

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
August 10, 2016
7:00 PM

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. MINUTES**
 - 1. July 13, 2016 Minutes
- D. PUBLIC HEARINGS**
 - 1. CBE-17-003 : Carter's Grove
- E. BOARD CONSIDERATIONS**
- F. MATTERS OF SPECIAL PRIVILEGE**
 - 1. General Programs Update
- G. ADJOURNMENT**

ITEM SUMMARY

DATE: 8/10/2016
TO: Chesapeake Bay Board
FROM: Board Secretary
SUBJECT: July 13, 2016 Regular Meeting Minutes

ATTACHMENTS:

	Description	Type
▣	July 13, 2016 Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay	Woolson, Michael	Approved	8/3/2016 - 8:30 AM
Chesapeake Bay	Thomas, Scott	Approved	8/3/2016 - 10:19 AM
Publication Management	Burcham, Nan	Approved	8/3/2016 - 10:49 AM
Chesapeake Bay	Secretary, ChesBay	Approved	8/3/2016 - 1:15 PM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
July 13, 2016
7:00 PM

A. CALL 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

C. MINUTES

1. June 8, 2016 Minutes

Minutes were approved as written.

D. PUBLIC HEARINGS

1. CBE-16-103 : 3633 Bridgewater Drive

Senior Watershed Planner, Michael Woolson presented the exception request submitted by Donald and Cynthia Pritchard, for encroachment into the RPA buffer to construct a storage shed on their property. Mr. Woolson described the current site conditions and the proposed structure. Although a mitigation plan was not submitted, staff will work with the applicant on this issue. 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 and then closed the public hearing as no one wished to speak on this case.

Mr. Roadley stated and all members agreed with Staff's assessment that the impacts were minimal.

Mr. Apperson made a motion to adopt the Resolution granting the exception for Chesapeake Bay Board case CBE-16-103 at 3633 Bridgewater.

A motion to Approve was made by William Apperson, the motion result was .

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

Ayes: Apperson, Gussman, Hughes, Roadley, Waltrip

2. CBE-16-106 : 157 Thomas Dale

Senior Watershed Planner, Michael Woolson presented the exception request submitted by Donald Newsome of Delightful Gardens on behalf of Mr. Charles Taney, for encroachment into the RPA buffer for installation of a 95-linear-foot retaining

wall on his property. Mr. Woolson described the current site conditions and the proposed structure stating its location helps slow down and infiltrate stormwater flows and alleviate an erosion concern. Mr. Woolson pointed out that the project was already started when Mr. Newsome realized the encroachment required approval from this Board. Although a mitigation plan had not been submitted, staff will work with the applicant on this issue. Staff determined the impacts to be minimal and recommended approval of the exception request with the conditions outlined in the Resolution.

Mr. Roadley asked Mr. Woolson if he had seen the site before the project was started and if there was erosion.

Mr. Woolson said he had spoken with the property owner and a previous contractor about six months ago regarding the minor erosion and possible solutions.

Mr. Gussman opened the public hearing.

A. Mr. Newsome apologized for starting the project before receiving approval and said the wall was also a safety issue to keep children from falling down the slope.

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

Mr. Roadley stated this type of application would normally be approved by the Board and the wall would help with infiltration and stormwater flow.

Mr. Waltrip agreed the impact was minimal.

Mr. Hughes made a motion to adopt the Resolution granting the exception for Chesapeake Bay Board case CBE-16-106 at 157 Thomas Dale.

A motion to Approve was made by John Hughes, the motion result was .
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Apperson, Gussman, Hughes, Roadley, Waltrip

3. CBE-16-104 : 4388 Landfall Drive

Senior Watershed Planner, Michael Woolson presented the exception request submitted by Peggy Krapf of Hearts Ease Landscape & Garden Design on behalf of William and Lori Trolan, for encroachment into the RPA buffer for installation of accessory structures. He described the proposed shed, blue stone patio, brick walkway and herb garden as well as the current site conditions. Mr. Woolson stated there was also a natural open space easement coincident with the RPA. He explained that the proposed mitigation was three times the minimum requirement and the proposed design provides for the technique of rainwater infiltration. Staff reviewed the application and determined the impacts to be minimal and recommended approval of the exception request with the conditions outlined in the Resolution.

Mr. Gussman asked how encroachment into the natural open space easement would be handled.

Mr. Woolson said as the acting authority for that encroachment, he would grant it if this Board granted the RPA encroachment.

Mr. Gussman opened the public hearing and then closed the public hearing as no one wished to speak on this case.

Mr. Apperson asked if coinciding encroachment into a natural open space easement had been considered before.

Mr. Woolson stated that it had.

Mr. Gussman felt the applicant had pulled the house back as far as possible to reduce the impacts.

Mr. Roadley asked if this project was planned when the house was approved.

Mr. Woolson stated the house was outside of the RPA.

Mr. Hughes made a motion to adopt the Resolution granting the exception for Chesapeake Bay Board case CBE-16-104 at 4388 Landfall Drive.

A motion to Approve was made by John Hughes, the motion result was .
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Apperson, Gussman, Hughes, Roadley, Waltrip

E. BOARD CONSIDERATIONS

1. CBE-15-105 : 108 Seven Oaks

Senior Watershed Planner, Michael Woolson presented Mr. Ronald Nervitt's request for an extension of the exception, originally granted on August 12, 2015. The exception is for the construction of a single family dwelling on property located at 108 Seven Oaks in Section 17 of the Ford's Colony at Williamsburg subdivision. Staff concurs with this request with the stipulation that previous conditions 1 through 6 be continued and that condition #5 have the new expiration date of July 13, 2017.

Mr. Roadley made a motion to grant the extension of the exception for Chesapeake Bay Board case CBE-15-105 at 108 Seven Oaks.

A motion to Approve was made by Charles Roadley, the motion result was .
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Apperson, Gussman, Hughes, Roadley, Waltrip

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Apperson stated his concern that the Chesapeake Bay Board was requiring signed and recorded affidavits on property as a condition for granting some of the exception requests. He felt this might adversely affect the property value and might also be outside of this Boards authority. As none of the required affidavits had been recorded and the applicant from last month was hesitant, he asked that the other Board members consider this for future discussion.

Mr. Gussman thanked Mr. Apperson for his comments. He stated the Assistant County

Attorney had already agreed the Board had the authority to require the affidavits. He said discussion could be to set it as a policy or just a consideration on a case by case exception. He agreed the Board members should consider this for later discussion.

G. ADJOURNMENT

The meeting adjourned at 7:45 pm

William Apperson
Chesapeake Bay Board Vice Chair

Melanie Davis
Secretary to the Board

ITEM SUMMARY

DATE: 8/10/2016
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: CBE-17-003 : Carter's Grove

Carter's Grove Associates, LLC has applied for an exception to the Chesapeake Bay Preservation Ordinance for the installation of a proposed private sanitary sewer force main on property located at 8797 Pocahontas Trail.

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Application (SAAA Form)	Backup Material
▣	Plan Set Sheet 6	Backup Material
▣	Plan Set Sheet 9	Backup Material
▣	Plan Set Sheet 10	Backup Material
▣	Plan Set Sheet 12	Backup Material
▣	Plan Set Sheet 16	Backup Material
▣	Plan Set Sheet 17	Backup Material
▣	APO Notification and Ad	Backup Material
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay	Woolson, Michael	Approved	8/3/2016 - 2:42 PM
Chesapeake Bay	Thomas, Scott	Approved	8/3/2016 - 2:47 PM
Publication Management	Burcham, Nan	Approved	8/3/2016 - 2:48 PM
Chesapeake Bay	Secretary, ChesBay	Approved	8/4/2016 - 7:50 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBE-17-003. 8797 Pocahontas Trail
Staff report for the August 10, 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: Chris Price, Carter's Grove Associates, LLC

Agent: Piotr Swietuchowski, Vanasse Hangen Brustlin, Inc. (VHB)

Location: 8797 Pocahontas Trail

Tax Map/Parcel No.: 5910100030

Parcel: Carter's Grove

Lot Size: 400.93 acres +/-

Area of Lot in Resource Protection Area (RPA): 136 acres +/- (34%)

Watershed: James River (HUC Code JL35)

Floodplain: Zone X, panels 209D and 228D, determined to be outside the 0.2% annual chance floodplain

Proposed Activity: Construction of a private, on-site sanitary sewer force main with multiple pump stations

Impervious Cover: No impacts

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

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Piotr Swietuchowski, VHB, on behalf of Carter's Grove Associates, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of an on-site sanitary sewer force main and five pump stations on the property known as Carter's Grove Plantation, 8797 Pocahontas Trail, within the James River watershed. The property is further identified as James City County Tax Map Parcel No. 5910100030. The parcel was platted prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

Carter's Grove is a privately owned historic site listed on the National Register of Historic Places, with the original mansion built in 1750. There is a 400-acre conservation easement granted to the Virginia Department of Historic Resources and the Virginia Outdoors Foundation. There have been other structures and outbuildings constructed over the years on the property and the property is currently undergoing renovation, including the sanitary sewer service.

The proposed alignment follows an existing utility corridor and is replacing and upgrading an existing force main. Due to the easement and historic nature of the property, an archaeologist is required to observe the entire excavation. The excavation runs close to a known, but unexplored, archaeological site known as "Site J." The owner does not wish to disturb this site and incur the expenses related to an archaeological dig.

There are approximately 11,600 square feet of disturbance within the RPA. The proposed mitigation is to stabilize the area according to state standards once the construction is completed.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of the private, on-site sanitary sewer with multiple pump stations 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 sanitary sewer 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-17-003, as outlined and presented above, and review the request for exception along with the WQIA. The Board may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

STAFF RECOMMENDATIONS

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

1. The applicant must obtain all other necessary federal, state and local permits and permissions as required for the project; and
2. Full implementation of the Plan of Development County Plan No. SP-0056-2016, once approved; and
3. This exception request approval shall become null and void if construction has not begun by August 10, 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
CBE17-3-9797PocahontasTrl

Attachments:

1. Water Quality Impact Assessment Package
2. Plan Set Sheet 6
3. Plan Set Sheet 9
4. Plan Set Sheet 10
5. Plan Set Sheet 12
6. Plan Set Sheet 16
7. Plan Set Sheet 17



Chesapeake Bay Preservation Ordinance Sensitive Area Activity Application

Engineering & Resource Protection
RECEIVED
JUL 8 2016

For Office Use Only

CB Number 17-003 CBE

CBS 17-002

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
RECEIVED
JUL 8 2016

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

Property Owner Information:

Date: 7/7/16

Name: Carters Grove Associates, LLC / Contact: Chris Price

Address: 8797 Pocahontas Trail

Phone: 757-817-9879

Fax: _____

Email: cartersgroveplantation@gmail.com

Contact (if different from above):

Name: _____

Phone: _____

Email: _____

Project Information:

Project Address: 8797 Pocahontas Trail

Subdivision Name, Lot, and Section No.: SITEWIDE SANITARY SEWER SYSTEM

Parcel Identification No. or Tax Map No.: 5910100030

Date Lot was platted: 12/17/2007 Line or Bldg Permit No.: SP-056-16

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Steep Slopes \geq 25 percent <u>250</u> (SF) | <input checked="" type="checkbox"/> RPA - Landward 50' <u>5172</u> (SF) |
| <input type="checkbox"/> Conservation Easement _____ (SF) | <input type="checkbox"/> RPA - Seaward 50' _____ (SF) |
| <input type="checkbox"/> Trees to be Removed _____ (#) | <input type="checkbox"/> Proposed Impervious Cover _____ (SF) |

Activity involves: (check all that apply)

- | | | |
|--|---|---|
| <input 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 checked="" type="checkbox"/> Access path/trail |
| <input checked="" type="checkbox"/> Other: <u>Sanitary force main installation</u> | <input type="checkbox"/> Redevelopment: _____ | |

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

Engineering & Resource Protection
JUL 8 2016

For Office Use Only CB Number _____
--

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

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

A 2" sanitary force main will enter the RPA at three different areas. In one area the force main will be hung from an existing bridge over the wetlands. The force main will be bridged above grade before it crosses the 50' seaward RPA and wetlands.

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) HRSD, JCSA, and DEP approval are required.

(DEQ)

4. Water Quality Impact Assessment

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

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

The force main follows an existing force main path through one of the RPA impact areas in order to limit archaeological impacts. The existing bridge offers the path of least disturbance to the desired discharge point on Ron Springs Drive.

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

The force main will be buried and the ground cover over the trench will match existing. No increase in impervious cover is anticipated for the force main 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**

Engineering & Resource Protection
JUL 8 2016
RECEIVED

For Office Use Only
CB Number _____

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

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

B. Best Management Practices (BMPs)

<input checked="" 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: _____	<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 _____	Date <u>7/8/16</u>
Program Administrator _____	Date _____
Authorized Signature	

For Office Use Only	Surety Amount: _____ Date/Rec No.: _____ Fee Paid? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amount: <u>125</u> Date/Rec No.: <u>7/8/16 #2957</u>
---------------------	---



351 McLaws Circle
Suite 3
Williamsburg, VA 23185
757.220.0500

FORCE MAIN ALIGNMENT

ALIGNMENT LINE DATA

Table with 5 columns: LINE #, LENGTH, BEARING, START POINT, END POINT. Contains data for lines L1 through L20.

ALIGNMENT LINE DATA

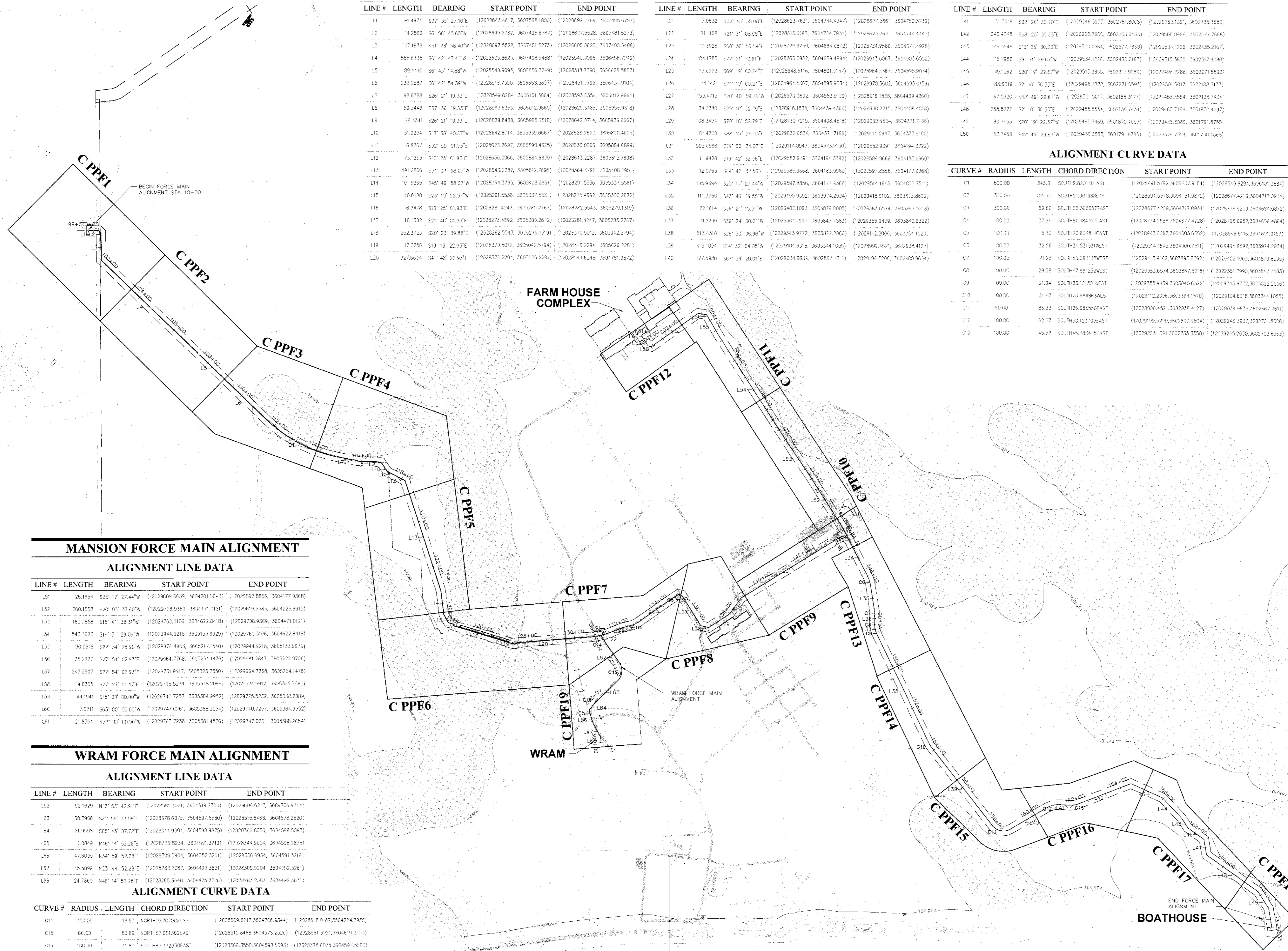
Table with 5 columns: LINE #, LENGTH, BEARING, START POINT, END POINT. Contains data for lines L21 through L40.

