

**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 13, 2016**  
**7:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MINUTES**

1. Minutes from February 10, 2016 Board meeting

**D. PUBLIC HEARINGS**

1. CBE-16-074 : 7608 Uncles Neck

**E. BOARD CONSIDERATIONS**

**F. MATTERS OF SPECIAL PRIVILEGE**

**G. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 4/13/2016  
TO: Chesapeake Bay Board  
FROM: Chesapeake Bay Board Secretary  
SUBJECT: Minutes from February 10, 2016 Board meeting

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**ATTACHMENTS:**

	Description	Type
▣	Minutes from February 10, 2016 Board meeting	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay	Secretary, ChesBay	Approved	3/17/2016 - 3:17 PM

**JAMES CITY COUNTY CHESAPEAKE BAY BOARD  
MINUTES**

**Wednesday February 10, 2016**

**A. ROLL CALL**

William Apperson – Vice Chair  
John Hughes  
Larry Waltrip  
Charles Roadley  
Roger Schmidt - Alternate

**ABSENT**

David Gussman

**OTHERS PRESENT**

County Staff:

Michael Woolson, Senior Watershed Planner  
Maxwell Hlaven, Assistant County Attorney  
Melanie Davis, Secretary to the Board

**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. MINUTES**

The January 13, 2016 Board Meeting minutes were approved as written.

**C. PUBLIC HEARINGS**

**1. CBE-16-063: Dively – 175 West Landing**

Senior Watershed Planner, Michael Woolson presented the exception request submitted by Mr. Robert Dively, for construction of a retaining wall on his property at 175 West Landing in the Kingsmill subdivision, Parcel #5031200013. The retaining wall is required to keep the soil in place in the upslope portion of an access road to the shoreline. The Wetlands Board granted creation of this temporary access road and required the vegetation to be restored when the shoreline project was completed. Mr. Dively is now requesting the access road remain for future maintenance of the shoreline to avoid further disturbance of the RPA. Mr. Woolson described the location and structure of the retaining wall and the proposed mitigation. Staff determined the impacts associated with this project to be minor and recommended approval of the exception request with the conditions outlined in the Resolution to Grant the Exception.

Mr. Roadley asked for clarification on the area to be restored. He felt pedestrian access to the shore was available and he was concerned with now allowing permanent vehicle access when the intent of the Wetlands Board was to have this area replanted.

Mr. Woolson said the applicant had offered to also replant on the road however staff felt this vegetation would need to be removed for vehicle access. He stated that it was partially staff's oversight to not suggest a permanent route for maintenance of the shoreline since it would not be possible from the water.

Mr. Roadley stated he would be fine with a vehicle path but wanted some mitigation closer to the road on the downside of the slope.

Mr. Waltrip asked if this access path would only be used by the property owner and also asked if the wall was proposed by staff.

Mr. Hughes said this was a fairly steep slope and asked what would prevent the road from being washed out.

Mr. Apperson felt that any vehicle traffic on this road would cause it to wash out and should not be permitted.

Mr. Woolson stated this road was proposed by the applicant and would not be accessible to neighboring properties. The road was currently a layer of hardwood mulch and other than at the vertical cut where the wall was proposed, he had not observed any erosion from the recent rains.

Mr. Apperson opened the public hearing.

A. Mr. Robert Dively the property owner, confirmed that the road was not accessible to anyone other than himself and it would only be used for future maintenance of the shoreline. He said the shoreline project was done to protect his property from erosion and he only wanted to keep the road for needed repairs to the shoreline. He had no objection to revegetating the area with grasses and Mr Roadley suggested.

Mr. Waltrip thought a better and less expensive option might be to regrade and stabilize the slope without the wall.

A. Mr. Dively said regrading for a stable slope would require removal of many mature trees. He was willing to take the more expensive route of installing a wall.

