

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
April 14, 2021
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from February 10, 2021, Regular Meeting
2. Minutes from March 22, 2021, Work Session

D. PUBLIC HEARINGS

1. CBPA 21-0017: 10025 Sycamore Landing Road
2. CBPA 21-0036: 104 Seven Oaks
3. Case No. CBPA 21-0044 : 9209 Candle Light Court
4. Case No. CBPA 21-0045 : 4055 South Riverside Drive
5. Case No. CBPA 21-0047 : 208 Monifieth

E. BOARD CONSIDERATIONS

1. Case No. CBPA 19-0037 : 499 Jolly Pond Road

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 4/14/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: Minutes from February 10, 2021, Regular Meeting

ATTACHMENTS:

	Description	Type
📎	Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	3/31/2021 - 3:12 PM
Chesapeake Bay Group	Small, Toni	Approved	3/31/2021 - 5:23 PM
Publication Management	Daniel, Martha	Approved	4/1/2021 - 8:04 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/4/2021 - 9:35 AM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23185
February 10, 2021
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for February 10, 2021, 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:

Halle Dunn, Vice Chairman
Charles Roadley
William Apperson
Larry Waltrip
David Gussman, Remote Access

A motion to allow the Remote Participation was made by Halle Dunn and approved on a voice vote.

Board Members Absent:

None

Other Staff Present:

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

C. MINUTES

1. Minutes from January 13, 2021, Regular Meeting

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

D. PUBLIC HEARINGS

1. Case No. CBPA 20-0148 : 236 William Barksdale

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Christopher Hakim, for encroachments into the Resource Protection Area (RPA) buffer for the construction of two retaining walls located at 236 William Barksdale within the Kingsmill Subdivision and the College Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4940300099. The presentation described the current and

proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Dunn opened the Public Hearing.

A. Mr. Christopher Hakim, owner, outlined the project for the Board.

Mr. Roadley inquired of the height and use for the retaining walls.

A. Mr. Hakim replied that the height would be approximately two feet and require a minimal amount of reinforcement.

Mr. Roadley inquired about the wall construction material to be used.

A. Mr. Hakim responded that it would be a block wall.

Mr. Dunn 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 20-0148 at 236 William Barksdale.

A motion to Approve with Conditions was made by Mr. Apperson, the motion result was:

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

AYES: Dunn, Roadley, Apperson, Waltrip, Gussman

NAYS: None

ABSENT: None

2. Case No. CBPA 20-0153 : 164 West Landing

Mr. Michael Woolson, Senior Watershed Planner, presented the exception request submitted by Mr. Wayne Savage, Bay Design Group on behalf of Mr. Gerard and Mrs. Carrie Morelli, for encroachments into the RPA buffer for the construction of a pool and a pool house located at 164 West Landing, within the Kingsmill Subdivision and the College Creek watershed. The property is further identified as James City County Tax Map Parcel No. 5031200010. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley inquired if it was an aesthetic feature for the grass area to extend into the seaward 50 feet.

Mr. Woolson deferred to the applicant for an answer. The grass area is on the remainder of the knoll, with no steep slope impacts or any significant regrading.

Mr. Dunn inquired if the lawn area was in the seaward 50 feet, as shown on the plan.

Mr. Woolson replied that the lawn as shown is within the seaward 50 feet. If the Board wants the lawn to be outside of the seaward 50 foot buffer, it could be made as a condition on the Resolution.

Mr. Dunn inquired about where the pool drainage was directed.

Mr. Woolson replied the pool drainage would be overland.

Mr. Dunn opened the Public Hearing.

A. Mr. Gerard Morelli, owner, replied that the pool would be salt water. He was available to answer any Board questions.

Mr. Roadley stated that he appreciated the infiltration trenches, to control the amount of stormwater that goes untreated into the wetlands and streams. He inquired how the pool would drain when it would need to be backflushed or the water changed out.

B. Mr. Wayne Savage, Bay Design Group, replied that the backwash system is done by the contractor. The purpose of the infiltration trenches are to not only pick up the stormwater but also incorporate any backwash filtering that would be done.

Mr. Roadley inquired of the encroachment to the seaward 50 foot RPA with the lawn area. He noted that the applicants seem to be amenable to possible design changes with the encroachment eliminated.

B. Mr. Savage was not aware of impacts into the seaward 50 foot RPA.

Mr. Roadley stated the impacts as presented on the graphic drawings.

Mr. Woolson explained the concerns noting that this was just a graphic representation of the proposed 750 square foot lawn area.

B. Mr. Savage replied if the applicant is fine with taking that out, that is not a problem at all. Vegetation is proposed to be added to that area and they are not planning to leave it as grass.

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

Mr. Roadley commented that any motion to approve would recommend removal of the proposed grassed area in the seaward 50 foot RPA.

Mr. Dunn expressed concern if the pool is drained then the salt water would go right out into the RPA area.

Mr. Roadley asked for clarification from Mr. Woolson, if an underdrain was included in the design specification as noted in the presentation.

Mr. Woolson replied that it can be included if the soils do not properly infiltrate.

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 20-0153 at 164 West Landing with a condition that there be no encroachment channel ward of the 50-foot seaward limit of the RPA.

A motion to Approve with conditions was made by Mr. Roadley, the motion result was:

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

AYES: Dunn, Apperson, Roadley, Waltrip, Gussman

NAYS: None

ABSENT: None

3. Case No. CBPA 20-0147 : 2416 Sarah Spence

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Jesus Mansidor for encroachments into the RPA buffer for the construction of a pool and paver patio area surrounding the pool located at 2416 Sarah Spence, within the Vineyards at Jockeys Neck Subdivision and the College Creek watershed. The property is further identified

as James City County Tax Map Parcel No. 4840200014. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Dunn opened the Public Hearing

A. Mr. Jesus Mansisidor, homeowner, outlined the project for the Board explaining the need for the pool. Pavers would be optional or decorative gravel if the Board preferred.

Mr. Roadley inquired about the infiltration to help capture the sheet flow of stormwater.

A. Mr. Mansisidor explained that the pool engineer was leaving the infiltration and drainage to the County's requirements. They felt there was enough land and mitigation to sustain the drainage of the pool and they could add a drainage system if the Board requested.

Mr. Roadley commented that the County treats gravel similarly to a paver and he would leave it to the applicant to decide which option to pursue. He was in favor of some type of infiltration system around the patio so that drainage could be treated before being discharged.

A. Mr. Mansisidor affirmatively agreed.

Mr. Waltrip inquired if the pool was to be a salt water pool.

A. Mr. Mansisidor replied that he preferred salt water, but did not know if one was more favorable or less favorable, leaving it open to what the County or the Board suggested.

Mr. Roadley inquired if staff would comment on gravel in relation to stormwater issues.

Mr. Woolson replied that staff would have no say in the specific patio material.

Mr. Apperson inquired about the patio materials and the infiltration requirement.

Mr. Woolson explained if the Board requests the infiltration of the backflow from the pool, the infiltration system could be designed for the impervious cover plus the quantity of water from the backflow of the pool.

Mr. Waltrip inquired as to the location of the infiltration system.

Mr. Woolson explained that the location of the infiltration system would be between the pool surface or improvements and Ajacan Lake. The surface water drains from the backyard towards Ajacan Lake.

Mr. Waltrip inquired if there would be a ditch with stone in it.

Mr. Woolson affirmatively replied. There would also be a planting bed area that could have some of the required planting mitigation.

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

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 20-0147 at 2416 Sarah Spence with the condition that the applicant incorporate an infiltration system to capture runoff and backwash.

A motion to Approve with Conditions was made by Mr. Roadley, the motion result was:
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

AYES: Dunn, Apperson, Roadley, Waltrip, Gussman

NAYS: None

ABSENT: None

E. BOARD CONSIDERATIONS

1. Case No. CBE-18-058 : 4447 Pleasant View Drive

Mr. Michael Woolson, Senior Watershed Planner, presented the extension request submitted by Ms. Renie Andrews for a two-year extension of the exception request originally granted on March 14, 2018. The exception request was for construction of a memorial garden located at 4447 Pleasant View Drive in the Powhatan Village subdivision and Powhatan Creek watershed. Staff concurred with this request and all other conditions of the approving resolution would still apply with a new expiration date of March 11, 2023.

Mr. Apperson made a motion to Adopt the resolution for Extension for Chesapeake Bay Board Case No. CBE-18-058 at 4447 Pleasant View Drive.

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

The motion result was: AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

AYES: Dunn, Apperson, Roadley, Waltrip, Gussman

NAYS: None

ABSENT: None

2. 2020 Year in Review

Mr. Michael Woolson, Senior Watershed Planner, presented the Wetlands and Chesapeake Bay Administrative and Legislative Board totals for reviews and inspections.

3. Chesapeake Bay Preservation Area Regulatory Amendments

Proposed Amendments to 9 VAC 25-830 dated February 10, 2021 for the 2020 General Assembly. Amended Virginia Code 62.1-44.15:72.

Staff briefly went over the proposed amendments.

Discussion ensued between the staff and the Board.

Mr. Roadley requested various models of input and the recommendations for output from the various agency meetings.

Mr. Woolson voiced his concern for who is to perform the analysis, the applicant, consultant, staff or the Board or a combination thereof.

Mr. Waltrip inquired if a work session could be planned for the near future.

Mr. Woolson stated a work session could be planned during the second half of March 2021. The two Alternate Board members would also need to attend.

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

A motion to Adjourn was made by Mr. Dunn and approved on a voice vote. The meeting adjourned at 6:10 p.m.

ITEM SUMMARY

DATE: 4/14/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: Minutes from March 23, 2021, Work Session

ATTACHMENTS:

	Description	Type
📎	Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	3/31/2021 - 3:03 PM
Chesapeake Bay Group	Small, Toni	Approved	3/31/2021 - 5:24 PM
Publication Management	Daniel, Martha	Approved	4/1/2021 - 8:06 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/4/2021 - 9:35 AM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD/WETLANDS BOARD
SPECIAL MEETING
County Government Center, Building D
101 Mounts Bay Road, Williamsburg, VA 23185
March 22, 2021
2:00 PM

A. CALL TO ORDER

The Wetlands and Chesapeake Bay Board Joint Work Session for March 22, 2021, was called to order.

The responsibility of the Wetlands Board is to carry out locally, the Commonwealth policy to preserve the wetlands and to accommodate economic activity so as to prevent their despoliation.

The responsibility of the Chesapeake Bay 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:

Halle Dunn, Vice Chairman Wetlands, Vice Chairman Chesapeake Bay
Charles Roadley
Larry Waltrip
David Gussman, Remote Access
Robert Lukens, Remote Access
William Apperson, Remote Access
Michael O'Brien, Remote Access

A motion to allow the Remote Participation was made by Chuck Roadley and approved on a voice vote.

Board Members Absent:

None

Other Staff Present:

Toni Small, Director, Stormwater and Resource
Protection Liz Parman, Assistant County Attorney
Michael Woolson, Senior Watershed Planner, Stormwater and Resource
Protection Trevor Long, Watershed Planner, Stormwater and Resource
Protection

C. PRESENTATIONS

1. Proposed Wetlands Guidance

Mr. Michael Woolson, Senior Watershed Planner, presented the proposed Wetlands Guidance from the Virginia Marine Resources Commission.

Discussion ensued about maintenance of structures, phragmites removal, and conflicts with the proposed Chesapeake Bay regulations.

2. Proposed Chesapeake Bay Preservation Area (CBPA) Amendment - Trees

Mr. Michael Woolson, Senior Watershed Planner, presented the proposed Chesapeake Bay Preservation Ordinance amendment for trees.

Discussion ensued about promoting successional type restoration through the Virginia Department of Forestry and prioritizing the Riparian Buffer Manual updates, including adding in alternative strategies for water quality protection.

3. Proposed CBPA Amendment - Climate Change

Mr. Michael Woolson, Senior Watershed Planner, presented the proposed Chesapeake Bay Preservation Ordinance amendment for climate change.

Discussion ensued about how the proposed regulations introduce subjectivity into the regulations instead of using clarifying language. The Board is not a big proponent of using models.

D. ADJOURNMENT

A motion to Adjourn was made by Mr. Roadley and approved on a voice vote. The meeting adjourned at 4:22 p.m.

ITEM SUMMARY

DATE: 4/14/2021

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Case No. CBPA 21-0017 : 10025 Sycamore Landing Road

Jeffrey Miller Builder, on behalf of Jeffrey and Anne Miller, has filed an exception request for encroachments into the RPA buffer for the construction of a detached garage, retaining wall, and driveway extension at 10025 Sycamore Landing Road, JCC Parcel ID No. 0720400007.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	Site Plan	Backup Material
☐	Details	Backup Material
☐	APO Letter	Backup Material
☐	APO Mailing List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/7/2021 - 3:46 PM
Chesapeake Bay Group	Small, Toni	Approved	4/8/2021 - 11:20 AM
Publication Management	Daniel, Martha	Approved	4/8/2021 - 11:43 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/8/2021 - 3:16 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0017. 10025 Sycamore Landing Road
Staff Report for the April 14, 2021, 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
Parcel Identification 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 - Base flood elevation determined to be at 7 feet mean sea level
Proposed Activity: Construction of a detached garage
Impervious Cover: 250 square feet
RPA Encroachment: 250 square feet, landward 50-foot RPA buffer
Staff Contact: Trevor A. 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 which approximately 250 square feet impact the RPA. This case appeared before and was approved by the Chesapeake Bay Board on August 14, 2019. The proposed garage was not started by August 14, 2020, however, and now must be considered by the Board as a new application. 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. The remainder of the area underneath is to be graveled.

This amount of impact would equate to one planting unit to which the applicant has provided to staff. The applicant has provided plans for a vegetated swale and a dripline irrigation trench to offset runoff from the impervious impacts from the garage. The applicant has submitted an Erosion and Sediment Control Plan, and Land Disturbing Permit, and has posted a surety for the mitigation requirements of this proposal.

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 considered accessory. Therefore, this request 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 was submitted for the proposed project.

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 has reviewed the application and exception request and has determined the impacts associated with the proposal to be minor for the proposed development. Staff does recommend approval for this exception request; however, if the Board wishes to approve 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, including an Erosion and Sediment Control Plan and a Land Disturbing Permit if necessary; and
2. The infiltration Best Management Practice will follow the standards and specifications found in the Virginia Department of Environmental Quality Stormwater Specification No. 8 Infiltration, current version; and
3. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, six weeks prior to the expiration date.

TAL/md
CBPA21-17SycLdg

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 21-0017. 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 April 14, 2021, 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. 0720400007 and further identified as 10025 Sycamore Landing Road (the “Property”) as set forth in the application CBPA 21-0017 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 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, including an Erosion and Sediment Control Plan and a Land Disturbing Permit if necessary; and
 - b. The infiltration Best Management Practice will follow the standards and specifications found in the Virginia Department of Environmental Quality Stormwater Specification No. 8 Infiltration, current version; and

- c. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, 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 14th day of April, 2021.

