

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
June 8, 2016
7:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from 5/11/16 meeting

D. PUBLIC HEARINGS

1. CBE-16-098 : WISC Indoor Pool Facility
2. CBE-16-097 : 7564 Uncles Neck
3. CBE-16-093 : 116 Nottinghamshire

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 6/8/2016
TO: Chesapeake Bay Board
FROM: Board Secretary
SUBJECT: Minutes from 5/11/16 meeting

ATTACHMENTS:

	Description	Type
▣	Minutes from 5/11/16 meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay	Woolson, Michael	Approved	6/1/2016 - 9:48 AM
Chesapeake Bay	Thomas, Scott	Approved	6/1/2016 - 11:16 AM
Publication Management	Burcham, Nan	Approved	6/1/2016 - 11:24 AM
Chesapeake Bay	Secretary, ChesBay	Approved	6/1/2016 - 2:20 PM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
May 11, 2016
7:00 PM

A. CALL TO ORDER

The May 11, 2016 Chesapeake Bay Board meeting 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
Larry Waltrip
John Hughes
Charles Roadley

Absent:

William Apperson

Others Present:

County Staff:

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

C. MINUTES

1. Minutes from April 11, 2016 NOVUS Training
Approved as written.
2. Minutes from April 13, 2016 meeting
Approved as written.

D. PUBLIC HEARINGS

1. CBE-16-086 : 223 Oakmere Park

Senior Watershed Planner, Michael Woolson presented the exception request submitted by Stan Stinnett, Coastal Construction and Development, on behalf of Randy and Sandra Welsh, for 5011 sqft of encroachment into the RPA buffer for construction of a single family home. The property is within the Ford's Colony subdivision and the Powhatan Creek watershed and the entire lot is within the RPA buffer. Mr. Woolson's presentation described the current site conditions, the 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.

Mr. Gussman opened the public hearing.

A. Matt Roth, Roth Environmental LLC, explained that surrounding development over the years has resulted in changes to the stormwater flow patterns. Changes to the hydrology and poor soil conditions, in conjunction with changes to the wetlands delineation manual and changes to indicators for wetlands species have caused an expansion of the wetland areas on this lot. However, the lot was platted as buildable and the submitted application is for a moderately sized house for the neighborhood, situated with the least amount of impact as possible. He described the use of mitigation for stabilization and nutrient uptake. He also explained that the use of an infiltration area was considered but due to the high water table, was not feasible.

Mr. Roadley asked if the developer was going to occupy the house or was there a contract buyer.

A. Mr. Roth said it would be a spec house.

Mr. Roadley understood the issues with this lot but was concerned with the ability of future owners to maintain the lot as proposed. He asked if the applicant had considered using only mulch as opposed to a turf lawn and commented that the shading effect from the surrounding trees would prevent a desirable yard anyway.

A. Mr. Roth said eliminating all turf was not compatible with any other lot in the neighborhood and would be a negative in trying to sell the home.

Mr. Hughes was also concerned with future owners disregarding the conditions imposed to protect the wetlands. He asked if the applicant would consider including a notice with the closing documents regarding the restrictions on this lot.

A. Mr. Roth said they would and asked if the County had specific language that could be incorporated.

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

Mr. Gussman felt the applicant had done a good job of minimizing the impact on a difficult lot. He asked the legal staff for guidance on a document for future or prospective owners of this lot.

Assistant County Attorney, Maxwell Hlaven suggested an affidavit signed by the current property owner be recorded in the land records. It would then be part of the chain of title for the property.

Mr. Woolson advised the Board that this was not an unusual situation and Staff was always in communication with realtors and home owners regarding the restrictions on lots. In addition, the Chesapeake Bay Preservation ordinance required posting RPA signs prohibiting the removal of vegetation. Therefore he felt Staff could handle future encroachments without the deed restriction.

The Board members felt this was an extreme case and were concerned with the future

use of this lot because it was not just the RPA buffer but, actual wetlands that could be impacted. They felt the requirement of an affidavit was reasonable under these conditions.

Mr. Roadley was also concerned with the proposed limits of clearing in proximity to the wetlands.

A. At the chairman's request, Mr. Roth approached the Board with a revised plan replacing the proposed turf grass with mulch on the north side of the property, closest to the wetlands.

Mr. Roadley felt this revision was helpful but was still concerned with long term protection of the wetlands on this lot.

Mr. Hughes stated the revised plan would become part of the record and a condition of the Exception but, also wanted to require a recorded affidavit as a condition.

Mr. Woolson asked if the Board wished to review the affidavit before it was recorded. Mr. Hughes stated that as long as it was acceptable to the County Attorney, the Board did not need to review it before it was recorded. However, the Board members did want to see a copy of it for reference.

Mr. Waltrip stated the affidavit would protect future owners as well as the County.

Mr. Roadley made a motion to defer action on Chesapeake Bay Board Case CBE-16-086 at 223 Oakmere Park until the June meeting, to afford the applicant and County time to revise the Resolution and draft the affidavit.

Mr. Gussman asked the applicant if that was acceptable.

A. Mr. Roth said he thought the decision had already been made to require an affidavit and revised clearing plan so he did not see the need for a deferral.

A motion to Deny was made by Charles Roadley, the motion result was .

AYES: 1 NAYS: 3 ABSTAIN: 0 ABSENT: 1

Ayes: Roadley

Nays: Gussman, Hughes, Waltrip

Absent: Apperson

Mr. Hughes made a motion to adopt the Resolution for Chesapeake Bay Board Case CBE-16-086 at 223 Oakmere Park, revised to include the replacement of turf with mulch on the north side of the property and the recordation of a signed affidavit approved by the County Attorney's office, regarding the RPA restrictions on this lot.

A motion to Approve w/ Conditions was made by John Hughes, the motion result was .

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Gussman, Hughes, Roadley, Waltrip

Absent: Apperson

2. CBE-16-089 : 159 Jackson Street

Senior Watershed Planner, Michael Woolson presented the exception request submitted by Arthur Echoles, for 224 sqft of encroachment into the RPA buffer for construction of a storage shed. The property is within the Skiffes Creek watershed and the entire lot is within the RPA buffer. Mr. Woolson's presentation described the current site conditions, the proposed construction and stated that the required mitigation had already been installed. Staff determined the impacts associated with this project to be minimal and recommended approval of the exception request with the conditions outlined in the Resolution.

Mr. Gussman opened the public hearing.

A. Mr. Echoles explained his need to have a place to store tools and material for making repairs to his home.

Mr. Hughes made a motion to adopt the Resolution for Chesapeake Bay Board Case CBE-16-089 at 159 Jackson Street.

A motion to Approve was made by John Hughes, the motion result was .
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Gussman, Hughes, Roadley, Waltrip

Absent: Apperson

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

The meeting adjourned at 8:10 pm

ITEM SUMMARY

DATE: 6/8/2016
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: CBE-16-098 : WISC Indoor Pool Facility

AES Consulting Engineers on behalf of LaRS Group has requested an exception for encroachments into the RPA buffer associated with the proposed indoor pool facility at the Williamsburg Indoor Soccer Complex, located at the James City County Warhill Sports Complex.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Water Quality Impact Assessment	Backup Material
☐	RPA Impacts Map (Exhibit A)	Backup Material
☐	RPA Impacts Map, Revised (Exhibit A)	Backup Material
☐	Site Plan	Backup Material
☐	APO Notification and Ad	Backup Material
☐	Resolution	Resolution
☐	Public Comment	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay	Woolson, Michael	Approved	6/1/2016 - 11:09 AM
Chesapeake Bay	Thomas, Scott	Approved	6/1/2016 - 11:15 AM
Publication Management	Burcham, Nan	Approved	6/1/2016 - 11:18 AM
Chesapeake Bay	Secretary, ChesBay	Approved	6/1/2016 - 2:33 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-16-098. 5700 and 5720 Warhill Trail
Staff report for the June 8, 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.

EXISTING SITE DATA AND INFORMATION

Applicant: LaRS Group

Agent: Jason Grimes, AES Consulting Engineers

Locations: 5700 Warhill Trail, James City County Warhill Sports Complex
5720 Warhill Trail, Williamsburg Indoor Soccer Complex

Tax Map/Parcel Nos.: 3210100012, 5700 Warhill Trail
3210100012A, 5720 Warhill Trail

Parcels: Parcel 1, Warhill Tract (5700 Warhill Trail)
Lease hold parcel From James City County (5720 Warhill Trail)

Lot Sizes: 442 acres +/-, 5700 Warhill Trail
3.00 acres, 5720 Warhill Trail

Area of Lot in Resource Protection Area (RPA): 0.0 acres +/- (0%), 5700 Warhill Trail
98.0 acres +/- (22%), 5720 Warhill Trail

Watershed: Powhatan Creek, sub-watershed 205 (HUC Code JL31)

Floodplain: Zone X, determined to be outside the 0.2% annual chance floodplain, panel 109D

Proposed Activity: Construction of an indoor pool and locker room facility at the Williamsburg Indoor Soccer Complex

Impervious Cover: No impacts

RPA Encroachment: 1,157 square feet, landward 50-foot RPA buffer

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ryan Stevenson, AES Consulting Engineers, on behalf of LaRS Group, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for grading impacts for the building of an indoor pool and locker room complex and the installation of a storm drain system on property located at 5700 and 5720 Warhill Trail, within the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcels No. 3210100012 (5700 Warhill Trail) and 3210100012A (5720 Warhill Trail). The parcels were platted prior to the re-adoption of the Chesapeake Bay Preservation Ordinance in 2004.

There are two areas of RPA impact. The first one is from grading operations associated with the construction of the pool facility. The original area of impact was 1,537 square feet with the side slopes graded at a 3H:1V slope. Staff requested this area of impact be reduced to the greatest extent practicable. The revised proposal

now impacts 743 square feet with the side slopes being graded to a 2H:1V slope, a 48% reduction in impacts. The storm drain system impact is 414 square feet.

In cases where the RPA is disturbed for construction of items that are not deemed water dependent or redevelopment, the request must be approved by the Chesapeake Bay Board. The grading associated with the building falls under this guidance. In cases where the RPA disturbance is for items that are deemed to be water dependent or redevelopment, the request requires an administrative approval. The storm drain system falls under this guidance.

The Williamsburg Indoor Soccer Complex currently leases the property at 5720 Warhill Trail from the County. The current lease area encompasses the existing building. The lease area will be expanded to encompass the proposed buildings once all site plan approvals have been acquired. The plan of development for this project is currently going through the review process under assigned county plan no. SP-0020-2016. The proposed mitigation measures for these impacts are a conservation area seed mix for the graded slope within the RPA along with a coconut fiber matting to help prevent erosion. Staff requests that three planting units of mitigation also be provided to help offset the loss of the buffer, to be incorporated into the final design plans. A planting unit consists of one canopy tree, two understory trees and three shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of the indoor pool facility and associated grading and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the grading is not a water-dependent activity. Therefore, this request must be considered by the Board following a public hearing under the formal exception process.

