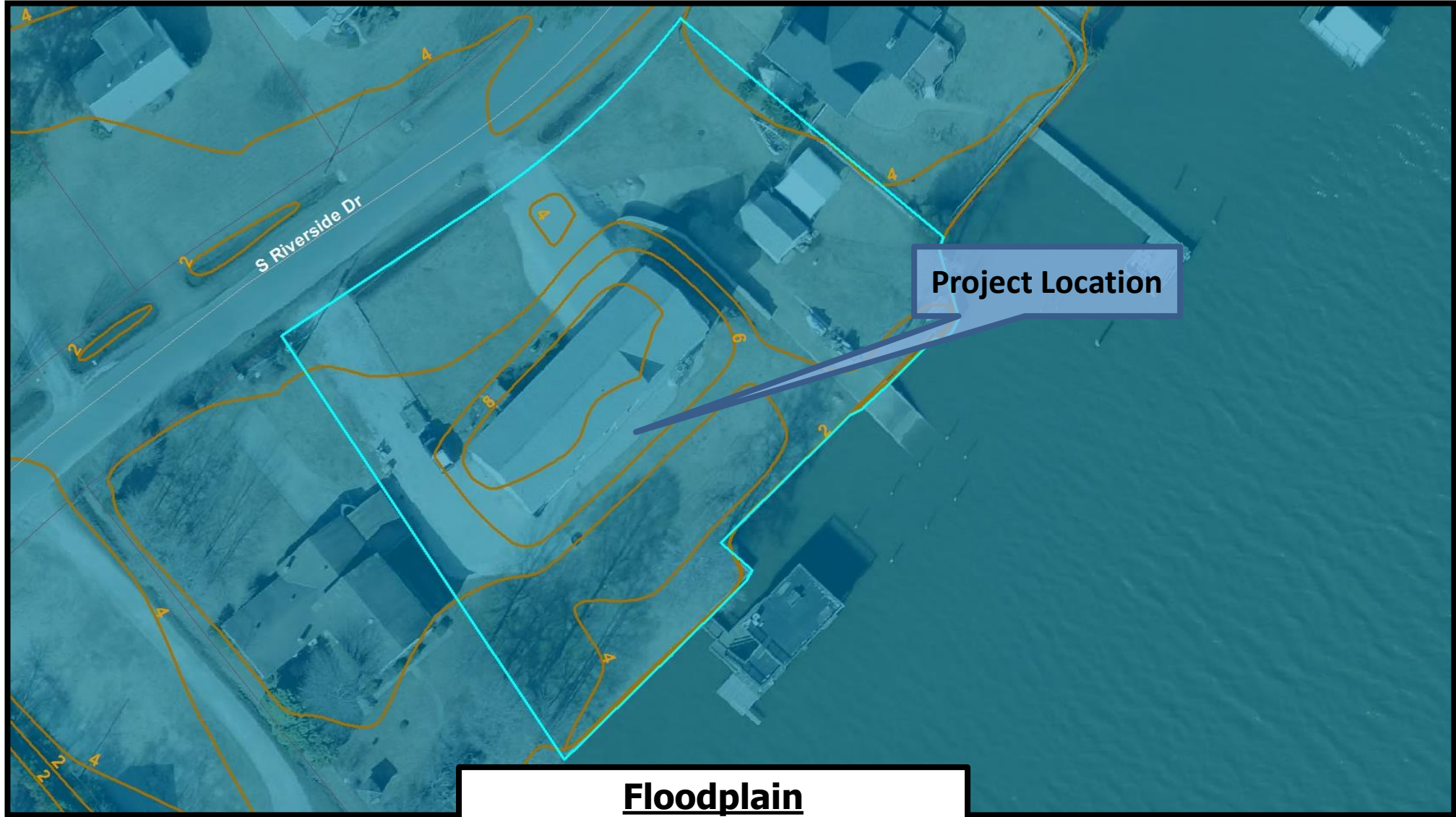
Aerial Photograph
CBPA-19-0016
4107 South Riverside



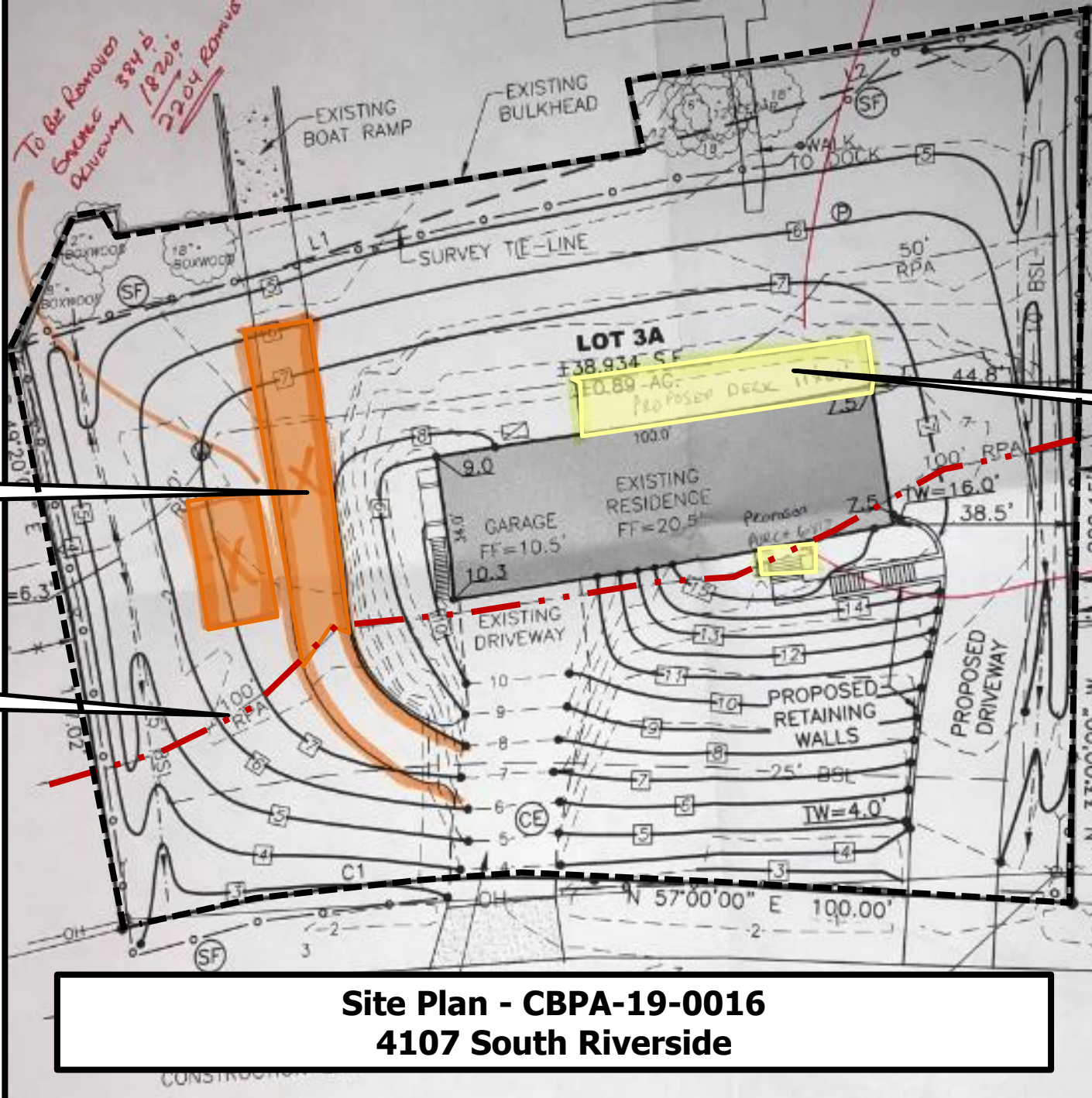
Topography
CBPA-19-0016
4107 South Riverside



Resource Protection Area
CBPA-19-0016
4107 South Riverside



Floodplain
CBPA-19-0016
4107 South Riverside



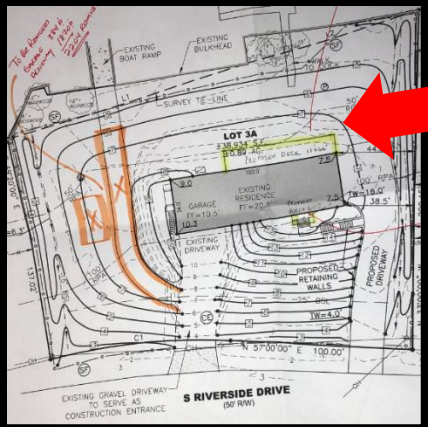
Site Plan showing proposed improvements, revised March 21, 2019. For representative use only for presentation of case #CBPA-19-0016.