ALIGNMENT LINE DATA

Table with 5 columns: LINE #, LENGTH, BEARING, START POINT, END POINT. Contains data for lines L41 through L50.

ALIGNMENT CURVE DATA

Table with 6 columns: CURVE #, RADIUS, LENGTH, CHORD DIRECTION, START POINT, END POINT. Contains data for curves C1 through C16.



Pavement Legend

Legend table with symbols for: LIMITS OF UTILITY LANDS/100' RPA BUFFER, UTILITY EASEMENTS, ARCHEOLOGICAL SITE, GRAVE SITE EASEMENTS.

Carter's Grove Plantation
Sitewide Sanitary Sewer
System

Pocahontas Trail
Williamsburg, Virginia

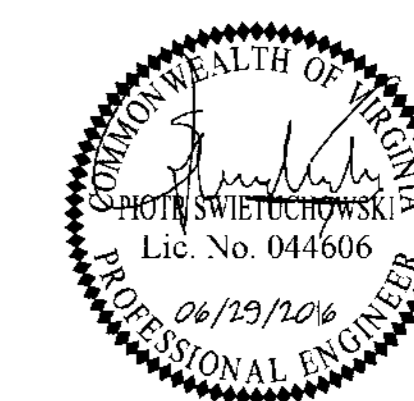
Table with 4 columns: No., Revision, Date, App'd.

Table with 4 columns: No., Revision, Date, App'd.

Site Plan Approval June 29, 2016

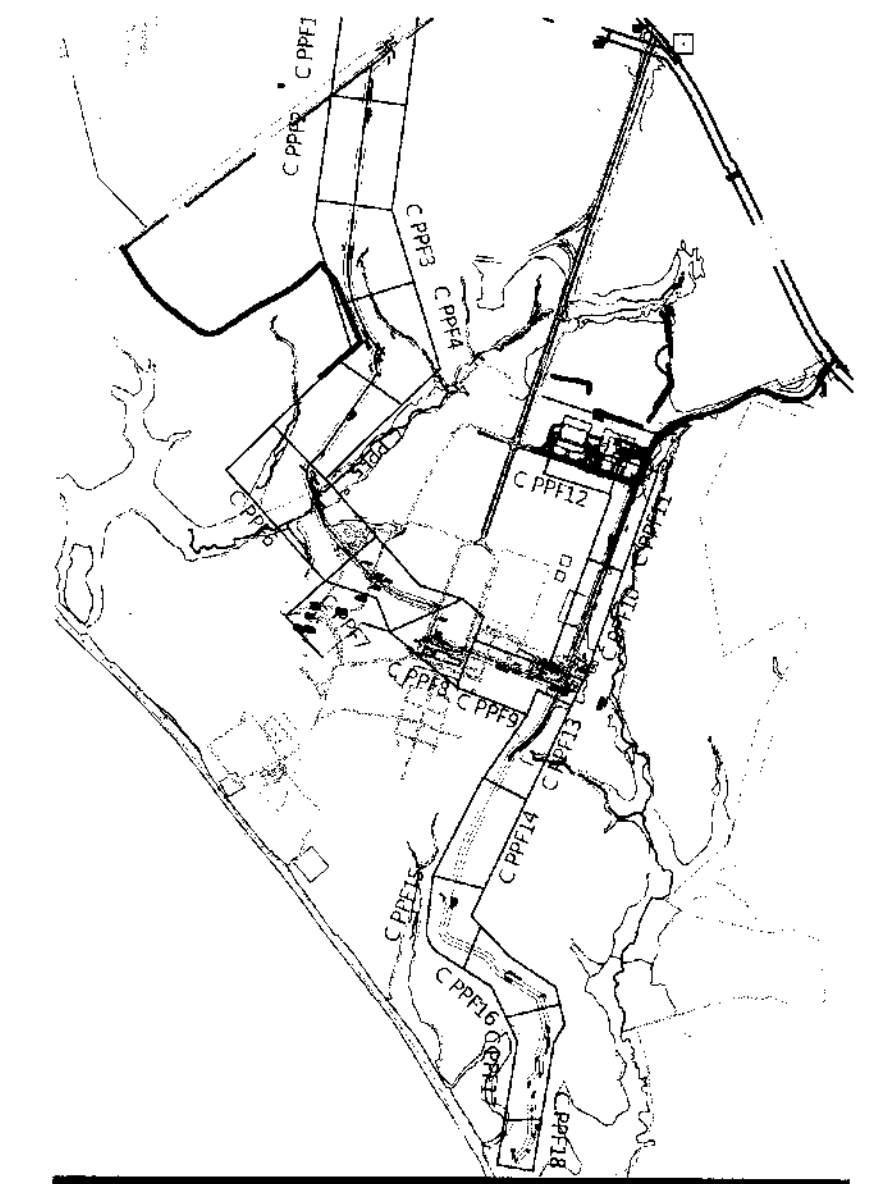
Not Approved for Construction

Sheet Index and
Alignment Data



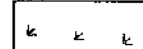
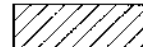

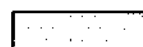
C03.00

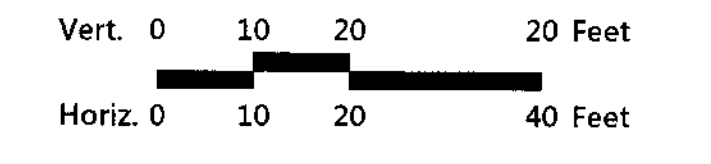
Saved Tuesday, June 25, 2016 11:20:28 AM by AMSTERP - doted Tuesday, June 28, 2016 11:43:11 AM Miriter, Jennifer



Sheet Index
Not to Scale

Pavement Legend

-  LIMITS OF WETLANDS/100' RPA BUFFER
-  UTILITY EASEMENTS
-  ARCHEOLOGICAL SITE
-  GRAVE SITE EASEMENTS



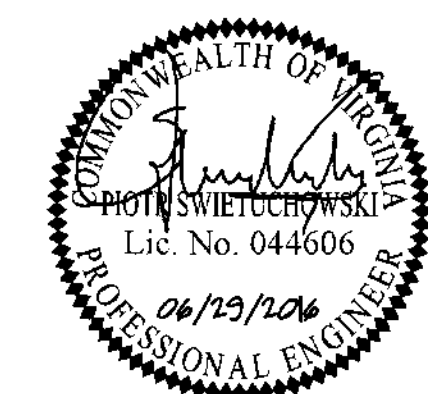
**Carter's Grove Plantation
Sitewide Sanitary Sewer
System**

Pocahontas Trail
Williamsburg, Virginia

No.	Revision	Date	App'd

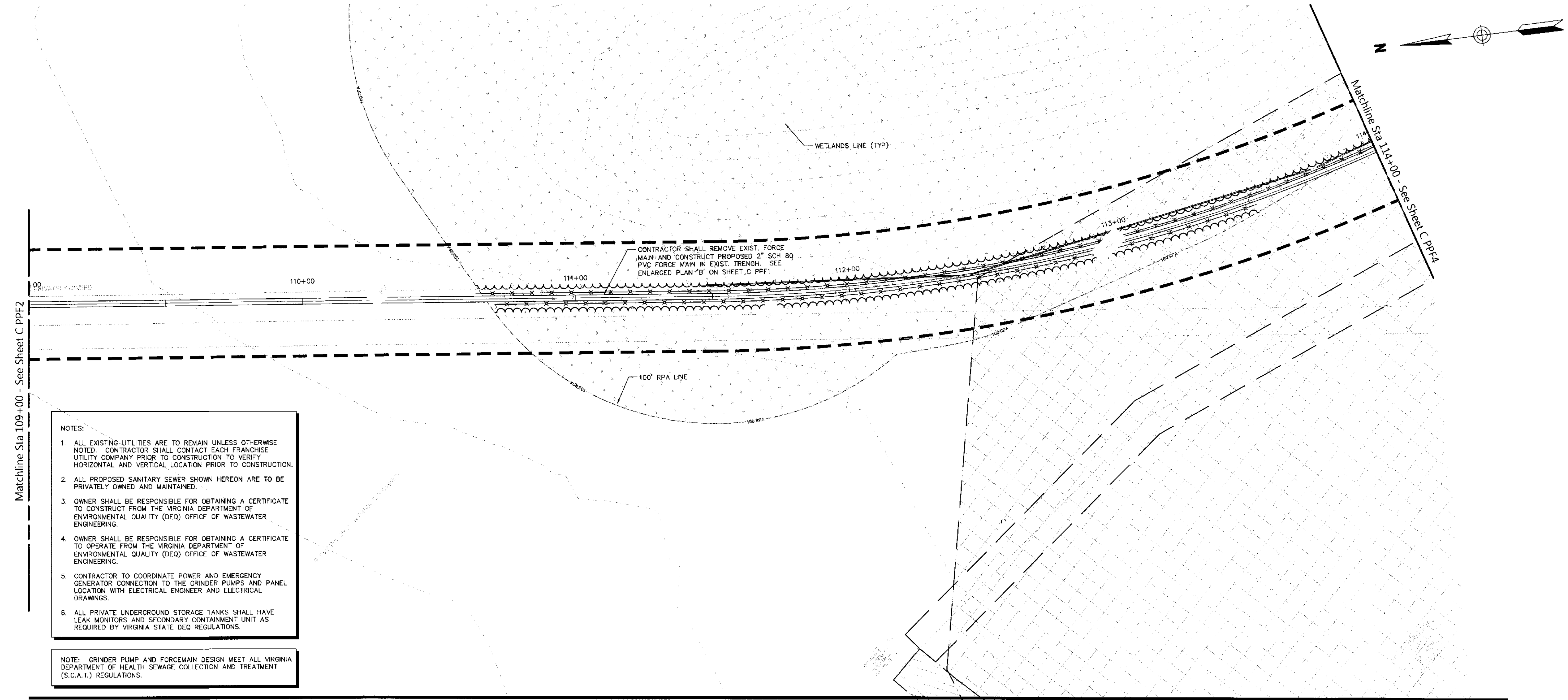
Site Plan Approval
Date: June 29, 2016

Not Approved for Construction
Plan and Profile

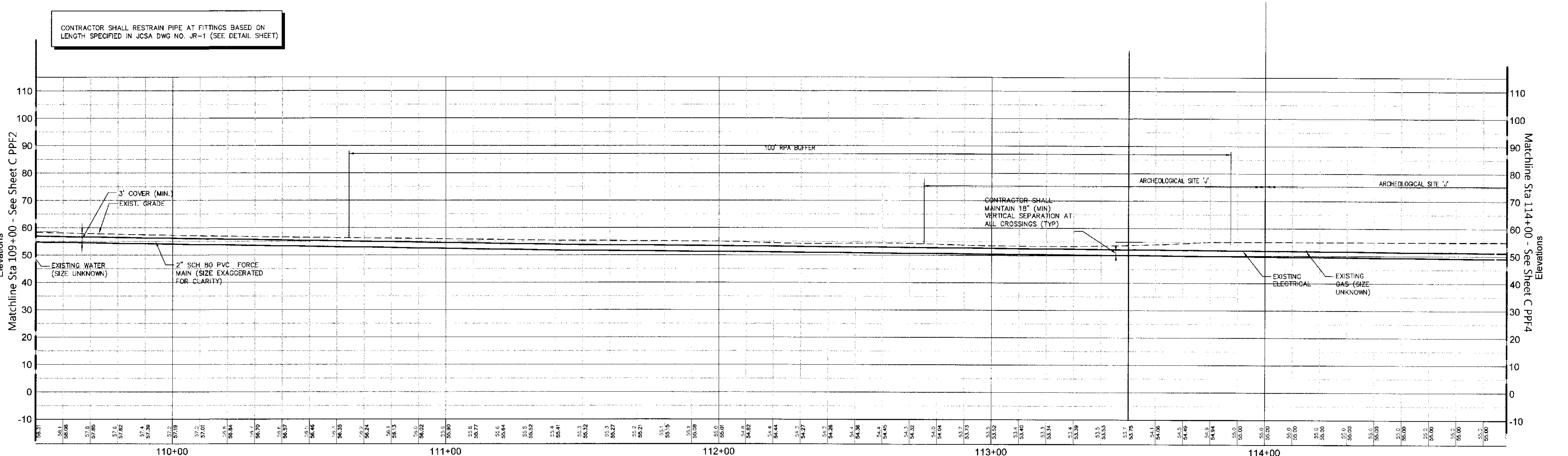


C PPF3

Sheet 9 of 29



Plan View - Sta 109+00 thru Sta 114+00
Scale: 1"=20'



Profile View - Sta 109+00 thru Sta 114+00
Horizontal Scale: 1"=20'; Vertical Scale: 1"=20'