CBPA21-17SycLdg-res



Chesapeake Bay Board of James City County, Virginia

April 14, 2021

CBPA 21-0017

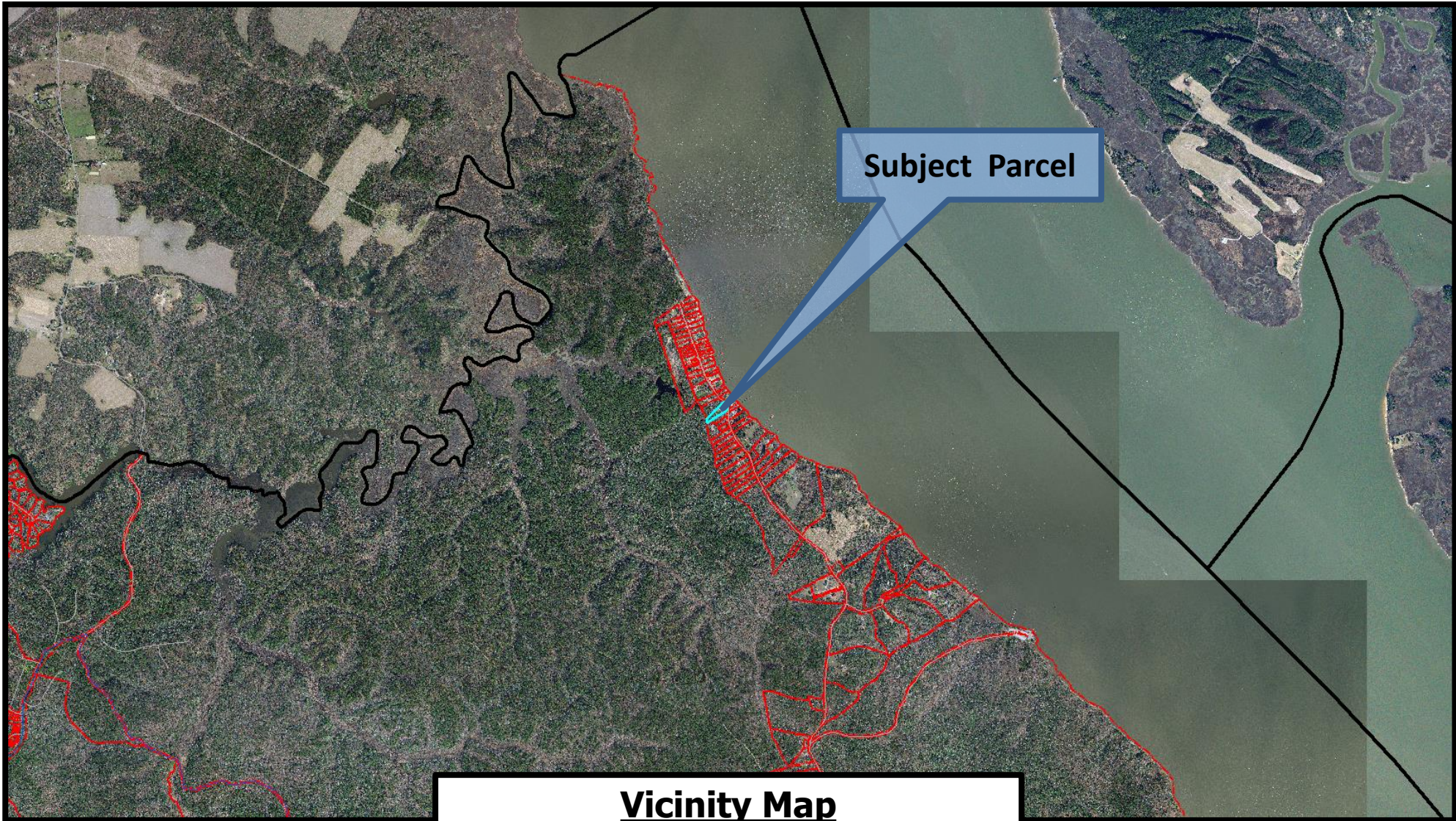
Jeffrey Miller

10025 Sycamore Landing Road

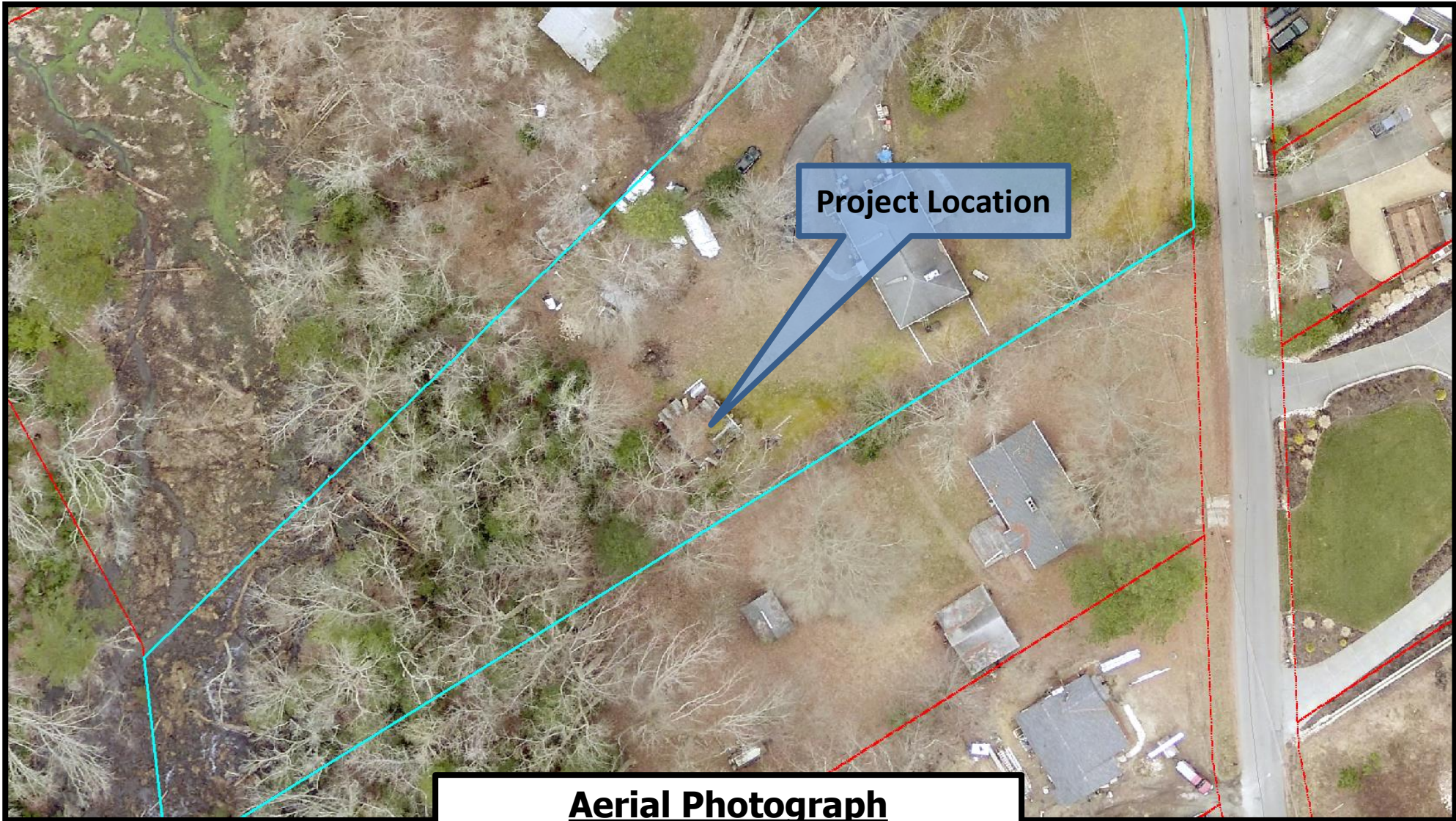


Applicant Request

- ✓ Construct a detached garage.

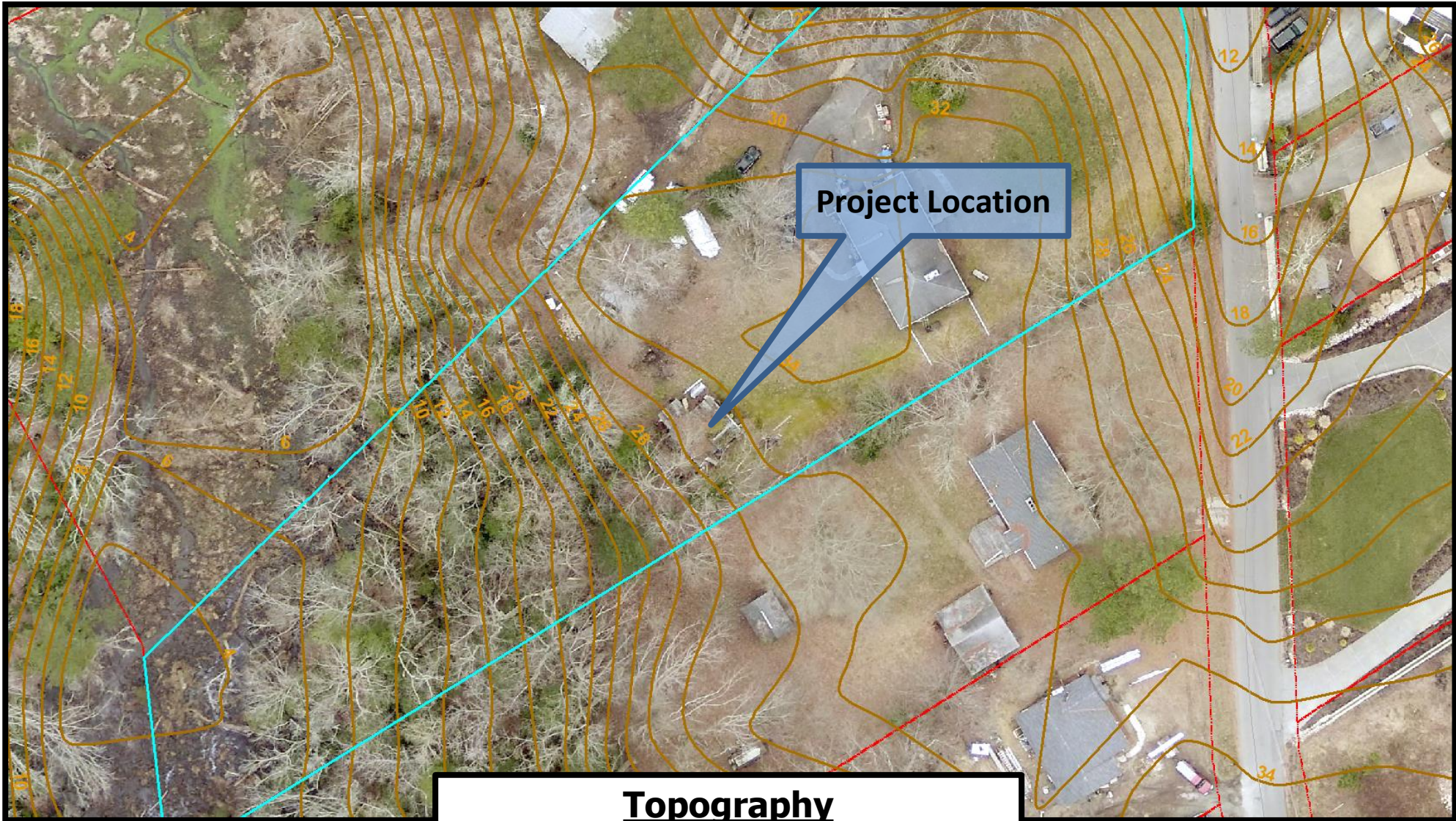


Vicinity Map
CBPA-21-0017
10025 Sycamore Landing Road

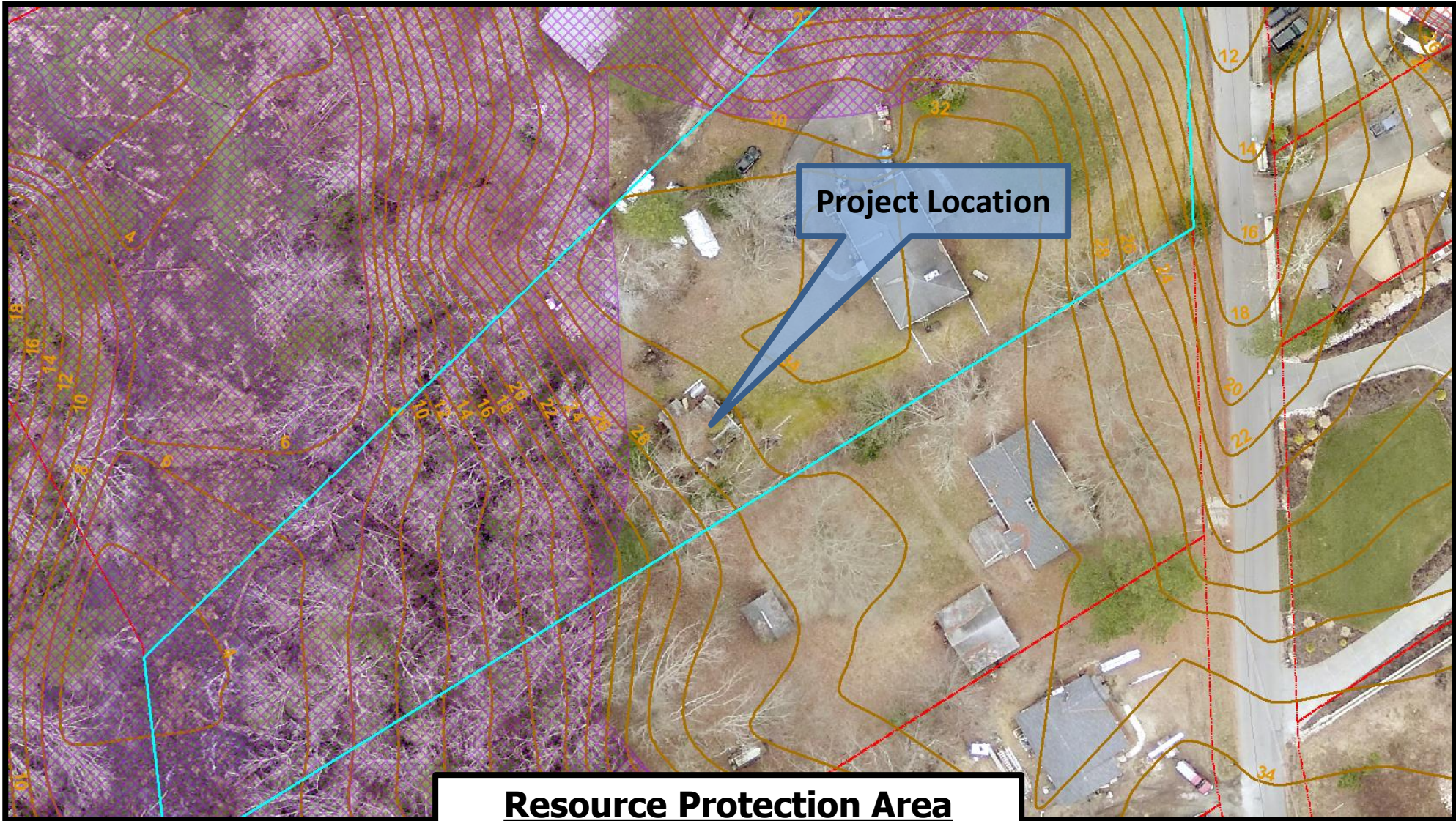


Project Location

Aerial Photograph
CBPA-21-0017
10025 Sycamore Landing Road

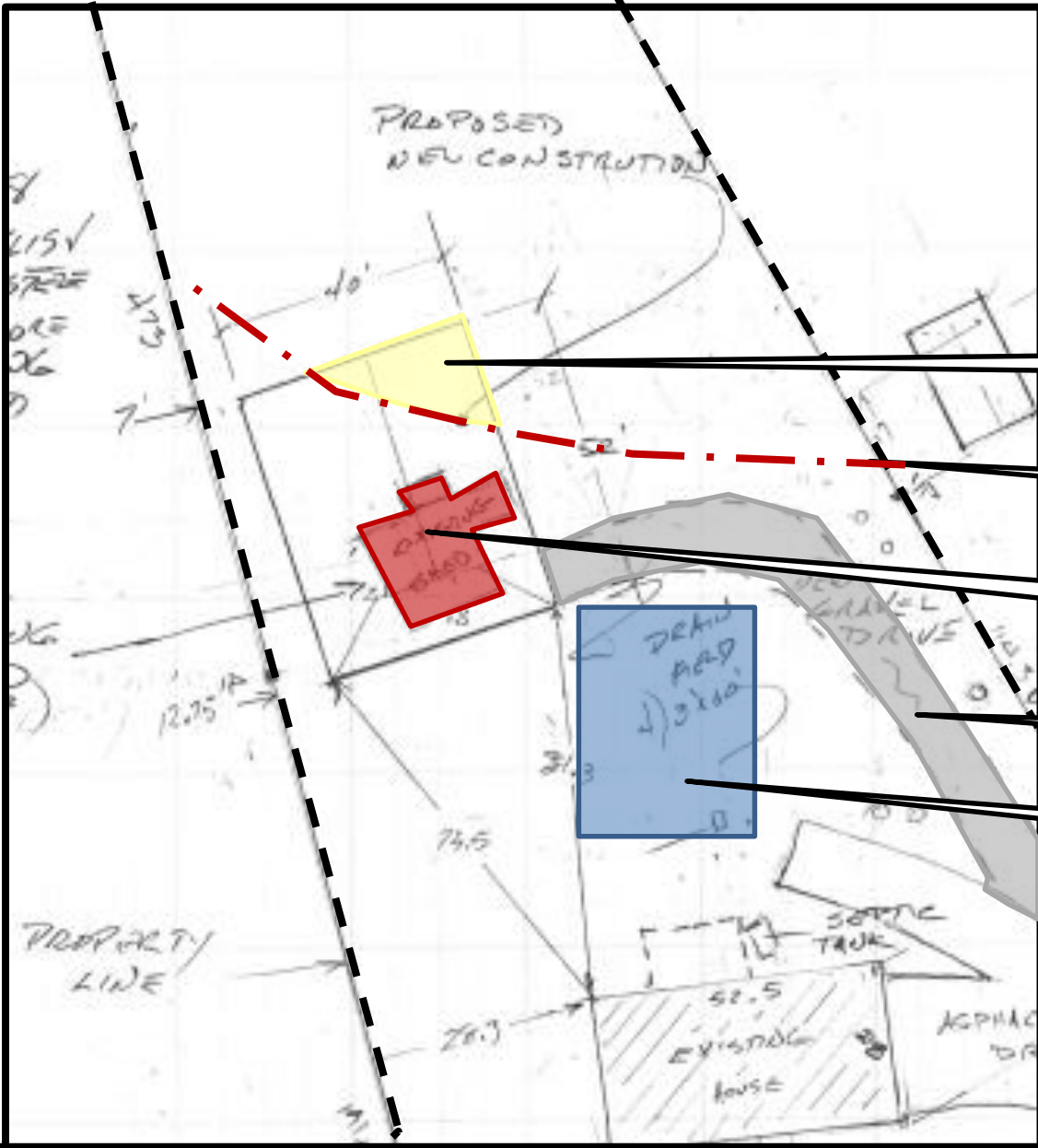


Topography
CBPA-21-0017
10025 Sycamore Landing Road



Project Location

**Resource Protection Area
CBPA-21-0017
10025 Sycamore Landing Road**



Site Plan showing proposed improvements, revised July 11, 2019. For representative use only for presentation of case #CBPA 21-0017.

