

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
July 10, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes form June 12, 2019, regular meeting

D. PUBLIC HEARINGS

1. CBPA 19-0055 : 10025 Sycamore Landing Road
2. CBPA 19-0058 : 105 South Turnberry

E. BOARD CONSIDERATIONS

1. Emergency Procedures

F. MATTERS OF SPECIAL PRIVILEGE

1. Brickyard Landing

G. ADJOURNMENT

ITEM SUMMARY

DATE: 7/10/2019

TO: Chesapeake Bay Board

FROM: Michael Woolson, Chesapeake Bay Board Secretary

SUBJECT:

ATTACHMENTS:

| | Description | Type |
|---|-------------|---------|
|  | Minutes | Minutes |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|---------------------|
| Chesapeake Bay Group | Woolson, Michael | Approved | 7/3/2019 - 4:32 PM |
| Chesapeake Bay Group | Small, Toni | Approved | 7/5/2019 - 8:22 AM |
| Publication Management | Burcham, Nan | Approved | 7/5/2019 - 8:47 AM |
| Chesapeake Bay Group | Secretary, ChesBay | Approved | 7/5/2019 - 10:13 AM |

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
June 12, 2019
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for June 12, 2019, was called to order.

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

B. ROLL CALL

Board Members Present:

John Hughes
Charles Roadley, acting as Chair
Larry Waltrip
Halle Dunn, Alternate
Robert Lukens, Alternate

Board Members Absent:

David Gussman
William Apperson

Other Staff Present:

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

C. MINUTES

1. Minutes from May 8, 2019, regular meeting

The minutes from the May 8, 2019, regular meeting were approved as written.

D. PUBLIC HEARINGS

1. CBPA 19-0032 : 3884 Fox Run

Watershed Planner, Mr. Trevor Long, presented the exception request submitted by Mr. Sakthivel Anbananthan for encroachments into the Resource Protection Area (RPA) buffer for the construction of an attached garage on the property located at 3884 Fox Run, within the Fox Ridge subdivision, and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3110800050. The presentation described the

current and proposed site conditions. Staff determined the impacts associated with this project to be minor and recommended approval with the attached conditions.

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

Mr. Roadley opened the Public Hearing, as there were no more questions for the staff.

A. Mr. Sakthivel Anbananthan, property owner, outlined the project to the Board.

Mr. Roadley questioned if there were any provisions for new stormwater treatment of the impervious surface water.

Mr. Woolson stated that infiltration in this area would not work as the groundwater table is too high. He explained that there is a stormwater Best Management Practice (BMP) immediately to the north of the property.

Mr. Roadley asked if the BMP was a regional facility.

Mr. Woolson responded yes.

Mr. Hughes made a motion to adopt the resolution for Chesapeake Bay Board Case No. CBPA 19- 0032 at 3884 Fox Run.

A motion to Approve with Conditions was made by Mr. Hughes.

The motion result was:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2

Ayes: Hughes, Roadley, Waltrip, Lukens, Dunn

Absent: Gussman, Apperson

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

The meeting adjourned at 5:12 p.m.

ITEM SUMMARY

DATE: 7/10/2019

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: CBPA 19-0055 : 10025 Sycamore Landing Road

Mr. Jeffery Miller has filed an exception request for encroachments into the RPA buffer for the construction of a detached garage at 10025 Sycamore Landing Road in the Sycamore Landing subdivision, JCC Parcel 0720400007.

ATTACHMENTS:

| | Description | Type |
|---|----------------------|-----------------|
| ▣ | Staff Report | Backup Material |
| ▣ | Resolution | Resolution |
| ▣ | Site Plan | Backup Material |
| ▣ | Additional Drawings | Backup Material |
| ▣ | APO Letter | Backup Material |
| ▣ | APO Mailing List | Backup Material |
| ▣ | Public Advertisement | Backup Material |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|--------------------|
| Chesapeake Bay Group | Woolson, Michael | Approved | 7/5/2019 - 1:11 PM |
| Chesapeake Bay Group | Small, Toni | Approved | 7/8/2019 - 7:52 AM |
| Publication Management | Burcham, Nan | Approved | 7/8/2019 - 8:08 AM |
| Chesapeake Bay Group | Secretary, ChesBay | Approved | 7/8/2019 - 8:41 AM |

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 19-0055. 10025 Sycamore Landing Road
Staff Report for the July 10, 2019, Chesapeake Bay Board Public Hearing**

This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Chesapeake Bay Board to assist them in making a recommendation on this assessment. It may be useful to members of the general public interested in this assessment.

EXISTING SITE DATA AND INFORMATION

Applicant: Mr. Jeffrey Miller

Agent: None

Location: 10025 Sycamore Landing Road

Tax Map/Parcel No.: 0720400007

Parcel: Sycamore Landing

Lot Size: 1.23 acres

Area of Lot in Resource Protection Area (RPA): 0.50 acres +/- (40%)

Watershed: Ware Creek (HUC YO 62)

Floodplain: Zone AE (Elevation 7) - The special flood hazard area subject to 1% annual chance flood

Proposed Activity: Construction of a detached garage

Impervious Cover: 2,080 square feet

RPA Encroachment: 2,080 square feet, landward 50-foot RPA buffer

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Jeffrey Miller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a detached garage on property located at 10025 Sycamore Landing Road within the Sycamore Landing subdivision and the Ware Creek watershed. The property is further identified as James City County Tax Map Parcel No. 0720400007. The parcel was platted on June 10, 1926, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 1.23 acres, of which 40% is located within the RPA. The applicant has proposed the construction of a detached garage equating to 2,080 square feet of impact within the RPA. There is an existing shed along with a septic drain field located in the rear of the property and it is for this reason the proposed garage is proposed in the location shown on the site plan. The proposed detached garage will be constructed out of two conex box containers adjoined by a roof and will also serve as storage for the existing house and shed. Due to the natural grade of the property, the garage will be elevated by rear supports and a gabion retaining wall with the remainder of the area underneath to be graveled.

The applicant has not yet submitted a mitigation plan; however, County mitigation requirements for this amount of impact equate to five mitigation units. The applicant has however provided plans for a vegetated swale and a dripline irrigation trench to offset runoff from the impervious impacts from the garage. While the existing shed is not located within the RPA, the applicant has also proposed to remove the shed, therefore decreasing the amount of impervious runoff flowing into the RPA.