Proposed Decks

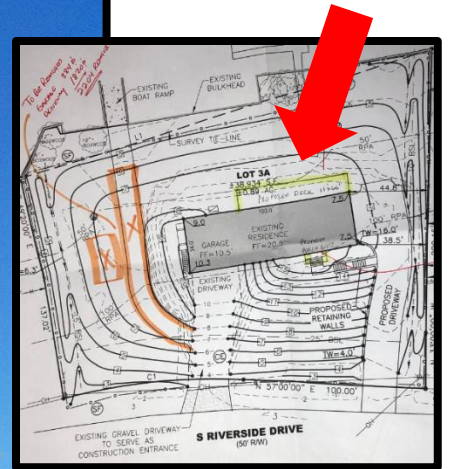
Impervious Area to be removed

Resource Protection Area

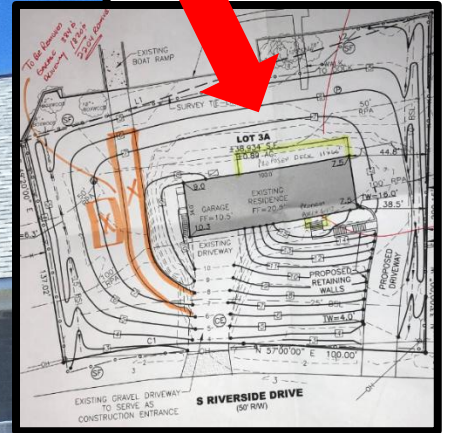
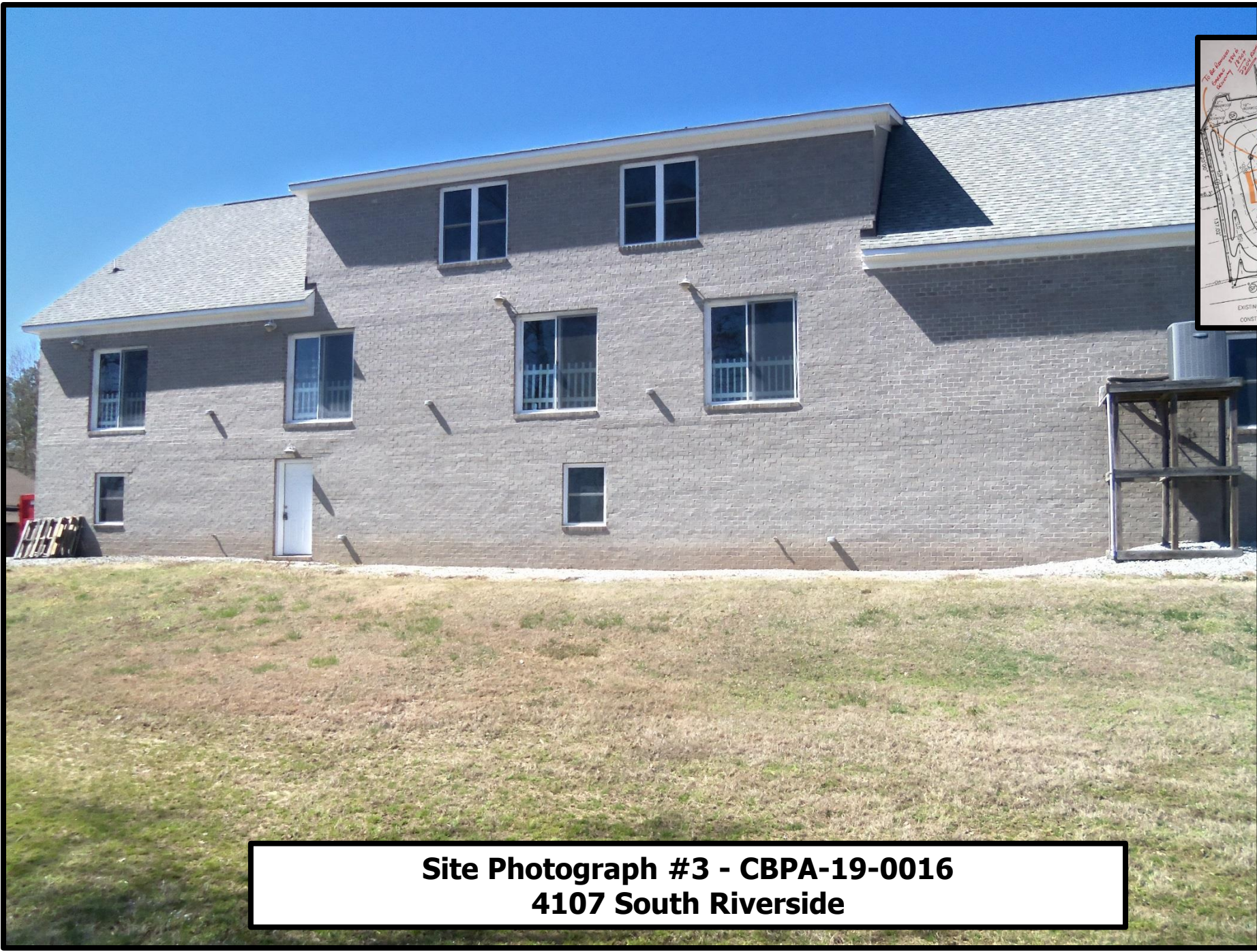
Site Plan - CBPA-19-0016
4107 South Riverside



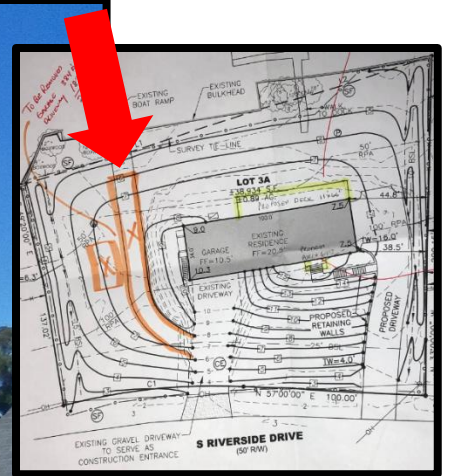
**Site Photograph #1 - CBPA-19-0016
4107 South Riverside**



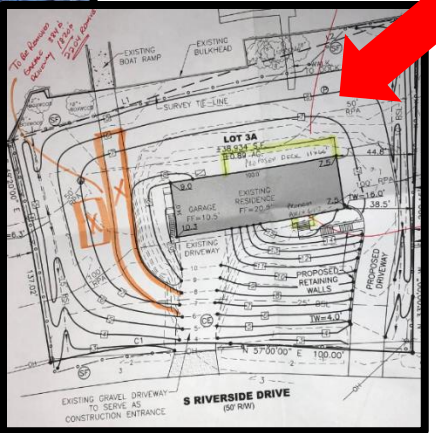
**Site Photograph #2 - CBPA-19-0016
4107 South Riverside**



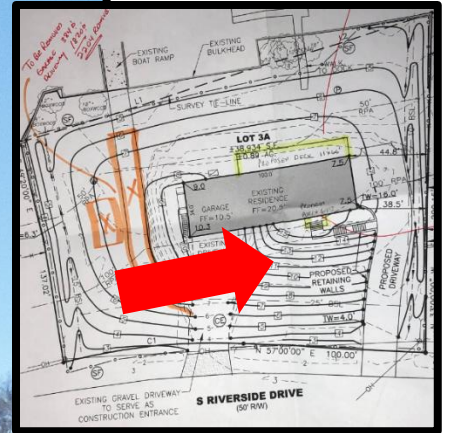
**Site Photograph #3 - CBPA-19-0016
4107 South Riverside**



**Site Photograph #4 - CBPA-19-0016
4107 South Riverside**



**Site Photograph #5 - CBPA-19-0016
4107 South Riverside**



**Site Photograph #6 - CBPA-19-0016
4107 South Riverside**

Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary local, state and federal permits
- ✓ All development in the special flood hazard area shall comply with Article VI Division 3 Floodplain Area Regulations
- ✓ This exception request approval shall become null and void if construction has not begun by April 10, 2020
- ✓ Written requests for extension submitted no later than February 27, 2020

SHED TO THIS FIRM.
 T. HED OR LOCATED FOR THIS
 UNDERGROUND UTILITIES.
 E UNDERGROUND UTILITIES.
 DATED DECEMBER 16, 2015.
 DATED DECEMBER 16, 2015.
 DATED DECEMBER 16, 2015.
 DATED DECEMBER 16, 2015.
 DATED DECEMBER 16, 2015.