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

Mr. Hughes made a motion to adopt the Resolution to Grant the Exception for Chesapeake Bay Board Case CBE-16-063 at 175 West Landing, Parcel ID #5031200013.

The motion was approved by a 5-0 vote.

**RESOLUTION**  
**GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 5031200013**

WHEREAS, Mr. Robert Dively (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) to request an exception to the use of the Resource Protection Area (the “RPA”) on a parcel of property identified as JCC RE Tax Parcel 5031200013 and further identified as 175 West Landing in the Kingsmill subdivision (the “Property”) as set forth in the application CBE-16-063 for the installation of a retaining wall;

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

NOW, THEREFORE, following a public hearing on February 10, 2016, the Chesapeake Bay Board of James City County 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:
  - 1) The applicant must obtain all other necessary federal, state, and local permits as required for the project.
  - 2) The applicant may use the same \$2,000 surety from case W-22-15 to guarantee the mitigation plantings.
  - 3) This exception request approval shall become null and void if construction has not begun by February 10, 2017.
  - 4) Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than 6 weeks prior to the expiration date.

**D. BOARD CONSIDERATIONS - none**

**E. MATTERS OF SPECIAL PRIVILEGE - none**

**F. ADJOURNMENT**

The meeting adjourned at 7:28 p.m.

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William Apperson  
Chesapeake Bay Board Vice Chair

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Melanie Davis  
Secretary to the Board

**ITEM SUMMARY**

DATE: 4/13/2016  
TO: Chesapeake Bay Board  
FROM: Michael Woolson, Senior Watershed Planner  
SUBJECT: CBE-16-074 : 7608 Uncles Neck

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Patrick and Lee Holder have applied for a Chesapeake Bay Exception for bank grading associated with W-11-16.

**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Cover Memo
▣	Resolution	Resolution
▣	CBE Application	Backup Material
▣	APO Notice and Advertisement	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Chesapeake Bay	Thomas, Scott	Approved	4/6/2016 - 12:45 PM
Chesapeake Bay	Thomas, Scott	Approved	4/6/2016 - 12:45 PM
Publication Management	Boles, Amy	Approved	4/6/2016 - 12:57 PM
Chesapeake Bay	Secretary, ChesBay	Approved	4/7/2016 - 9:52 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-16-074. 7608 Uncles Neck  
Staff report for the April 13, 2016, Chesapeake Bay Board Public Hearing**

*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: Patrick and Lee Holder

Agent: Karla Havens, Mid-Atlantic Resource Consulting

Location: 7608 Uncles Neck

Tax Map/Parcel No.: 2030200027

Parcel: River's Bend at Uncles Neck, Lot 27

Lot Size: 3.09

Area of Lot in RPA: 0.53 ac +/- (17%)

Watershed: Chickahominy River (HUC Code JL28)

Floodplain: Zone AE, base flood elevation 7 feet mean sea level

Proposed Activity: Construction of a 200-linear-foot stone revetment and associated bank grading

Impervious Cover: 4,000-square-feet from revetment

RPA Encroachment: 10,000-square-foot (seaward 50-foot Resource Protection Area (RPA) buffer)  
3,000-square-foot (landward 50-foot RPA buffer)

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

**BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES**

Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Patrick and Lee Holder, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for building a stone revetment and associated bank grading on property located at 7608 Uncles Neck, directly on the Chickahominy River. The property is further identified as James City County Tax Map Parcel No. 2030200027. The lot was platted after the re-adoption of the Chesapeake Bay Preservation Ordinance in 2004.

The request is to regrade the bank to a more stable configuration in conjunction with a stone revetment to protect and stabilize the shoreline. The exception request is in-line with the guidance put forth by the Virginia Institute of Marine Science, Center for Coastal Resource Management's *Decision Tree for Undefended Shorelines and Those with Failed Structures*. Within that decision tree, it recommends that the bank be regraded and vegetated.