STAFF EVALUATION

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

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

The exception granting body is permitted to require reasonable and appropriate conditions in granting the exception request in accordance with Section 23-14. The Chesapeake Bay Board should fully consider Chesapeake Bay Exception No. CBPA 19-0055 as outlined and presented above and may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

STAFF RECOMMENDATIONS

Staff has reviewed the application and exception request and has determined the impacts associated with the proposal to be major for the proposed development. Staff does not provide a recommendation for this exception request; however, if the Board wishes to approved this request, staff recommends the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project;
2. The applicant must submit a mitigation plan that details the size, location, and name of the required plant materials, which shall be five canopy trees, 10 understory trees, and 15 shrubs or equivalent;
3. The applicant must submit a written agreement to the James City County Stormwater and Resource Protection Division committing to the removal of the existing shed on the property;
4. The applicant must submit a design for the proposed infiltration practice that meets the minimum standards and specifications of Virginia Stormwater BMP Clearinghouse Design Specification No. 8: Infiltration Practices. The design must capture at least 50% of the proposed impervious cover. This design will be reviewed and approved by staff;
5. The applicant must submit an erosion and sediment control plan for review and approval. If applicable, the applicant must apply for a land disturbing permit;
6. A surety of \$2,500 to be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney to ensure the mitigation requirements;
7. This exception request approval shall become null and void if construction has not begun by July 10, 2020; and

8. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than May 29, 2020, six weeks prior to the expiration date.

TL/nb

CBPA19-55-10025Sycamore

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-19-0055. 10025 SYCAMORE LANDING ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Jeffery Miller (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on July 10, 2019, to request an exception to use of the Resource Protection Area on property identified as James City County Real Estate Tax Parcel No. 0720400007 in the Sycamore Landing subdivision (the “Property”) as set forth in the application CBPA-19-0055 for the purpose of constructing a detached garage; 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;
 - b. The applicant must submit a mitigation plan that details the size, location, and name of the required plant materials, which shall be five canopy trees, 10 understory trees, and 15 shrubs or equivalent;

- c. The applicant must submit a written agreement to the James City County Stormwater and Resource Protection Division committing to the removal of the existing shed on the property;
- d. The applicant must submit a design for the proposed infiltration practice that meets the minimum standards and specifications of Virginia Stormwater Best Management Plan Clearinghouse Design Specification No. 8: Infiltration Practices. The design must capture at least 50% of the proposed impervious cover. This design will be reviewed and approved by staff;
- e. The applicant must submit an erosion and sediment control plan for review and approval. If applicable, the applicant must apply for a land disturbing permit;
- f. A surety of \$2,500 to be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney to ensure the mitigation requirements;
- g. This exception request approval shall become null and void if construction has not begun by July 10, 2020; and
- h. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than May 29, 2020, six weeks prior to the expiration date.