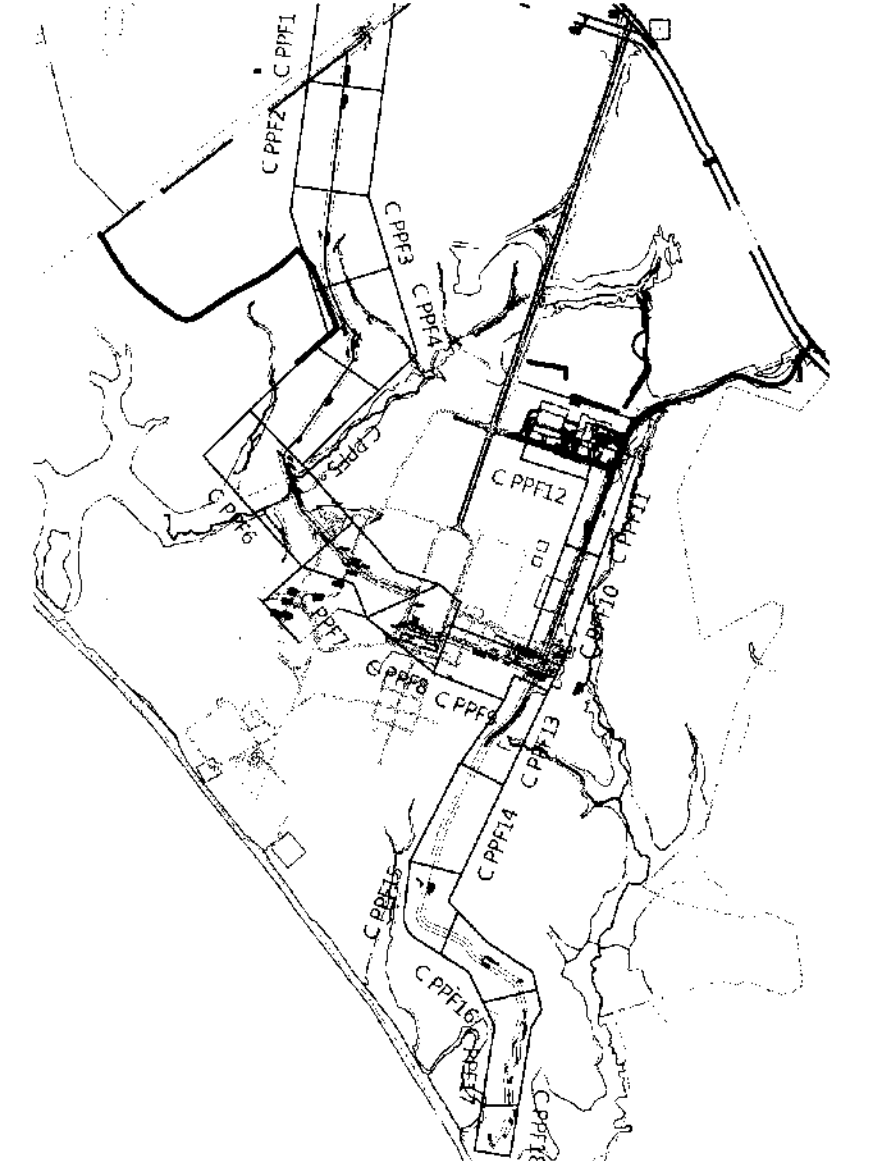
- NOTES:**
1. ALL EXISTING UTILITIES ARE TO REMAIN UNLESS OTHERWISE NOTED. CONTRACTOR SHALL CONTACT EACH FRANCHISE UTILITY COMPANY PRIOR TO CONSTRUCTION TO VERIFY HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION.
 2. ALL PROPOSED SANITARY SEWER SHOWN HEREON ARE TO BE PRIVATELY OWNED AND MAINTAINED.
 3. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO CONSTRUCT FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 4. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO OPERATE FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 5. CONTRACTOR TO COORDINATE POWER AND EMERGENCY GENERATOR CONNECTION TO THE GRINDER PUMPS AND PANEL LOCATION WITH ELECTRICAL ENGINEER AND ELECTRICAL DRAWINGS.
 6. ALL PRIVATE UNDERGROUND STORAGE TANKS SHALL HAVE LEAK MONITORS AND SECONDARY CONTAINMENT UNIT AS REQUIRED BY VIRGINIA STATE DEQ REGULATIONS.

NOTE: GRINDER PUMP AND FORCEMAIN DESIGN MEET ALL VIRGINIA DEPARTMENT OF HEALTH SEWAGE COLLECTION AND TREATMENT (S.C.A.T.) REGULATIONS.

CONTRACTOR SHALL RESTRAIN PIPE AT FITTINGS BASED ON LENGTH SPECIFIED IN JCSA DWG NO. JR-1 (SEE DETAIL SHEET)

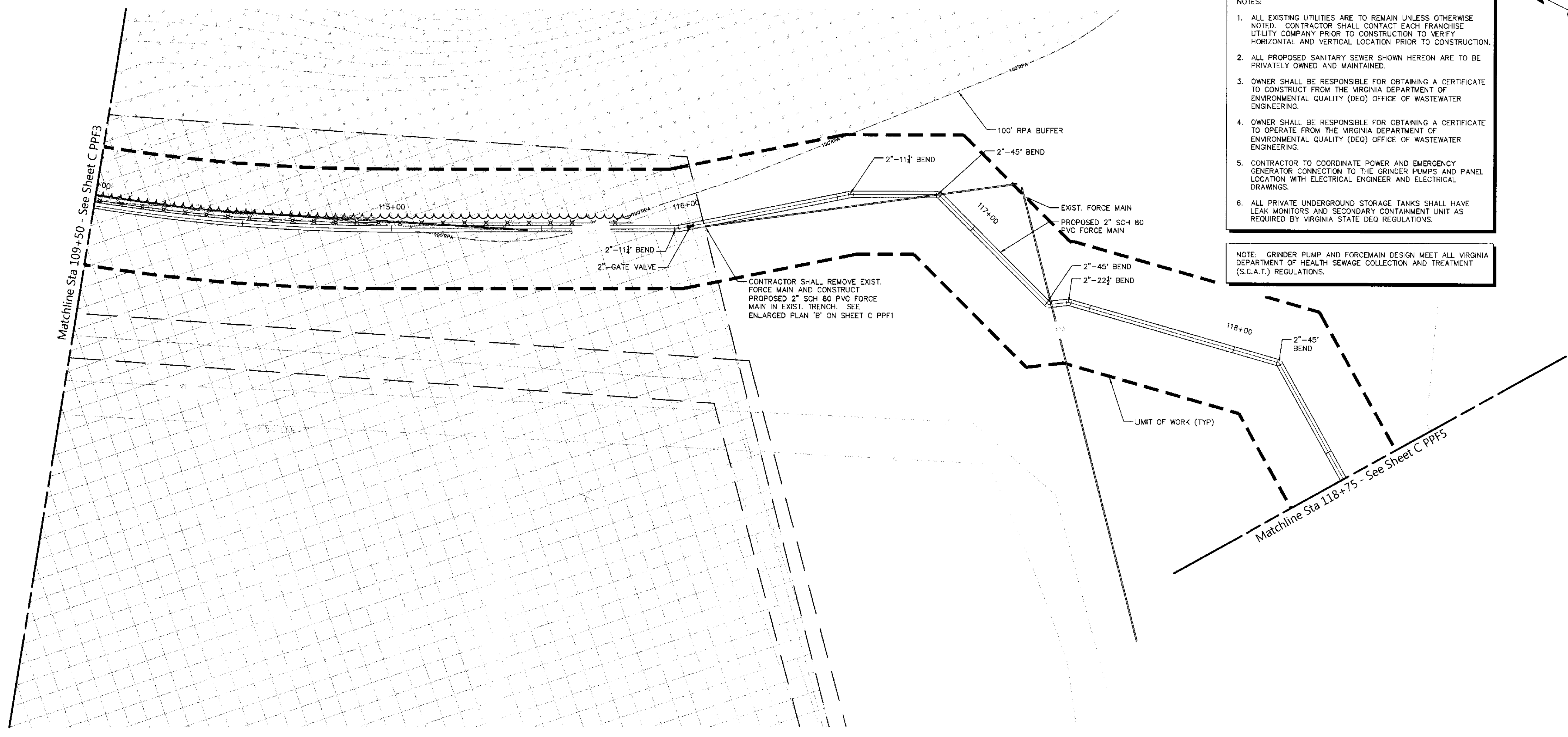


351 McLaws Circle
Suite 3
Williamsburg, VA 23185
757.220.0500



- NOTES:
1. ALL EXISTING UTILITIES ARE TO REMAIN UNLESS OTHERWISE NOTED. CONTRACTOR SHALL CONTACT EACH FRANCHISE UTILITY COMPANY PRIOR TO CONSTRUCTION TO VERIFY HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION.
 2. ALL PROPOSED SANITARY SEWER HEREON ARE TO BE PRIVATELY OWNED AND MAINTAINED.
 3. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO CONSTRUCT FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 4. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO OPERATE FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 5. CONTRACTOR TO COORDINATE POWER AND EMERGENCY GENERATOR CONNECTION TO THE GRINDER PUMPS AND PANEL LOCATION WITH ELECTRICAL ENGINEER AND ELECTRICAL DRAWINGS.
 6. ALL PRIVATE UNDERGROUND STORAGE TANKS SHALL HAVE LEAK MONITORS AND SECONDARY CONTAINMENT UNIT AS REQUIRED BY VIRGINIA STATE DEQ REGULATIONS.

NOTE: GRINDER PUMP AND FORCEMAIN DESIGN MEET ALL VIRGINIA DEPARTMENT OF HEALTH SEWAGE COLLECTION AND TREATMENT (S.C.A.T.) REGULATIONS.



Plan View - Sta 114+00 thru Sta 118+75
Scale: 1"=20'

Sheet Index
Not to Scale

Pavement Legend

- LIMITS OF WETLANDS/100' RPA BUFFER
- UTILITY EASEMENTS
- ARCHEOLOGICAL SITE
- GRAVE SITE EASEMENTS

Vert. 0 10 20 40 Feet
Horiz. 0 10 20 40 Feet

**Carter's Grove Plantation
Sitewide Sanitary Sewer
System**

Pochontas Trail
Williamsburg, Virginia

No.	Revision	Date	App'd

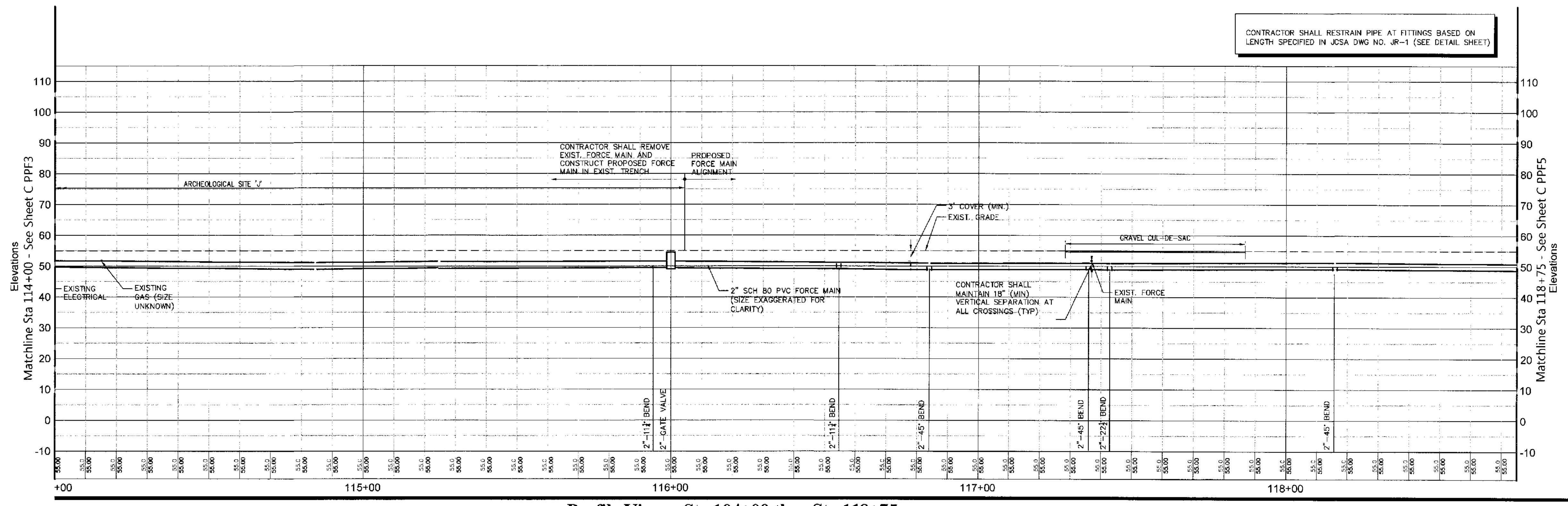
Issued for: **Site Plan Approval** Date: **June 29, 2016**

Not Approved for Construction
Plan and Profile

COMMONWEALTH OF VIRGINIA
PROFESSIONAL ENGINEER
SPOTSWYLDER COUNTY
Lic. No. 044606
06/29/2016

C PPF4

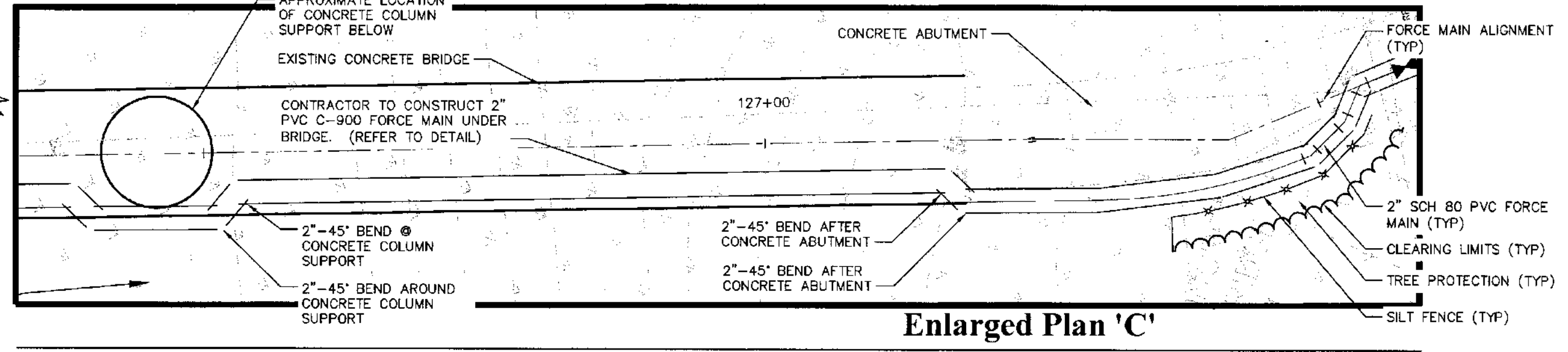
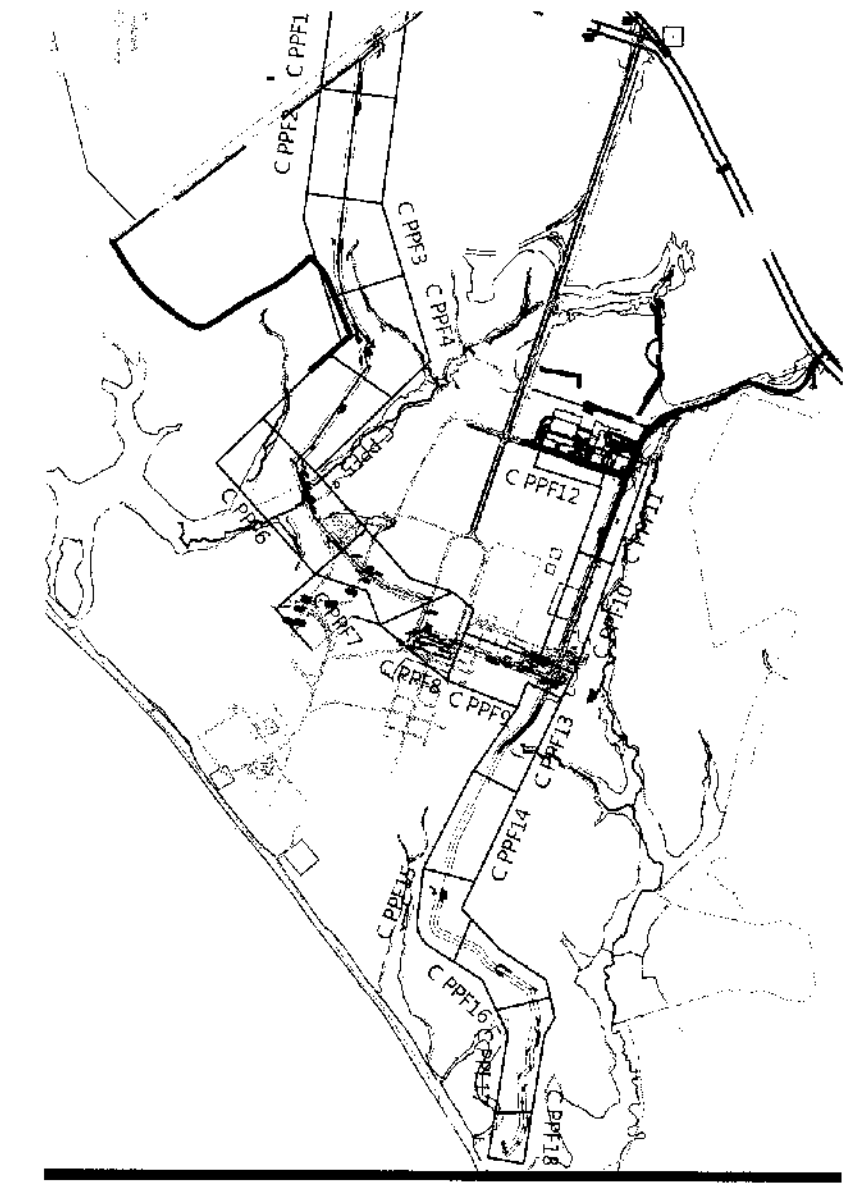
Sheet 10 of 29
Project Number 34122.04