WATER QUALITY IMPACT ASSESSMENT (WQIA)

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

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-16-098 as outlined and presented above and review the request for exception along with the WQIA. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

STAFF RECOMMENDATIONS

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

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Full implementation of the plan of development county plan no. SP-0020-2016, once approved; and
3. Three planting units of mitigation shall be provided in the site plan, to be located in or near the RPA that surrounds the proposed pool facility; and

4. A \$3,000 surety will be included in the Siltation Bond that is required for this project to guarantee the mitigation plantings. The surety will be released once the plantings have been completed and survived for one growing season post-planting; and
5. This exception request approval shall become null and void if construction has not begun by June 8, 2017; and
6. 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/ab
CBE-16-098WarhillTr

Attachment:

1. Water Quality Impact Assessment Package
2. RPA Impacts Map
3. RPA Impacts Map, revised
4. Site Plan

Water Quality Impact Assessment

For

WISC Pool Facility

Engineering & Resource Projects
MAY 23 2016

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Original: May 6, 2016
Revised: May 20, 2016



CONSULTING ENGINEERS

Prepared by:

AES Consulting Engineers

5248 Olde Towne Road, Suite 1
Williamsburg, VA 23188

(757) 253-0040 Fax: (757) 220-8994

<http://www.aesva.com>

Table of Contents

I. INTRODUCTION

II. MINOR WATER QUALITY IMPACT ASSESSEMENT

A. Identification of the impact and the required information for review

B. Proposed mitigation

III. CONCLUSION

IV. APPENDIX

- Exhibit A

I. INTRODUCTION

The Williamsburg Indoor Soccer Complex (WISC), on behalf of LaRS Group, is proposing the construction of an indoor pool and locker room facility. The site is located to the east of the existing WISC building within the Warhill Sport Complex.

The purpose of this assessment is to summarize and organize information about the proposed impacts to the Chesapeake Bay Preservation Area(s) (CBPAs) which are reasonably necessary for the development of this property and to identify proposed mitigation that addresses such impacts.

For the purposes of this report, there are two (2) specific areas of CBPA impacts in the project area; Exhibit A, submitted with this report, identifies the relative location of the impacts. Upon approval of the formal exception, the proposed mitigation described in this assessment will be incorporated into the submitted subdivision plans, which are required as part of the development review process.

The total area impacted approximately amounts to 1,157 square feet, in which case this assessment shall be considered a Minor Water Quality Impact.

II. MINOR WATER QUALITY IMPACT ASSESSMENT

A. Identification of Impacts and Required Information for Review

A majority of the site is wooded and with slopes ranging between 2% and 25%, with smaller areas reaching 50%. The steeper slopes are typically located around the existing WISC building and were constructed when the WISC expanded in 2005. These slopes are not typically found within the RPA limits associated with this project. A majority of lands sloped 10-25% are located in RPA buffers and (with the exceptions listed below) shall not be disturbed. The hydrologic soil groups found to be located on this site are primarily Hydrologic Group B which generally indicates a moderate infiltration rate. Exhibit A more clearly delineates the various soils and their relative hydrological classification, erosive characteristics and typical slopes.

100' RPA Stream Buffer Impact No. 1

Impact No. 1 is for the construction of the proposed WISC Indoor Pool Facility. The area of this impact is 743 square feet or 0.02 acres.

100' RPA Stream Buffer Impact No. 2

Impact No. 2 is for the construction of the proposed storm sewer outfall associated with the WISC Indoor Pool Facility. The area of this impact is 414 square feet or 0.01 acres.

Careful consideration has been taken to minimize the impacts for the proposed development. Exhibit A, submitted with this report, identifies the location of this impact. The proposed mitigation described in this assessment has been incorporated into the construction plans for the subdivision, which are required as part of the development review process.

Although not dependent on the review and approval of this assessment, required permits necessary to develop this project include, but are not limited to: General Virginia Stormwater Management Program (VSMP) Permit, Corps of Engineers Wetland Disturbance Permit, Virginia Department of Environmental Quality's Virginia Water Protection General Permit, Land-Disturbing Permit and Siltation Agreement. These and any other permits that may be required shall be (if not already) applied for at the appropriate time.

B. Proposed Mitigation

Mitigation to the grading shall include minimal disturbance to existing vegetation. Initial mitigation efforts for these impacts shall include E&S measures as described in the Virginia Erosion & Sediment Control Handbook, such as permanent seeding that will incorporate a conservation seed mix applicable to the special requirements of the RPA, silt fencing, and ECSC-2 straw/coconut turf reinforcement matting (manufactured by East Coast Erosion Control or equal). These elements have been designed such that the preservation of existing vegetation will be preserved to the greatest extent possible. These stabilization measures are located in the construction plans for the WISC Indoor Pool Facility plan dated March 18, 2016.

III. CONCLUSION

In summary, the findings of this Water Quality Impact Analysis indicate that:

- All measures or methods have been explored to avoid any impact to the CBPA. When unavoidable, the impacted area has been minimized to the greatest extent possible.
- Extensive measures were also employed to minimize the effects of the subsequent discharge of stormwater to the receiving channel and wetlands.
- E&S measures, conservation seeding and additional natural open space have been provided in order to mitigate for the impacts noted.

IV. APPENDIX

(Please refer to attached Exhibit A)

SOILS TABLE					
SOILS NO.	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	GRAVEN-UCHEE COMPLEX	A	6-10%	.32-.37	3
15E	EMPORIA COMPLEX	B	15-25%	.20-.28	4
19B	KEMPSVILLE-EMPORIA FINE SANDY LOAM	C	2-6%	.24-.32	3
20B	KENANSVILLE FINE SANDY LOAM	A	2-6%	.10-.15	5
34B	UCHEE LOAMY FINE SAND	B	2-6%	.20-.28	5

INFORMATION TAKEN FROM "SOIL SURVEY OF JAMES CITY AND YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VIRGINIA" ISSUED IN APRIL, 1985, BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE IN COOPERATION WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.

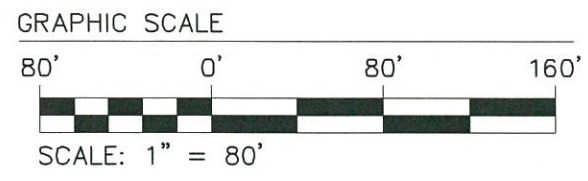
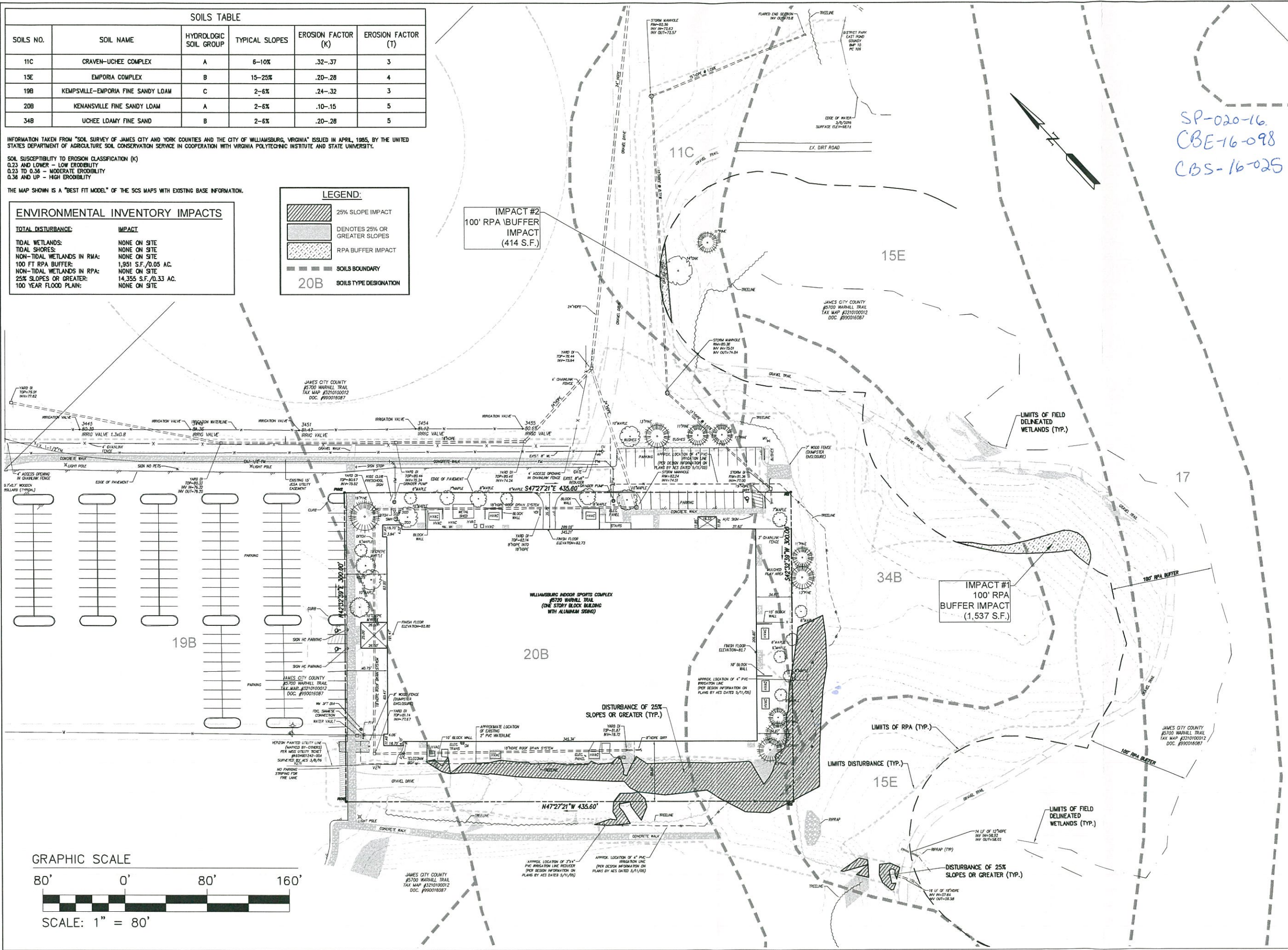
SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
 0.23 AND LOWER - LOW ERODIBILITY
 0.23 TO 0.36 - MODERATE ERODIBILITY
 0.36 AND UP - HIGH ERODIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SCS MAPS WITH EXISTING BASE INFORMATION.