David Gussman
Chair, Chesapeake Bay Board

Michael D. Woolson
Secretary to the Board

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

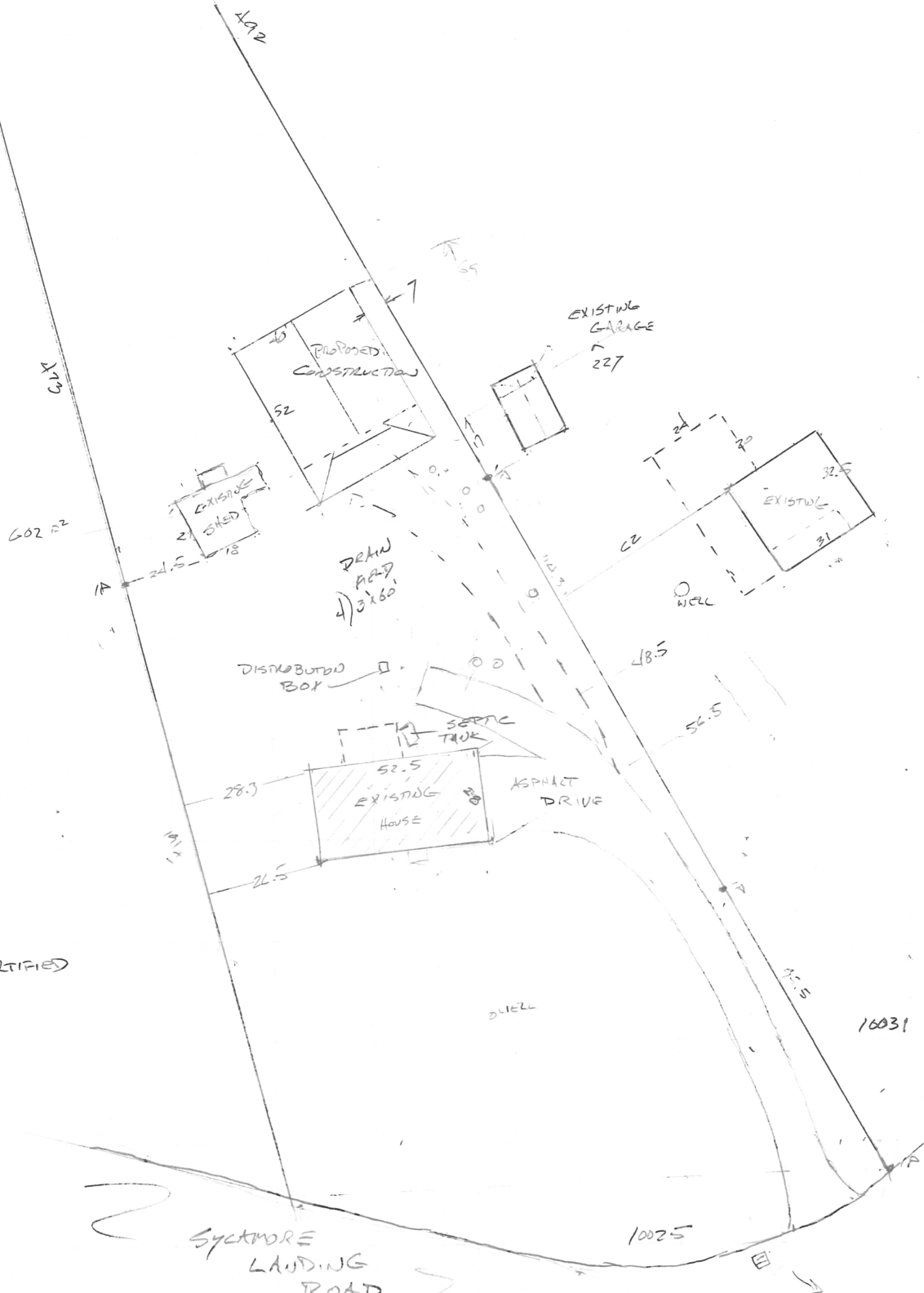
CBPA19-0055-SycamreLnd-res