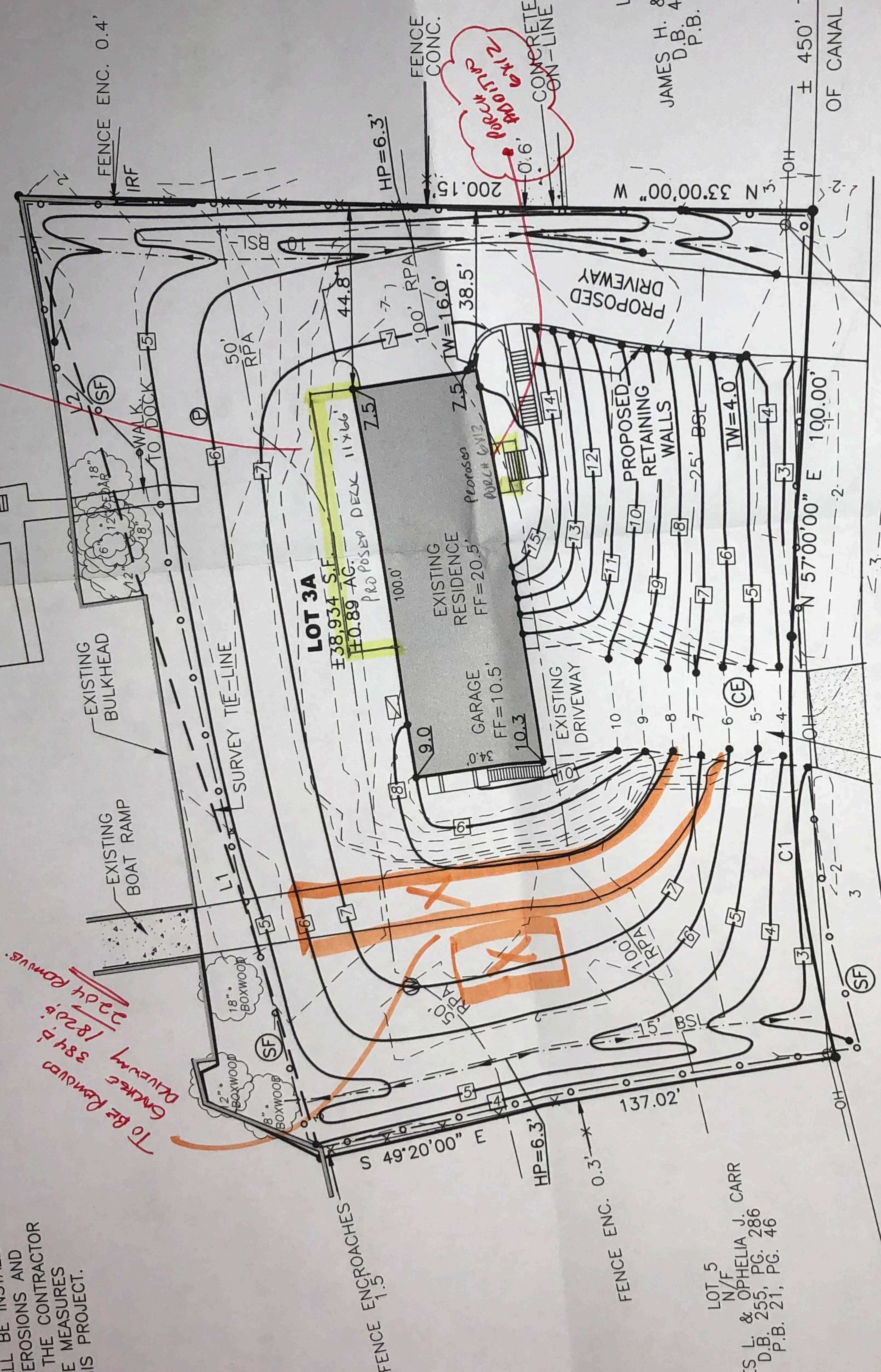
NOTES

URES SHALL BE INSTALLED
 "VIRGINIA EROSIONS AND
 EDITION". THE CONTRACTOR
 APPLICABLE MEASURES
 NENT TO THIS PROJECT.

CHICKAHOMINY RIVER

*To Be Removed
 Gates 384 ft
 Driveway 1820 ft
 324 ft Runway*

Deck 11x66



S RIVERSIDE DRIVE
 (50' RW)

EXISTING GRAVEL DRIVEWAY
 TO SERVE AS
 CONSTRUCTION ENTRANCE

LINE	BEARING	DISTANCE
L1	N 38°03'15" E	152.36'
L2	N 38°02'47" E	105.73'

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	375.41'	107.02'	106.66'	N 48°50'00" E	16°20'02"

- LEGEND**
- ☐ RAISED HVAC
 - UTILITY POLE
 - OVERHEAD U
 - ⊕ PUMP
 - ⊙ WELL
 - ⊖ WIRE
 - ⋖ FENCE

IRF = IRON ROD
 IPF = IRON PIPE

GRADING PLAN
LOT 3A, SECTION 8,
CHICKAHOMINY HAVEN

FOR
BERNIE SHEETZ

JAMES CITY COUNTY

VIRGINIA

/2018
 RI
 18-258
 8-258.DWG
 023913

NO.	DATE	REVISION /



PUBLIC HEARING NOTICE

THE WETLANDS AND CHESAPEAKE BAY BOARDS OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, APRIL 10, 2019, 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:

WJPA 19-0011/VMRC 19-0033: The Governors Land Foundation has applied for a wetland permit to perform an emergency bulkhead repair at 1636 Harbor Rd, JCC Parcel No. 4320700001A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 19-0016: Mr. Jim Duguay, Performance Contracting, has filed an exception request for encroachment into the RPA buffer for the construction of two decks at 4107 S Riverside Dr, JCC Parcel No 1910900003A.

CBPA 19-0028: Mr. Mo Bloxom, Southern Landscaping & Construction, Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a retaining wall at 117 Godspeed Ln, JCC Parcel No. 4730500035.

CBPA-19-0026: Mr. Carl Story, Williamsburg Landing Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a new deck at 3017 Spotswood Cay, JCC Parcel No. 4820100002.

CBPA-19-0023: Mr. Kyle Polk, The Structures Group, has filed an exception request for encroachment into the RPA buffer for the replacement of a single family dwelling at 573 Forest Lake Rd, JCC Parcel No. 0930100002C.

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 – March 27, 2019 and April 3, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

COPIES: PLANNING

GENERAL SERVICES
ASSISTANT COUNTY ATTORNEY
WETLAND/CHESAPEAKE BAY BOARD MEMBERS



General Services
Stormwater and Resource
Protection Division
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6790

Resource.Protection@jamescitycountyva.gov

March 20, 2019

RE: CBPA-19-0016
4107 S. Riverside Drive
Two Decks

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 Jim Duguay with Performance Contracting, for encroachment into the Resource Protection Area (RPA) buffer associated with the construction of two decks located at 4107 S. Riverside Drive and further identified as JCC Parcel No. 1910900003A.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 10, 2019 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: Bernie Sheetz, Jefco, Inc.
Jim Duguay, Performance Contracting

Mailing List for: CBPA-19-0016 – 4107 S. Riverside Drive –Two Decks

Owner: 1910900003A

Sheetz, Bernard, Trustee
4107 S Riverside Drive
Lanexa, VA 23089-9418

Performance Contracting

Attn: Jim Duguay
334 Redoubt Road
Yorktown, VA 23692

Jefco, Inc.

