

A G E N D A
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23185
November 12, 2020
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from October 14, 2020, Regular Meeting

D. PUBLIC HEARINGS

1. Case No. CBPA 20-0092 : 4041 Bradshaw Ordinary
2. Case No. CBPA 20-0096 : 289 Mill Stream Way
3. Case No. CBPA 20-0102 : 233 Richard Brewster
4. Case No. CBPA 20-0101 : 9230 Pocahontas Trail

E. BOARD CONSIDERATIONS

1. Colonial Soil and Water Conservation District Presentation
2. 2021 Calendar
3. Election of Officers for 2021

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 11/12/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: Minutes from October 14, 2020, Regular Meeting

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	11/6/2020 - 5:00 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:36 AM
Publication Management	Daniel, Martha	Approved	11/9/2020 - 10:51 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:52 AM

ITEM SUMMARY

DATE: 11/12/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA 20-0092 : 4041 Bradshaw Ordinary

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	10/30/2020 - 7:36 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:35 AM
Publication Management	Burcham, Nan	Approved	11/9/2020 - 10:42 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:49 AM

ITEM SUMMARY

DATE: 11/12/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA 20-0096 : 289 Mill Stream Way

Mr. Aaron Williams, Williams Landscape & Design, Inc., has filed an exception request for encroachments into the RPA buffer for a retaining walls, steps and a patio at 289 Mill Stream Way, JCC Parcel 4711800040.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Site Plan	Backup Material
☐	Public Advertisement	Backup Material
☐	APO Letter	Backup Material
☐	APO Mailing List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	11/6/2020 - 5:00 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:36 AM
Publication Management	Burcham, Nan	Approved	11/9/2020 - 10:43 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:49 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 20-0096. 289 Mill Stream Way
Staff Report for the November 12, 2020, 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

Applicants: Mr. Kevin and Mrs. Tami Potter

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

Location: 289 Mill Stream Way

Parcel Identification No.: 4711800040

Parcel: Lot 40, Section 5, Settlers Mill

Lot Size: 0.40 acres

Area of Lot in Resource Protection Area (RPA): 0.33 acres +/- (83%)

Watershed: Mill Creek (HUC JL 33)

Floodplain: None affecting this property

Proposed Activity: Construction of a patio, three retaining walls, and steps with paver landings

Impervious Cover: 830 square feet (+/-)

RPA Encroachment: 830 square feet (+/-)

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Aaron Williams, Williams Landscaping & Design, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Kevin and Mrs. Tami Potter for encroachments into the RPA buffer for the construction of a patio, three retaining walls, and steps with paver landings on property located at 289 Mill Stream Way within the Mill Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4711800040. The parcel was platted in 1995, prior to the 2004 changes in the Ordinance.

The total lot size of this property is 0.40 acres, of which 83% is located within the RPA. In June of 2020, the applicants obtained an administrative exception to convert a deck into a house addition. The applicants are now proposing to construct a patio under and adjacent to the addition. The patio area will be bordered by two retaining walls due to the natural slope of the property. In addition to the patio, the applicants have also proposed a series of steps including paver landing areas connecting the patio, driveway, and rear yard. There is also an additional 75 linear-foot serpentine retaining wall proposed to the rear of the house addition. The total area of the patio, three retaining walls, landings, and step structures equate to approximately 830 square feet of new impervious surface. Within this amount of impervious area, approximately 440 square feet are proposed to be constructed with pervious pavers.

This application was deferred at the October 14, 2020 meeting so that some adjustments could be made to

the plan. The serpentine retaining wall has been moved away from the existing trees. Pervious pavers have been added in the landings, allowing for some infiltration to occur in these areas. In addition, the mitigation plantings have increased by 3 canopy trees, 6 understory trees and 11 shrubs. Staff recommends that the extra fill between the serpentine wall and the stream channel be removed and this disturbed area be revegetated in shrubs and groundcover. Staff also recommends that the Turf Love program be implemented for the property.

STAFF EVALUATION

Staff has evaluated the application and exception request for the proposed construction of a patio with steps and landings, and three retaining walls. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the walls and patios are considered accessory in nature.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

The Board may grant exceptions to Section 23-7 if the application meets the following five conditions:

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the Applicants 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; and
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; and
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; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

Staff's view of this application is that it meets all five of the conditions as presented above. Should the Board find that the exception request meets all five of the conditions above, staff suggests 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, this includes an Erosion and Sediment Control plan, a land disturbing permit, and a building permit; and
2. The Turf Love program be implemented for the property; and
3. The Mitigation plantings shall consist of 3 canopy trees, 6 understory trees and 11 shrubs per the submitted plan; and
4. The serpentine retaining wall shall be no closer than 10-feet to the existing trees, all fill recently placed between the wall and stream channel shall be removed, and this disturbed area shall be stabilized with additional shrubs and ground cover; and
5. The permeable paver walkways and landings shall be built to DEQ Stormwater Design Specification No. 7, Permeable Pavement, current version, and shall encompass at least 400 square feet of surface area; and

6. A surety of \$1,500 be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney's Office; and
7. This exception request approval shall become null and void if construction has not begun by November 12, 2021; and
8. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than October 1, 2021, six weeks prior to the expiration date.

MDW/md
CBPA20-0096-289MillStrmWy

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 20-0096. 289 MILL STREAM WAY

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Kevin and Mrs. Tami Potter (the “Applicant”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on November 12, 2020, 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 Map Parcel No. 4711800040 and further identified as 289 Mill Stream Way (the “Property”) as set forth in the application CBPA 20-0096 for the purpose of constructing a patio, three retaining walls, and steps with landings; 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 Applicants 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 as required for the project, this includes an Erosion and Sediment Control plan, a land disturbing permit, and a building permit; and
 - b. The Turf Love program be implemented for the property; and
 - c. Mitigation plantings shall consist of 3 canopy trees, 6 understory trees and 11 shrubs per the submitted plan; and

- d. The serpentine retaining wall shall be no closer than 10-feet to the existing trees, all fill recently placed between the wall and stream channel shall be removed, and this disturbed area shall be stabilized with additional shrubs and ground cover; and
- e. The permeable paver walkways and landings shall be built to DEQ Stormwater Design Specification No. 7, Permeable Pavement, current version, and shall encompass at least 400 square feet of surface area; and
- f. A surety of \$1,500 be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney's Office; and
- g. This exception request approval shall become null and void if construction has not begun by November 12, 2021; and
- h. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than October 1, 2021, six weeks prior to the expiration date.