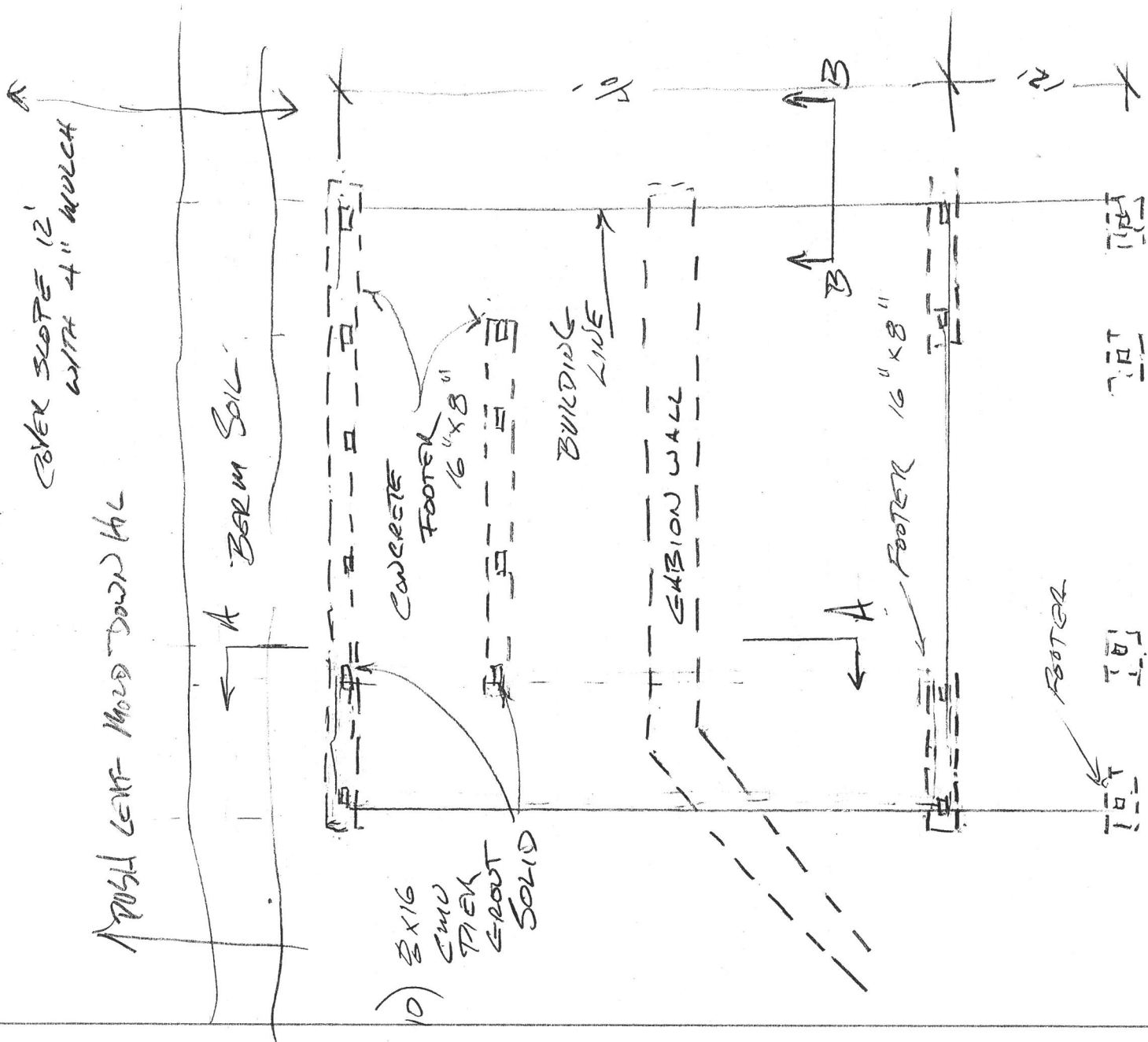
VEER & ANNE MILLER
10025 SYCAMORE-LANDING RD
WILLIAMSBURG VA 23188

NOT CERTIFIED

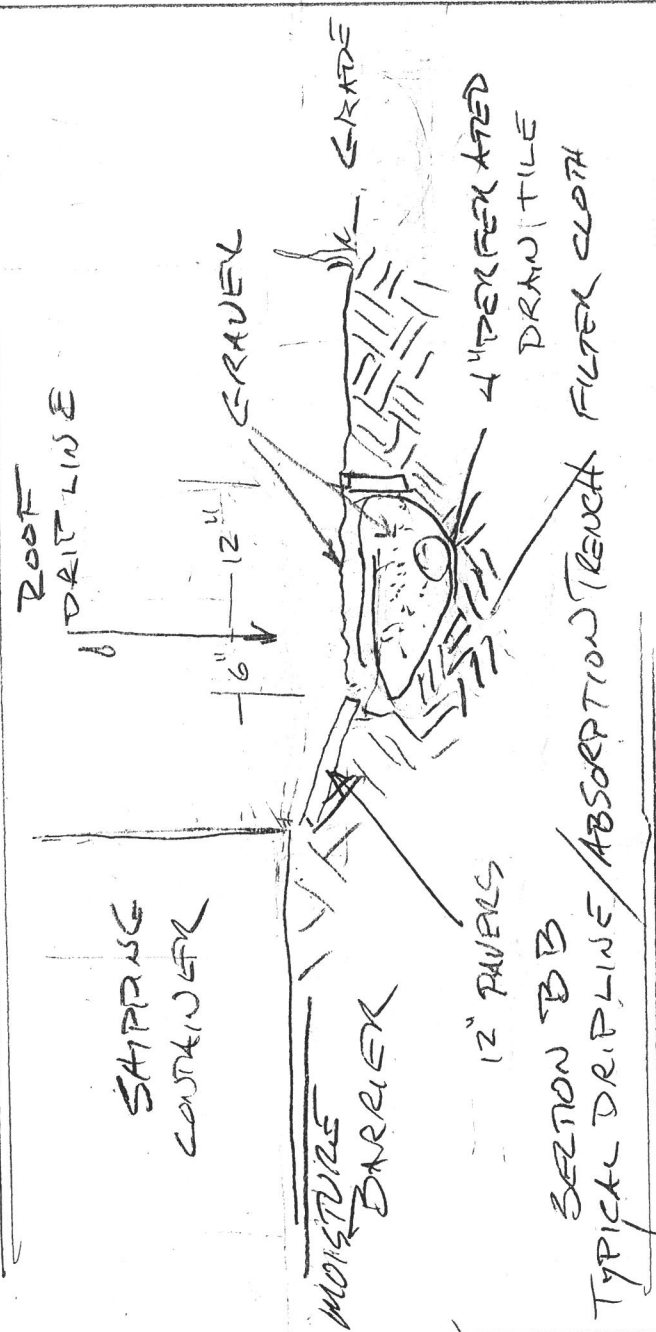
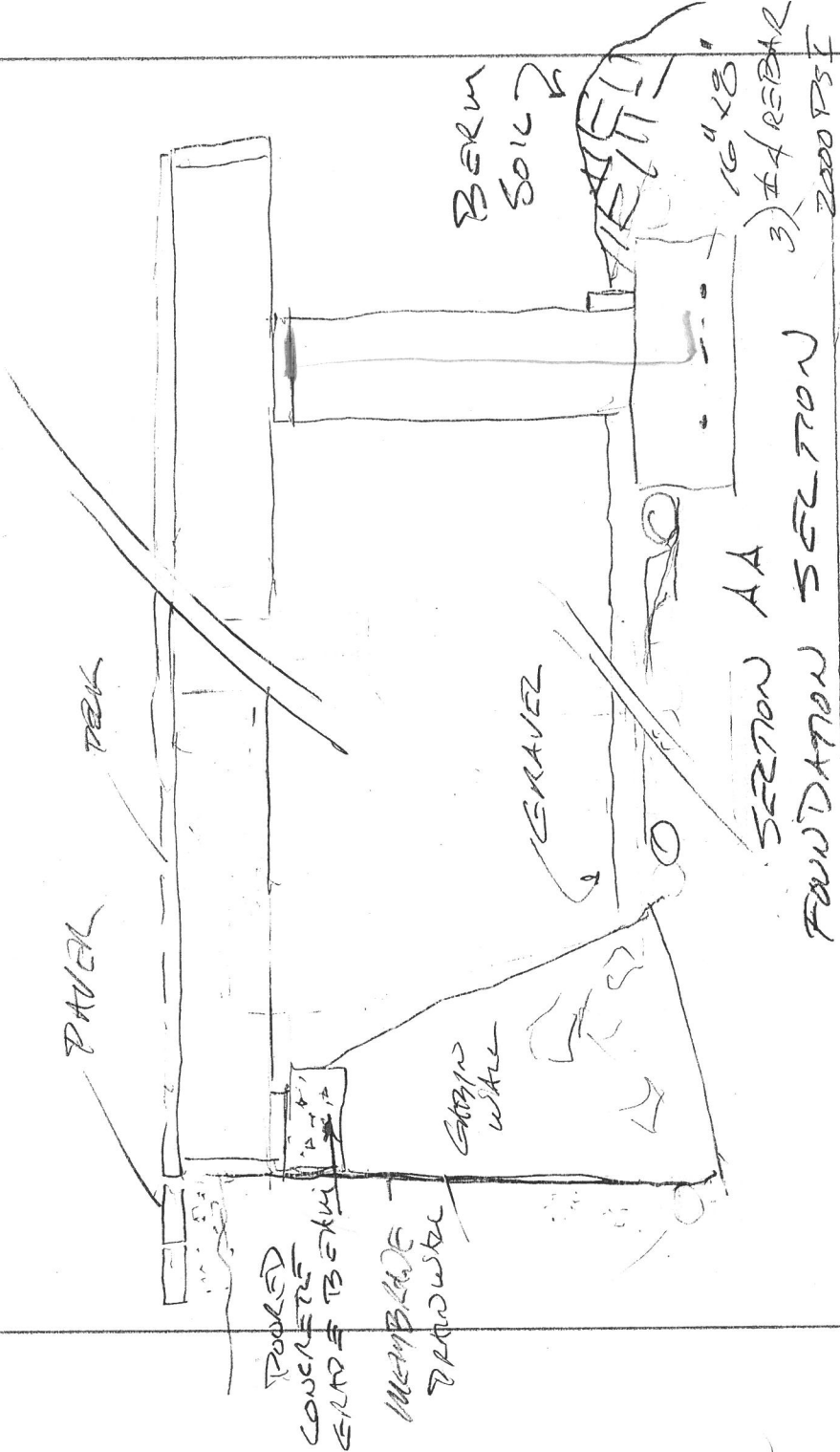
SCALE 1" = 30'