Attn: Bernie Sheetz
11501 N Lakeridge Parkway, Suite 100
Ashland, VA 23005

1910900002- 4105 S Riverside Drive

Taylor, William C & Randolph W
8589 Richmond Road
Toano, VA 23168-9212

1910900005

Carr, Ophelia J, Trustee
4111 S. Riverside Drive
Lanexa, VA 23089-9418

1910900020- 4106 S Riverside Drive

T&B Homes, LLC
215 Parchment Boulevard
Williamsburg, VA 23185-6308

1910900019

Browne, Albert L & Gayle A
4108 S Riverside Drive
Lanexa, VA 23089-9417

1910900018- 4110 S Riverside Drive

Brewer, Christopher L
7200 Blanc Street
New Kent, VA 23124-2890

ITEM SUMMARY

DATE: 4/10/2019
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: CBPA 19-0023 : 573 Forest Lake Road

Mr. Kyle Polk, The Structures Group, has filed an exception request for encroachment into the RPA buffer for the replacement of a single family dwelling at 573 Forest Lake Road, JCC Parcel No. 0930100002C.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	Existing Site Plan	Backup Material
☐	Proposed 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	4/4/2019 - 8:53 AM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2019 - 9:03 AM
Publication Management	Daniel, Martha	Approved	4/4/2019 - 9:37 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/4/2019 - 10:00 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 19-0023. 573 Forest Lake Road
Staff Report for the April 10, 2019, Chesapeake Bay Board Public Hearing**

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: H. Clifton Scott,
Susan Carter,
Deborah & Dru Kennedy

Agent: Mr. Kyle Polk, The Structures Group

Location: 573 Forest Lake Road

Tax Map/Parcel No.: 0930100002C

Parcel: Todd & Tompkins, Lot C

Lot Size: 2.22 Acres

Area of Lot in Resource
Protection Area (RPA): 2.19 acres +/- (99%)

Watershed: Diascund Creek (HUC JL 27)

Floodplain: Zone A - the special flood hazard area subject to 1% annual chance flood

Proposed Activity: Replacement of a single-family dwelling

Impervious Cover: -32 square feet

RPA Encroachment: -32 square feet, seaward 50-foot RPA buffer

Staff Contact: Trevor Long, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Kyle Polk, The Structures Group, has applied for a Chesapeake Bay Exception on behalf of H. Clifton Scott, Susan Carter, and Deborah and Dru Kennedy for encroachments into the RPA buffer for the replacement of a single-family dwelling on property located at 573 Forest Lake Road within the Diascund Creek watershed. The property is further identified as James City County Tax Map Parcel No. 0930100002C. The parcel was platted prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 2.22 acres, of which 99% is located within the RPA. Current site conditions include a single-family dwelling, a shed accessory structure, and a pier. A total of 3,359 square feet of encroachment into the seaward 50-foot RPA is associated with the existing house on property. The reconstruction of this house results in 3,326 square feet of encroachment into the RPA, therefore equating to a net decrease in impervious area by 32 square feet. At this time, the applicant has proposed the plantings of one canopy tree and 10 shrubs, therefore exceeding County mitigation requirements.

STAFF EVALUATION

Staff has evaluated the application and exception request for the replacement of a single-family dwelling and finds that the application meets the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because redevelopment of the parcel does not meet Ordinance requirements of a net decrease in impervious cover of 10%. Therefore, this request must be considered by the Board following a public hearing under the formal exception process. Per Sections 23-11 and 23-14 of the County Ordinance, a Water Quality Impact Assessment (WQIA) was submitted for the proposed project.

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 No. CBPA-19-0023 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;
2. A surety of \$500 in a form acceptable to the James City County Attorney's Office be provided to ensure the mitigation plantings;
3. All development activities located in the special flood hazard area shall comply with Article VI Division 3 Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities;
4. This exception request approval shall become null and void if construction has not begun by April 10, 2020; and
5. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

TL/md
CBPA19-23ForLkRd

Attachments:

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

RESOLUTION

CASE NO. CBPA-19-0023. 573 FOREST LAKE ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, H. Clifton Scott, Susan Carter, and Deborah and Dru Kennedy (the “Applicants”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on April 10, 2019, 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. 0930100002C and further identified as 573 Forest Lake Road (the “Property”) as set forth in the application CBPA-19-0023 for the purpose of rebuilding 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 Applicants 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. A surety of \$500 in a form acceptable to the James City County Attorney’s Office to ensure the mitigation plantings; and

- c. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities; and
- d. This exception request approval shall become null and void if construction has not begun by April 10, 2020.
- e. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

 David Gussman
 Chair, Chesapeake Bay Board

 Michael D. Woolson
 Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of April, 2019.

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: _____

CBPA19-23ForLkRd-res



Chesapeake Bay Board of James City County, Virginia

April 10, 2019

CBPA 19-0023

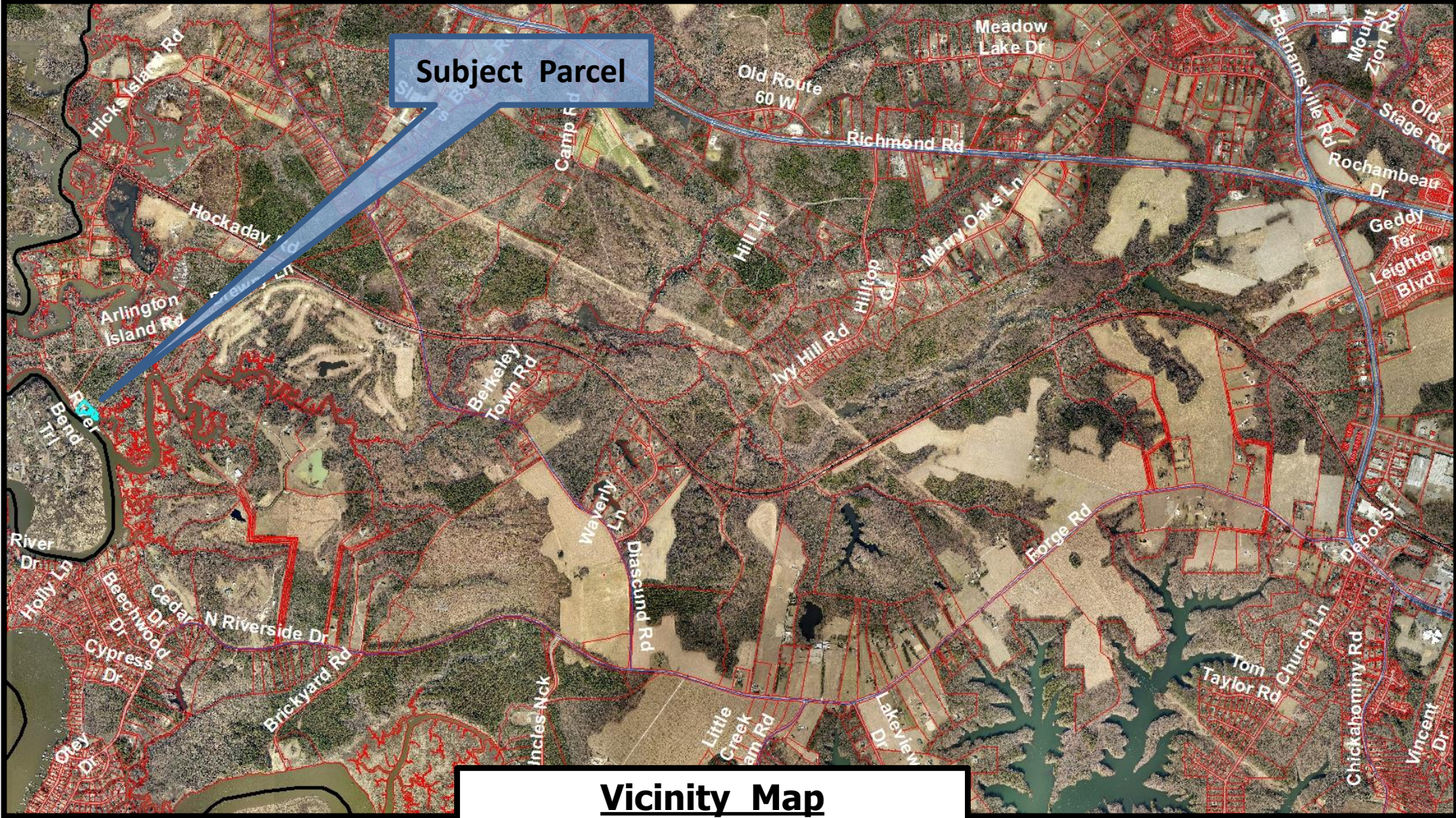
H Clifton Scott, Susan Carter, Deborah & Dru Kennedy