In cases where the RPA is disturbed for shoreline projects such as this, the Ordinance requires that appropriate vegetation be established to protect and stabilize the shoreline and restore the function of the buffer in accordance with the best available technical advice. For this case, the proposed RPA impacts are 13,000 square feet and will require 360 shrubs planted on 6-foot centers. The entire disturbed slope area, including the bench, will be mulched with a minimum of 4 inches of hardwood mulch material. The plantings must be bonded with

one-half of the bond amount released after plantings and the remaining bond released one year post-planting if a 90% survivability rate has been achieved.

The provided plan does not address any soil disposal sites. Therefore, an erosion and sediment (E&S) control plan must be submitted that addresses the disposal of the bank material. This E&S plan must also be bonded.

As the regrading of the bank is a necessary component of the shoreline stabilization project and once the slope has been revegetated, the function of the buffer will be restored.

### **STAFF EVALUATION**

Staff has evaluated the application and exception request for the bank grading and finds that the application has met the conditions in Sections 23-11 and 23-14, that the application should be heard by the Board because the bank grading is an accessory to the stone revetment. Therefore, the exception request must be considered by the Board following a public hearing under the formal exception process. The exception request before the Board is for encroachment into the RPA buffer for the regrading of the bank in conjunction with the installation of a stone revetment.

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

A Water Quality Impact Assessment (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 submitted a *County Sensitive Area Activity Application* which also provides a mitigation plan.

### **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-16-074 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. An Erosion and Sediment Control plan for the excess bank grading material must be submitted for review and approval by the Engineering and Resource Protection Division. Said plan will require fees and bonding (surety) to ensure acceptable stabilization. All plans and surety must be approved of and in place prior to the pre-construction meeting; and
3. The limits of clearing shall be flagged in a continuous fashion prior to the pre-construction meeting; and
4. A pre-construction meeting will be held on-site prior to work commencing; and
5. Surety of \$4,000 will be required in a form acceptable to the County Attorney's office to guarantee the slope (shrub) re-plantings; and
6. This exception request approval shall become null and void if construction has not begun by April 13, 2017; 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/nb  
CBE16-07UnclesNk

Attachment:

1. Water Quality Impact Assessment Package

## RESOLUTION

CASE NO. CBE-16-074. 7608 UNCLES NECK

### JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Patrick and Lee Holder, (the “Applicant”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on April 13, 2016, 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 Parcel No. 2030200027 and further identified as 7608 Uncles Neck in the Rivers Bend at Uncles Neck subdivision (the “Property”) as set forth in the application CBE-16-074 for the purpose of building a stone revetment and associated bank 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 required for the project; and
  - b. An Erosion and Sediment Control plan for the excess bank grading material must be submitted for review and approval by the Engineering and Resource Protection Division. Said plan will require fees and bonding (surety) to ensure acceptable stabilization. All plans and surety must be approved and in place prior to the pre-construction meeting; and

- c. The limits of clearing shall be flagged in a continuous fashion prior to the pre-construction meeting; and
- d. A pre-construction meeting will be held on-site prior to work commencing; and
- e. Surety of \$4,000 will be required in a form acceptable to the County Attorney's office to guarantee the slope (shrub) re-plantings; and
- f. This exception request approval shall become null and void if construction has not begun by April 13, 2017; and
- g. 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.

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

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

Adopted by the Chesapeake Bay Board of James City County, Virginia, this \_\_\_ day of \_\_\_\_\_, 20\_\_