Proposed shed

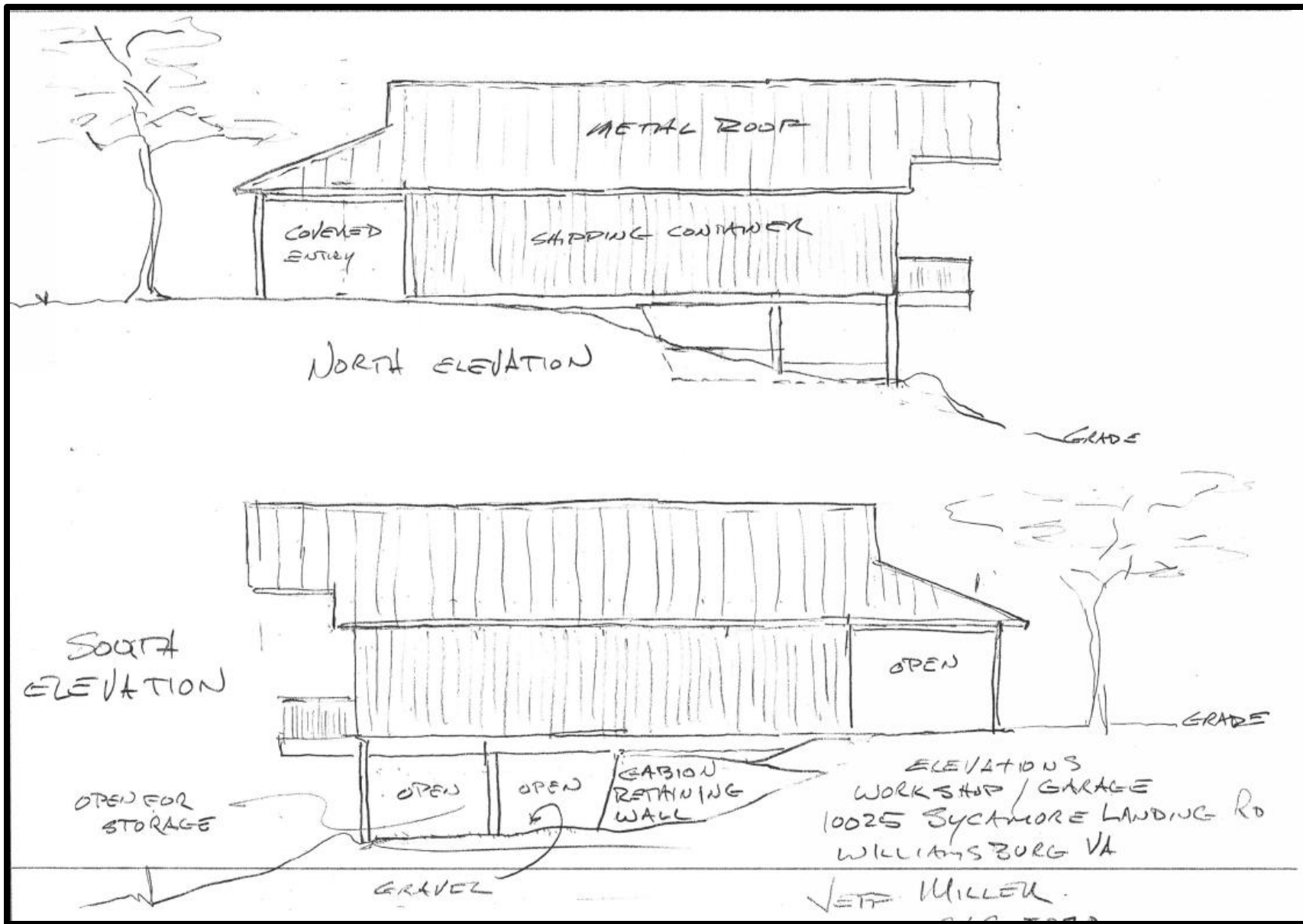
100' RPA

Existing shed, to be removed

Existing Gravel Drive

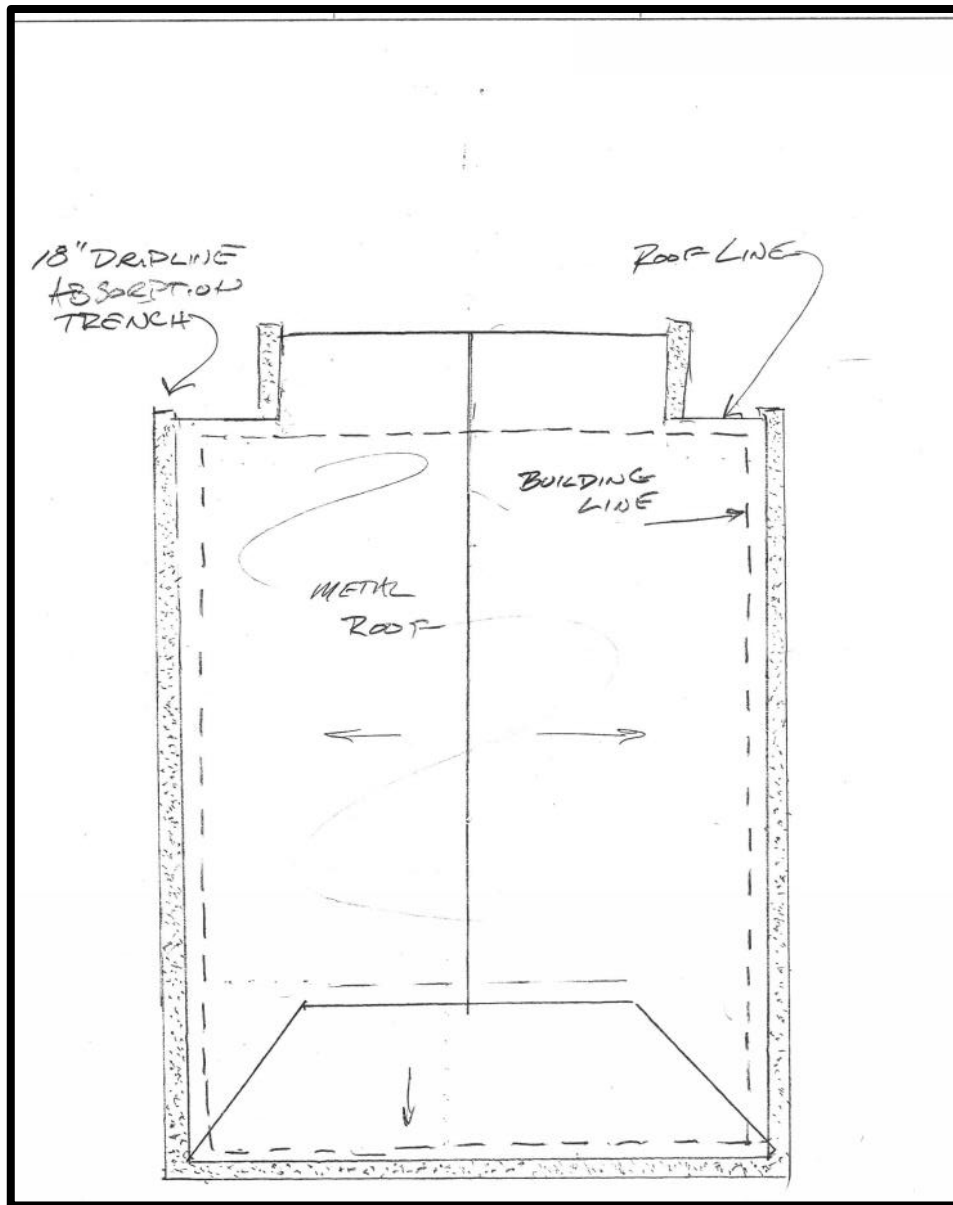
Existing Drain Field

Site Plan - CBPA-21-0017
10025 Sycamore Landing Road



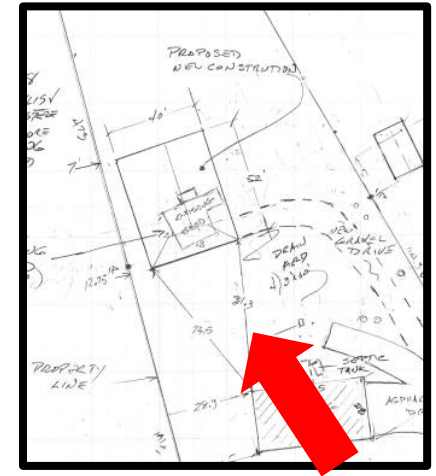
Site Plan showing proposed improvements, revised July 11, 2019. For representative use only for presentation of case #CBPA 21-0017.

Cross Section - CBPA-21-0017
10025 Sycamore Landing Road



Site Plan showing proposed improvements, revised July 11, 2019. For representative use only for presentation of case #CBPA 21-0017.

**Infiltration Trench Cross Section - CBPA-21-0017
10025 Sycamore Landing Road**



Site Photograph #1 - CBPA-21-0017
10025 Sycamore Landing Road



**Site Photograph #2 - CBPA-21-0017
10025 Sycamore Landing Road**



**Site Photograph #3 - CBPA-21-0017
10025 Sycamore Landing Road**



**Site Photograph #4 - CBPA-21-0017
10025 Sycamore Landing Road**

Permit Conditions



- ✓ All other necessary local, state and federal permits
- ✓ Submit a design for proposed infiltration practice that meets Virginia Stormwater BMP Clearinghouse Design Specification No. 8 Infiltration Practice
- ✓ This exception request approval shall become null and void if construction has not begun by April 14, 2022
- ✓ Written requests for extension submitted no later than March 3, 2022

VEFF 4 Anne Miller
10025 SYCAMORE LANDING RD
WILMANSBURG VA 23188

063010005
SCP-VTL
STOVE HOUSE
OWNER LLC



072040006A
MILLER, JAMES & ELIZABETH C
10031 SYCAMORE LANDING RD

072040008
CODY TRUSTEE
10021 SYCAMORE LANDING ROAD

REMOVE EXISTING SHED (802 F2)

PROPOSED NEW CONSTRUCTION

PROPERTY LINE

NOT CERTIFIED

SCALE 1" = 30'



COVER SCOPE 12'
WITH 4" MULCH

POST SET - MUD DOWN 1/4"

BERM SOIL

10) 8x16
CMU
THICK
GROUT
SOLID

CONCRETE

FOOTER
16" x 8"

BUILDING
LINE

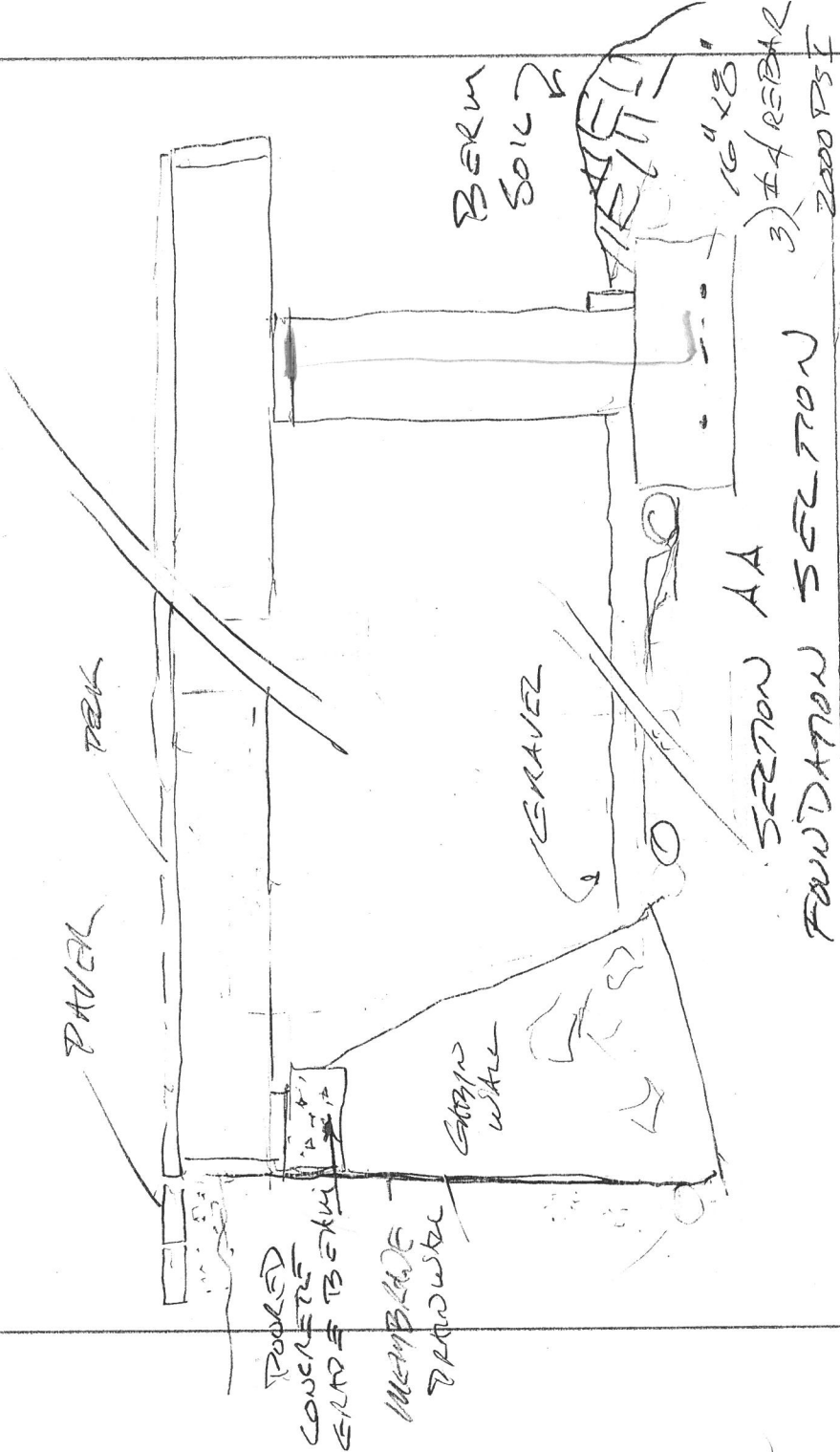
CEMENT WALL

FOOTER 16" x 8"

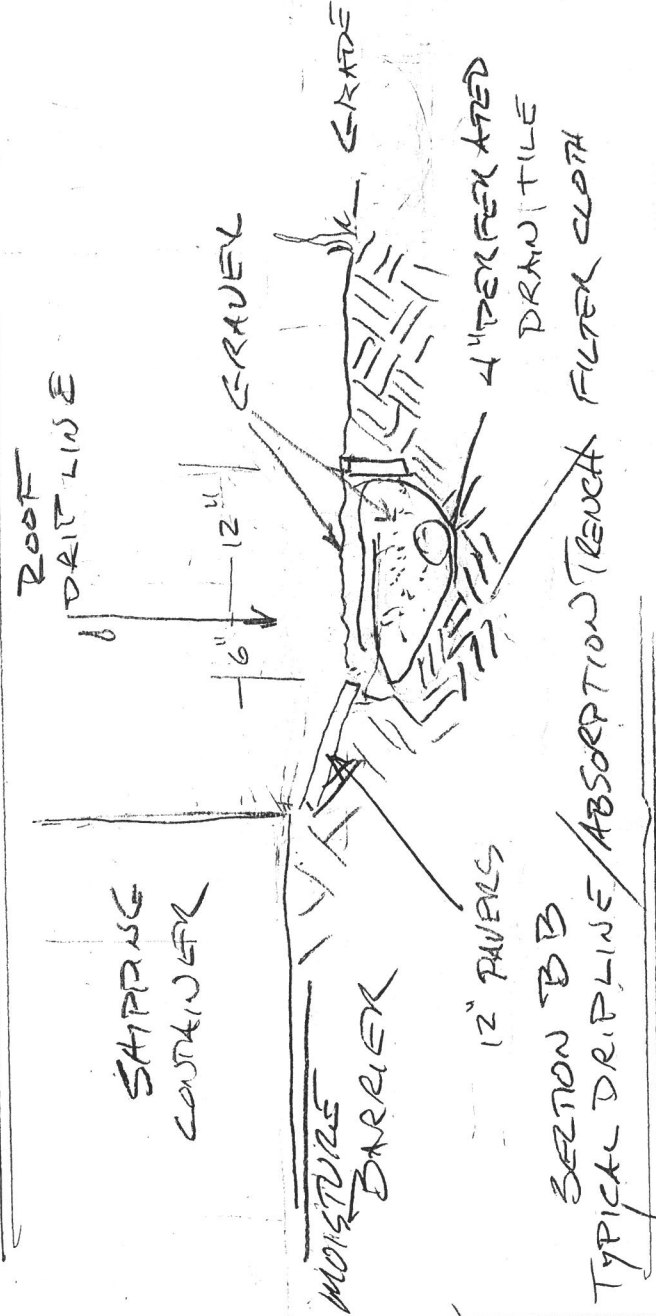
FOOTER

FOUNDATION PLAN
WORKSHOP/GARAGE
1025 SYAMORE LANDING RD
WILLIAMSBURG VA

VERE MILLER
757 269 5270



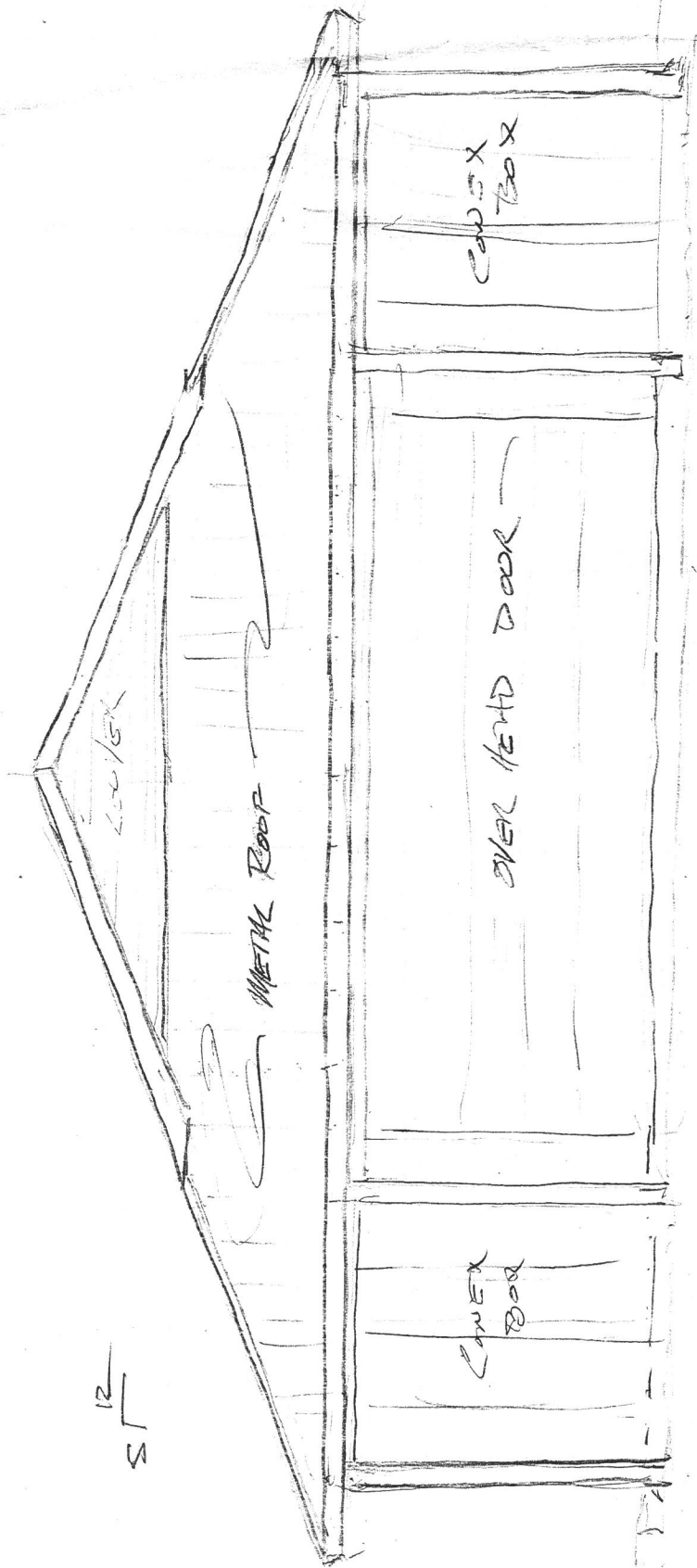
SECTION AA
FOUNDATION SECTION



SECTION BB
TYPICAL DRAIN LINE ABSORPTION TRENCH FILTER CLOTH

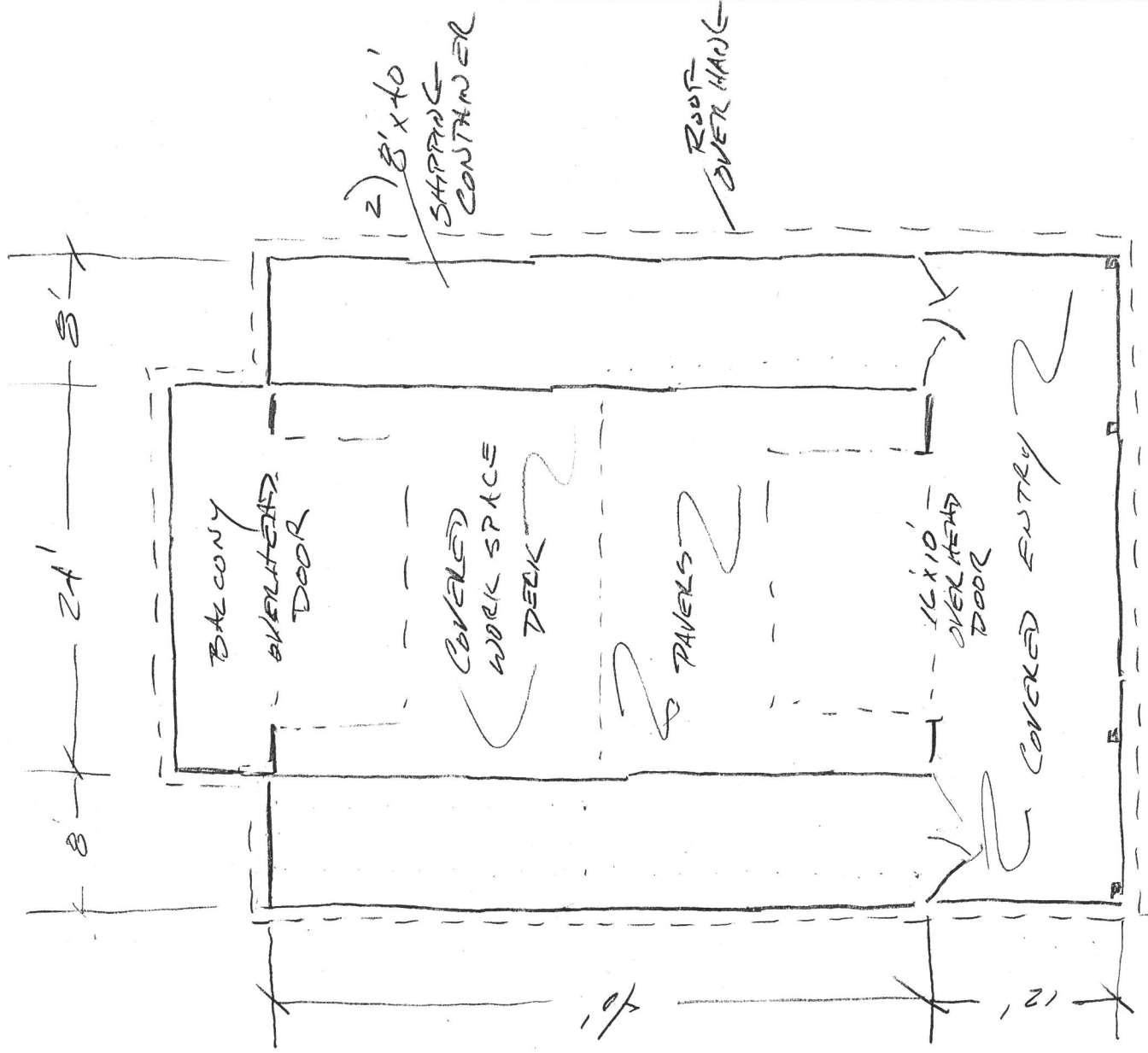
FOUNDATION SECTION'S
WORK SHOP / GARAGE
10025 Sycamore Landing Rd
Williamsburg VA
JEFF MILLER 8695270