573 Forest Lake Road



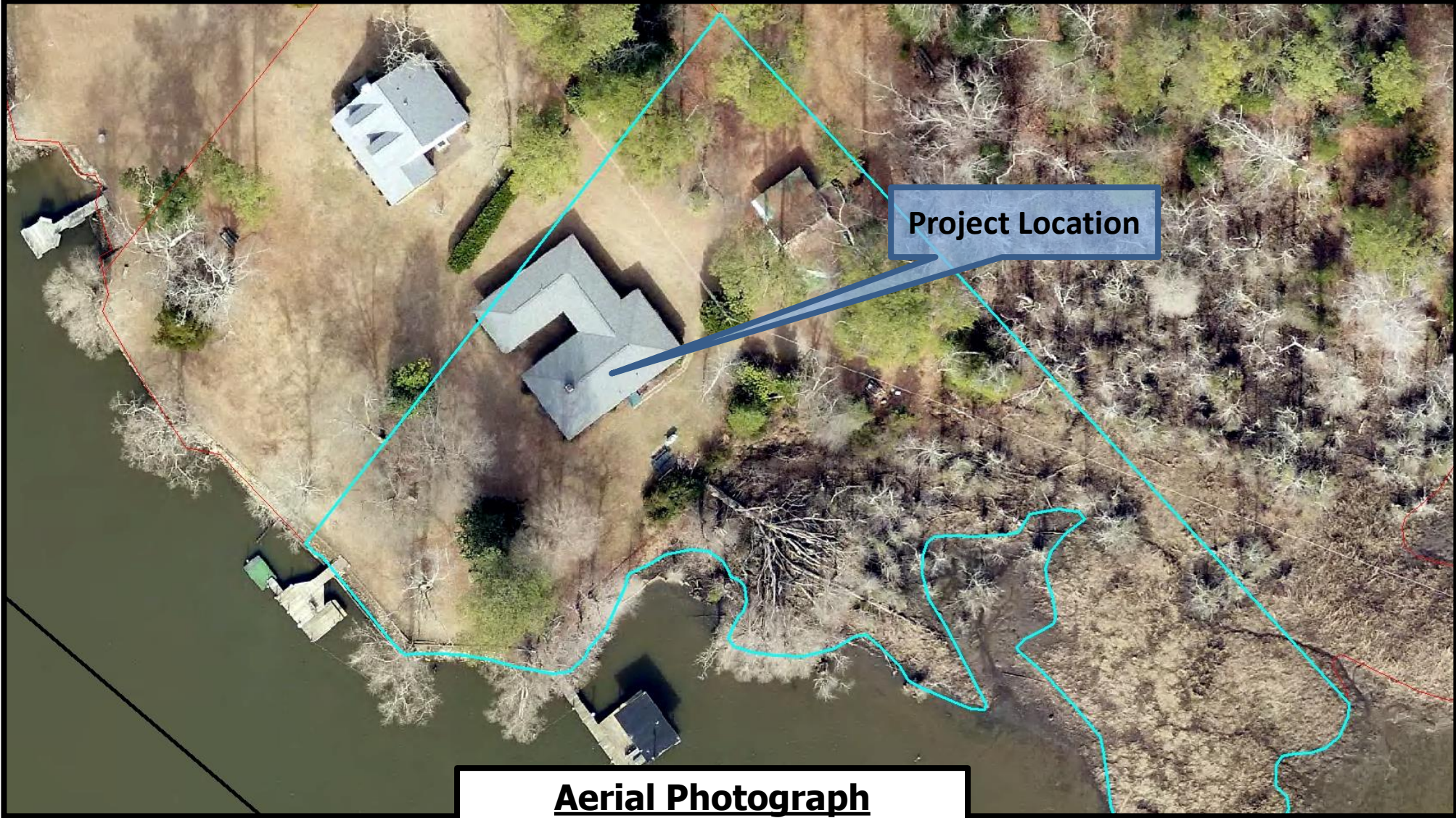
Applicant Request

- ✓ Replacement of a single family dwelling

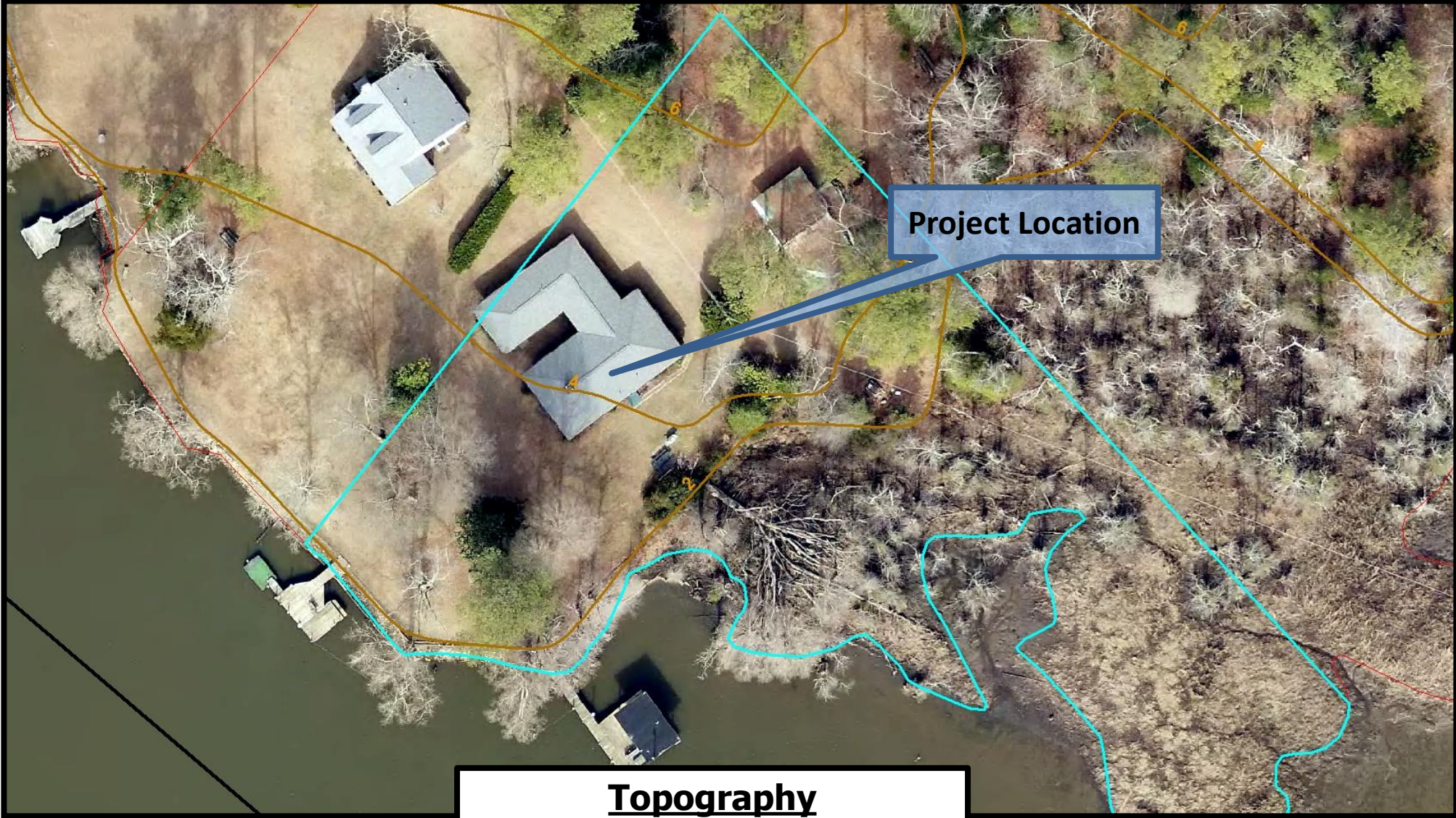


Subject Parcel

Vicinity Map
CBPA 19-0023
573 Forest Lake Road



Aerial Photograph
CBPA 19-0023
573 Forest Lake Road



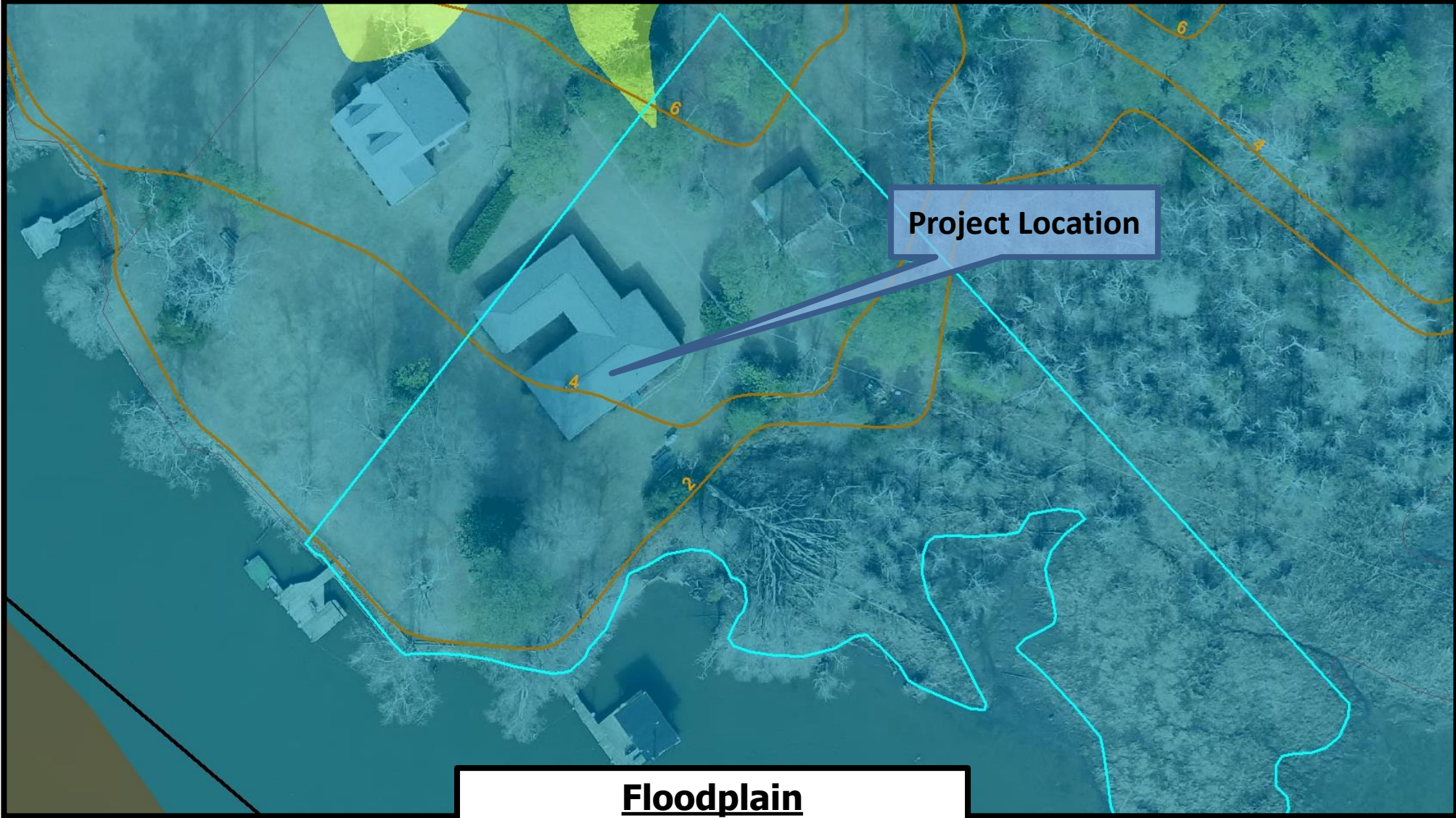
Project Location

**Topography
CBPA 19-0023
573 Forest Lake Road**



Project Location

**Resource Protection Area
CBPA 19-0023