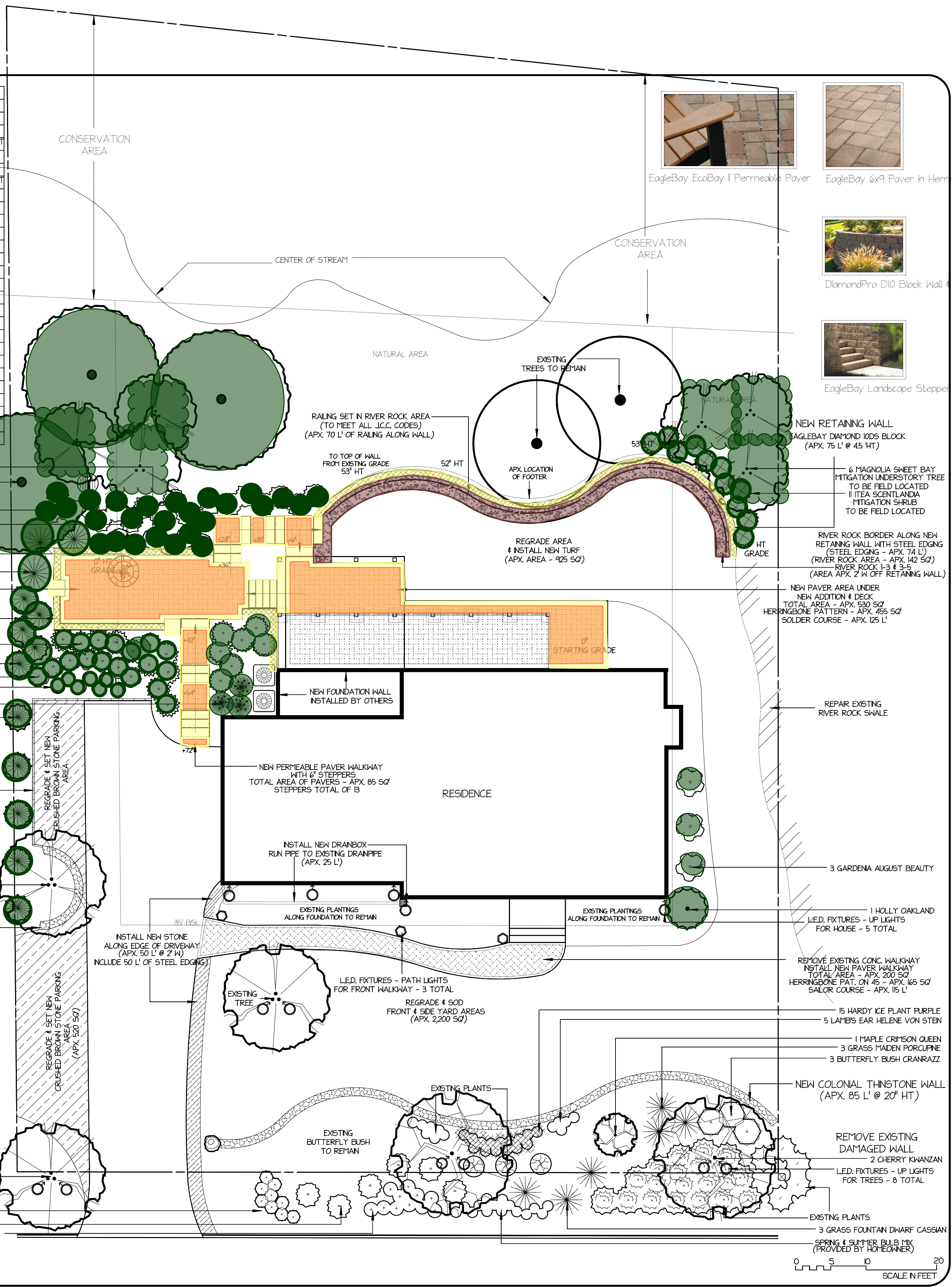
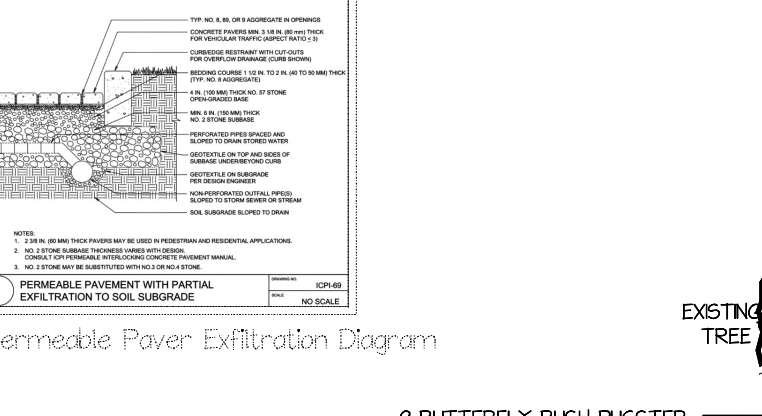
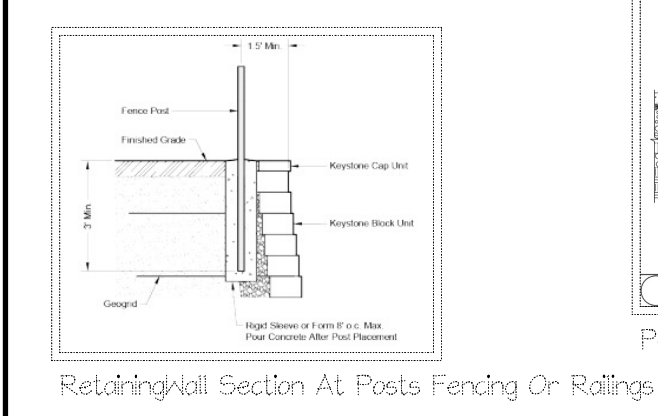
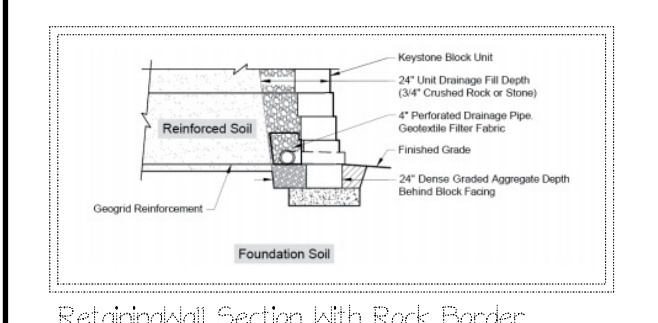
David Gussman
Chair, Chesapeake Bay Board

Michael D. Woolson
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of November, 2020.