FRONT ELEVATION
 BRK SHIP / GARAGE
 10025 SYD MORELAND DR
 WILLIAMSBURG VA
 VERR MILLER
 757 869 5270



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

FRONT ELEVATION



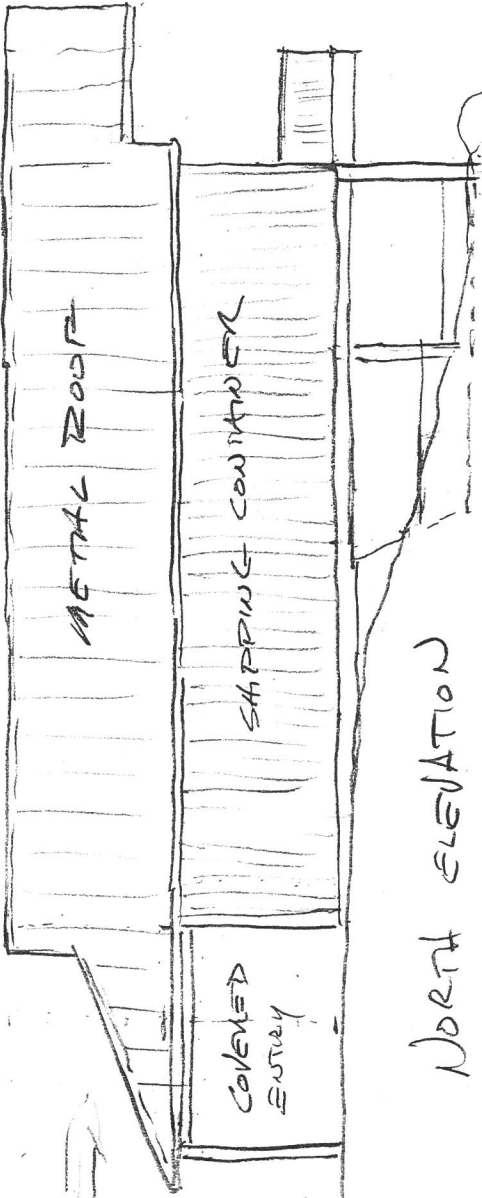
FLOOR PLAN
WORKSHOP/GARAGE

10025 SYAMORE LANDINGS RD
WILLIAMSBURG VA

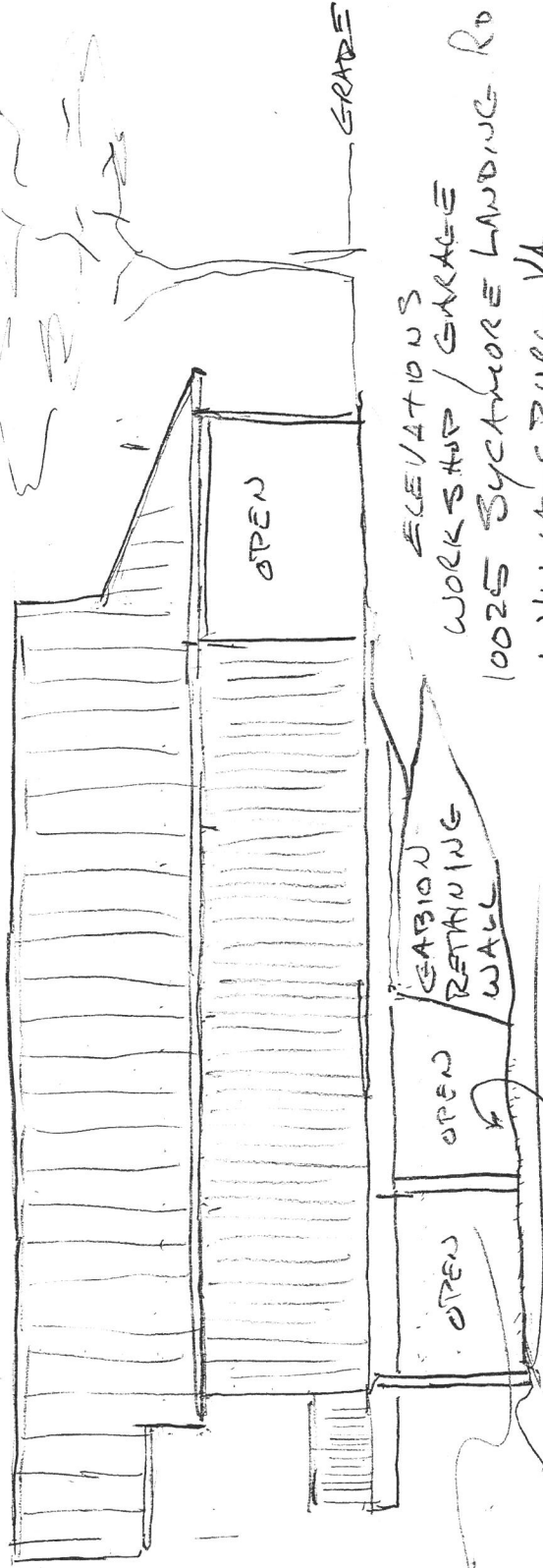
JEFF MILLER
757 869 5290

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

$\frac{1}{2}'' = 1'$



NORTH ELEVATION



SOUTH ELEVATION

JEFF MILLER
757 869-5270



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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March 24, 2021

RE: CBPA 21-0017
10025 Sycamore Landing Road
Detached Garage, Retaining Wall and Driveway Extension

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 Mr. Jeffery Miller and Mrs. Anne Miller for encroachment into the Resource Protection Area (RPA) buffer for the construction of a detached garage, retaining wall and driveway extension. 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, April 14, 2021 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: Jeffrey Miller Builder c/o Mr. Jeffrey Miller

MDW: jep

Mailing List for: CBPA-21-0017–10025 Sycamore Landing Road : Detached Garage, Retaining Wall and Driveway Extension

Owner: 0720400007

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

Contractor:

Jeffrey Miller Builder
10025 Sycamore Landing Road
Williamsburg, VA 23188-1255

0720400006A

Miller, James R & Elizabeth C
10031 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

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

ITEM SUMMARY

DATE: 4/14/2021

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Case No. CBPA 21-0036 : 104 Seven Oaks

Heart's Ease Landscape, on behalf of Joseph and Peggy Marsilii, has filed an exception request for encroachments into the RPA buffer for the construction of two retaining walls and a patio with steps at 104 Seven Oaks, JCC Parcel ID No. 3130900037.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	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	4/7/2021 - 3:58 PM
Chesapeake Bay Group	Small, Toni	Approved	4/8/2021 - 11:21 AM
Publication Management	Daniel, Martha	Approved	4/8/2021 - 11:44 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/8/2021 - 3:16 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0036. 104 Seven Oaks
Staff Report for the April 14, 2021, Chesapeake Bay Board Public Hearing**

This staff report is prepared by the 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. Peggy Marsilii
Agent: Ms. Peggy Krapf, Heart's Ease Landscaping
Location: 104 Seven Oaks
Parcel Identification No.: 3130900037
Parcel: Lot 37, Section 17, Ford's Colony
Lot Size: 0.38 acres
Area of Lot in Resource Protection Area (RPA): 0.23 acres +/- (61%)
Watershed: Powhatan Creek (HUC JL 31)
Floodplain: None affecting this property
Proposed Activity: Construction of two retaining walls and a patio
Impervious Cover: 336 square feet
RPA Encroachment: 336 square feet, seaward 50-foot RPA
Staff Contact: Trevor A. Long, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Peggy Krapf, Heart's Ease Landscaping, on behalf of Ms. Peggy Marsilii, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of two retaining walls and a patio on property located at 104 Seven Oaks within the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3130900037. The parcel was platted in 1997, before the changes to the Chesapeake Bay Ordinance in 2004.

The total lot size of this property is 0.38 acres, of which 61% is located within the RPA. The applicant is proposing two retaining walls equating to a total of 80 square feet of impervious impacts to the RPA. The rear of the yard is beginning to experience signs of rill erosion. Ease of access has also been a concern expressed by the applicant. It is for these reasons that the applicant is proposing the two retaining walls. The applicant is also proposing to construct a 256-square-foot patio. Total impervious area associated with the proposed construction equates to approximately 336 square feet of impacts to the RPA. Required mitigation for the amount of proposed impacts equates to the plantings of one canopy tree, two understory trees, and three shrubs. The applicant has proposed an excess of native riparian plantings on the planting plan.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of the two retaining walls and patio. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the retaining walls and patio 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 has reviewed the application and exception request and has determined the impacts associated with the proposal to be minor for the proposed development. Staff does recommend approval for this exception request; however, if the Board wishes to approve 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; and
2. A surety of \$250 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
3. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, six weeks prior to the expiration date.

TAL/md
SBPA21-36SevenOaks

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 21-0036. 104 SEVEN OAKS

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Peggy Marsilii (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 14, 2021, 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. 3130900037 and further identified as 104 Seven Oaks (the “Property”) as set forth in the application CBPA 21-0036 for the purpose of constructing two retaining walls and a patio; 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, including an Erosion and Sediment Control Plan and a Land Disturbing Permit if necessary; and
 - b. A surety of \$250 be submitted in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
 - c. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and

- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, 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 14th day of April, 2021.

CBPA21-36SevenOaks-res



Chesapeake Bay Board of James City County, Virginia

April 14, 2021

CBPA 21-0036

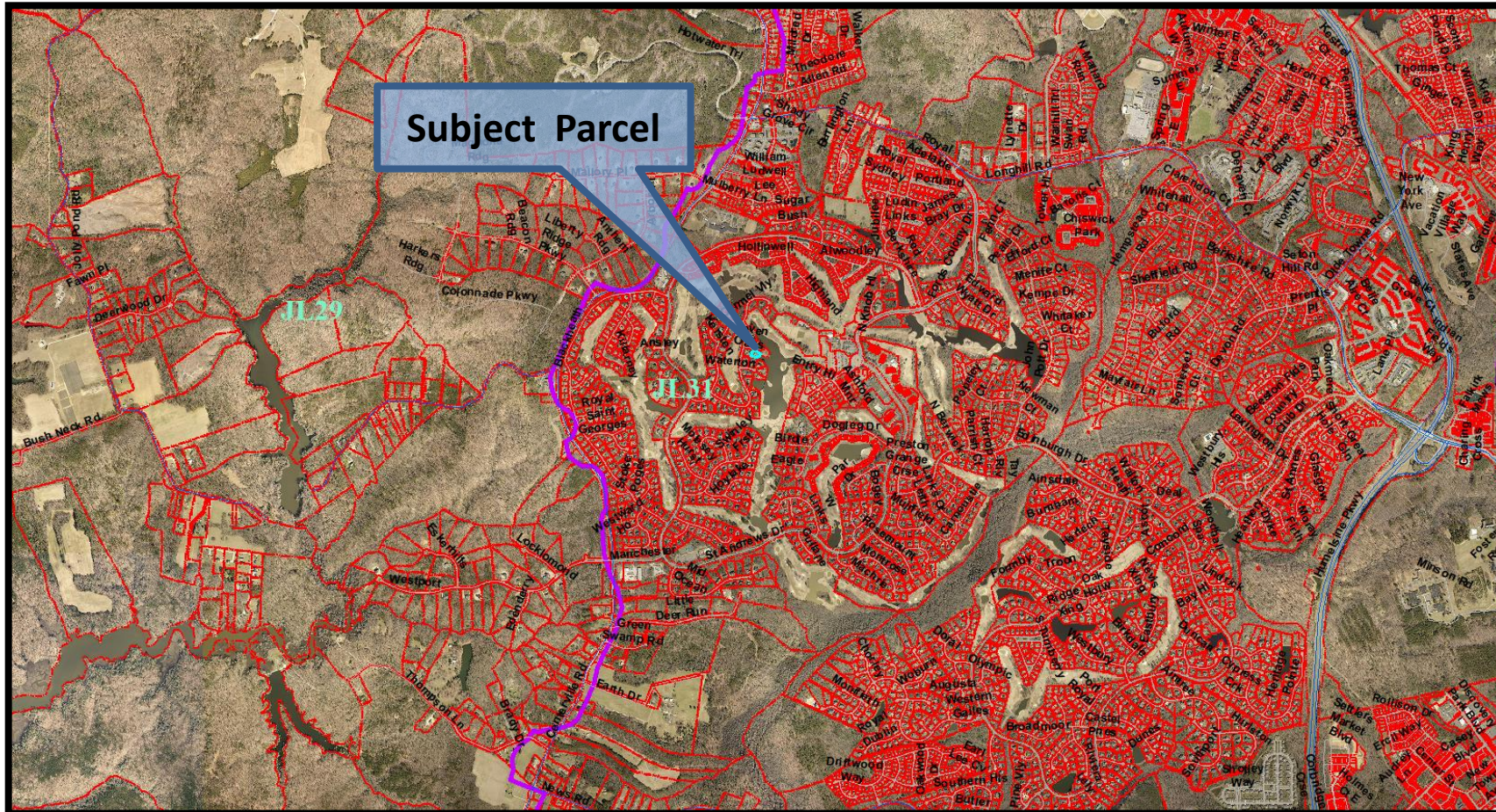
Peggy Marsilii

104 Seven Oaks



Applicant Request

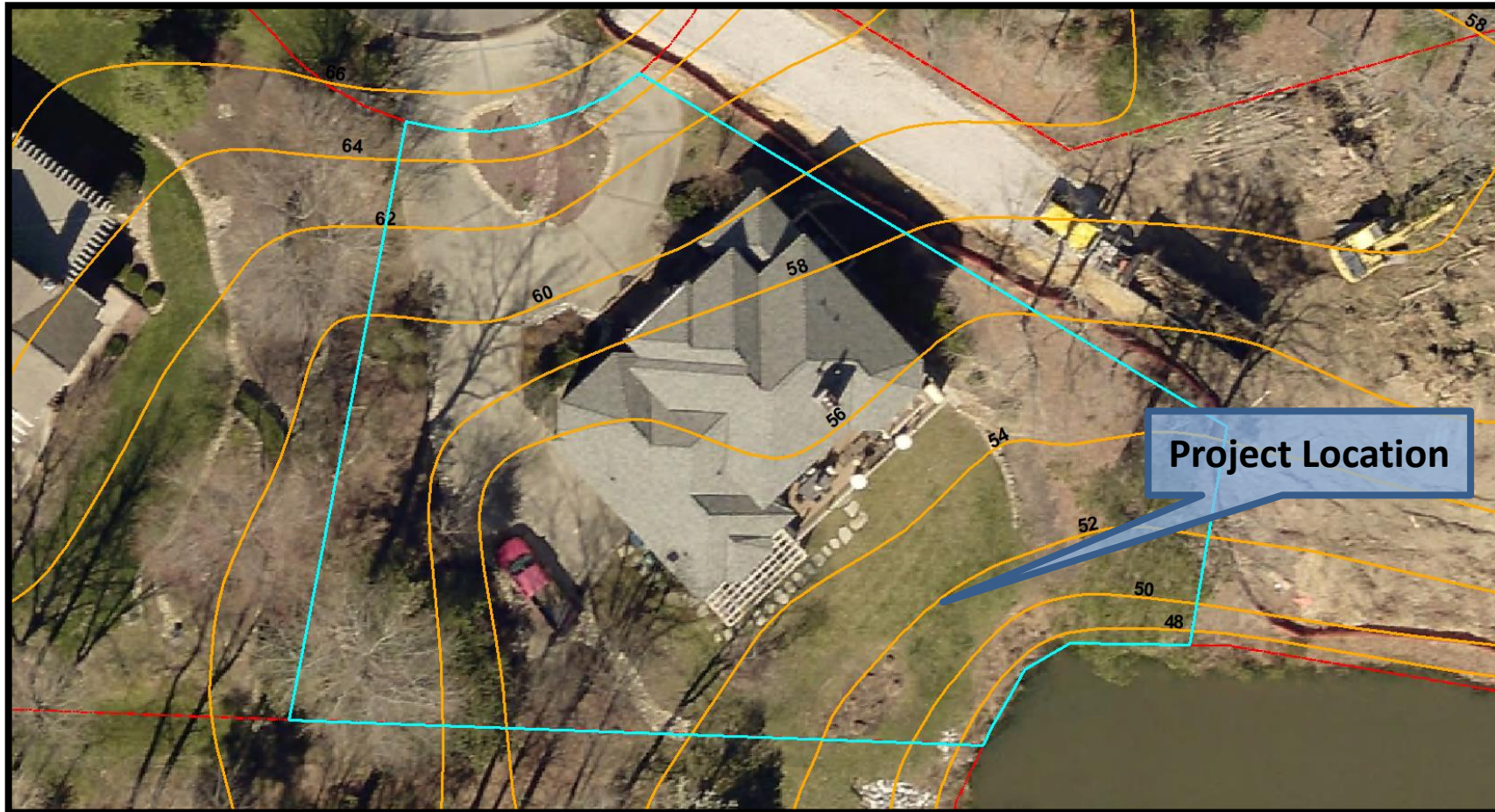
- ✓ Construct a patio and retaining walls.