ENVIRONMENTAL INVENTORY IMPACTS	
TOTAL DISTURBRANCE:	IMPACT:
TIDAL WETLANDS:	NONE ON SITE
TIDAL SHORES:	NONE ON SITE
NON-TIDAL WETLANDS IN RMA:	NONE ON SITE
100 FT RPA BUFFER:	1,951 S.F./0.05 AC.
NON-TIDAL WETLANDS IN RPA:	NONE ON SITE
25% SLOPES OR GREATER:	14,355 S.F./0.33 AC.
100 YEAR FLOOD PLAIN:	NONE ON SITE

LEGEND:

- 25% SLOPE IMPACT
- DENOTES 25% OR GREATER SLOPES
- RPA BUFFER IMPACT
- SOILS BOUNDARY
- 20B SOILS TYPE DESIGNATION

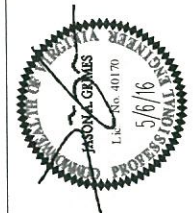


SP-020-16
 CBE-16-098
 CBS-16-025

DATE	BY	REVISION

MAY 11 2016

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AES
 CONSULTING ENGINEERS
 Hampton Roads | Central Virginia | Middle Peninsula

5248 Ohio Towne Road Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 250-0000
 Fax: (757) 250-0004
 www.aesva.com

WILLIAMSBURG INDOOR SPORTS COMPLEX
 INDOOR POOL FACILITY

POWhatan District | JAMES CITY COUNTY | VIRGINIA

Project Contacts:	JAG
Project Number:	W10416-00
Scale:	1"=80'
Date:	3/18/16
Sheet Title:	WQIA EXHIBIT 'A'
Sheet Number:	1

VOID

S:\JOBS\W10416\00-WISC Pool Building\Admin\Reports\Eng\WQIA\W10416-00 - WQIA Exhibit A.dwg, 5/6/2016 11:43:36 AM, PDF-XChange for AcroPlot Pro.pcs

Environmental & Resource Protection
 RECEIVED
 MAY 23 2016

SOILS TABLE					
SOILS NO.	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (I)
11C	GRAND-NOBLE COMPLEX	A	8-10%	.37-.37	3
15E	DAUPHA COMPLEX	B	15-23%	.35-.28	4
18D	KEMPVILLE-DAUPHA FINE SANDY LOAM	C	2-8%	.24-.21	3
20B	KEANSVILLE FINE SANDY LOAM	A	2-8%	.10-.16	5
34B	LOVINE LOAMY FINE SAND	B	2-8%	.20-.28	5

INFORMATION TAKEN FROM "SOIL SURVEY OF JAMES CITY AND YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VIRGINIA" ISSUED IN APRIL, 1986, BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE IN COOPERATION WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.
 SOIL SUSCEPTIBILITY TO WINDROW CLASIFICATION (S)
 S1-S3 AND LOWER - LOW SUSCEPTIBILITY
 S4-S5 - MODERATE SUSCEPTIBILITY
 S6 AND UP - HIGH SUSCEPTIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SOIL MAPS WITH EXISTING BASIC INFORMATION.

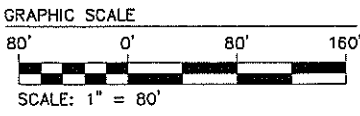
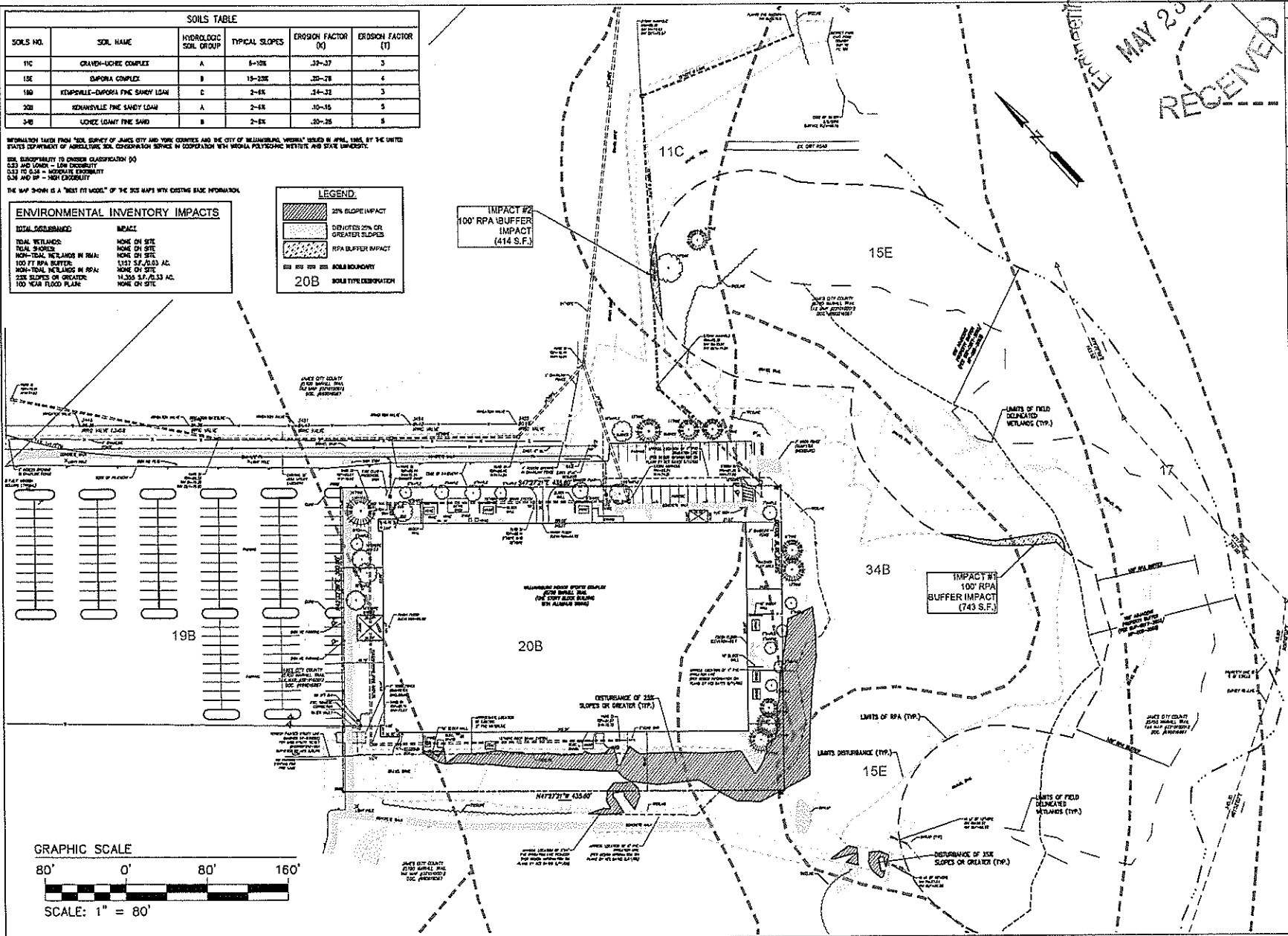
ENVIRONMENTAL INVENTORY IMPACTS	
TOTAL DISTURBANCE:	NONE ON SITE
TOTAL WETLANDS:	NONE ON SITE
TOTAL SHORES:	NONE ON SITE
NON-TOTAL WETLANDS IN RPA:	NONE ON SITE
100 FT RPA BUFFER:	11,517 S.F. (0.33 AC.)
NON-TOTAL WETLANDS IN RPA:	NONE ON SITE
22% SLOPES OR GREATER:	11,300 S.F. (0.33 AC.)
100 YEAR FLOOD PLAIN:	NONE ON SITE

LEGEND

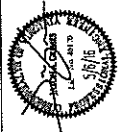
- 25% SLOPE IMPACT
- DISTURBED 25% OR GREATER SLOPES
- RPA BUFFER IMPACT
- SOIL BOUNDARY
- SOIL TYPE DEMARCATION

IMPACT #1
 100' RPA BUFFER
 IMPACT
 (414 S.F.)

IMPACT #3
 100' RPA
 BUFFER IMPACT
 (743 S.F.)



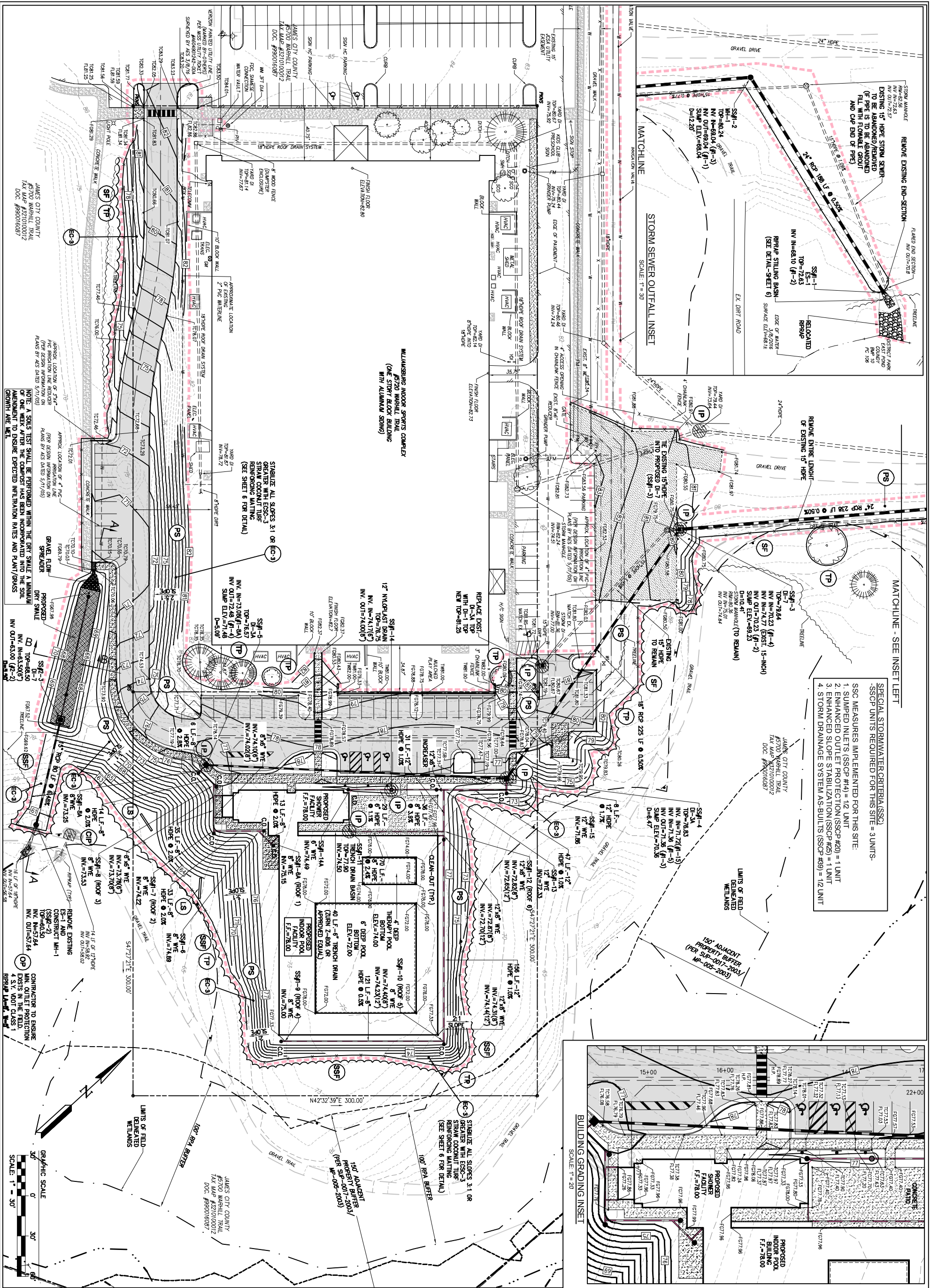
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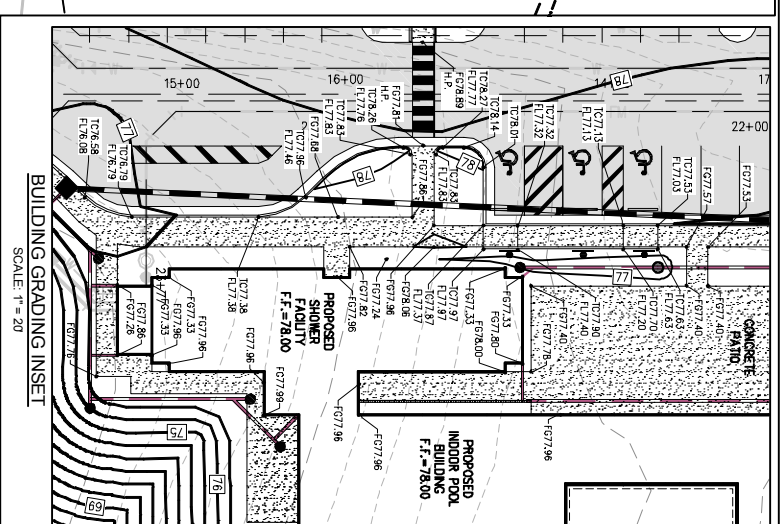
AES
 CONSULTING ENGINEERS
 10000 W. BRIDGEWAY
 JAMES CITY COUNTY, VA 23161
 (804) 345-1111
 www.aes-engineers.com