CBPA20-0096-289MillStrmWy-res

Qty	Botanical Name	Common Name	Size/Condition
Trees			
2	ACER PALMATUM DISSECTUM 'CRIMSON QUEEN'	MAPLE CRIMSON QUEEN	#7
2	LEX X 'MAGLAND'	HOLLY OAKLAND	#25
6	MAGNOLIA VIRGINIANA	MAGNOLIA SWEET BAY	#15 @ 25' CAL. P. HT. MITIGATION
4	PRUNUS SERRULATA 'KWANZAN'	CHERRY KWANZAN	#8@
20	THUNJA OCCIDENTALIS 'SMARAGD'	ARBORVITAE EMERALD	#10
3	ULMUS AMERICANA 'VALLEY FORGE'	ELM AMERICAN VALLEY FORGE	#25 @ 25' CAL. P. HT. MITIGATION
Shrubs			
22	ABELIA X 'GRANDIFLORA ROSE CREEK'	ABELIA ROSE CREEK	#3
18	BUDDLEIA PUGSTER PINK	BUTTERFLY BUSH PUGSTER	None
6	BUDDLEIA X BOSCRANZ	BUTTERFLY BUSH CRANRAZZ	#3
3	CAMELLIA X WINTER'S SNOWMAN	CAM. X WINTER'S SNOWMAN- WHITE	#7
6	GARDENIA JASMINODES 'AUGUST BEAUTY'	GARDENIA AUGUST BEAUTY	#3
14	GARDENIA 'JUBELATION'	GARDENIA 'JUBELATION'	#3
3	HYDRANGEA PANCULATA 'LIMELIGHT'	HYDRANGEA 'LIMELIGHT'	#3
11	ITEA VIRGINICA 'SPIN/DFC'	ITEA SCENTLANDIA	#3
18	JUNIPERUS X PFITZERIANA 'MONSANT'	JUNIPER SEA OF GOLD	#3
14	LEUCOTHOE KEGGII 'OPSTAL 50'	LEUCOTHOE BURNING LOVE	#3
12	NANDINA DOMESTICA 'GULF STREAM'	NANDINA GULF STREAM	#5
7	PERIS JAPONICA 'CAVATINE'	PERIS CAVATINE	#3
Ornamental Grasses			
3	MISCANTHUS SINENSIS 'STRICTUS'	GRASS MAIDEN PORCUPINE	#3
1	PENNSETUM ALOPECUROIDES 'CASSIAN'	GRASS FOUNTAIN DWARF CASSIAN	#3
Perennials and Annuals			
30	DELOSPERMA COOPERI	HARDY ICE PLANT PURPLE	#11
22	ECHINACEA 'PASI'	CONEFLOWER POWANON WILD BERRY	#11
10	STACHYS HELENE VON STEN	LAMBS EAR HELENE VON STEN	#11



POTTER RESIDENCE
 288 MILLSTREAM WAY
 WILLIAMSBURG, VA
 SCALE 1/8"=1'-0"
 DATE 8/18
 DRAWING # LANDSCAPE PLAN - MASTER
 PRJ # 04
 RVS/N : 10.22.20



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY OCTOBER 14, 2020 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 CASE:

CBPA 20-0088: Mr. John Blankinship has filed an exception request for encroachments into the RPA buffer for a patio and fire pit at 2509 Goodrich Durfey, JCC Parcel 4840200068.

CBPA 20-0090: Mr. Larry Waltrip, Short Neck, LLC has filed an exception request for encroachments into the RPA buffer for a retaining wall and revetments at 20 Marclay Road, JCC Parcel 4820100012.

CBPA 20-0091: Ms. Maria Gauvin, Heritage Community, LLC has filed an exception request for encroachments into the RPA buffer for a mobile home and attached deck at 8810-35B Pocahontas Trail, JCC Parcel 5920100003.

CBPA 20-0092: Mr. Emilio Pesante has filed an exception request for encroachments into the RPA buffer for a shed behind 4041 Bradshaw Ordinary, JCC Parcel 3841800001B.

CBPA 20-0094: Mr. Allen Parker, Allen Parker Builder has filed an exception request for encroachments into the RPA buffer for a dock house, patio and retaining walls at 2425 Manion Drive, JCC Parcel 4630100002.

CBPA 20-0096: Mr. Aaron Williams, Williams Landscape & Design, Inc. has filed an exception request for encroachments into the RPA buffer for a retaining walls, steps and a patio at 289 Mill Stream Way, JCC Parcel 4711800040.

CBPA 20-0097: Mr. Chase Grogg, Landtech Resources, Inc. has filed an exception request for encroachments into the RPA buffer for a carport at 111 Cove Road, JCC Parcel 4910240009.

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

All interested parties are invited to attend the meetings. There is also a call-in option for the public hearings. To participate, call 757-253-6772 to record a comment that will be played during the meeting. Recorded comments must be submitted no later than noon on the day of the meeting. Please give your name and address for the public record and limit comments to five minutes or less. Questions? Call 757-253-6823.

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 30 and October 7, 2020.

ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

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



General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov
jamescitycountyva.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
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September 23, 2020

RE: CBPA-20-0096
289 Mill Stream Way
Three Retaining Walls and Patio with Steps

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Aaron Williams of Williams Landscape & Design, Inc. on behalf of Mr. Kevin B Potter and Mrs. Tami Potter for encroachment into the Resource Protection Area (RPA) buffer for the construction of three retaining walls and a patio with steps. The project is located at 289 Mill Stream Way and further identified as JCC Parcel No.4711800040.

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, October 14, 2020 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,

Michael D. Woolson

Michael D. Woolson
Chesapeake Bay Board Secretary
757-253-6823
michael.woolson@jamescitycountyva.gov

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

MDW: jep

Mailing List for: CBPA-20-0096– 289 Mill Stream Way – Patio with Steps, 3 Retaining Walls

Owner: 4711800040 – 289 Mill Stream Way

Potter, Kevin B & Tami
289 Mill Stream Way
Williamsburg, VA 23185-3187

4711800039

Treacy, Jonathan T & Debra J
285 Mill Stream Way
Williamsburg, VA 23185-3187

4711900001 –

Larkin, Wilbur D, Trustee & Madelyn B
293 Mill Stream Way
Williamsburg, VA 23185-3187

4711800001A –2.52 A Common Area S-5
4711900001A – 7.81 A CA/Cons Ease S-6

Settlers Mill Association
P.O. Box 1295
Williamsburg, VA 23187-1295

Contractor:

Williams Landscape & Design, Inc.
Attn: Mr. Aaron Williams
1554 Penniman Road
Williamsburg, VA 23185-5821

4711800016

Nett, John O, Trustee & Kathie J, Trustee
211 Lakewood Drive
Williamsburg, VA 23185-3189

4711800041

Clarke, Christopher V, Trustee & Annette D,
Trustee
208 Lakewood Drive
Williamsburg, VA 23185-3189

ITEM SUMMARY

DATE: 11/11/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA 20-0102 : 233 Richard Brewster

LandTech Resources, Inc. has filed an exception request for encroachments into the RPA buffer for a deck and screened porch at 233 Richard Brewster, JCC Parcel 5030600044.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Site Plan	Backup Material
☐	Public Advertisement	Backup Material
☐	APO Letter	Backup Material
☐	APO Mailing List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	11/6/2020 - 5:12 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:37 AM
Publication Management	Burcham, Nan	Approved	11/9/2020 - 10:44 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:50 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 20-0102. 233 Richard Brewster
Staff Report for the November 12, 2020, 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

Applicants: Mr. Brian and Mrs. Diane Magoon

Agent: Mr. Chase Grogg, Landtech Resources, Inc.