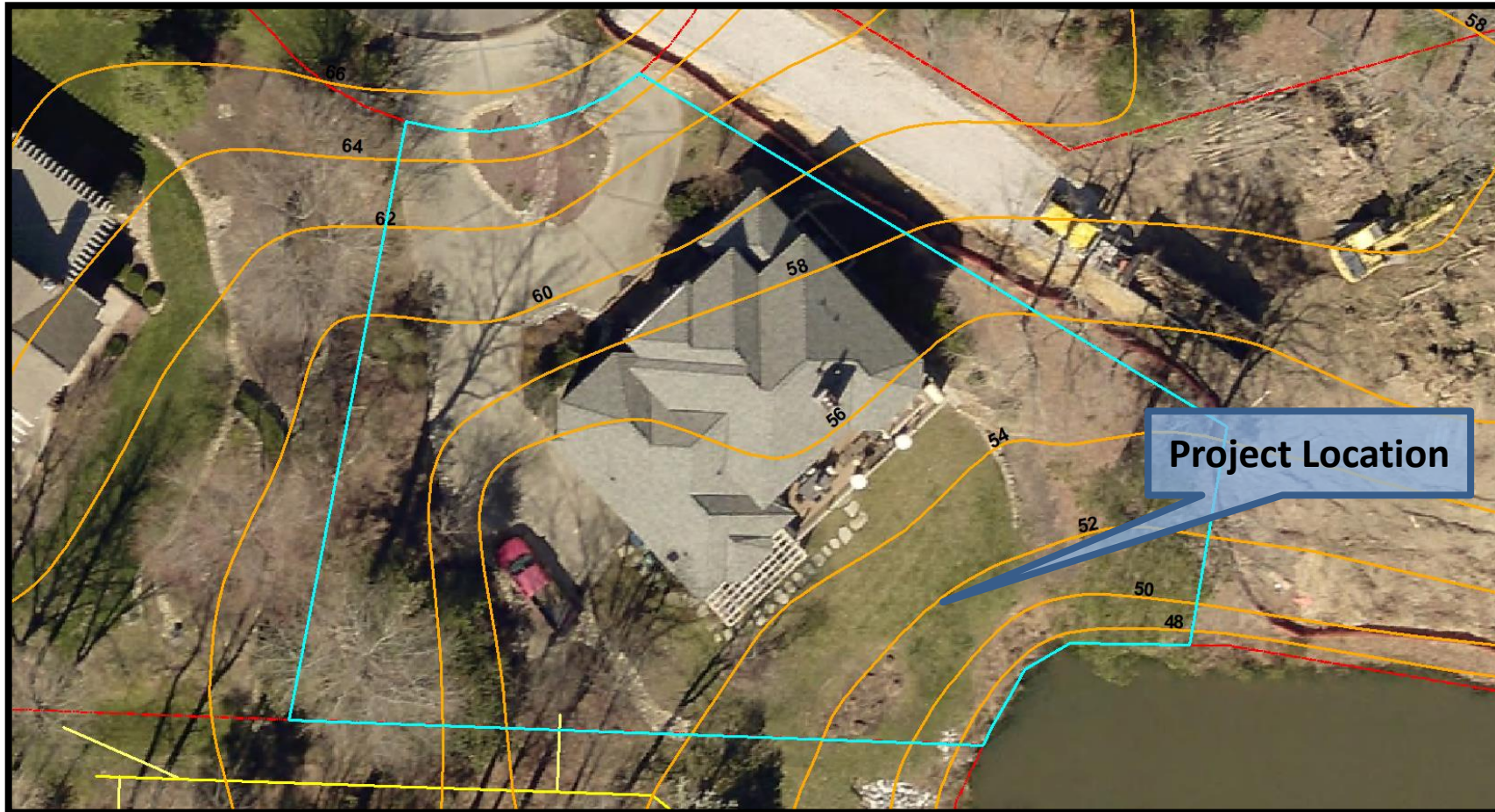
Vicinity Map
CBPA-21-0036
104 Seven Oaks



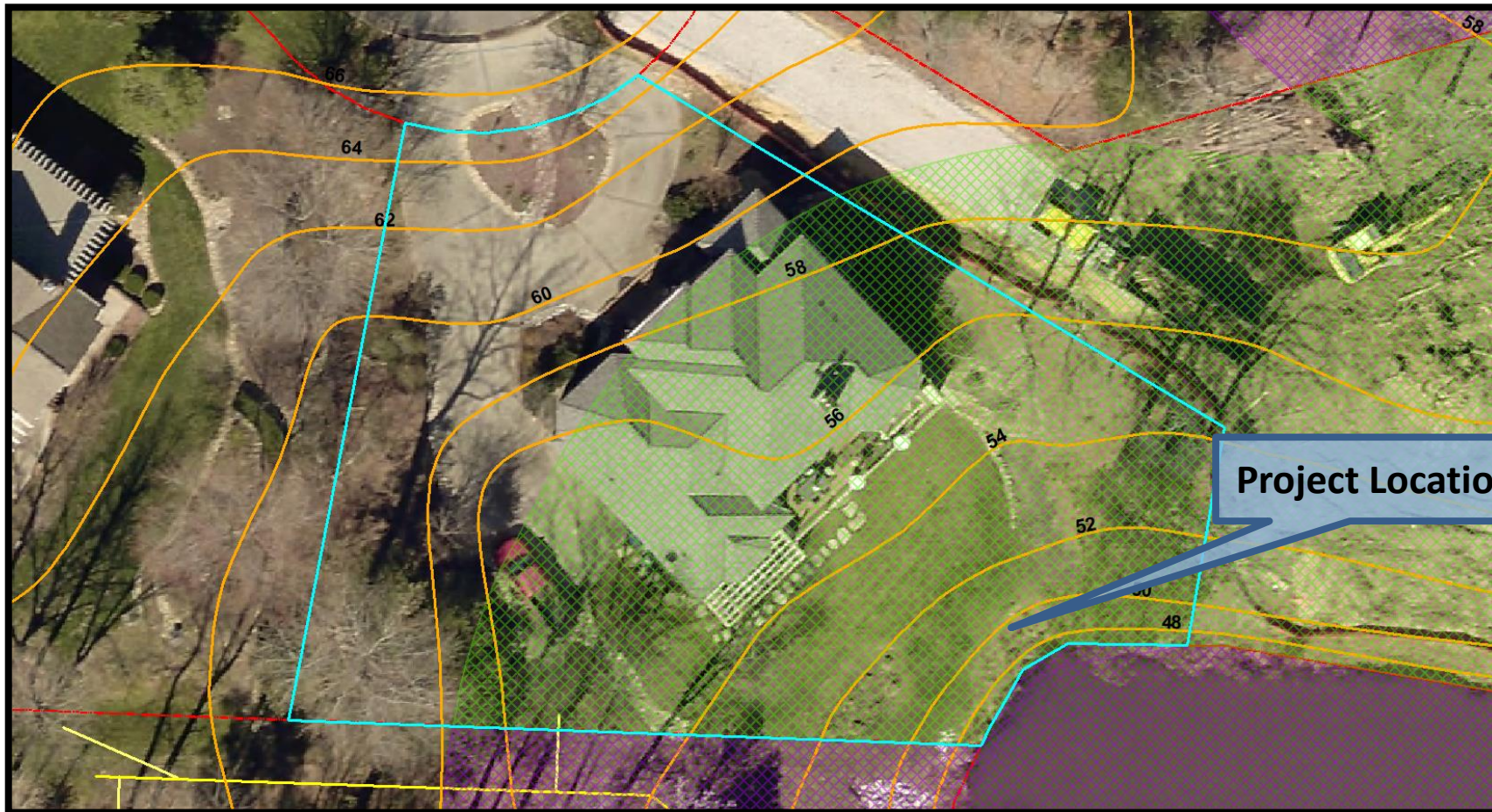
Aerial Photograph
CBPA-21-0036
104 Seven Oaks



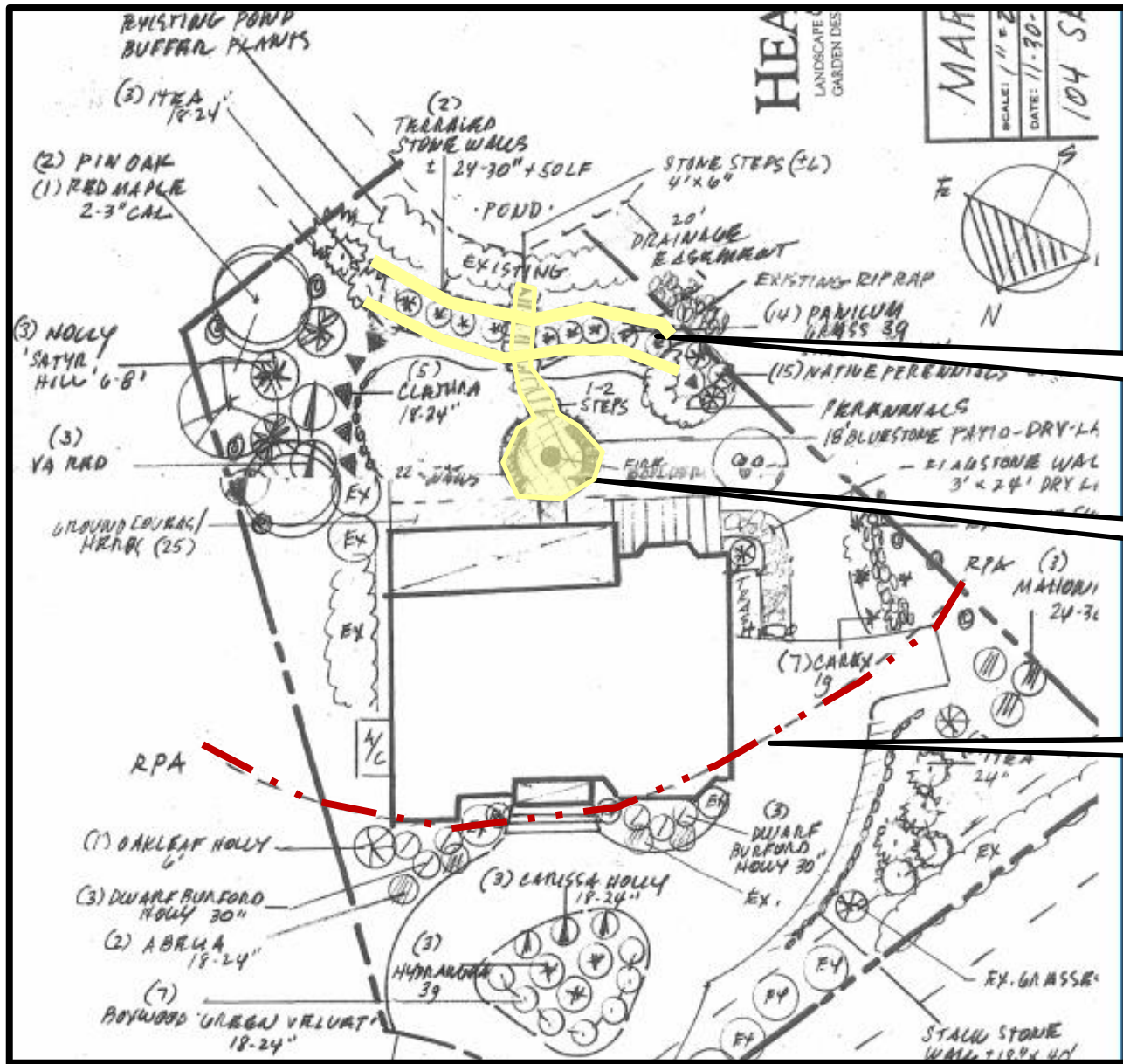
Topography
CBPA-21-0036
104 Seven Oaks



Sanitary Sewer
CBPA-21-0036
104 Seven Oaks



Resource Protection Area
CBPA-21-0036
104 Seven Oaks



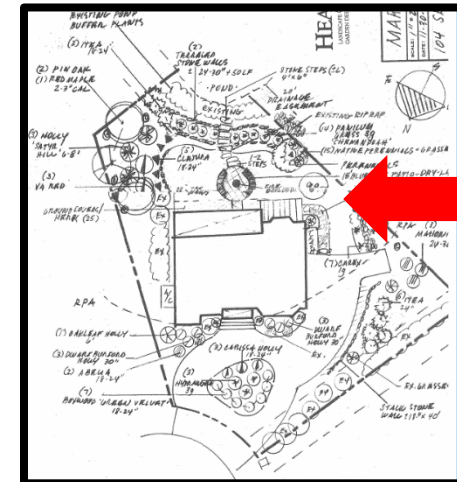
Site Plan showing proposed improvements, submitted February 26, 2021. For representative use only for presentation of case #CBPA-21-0036

Proposed Retaining Walls

Proposed Patio

100 foot Resource Protection Area

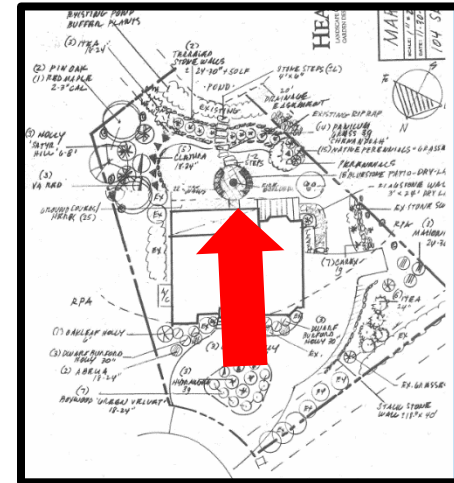
Site Plan - CBPA-21-0036
104 Seven Oaks

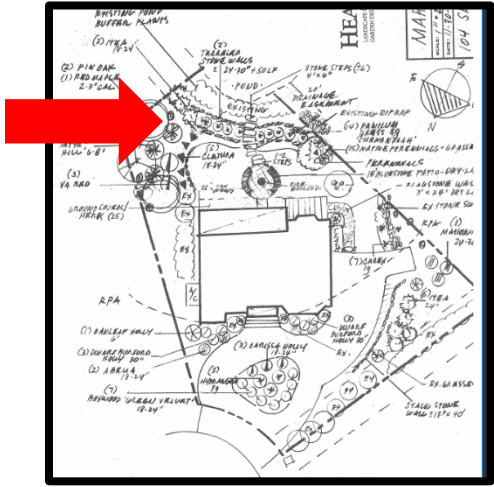


**Site Photograph #1 - CBPA-21-0036
104 Seven Oaks**

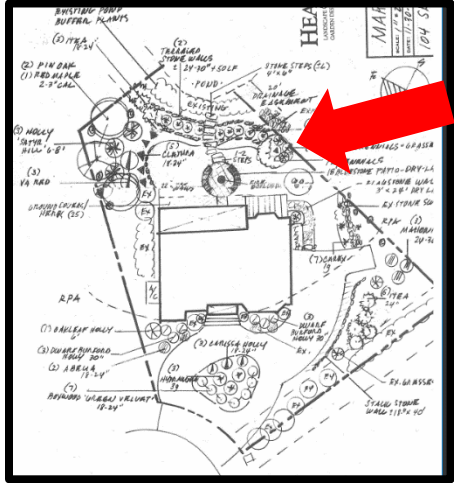


**Site Photograph #2 - CBPA-21-0036
104 Seven Oaks**





Site Photograph #3 - CBPA-21-0036
104 Seven Oaks



Site Photograph #4 - CBPA-21-0036
104 Seven Oaks

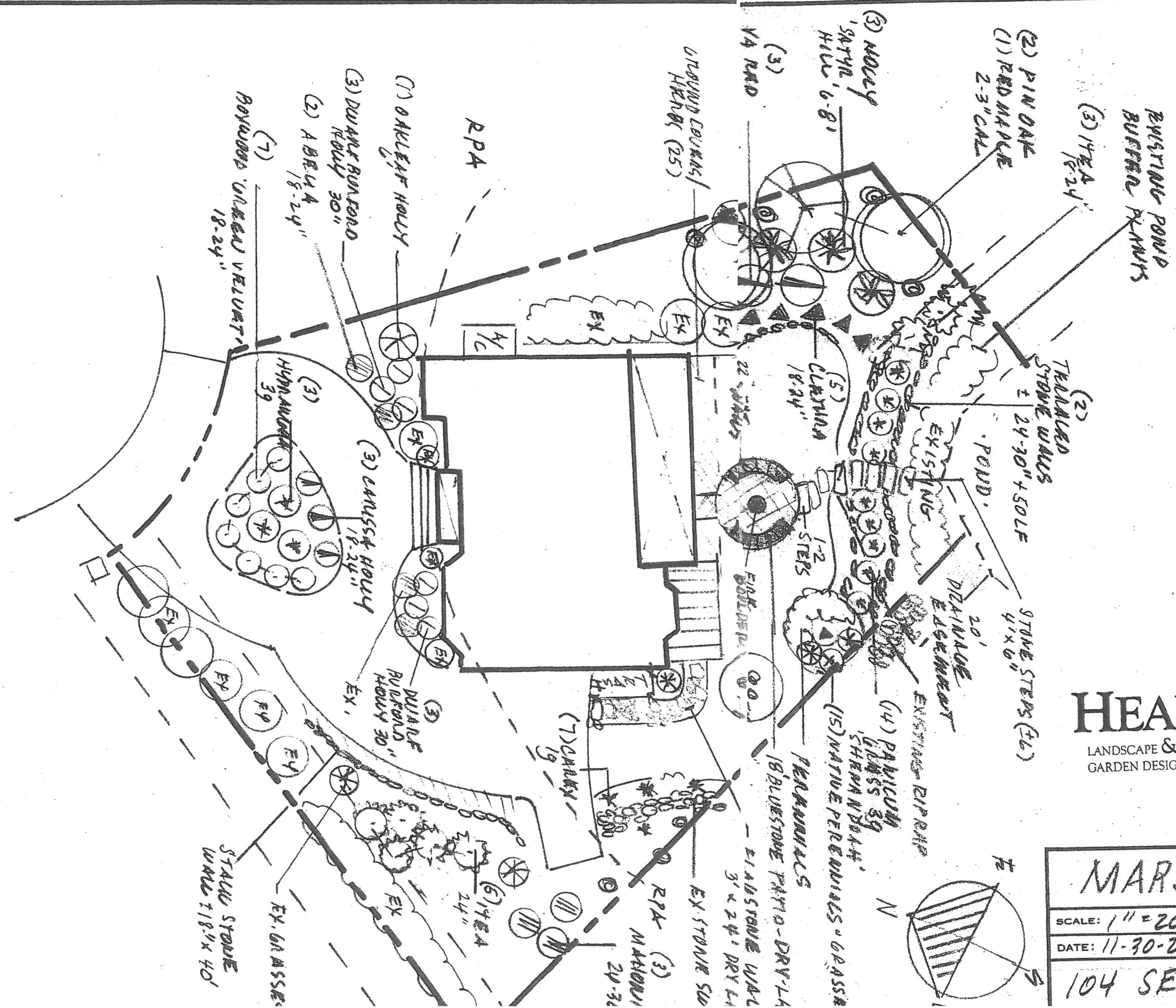
Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary local, state and federal permits
- ✓ A surety of \$250 be submitted
- ✓ This exception request approval shall become null and void if construction has not begun by April 14, 2022
- ✓ Written requests for extension submitted no later than March 3, 2022

ALL MEASUREMENTS APPROXIMATE.
 ACTUAL MEASUREMENTS TO BE
 DETERMINED ON SITE BY CONTRACTOR.



PEGGY KRAPP
 Certified Landscape Designer
 P.O. BOX 711
 7884 Richmond Rd.
 Toano, VA 23168

HEART'S EASE
 LANDSCAPE &
 GARDEN DESIGN

757-566-9088 voice/fax
 www.heartseaslandscape.com

MARSILII RESIDENCE		
SCALE: 1" = 20'	APPROVED BY: PEGGY KRAPP	DRAWN BY PK
DATE: 11-30-20		REVISED 2-22-21
104 SEVEN OAKS FORDS COLONY		



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING **WEDNESDAY APRIL 14, 2021 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 21-0005: Mid-Atlantic Resource Consulting, on behalf of Chickahominy Haven Citizen Association, have applied for a wetlands permit for the removal and construction of a community pier at 3026 N Riverside Drive and 3028 North Riverside Drive, JCC Parcel Numbers. 1820200052 and 1820200051.

WJPA 21-0008: Virginia Marine Contracting, Inc, on behalf of Clinton Morgeson and Meagan Thomas, have applied for a wetlands permit for the installation of a pier, walkway and stepdown platform at 210 Red Oak Landing Road, JCC Parcel No. 4730100032.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0047: Roth Environmental on behalf of Omega Development have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling and deck at 208 Monifieth, JCC Parcel No. 3710800085.

CBPA 21-0045: LandTech Resources, Inc. on behalf of Charles and Kathryn Woollum have filed an exception request for encroachments into the RPA buffer for the construction of house addition at 4055 South Riverside Drive, JCC Parcel No. 1910500010.

CBPA 21-0044: River Pools and Spas, on behalf of Amber Gilliam, have filed an exception request for encroachments into the RPA buffer for the construction of a pool at 9209 Candle Light Court, JCC Parcel No. 0330300052.

CBPA 21-0036: Heart's Ease Landscape, on behalf of Joseph and Peggy Marsilii, have filed an exception request for encroachments into the RPA buffer for the construction of two retaining walls and a patio with steps at 104 Seven Oaks, JCC Parcel No. 3130900037.

CBPA 21-0017: Jeffrey Miller Builder, on behalf of Jeffrey and Anne Miller, have filed an exception request for encroachments into the RPA buffer for the construction of a detached garage, retaining wall and driveway extension at 10025 Sycamore Landing Road, JCC Parcel No. 0720400007.

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 – MARCH 31, 2021 and APRIL 7, 2021.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

CARD # x5230

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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March 24, 2021

RE: CBPA 21-0036
104 Seven Oaks
Two Retaining Walls, 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 Ms. Peggy Krapf, Heart's Ease Landscape on behalf of Mr. Joseph Marsilii and Mrs. Peggy Marsilii for encroachment into the Resource Protection Area (RPA) buffer for the construction two retaining walls and a patio with steps. The project is located at 104 Seven Oaks and further identified as JCC Parcel No. 3130900037.