WILLIAMSBURG INDOOR SPORTS COMPLEX
 INDOOR POOL FACILITY
 DOWNMAN EXHIBIT
 JAMES CITY COUNTY, VIRGINIA

Project Name	WISC
Project Number	W01AW10416-00
Scale	As Shown
Date	5/20/2016
Drawn By	MMW
Checked By	MMW
WGIA EXHIBIT 'A'	
Sheet Number	1



SPECIAL STORMWATER CRITERIA (SSC)
 -SSCP UNITS REQUIRED FOR THIS SITE = 3 UNITS.
 -SSC MEASURES IMPLEMENTED FOR THIS SITE:
 1. SUMPED INLETS (SSCP #4) = 12 UNIT
 2. ENHANCED OUTLET PROTECTION (SSCP #20) = 1 UNIT
 3. ENHANCED SLOPE STABILIZATION (SSCP #25) = 1 UNIT
 4. STORM DRAINAGE SYSTEM AS-BUILTS (SSCP #39) = 12 UNIT



<p>WILLIAMSBURG INDOOR SPORTS COMPLEX INDOOR POOL FACILITY</p> <p>POWhatan DISTRICT JAMES CITY COUNTY VIRGINIA</p>		<p>AES CONSULTING ENGINEERS</p> <p>Hampton Roads Central Virginia Middle Peninsula</p> <p>5248 Clide Towne Road Suite 1 Williamsburg, Virginia 23188 Phone: (757) 225-8980 Fax: (757) 225-8994 www.aesva.com</p>		<p>JASON A. GRIMS PROFESSIONAL ENGINEER</p> <p>Lic. No. 40170 5/6/16</p>									
<p>Project Name: WILLIAMSBURG INDOOR POOL FACILITY Project Number: W10416-00 Scale: 1" = 30' Date: 5/31/16</p>		<p>Sheet Title: GRADING AND DRAINAGE PLAN Sheet Number: 5</p>		<table border="1"> <thead> <tr> <th>Rev.</th> <th>Date</th> <th>Description</th> <th>JAG</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>5/6/16</td> <td>REVISED PER JCC COMMENTS</td> <td>JAG</td> </tr> </tbody> </table>		Rev.	Date	Description	JAG	1	5/6/16	REVISED PER JCC COMMENTS	JAG
Rev.	Date	Description	JAG										
1	5/6/16	REVISED PER JCC COMMENTS	JAG										



**Development Management
Engineering and Resource
Protection Division**
101 Mounts Bay Road, Bldg E
Williamsburg, VA 23185

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

May 18, 2016

RE: CBE-16-098– WISC Pool Facility limits of clearing

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 AES Consulting Engineers on behalf of the LaRS Group and Williamsburg Indoor Sports Complex, LLC, for encroachment into the Resource Protection Area (RPA) buffer associated with the limits of clearing for the WISC Pool Facility expansion located at 5700 and 5720 Warhill Trail. The property is further identified by James City County Real Estate as Pin No. 3210100012 and 3210100012A.

A complete description, plan, 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 Chesapeake Bay Board will hold an advertised public hearing **Wednesday, June 8 2016 at 7 p.m.** in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Melanie Davis

Melanie Davis
Chesapeake Bay Board Secretary

cc: Jason Grimes, AES Consulting Engineers
Williamsburg Indoor Sports Complex, LLC
LaRS Group

Mailing List for: CBE-16-098 –WISC New Indoor Pool Facility - limits of clearing

Owner – 3210100012 – 5700 Warhill Trail
James City County
P O Box 8784
Williamsburg, VA 23187-8784

3210900062
Colette White
862 Sugarloaf Run
Williamsburg, VA 23188-9410

Owner – 3210100012A
Williamsburg Indoor Sports Complex
5720 Warhill Trail
Williamsburg, VA 23188

3210900061
Andre and Keisha Crawley
861 Sugarloaf Run
Williamsburg, VA 23188-9410

LaRS Group
5372 Discovery Park Blvd
Williamsburg, VA 23188

3210900060
Richard Burke
860 Sugarloaf Run
Williamsburg, VA 23188-9410

AES Consulting Engineers
Attn: Jason A Grimes, PE
5248 Olde Towne Rd, Suite 1
Williamsburg, VA 23188

3210100001D - Common Areas
Seasons Trace Homeowner Association, Inc
161 B John Jefferson Sq
Williamsburg, VA 23185-5640

3210900001C - 880 Sugarloaf Run
Winter Park Owners Association, Inc
c/o Cox & Lee Management
458 C Wythe Creek Rd #141
Poquoson, VA 23662-1936

3210100001 - 401 Autumn West
Autumn West Investment LLC
2250 Old Brick Rd, Ste 220
Glen Allen, VA 23060-6008

3210100012B - 5900 Warhill Trail - Tank site
James City Service Authority
119 Tewning Road
Williamsburg, VA 23188-2639

3210900074
Douglas and Kellie Ernst
874 Sugarloaf Run
Williamsburg, VA 23188-9410

3210900066
Terry Lieber
866 Sugarloaf Run
Williamsburg, VA 23188-9410

3210900063 - 863 Sugarloaf Run
Volodymyr Tsependa
5993 John Jackson Drive
Williamsburg, VA 23188



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY JUNE 8, 2016 AT 7 p.m.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA TO CONSIDER THE FOLLOWING CASES:

CBE-16-093: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-16-097: Mr. Blake Ryan has filed an exception request for encroachment into the RPA buffer for a 4' X 8' platform within an access path to the pier at 7564 Uncles Neck in the Rivers Bend at Uncles Neck subdivision, JCC Parcel No 2010200016.

CBE-16-098: AES Consulting on behalf of the LaRS Group has filed an exception request for encroachment into the RPA buffer associated with clearing for the Indoor Pool Facility at the Williamsburg Indoor Sports Complex located at 5700 and 5720 Warhill Trail, JCC Parcel No 3210100012 and 3210100012A.

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 – May 25, and June 1, 2016.
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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

RESOLUTION

CASE NO. CBE-16-098. 5700 and 5720 WARHILL TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, LaRS Group, (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 8, 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. 3210100012 and 3210100012A and further identified as 5700 and 5720 Warhill Trail(the “Property”) as set forth in the application CBE-16-098 for the purpose of construction an indoor pool and locker room facility at the Williamsburg Indoor Soccer Complex; 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. Full implementation of the plan of development county plan no. SP-0020-2016, once approved; and
 - c. Three planting units of mitigation shall be provided in the site plan, to be located in or near the RPA that surrounds the proposed pool facility; and
 - d. Surety of \$3,000 will be included in the Siltation Bond that is required for this project to guarantee the mitigation plantings. The surety will be released once the

plantings have been completed and survived for one growing season post-planting;
and

- e. This exception request approval shall become null and void if construction has not begun by June 8, 2017; and
- f. 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.

 William Apperson
 Vice 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: _____

CBE-16-098-WarhillTrail-res

Melanie Davis

From: joe swanenburg <jccswans@yahoo.com>
Sent: Tuesday, June 07, 2016 12:28 PM
To: Melanie Davis; Michael Woolson
Cc: JCC Board
Subject: Please forward to Ches Bay Board

Please forward to Chesapeake Bay Board
Joe

Dear Members of the Chesapeake Bay Board,

In tomorrow night's meeting, June 8, 2016 the following case is before you: CBE-16-098, proposed WISC swimming pool project. Being that this case is on County property, special considerations should be made that we not only follow the regulations properly but that we surpass regulations so that no perceptions of impropriety by government could be considered.

I am not against this project. As a matter of fact, this 'type' of facility is desperately needed by our community. This area is the perfect location for such a facility. The question I ask is, is this specific site proper? Would we allow a completely private organization to build such a facility on this site with the RPA and change in elevation constraints, with no other property to mitigate or proffer in some form of Greenspace or other similar type of protection?

It is not your job to second guess or make decisions that apply to the BOS level of Land Use decisions, however, the BOS was not afforded the level of information that is provided to you in making your decision. From the Board of Supervisor's meeting, I quote, Supervisor McGlennon asked: "...there are no environmental issues or sensitivities of the land?" Mr. Carnifax responded: "...there's no issues that we can see..." Having spoken with Mr. Carnifax on several occasions and more importantly based on his reputation, I find him to be exceptionally honest with a tremendous degree of integrity. I can only guess that a staff person gave him very poor information. I point this out to you, not to influence your decision but that this may be forwarded back to the BOS. If there are "no environmental issues or sensitivities of the land" then why is this case before you?