Location: 233 Richard Brewster

Parcel Identification No.: 5030600044

Parcel: Lot 44, Colston's Crossing

Lot Size: 0.70 acres

Area of Lot in Resource Protection Area (RPA): 0.47 acres +/- (67%)

Watershed: College Creek (HUC JL 34)

Floodplain: None

Proposed Activity: Construction of a deck and screened porch

Impervious Cover: 425 square feet (+/-)

RPA Encroachment: 425 square feet (+/-)

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Brian and Mrs. Diane Magoon for encroachments into the RPA buffer for the construction of a deck and screened porch on property located at 233 Richard Brewster within the College Creek watershed. The property is further identified as James City County Tax Map Parcel No. 5030600044. The parcel was platted in 1983, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

A Chesapeake Bay Preservation Area exception request was approved for this property at the May 9, 2018, Chesapeake Bay Board regular meeting. The applicants are now proposing the construction of an 8-foot by 12-foot screened porch and an 8-foot by 12-foot attached deck. Total impacts are approximately 425 square feet within the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equate to the plantings of one canopy tree, two understory trees, and three shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a deck and screened porch. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the deck and screened porch are considered accessory in nature.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

The Board may grant exceptions to Section 23-7 if the application meets the following five conditions:

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the Applicants 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; and
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; and
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; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

Staff's view of this application is that the request meets all five of the conditions as presented above and is approvable. Should the Board find that the exception request meets all five of the conditions above, staff suggests 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; and
2. A mitigation plan equating to the plantings of one canopy tree, two understory trees, and three shrubs be submitted to the James City County Stormwater and Resource Protection Division; and
3. A surety of \$500 be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney's Office; and
4. This exception request approval shall become null and void if construction has not begun by November 12, 2021; and
5. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than October 1, 2021, six weeks prior to the expiration date.

MDW/md
CBPA20-0102-233RBrewster

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 20-0102. 233 RICHARD BREWSTER

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Brian and Mrs. Diane Magoon (the “Applicants”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on November 12, 2020, 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 Map Parcel No. 5030600044 and further identified as 233 Richard Brewster (the “Property”) as set forth in the application CBPA 20-0102 for the purpose of constructing a deck and screened porch; 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 Applicants 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 applicants must obtain all other necessary federal, state, and local permits required for the project; and
 - b. A mitigation plan equating to the plantings of one canopy tree, two understory trees, and three shrubs be submitted to the James City County Stormwater and Resource Protection Division; and
 - c. A surety of \$500 be paid and in place prior to the commencement of work, in a form acceptable to the James City County Attorney’s Office; and

- d. This exception request approval shall become null and void if construction has not begun by November 12, 2021; and
- e. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than October 1, 2021, 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 12th day of November, 2020.

CBPA20-0102-233RBrewster-res



- LEGEND**
- WATER METER
 - TRANSFORMER
 - HVAC AREA
 - SAN. SEWER MH
 - IRF ● IRON ROD FOUND
 - IPF ● IRON PIPE FOUND
- ADDRESS:**

RICHARD BREWSTER
(50' PRIVATE R/W)



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY NOVEMBER 12, 2020 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 CASE:

CBPA 20-0101: Vanesse Hangen Brustlin, Inc. has filed an exception request for encroachments into the RPA buffer for a sanitary sewer connection at 9230 Pocahontas Trail, JCC Parcel 6010100006.

CBPA 20-0102: LandTech Resources, Inc. has filed an exception request for encroachments into the RPA buffer for a deck and screened porch at 233 Richard Brewster, JCC Parcel 5030600044.

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

All interested parties are invited to attend the meetings. There is also a call-in option for the public hearings. To participate, call 757-253-6772 to record a comment that will be played during the meeting. Recorded comments must be submitted no later than noon on the day of the meeting. Please give your name and address for the public record and limit comments to five minutes or less. Questions? Call 757-253-6823.

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 – October 28 and November 4, 2020.

ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

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



General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov
jamescitycountyva.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

October 21, 2020

RE: CBPA-20-0102
233 Richard Brewster
Deck and Screened Porch

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Chase Grogg of LandTech Resources, Inc. on behalf of Mr Brian and Mrs. Diane Magoon for encroachment into the Resource Protection Area (RPA) buffer for the construction of a deck and screened porch. The project is located at 233 Richard Brewster and further identified as JCC Parcel No. 5030600044.

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 **Thursday, November 12, 2020 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,

Michael D. Woolson

Michael D. Woolson
Chesapeake Bay Board Secretary
757-253-6823
michael.woolson@jamescitycountyva.gov

cc: LandTech Resources, Inc.
Mr. Chase Grogg

MDW: jep

Mailing List for: CBPA-20-0102–233 Richard Brewster – Deck and Screened Porch

Owner: 5030600044

Magoon, Brian A, Trustee & Diane C,
Trustee
233 Richard Brewster
Williamsburg, VA 23185-6533

5030600045

Retson, Birgit M
237 Richard Brewster
Williamsburg, VA 23185-6533

5030600047

Rote, Russell L
228 Richard Brewster
Williamsburg, VA 23185-6532

5030600043

Mahnke, Randall M & Dana A
229 Richard Brewster
Williamsburg, VA 23185-6533

Engineers:

LandTech Resources, Inc.
Attn: Mr. Chase Grogg
205-E Bulifants Boulevard
Williamsburg, VA 23188-5740

5030600031

Champion, Michael & Karina
120 William Claiborne
Williamsburg, VA 23185-6535

5030600030

Hudson, Donald J & Dorothy E
124 William Claiborne
Williamsburg, VA 23185-6535

5030600026

Watkins, William T, III, Trustee & Lynne M,
Trustee
108 John Paine
Williamsburg, VA 23185-6534

ITEM SUMMARY

DATE: 11/12/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA 20-0101 : 9230 Pocahontas Trail

Vanesse Hangen Brustlin, Inc. has filed an exception request for encroachments into the RPA buffer for a sanitary sewer connection at 9230 Pocahontas Trail, JCC Parcel 6010100006.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Site Plan	Backup Material
☐	Public Advertisement	Backup Material
☐	APO Letter	Backup Material
☐	APO Mailing List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	11/6/2020 - 5:11 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:36 AM
Publication Management	Burcham, Nan	Approved	11/9/2020 - 10:43 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:49 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 20-0101. 9230 Pocahontas Trail
Staff Report for the November 12, 2020, 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: Peninsula Pentecostals, Inc.

Agent: Mr. Anthony Loubier, Vanasse Hangen Brustlin (VHB), Inc.

Location: 9230 Pocahontas Trail

Parcel Identification No.: 6010100006

Parcel: Part 1, Kirby's

Lot Size: 23.52 acres

Area of Lot in Resource Protection Area (RPA): 6.53 acres +/- (27%)

Watershed: Skiffes Creek (HUC JL35)

Floodplain: None affecting this property

Proposed Activity: Construction of a sanitary sewer connection

Impervious Cover: 0 square feet (+/-)

RPA Encroachment: 2,850 square feet (+/-)

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Anthony Loubier, VHB, Inc., has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals, Inc. for encroachments into the RPA buffer for the construction of a sanitary sewer connection to an existing gravity sanitary sewer main on property located at 9230 Pocahontas Trail within the Skiffes Creek watershed. The property is further identified as James City County Tax Map Parcel No. 6010100006. The parcel was platted in 1986, prior to the enactment of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 23.52 acres, of which 27% is located within the RPA. There is an existing gravity sanitary sewer main on the western border of the property. The Peninsula Pentecostal Church intends to use this property for the construction of a worship hall and other future development and it is for this reason that the applicant is proposing the construction of the sanitary sewer connection. Approximately 2,850 square feet of disturbance is associated with the proposed sanitary sewer construction extending into both the landward 50 foot RPA and the seaward 50-foot RPA. Associated with this proposal is the construction of two Best Management Plan (BMP) outfalls equating to approximately 3,417 square feet of impacts to the RPA. These impacts are considered water dependent and will be processed administratively. Additionally, there is approximately 6,534 square feet of steep slope impacts associated with the proposed sanitary sewer connection and BMP outfall construction, which will also be processed administratively. Mitigation requirements for this amount of impacts to the RPA typically equal the planting

of seven canopy trees, 14 understory trees, and 21 shrubs. Due to constraints associated with the site, staff recommends a conservation easement be recorded in the amount of 5,700 square feet instead of the plantings to offset impacts to water quality.