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, April 14, 2021 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: Heart's Ease Landscape c/o Ms. Peggy Krapf

MDW: jep

Mailing List for: CBPA-21-0036–104 Seven Oaks : Two Retaining Walls, Patio with Steps leading to Pond

Owner: 3130900037

Marsilli, Joseph L & Peggy C
104 Seven Oaks
Williamsburg, VA 23188-8405

3130900038

Nervitt, Ronald A, Trustee & Lois S, Trustee
108 Seven Oaks
Williamsburg, VA 23188-8405

3130900039

Martin, J Donald P, Trustee & Louann K,
Trustee
105 Seven Oaks
Williamsburg, VA 23188-8405

Contractor:

Heart's Ease Landscape & Garden Design
Attn: Ms. Peggy Krapf
P.O. Box 711
Toano, VA 23168-0711

3130900036

Sprague, Harold E, II & Janet D
175 Waterton
Williamsburg, VA 23188-8400

3230900040-171 Waterton

Torrens, Barbara D, Trustee
316 Yorkshire Drive
Williamsburg, VA 23185-3913

3130900001A-175 A Waterton

Fords Colony At Williamsburg Home Owners
Association
100 Manchester
Williamsburg, VA 23188-7404

ITEM SUMMARY

DATE: 4/14/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA 21-0044 : 9209 Candle Light Court

River Pools and Spas, on behalf of Amber Gilliam, has filed an exception request for encroachments into the RPA buffer for the construction of a pool at 9209 Candle Light Court, JCC Parcel ID No. 0330300052.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	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	4/7/2021 - 4:31 PM
Chesapeake Bay Group	Small, Toni	Approved	4/8/2021 - 11:21 AM
Publication Management	Daniel, Martha	Approved	4/8/2021 - 12:02 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/8/2021 - 3:17 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0044. 9209 Candle Light Court
Staff Report for the April 14, 2021, Chesapeake Bay Board Public Hearing**

This staff report is prepared by the 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. Amber Gilliam

Agent: Ms. Catherine Gallagher, River Pools and Spas

Location: 9209 Candle Light Court

Parcel Identification No.: 0330300052

Parcel: Lot 52, Phase 2, The Retreat

Lot Size: 3.88 acres

Area of Lot in Resource Protection Area (RPA): 3.48 acres +/- (90%)

Watershed: Diascund Creek (HUC JL27)

Floodplain: None affecting this property

Proposed Activity: Construction of a pool

Impervious Cover: 626 square feet

RPA Encroachment: 626 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Catherine Gallagher, River Pools and Spas, has applied for a Chesapeake Bay Exception on behalf of Ms. Amber Gilliam for encroachments into the RPA buffer for the construction pool on property located at 9209 Candle Light Court within The Retreat subdivision and the Diascund Creek watershed. The property is further identified as James City County Tax Map Parcel No. 0330300052. The parcel was platted in 2002, before the changes to the Chesapeake Bay Ordinance in 2004.

The total lot size of this property is 3.88 acres, of which 90% is located within the RPA. The applicant is proposing to construct a pool equating to a total of 626 square feet of impervious impacts to the landward 50-foot RPA. While a portion of the existing yard is outside of the RPA, the applicant has expressed that moving the pool to this location would impact the drainfield. It is for this reason that the applicant has proposed the pool in its current location. Mitigation requirements for this amount of impervious cover impact equates to two canopy trees, four understory trees, and six shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction pool. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the pool is 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 has reviewed the application and exception request and has determined the impacts associated with the proposal to be minor for the proposed development. Staff does recommend approval for this exception request; however, if the Board wishes to approve 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 including the submission of an Erosion and Sediment Control Plan, a Land Disturbing Permit, and a Surety; and
2. A mitigation plan consisting of two canopy trees, four understory trees, and six shrubs to be submitted prior to the issuance of the Land Disturbing Permit; and
3. A surety of \$500 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
4. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
5. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, six weeks prior to the expiration date.

TAL/md
CBPA21-44CandleLtCt

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 21-0044. 9209 CANDLE LIGHT COURT

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Amber Gilliam (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 14, 2021, 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. 0330300052 and further identified as 9209 Candle Light Court (the “Property”) as set forth in the application CBPA 21-0044 for the purpose of constructing a pool; 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, including the submission of an Erosion and Sediment Control Plan, an Land Disturbing Permit, and a Surety; and
 - b. A mitigation plan consisting of two canopy trees, four understory trees, and six shrubs to be submitted prior to the issuance of the Land Disturbing Permit; and
 - c. A surety of \$500 be submitted in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and

- d. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
- e. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, 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 14th day of April, 2021.

CBPA21-44CandleLtCt-res



Chesapeake Bay Board of James City County, Virginia

April 14, 2021

CBPA 21-0044

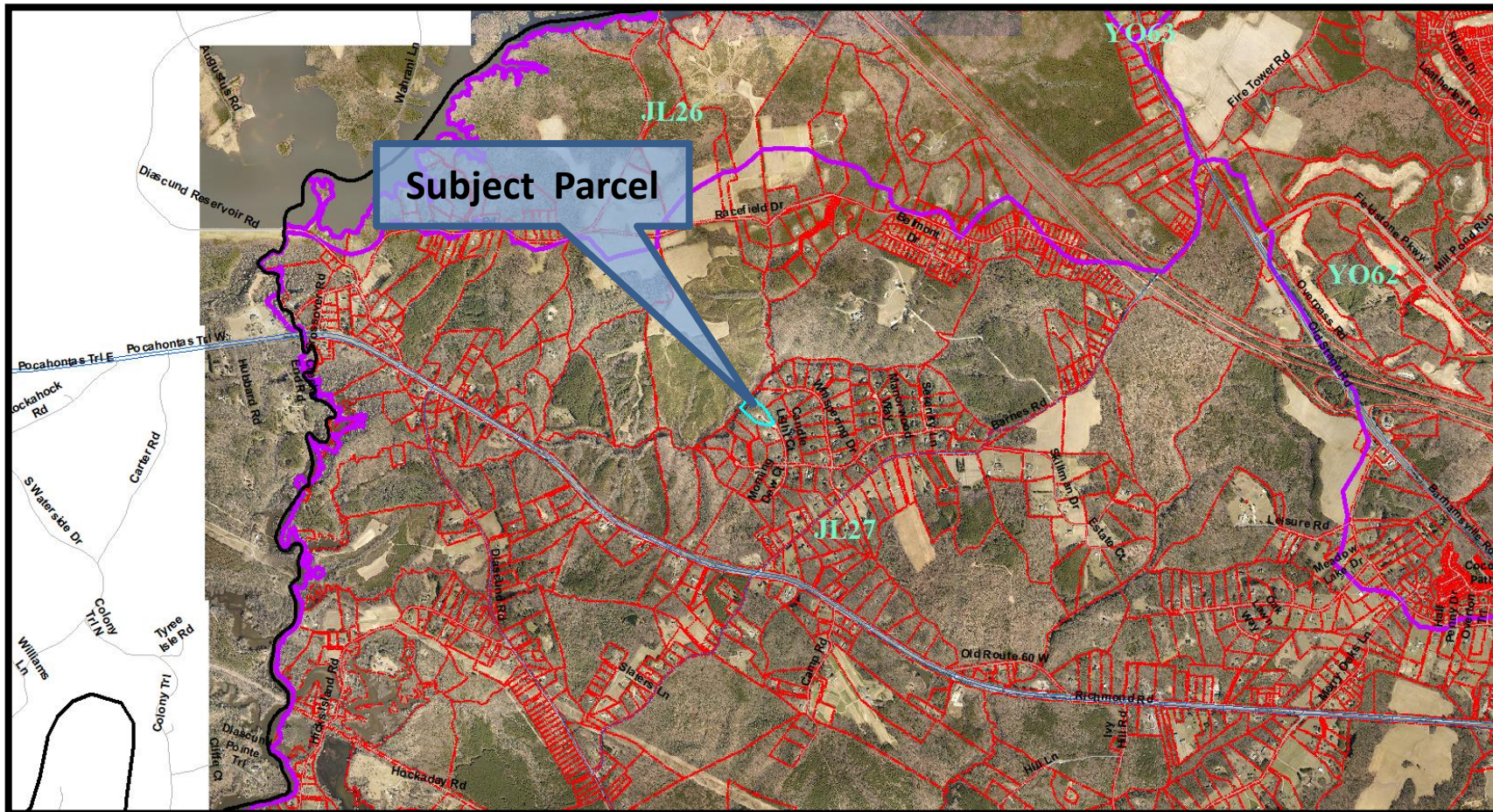
Amber Gilliam

9209 Candle Light Court



Applicant Request

- ✓ Construct a pool.



Vicinity Map
CBPA-21-0044
9209 Candle Light Court

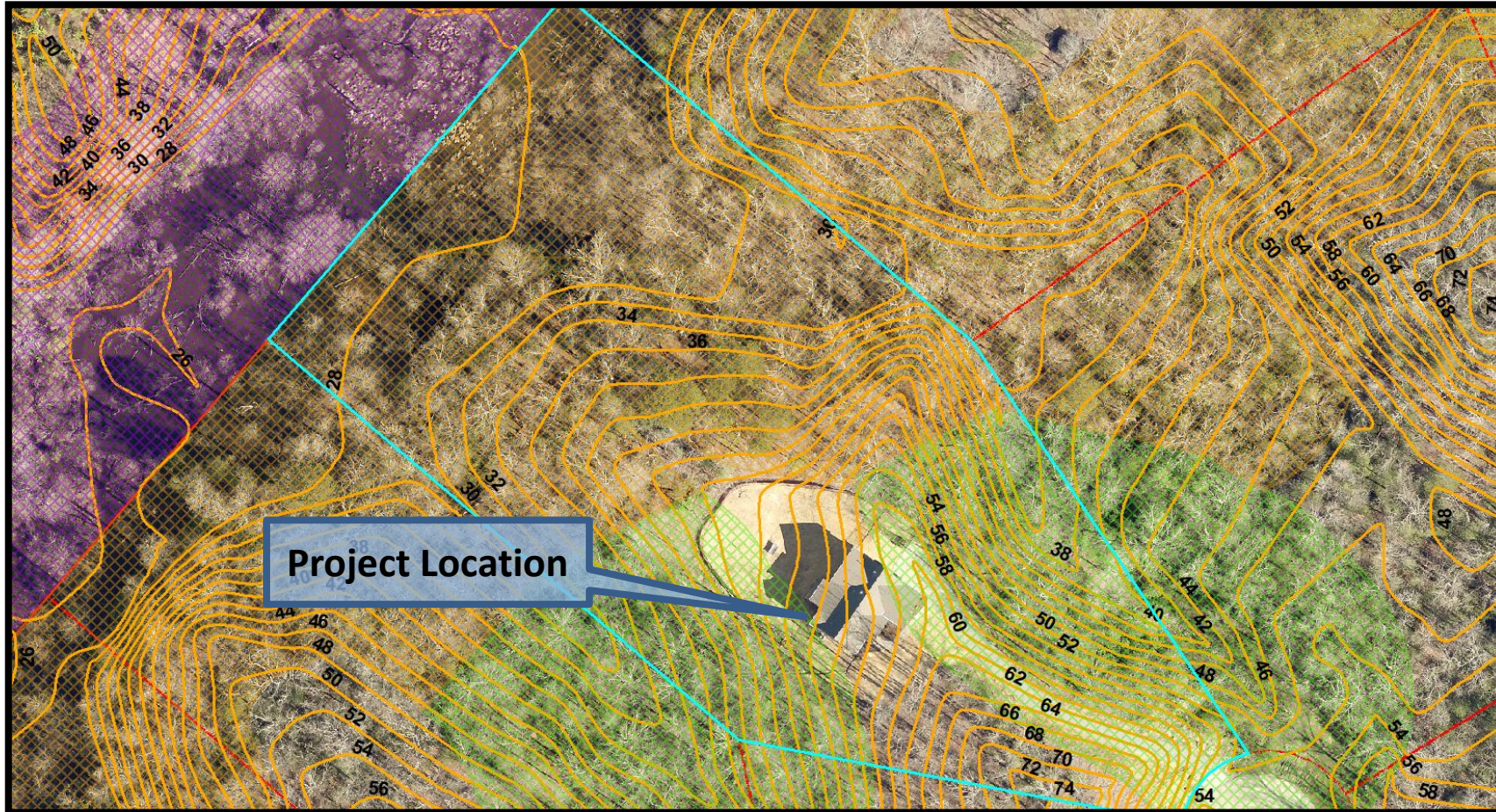


Aerial Photograph
CBPA-21-0044
9209 Candle Light Court

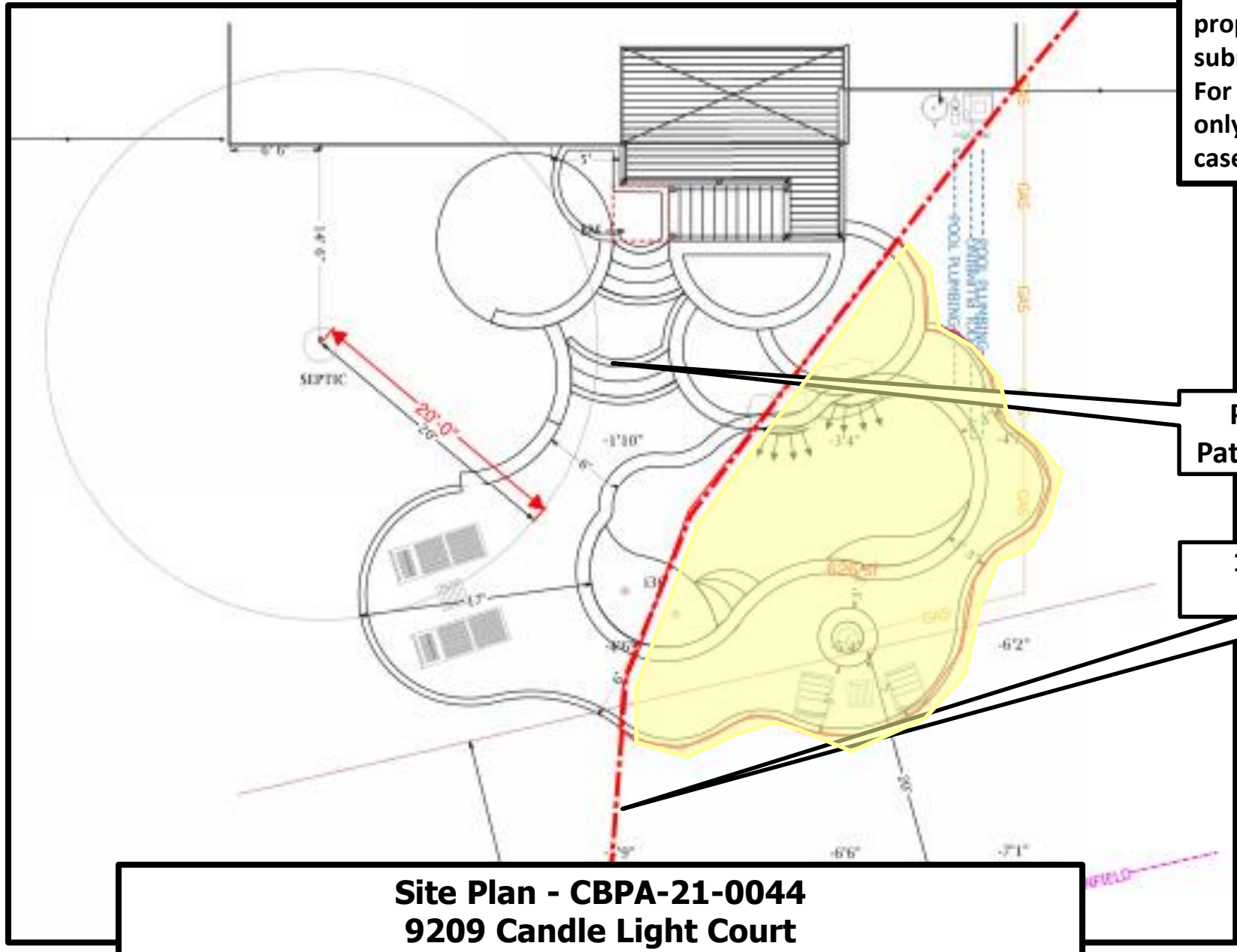


Project Location

Topography
CBPA-21-0044
9209 Candle Light Court



Resource Protection Area
CBPA-21-0044
9209 Candle Light Court

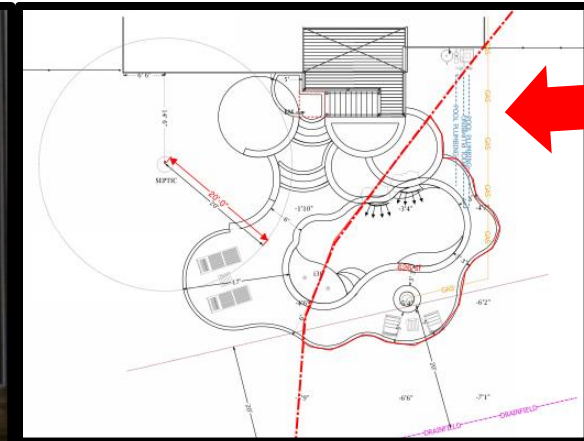


Site Plan showing proposed improvements, submitted March 1, 2021. For representative use only for presentation of case #CBPA-21-0044

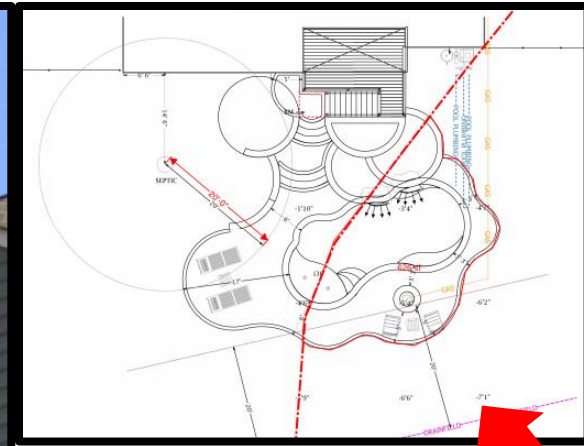
Proposed Patio and pool

100 foot Resource Protection Area

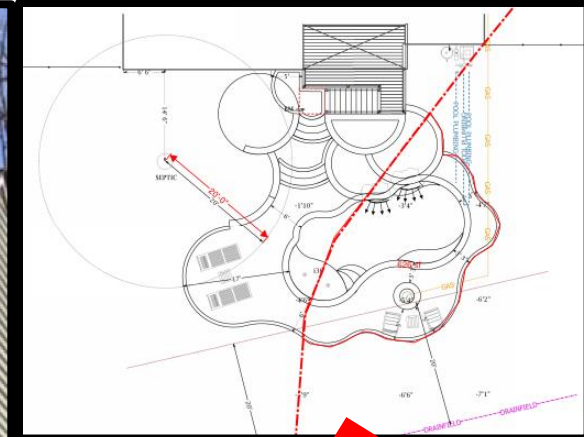
Site Plan - CBPA-21-0044
9209 Candle Light Court