I would expect and request that Mr. Horne be present at this meeting to inform your Board of any and all expenses that James City County will incur now and in the future regarding 'mandated' or non-mandated storm water/MS4 requirements since this is County land. I also request that this case be deferred or passed back to the Board of Supervisors with a conditional decision based on review by the BOS with all the pertinent information available to the BOS members.

Sincerely,

Joseph Swanenburg

ITEM SUMMARY

DATE: 6/8/2016
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: CBE-16-097 : 7564 Uncles Neck

Blake Ryan has requested an exception for encroachments into the RPA buffer associated with an access path and platform to a pier at 7564 Uncles Neck, River's Bend at Uncles Neck.

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Application (SAAA Form)	Backup Material
▣	APO Notification and Ad	Backup Material
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay	Woolson, Michael	Approved	6/1/2016 - 11:09 AM
Chesapeake Bay	Thomas, Scott	Approved	6/1/2016 - 11:14 AM
Publication Management	Burcham, Nan	Approved	6/1/2016 - 11:17 AM
Chesapeake Bay	Secretary, ChesBay	Approved	6/1/2016 - 2:33 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-16-097. 7564 Uncles Neck
Staff report for the June 8, 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.

EXISTING SITE DATA AND INFORMATION

Applicants: Blake and Sally Ryan

Agents: Blake and Sally Ryan

Location: 7564 Uncles Neck

Tax Map/Parcel No.: 2010200016

Parcel: River's Bend at Uncles Neck, Lot 16

Lot Size: 4.41 acres

Area of Lot in Resource Protection Area (RPA): 0.56 acre +/- (13%)

Watershed: Chickahominy River (HUC Code JL28)

Floodplain: Zone AE, base flood elevation 7 feet mean sea level, panel 101

Proposed Activity: Construction of a wooden access staircase with a platform to access a pier

Impervious Cover: 448-square-feet total (48 square feet from platform)

RPA Encroachment: 700 square foot

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Blake and Sally Ryan have applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a wooded, pressure-treated timber platform associated with an access staircase on property located at 7564 Uncles Neck, directly on the Chickahominy River. The property is further identified as James City County Tax Map Parcel No. 2010200016. The lot was platted after the re-adoption of the Chesapeake Bay Preservation Ordinance in 2004.

The wooden staircase is approved administratively, as it provides access to the water. However, the platform is considered accessory, as it is more than necessary to afford relief for access. The platform is located in an area that will not require any tree removal for the construction. Standard mitigation for this amount of impervious cover (48 square feet) would be three shrubs. Staff recommends that these are planted near the beginning of the staircase as the remaining RPA is fully vegetated. While no specific mitigation was provided, staff recommends that a surety of \$250 be collected to guarantee the plantings.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of the staircase and platform and finds that the application has met the conditions in Sections 23-11 and 23-14 and that the application should be heard by the Board because the platform is accessory to the staircase access. 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 construction of a 6-foot by 8-foot platform associated with the access staircase.

WATER QUALITY IMPACT ASSESSMENT (WQIA)

A WQIA must be submitted per Sections 23-11 and 23-14 of the County Ordinance for any proposed land disturbing activity resulting from development or redevelopment within RPAs. The applicant has submitted the majority of the required information as outlined in the *James City County Water Quality Impact Assessment Guidelines* and submitted a *County Sensitive Area Activity Application*. The applicant did not provide a mitigation plan, as stated previously.

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-16-097 as outlined and presented above and review the request for exception along with the WQIA. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

STAFF RECOMMENDATIONS

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

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$250 will be required in a form acceptable to the County Attorney's Office to guarantee the mitigation plantings; and
3. This exception request approval shall become null and void if construction has not begun by June 8, 2017; and
4. 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/ab
CBE-16-097UnclesNk

Attachment:

1. Water Quality Impact Assessment Package



Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only

CB Number

CBE-16-097

Submission Requirements: (Check all applicable)

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

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

Property Owner Information:

Date: 5/11/16

Name: BLAKE RYAN
 Address: 16 VALMOORE DR POCQUOSON, VA 23662
 Phone: 257-329-6257 Fax: _____ Email: blakeryan@cox.net

Contact (if different from above):

Name: Jimmy Blake Phone: 804-654-9858
 Email: 3jbb@va.metrocast.net

Project Information:

Project Address: 7564 Under Neck Rd TOANO, VA
 Subdivision Name, Lot, and Section No.: Under Neck - Rivers Bend at Under Neck
 Parcel Identification No. or Tax Map No.: LOT 16 Parcel 2010200016
 Date Lot was platted: _____ Line or Bldg Permit No.: _____

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

- Steep Slopes \geq 25 percent _____ (SF)
- Conservation Easement _____ (SF)
- Trees to be Removed _____ (#)
- RPA - Landward 50' 64' (SF)
- RPA - Seaward 50' _____ (SF)
- Proposed Impervious Cover 64' (SF)

Activity involves: (check all that apply)

- New principal structure construction
- Permitted buffer modifications:
- Accessory (Detached) Structure or Patio
- Other: platform 4x8'
- Building addition to principal structure
- Dead/diseased/dying tree removal
- Invasive/noxious weed removal
- Redevelopment: _____
- Attached Deck
- Sightline
- Access path/trail

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

<p>For Office Use Only CB Number <u>CBE-16-097</u></p>
--

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

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

observation

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) Building Permit

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?
entire path in RPA

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

5. Proposed mitigation measures:

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

Mitigation Rates Table

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

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

For Office Use Only

CB Number CBE-16-097

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

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

B. Best Management Practices (BMPs)

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

I understand that the following are approval conditions:

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

Property owner signature  Date 5/11/16

Program Administrator _____ Date _____

Authorized Signature

For Office Use Only

Access to water w/ platform.
from W-16-16/16-0450 ^{JCC} granted 4/7/16

Sight line -> DDTier removed granted. 3/16/16 CBE16-082

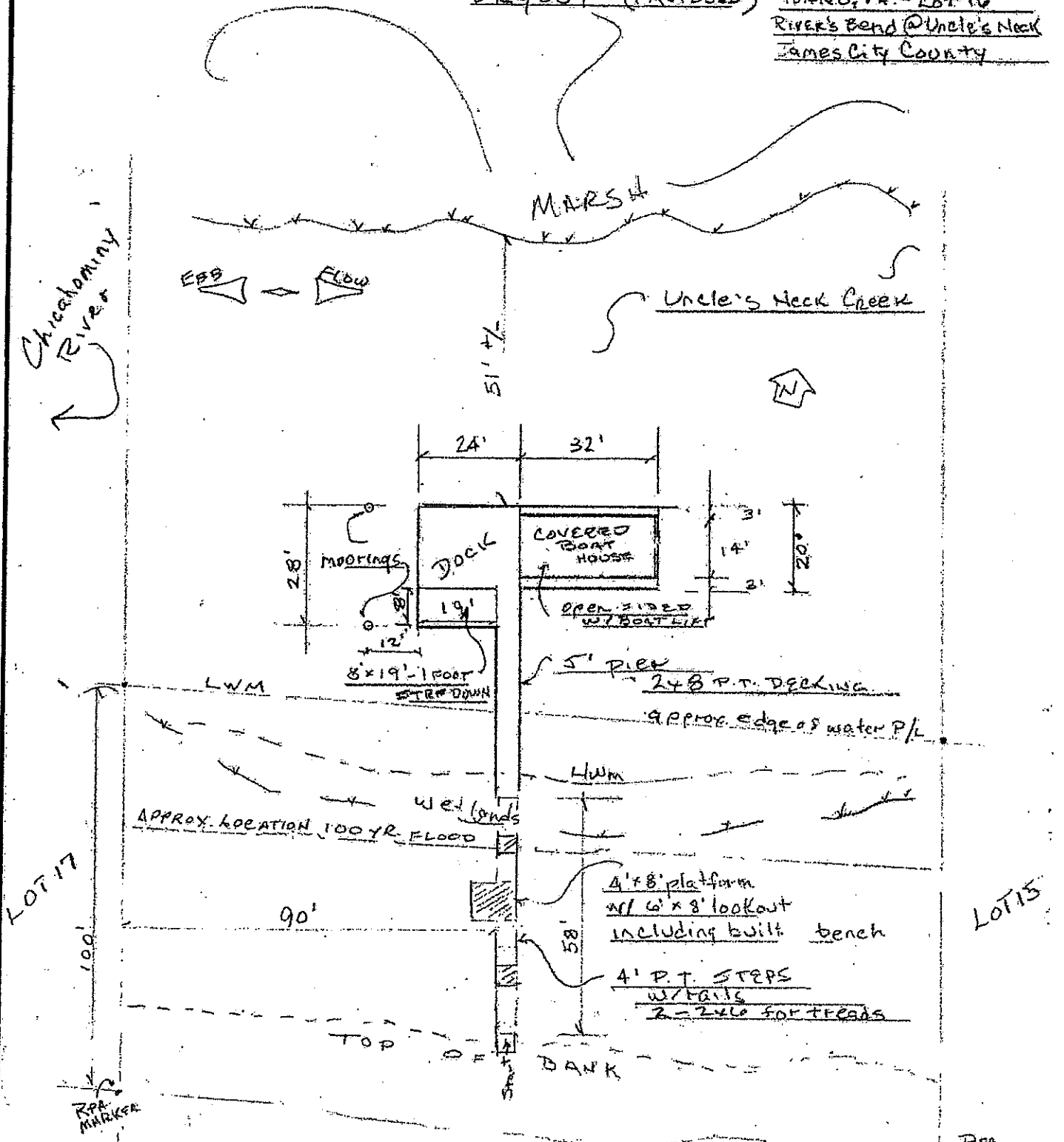
Surety Amount: _____

Date/Rec No.: _____

Fee Paid? Yes No

Amount: 125.00

Date/Rec No.: 5/11/16 #2891

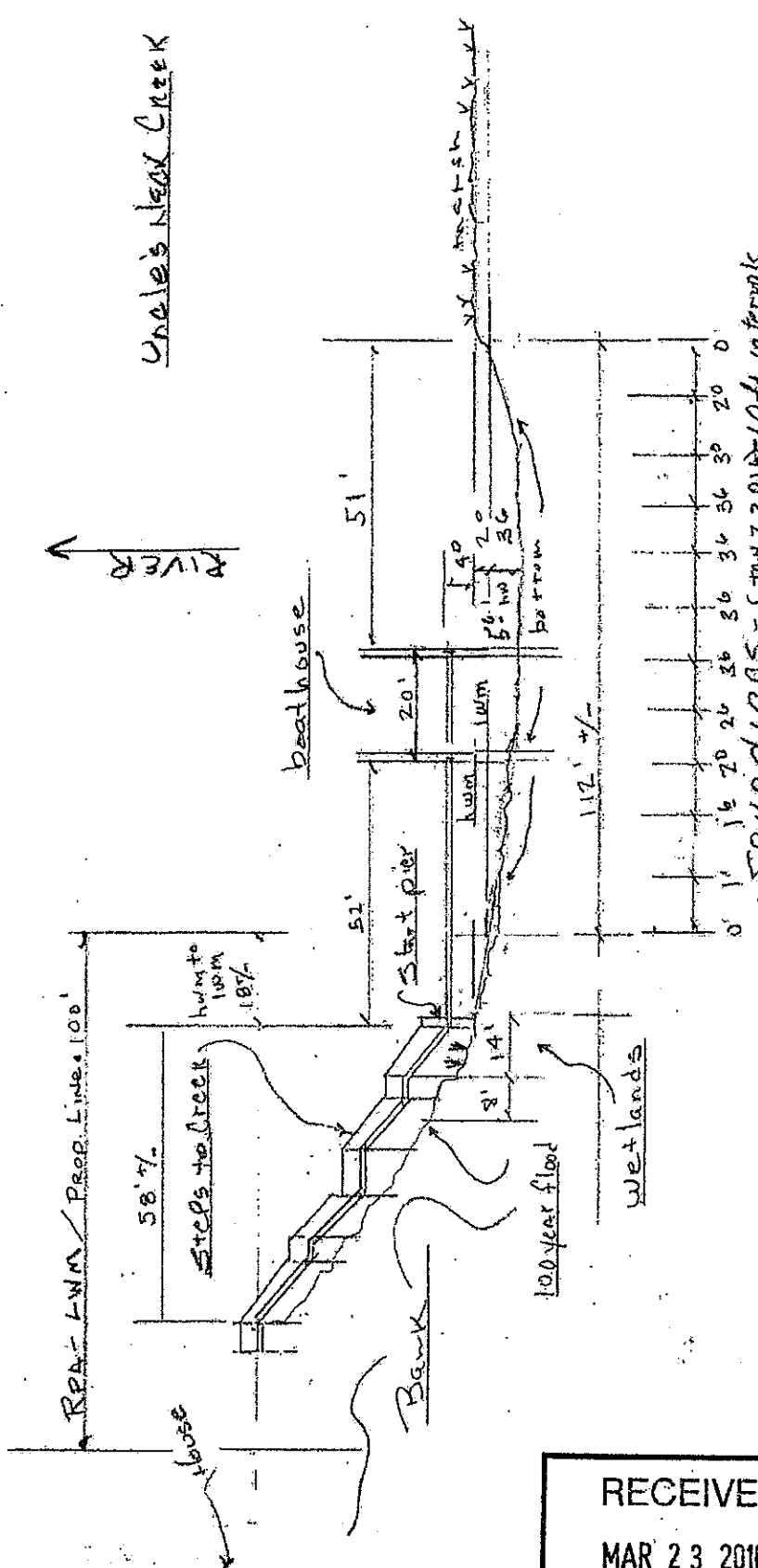


RECEIVED
 MAR 23 2016
 MARINE RESOURCES
 COMMISSION

Scale - 1" = 30ft.

CBE-16-097

Ryan
 Scale 1"=30'
 Soundings &
 Project Profile



Charles Neck Creek

TAKEN NOON JAN 7, 2016 - TIDE 1.8" OVER MLLWSH - DEPTHS
 CALCULATED FROM NORMAL HIGH TIDE MARKS/LESS MLLWSH DISTANCE

RECEIVED
 MAR 23 2016
 MARINE RESOURCES
 COMMISSION

CBE-16097



Development Management
Engineering and Resource
Protection Division
101 Mounts Bay Rd, Bldg E
Williamsburg, VA 23185

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

May 18, 2016

RE: CBE-16-097 – 7564 Uncles Neck Rd – 4' X 8' platform

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Blake Ryan for encroachment into the Resource Protection Area (RPA) associated with a 4' X 8' platform in the access path to a pier at 7564 Uncles Neck in the Rivers Bend and Uncles Neck subdivision. The property is further identified by James City County Real Estate as Parcel No. 2010200016.

A complete description, plan, 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 Chesapeake Bay Board will hold an advertised public hearing **Wednesday, June 8, 2016 at 7 p.m.** in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Melanie Davis

Melanie Davis
Chesapeake Bay Board Secretary
757-253-6866
melanie.davis@jamescitycountyva.gov

cc: Blake Ryan
Jimmy Blake

Mailing List for: CBE-16-097 – 7564 Uncles Neck Rd – platform in access to pier

2010200016 – Owner/Applicant 7564 Uncles Neck Rd

Blake and Sally Ryan
16 Valmore Drive
Poquoson, VA 23662-12435

Agent: Jimmy Blake 3Jbb@va.metrocast.net

2010200015 – 7560 Uncles Neck

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

2010200017

Christopher and Elena Garrett
7568 Uncles Neck
Toano, VA 23168-8723

2020100006 – 1701 Forge Rd

Cowles-Lobbs LLC
P O Box 138
Goochland, VA 23063-0138

201020001A – 7400 Uncles Neck

Uncles Neck Homeowners Association
P O Box 18 Parkview Station
Newport News, VA 23605-0018



PUBLIC HEARING NOTICE

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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 – May 25, and June 1, 2016.
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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

RESOLUTION

CASE NO. CBE-16-097. 7564 UNCLES NECK

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Blake and Sally Ryan, (the “Applicant”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on June 8, 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. 2010200016 and further identified as 7564 Uncles Neck in the River’s Bend at Uncles Neck subdivision (the “Property”) as set forth in the application CBE-16-097 for the purpose of constructing a wooden, pressure-treated timber platform associated with an access staircase; and

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

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

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
 - a. The applicant must obtain all other necessary federal, state and local permits required for the project; and
 - b. Surety of \$250 will be required in a form acceptable to the County Attorney’s office to guarantee the mitigation plantings; and
 - c. This exception request approval shall become null and void if construction has not begun by June 8, 2017; and

- d. 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.

William Apperson
Vice 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: _____

CBE-16-097-7564UnclesNeck-res

ITEM SUMMARY

DATE: 6/8/2016
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: 116 Nottinghamshire Chesapeake Bay Exception

Walkwright Construction has requested an exception for encroachments into the RPA buffer associated with a proposed single family residence with deck located at 116 Nottinghamshire, Ford's Colony.

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Application (SAAA Form)	Backup Material
▣	Site Plan	Backup Material
▣	Mitigation Plan	Backup Material
▣	APO Notification and Ad	Backup Material
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay	Woolson, Michael	Approved	6/1/2016 - 11:09 AM
Chesapeake Bay	Thomas, Scott	Approved	6/1/2016 - 11:12 AM
Publication Management	Burcham, Nan	Approved	6/1/2016 - 11:16 AM
Chesapeake Bay	Secretary, ChesBay	Approved	6/1/2016 - 2:32 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-16-093. 116 Nottinghamshire
Staff report for the June 8, 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.

EXISTING SITE DATA AND INFORMATION

Applicant: Larry Walk, Walkwright Construction

Agent: Larry Walk, Walkwright Construction

Location: 116 Nottinghamshire

Tax Map/Parcel No.: 3233100034

Parcel: Lot 34, Ford's Colony Section 12

Lot Size: 0.409 acre

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

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

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

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

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

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

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

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

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

The total impervious cover for the lot is 4,792 square feet, of which 3,274 square feet is within the landward 50-foot RPA buffer and 672 square feet is within the seaward 50-foot buffer. The total amount of impervious

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

STAFF EVALUATION

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

WATER QUALITY IMPACT ASSESSMENT (WQIA)

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

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

The exception granting body is permitted to require reasonable and appropriate conditions in granting the exception request in accordance with Section 23-14. The Chesapeake Bay Board should fully consider Chesapeake Bay Exception CBE-16-093 as outlined and presented above and review the request for exception along with the WQIA. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

STAFF RECOMMENDATIONS

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

1. The applicant must obtain all other necessary federal, state and local permits as required for the project; and
2. Surety of \$3,500 will be required in a form acceptable to the County Attorney's office to guarantee the mitigation, including plantings, Turf Love program registration and gravel under the deck; and
3. This exception request approval shall become null and void if construction has not begun by June 8, 2017; and
4. 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/ab
CBE-16-093Nottinghamshire

Attachments:

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



Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

For Office Use Only
CB Number 16-093

Submission Requirements: (Check all applicable)

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

Engineering & Resource Protection
APR 27 2016
RECEIVED

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

Property Owner Information:

Date: 04-08-2016

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

Contact (if different from above):

Name: _____ Phone: _____
Email: _____

Project Information:

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

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

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

Activity involves: (check all that apply)

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

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

Engineering & Resource Protection
APR 27 2016
RECEIVED

For Office Use Only CB Number <u>16-093</u>

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

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

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

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

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

4. Water Quality Impact Assessment

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

A. Why is this encroachment necessary? Can it be relocated to avoid RPA impacts?
~~There is not enough buildable area outside of the RPA.~~

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

5. Proposed mitigation measures:

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

Mitigation Rates Table

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

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

Engineering & Resource Protection
APR 27 2016
RECEIVED

For Office Use Only CB Number <u>16-093</u>

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

- Number of native canopy trees 9
- Number of native understory trees 18
- Number of native shrubs 27
- Square feet of native ground cover _____
- Square feet of mulch _____

B. Best Management Practices (BMPs)

- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> EC-2 (degradable) erosion control matting <input type="checkbox"/> Dry Swale <input checked="" type="checkbox"/> Silt fence <input type="checkbox"/> Turf (Nutrient) Management Plan <input type="checkbox"/> Gravel under deck (3" of gravel over synthetic filter fabric under entire deck area) <input type="checkbox"/> Other: _____ | <ul style="list-style-type: none"> <input type="checkbox"/> Bioretention or rain garden practice <input type="checkbox"/> Infiltration Area/Trench/Drywell <input type="checkbox"/> Structural BMP (Wet or Dry Pond) <input type="checkbox"/> Rain Barrel |
|--|---|

I understand that the following are approval conditions:

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

Property owner signature *J. Kelly* Date 4/27/16

Program Administrator _____ Date _____

Authorized Signature

For Office Use Only	Surety Amount: _____ Date/Rec No.: _____ Fee Paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amount: <u>25 + 100</u> Date/Rec No.: <u>4/27/16 2885</u>
---------------------	--

BUILDING INFORMATION

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

SITE INFORMATION

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

NOTE TO CONTRACTOR

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

BUILDING SETBACKS (PER FORD'S COLONY)

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

NOTES

- HOUSE DIMENSIONS SHOWN BASE ON INFORMATION PROVIDED BY OWNER. BUILDER SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- ALL TREES LARGER THAN 3" IN DIAMETER AND OUTSIDE THE LIMITS OF CLEARING SHOWN MAY NOT BE REMOVED WITHOUT THE CONSENT OF FORD'S COLONY OR ITS ASSIGNS.
- IN THE EVENT THE ARCHITECTURAL REVIEW COMMITTEE (ARC) SHALL DETERMINE THAT APPLICATION OF THE AFORESAID SETBACKS TO A PARTICULAR LOT WOULD UNREASONABLY LIMIT THE USE THEREOF BY THE OWNER AND EFFECTIVELY DEPRIVE HIM/HER OF AN APPROPRIATE CONSTRUCTION SITE, THE ARC SHALL GRANT A VARIANCE TO THE OWNER OF SAID LOT FROM THE PROVISIONS OF THESE SETBACK REQUIREMENTS.