STAFF EVALUATION

Staff has evaluated the application and exception request for the proposed construction of a sanitary sewer connection. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the sanitary sewer is not a water dependent facility.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

The Board may grant exceptions to Section 23-7 if the application meets the following five conditions:

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the Applicants 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; and
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; and
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; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

Staff's view of this application is that it does meet all five of the conditions as presented above and finds this exception request to be approvable. Should the Board find that the exception request does meet all five of the conditions above, staff suggests 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; and
2. A conservation easement equaling to 5,700 square feet be recorded. The conservation easement shall be above and beyond what is required for stormwater compliance and may not be coincident with any forested areas claimed in the Virginia Runoff Reduction Method; and
3. This exception request approval shall become null and void if construction has not begun by November 12, 2021; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than October 1, 2021, six weeks prior to the expiration date.

MDW/md
CBPA20-0101-9230PocTrl

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 20-0101. 9230 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Peninsula Pentecostals, Inc. (the “Applicant”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on November 12, 2020, 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 Map Parcel No. 6010100006 and further identified as 9230 Pocahontas Trail (the “Property”) as set forth in the application CBPA 20-0101 for the purpose of constructing a sanitary sewer connection; 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 Applicants 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 applicants must obtain all other necessary federal, state, and local permits required for the project; and
 - b. A conservation easement equaling to 5,700 square feet be recorded. The conservation easement shall be above and beyond what is required for stormwater compliance; and
 - c. This exception request approval shall become null and void if construction has not begun by November 12, 2021; and

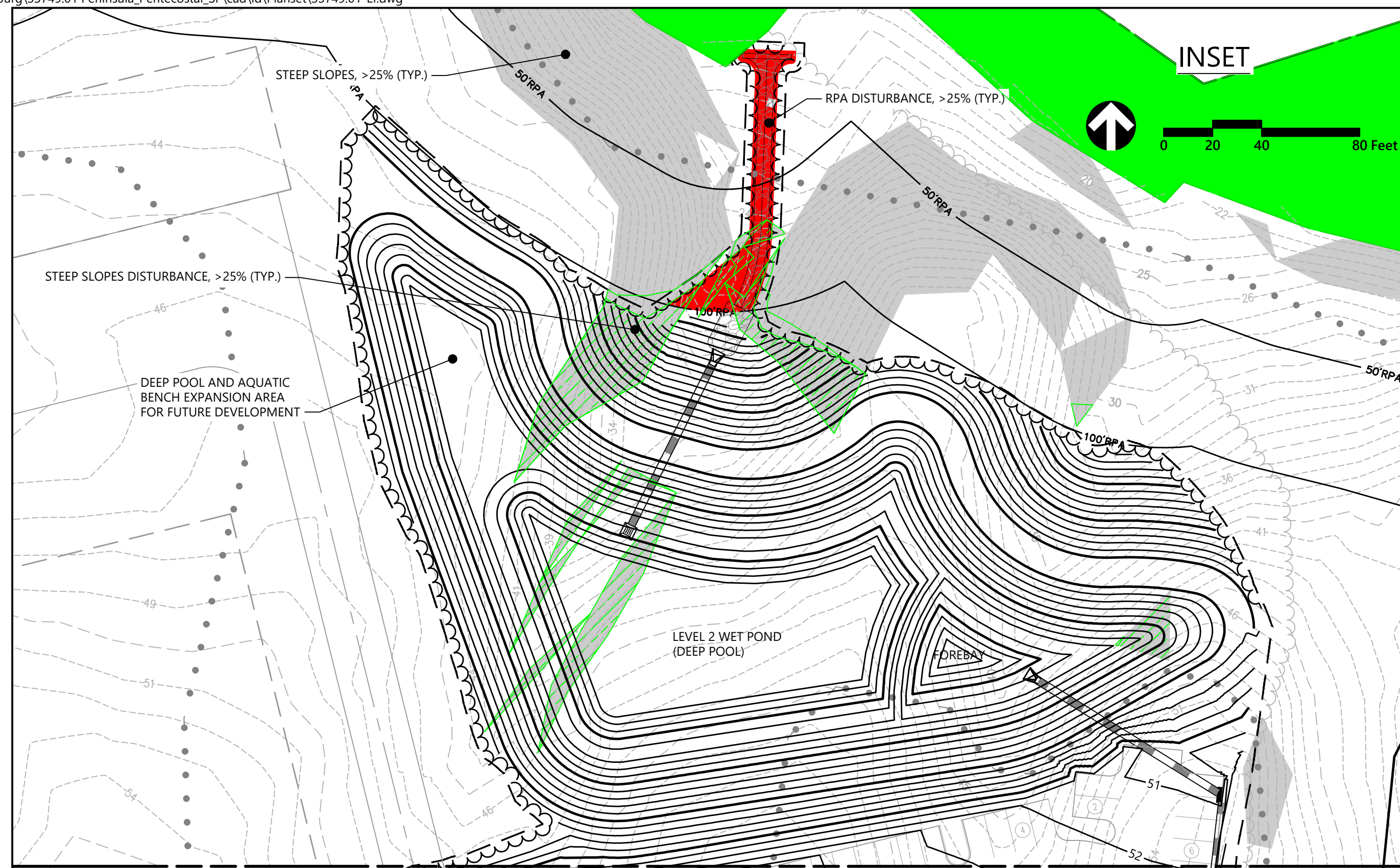
- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than October 1, 2021, six weeks prior to the expiration date.