THE FORGOING 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: \_\_\_\_\_



# Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only

CB Number CBE-16-074

### 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  
**FEB 24 2016**  
 RECEIVED

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

### Property Owner Information:

Date: 2-24-16

Name: Patrick M. & Lee S. Holder

Address: 272 Sir Thomas Lunsford Drive, Wmsbg 23185-3387

Phone: (757) 814-5588 Fax: \_\_\_\_\_

Email: holderpl@cox.net

pholder@alionscience.com

### Contact (if different from above):

Name: Karla S. Havens

Phone: (804) 785-2107

Email: khavens@inna.net

### Project Information:

Project Address: 7608 Uncles Neck Road, Toano on the Chickahominy

Subdivision Name, Lot, and Section No.: River's Bend at Uncles Neck, Lot 27

Parcel Identification No. or Tax Map No.: \_\_\_\_\_

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 <u>200' x 40' = 8000</u> (SF) | <input 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 _____ (#)                                | <input type="checkbox"/> Proposed Impervious Cover _____ (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>Revetment &amp; Bank Grading</u> | <input type="checkbox"/> Redevelopment: _____                     |  |

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

For Office Use Only CB Number <u>CBE-16-074</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)*

200' QUARRY STONE RETEMENT  
200' X 40' BANK GRADING = 8,000 SF TO BE STABILIZED BY  
APPROVED VEGETATION & MULCH

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) WETLAND BOARD, VMRC, CORPS OF ENG. FOR RETEMENT

**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?  
ERODING BLUFF WILL BE STABILIZED BY RETEMENT, BANK  
GRADING & VEGETATION

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  
NO IMPERVIOUS COVER IS PROPOSED

**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**

<p><b>For Office Use Only</b></p> <p>CB Number <u>CBE-16074</u></p>
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A. Vegetation/ground cover enhancement of buffer (see Mitigation Rates Table on previous page).

<input type="checkbox"/>	Number of native canopy trees	_____
<input type="checkbox"/>	Number of native understory trees	_____
<input checked="" type="checkbox"/>	Number of native shrubs	<u>TO BE DETERMINED BY DIR. OF ENGINEERING</u>
<input type="checkbox"/>	Square feet of native ground cover	<u>1/3 RESOURCE</u>
<input checked="" type="checkbox"/>	Square feet of mulch	<u>APPROX. 8,000 SF PROTECTION</u>