Profile View - Sta 104+00 thru Sta 118+75
Horizontal Scale: 1"=20'; Vertical Scale: 1"=20'

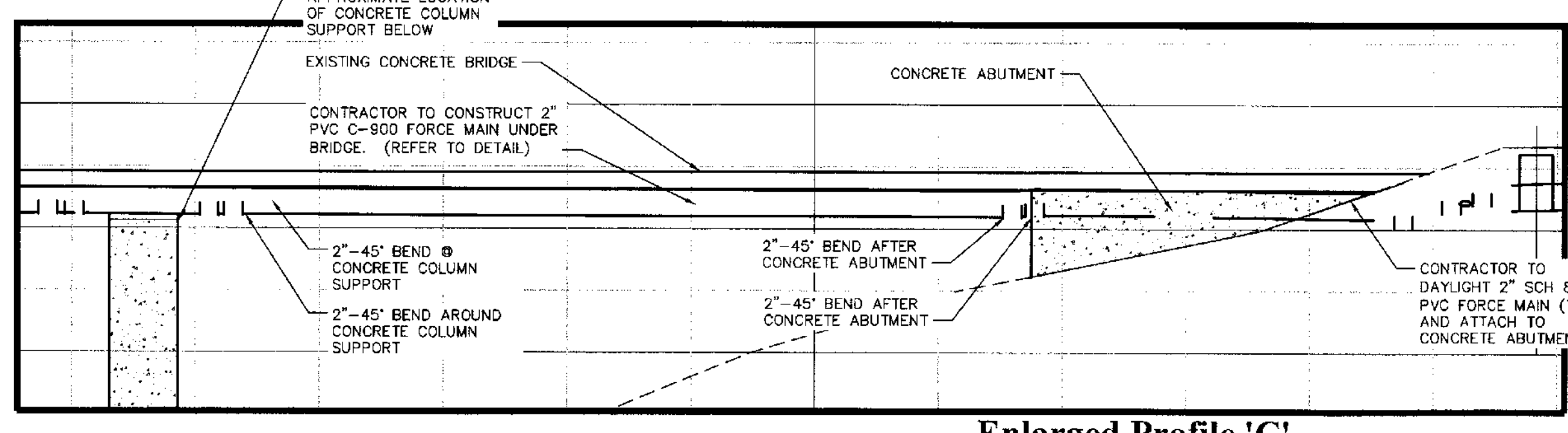


351 McLaws Circle
Suite 3
Williamsburg, VA 23185
757.220.0500



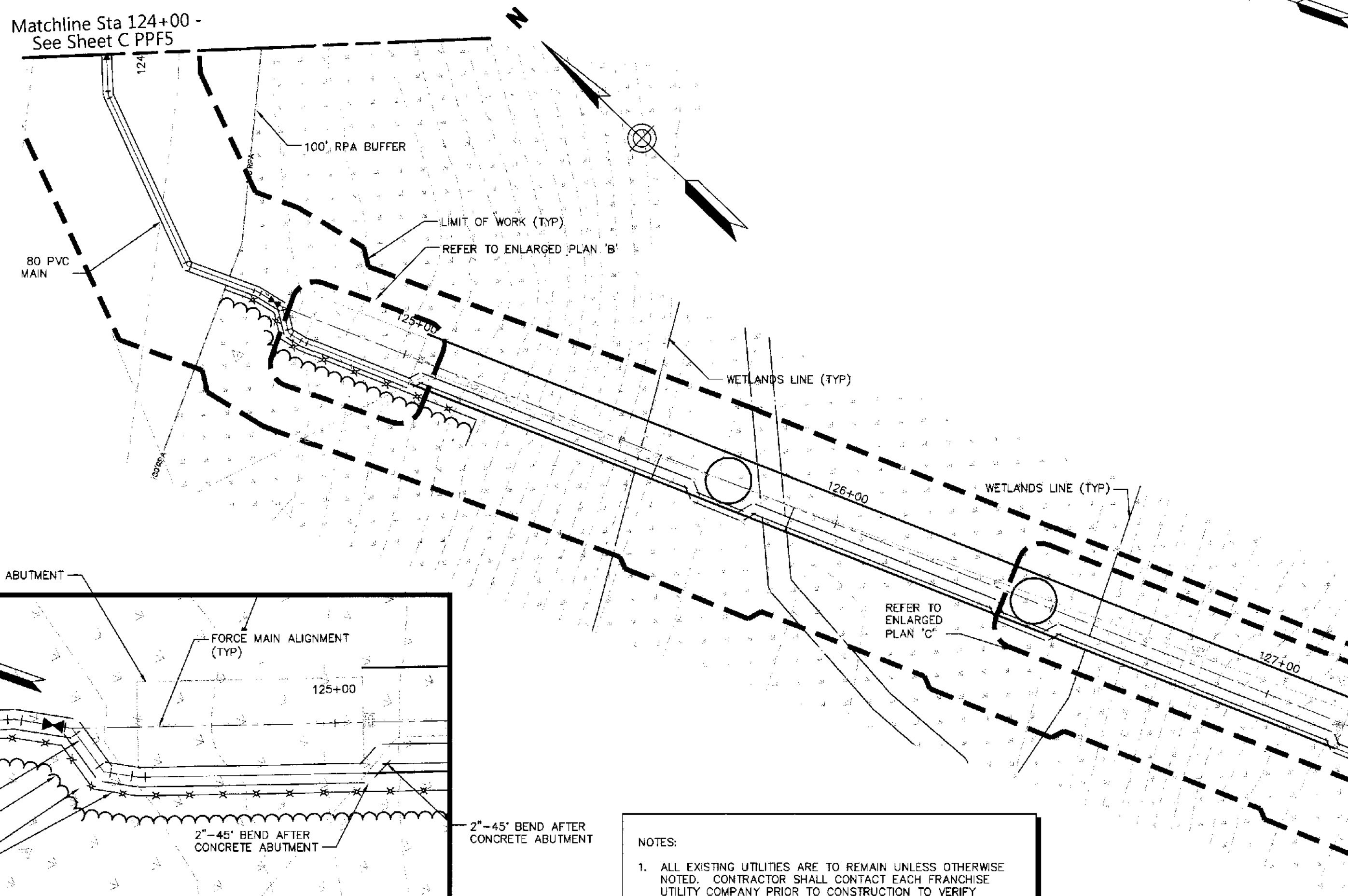
Enlarged Plan 'C'

Scale: 1"=10'



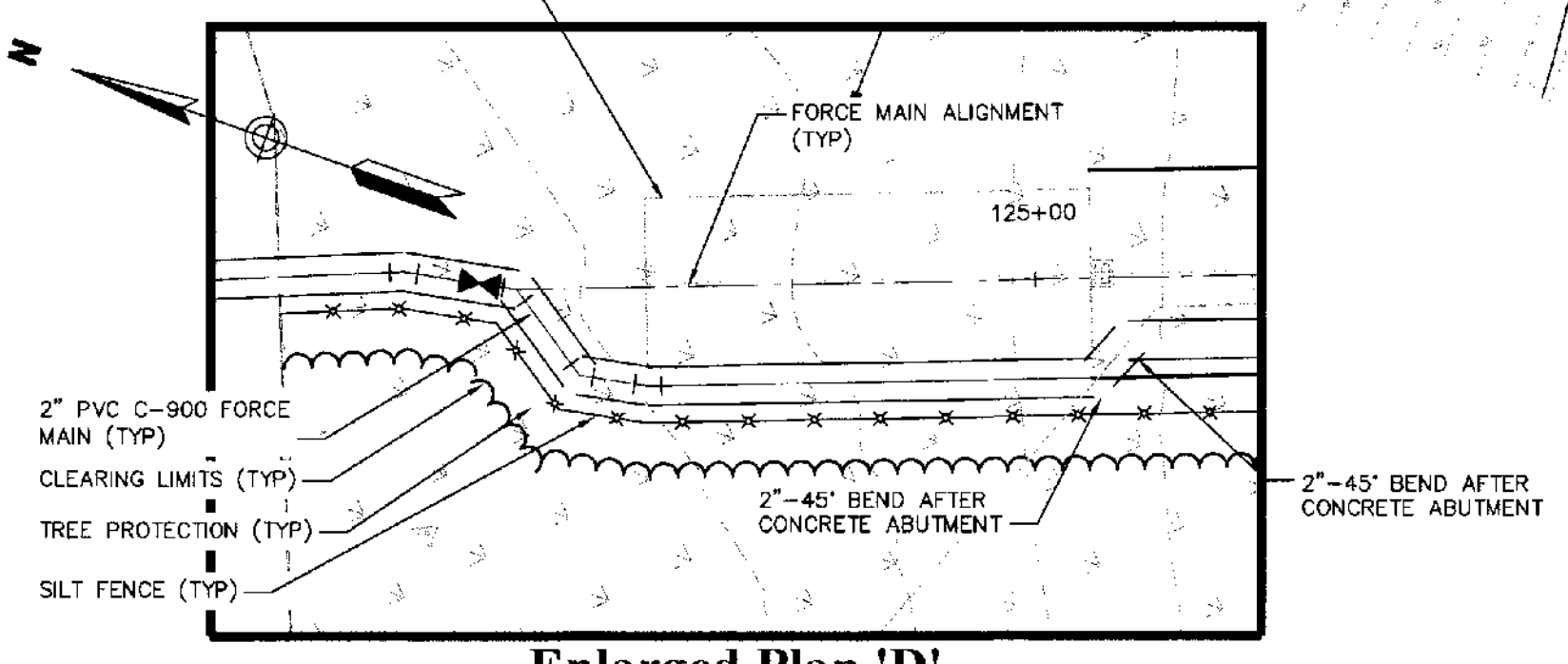
Enlarged Profile 'C'

Horizontal Scale: 1"=10'; Vertical Scale: 1"=10'



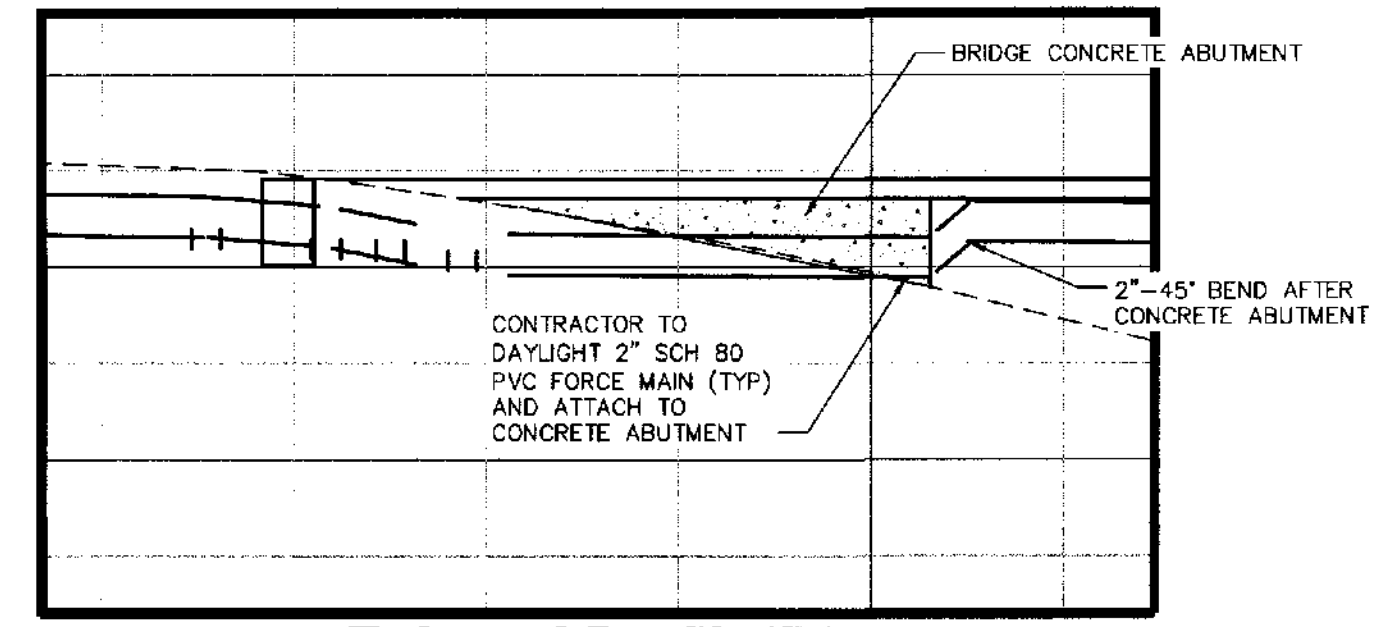
Plan View - Sta 124+00 thru Sta 129+50

Scale: 1"=20'



Enlarged Plan 'D'

Scale: 1"=10'



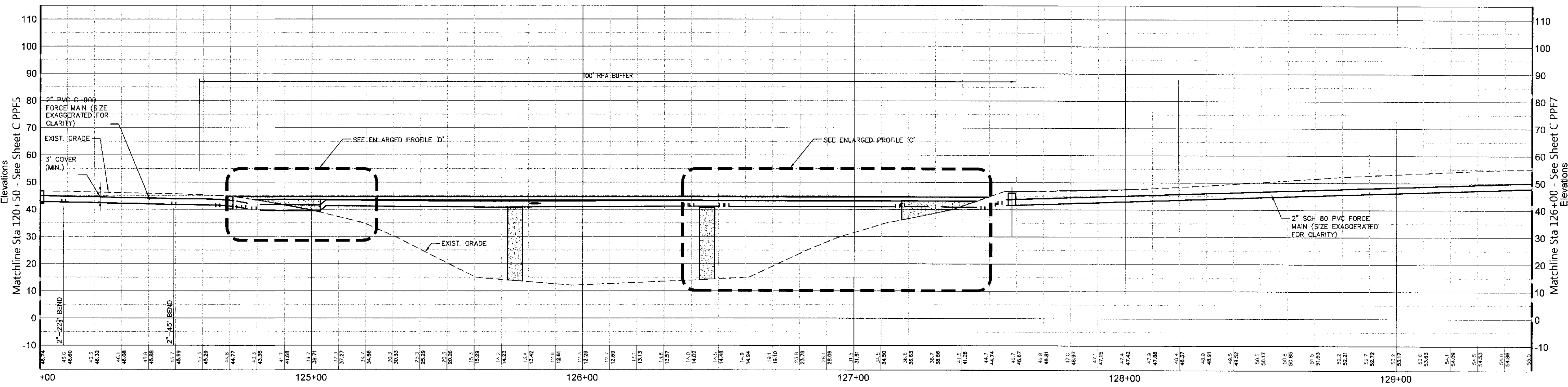
Enlarged Profile 'D'

Horizontal Scale: 1"=10'; Vertical Scale: 1"=10'

- NOTES:**
1. ALL EXISTING UTILITIES ARE TO REMAIN UNLESS OTHERWISE NOTED. CONTRACTOR SHALL CONTACT EACH FRANCHISE UTILITY COMPANY PRIOR TO CONSTRUCTION TO VERIFY HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION.
 2. ALL PROPOSED SANITARY SEWER SHOWN HEREON ARE TO BE PRIVATELY OWNED AND MAINTAINED.
 3. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO CONSTRUCT FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 4. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO OPERATE FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 5. CONTRACTOR TO COORDINATE POWER AND EMERGENCY GENERATOR CONNECTION TO THE GRINDER PUMPS AND PANEL LOCATION WITH ELECTRICAL ENGINEER AND ELECTRICAL DRAWINGS.
 6. ALL PRIVATE UNDERGROUND STORAGE TANKS SHALL HAVE LEAK MONITORS AND SECONDARY CONTAINMENT UNIT AS REQUIRED BY VIRGINIA STATE DEQ REGULATIONS.