573 Forest Lake Road**



Project Location

Floodplain
CBPA 19-0023
573 Forest Lake Road

Site Plan showing proposed improvements, submitted February 26, 2019. For representative use only for presentation of case #CBPA-19-0023.

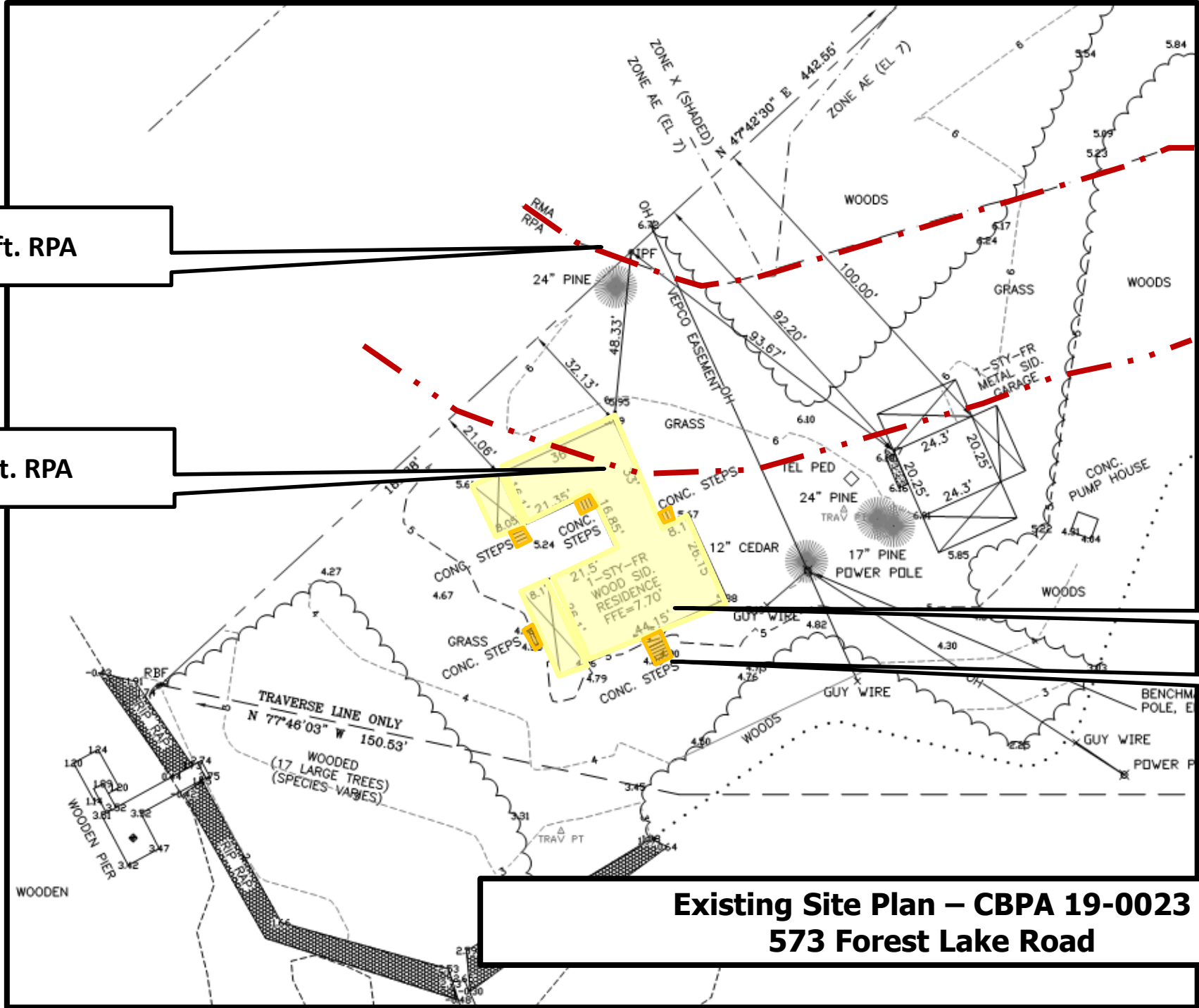
100 ft. RPA

50 ft. RPA

Existing House

Steps to be removed

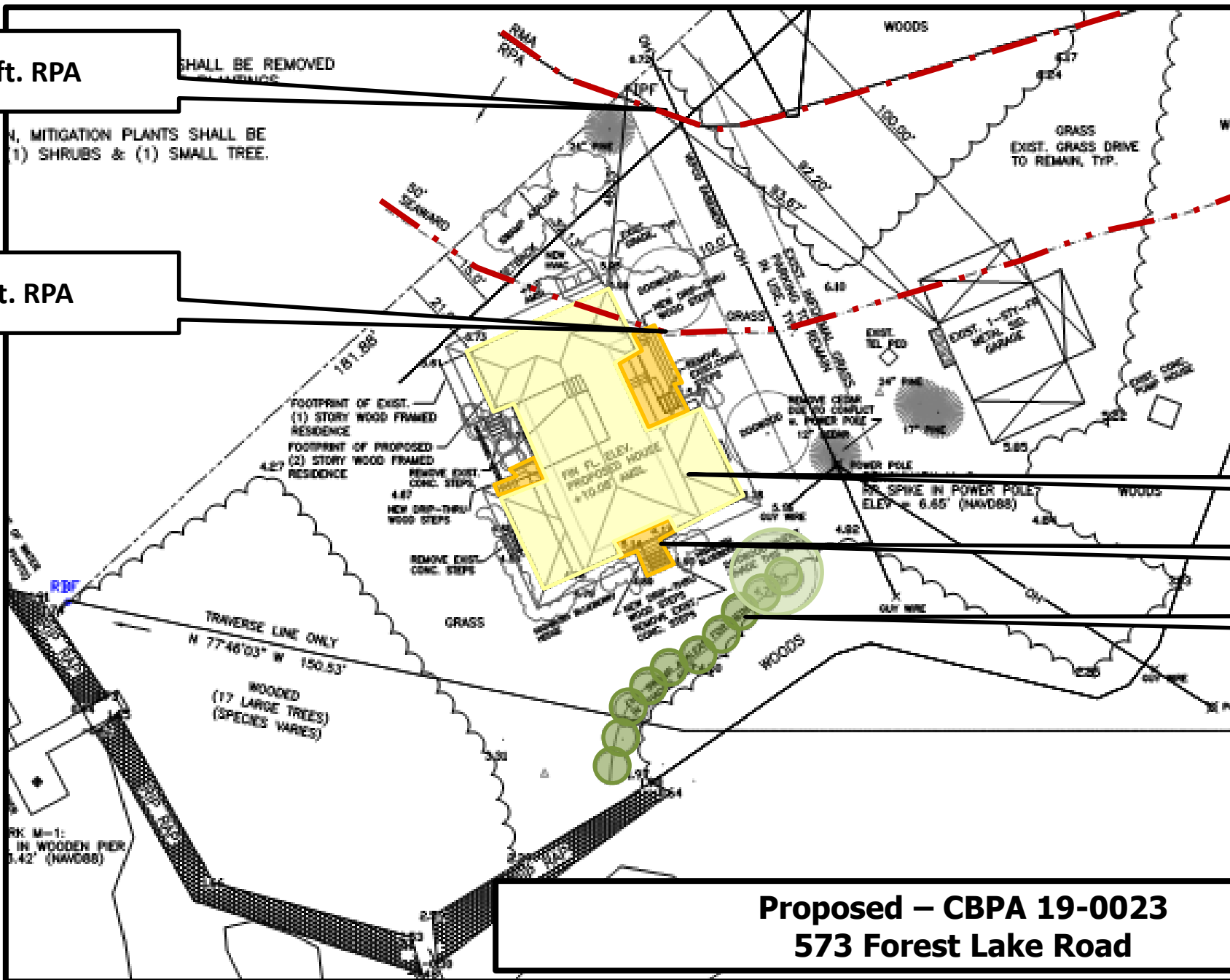
Existing Site Plan – CBPA 19-0023
573 Forest Lake Road



