

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
October 9, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from the September 11, 2019, Regular Meeting

D. PUBLIC HEARINGS

1. Case No. CBPA-19-0092 : 141 Westbury
2. Case No. CBPA-19-0095 : 141 Macauley Road
3. Case No. CBPA-19-0104 : 500 Thompson Lane

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 10/9/2019
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: Minutes from September 11, 2019, Regular Meeting

ATTACHMENTS:

	Description	Type
☐	Minutes	Minutes

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
September 11, 2019
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for September 11, 2019, was called to order.

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

B. ROLL CALL

Board Members Present:

David Gussman, Chair
William Apperson, Vice Chair
John Hughes
Charles Roadley

Board Members Absent:

Larry Waltrip

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Michael Woolson, Senior Watershed Planner, 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 August 14, 2019, Regular Meeting

A motion to Approve the minutes was made by Mr. Gussman. The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

1. CBPA 19-0088 : 105 Shellbank Drive

Mr. Michael Woolson, Senior Watershed Planner, presented the exception request submitted by Ms. Karla Havens, Mid-Atlantic Resource Consulting, on behalf of Mr. Bruce Christman for encroachments into the Resource Protection Area (RPA) buffer for the regrading of a bank in association with a stone revetment on property located at 105 Shellbank Drive, within the Shellbank subdivision, and the James River watershed. The property is further identified as James City County Tax Map Parcel No. 4530200014. The presentation described the current and proposed site conditions. Staff requested that the attached conditions be incorporated into any approvals the Board may grant. The Board deliberated on the pros and cons of this

application and questioned staff on several points.

Mr. Gussman opened the Public Hearing.

A. Ms. Havens outlined the project to the Board.

B. Ms. Kari Traver, 103 Shellbank Drive, supports the revetment project. She expressed concerns about the oak tree on her property near the grading.

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

Mr. Hughes expressed concerns with keeping the neighboring tree alive and the stability of the access ramp to the proposed pier.

Mr. Hughes made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 19-0088 at 105 Shellbank Drive.

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

The motion result was:

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

Ayes: Gussman, Apperson, Hughes, Roadley

Absent: Waltrip

2. CBPA 19-0091 : 3884 Fox Run

Mr. Michael Woolson, Senior Watershed Planner, presented the exception request submitted by Mr. Sakthivel Anbananthan for encroachments into the RPA buffer for the construction of a driveway 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. Mr. Anbananthan recently applied for and was granted an exception for a detached garage. Mr. Anbananthan was unsuccessful in obtaining written permission from the James City Service Authority (JCSA) to use its paved access as his access to the detached garage. This application proposes a new driveway adjacent to the JCSA access to reach the previously approved garage. Staff requested that the attached conditions be incorporated into any approvals the Board may grant. The Board deliberated on the pros and cons of this application and questioned staff on several points.

Mr. Gussman opened the Public Hearing.

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

Mr. Gussman inquired as to the intended use of the two-car garage.

A. Mr. Anbananthan replied that he would park a car and a motorcycle in the garage.

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

Mr. Roadley expressed concerns about the doubling of impervious cover within the RPA and that prior approval was conditioned with access from the JCSA access drive.

Mr. Apperson expressed no concerns, as the area was existing lawn.

Mr. Gussman inquired about the driveway material.

Mr. Gussman reopened the Public Hearing.

A. Mr. Anbananthan responded that the driveway would be constructed of stone.

Mr. Gussman inquired about adding a condition to any approval that the driveway be constructed of permeable material.

Mr. Woolson advised the Board that staff finds permeable driveway surfaces problematic due to a lack of maintenance.

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

Mr. Apperson made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 19-0091 at 3884 Fox Run.

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

The motion result was:

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

Ayes: Gussman, Apperson, Hughes

Nays: Roadley

Absent: Waltrip

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

A motion to Adjourn was made by Mr. Hughes and approved on a voice vote.

The meeting adjourned at 6:04 p.m.

ITEM SUMMARY

DATE: 10/9/2019

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Case No. CBPA-19-0092 : 141 Westbury

Scot Lebolt has filed an exception request for encroachments into the RPA buffer for a retaining wall at 141 Westbury in the Ford's Colony subdivision, JCC Parcel No. 3720600052.

ITEM SUMMARY

DATE: 10/9/2019
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA-19-0095 : 141 Macauley Road

Gerard Morelli has filed an exception request for encroachments into the RPA buffer for the construction of a patio terrace and pool at 141 Macauley Road in the Kingsmill subdivision, JCC Parcel No. 5030200136.

ATTACHMENTS:

	Description	Type
▣	Public Advertisement	Backup Material



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY OCTOBER 9, 2019 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

WJPA 19-0034/VMRC 19-1227: Jordan Marine Construction, Inc., on behalf of Mary Lou Clark, has applied for a wetlands permit for a revetment at 2035 Bush Neck Road, JCC Parcel No. 3420100008.

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

CBPA 19-0092: Berkeley Design Group, on behalf of Scot Lebolt, has filed an exception request for encroachments into the RPA buffer for a retaining wall at 141 Westbury in the Ford's Colony subdivision, JCC Parcel No. 3720600052.

CBPA 19-0095: Bay Design Group, on behalf of Gerard Morelli, has filed an exception request for encroachments into the RPA buffer for the construction of a patio terrace and pool at 141 Macauley Road in the Kingsmill subdivision, JCC Parcel No. 5030200136.

CBPA 19-0104: Nathaniel Thompson has filed an exception request for encroachments into the RPA buffer for an additional tack room addition and a solar array at 500 Thompson Lane, JCC Parcel No. 3610100005.

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 – September 25 and October 2, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

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

ITEM SUMMARY

DATE: 10/9/2019
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA-19-0104 : 500 Thompson Lane

Nathaniel Thompson has filed an exception request for encroachments into the RPA buffer for an additional tack room addition and a solar array at 500 Thompson Lane, JCC Parcel No. 3610100005.

ATTACHMENTS:

	Description	Type
▣	Public Advertisement	Backup Material



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY OCTOBER 9, 2019 AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

WJPA 19-0034/VMRC 19-1227: Jordan Marine Construction, Inc., on behalf of Mary Lou Clark, has applied for a wetlands permit for a revetment at 2035 Bush Neck Road, JCC Parcel No. 3420100008.

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

CBPA 19-0092: Berkeley Design Group, on behalf of Scot Lebolt, has filed an exception request for encroachments into the RPA buffer for a retaining wall at 141 Westbury in the Ford's Colony subdivision, JCC Parcel No. 3720600052.

CBPA 19-0095: Bay Design Group, on behalf of Gerard Morelli, has filed an exception request for encroachments into the RPA buffer for the construction of a patio terrace and pool at 141 Macauley Road in the Kingsmill subdivision, JCC Parcel No. 5030200136.

CBPA 19-0104: Nathaniel Thompson has filed an exception request for encroachments into the RPA buffer for an additional tack room addition and a solar array at 500 Thompson Lane, JCC Parcel No. 3610100005.

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 – September 25 and October 2, 2019.
ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

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