NOTE: GRINDER PUMP AND FORCEMAIN DESIGN MEET ALL VIRGINIA DEPARTMENT OF HEALTH SEWAGE COLLECTION AND TREATMENT (S.C.A.T.) REGULATIONS.

CONTRACTOR SHALL RESTRAIN PIPE AT FITTINGS BASED ON LENGTH SPECIFIED IN UCSA DWS NO. JR-1 (SEE DETAIL SHEET)



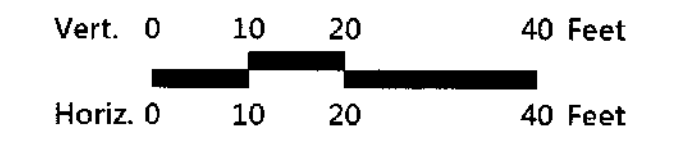
Profile View - Sta 124+00 thru Sta 129+50

Horizontal Scale: 1"=20'; Vertical Scale: 1"=20'

Sheet Index
Not to Scale

Pavement Legend

	LIMITS OF WETLANDS/100' RPA BUFFER
	UTILITY EASEMENTS
	ARCHEOLOGICAL SITE
	GRAVE SITE EASEMENTS



**Carter's Grove Plantation
Sitewide Sanitary Sewer
System**

Pocahontas Trail
Williamsburg, Virginia

No.	Revision	Date	App'd.

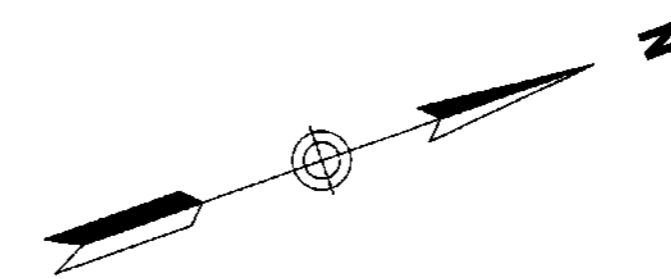
Not Approved for Construction
Plan and Profile



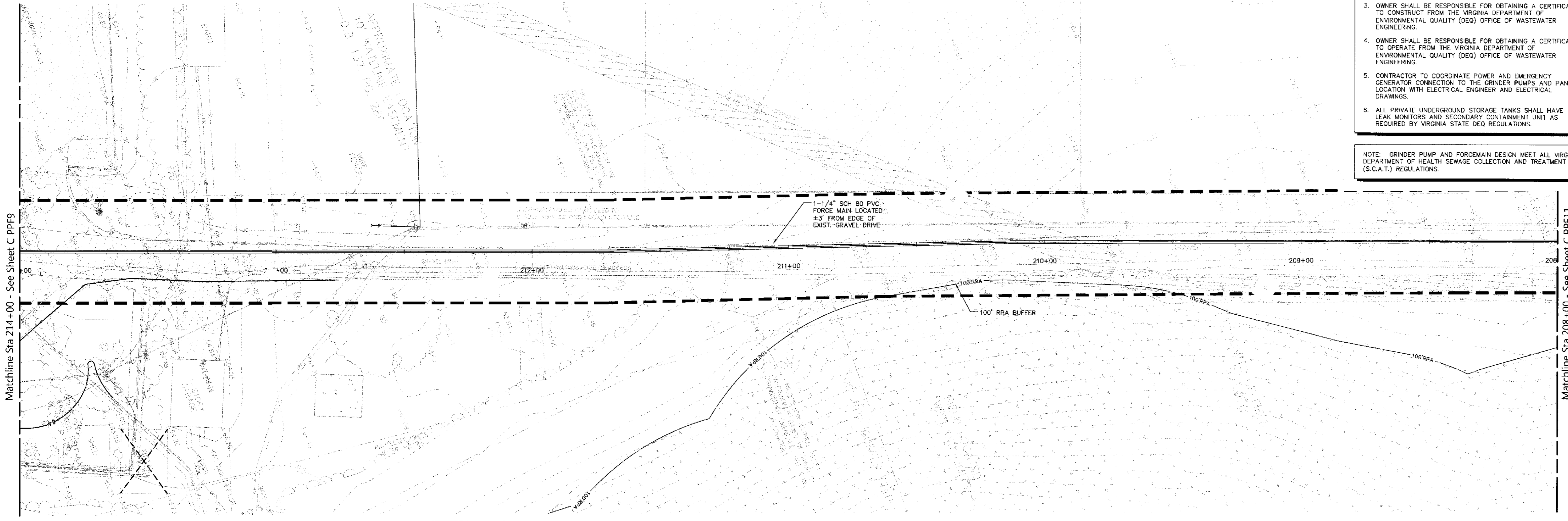
C PPF6

Sheet 12 of 29

Project Number
34122.04

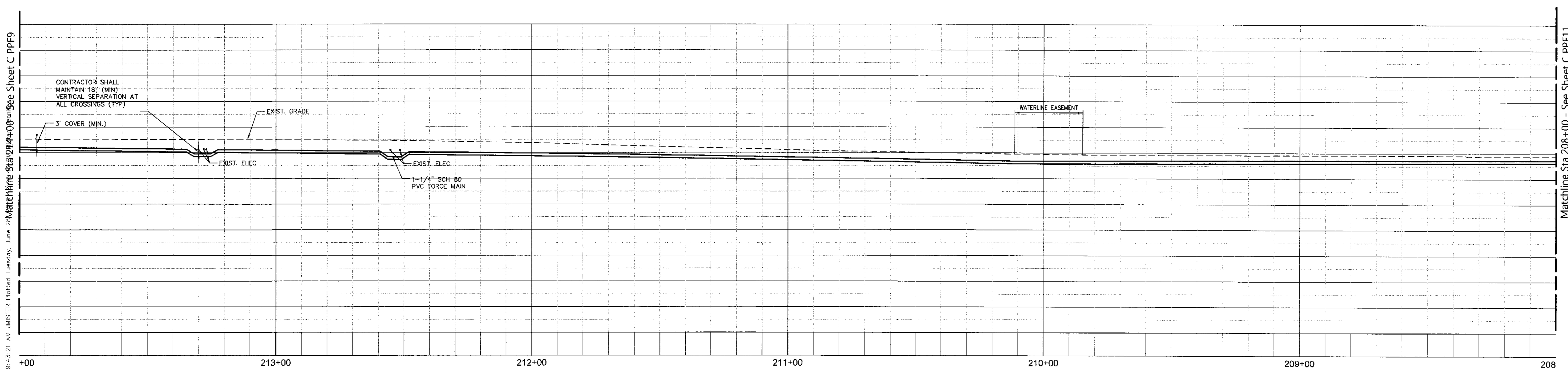


- NOTES:**
1. ALL EXISTING UTILITIES ARE TO REMAIN UNLESS OTHERWISE NOTED. CONTRACTOR SHALL CONTACT EACH FRANCHISE UTILITY COMPANY PRIOR TO CONSTRUCTION TO VERIFY HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION.
 2. ALL PROPOSED SANITARY SEWER SHOWN HEREON ARE TO BE PRIVATELY OWNED AND MAINTAINED.
 3. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO CONSTRUCT FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 4. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO OPERATE FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 5. CONTRACTOR TO COORDINATE POWER AND EMERGENCY GENERATOR CONNECTION TO THE GRINDER PUMPS AND PANEL LOCATION WITH ELECTRICAL ENGINEER AND ELECTRICAL DRAWINGS.
 6. ALL PRIVATE UNDERGROUND STORAGE TANKS SHALL HAVE LEAK MONITORS AND SECONDARY CONTAINMENT UNIT AS REQUIRED BY VIRGINIA STATE DEQ REGULATIONS.
- NOTE:** GRINDER PUMP AND FORCEMAIN DESIGN MEET ALL VIRGINIA DEPARTMENT OF HEALTH SEWAGE COLLECTION AND TREATMENT (S.C.A.T.) REGULATIONS.



Plan View - Sta 214+00 thru Sta 208+00
Scale: 1"=20'

CONTRACTOR SHALL RESTRAIN PIPE AT FITTINGS BASED ON LENGTH SPECIFIED IN JCSA DWG NO. JR-1 (SEE DETAIL SHEET)



Profile View - Sta 214+00 thru Sta 208+00
Horizontal Scale: 1"=20'; Vertical Scale: 1"=20'

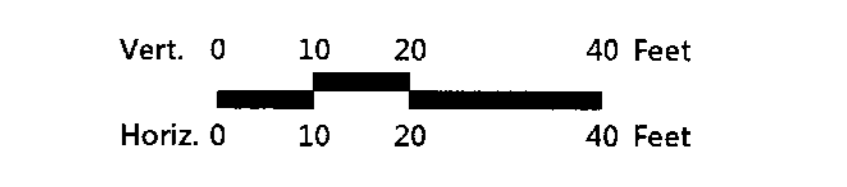
vhb.com

351 McLaws Circle
Suite 3
Williamsburg, VA 23185
757.220.0500

Sheet Index
Not to Scale

Pavement Legend

- LIMITS OF WETLANDS/100' RPA BUFFER
- UTILITY EASEMENTS
- ARCHEOLOGICAL SITE
- GRAVE SITE EASEMENTS



**Carter's Grove Plantation
Sitewide Sanitary Sewer
System**

Pocahontas Trail
Williamsburg, Virginia

No.	Revision	Date	App'd

Site Plan Approval
June 29, 2016

Not Approved for Construction

Plan and Profile

Drawing Number

COMMONWEALTH OF VIRGINIA
Professional Engineer
POL SWIETCZOWSKI
Lic. No. 044606
06/29/2016

C PPF10

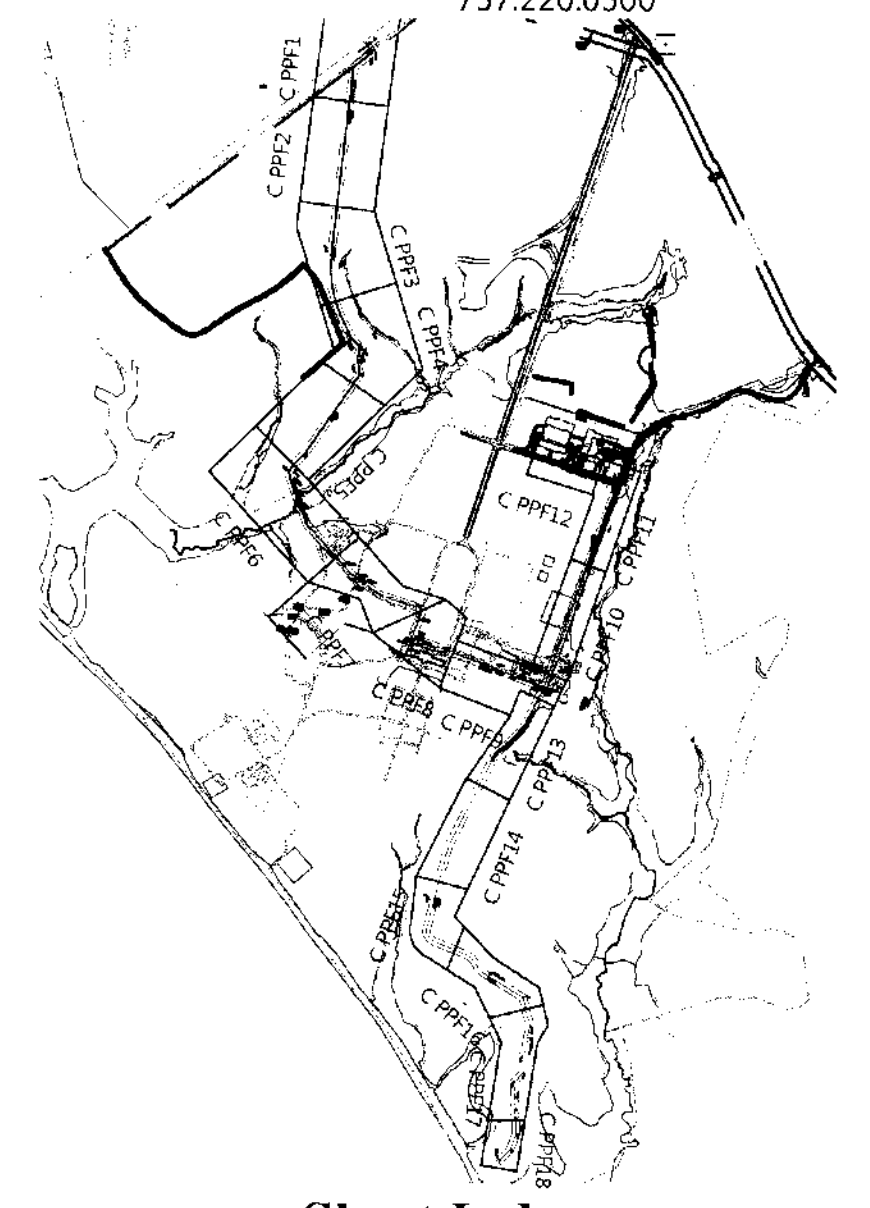
Sheet 16 of 29

Project Number
34122.04

S:\proj\Williamsburg\34122.04 CG Sitewide_Sa-itory\Sys\cod\Plan\3412204-PPF1_recover_recover00-1.dwg
 June 28, 2016 9:43:21 AM JMW:TER (noted) June 28, 2016 9:43:21 AM JMW:TER (noted) June 28, 2016 9:43:21 AM JMW:TER (noted)



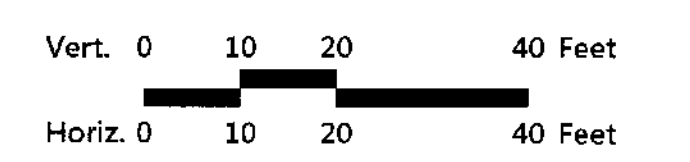
351 McLaws Circle
Suite 3
Williamsburg, VA 23185
757.220.0500



Sheet Index
Not to Scale

Pavement Legend

	LIMITS OF WETLANDS/100' RPA BUFFER
	UTILITY EASEMENTS
	ARCHEOLOGICAL SITE
	GRAVE SITE EASEMENTS



Carter's Grove Plantation
Sitewide Sanitary Sewer
System

Pocahontas Trail
Williamsburg, Virginia

No.	Revisions	Date	Appr'd.