100 ft. RPA

50 ft. RPA

Site Plan showing proposed improvements, submitted February 26, 2019. For representative use only for presentation of case #CBPA-19-0023.

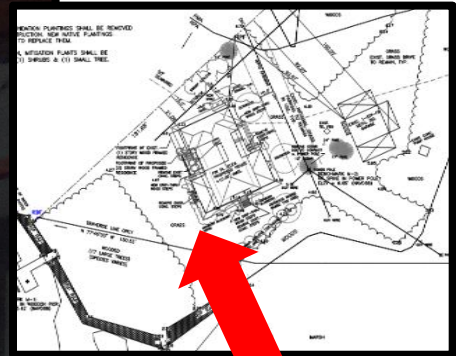


Proposed House

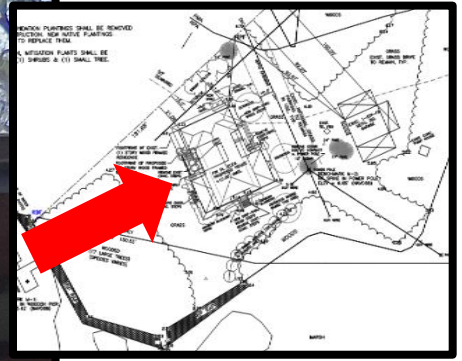
Drip Steps

Proposed Mitigation

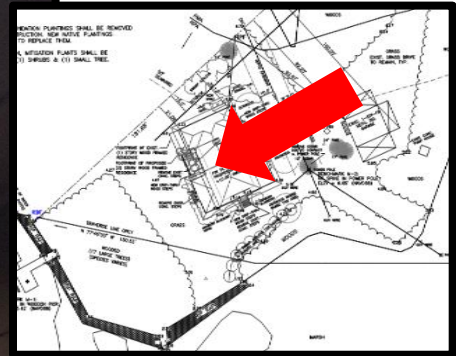
Proposed – CBPA 19-0023
573 Forest Lake Road



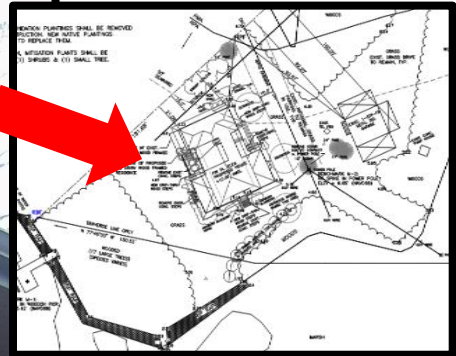
**Site Photograph #1 – CBPA 19-0023
573 Forest Lake Road**



**Site Photograph #2 – CBPA 19-0023
573 Forest Lake Road**



Site Photograph #3 - CBPA 19-0023
573 Forest Lake Road



**Site Photograph #4 - CBPA 19-0023
573 Forest Lake Road**

Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary local, state and federal permits
- ✓ A surety of \$500 be required
- ✓ All development activities located in the special flood hazard area shall comply with Article VI Division 3 Floodplain Area Regulations

Permit Conditions



Staff Recommendation – Approval

- ✓ This exception request approval shall become null and void if construction has not begun by April 10, 2020
- ✓ Written requests for extension submitted no later than February 27, 2020

LOT A

N. or F.
S.T. & T. WEBB
& E.L. & R. TODD
INSTR. #020031432
LOT B

N. or F.
S.E. TOMPKINS, III
& D.S. TOMPKINS
INSTR. #010021322

LOT C
(INSIDE TRAVERSE LINE)
106,933 SQ. FT.
2.4548 ACRES
HIGH GROUND
96,810 SQ. FT.
2.22± ACRES

DB 128 PG 668

BENCHMARK M-1: MAG NAIL IN WOODEN
PIER. ELEV = 3.42' (NAVD88)

BENCHMARK M-2: RR SPIKE IN POWER
POLE. ELEV = 6.65' (NAVD88)

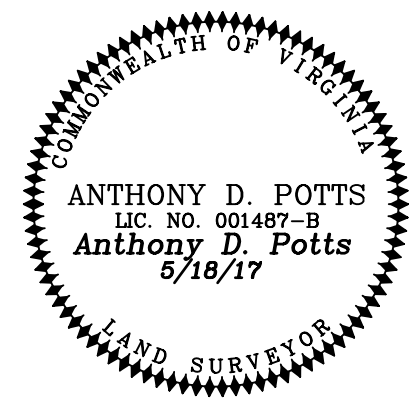
NOTES: UNDERGROUND UTILITIES EXCEPT AS SHOWN

THIS PROPERTY IS LOCATED IN FIRM ZONE AE,
(EL. 7)(AREA OF 1% ANNUAL CHANCE FLOOD) &
X (SHADED)(AREA OF 2% ANNUAL CHANCE FLOOD)
AS SHOWN ON COMMUNITY PANEL NO. 510201 0019 D
DATED DECEMBER 16, 2015 (INDEX DATE DEC. 16, 2015)

REF: DB 181 PG 338, PB 83 PG 97, DB 128 PG 668
NO TITLE REPORT PROVIDED
ALL EASEMENTS MAY NOT BE SHOWN
EXISTING CREEK MAY INCUR THE EXISTENCE
OF RPA AND RMA AREAS

EX. IMPERVIOUS AREA: 4,347 SQ. FT.
PRO. IMPERVIOUS AREA: ???? SQ. FT.
LAND DISTURBANCE: ???? SQ. FT.
WATERSHED: DIASOUND CREEK
HUC CODE: 02080206 - LOWER JAMES
TOTAL LOT SIZE: 2.22± ACRES

- (CB) = CONSTRUCTION ENTRANCE
 - (SF) = SILT FENCE
 - (PS) = PERMANENT SEEDING
- ALL EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.



I HEREBY CERTIFY THAT THE PROPOSED GRADES ARE IN ACCORDANCE WITH THE EXISTING FIELD CONDITIONS.
Anthony D. Potts
ANTHONY D. POTTS, L.S.