SYCAMORE
LANDING
ROAD



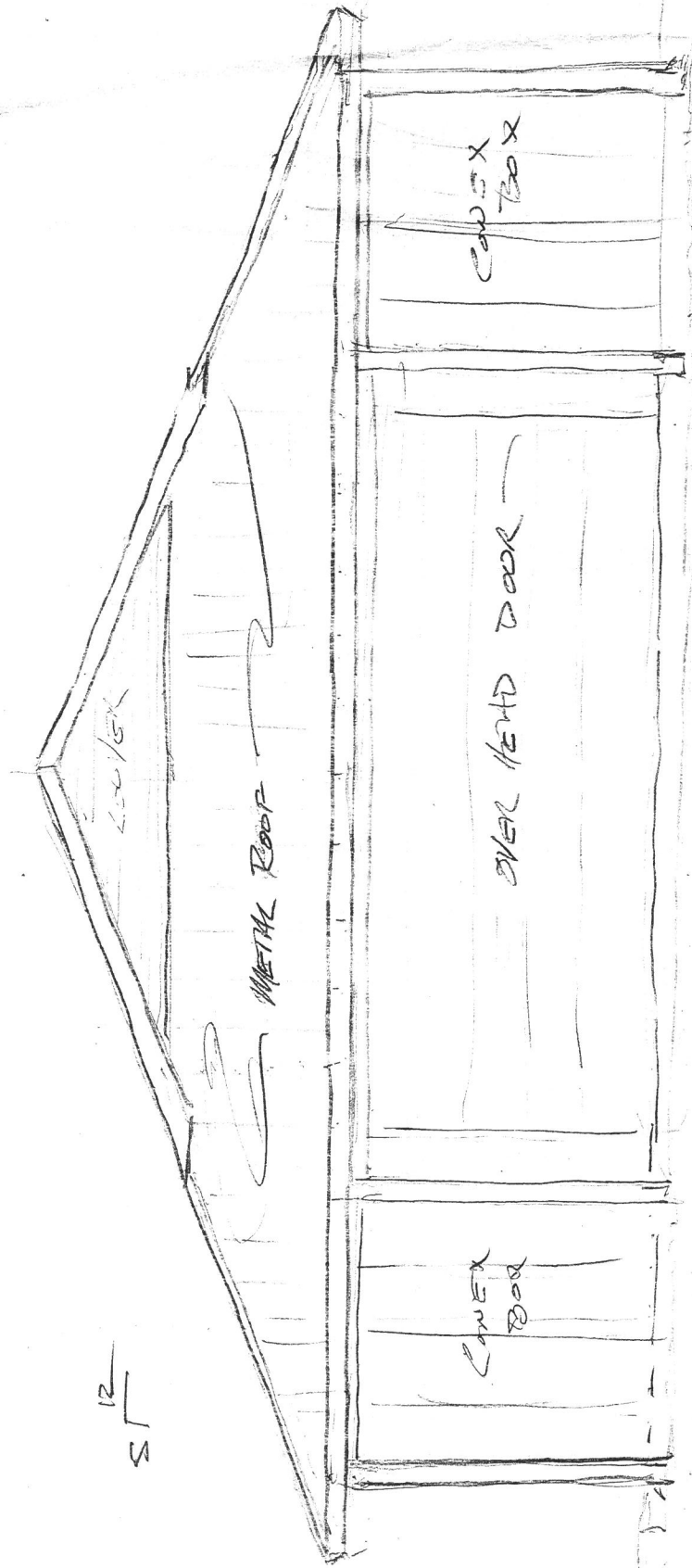


FOUNDATION PLAN
 WORKSHOP/GARAGE
 10025 SYAMORE LANDING RD
 WILLIAMSBURG VA
 VOTE MILLER
 757 8695270



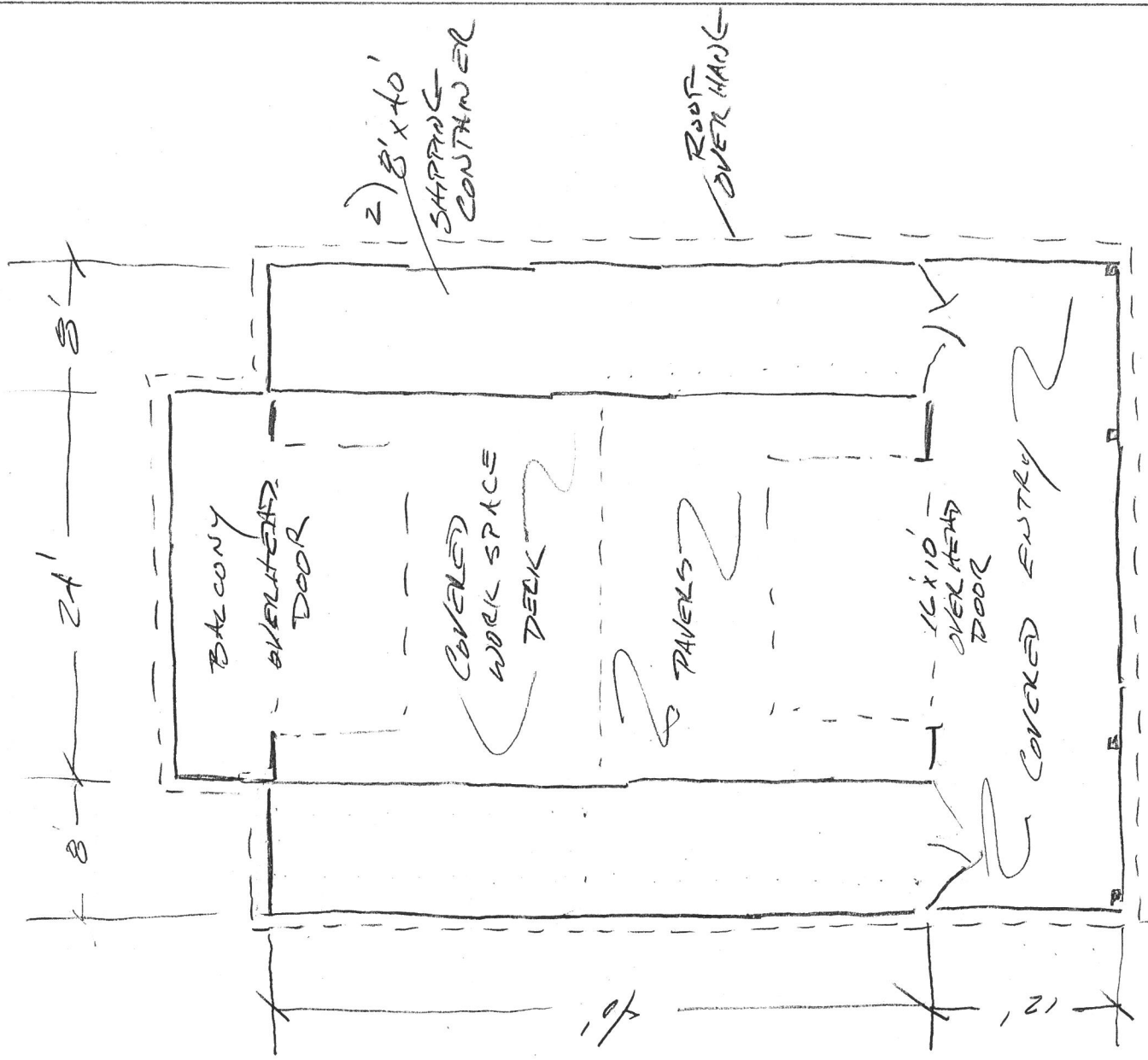
FOUNDATION SECTIONS
 WORK SHOP / GARAGE
 10025 SYCAMORE LANDING RD
 WILLIAMSBURG VA
 JEFF MILLER 8695270