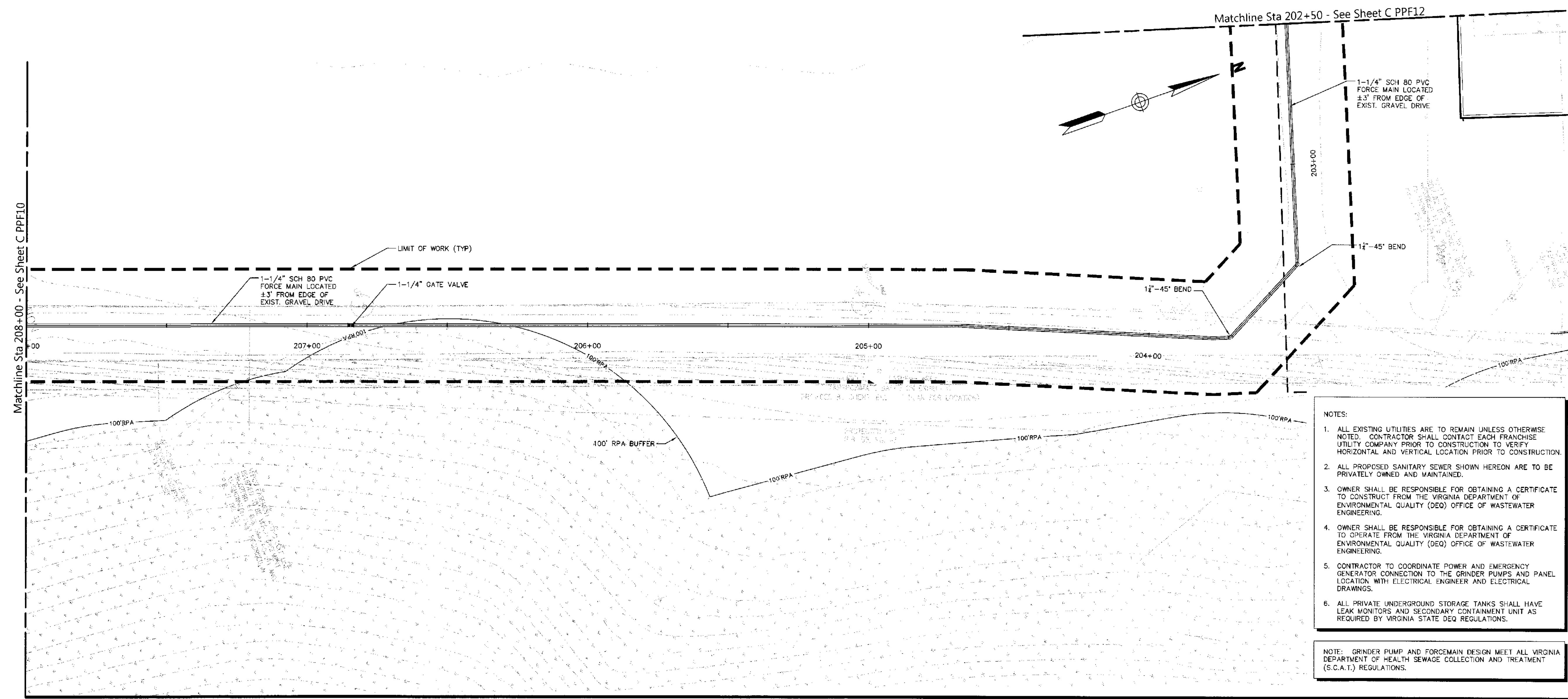
Issued for: **Site Plan Approval** Date: **June 29, 2016**

Not Approved for Construction
Plan and Profile

Drawing Number: **C PPF11**

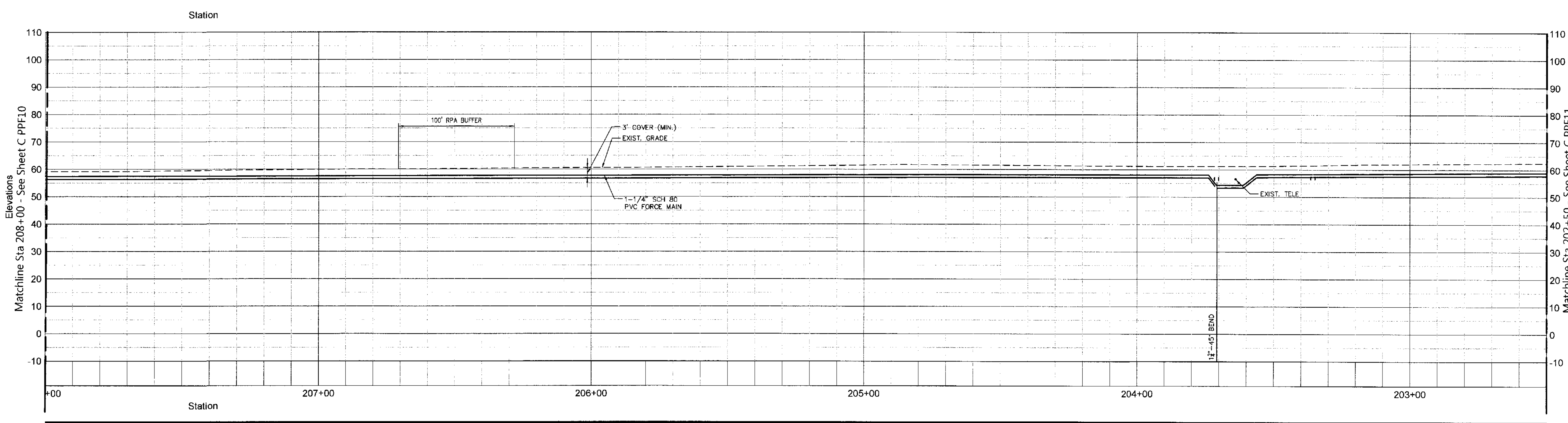
Sheet 17 of 29

Project Number: 34122.04



Plan View - Sta 208+00 thru Sta 202+50
Scale: 1"=20'

- NOTES:
1. ALL EXISTING UTILITIES ARE TO REMAIN UNLESS OTHERWISE NOTED. CONTRACTOR SHALL CONTACT EACH FRANCHISE UTILITY COMPANY PRIOR TO CONSTRUCTION TO VERIFY HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION.
 2. ALL PROPOSED SANITARY SEWER SHOWN HEREON ARE TO BE PRIVATELY OWNED AND MAINTAINED.
 3. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO CONSTRUCT FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 4. OWNER SHALL BE RESPONSIBLE FOR OBTAINING A CERTIFICATE TO OPERATE FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OFFICE OF WASTEWATER ENGINEERING.
 5. CONTRACTOR TO COORDINATE POWER AND EMERGENCY GENERATOR CONNECTION TO THE GRINDER PUMPS AND PANEL LOCATION WITH ELECTRICAL ENGINEER AND ELECTRICAL DRAWINGS.
 6. ALL PRIVATE UNDERGROUND STORAGE TANKS SHALL HAVE LEAK MONITORS AND SECONDARY CONTAINMENT UNIT AS REQUIRED BY VIRGINIA STATE DEQ REGULATIONS.
- NOTE: GRINDER PUMP AND FORCEMAIN DESIGN MEET ALL VIRGINIA DEPARTMENT OF HEALTH SEWAGE COLLECTION AND TREATMENT (S.C.A.T.) REGULATIONS.



Profile View - Sta 208+00 thru Sta 202+50
Horizontal Scale: 1"=20'; Vertical Scale: 1"=20'



**Community Development
Engineering and Resource
Protection Division**

P O Box 8784
Williamsburg, VA 23187
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

July 20, 2016

RE: CBE-17-003 – 8797 Pocahontas Trail
Sanitary sewer connections

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 Carters Grove Associates, LLC, for encroachment into the Resource Protection Area (RPA) associated with proposed sanitary sewer connections at 8797 Pocahontas Trail. The property is further identified by James City County Real Estate as Parcel No. 5910100030.

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 on **Wednesday, August 10, 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: Carters Grove Associates, LLC
VHB

Mailing List for: CBE-17-003 – 8797 Pocahontas Trail - Carters Grove SP-0056-2016

Owner - 5910100030
Carters Grove Associates LLC
70 West Madison Ste 4600
Chicago, IL 606024215

VHB, Inc
351 McLaws Circle, Suite 3
Williamsburg, VA 23188

5820100002 - 250 Ron Springs Dr
Carters Grove Associates LLC

5910200018I
5910200018D - 132 Ron Springs Dr
Joshua C Palmer, Jr
138 Ron Springs Drive
Williamsburg, VA 231856014

5910200018F - 136 Ron Springs Dr
5910200018E - 134 Ron Springs Dr
Joshua C Palmer Estate
130 Ron Springs Drive
Williamsburg, VA 231856014

5910200018A - 128 Ron Springs Dr
5910200018C - 126 Ron Springs Dr
Ethelyn Springs Estate
2915 Snuggles Court
Toano, VA 231688943

5910200018K - 124 Ron Springs Dr
Hans W Moser
3023 Edgewood Ave
Parkville, MD 212344108

5910200018J
Davis Whittaker
122 Ron Springs Drive
Williamsburg, VA 231856014

5910200018
Mitchell & Stephanie Howard
120 Ron Springs Drive
Williamsburg, VA 231856014

5910200019
Cornelius Palmer
118 Ron Springs Drive
Williamsburg, VA 231856014

5910100028 - 200 Ron Springs Dr
5910100029 - 150 Ron Springs Dr
Colonial Investors, Inc
PO Box 1165
Williamsburg, VA 231871165

5910200018H - 140 Ron Springs Dr
Randy Remillard
16900 Holly Point Rd
Williamsburg, VA 231857643

5910200008 - 114 Ron Springs Dr
Milton Cook & Norrise Williams
114 Magruder Ave
Williamsburg, VA 23185

5910200007A - 112 A Ron Springs Dr
Colonial Pipeline Co, Inc
945 East Paces Ferry Rd
Alpharetta, GA 300091624

5910200007D - 110 Ron Springs Dr
Marjorie Lee Bannister
606 Tam O Shanter Blvd
Williamsburg, VA 231855922

5910200006 - 104 Ron Springs Dr
5910200006A - 8751 Pocahontas Tr
Alfred Wallace Sr &
104 Ron Springs Drive
Williamsburg, VA 231856007

5910100011 - 8732 Pocahontas Tr
George Wallace Jr, K Harrison & N Addison
3 Colonnade Ct
Hampton, VA 236666025

5910100017 - 8736 Pocahontas Tr
5910100018 - 8744 Pocahontas Tr
Keenan Palmer
117 Church Street
Williamsburg, VA 231856001

5910100019 - 8750 Pocahontas Tr
Margaret Scarborough
8750 A Pocahontas Trail
Williamsburg, VA 231856027

5910100020 - 8758 Pocahontas Tr
Carters Cove, Inc
c/o George M Hudgins, Jr
203 The Maine
Williamsburg, VA 231851458

5910100021 - 8766 Pocahontas Tr
Colonial Williamsburg Foundation
c/o Peg Waite
PO Box 1776
Williamsburg, VA 231871776

5920100001 - 10 Gray Gables Dr
Newport Datsun
c/o Jacquelyn Q. Crumpler
PO Box 1219
Kitty Hawk, NC 279491219

5910100023
Kenneth Bradby Jr
8774 Pocahontas Trail
Williamsburg, VA 231856025

5910100024A - 8776 Pocahontas Tr
SEJ Asset Management & Investment
Company
1722 Routh St, Ste 1000
Dallas, TX 752012506

5910600001A - Genevieve Tr
Chestnut Grove Development LLC
264 McLaws Circle, Ste H
Williamsburg, VA 23185

5910100025 - 8792 Pocahontas Tr
Arndt Family Revocable Living Trust
Janice Arndt Trustee
4 Staples Road
Williamsburg, VA 231855529

5910100027
Grove Christian Outreach Center
8800 Pocahontas Trail
Williamsburg, VA 231856247

5920100003 - 8810 Pocahontas Tr
Heritage Mobile Home Village, Inc
125 Burgess St
Williamsburg, VA 23185

5910400001A - 1900 Algonquin Tr
Pocahontas Square Townhouse Assoc, Inc
2310 Tower Place Ste 105
Hampton, VA 236662481

5910400001B - 1899 Algonquin Tr
Pocahontas Square Townhouse Assoc, Inc
15064 Carrollton Blvd, Ste H
Carrollton, VA 233143577

5920300001A
Brookside Haven Home-Owners
Association, Inc
8979 Pocahontas Trail
Williamsburg, VA 231856243

5920100046 - 8901 Pocahontas Tr
Williamsburg-James City
County School Board
Williamsburg, VA 231878784

5920100051
DYARRCC, Inc
1708 Endeavor Drive
Williamsburg, VA 231856239

5920100059 - 1716 Endeavor Dr
Williamsburg Development Inc
c/o Victoria Gussman/BHS
P O Box 1776
Williamsburg, VA 231871776

5920100052 - 1720 Endeavor Dr
Coastal Federal Credit Union
1000 St Albans Dr, Ste 200
Raleigh, NC 276097348

5920100054
Montrose, LLC
1737 Endeavor Drive
Williamsburg, VA 231856246

5940100003 - 8961 Pocahontas Tr

BASF Corporaton

100 Park Avenue

Florham Park, NJ 079321049



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD PUBLIC HEARINGS **WEDNESDAY AUGUST 10, 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 CASE:

W-21-16/VMRC 16-0970: Thomas Tucker has applied for a wetlands permit to construct a concrete boat ramp at 2030 Bush Neck Road, JCC Parcel No 3420100002A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASE:

CBE-17-003: Carters Grove Associates, LLC has filed an exception request for encroachment into the RPA buffer for sanitary sewer connections at 8797 Pocahontas Trail, JCC Parcel No 5910100030.

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 – July 27, and August 3, 2016.
ACCOUNT NO.: 0011040200 - VIRGINIA GAZETTE

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

RESOLUTION

CASE NO. CBE-17-003. 8797 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Vanasse Hangen Brustlin, Inc., on behalf of Carter's Grove Associates LLC (the "Applicant"), has applied to the Chesapeake Bay Board of James City County (the "Board") on August 10, 2016, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property identified as James City County Real Estate Tax Parcel No. 5910100030 and further identified as 8797 Pocahontas Trail (the "Property") as set forth in the application CBE-17-003 for the construction of an on-site sanitary sewer force main with multiple pump stations; 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-0056-2016, once approved; and
 - c. This exception request approval shall become null and void if construction has not begun by August 10, 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 10th day of August, 2016.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CBE-17-3-8797PocahontasTrl-res

ITEM SUMMARY

DATE: 8/10/2016

TO: The Chesapeake Bay Board

FROM: Scott J. Thomas, Director of Engineering and Resource Protection

SUBJECT: General Programs Update

End of fiscal year FY16 annual report provided for Wetlands and Chesapeake Bay Preservation Area (CBPA) program activities. Also includes other general updates and information on County nonpoint source pollution programs.