#573 FOREST LAKE ROAD REV. 2/22/19 CONTOURS, FLOOR ELEV.
REV. 12/11/17 PORCH DIMENSIONS

DEVELOPMENT PLAN			
LOT C "SUBDIVISION OF PART OF A PARCEL STANDING IN THE NAME OF J.R. TODD & S.E. TOMPKINS" POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA			
ADPA	A.D. POTTS & ASSOCIATES, INC.	SCALE	DATE
DESIGN BY	ADP	1"=30'	5/18/17
DRAWN BY	ERD	JOB NO.	SHEET
CHECKED BY		17-150	1 OF 1
TOMPKINS-TODD-LOT-C.DWG		FILE NO. 22-1499	

Impervious Data

TYPE OF IMPERVIOUS AREA	EXISTING HOUSE			PROPOSED HOUSE		
	AREA	PORTION IMPERVIOUS	TOTAL IMPERVIOUS	AREA	PORTION IMPERVIOUS	TOTAL IMPERVIOUS
FOOTPRINT AT GRADE	2444 SF	100%		2334 SF	100%	
AREA UNDER ROOF **	3359 SF	100%		3326 SF	100%	
AREA CONC. STEPS OUTSIDE ROOF	26 SF	100%		-0-	0%	
AREA DRIP-THRU STEPS OUTSIDE ROOF w. MITIGATION	-0-			93 SF		
TOTAL IMPERVIOUS HOUSE	3385 SF	100%	3385 SF	3226 SF	100%	3226 SF
EXIST. SHEDS, PUMP HOUSE, TEL. PEDESTAL TO REMAIN	1896 SF	100%	1896 SF	1896 SF	100%	1896 SF
EXIST. GRASS DRIVE TO REMAIN	-0-	0%	-0-	-0-	0%	-0-
TOTAL IMPERVIOUS			5254 SF			5222 SF
TOTAL AREA OF HIGH GROUND PER SURVEYOR	2.2+/- ACRES 96,810 SF					
% OF SITE AREA IMPERVIOUS			.054%			.053%

** THE NEW OVERHANG DIM. WILL MATCH THE EXISTING DIM.

N. or F.
S.E. TOMPKINS, III
& D.S. TOMPKINS
INSTR. #010021322

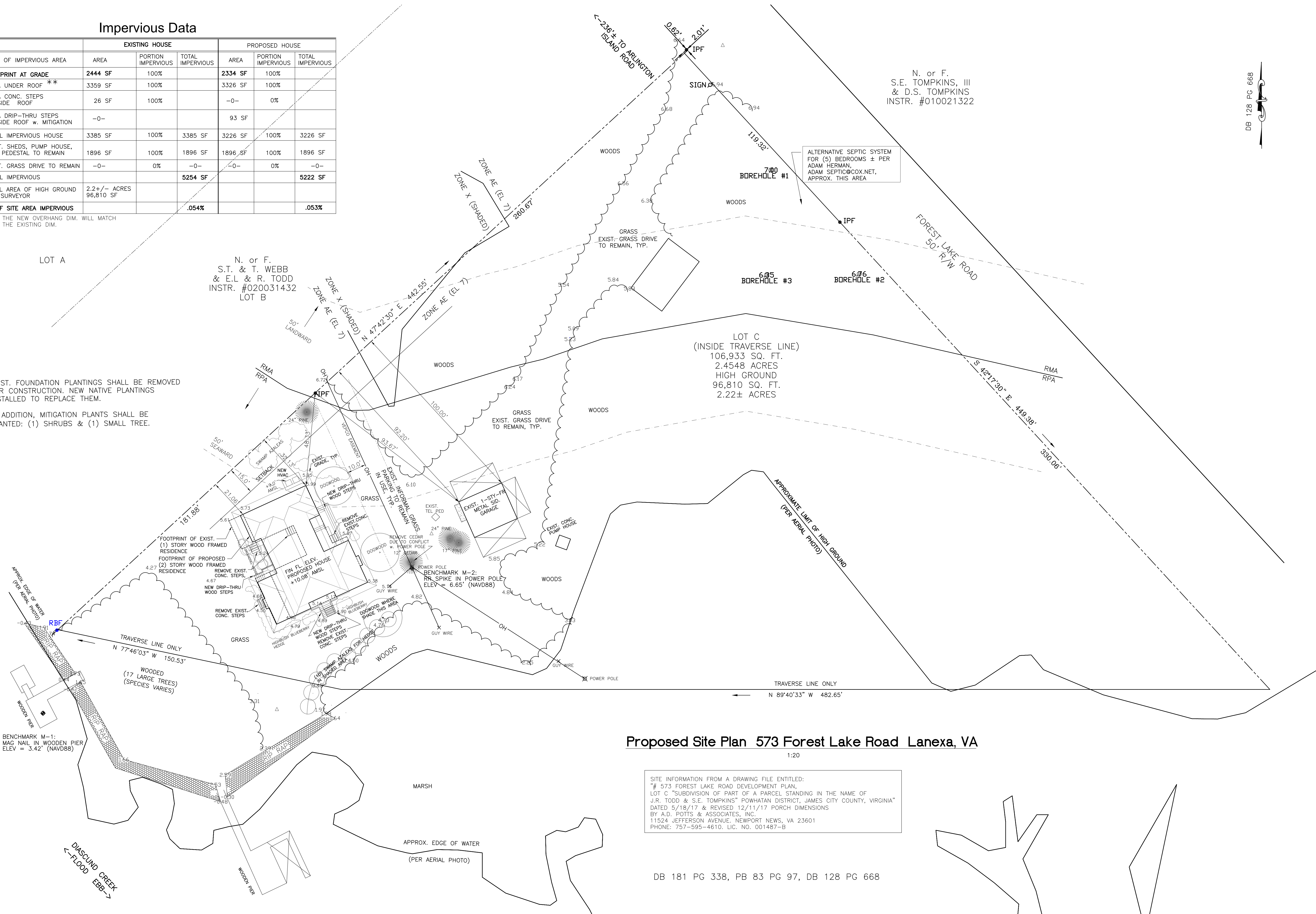
DB 128 PG 668

LOT A

N. or F.
S.T. & T. WEBB
& E.L. & R. TODD
INSTR. #020031432
LOT B

EXIST. FOUNDATION PLANTINGS SHALL BE REMOVED FOR CONSTRUCTION. NEW NATIVE PLANTINGS INSTALLED TO REPLACE THEM.

IN ADDITION, MITIGATION PLANTS SHALL BE PLANTED: (1) SHRUBS & (1) SMALL TREE.



Proposed Site Plan 573 Forest Lake Road Lanexa, VA

1:20

SITE INFORMATION FROM A DRAWING FILE ENTITLED:
"573 FOREST LAKE ROAD DEVELOPMENT PLAN,
LOT C "SUBDIVISION OF PART OF A PARCEL STANDING IN THE NAME OF
J.R. TODD & S.E. TOMPKINS" POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA"
DATED 5/18/17 & REVISED 12/11/17 PORCH DIMENSIONS
BY A.D. POTTS & ASSOCIATES, INC.
11524 JEFFERSON AVENUE, NEWPORT NEWS, VA 23601
PHONE: 757-595-4610. LIC. NO. 001487-B



PUBLIC HEARING NOTICE

THE WETLANDS AND CHESAPEAKE BAY BOARDS OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, APRIL 10, 2019, 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:

WJPA 19-0011/VMRC 19-0033: The Governors Land Foundation has applied for a wetland permit to perform an emergency bulkhead repair at 1636 Harbor Rd, JCC Parcel No. 4320700001A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 19-0016: Mr. Jim Duguay, Performance Contracting, has filed an exception request for encroachment into the RPA buffer for the construction of two decks at 4107 S Riverside Dr, JCC Parcel No 1910900003A.

CBPA 19-0028: Mr. Mo Bloxom, Southern Landscaping & Construction, Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a retaining wall at 117 Godspeed Ln, JCC Parcel No. 4730500035.

CBPA-19-0026: Mr. Carl Story, Williamsburg Landing Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a new deck at 3017 Spotswood Cay, JCC Parcel No. 4820100002.

CBPA-19-0023: Mr. Kyle Polk, The Structures Group, has filed an exception request for encroachment into the RPA buffer for the replacement of a single family dwelling at 573 Forest Lake Rd, JCC Parcel No. 0930100002C.

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 – March 27, 2019 and April 3, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

COPIES: PLANNING

GENERAL SERVICES
ASSISTANT COUNTY ATTORNEY
WETLAND/CHESAPEAKE BAY BOARD MEMBERS



**General Services
Stormwater and Resource
Protection Division**
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6790

Resource.Protection@jamescitycountyva.gov

March 20, 2019

RE: CBPA-19-0023
573 Forest Lake Road
Removal and replacement of 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 Kyle Polk with The Structures Group, for encroachment into the Resource Protection Area (RPA) buffer associated with the removal and replacement of a single family dwelling located at 573 Forest Lake Road and further identified as JCC Parcel No. 0930100002C.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 10, 2019 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: Kyle Polk, The Structures Group

Mailing List for: CBPA-19-0023 – 573 Forest Lake Road -Single Family Dwelling Removal & Replacement

Owner: 0930100002C-573 Forest Lake Rd

Scott, H Clifton, Jr & Carter, Susan Scott & Kennedy, Deborah Scott & Dru
503 Libbie Avenue, Suite 2A
Richmond, VA 23226-2618

The Structures Group

Attn: Kyle J. Polk

1200 Old Colony Lane

Williamsburg, VA 23185

0930100002- 701 Arlington Island Road

Tompkins, Stuart E, III & Debra S

1900 Estates Drive

Lanexa, VA 23089-5836

0240100029 – 575 Forest Lake Road

Webb, Susan T & Todd, Edward Lee & R Todd

6280 Doe Trail

Mechanicsville, VA 23116-4799