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

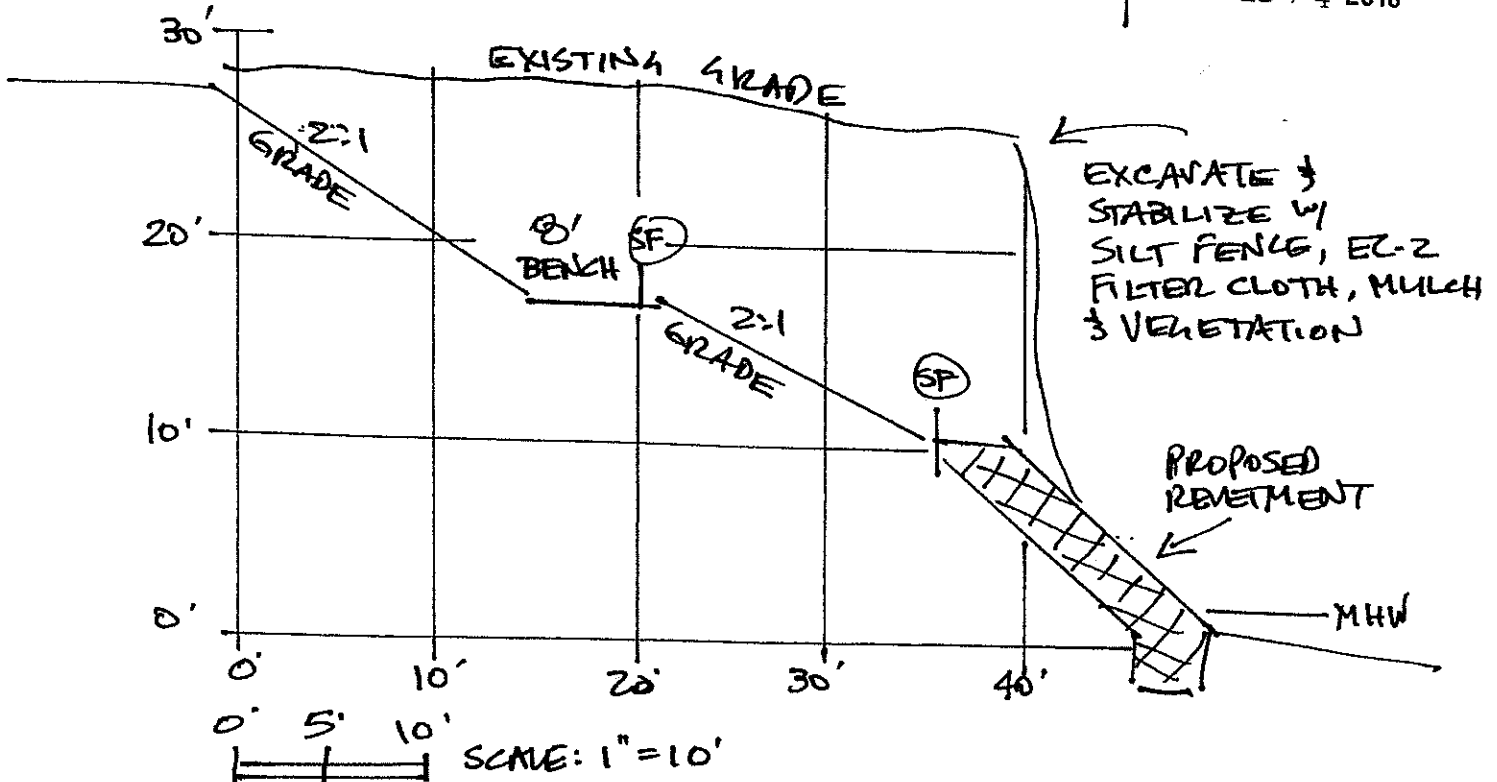
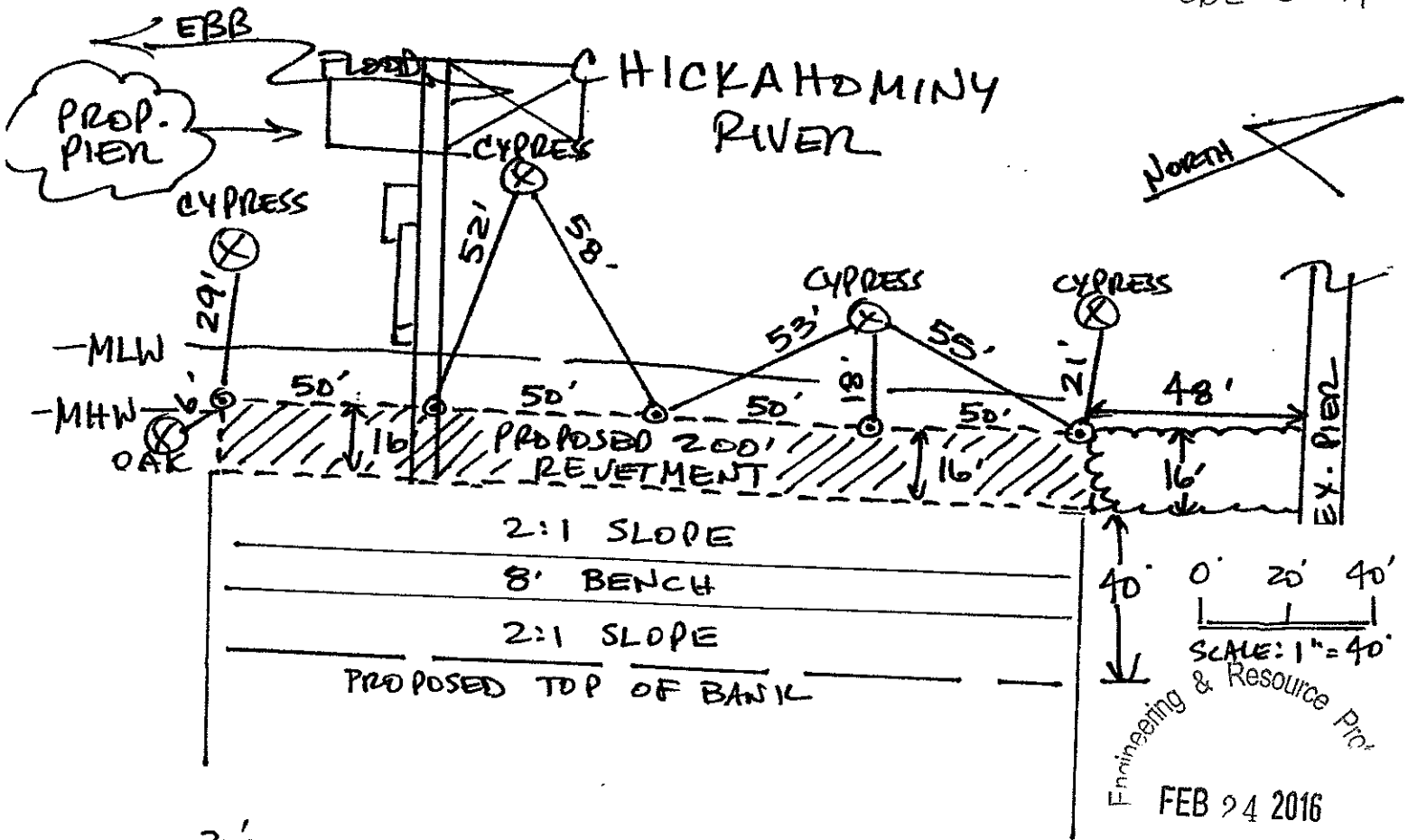
**I understand that the following are approval conditions:**