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	FY16 - Annual Report	Staff Report

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay	Thomas, Scott	Approved	8/3/2016 - 10:57 AM
Chesapeake Bay	Thomas, Scott	Approved	8/3/2016 - 10:58 AM
Publication Management	Burcham, Nan	Approved	8/3/2016 - 11:14 AM
Chesapeake Bay	Secretary, ChesBay	Approved	8/3/2016 - 1:15 PM

MEMORANDUM

DATE: August 10, 2016
TO: The Chesapeake Bay Board
FROM: Scott J. Thomas, Director of Engineering and Resource Protection
SUBJECT: General Programs Update

The following is an update to the Chesapeake Bay Board on a variety of items related to the County's nonpoint source pollution programs.

Fiscal Year FY 16 - Annual Report

Attached is the end of fiscal year Annual Report on case activity associated with the County's Wetlands and Chesapeake Bay Preservation Area (CBPA) programs. The report includes summaries on administrative cases processed by staff and formal cases that are considered by the County's Wetlands and Chesapeake Bay Boards. Cases considered by the Boards must be publicly advertised and there must be opportunity for public hearing. In years past, the Annual Report was presented at the Board meeting under matters of special privilege. Last year and again this year, the report is being provided as an attachment to the Board packets. Of course, if there are any questions about the FY 16 performance measures, staff would be happy to answer any questions at the August 10 meeting.

New Staff Member

On August 1, 2016, the vacancy our division had for an inspector position due to the retirement of Gregory Johnson was filled by the hiring of Ms. Ashley Tatge. Ms. Tatge has a Masters of Environmental Studies from VCU and a Bachelor of Science in biological science from Illinois State University. She worked as an Environmental Outreach Intern for the Chesterfield County Department of Environmental Engineering and held various safety and quality control positions for Elgiloy Specialty Metals in Elgin, IL and Yorktown, VA. Ms. Tatge will start as an Inspector I with the division. This entry-level inspector position traditionally would not have much interaction initially with the Wetlands and Chesapeake Bay Boards, but as she works through the training and professional development process the division has with the inspections career ladder eventually this may change.

MS4 Program Audit

On July 5, 2016, the County was notified by the Municipal Separate Storm Sewer System (MS4) Compliance Coordinator with the Virginia Department of Environmental Quality (DEQ) that the County would undergo an audit of its MS4 Program on July 14, 2016. The purpose of the audit is to assess the County's compliance with the state MS4 General Permit (Chapter 890) regulations and the County's issued MS4 Permit (VAR040037). Following a kickoff meeting held with multiple County department and division personnel, the whole day was dedicated to explaining County efforts to satisfy each of the six Minimum Control Measures (MCMs) within the MS4 Permit. County Engineering and Resource Protection and County Stormwater Division staff actively participated in the day's discussions with the DEQ MS4 Compliance Coordinator. Site visits were conducted including a walk-through of the County's Tewning Road municipal site and two active construction (land disturbing) projects. The Division's participation and responsibility mainly focused on MCM #4, construction site stormwater runoff control and MCM #5, post construction stormwater management in new development and redevelopment.

On July 26, 2016 the DEQ MS4 Compliance Coordinator issued a preliminary report on the results of the conducted audit. Within the report there were a few corrective actions needed to be performed within 30 days and a few recommendations to improve the local MS4 Program. The corrections and recommendations offered by the DEQ were fairly simple and are relatively easy for County staff to address. For example, as it pertains to MCM #4 (construction site stormwater runoff control), the DEQ asked that when the County reports total acreage of land disturbance activity in the MS4 Annual Report (due October of each year) that reporting of regulated land disturbing activity include disturbance associated with single-family home projects.

More information about the County's MS4 permit and minimum control measures can be found on the County's Stormwater Division website at the following link: <http://www.jamescitycountyva.gov/992/MS4-Permit>.

Chesapeake Bay Total Maximum Daily Load Action Plan

As there seems to be continuing questions at the Wetlands and Chesapeake Bay Board meetings about the local Chesapeake Bay Total Maximum Daily Load (TMDL) Action Plan. As a result, staff is going to provide some basic information.

The Chesapeake Bay TMDL Action Plan is a special condition (requirement) outlined in Section 1.C of the County's MS4 Permit VAR040037. The Action Plan was required, in accordance with guidance provided by the DEQ (Guidance Memorandum No. 14-2012), within 24 months after MS4 Permit coverage was issued on July 1, 2013. The County Stormwater Division took the lead on this effort along with the assistance from an experienced engineering consultant. There were several presentations made about the Chesapeake Bay TMDL Action Plan requirement, as part of the local MS4, to local elected officials during its development stage and prior to submission and DEQ approval. This included an October 22, 2013 Board of Supervisors work session, presentation at the Board of Supervisors retreat on January 25, 2014 and a Board of Supervisors work session on June 23, 2015. The draft Chesapeake Bay TMDL Action Plan report as prepared by the consultant was posted on the County website for public comment in June 2015. The detailed report is well over 100 pages in length and describes how the County will meet Chesapeake Bay TMDL pollution diet requirements by projects and other actions. The County submitted the James City County Chesapeake Bay TMDL Action Plan by cover letter and with the June 2015 version of the consultant report to the Virginia DEQ on September 28, 2015. DEQ came back with a request for more information in December 2015 and additional information as such was provided by the County in December 2015 and January 2016. Accordingly, the consultant's report dated June 2015 was revised in December 2015. The County received a letter from the DEQ in February 2016 approving the County's Chesapeake Bay TMDL Plan. The approval letter lists annual pollutant reductions for total nitrogen, total phosphorus and total suspended solids within the James and York River basins in accordance with the County's plan.

The local Chesapeake Bay TMDL Action Plan can be found on the County's Stormwater Division website at the following link: <http://www.jamescitycountyva.gov/986/Chesapeake-Bay-Total-Maximum-Daily-Load>.

Year Two Update - Virginia Stormwater Management Program

County staff has tried to keep the Chesapeake Bay Board informed of milestone happenings associated with local implementation of the Virginia Stormwater Management Program (VSMP) and the Virginia Pollutant Discharge Elimination System (VPDES) construction general permit programs. The last update was provided to the Board in September 2015.

Effective July 1, 2014, the County became a local VSMP authority and began its obligation to administer and enforce certain provisions of the state VSMP and VPDES construction general permit (VAR10) programs as delegated by the State Water Control Board and the Virginia DEQ. The local VSMP ordinance is in Article II of Chapter 8 of the County Code. Local functions generally include registering projects under the state's Stormwater Construction Permit (SWCGP) e-permit system database, collecting state and local share of fees under these programs, and continued functions of plan review, compliance inspection and enforcement as required to meet Stormwater Pollution Prevention Plan (SWPPP) requirements. An SWPPP includes a site Erosion and Sediment Control (E&SC), a Stormwater Management Plan and a Pollution Prevention Plan for project land disturbance activities.

Staff has now administered this program for just over two years with many lessons learned. Staff has incorporated many changes and improvements in the way we do business, both for plans of development and for single-family building permit applications. This includes continuing upgrades to the division's website, revising forms and checklists, the pursuit of new certification requirements under state (Chapter 850) regulations and providing the DEQ with required program reports as required. Most of the staff has taken all the required trainings and received Certificates of Competence within their respective program areas of program administration, plan review, inspections or combined administrator. This includes applying for dual certificates when both ES&C and Stormwater certifications are received. Staff conducted two workshops related to these programs this past fiscal year. One was a VSMP workshop held on December 15, 2015 and the second was a single-family lot stabilization workshop held on March 31, 2016. This past fiscal year was the first full year in which the annual permit maintenance fees were collected in accordance with local ordinance and the statewide fee schedule requirements. This process went fairly smooth and generated approximately \$28,000 in revenue, which was never realized before implementation of the VSMP.

Most of the changes associated with local implementation of the VSMP do not affect the normal workings of the County's Wetlands and Chesapeake Bay Boards. However, if they do or if they would, staff is committed to make efforts within associated with case presentations or case reports to ensure the Board(s) understand provisions of the new program/regulations which may affect a particular case. An example may be a condition on a resolution for approval which may refer to any of the new program standards or regulations, such as references to new standards for onlot runoff reduction/pollutant removal practices such as rain gardens, rainwater harvesting, permeable paving, soil amendments or conserved open space.

Chesapeake Bay Ordinance Amendments

Some general amendments to the County's Chesapeake Bay Preservation Ordinance are on the horizon. These amendments may move forward at the Board of Supervisor's regular meeting on September 13, 2016. The amendments are considered housekeeping in nature and are necessary as a result of changes in state laws and regulations.

On September 30, 2014, and March 31, 2015, the County was notified by the current Bay Act Program Liaison with the Virginia DEQ that certain revisions to local ordinances were necessary, due to changes in the state Chesapeake Bay Preservation Act §62.1-44.15:72, associated Regulations 9VAC25-830-130 and the Virginia Stormwater Management Act §62.1-44.15:27. The changes pertained to septic system inspection and pump-out requirements of the CBPA Program, the need to define "Chesapeake Bay Act land disturbing activity" as part of the local VSMP in the performance standards section of our local CBPA Ordinance, and of the need to remove potential conflicting stormwater management language present in our local CBPA Ordinance (Chapter 23), because of the adoption of the local VSMP and Ordinance. Local adoption of the VSMP and Ordinance resulted in a wholesale change to County's stormwater management design criteria. Methods outlined in the current Chesapeake Bay Preservation Ordinance Chapter 23-10(4) are no longer in use (i.e. 10-point system). New criteria is included in state law, regulations and Section 8-28 of the local VSMP Ordinance. New criteria

for stormwater management design is based on use of methods outlined in the Virginia Best Management Practice clearinghouse website, the Virginia DEQ Stormwater Design Specifications, the revised Virginia Stormwater Management Handbook and various DEQ issued guidance memorandums. For water quality, the basis is use of the Virginia Runoff Reduction Method and for water quantity the basis is use of channel protection and flood protection using the energy balance method.

In August 2015 draft Chesapeake Bay Preservation Ordinance (Chapter 23) revisions, as requested by the Virginia DEQ, were completed by the Engineering and Resource Protection Division in conjunction with the County Attorney's office. The draft ordinance revisions were then forwarded to our Bay Act liaison with the Virginia DEQ on August 19, 2015. On September 10, 2015, and then again on July 29, 2016 the County received word back from the DEQ that the draft revisions were acceptable.

Rather than bring these changes forward sooner, staff felt it was reasonable to wait until the end of the 2016 state legislative session to ensure no other revisions were necessary. In addition, there is no timetable set for the next round of state program consistency review of local programs. Program consistency reviews of the County's local E&SC, CBPA and now VSMP programs are performed by the state, in accordance with state laws and regulations, every five years. The last County CBPA Program Review was completed in June 2011 and the last E&SC Program Review was completed in April 2012. It is anticipated that these local program consistency reviews will start sometime by the end of calendar year 2017 or early 2018 (FY 18) and it is desired to complete these required ordinance amendments prior to these next program reviews.

If you have any questions about any of these general program updates, please contact me by phone at 253-6639, by email at Scott.Thomas@jamescitycountyva.gov or any of the items can be brought up during matters of special privilege. Thank you for all of your hard work and effort put forth to serve on appointed Boards/Commissions for our citizens.

SJT/nb

GenProgUpdate-mem

Attachment

1. FY16 - Annual Report

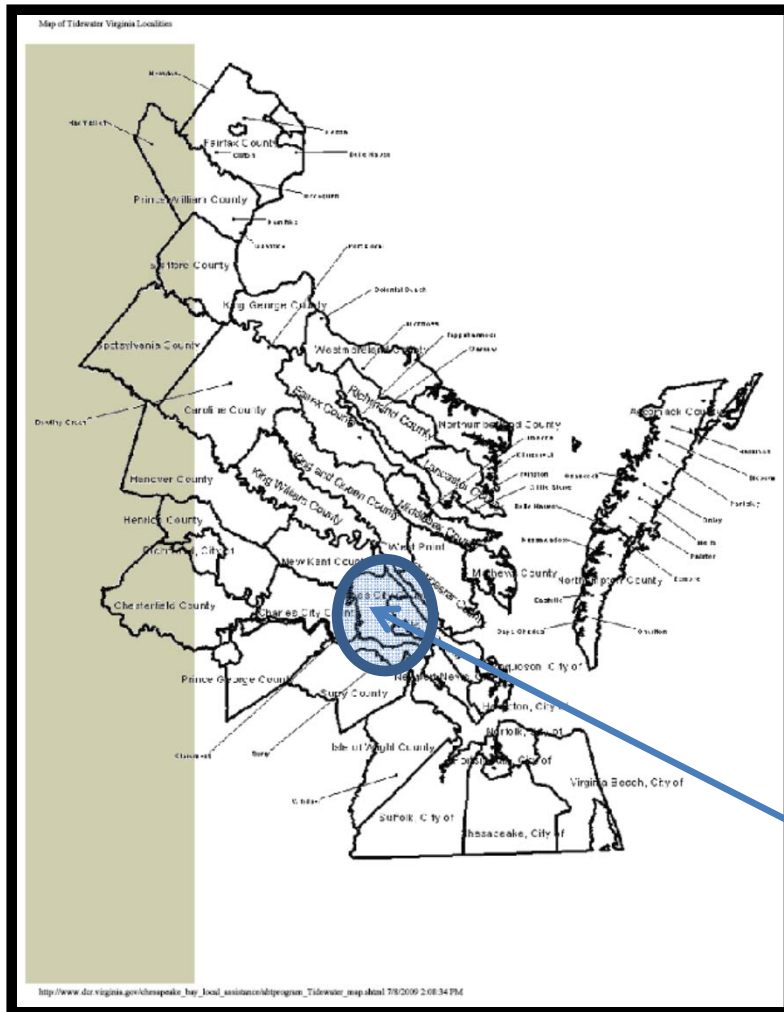


Wetlands & Chesapeake Bay Boards of James City County, Virginia

Wednesday August 10, 2016

Annual Report

Local Bay Act Program



James City County is one of 84 Virginia jurisdictions subject to the provisions of Virginia's Chesapeake Bay Preservation Act and the Chesapeake Bay Preservation Area Designation and Management Regulations.

On August 6th 1990 the County became the first Virginia locality to adopt a local Chesapeake Bay Preservation Ordinance.