David Gussman
Chair, Chesapeake Bay Board

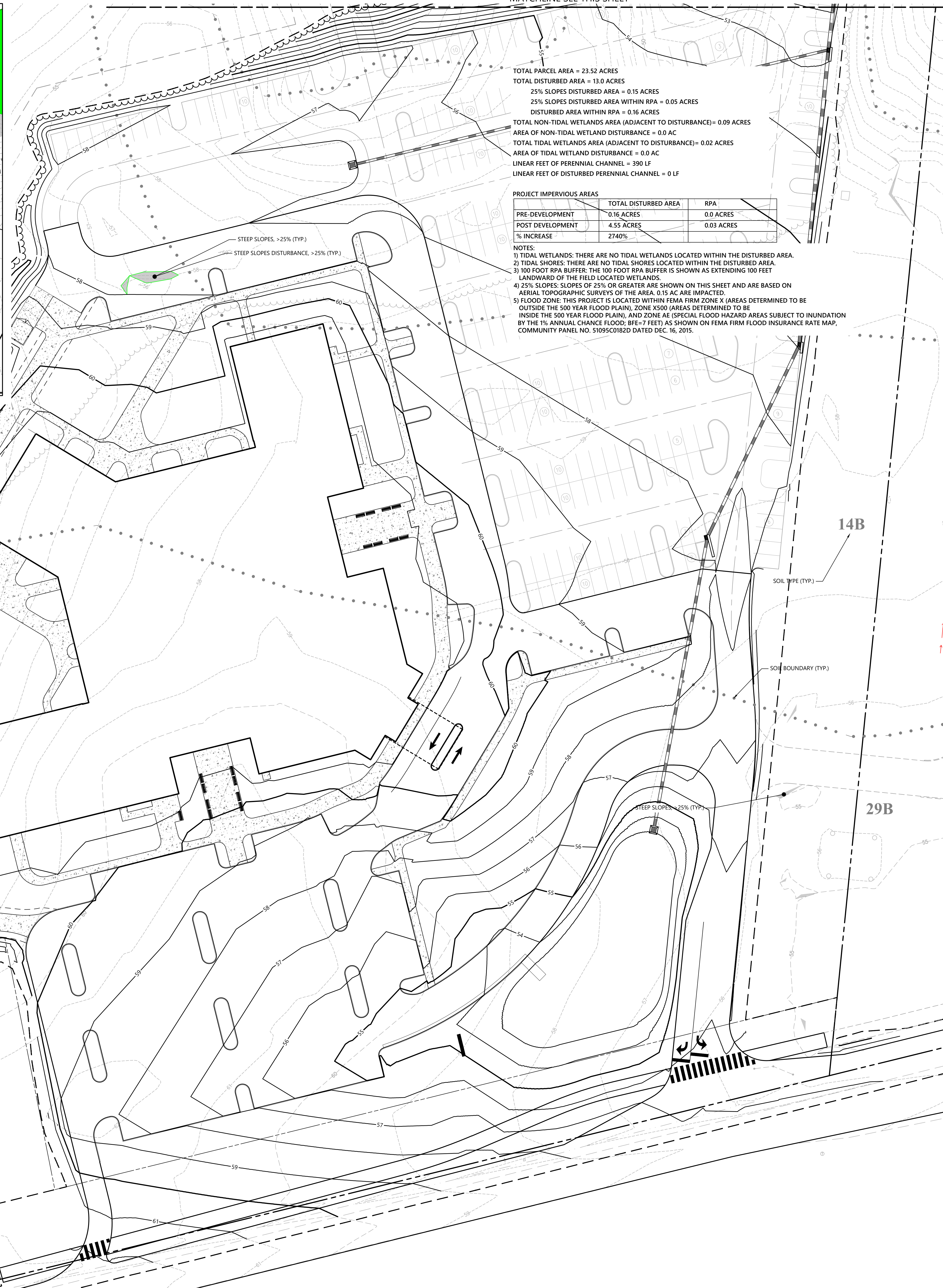
Michael D. Woolson
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of November, 2020.

CBPA20-0101-9230PocTrl-res



MATCHLINE SEE THIS SHEET



TOTAL PARCEL AREA = 23.52 ACRES
 TOTAL DISTURBED AREA = 13.0 ACRES
 25% SLOPES DISTURBED AREA = 0.15 ACRES
 25% SLOPES DISTURBED AREA WITHIN RPA = 0.05 ACRES
 DISTURBED AREA WITHIN RPA = 0.16 ACRES
 TOTAL NON-TIDAL WETLANDS AREA (ADJACENT TO DISTURBANCE) = 0.09 ACRES
 AREA OF NON-TIDAL WETLAND DISTURBANCE = 0.0 AC
 TOTAL TIDAL WETLANDS AREA (ADJACENT TO DISTURBANCE) = 0.02 ACRES
 AREA OF TIDAL WETLAND DISTURBANCE = 0.0 AC
 LINEAR FEET OF PERENNIAL CHANNEL = 390 LF
 LINEAR FEET OF DISTURBED PERENNIAL CHANNEL = 0 LF

PROJECT IMPERVIOUS AREAS	TOTAL DISTURBED AREA	RPA
PRE-DEVELOPMENT	0.16 ACRES	0.0 ACRES
POST DEVELOPMENT	4.55 ACRES	0.03 ACRES
% INCREASE	2740%	

- NOTES:
- 1) TIDAL WETLANDS: THERE ARE NO TIDAL WETLANDS LOCATED WITHIN THE DISTURBED AREA.
 - 2) TIDAL SHORES: THERE ARE NO TIDAL SHORES LOCATED WITHIN THE DISTURBED AREA.
 - 3) 100 FOOT RPA BUFFER: THE 100 FOOT RPA BUFFER IS SHOWN AS EXTENDING 100 FEET LANDWARD OF THE FIELD LOCATED WETLANDS.
 - 4) 25% SLOPES: SLOPES OF 25% OR GREATER ARE SHOWN ON THIS SHEET AND ARE BASED ON AERIAL TOPOGRAPHIC SURVEYS OF THE AREA. 0.15 AC ARE IMPACTED.
 - 5) FLOOD ZONE: THIS PROJECT IS LOCATED WITHIN FEMA FIRM ZONE X (AREAS DETERMINED TO BE INSIDE THE 500 YEAR FLOOD PLAIN), AND ZONE AE (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; BFE=7 FEET) AS SHOWN ON FEMA FIRM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 51095C0182D DATED DEC. 16, 2015.

LEGEND

- LIMITS OF DISTURBANCE (PHASE 1 DEVELOPMENT)
- 100'RPA
- 50'RPA
- RPA BUFFER IMPACTS (0.16 AC)
- STEEP SLOPE, >25%
- STEEP SLOPE IMPACTS (0.15 AC)
- SOIL BOUNDARY
- FUTURE DEVELOPMENT

0 15 30 60 Feet

Peninsula Pentecostal Church - Phase 1
 9230 Pocahontas Trail
 Williamsburg, Virginia 23185

No.	Revision	Date	App'd

Designed by: _____ Checked by: _____
 Issued for: _____ Date: **October 23, 2020**

Not Approved for Construction
Phase 1 Environmental Inventory

C2.02

Sheet 24 of 24

Project Number: 33749.01



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING **WEDNESDAY NOVEMBER 12, 2020 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 CASE:

CBPA 20-0101: Vanesse Hangen Brustlin, Inc. has filed an exception request for encroachments into the RPA buffer for a sanitary sewer connection at 9230 Pocahontas Trail, JCC Parcel 6010100006.

CBPA 20-0102: LandTech Resources, Inc. has filed an exception request for encroachments into the RPA buffer for a deck and screened porch at 233 Richard Brewster, JCC Parcel 5030600044.

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All interested parties are invited to attend the meetings. There is also a call-in option for the public hearings. To participate, call 757-253-6772 to record a comment that will be played during the meeting. Recorded comments must be submitted no later than noon on the day of the meeting. Please give your name and address for the public record and limit comments to five minutes or less. Questions? Call 757-253-6823.

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 – October 28 and November 4, 2020.

ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

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



General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov
jamescitycountyva.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
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October 21, 2020

RE: CBPA-20-0101
9230 Pocahontas Trail
Sanitary sewer connection to an existing
gravity sanitary sewer main

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Anthony Loubier of Vanesse Hangen Brustlin, Inc., (VHB) on behalf of Peninsula Pentecostals, Inc. for encroachment into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection to an existing gravity sanitary sewer main. The project is located at 9230 Pocahontas Trail and further identified as JCC Parcel No. 6010100006.