- 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 Karla Steward, Agent for Pat Holder Date 2-24-16

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

<p>For Office Use Only</p>	<p>Surety Amount: _____</p> <p>Date/Rec No.: _____</p> <p>Fee Paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Amount: <u>125</u></p> <p>Date/Rec No.: <u>1/28/16 # 2838</u></p>
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Note: Mid-Atlantic Resource Consulting is not responsible for any land disturbing activities associated with the project.

<p>Adjacent Property Owners:</p> <ol style="list-style-type: none"> <li>Southeastern Virginia Properties at Uncles Neck, LLC</li> <li>Jeffrey H. &amp; Kathleen K. Fisher</li> </ol>	<p>LAND DISTURBING</p> <p>Lot 27 Uncles Neck</p>	<p>PATRICK M. &amp; LEE S. HOLDER</p> <p>7608 Uncles Neck Drive - James City County on the Chickahominy River</p> <p>Date: 2-22-16 Sheet 1 of 2</p>
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Proposed Slope Plantings:

Highbush Blueberry (*Vaccinium fuscatum*)

Bayberry / Wax Myrtle (*Myrica cerifera*)

Mountain Laurel (*Kalma latifolia*)

New Jersey Tea (*Ceanothus americanus*)

Inkberry (*Ilex glabra*)

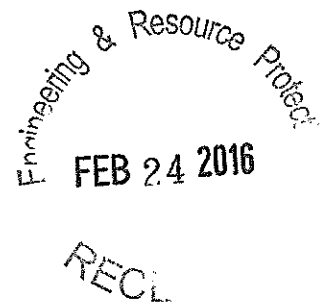
Sweet Pepperbush (*Clethra alnifolia*)

Any and all substitutions to be approved of by James City County CBPA staff.

All shrubs in minimum 3-gallon pots.

All shrubs planted on a scattered pattern.

Area between the shrubs shall be mulched to no less than 4 inches thick.



Note: Mid-Atlantic Resource Consulting is not responsible for any land disturbing activities associated with the project.