FRONT ELEVATION
 BARK SHOP / GARAGE
 10025 SYD MORELAND DR
 WILLIAMSBURG VA
 VERR MILLER
 757 869 5270



$$D = 1F^2 \quad \frac{11}{5} = 1$$

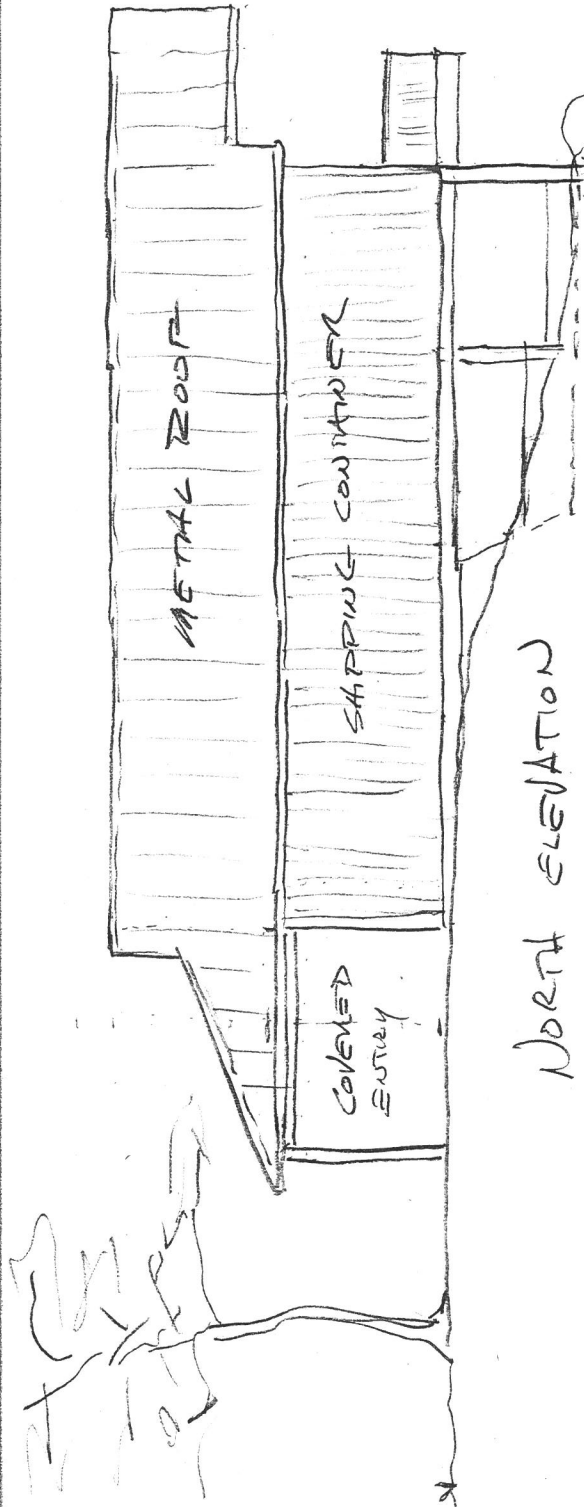
FRONT ELEVATION



$$\square = 4 \text{ FT}^2$$

$$1'' = 1'$$

FLOOR PLAN
 WORKSHOP / GARAGE
 10025 SYCAMORE LANE NW
 WILLIAMSBURG VA
 JEFF MILLER
 757 869 5290



GRADE

NORTH ELEVATION



GRADE

SOUTH ELEVATION

ELEVATIONS
WORKSHOP / GARAGE
10025 SYCAMORE LANDING RD
WILLIAMSBURG VA

GABION
RETAINING
WALL

OPEN FOR
STORAGE

GRAVEL

JEFF MILLER

757 869-5270

**General Services**

107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080

General.Services@jamestownva.gov

jamestownva.gov

Capital Projects

107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet

103 Tewning Road
Williamsburg, VA 23188
757-259-4122

Stormwater and**Resource Protection**

101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds

113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste

1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

June 19, 2019

RE: CBPA-19-0055
10025 Sycamore Landing Road
Detached Garage

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 Jeffrey Miller Builder on behalf of Jeffrey and Anne Miller for encroachment into the Resource Protection Area (RPA) buffer associated with the construction of a detached garage. The project is located at 10025 Sycamore Landing Road and further identified as JCC Parcel No. 0720400007.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, July 10, 2019 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Janice Petty

Janice Petty
Stormwater Assistant
757-253-6790
janice.petty@jamestownva.gov

Mailing List for: CBPA-19-0055 – 10025 Sycamore Landing Road –Detached Garage

Owner: 0720400007

Miller, Jeffrey N & Anne P
10025 Sycamore Landing Road
Williamsburg, VA 23188-1255

0720400004A

Rinaldi, Mark G & Claudia Moran
10022 Sycamore Landing Road
Williamsburg, VA 23188-1254

0720400008-10021 Sycamore Landing Road

Cody, Phyllis J, Trustee
4613 Ware Creek Road
Williamsburg, VA 23188-1127

0720400005A

Singley, Robert J, Jr. & Mary Anne K
10030 Sycamore Landing Road
Williamsburg, VA 23188-1254

0720400006A

Miller, James R & Elizabeth C
10031 Sycamore Landing Road
Williamsburg, VA 23188-1255

0720400011

Breeden, Harold N, Jr.
10007 Sycamore Landing Road
Williamsburg, VA 23188-1255

0720400004

Costello, Richard A, Trustee & Nina S, Trustee
10020 Sycamore Landing Road
Williamsburg, VA 23188-1254

0630100005-9800 Six Mount Zion Road

SCP-JTL Stonehouse Owner 2 LLC
4807 W Lovers Lane, FL 2
Dallas, TX 75209-3137



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY JULY 10, 2019 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING EXCEPTION REQUESTS FOR ENCROACHMENT INTO THE RPA BUFFER:

CBPA 19-0055: Mr. Jeffery Miller has filed an exception request for encroachments into the RPA buffer for the construction of a detached garage at 10025 Sycamore Landing Road in the Sycamore Landing subdivision, JCC Parcel 0720400007.

CBPA 19-0058: Ms. Betty Lambuth has filed an exception request for encroachments into the RPA buffer for the filling of the rear yard and installation of a drainage network at 105 South Turnberry in the Ford's Colony subdivision, JCC Parcel 3721000055.

Appeals from decisions under the Chesapeake Bay Preservation Ordinance may also be heard.

All interested parties are invited to attend the meetings. The applications and plans are on file and may be viewed during normal office hours in the Stormwater and Resource Protection Division, 101-E Mounts Bay Road, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – June 26 and July 3, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

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

ITEM SUMMARY

DATE: 7/10/2019

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: CBPA 19-0058 : 105 South Turnberry

Ms. Betty Lambuth has filed an exception request for encroachments into the RPA buffer for the filling of the rear yard and installation of a drainage network at 105 South Turnberry in the Ford's Colony subdivision, JCC Parcel 3721000055.

ATTACHMENTS:

| | Description | Type |
|---|----------------------|-----------------|
| ▣ | Staff Report | Staff Report |
| ▣ | Resolution | Resolution |
| ▣ | Site Plan | Backup Material |
| ▣ | APO Letter | Backup Material |
| ▣ | APO Mailing List | Backup Material |
| ▣ | Public Advertisement | Backup Material |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|--------------------|
| Chesapeake Bay Group | Woolson, Michael | Approved | 7/5/2019 - 1:09 PM |
| Chesapeake Bay Group | Small, Toni | Approved | 7/8/2019 - 7:53 AM |
| Publication Management | Burcham, Nan | Approved | 7/8/2019 - 8:08 AM |
| Chesapeake Bay Group | Secretary, ChesBay | Approved | 7/8/2019 - 8:41 AM |

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 19-0058. 105 South Turnberry
Staff Report for the July 10, 2019, Chesapeake Bay Board Public Hearing**

This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Chesapeake Bay Board to assist them in making a recommendation on this assessment. It may be useful to members of the general public interested in this assessment.

EXISTING SITE DATA AND INFORMATION

Applicant: Ms. Betty Lambuth

Agent: Mr. Aaron Williams, Williams Landscaping & Design, Inc.

Location: 105 South Turnberry

Tax Map/Parcel No.: 3721000055

Parcel: Lot 55, Section 14-B, Ford's Colony

Lot Size: 0.39 acres

Area of Lot in Resource Protection Area (RPA): 0.18 acres +/- (46%)

Watershed: Powhatan Creek (HUC JL 31)

Floodplain: None affecting property.

Proposed Activity: The importing of fill to construct a drainage network.

Impervious Cover: Approximately 100 square feet additional

RPA Encroachment: 5,000 square feet, landward and seaward 50-foot RPA buffer

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Aaron Williams, Williams Landscaping & Design, Inc., has applied for a Chesapeake Bay Exception on behalf of Ms. Betty Lambuth for encroachments into the RPA buffer for the importing of fill to construct a drainage network on property located at 105 South Turnberry within the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3721000055. The parcel was platted in 1998, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.39 acres, of which 46% is located within the RPA. The applicant is experiencing drainage issues associated with flat topography in the rear of the property. It is for this reason the applicant has proposed to redirect drainage in an area of common flooding in order to better redirect stormwater into the pond. The applicant has proposed to raise the grade of the rear yard by bringing in fill and reconstructing a walkway with an additional seating area. A french drain network will then redirect water flow from the walkway and into a rock swale which will then be carried out to the pond. These rock swales will be located on either side of the rear property and all sheet flow drainage will flow towards these swales as a result of the raise in grade.