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 **Thursday, November 12, 2020 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,

Michael D. Woolson

Michael D. Woolson
Chesapeake Bay Board Secretary
757-253-6823
michael.woolson@jamescitycountyva.gov

cc: Vanesse Hangen Brustlin, Inc.
Mr. Anthony Loubier

MDW: jep

Mailing List for: CBPA-20-0101-9230 Pocahontas Trail – Sanitary sewer connection to an existing gravity sanitary water main within the RPA.

Owner: 6010100006-9230 Pocahontas Trail
6010100007-9240 Pocahontas Trail
Peninsula Pentecostals, Inc.
404 Sharon Drive
Newport News, VA 23602-5609

5920100016-9198 Pocahontas Trail
Morning Star Baptist Church
c/o Mrs. Irvin Johnson
196 Railroad Street
Williamsburg, VA 23185-6010

5920600001A- 2.95 A
Carter's Village Homeowners Association
4029 Ironbound Road
Williamsburg, VA 23188-2549

Engineers:
Vanasse Hangen Brustlin, Inc
Attn: Mr. Anthony Loubier
351 McLaws Circle
Williamsburg, VA 23185-6316

5920400001E-1.75A CA P-5 Skiffes Creek
5920400001D-2.52A CA P-4 Skiffes Creek
5920400001C-6.95 A CA P-3 Skiffes Creek
Skiffes Creek Homeowners Association, Inc.
P.O. Box 3244
Lee Hall, VA 23603-0244

6010100004A-8970 Pocahontas Trail
Skiffes Creek, LLC
473 Wolf Drive
Newport News, VA 23601-1900

ITEM SUMMARY

DATE: 11/12/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Colonial Soil and Water Conservation District Presentation

ATTACHMENTS:

	Description	Type
📎	Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	11/6/2020 - 5:12 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:37 AM
Publication Management	Daniel, Martha	Approved	11/9/2020 - 10:50 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:50 AM

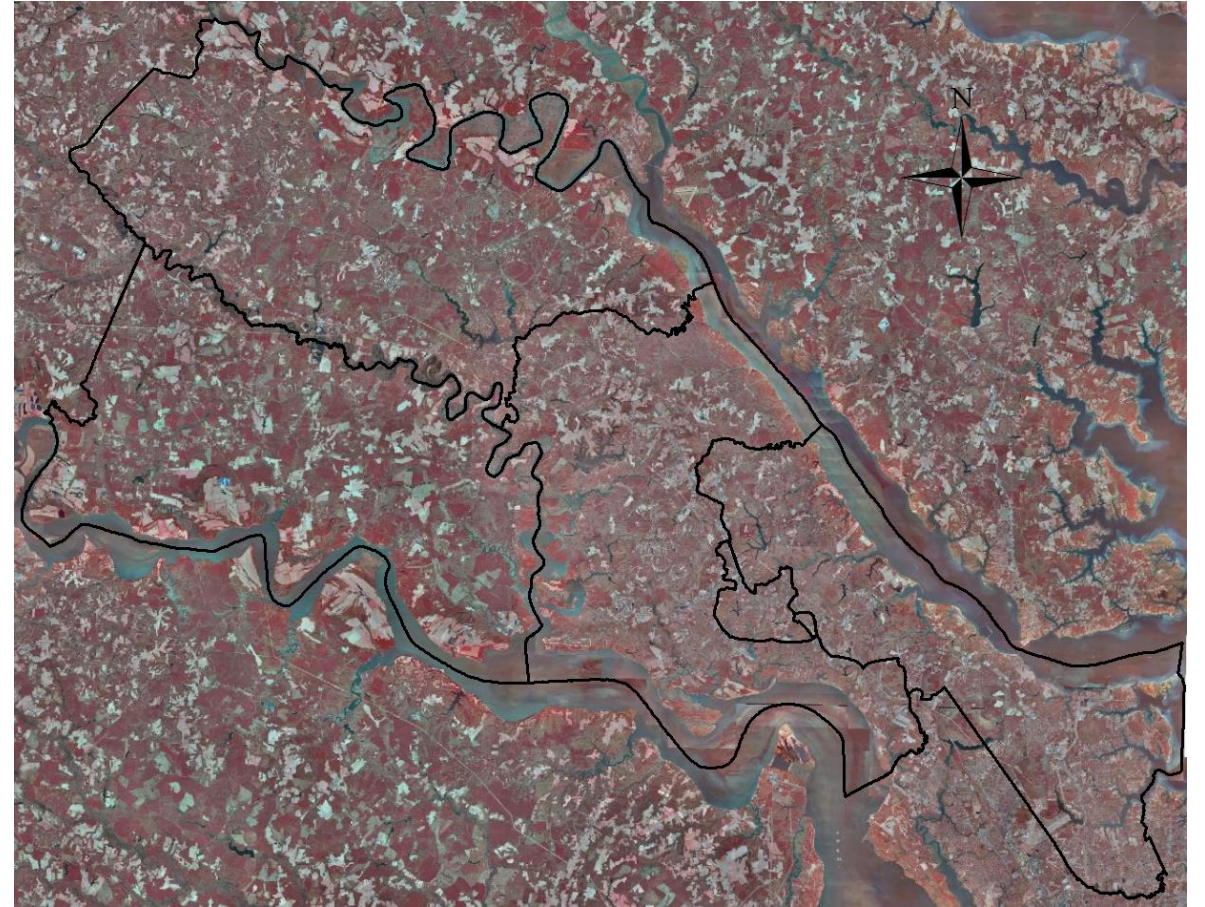
Colonial Soil and Water Conservation District

Presentation to the James City County Chesapeake Bay Board
November 11, 2020



Colonial District Overview

- Political Subdivision of the Commonwealth of VA
- One of 47 Districts in VA
- Serves James City, Charles City, New Kent, York Counties and the City of Williamsburg with two elected Directors from each locality
- Receives ~60% of Annual Funding From VA Dept. of Conservation and Recreation.
- Most Funding is obligated for specific efforts.



Conservation Programming

- Districts are a non-regulatory, non-enforcement agency and all programming is based on voluntary, incentive-based outreach
- Current programming includes:
 - Virginia Agricultural Cost Share (VACS) program
 - Decision Agriculture and Precision Agriculture (DAPA) program
 - Chesapeake Bay Preservation Act annual assessments and general support
 - Virginia Conservation Assistance Program
 - Turf Love
- Opportunities for future programming include:
 - Shoreline Evaluation Program
 - Equine Assessment and Conservation Program

Agricultural Programs

- Virginia Agricultural Cost Share Program (VACS)
 - Technical and Financial Assistance for Agricultural Conservation Practices
 - \$107,044 Spent on JCC Cropland Over the last 5 years
- Decision Agriculture and Precision Agriculture (DAPA)
 - Program funded by Virginia Environmental Endowment to provide financial incentive for producers to adopt precision agriculture management techniques
 - 437 acres enrolled in JCC in 2019
- Chesapeake Bay Preservation Act (CBPA)
 - CSWCD conducts 20 CBPA assessments on agricultural lands each year in accordance with JCC ordinance
 - CSWCD provides support for agricultural conservation planning for new operations

Virginia Conservation Assistance Program

- District provides technical advice & financial assistance to install/implement conservation practices
- In the last four years, VCAP has Provided \$65,625 to JCC Homeowners, HOAs, and ,Schools (Matched by \$41,818 from them)
- 10 year obligation - applicant to maintain & District to inspect



Turf Love

- Since Feb 2019, the District has completed 158 certified nutrient management plans for privately owned properties, as well as 24 certified nutrient management plans for County owned properties.
- With support from the JCC/Williamsburg Master Gardeners, Turf Love teaches homeowners how to maintain their lawns in an environmentally-responsible manner.
- Master Gardener volunteers are Judy McCormack, Dave Kleppinger, Wendy Hamrick, and Doug Callery
- Super Turf Saturday, a public educational event, provided over 100 attendees with sustainable lawn care advice from regional turf experts.