**Site Photograph #1 - CBPA-21-0044
9209 Candle Light Court**



**Site Photograph #2 - CBPA-21-0044
9209 Candle Light Court**



**Site Photograph #3 - CBPA-21-0044
9209 Candle Light Court**

Permit Conditions



Staff Recommendation – Approval

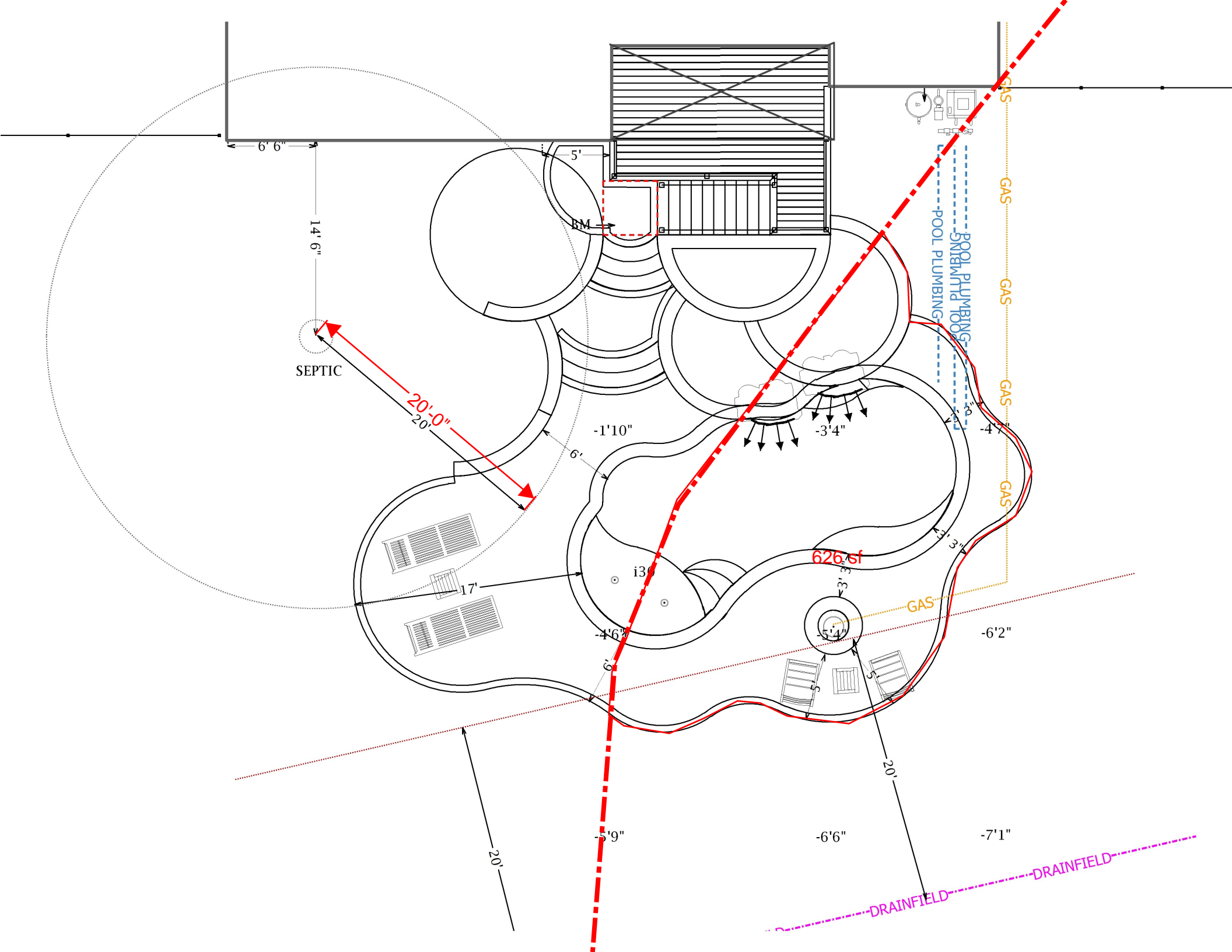
- ✓ All other necessary local, state and federal permits, including an E&SC plan and a land disturbing permit with surety
- ✓ A mitigation plan consisting of 2 canopy trees, 4 understory trees, and 6 shrubs
- ✓ A surety of \$500 to guarantee the mitigation plantings

Permit Conditions



Staff Recommendation – Approval

- ✓ This exception request approval shall become null and void if construction has not begun by April 14, 2022
- ✓ Written requests for extension submitted no later than March 3, 2022





PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING **WEDNESDAY APRIL 14, 2021 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 21-0005: Mid-Atlantic Resource Consulting, on behalf of Chickahominy Haven Citizen Association, have applied for a wetlands permit for the removal and construction of a community pier at 3026 N Riverside Drive and 3028 North Riverside Drive, JCC Parcel Numbers. 1820200052 and 1820200051.

WJPA 21-0008: Virginia Marine Contracting, Inc, on behalf of Clinton Morgeson and Meagan Thomas, have applied for a wetlands permit for the installation of a pier, walkway and stepdown platform at 210 Red Oak Landing Road, JCC Parcel No. 4730100032.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0047: Roth Environmental on behalf of Omega Development have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling and deck at 208 Monifieth, JCC Parcel No. 3710800085.

CBPA 21-0045: LandTech Resources, Inc. on behalf of Charles and Kathryn Woollum have filed an exception request for encroachments into the RPA buffer for the construction of house addition at 4055 South Riverside Drive, JCC Parcel No. 1910500010.

CBPA 21-0044: River Pools and Spas, on behalf of Amber Gilliam, have filed an exception request for encroachments into the RPA buffer for the construction of a pool at 9209 Candle Light Court, JCC Parcel No. 0330300052.

CBPA 21-0036: Heart's Ease Landscape, on behalf of Joseph and Peggy Marsilii, have filed an exception request for encroachments into the RPA buffer for the construction of two retaining walls and a patio with steps at 104 Seven Oaks, JCC Parcel No. 3130900037.

CBPA 21-0017: Jeffrey Miller Builder, on behalf of Jeffrey and Anne Miller, have filed an exception request for encroachments into the RPA buffer for the construction of a detached garage, retaining wall and driveway extension at 10025 Sycamore Landing Road, JCC Parcel No. 0720400007.

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 – MARCH 31, 2021 and APRIL 7, 2021.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

CARD # x5230

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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March 24, 2021

RE: CBPA 21-0044
9209 Candle Light Court
Pool

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 Ms. Catherine Gallagher of River Pools and Spas, on behalf of Ms. Amber Leane Gilliam and Ms. Abigail Page Borden for encroachment into the Resource Protection Area (RPA) buffer for the construction of a pool. The project is located at 9209 Candle Light Court and further identified as JCC Parcel No. 0330300052.

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, April 14, 2021 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: River Pools & Spas c/o Ms. Catherine Gallagher

MDW: jep

Mailing List for: CBPA-21-0044-9209 Candle Light Court : Pool

Owner: 0330300052

Gilliam, Amber Leane & Borden, Abigail
Page
9209 Candle Light Court
Toano, VA 23168-8940

Contractor:

River Pools & Spas
Attn: Catherine Gallagher
196 Selftown Road
Warsaw, VA 22572-5740

0340600041

Whitney, Barbara Ann
9139 Whispering Drive
Toano, VA 23168-8934

0330300050

Morris, Sharon
9204 Candle Light Court
Toano, VA 23168-8940

0330300051 – 9208 Candle Light Court

0330300056 – 1678 Centennial Drive

LHIW-3, LLC
8808 Centre Park Drive, Suite 300
Columbia, MD 21045-2224

0330100006 – 371 Racefield Drive

Bowmer, Arline H Estate
c/o Stephen D Bowmer
12848 Killycrom Drive
Chesterfield, VA 23838-5521

0330300053

Tran, Sang, Trustee & Lindsey, Trustee
9205 Candle Light Court
Toano, VA 23168-8940

ITEM SUMMARY

DATE: 4/14/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA 21-0045 : 4055 South Riverside Drive

LandTech Resources, Inc., on behalf of Charles and Kathryn Woollum, has filed an exception request for encroachments into the RPA buffer for the construction of a house addition at 4055 South Riverside Drive, JCC Parcel ID No. 1910500010.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Presentation	Presentation
☐	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	4/7/2021 - 4:39 PM
Chesapeake Bay Group	Small, Toni	Approved	4/8/2021 - 11:21 AM
Publication Management	Daniel, Martha	Approved	4/8/2021 - 11:46 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/8/2021 - 3:17 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0045. 4055 South Riverside Drive
Staff Report for the April 14, 2021, Chesapeake Bay Board Public Hearing**

This staff report is prepared by the 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. Charles and Mrs. Kathryn Wollum

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

Location: 4055 South Riverside Drive

Parcel Identification No.: 1910500010

Parcel: Lot 10, Section 4, Chickahominy Haven

Lot Size: 0.34 acres

Area of Lot in Resource Protection Area (RPA): 0.15 acres +/- (44%)

Watershed: Yarmouth Creek (HUC JL 28)

Floodplain: Zone AE - Base flood elevation determined at 7 feet Mean Sea Level

Proposed Activity: Construction of house addition

Impervious Cover: 2,500 square feet

RPA Encroachment: 335 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Chase Grogg, LandTech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Charles and Mrs. Kathryn Wollum for encroachments into the RPA buffer for the construction of a house addition on property located at 4055 South Riverside within the Chickahominy Haven subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Tax Map Parcel No. 1910500010. The parcel was platted in 1961, before the adoption of the Chesapeake Bay Ordinance in 1990.

The total lot size of this property is 0.34 acres, of which 44% is located within the RPA. The existing impervious cover within the RPA equates to 2,165 square feet. The applicants are proposing to expand the footprint of the existing house to equate to 2,500 square feet of impact within the RPA. The majority of the expansion of the house will cover existing gravel that surrounds portions of the dwelling. Therefore, new impervious cover within the RPA equates to 335 square feet. The applicants are also proposing to remove two trees within the RPA associated with the proposed expansion. Required mitigation for this amount of impervious impacts to the RPA equates to the plantings of one canopy tree, two understory trees, and three shrubs. The applicants have proposed the plantings of 22 shrubs thereby exceeding County requirements.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a house expansion. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the construction is an expansion of an existing structure within the RPA.

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 has reviewed the application and exception request and has determined the impacts associated with the proposal to be minor for the proposed development. Staff does recommend approval for this exception request; however, if the Board wishes to approve 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, including the submission of an Erosion and Sediment Control Plan and a Land Disturbing Permit with Surety if required; and
2. A surety of \$250 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
3. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, six weeks prior to the expiration date.

TAL/md
CBPA21-45SRvrsideDr

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 21-0045. 4055 SOUTH RIVERSIDE DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Charles and Mrs. Kathryn Wollum (the “Applicants”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on April 14, 2021, 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. 1910500010 and further identified as 4055 South Riverside Drive (the “Property”) as set forth in the application CBPA 21-0045 for the purpose of constructing a house addition; 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, including the submission of an Erosion and Sediment Control Plan, a Land Disturbing Permit, and a Surety; and
 - b. A surety of \$250 be submitted in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
 - c. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and

- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, 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 14th day of April, 2021.

CBPA21-45SRvrsideDr-res



Chesapeake Bay Board of James City County, Virginia

April 14, 2021

CBPA 21-0045

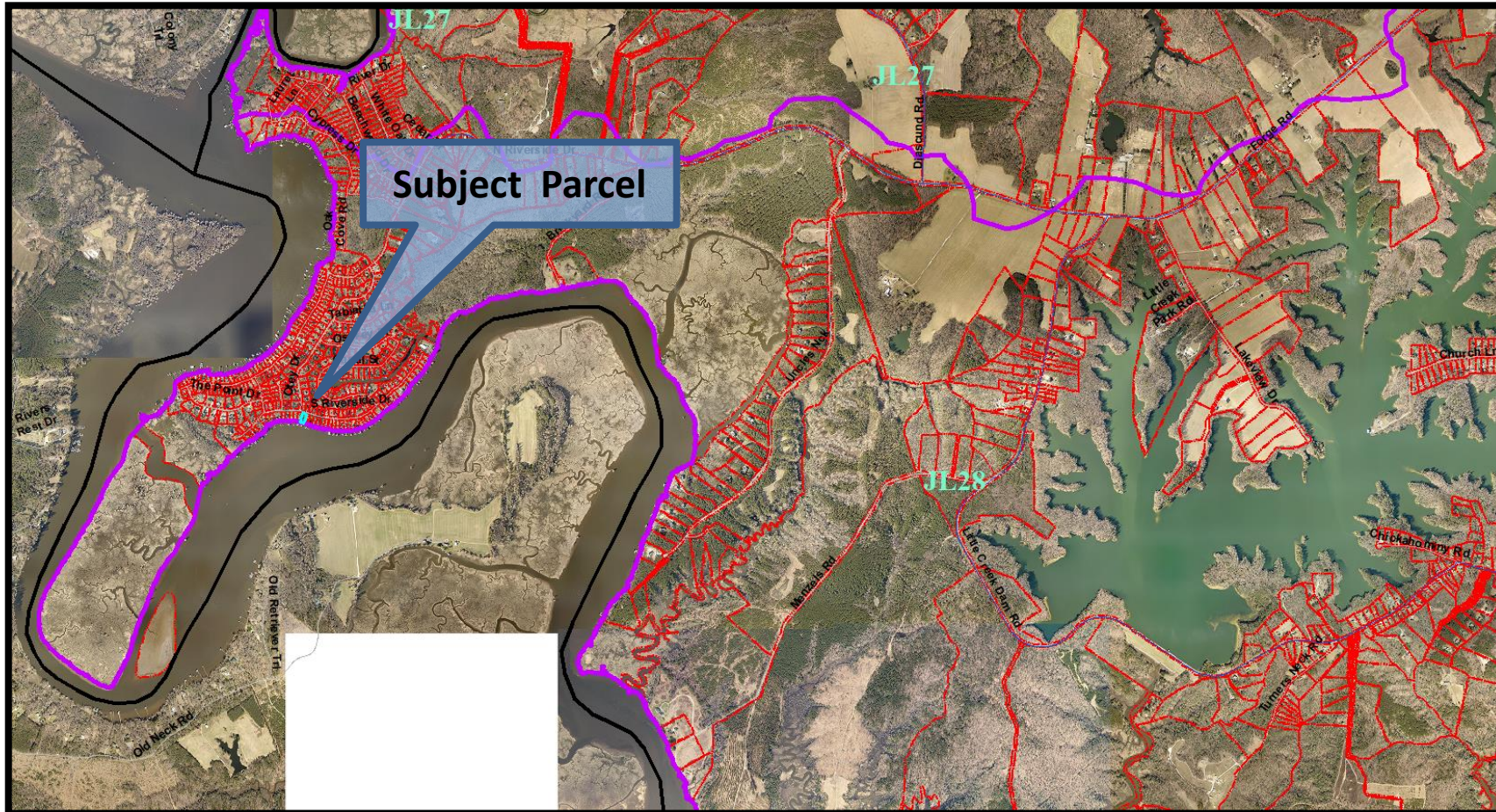
Charles and Kathryn Woolum

4055 South Riverside Drive



Applicant Request

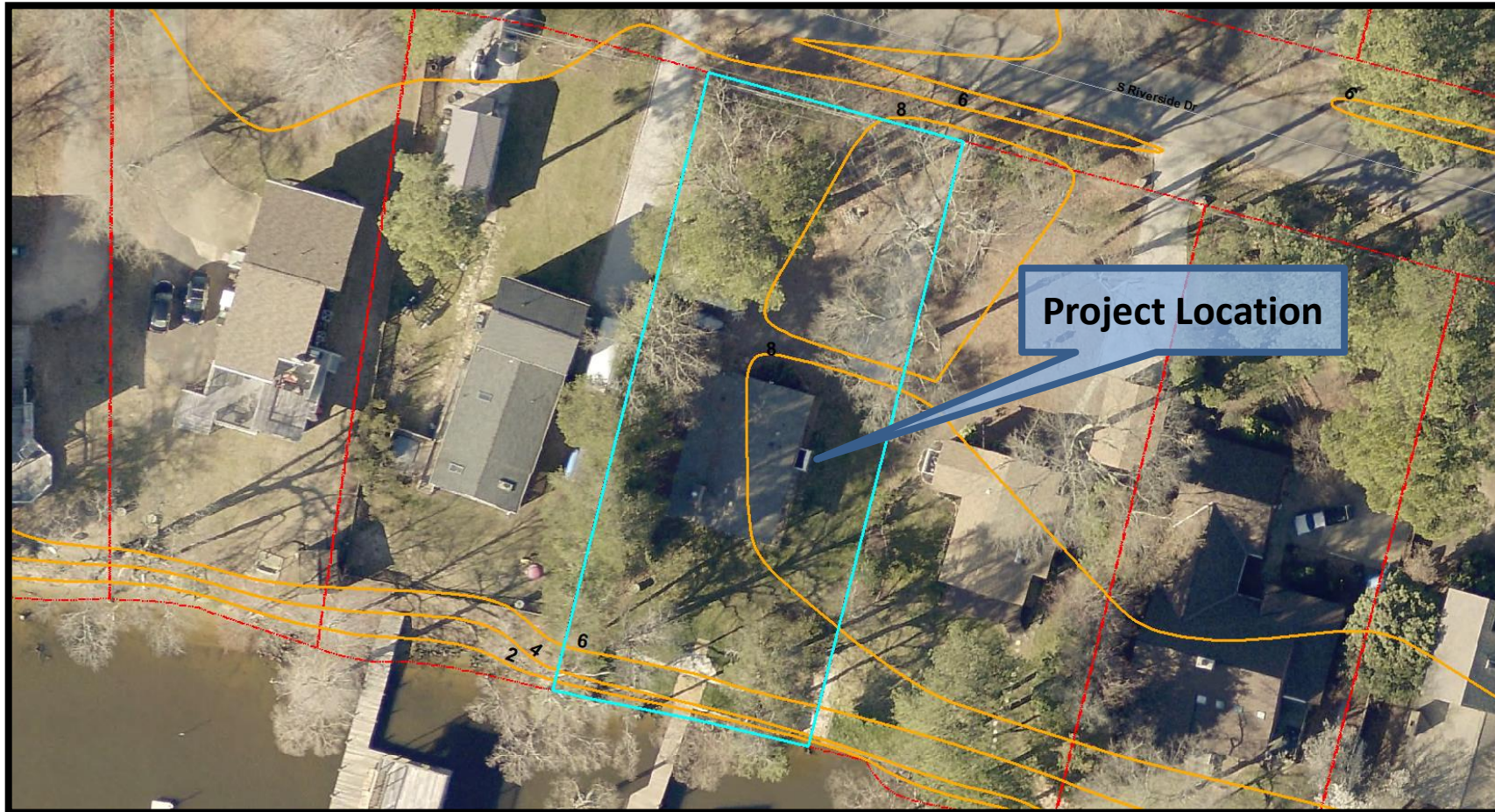
- ✓ Construct a house addition.