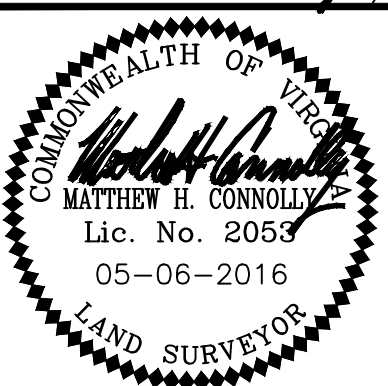
GENERAL NOTES

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

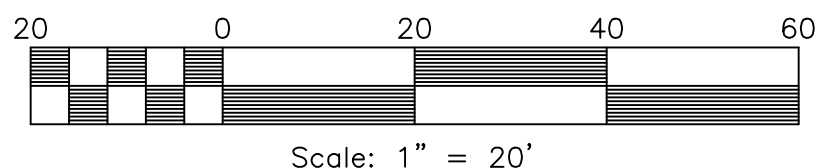
SURVEYORS CERTIFICATION

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

Matthew H. Connolly
 MATTHEW H. CONNOLLY, L.S.
 DATE: 05/06/2016



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



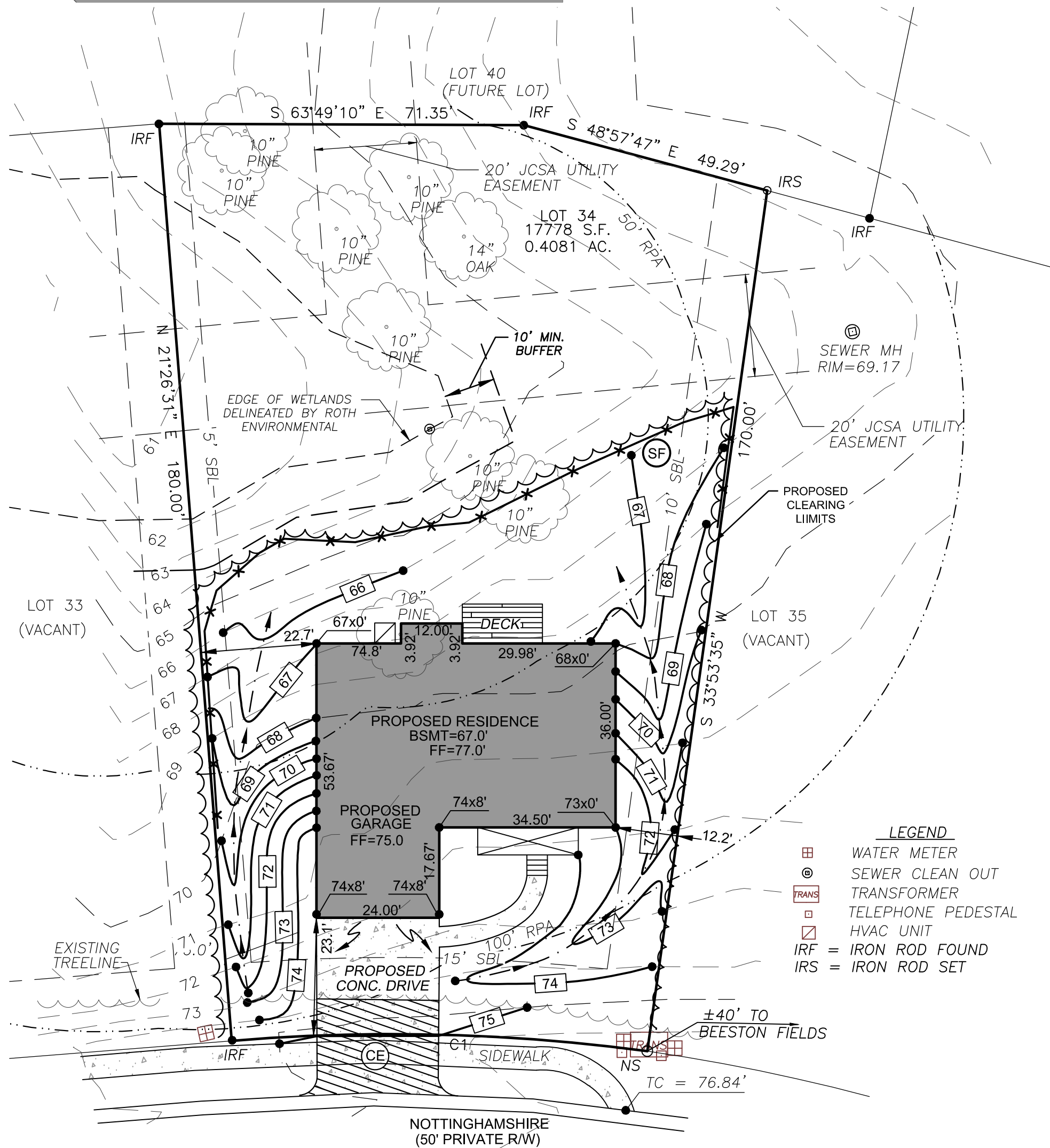
SHEET 1 OF 2

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

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

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

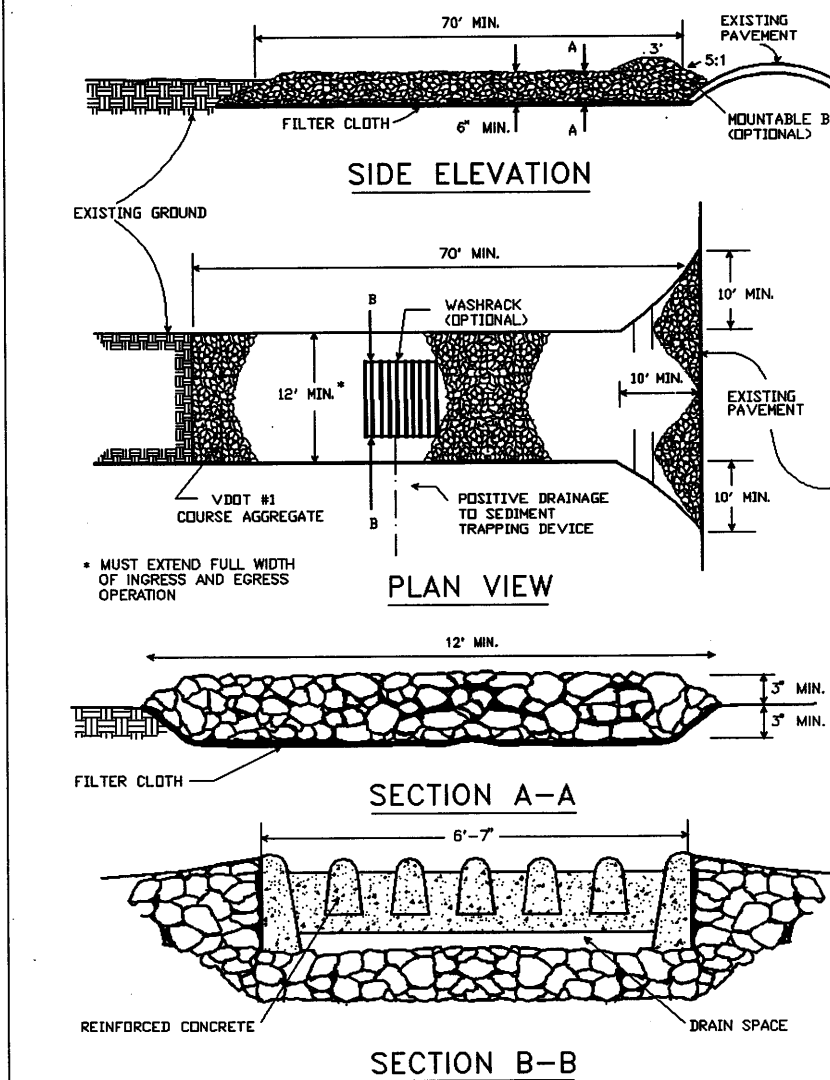
CURB & GUTTER SECTIONS WILL REQUIRE (2) SCHEDULE 40-4" CONDUITS PLACED 3' BELOW GRADE, OR AS LOW AS POSSIBLE TO NOT CONFLICT WITH OTHER UTILITIES, DIRECTLY BEHIND THE CURB FOR FUTURE WIRES.
 SECTIONS: 3B, 8A, 8B, 10, 12, 13A, 13B, 14A, 14B, 15, 17, 18, 30, 31 & 32
 DATE: _____ SIGNED: _____



- LEGEND**
- Water Meter
 - Sewer Clean Out
 - Transformer
 - Telephone Pedestal
 - HVAC Unit
 - IRF = IRON ROD FOUND
 - IRS = IRON ROD SET