Adjacent Property Owners:  1. Southeastern Virginia Properties at Uncles Neck, LLC 2. Jeffrey H. & Kathleen K. Fisher	LAND DISTURBING  Lot 27 Uncles Neck	PATRICK M. & LEE S. HOLDER 7608 Uncles Neck Drive - James City County on the Chickahominy River  Date: 2-22-16 Sheet 2 of 2
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**Development Management  
Engineering and Resource  
Protection Division**  
P.O. Box 8784  
Williamsburg, VA 23187-8784

Resource.Protection@jamescitycountyva.gov

**Building Safety and Permits**  
757-253-6620

**Engineering and Resource Protection**  
757-253-6670

**Planning**  
757-253-6685

**Zoning Enforcement**  
757-253-6671

March 23, 2015

Re: W-11-16/VMRC 16-0125 7608 Uncles Neck  
CBE-16-074 Revetment with associated bank grading

Dear Adjacent Property Owner:

In accordance with State and County Codes this letter is to notify you that a permit request has been filed with the James City County Wetlands and Chesapeake Bay Boards by Patrick and Lee Holder, for construction of a stone revetment and associated bank grading on their property at 7608 Uncles Neck in the Uncles Neck subdivision. The property is further identified by James City County Real Estate, as Parcel No. 2030200027.

The joint permit application (JPA), a complete description, and other information are on file in the Engineering and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Wetlands Board will hold an advertised public hearing **Wednesday, April 13, 2016 at 7 p.m.** in the Board Room of Building F, 101-F, 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  
Wetlands Board Secretary

cc: Patrick and Lee Holder  
Mid-Atlantic Resource Consulting

Mailing List for: CBE-16-074 – 7608 Uncles Neck – Revetment/ bank grading

20302000027 - owner/applicant

Patrick M. & Lee S. Holder  
272 Sir Thomas Lunsford Holder  
Williamsburg, VA 23188

Karla S. Havens  
Mid-Atlantic/ Resource Consulting  
1095 Cherry Row Lane  
Plainview, VA 23156

2030200002-7612 Uncles Neck

Southeastern Virginia Properties at Uncles Neck LLC  
6001 Harbour View Blvd  
Suffolk, VA 23435-2767

2030200026-7604 Uncle's Neck

Jeffrey H. & Kathleen K. Fisher  
8740 Merry Oaks Lane  
Toana, VA 23168-9403

2010200001A-7400 Uncles Neck

Uncle's Neck Homeowners Association  
PO Box 18 Parkview Station  
Newport News, VA 23605-0018



## **PUBLIC HEARING NOTICE**

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY APRIL 13, 2016 AT 7 p.m.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

W-11-16/VMRC 16-0125 – Patrick and Lee Holder have applied for a wetlands permit to construct a stone revetment at 7608 Uncles Neck in the Uncles Neck subdivision, JCC Parcel No 2030200027.

W-13-16/VMRC 16-0207 – Chickahominy Haven Citizen Association has applied for a wetlands permit to construct a stone revetment at 3112 N Riverside Drive in the Chickahominy Haven subdivision, JCC Parcel No 1910200009.

W-15-16/VMRC 16-0314 – Brian Harriss has applied for a wetlands permit to construct two breakwaters and beach nourishment on his property at 7671 Cypress Drive in the Cypress Point subdivision, JCC Parcel No 0930100007.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASECBE:

CBE-16-074 – Patrick and Lee Holder have filed an exception request for encroachment into the RPA buffer for bank grading associated with construction of the revetment at 7608 Uncles Neck in the Uncles Neck subdivision, JCC Parcel No 2030200027.

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 Engineering and Resource Protection Division, 101-E Mounts Bay Road, James City County, Virginia.

## **NOT FOR PUBLICATION**

DISPLAY: WEDNESDAY – March 30, and April 6, 2016.  
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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ASSISTANT COUNTY ATTORNEY  
WETLAND/CHESAPEAKE BAY BOARD MEMBERS