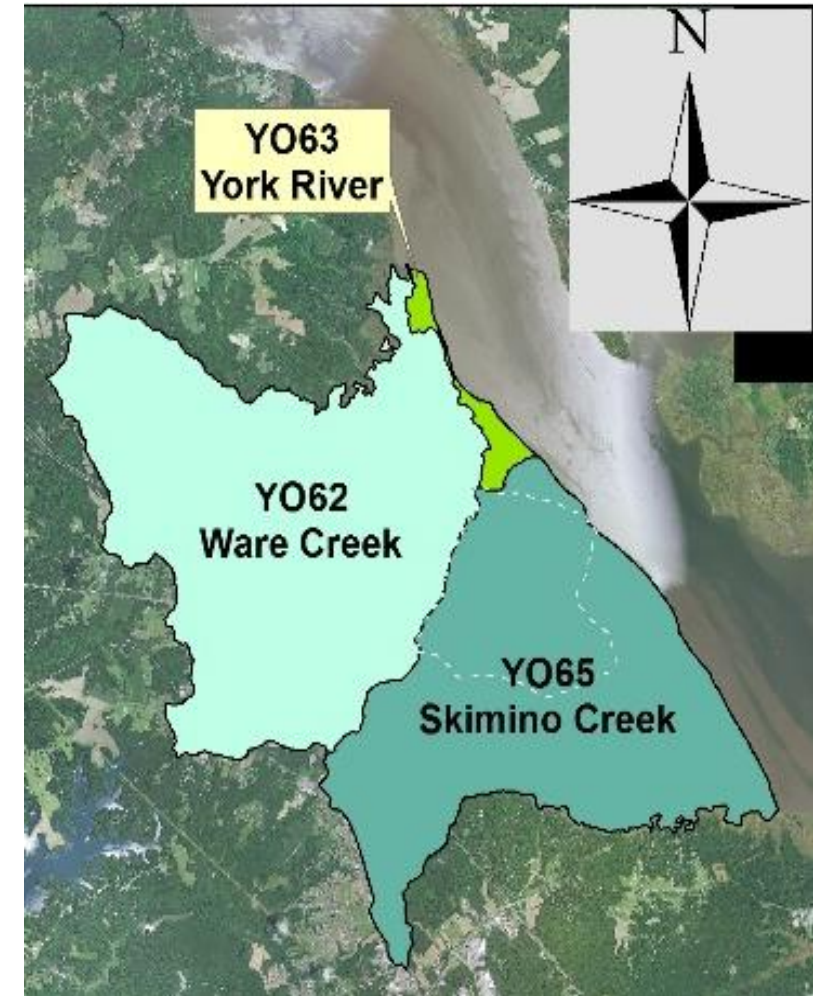


Shoreline Evaluation Program

- There are approximately 152 miles of shoreline along the James, York, and Chickahominy Rivers in James City County, containing 138 miles of marshlands and 14 miles of beach.
- CSWCD recognizes an increasing need for technical assistance for shorefront property owners to better manage their property to prevent water quality degradation
- In partnership with Williamsburg/James City County Master Gardeners, CSWCD is developing a Shoreline Evaluation Program in which participants will receive a shoreline assessment from District Staff or Master Gardener volunteers
- Assessment will include identification of current or potential shoreline issues, opportunities for improved management, and a final report with recommendations for further assistance if needed or desired

Equine Conservation

- In 2018, CSWCD worked with JCC Stormwater & Resource Protection to conduct a survey of equine operations in three target watersheds
- Survey results indicated a need for further technical and educational assistance for equine conservation needs
- CSWCD recommended a change in equine stocking rates for the JCC Comprehensive Plan from 7 horses per acre to 1 horse per acre, in line with industry standard best management practices, or BMPs
- Phase 2 of Equine Assessment to include surveying the remainder of the county and developing a financial incentive program for equine conservation, when funding is available



FY2020 Support From JCC

Service Provided by CSWCD	Funding Provided by James City County
Technical assistance relating to the agricultural provisions of the James City County Chesapeake Bay Preservation Act (CBPA) Ordinance.	\$12,500
20 Agricultural Lands Assessments, as required by the Chesapeake Bay Preservation Act.	\$8,800
Administer Turf Love Program in James City County, delivering 90 nutrient management plans and conducting 4 educational events.	\$40,000
Total	\$61,300

FY 2022 Budget Request

Service Provided by Colonial SWCD	Budget Request
Technical assistance for the agricultural provisions of the James City County Chesapeake Bay Preservation Act (CBPA) Ordinance.	\$12,500
Conduct 20 Agricultural Lands Assessments, as required by the Chesapeake Bay Preservation Act.	\$8,800
Administer Turf Love Program in James City County, delivering 150 certified nutrient management plans (NMPs) and conducting 5 educational events.	\$62,250
Supplemental support for the administration of the Virginia Conservation Assistance Program (VCAP).	\$3,500
Supplemental support for the administration of the newly formed Shoreline Evaluation Program (SEP).	\$4,250
Total	\$91,300

Colonial SWCD Contact Information

Directors Elected to Represent James City County

Robert Lund, Jr.
(757) 645-3510

Robert.Lund@colonialswcd.net

Douglas Hall
(951) 514-5626

Douglas.Hall@colonialswcd.net

District Manager

Jim Wallace
(757) 645-4895

Jim.Wallace@colonialswcd.net

Urban Conservationist

Robyn Goad
(757) 645-4895

robyn.goad@colonialswcd.net

Website <https://www.colonialswcd.net/>

ITEM SUMMARY

DATE: 11/12/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: 2021 Calendar

ATTACHMENTS:

	Description	Type
📎	2021 Calendar	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	10/30/2020 - 7:23 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:35 AM
Publication Management	Daniel, Martha	Approved	11/9/2020 - 10:40 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:49 AM

JAMES CITY COUNTY

2021 WETLAND AND CHESAPEAKE BAY BOARD MEETING CALENDAR

January 2021	February 2021	March 2021	April 2021
Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
May 2021	June 2021	July 2021	August 2021
Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
September 2021	October 2021	November 2021	December 2021
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ITEM SUMMARY

DATE: 11/12/2020
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: Election of Officers for 2021

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	10/30/2020 - 7:23 PM
Chesapeake Bay Group	Small, Toni	Approved	11/9/2020 - 10:36 AM
Publication Management	Daniel, Martha	Approved	11/9/2020 - 10:51 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	11/9/2020 - 10:51 AM