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

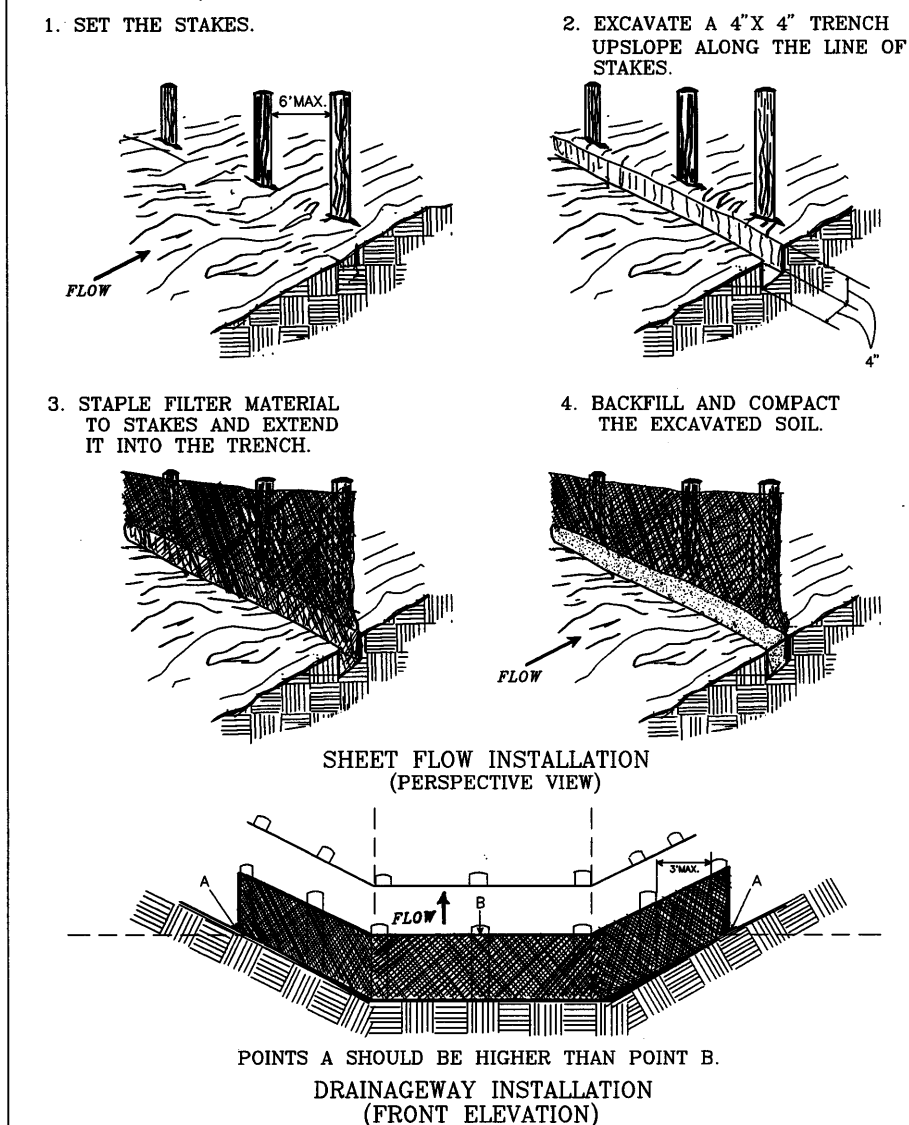
STONE CONSTRUCTION ENTRANCE



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

Plate 3.02-1

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



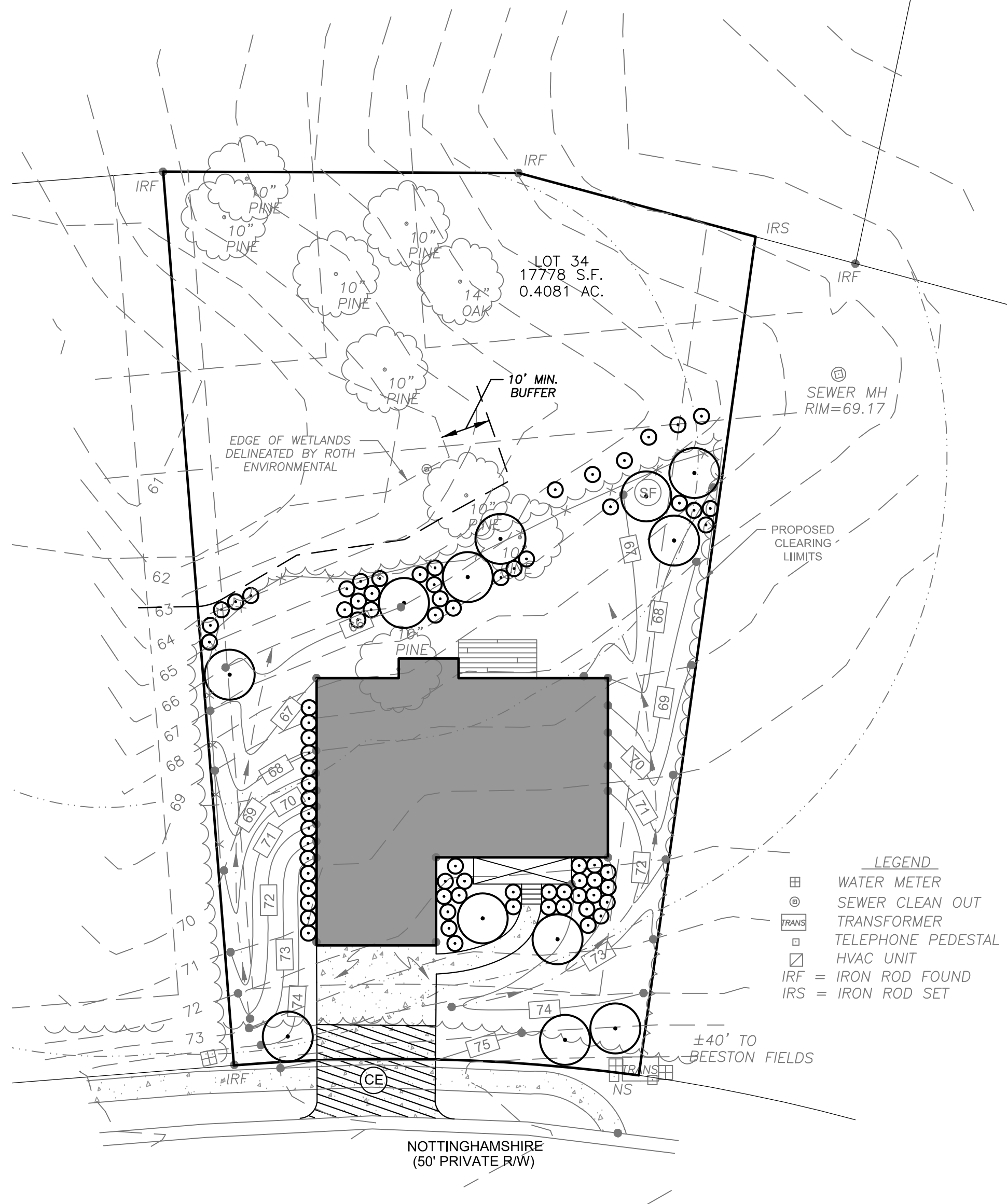
Source: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, Sherwood and Wyant

Plate 3.05-2

NO.	DATE	REVISION / COMMENT / NOTE

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

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



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

LEGEND
 IRF = IRON ROD FOUND
 IRS = IRON ROD SET

SHEET 2 OF 2

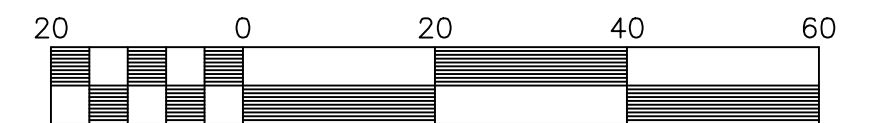
MITIGATION TABLE

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

2 SHRUBS PER UNDERSTORY TREE AND 4 SHRUBS PER CANOPY TREE

LEGEND

[Symbol] NATIVE SHRUB
 [Symbol] NATIVE UNDERSTORY TREE



Scale: 1" = 20'



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

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

JAMES CITY COUNTY

VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE

LandTech Resources, Inc.

Engineering • Surveying • GPS

3925 Midlands Road, Williamsburg, Virginia 23188

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

Web: landtechresources.com



**Development Management
Engineering and Resource
Protection Division**
101 Mounts Bay Road, Bldg E
Williamsburg, VA 23185
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

May 18, 2016

RE: CBE-16-093 – 116 Nottinghamshire – SFD & 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 Walkwright Construction, LLC, for encroachment into the Resource Protection Area (RPA) associated with construction of a single family dwelling with a deck at 116 Nottinghamshire in the Ford's Colony subdivision. The property is further identified by James City County Real Estate as Parcel No. 3233100034.

A complete description, plan, and other information are on file in the Engineering 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 **Wednesday, June 8, 2016 at 7 p.m.** in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Melanie Davis

Melanie Davis
Chesapeake Bay Board Secretary
757-253-6866

cc: Walkwright Construction LLC

Mailing List for: CBE-16-093 – 116 Nottinghamshire – SFD w/deck

3233100034 - Owner 116 Nottinghamshire

Walkwright Construction LLC
123 Hempstead Rd
Williamsburg, VA 23188-1520

3233100035 – 112 Nottinghamshire

Vivian Lovelace Zinn Clark
4473 Greenwich Parkway NW
Washington DC 23187

3233100033 – 120 Nottinghamshire

Redus VA Housing LLC
1 Independent Dr, Ste 615
Jacksonville, FL 32202-5039

3233100059

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

3233100040 – 219 Oakmere Park

Wayne Harbin Builder, Inc
3705 Strawberry Plains Rd, Ste D
Williamsburg, VA 23188-3423

3233100001A – Common Area 200 Nottinghamshire

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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY JUNE 8, 2016 AT 7 p.m.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA TO CONSIDER THE FOLLOWING CASES:

CBE-16-093: Walkwright Construction has filed an exception request for encroachment into the RPA buffer for construction of a single family dwelling and deck at 116 Nottinghamshire in the Fords Colony subdivision, JCC Parcel No 3233100034.

CBE-16-097: Mr. Blake Ryan has filed an exception request for encroachment into the RPA buffer for a 4' X 8' platform within an access path to the pier at 7564 Uncles Neck in the Rivers Bend at Uncles Neck subdivision, JCC Parcel No 2010200016.

CBE-16-098: AES Consulting on behalf of the LaRS Group has filed an exception request for encroachment into the RPA buffer associated with clearing for the Indoor Pool Facility at the Williamsburg Indoor Sports Complex located at 5700 and 5720 Warhill Trail, JCC Parcel No 3210100012 and 3210100012A.

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 – May 25, and June 1, 2016.
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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

RESOLUTION

CASE NO. CBE-16-093. 116 NOTTINGHAMSHIRE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Larry Walk, Walkwright Construction (the "Applicant") has applied to the Chesapeake Bay Board of James City County (the "Board") on June 8, 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. 3233100034 and further identified as 116 Nottinghamshire in the Ford's Colony subdivision (the "Property") as set forth in the application CBE-16-093 for the purpose of constructing a single-family dwelling; and

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

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

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
 - a. The applicant must obtain all other necessary federal, state and local permits required for the project; and
 - b. Surety of \$3,500 will be required in a form acceptable to the County Attorney's office to guarantee the mitigation, including plantings, Turf Love program registration and gravel under the deck; and
 - c. This exception request approval shall become null and void if construction has not begun by June 8, 2017; and

- d. 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.

William Apperson
Vice 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: _____

CBE-16-093-116Nottinghamshire-res