There is approximately 5,000 square feet of soil disturbance associated with the proposed project. The applicant has proposed the plantings of three native canopy trees, 42 shrubs, 200 square feet of ground cover, and 4,500 square feet of mulch.

STAFF EVALUATION

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

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

The exception granting body is permitted to require reasonable and appropriate conditions in granting the exception request in accordance with Section 23-14. The Chesapeake Bay Board should fully consider Chesapeake Bay Exception No. CBPA 19-0058 as outlined and presented above and may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the County's Chesapeake Bay Preservation Ordinance.

STAFF RECOMMENDATIONS

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

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project;
2. A surety of \$2,000 be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney to ensure the mitigation requirements;
3. The applicant must coordinate with and obtain written approval from the James City Service Authority (JCSA) to raise the grade of the manhole and place improvements within the JCSA easement;
4. The applicant must submit an erosion and sediment control plan for review and approval. The applicant must apply for a land disturbing permit;
5. Turf grass will not be planted in rear of property aside from areas currently vegetated by turf grass;
6. This exception request approval shall become null and void if construction has not begun by July 10, 2020; and
7. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than May 29, 2020, six weeks prior to the expiration date.

TL/nb
EBPA19-58-105STurnbry

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 19-0058. 105 SOUTH TURNBERRY

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Betty Lambuth (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on July 10, 2019, to request an exception to use of the Resource Protection Area (the “RPA”) on property identified as James City County Real Estate Tax Parcel No. 3721000055 in the Ford’s Colony subdivision (the “Property”) as set forth in the application Case No. CBPA 19-0058 for the purpose of filling the rear yard and constructing a drainage network; 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;
 - b. The applicant must coordinate with and obtain written approval from the James City Service Authority (JCSA) to raise the grade of the manhole and place improvements within the JCSA easement;
 - c. Turf grass will not be planted in rear of property aside from areas currently vegetated by turf grass;

- d. The applicant must submit an erosion and sediment control plan for review and approval. The applicant must apply for a land disturbing permit;
- e. A surety of \$2,000 to be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney to ensure the mitigation requirements;
- f. This exception request approval shall become null and void if construction has not begun by July 10, 2020; and
- g. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than May 29, 2020, six weeks prior to the expiration date.