James City County

Annual Report

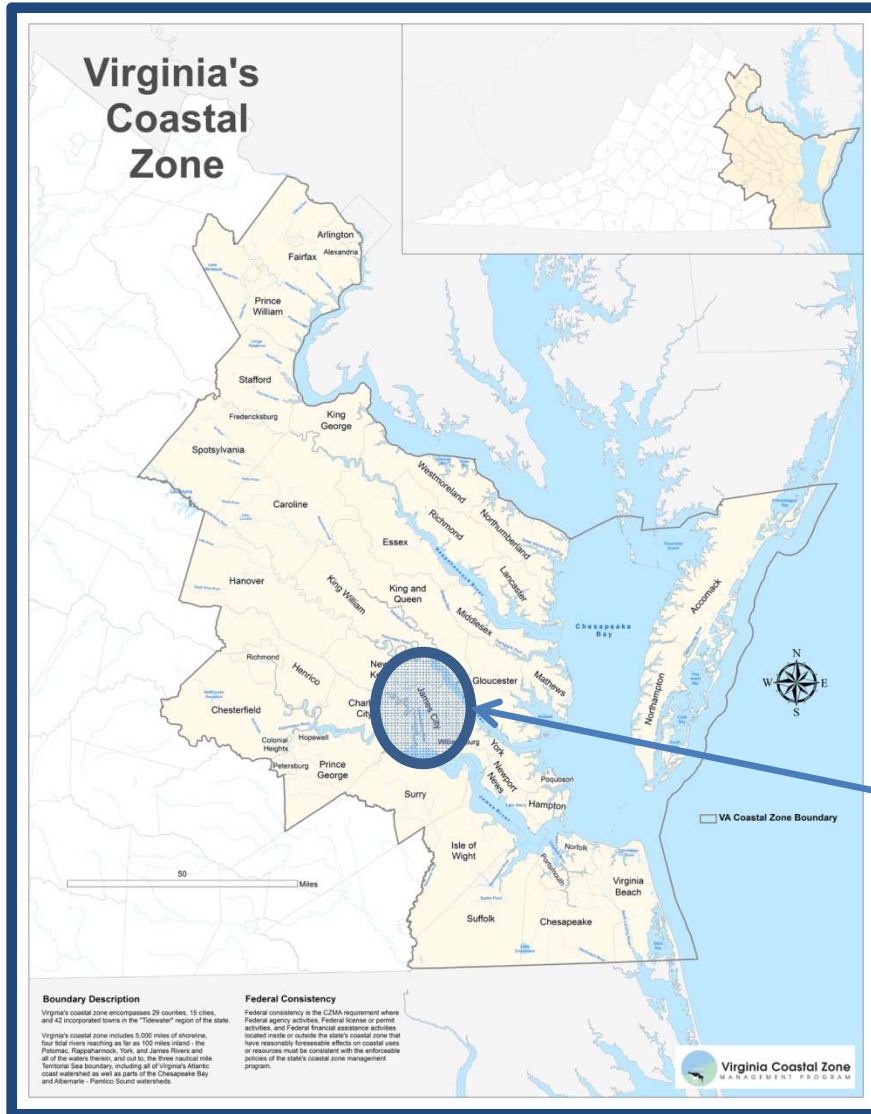


Local Chesapeake Bay Preservation Area (CBPA) Program

- **Each Tidewater locality must adopt a CBPA program based on requirements of the Chesapeake Bay Preservation Act (§62.1-44.15:67 et seq.) and the Chesapeake Bay Preservation Area Designation & Management Regulations (9VAC25-830).**
- **Program oversight is by the State Water Control Board and the Virginia Department of Environmental Quality (DEQ).**
- **Local implementation of the new Virginia Stormwater Management Program (VSMP) on July 1, 2014 does not absolve the need for a local Chesapeake Bay Preservation Area (CBPA) program. However, it does affect previous stormwater management/BMP water quality provisions which were in CBPA regulations. These changes do not affect most of the work the local Chesapeake Bay Board is involved with through the formal exception process or applications.**

*Division of Engineering
and Resource Protection*

Local Wetlands Program



James City County is one of 34 counties and cities and two towns within Virginia' coastal zone.

James City County

Division of Engineering and Resource Protection

Annual Report

Local Tidal Wetlands Program



- Chapter 13 of Title 28.2 of the Code of Virginia authorizes the Virginia Marine Resources Commission and local Wetland Board to process wetland permit applications.
- Localities who adopt a local wetlands ordinance may regulate local tidal wetlands through a citizen wetlands board with oversight from the Virginia Marine Resources Commission (VMRC).
- Chapter 22 of the County Code is our local wetlands ordinance.
- The Virginia Institute of Marine Science (VIMS) provides technical guidance related to the local tidal wetlands program.

*Division of Engineering
and Resource Protection*

Wetlands / CBPA Programs



Fiscal Year FY 16 (July 1, 2015 to June 30, 2016)

WETLAND BOARD CASES	7
WETLAND – ADMINISTRATIVE (JPA)	12
CHESAPEAKE BAY BOARD CASES	32
CBPA - ADMINISTRATIVE CASES	121

Fiscal Year FY 15 (Last Year)

WETLAND BOARD CASES	9
WETLAND – ADMINISTRATIVE (JPA)	11
CHESAPEAKE BAY BOARD CASES	25
CBPA - ADMINISTRATIVE CASES	106

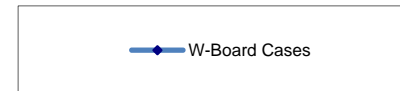
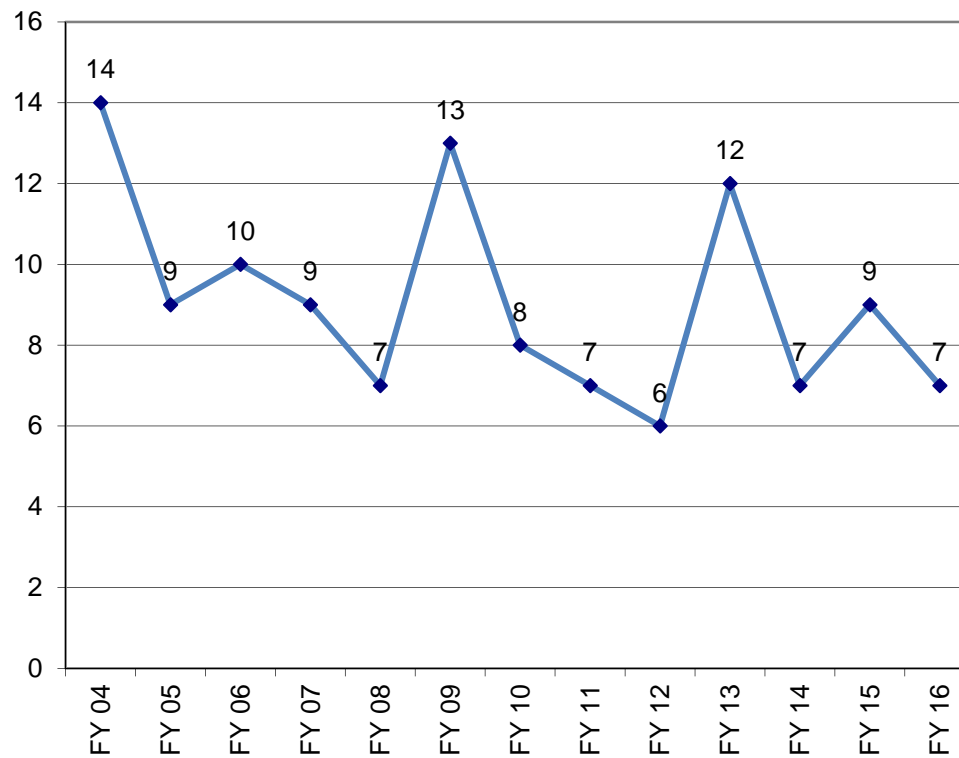
*Division of Engineering
and Resource Protection*

Wetland Board Cases



BOARD

Wetland Program - Wetland Board Cases



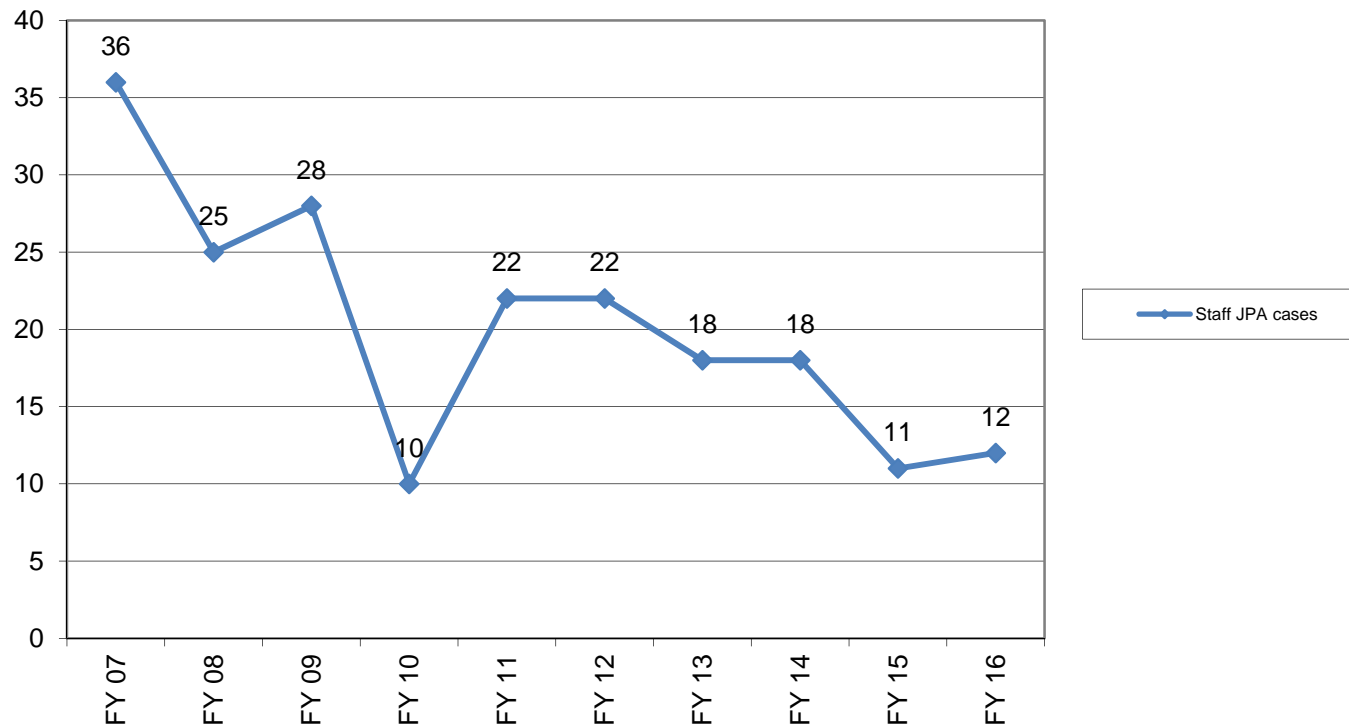
*Division of Engineering
and Resource Protection*

Wetland - Administrative (JPA) Cases



STAFF

Wetland Program - Administrative (JPA) Cases



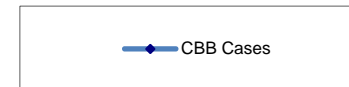
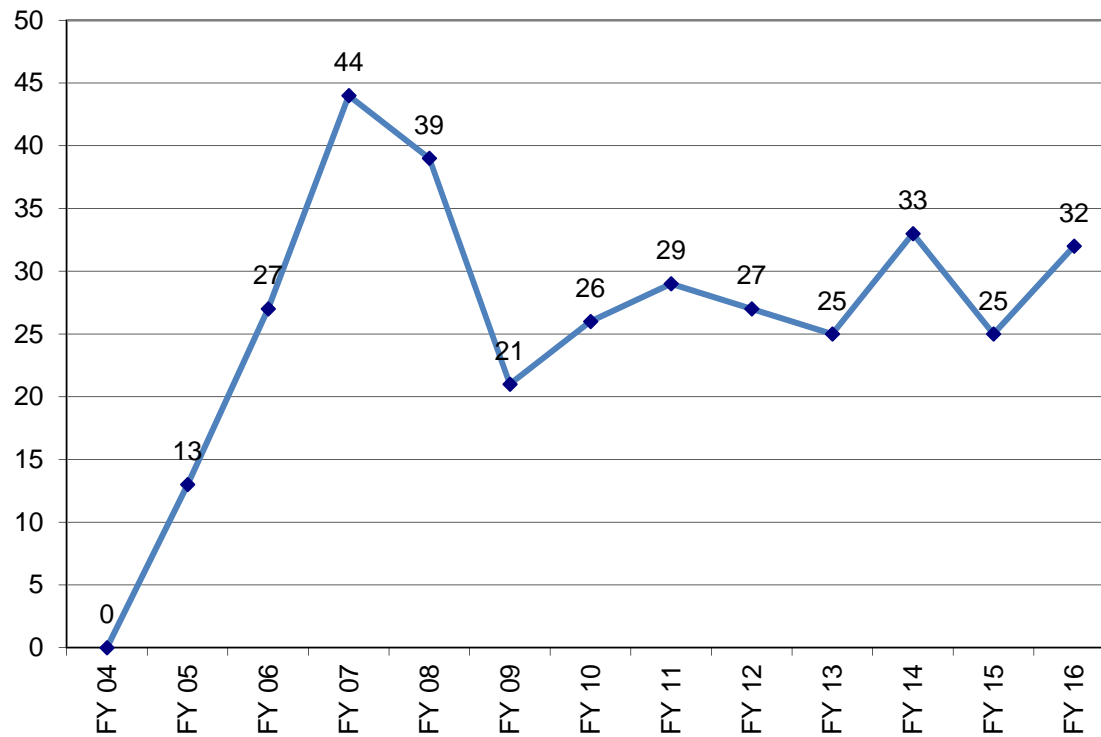
*Division of Engineering
and Resource Protection*

Chesapeake Bay Board Cases



*CBPA Program - Chesapeake Bay Board Cases
(Formal Exceptions)*

BOARD



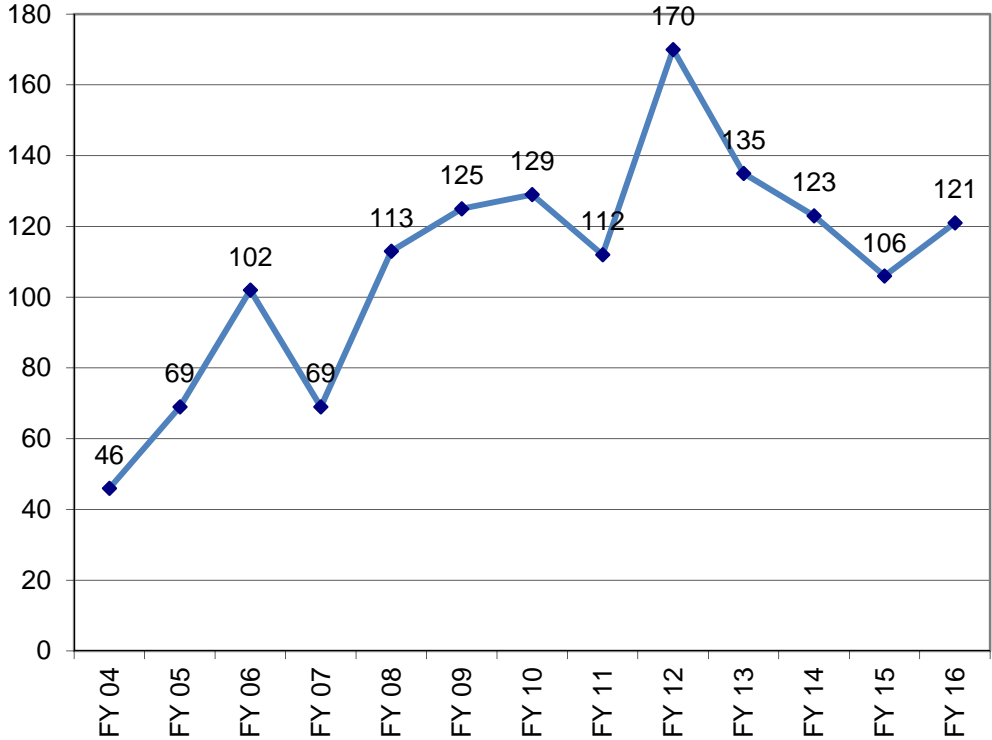
*Division of Engineering
and Resource Protection*

CBPA - Administrative



*CBPA Program - Administrative Reviews
(Chesapeake Bay Exceptions)*

STAFF



Ches Bay Admin

End of Report