David Gussman
Chair, Chesapeake Bay Board

Michael D. Woolson
Secretary to the Board

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

CBPA19-58-105STurnbry-res



Wax Myrtle Dons Dwarf



Itea Scentlandia



Clethra Rosea

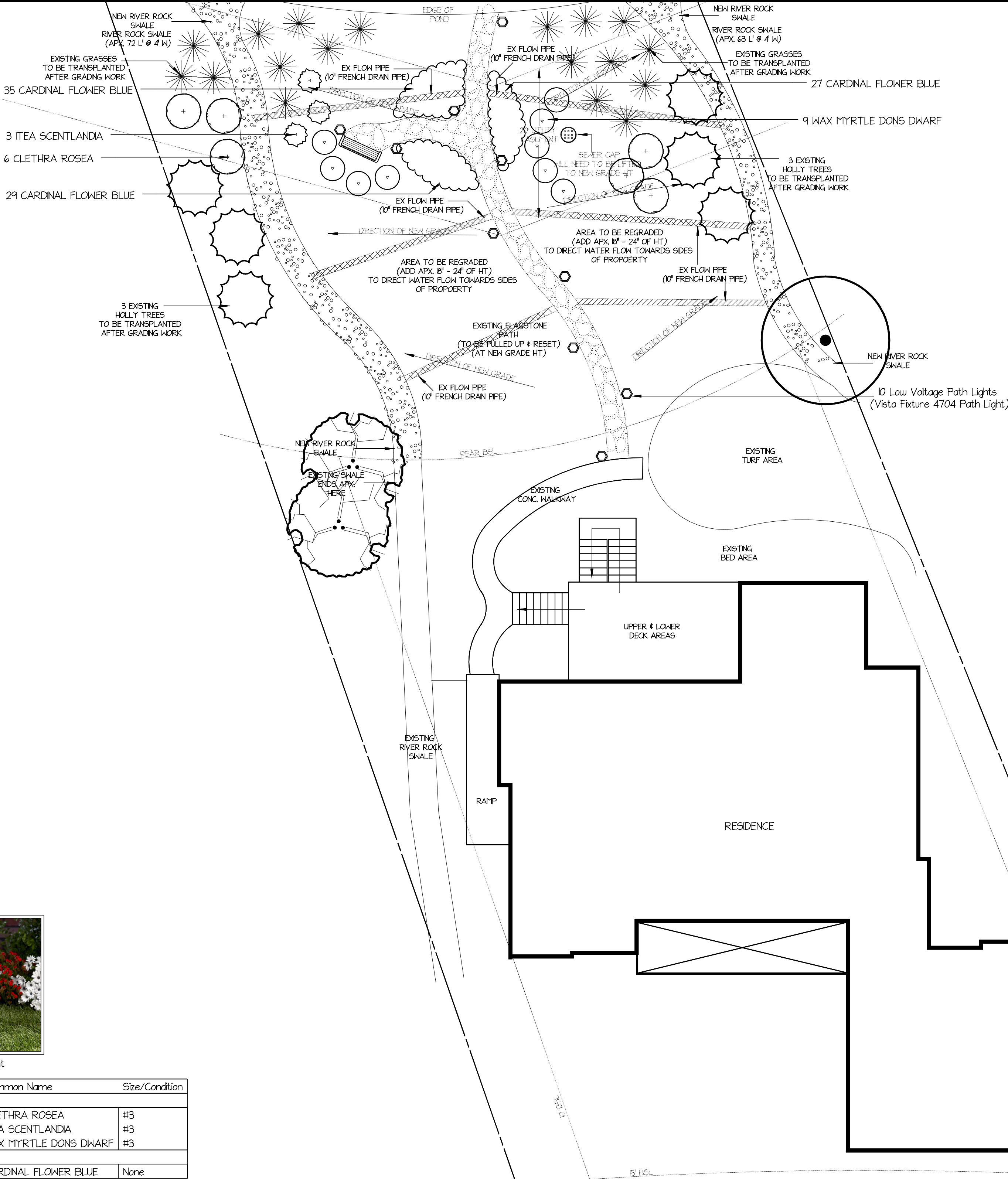


Cardinal Flower Blue



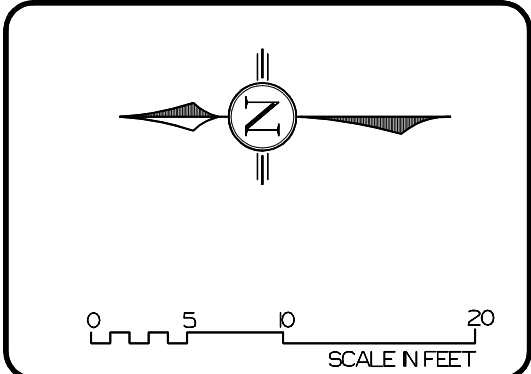
Vista 4704 Path Light

| Qty | Botanical Name | Common Name | Size/Condition |
|------------------------|-----------------------------|-----------------------|----------------|
| Shrubs | | | |
| 6 | CLEATHRA ANIFOLIA ROSEA | CLEATHRA ROSEA | #3 |
| 3 | ITEA VIRGINICA 'SMINVDFC' | ITEA SCENTLANDIA | #3 |
| 9 | MYRICA CERFERA 'DONS DWARF' | WAX MYRTLE DONS DWARF | #3 |
| Perennials and Annuals | | | |
| 91 | LOBELIA SIPHILITICA | CARDINAL FLOWER BLUE | None |



NOTES

| No. | Date | Description |
|-----------|---------|--------------------------------|
| RVN-2 | 4/25/19 | ADDITIONAL DRAINAGE & LIGHTING |
| RVN-1 | 4/24/19 | REVISED PLANTING LAYOUTS |
| REVISIONS | | |



LAMBUTH RESIDENCE
105 SOUTH TURNBERRY
LOT # 55
FORDS COLONY
WILLIAMSBURG, VA

| | |
|---------------|--------|
| SCALE | 1"=10' |
| DRAWN BY | |
| CHECKED BY | |
| DATE | 4/5/19 |
| DATE OF PRINT | |

| | |
|-------------|----------|
| PROJECT NO. | PRJ# -01 |
| SHEET NO. | |

**General Services**

107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080

General.Services@jamestowncountyva.gov

jamestowncountyva.gov

Capital Projects

107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet

103 Tewning Road
Williamsburg, VA 23188
757-259-4122

Stormwater and**Resource Protection**

101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds

113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste

1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

June 19, 2019

RE: CBPA-19-0058
105 South Turnberry
Raise Grade and Install Drainage

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 Aaron Williams of Williams Landscape & Design, Inc. on behalf of Betty Lambuth for encroachment into the Resource Protection Area (RPA) buffer associated with fill dirt and installation of drainage. The project is located at 105 South Turnberry and further identified as JCC Parcel No. 3721000055.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, July 10, 2019 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Janice Petty

Janice Petty
Stormwater Assistant
757-253-6790
janice.petty@jamestowncountyva.gov

cc: Williams Landscape & Design, Inc.
Attn: Aaron Williams

Mailing List for: CBPA-19-0058 – 105 South Turnberry –Raise Grade and Install Drainage

Owner: 3721000055

Lambuth, Betty G, Trustee
105 S Turnberry
Williamsburg, VA 23188-8924

Contractor:

Williams Landscape & Design, Inc.
Attn: Mr. Aaron Williams
3356 Ironbound Road
Williamsburg, VA 23188-2445

3721000056-101 South Turnberry

Greeson, Patricia Charpia
7220 Ludwood Court
Alexandria, VA 22306-2442

3721000038

Lund, Jon R, Trustee & Marnah J, Trustee
108 S Turnberry
Williamsburg, VA 23188-8924

3721000054

Sallwasser, George K, Trustee
201 St Cuthbert
Williamsburg, VA 23188-8925

3721000001

Chamberlain, Boyd, Trustee & Jane, Trustee
200 W Kilbride
Williamsburg, VA 23188-8926

3810100004

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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY JULY 10, 2019 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING EXCEPTION REQUESTS FOR ENCROACHMENT INTO THE RPA BUFFER:

CBPA 19-0055: Mr. Jeffery Miller has filed an exception request for encroachments into the RPA buffer for the construction of a detached garage at 10025 Sycamore Landing Road in the Sycamore Landing subdivision, JCC Parcel 0720400007.

CBPA 19-0058: Ms. Betty Lambuth has filed an exception request for encroachments into the RPA buffer for the filling of the rear yard and installation of a drainage network at 105 South Turnberry in the Ford's Colony subdivision, JCC Parcel 3721000055.

Appeals from decisions under the Chesapeake Bay Preservation Ordinance may also be heard.

All interested parties are invited to attend the meetings. The applications and plans are on file and may be viewed during normal office hours in the Stormwater and Resource Protection Division, 101-E Mounts Bay Road, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – June 26 and July 3, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

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

ITEM SUMMARY

DATE: 7/10/2019

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Emergency Procedures

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|---------------------|
| Chesapeake Bay Group | Secretary, ChesBay | Approved | 7/8/2019 - 10:40 AM |
| Publication Management | Daniel, Martha | Approved | 7/8/2019 - 10:56 AM |
| Chesapeake Bay Group | Secretary, ChesBay | Approved | 7/8/2019 - 11:31 AM |

ITEM SUMMARY

DATE: 7/10/2019

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Brickyard Landing

ATTACHMENTS:

| | Description | Type |
|---|-------------|-----------------|
| ☐ | Resolution | Resolution |
| ☐ | Site Map | Backup Material |

REVIEWERS:

| Department | Reviewer | Action | Date |
|----------------------|--------------------|----------|--------------------|
| Chesapeake Bay Group | Secretary, ChesBay | Approved | 7/9/2019 - 4:40 PM |

RESOLUTION

SUPPORT OF LAND AND WATER CONSERVATION FUND GRANT

WHEREAS, under the provisions of the Land and Water Conservation Fund (LWCF), federal funding assistance is available to aid in financing the cost of land acquisition and/or development of public outdoor recreation areas and facilities; and

WHEREAS, James City County is submitting an application to purchase 119 acres of land on the Chickahominy River surrounding Brickyard Landing boat ramp to create Brickyard Landing Park.

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, supports actions that increase water access opportunities for County citizens.

BE IT FURTHER RESOLVED that the Chesapeake Bay Board of James City County, Virginia, supports the County's LWCF grant application and the purchase of the Brickyard Landing site.

David Gussman
Chair, Chesapeake Bay Board

Michael D. Woolson
Secretary to the Board

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

CBBsuppBrckydLdg-res



James City County
LWCF Brickyard Landing
1006 Brickyard Rd
Lanexa, VA 23089



1 inch = 500 feet
0 155 310 Feet

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.
Copyright James City County GIS Office 6/27/2018 (Department Parks_and_Recreation/Brickyard_Landing.mxd)