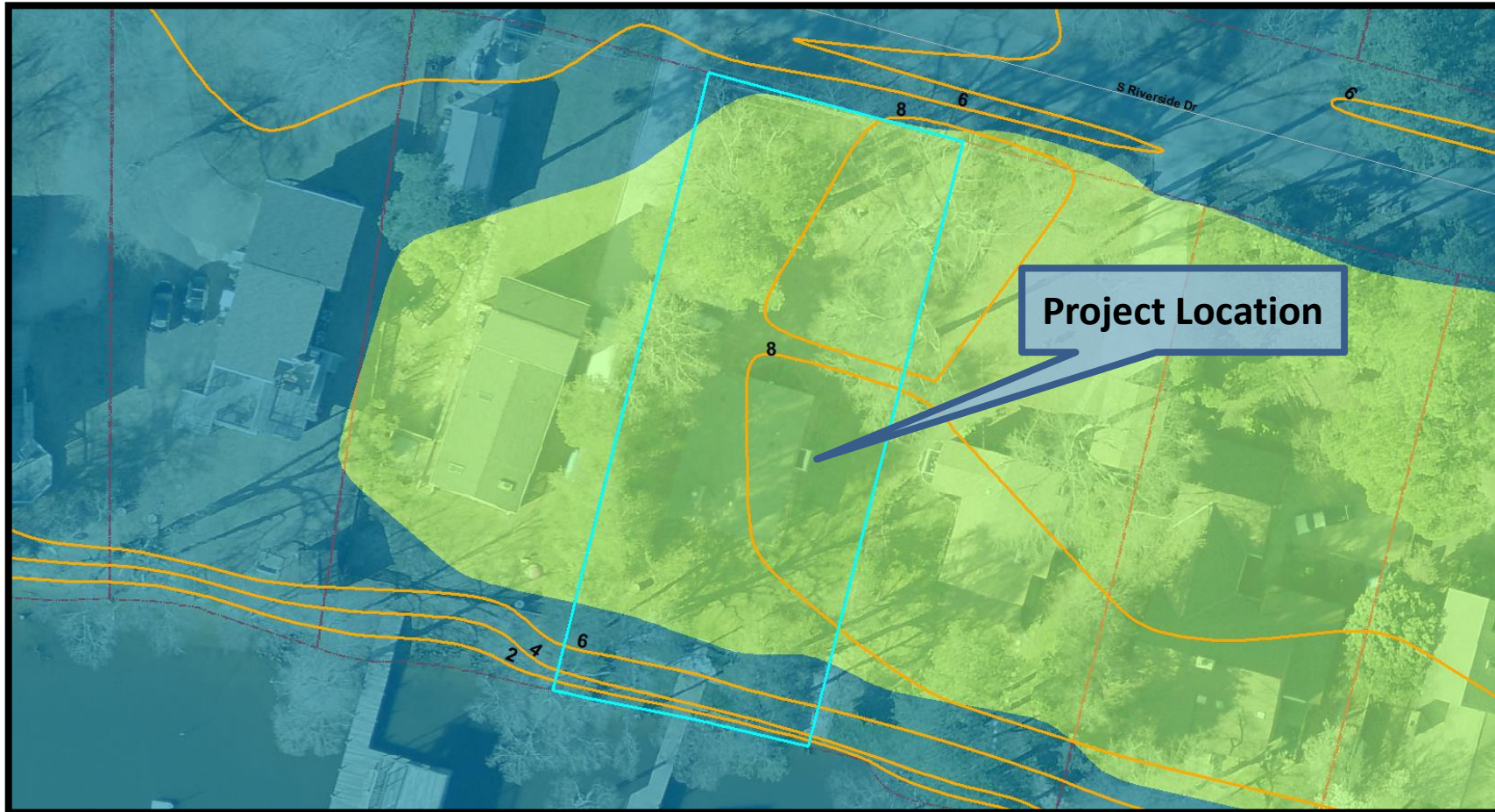
Vicinity Map
CBPA-21-0045
4055 South Riverside Drive



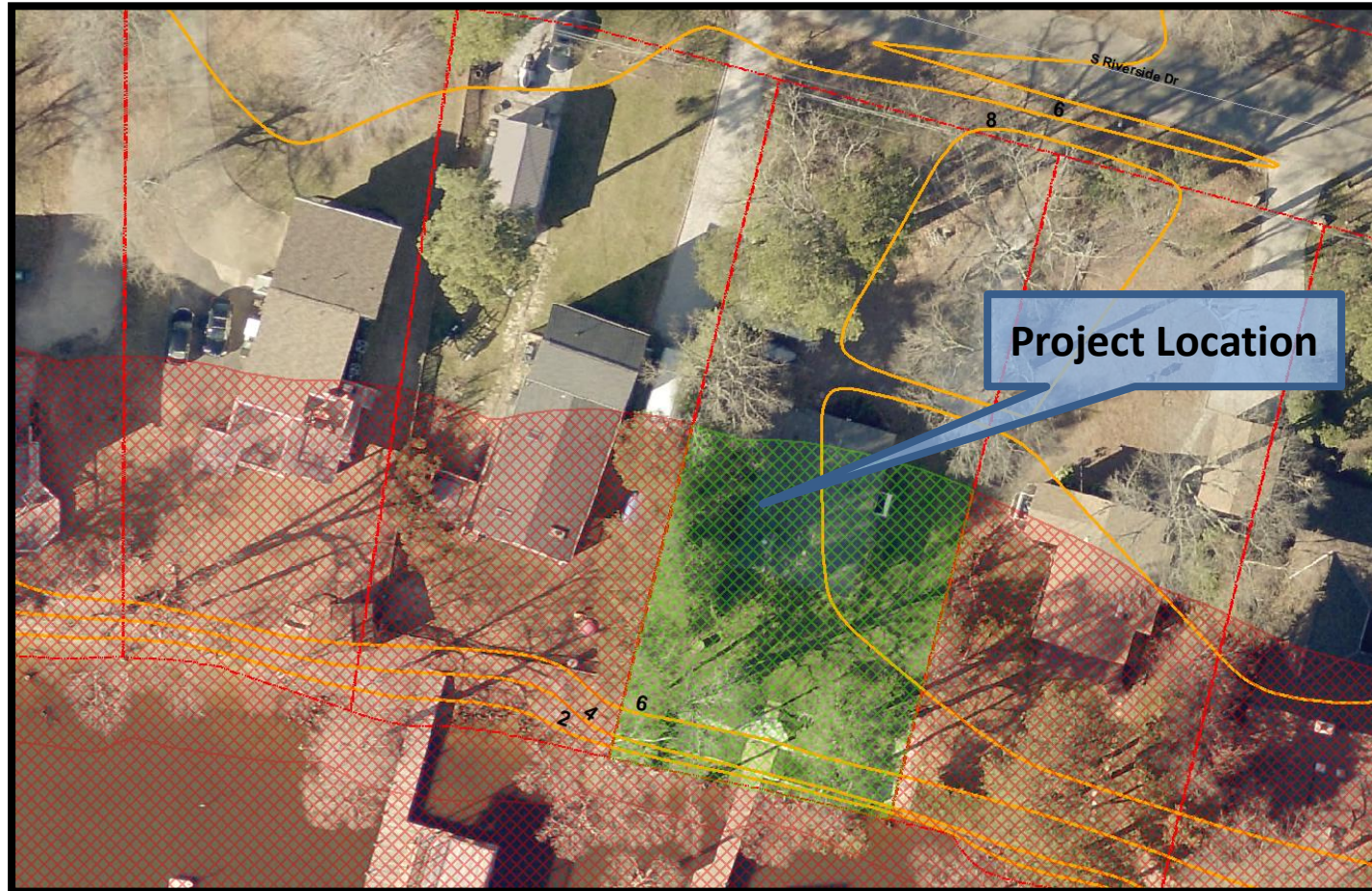
Aerial Photograph
CBPA-21-0045
4055 South Riverside Drive



Topography
CBPA-21-0045
4055 South Riverside Drive



Floodplain
CBPA-21-0045
4055 North Riverside

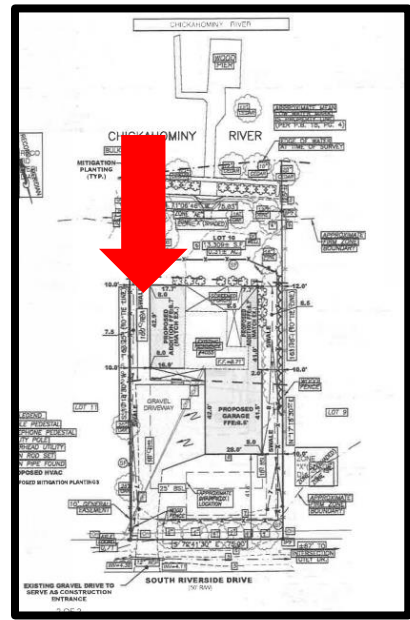


Resource Protection Area
CBPA-21-0045
4055 North Riverside



**Site Photograph #1 - CBPA-21-0045
4055 South Riverside Drive**

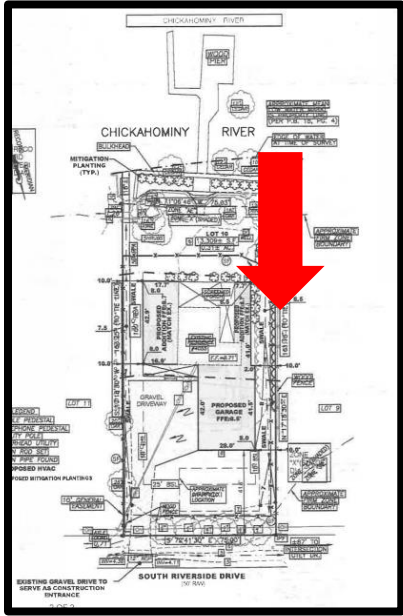
April 2, 2021





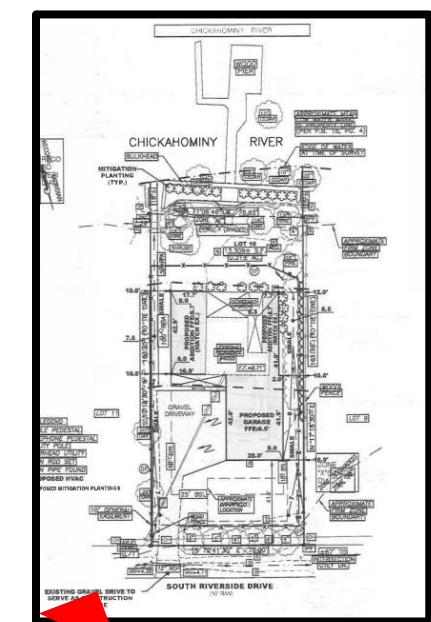
**Site Photograph #2 - CBPA-21-0045
4055 South Riverside Drive**

April 2, 2021





Site Photograph #3 - CBPA-21-0045
4055 South Riverside Drive

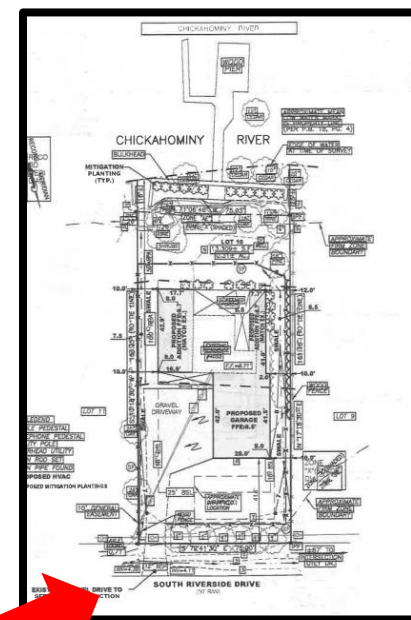


April 2, 2021



Site Photograph #4 - CBPA-21-0045
4055 South Riverside Drive

April 13, 2021



Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary local, state and federal permits
- ✓ A surety of \$250 to guarantee plantings
- ✓ This exception request approval shall become null and void if construction has not begun by April 14, 2022
- ✓ Written requests for extension submitted no later than March 3, 2022

GENERAL NOTES

1. A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM. ELEVATION SHOWN HEREON ARE IN FEET AND ARE GPS DERIVED (NAVARS).
2. WETLANDS, IF ANY, WERE NOT RESEARCHED OR LOCATED FOR THIS PLAT.
3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
4. PARCEL LIES IN F.I.R.M. ZONES "AE7" & "X" ACCORDING TO COMMUNITY PANEL #51095000B0, DATED 12/16/2015.
5. LOT SERVED BY PRIVATE WATER AND SEWER SYSTEMS. (EXISTING) CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
6. TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY.
7. CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION.

EROSION & SEDIMENT CONTROL NOTES

ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE "VIRGINIA EROSIONS AND SEDIMENT CONTROL HANDBOOK 1992 THIRD EDITION". THE CONTRACTOR SHALL BE THOROUGHLY FAMILIAR WITH ALL APPLICABLE MEASURES CONTAINED THEREIN WHICH MAY BE PERTINENT TO THIS PROJECT.

SITE INFORMATION

TOTAL AREA 13,309± S.F. / 0.31± AC.
 EXISTING IMPERVIOUS AREA (ENTIRE SITE) 3,800± S.F. / 0.09± AC.
 EXISTING IMPERVIOUS AREA IN RPA 2,166± S.F. / 0.06± AC.
 FINAL IMPERVIOUS AREA (ENTIRE SITE) 5,210± S.F. / 0.12± AC.
 FINAL IMPERVIOUS AREA IN RPA 2,500± S.F. / 0.06± AC.
 IMPERVIOUS AREA INCREASE IN RPA 325± S.F. / 0.01± AC.
 DISTURBED AREA 9,697± S.F. / 0.22± AC.
 PARCEL ID: 1910500010
 ZONING DISTRICT: R2 (GENERAL RESIDENTIAL)
 EXISTING SITE IS DEVELOPED WITH AN EXISTING SINGLE FAMILY HOME AS SHOWN

BUILDING SETBACK (SBL)

FRONT: 25'
 REAR: 35'
 SIDE: 10'

ADDRESS:

4065 SOUTH RIVERSIDE DRIVE
 JAMES CITY COUNTY, VA



DAUGHTER'S/03/2021
 DRAWN BY: LR
 PROJECT No. 16-037
 FILE NAME: 16-037PP.dwg
 REFERENCES:
 P.B. 18, PG. 4

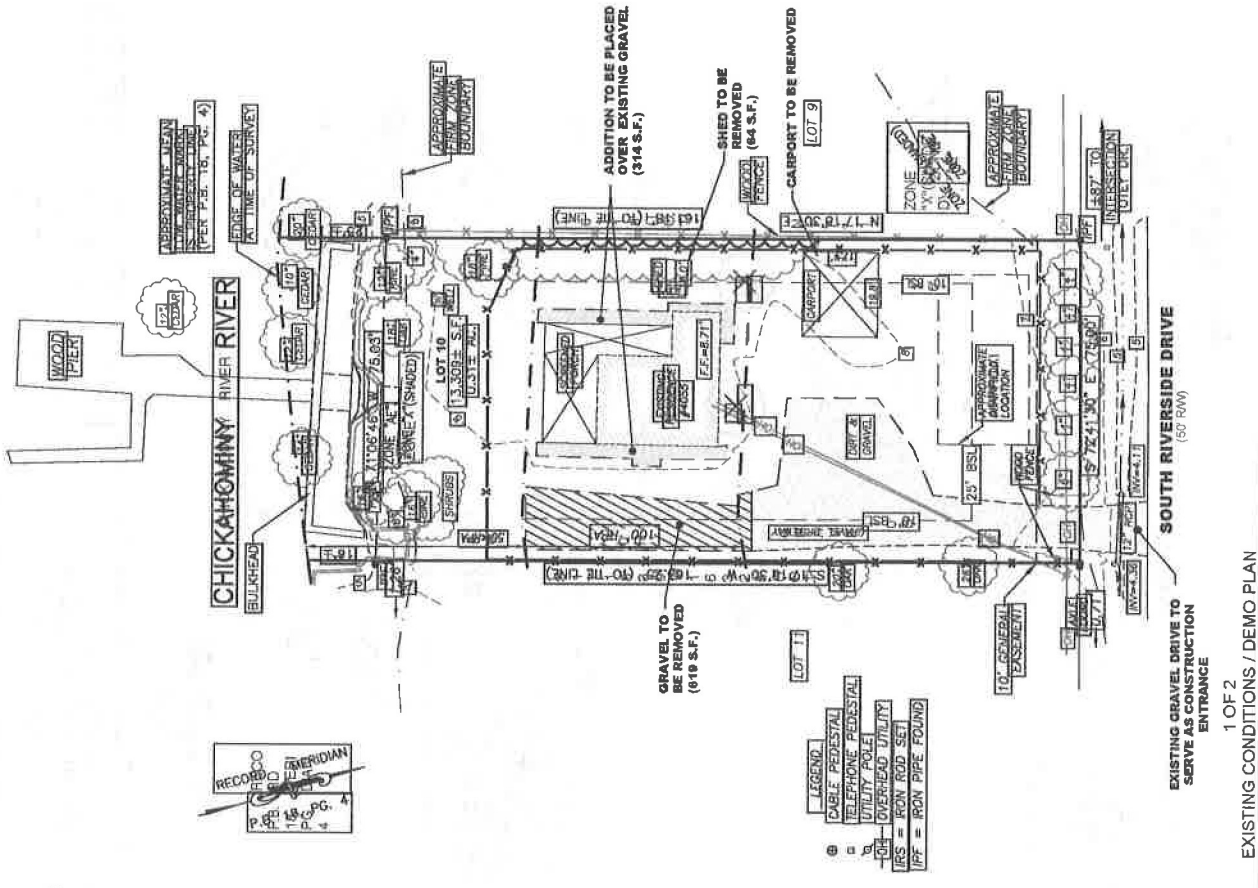


LOT 10, SECTION NO. 4
 CHICKAHOMINY HAVEN
 FOR
 KATHRYN M. & CHARLES R. WOLLUM
 JAMES CITY COUNTY VIRGINIA

EXISTING CONDITIONS / DEMO PLAN

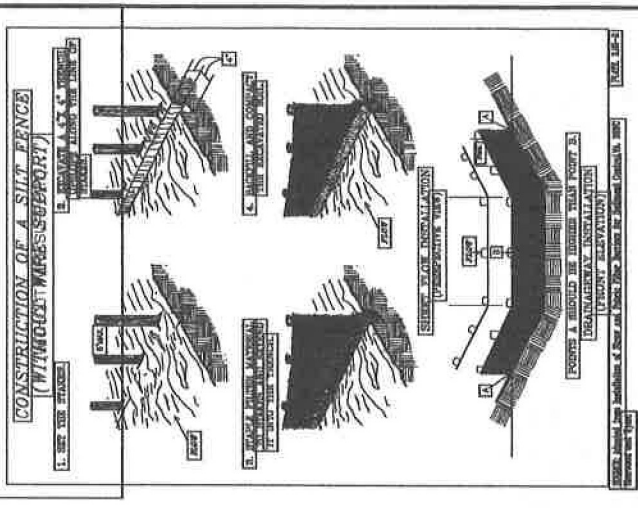
1 OF 2

EXISTING GRAVEL DRIVE TO SERVE AS CONSTRUCTION ENTRANCE



NO.	DATE	REVISIONS/ COMMENT / MONDTE

1. A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM. A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM. 2. ELEVATION SHOWN HEREON ARE IN FEET AND ARE GPS DERIVED (NAVARS). 3. WETLANDS, IF ANY, WERE NOT RESEARCHED OR LOCATED FOR THIS PLAT. 4. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES. 5. PARCEL LIES IN F.I.R.M. ZONES "AE7" & "X" ACCORDING TO COMMUNITY PANEL #51095000B0, DATED 12/16/2015. 6. LOT SERVED BY PRIVATE WATER AND SEWER SYSTEMS. (EXISTING) LOT SERVED BY PRIVATE WATER AND SEWER SYSTEMS. (EXISTING) CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON. 7. CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION. 8. TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY. 9. CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE "VIRGINIA EROSIONS AND SEDIMENT CONTROL HANDBOOK 1992 THIRD EDITION". THE CONTRACTOR SHALL BE THOROUGHLY FAMILIAR WITH ALL APPLICABLE MEASURES CONTAINED THEREIN WHICH MAY BE PERTINENT TO THIS PROJECT. TOTAL AREA: 13,309 S.F. / 0.31± AC. EXISTING IMPERVIOUS AREA (ENTIRE SITE): 3,800 S.F. / 0.09± AC. EXISTING IMPERVIOUS AREA IN RPA: 2,166 S.F. / 0.06± AC. FINAL IMPERVIOUS AREA (ENTIRE SITE): 5,210 S.F. / 0.12± AC. FINAL IMPERVIOUS AREA IN RPA: 2,500 S.F. / 0.06± AC. IMPERVIOUS AREA INCREASE IN RPA: 325 S.F. / 0.01± AC. DISTURBED AREA: 9,697 S.F. / 0.22± AC. PARCEL ID: 1910500010 1910500010 ZONING DISTRICT: R2 (GENERAL RESIDENTIAL) R2 (GENERAL RESIDENTIAL) EXISTING SITE IS DEVELOPED WITH AN EXISTING SINGLE FAMILY HOME AS SHOWN FRONT: 25' REAR: 35' SIDE: 10' 4065 SOUTH RIVERSIDE DRIVE JAMES CITY COUNTY, VA



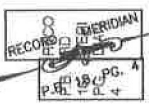
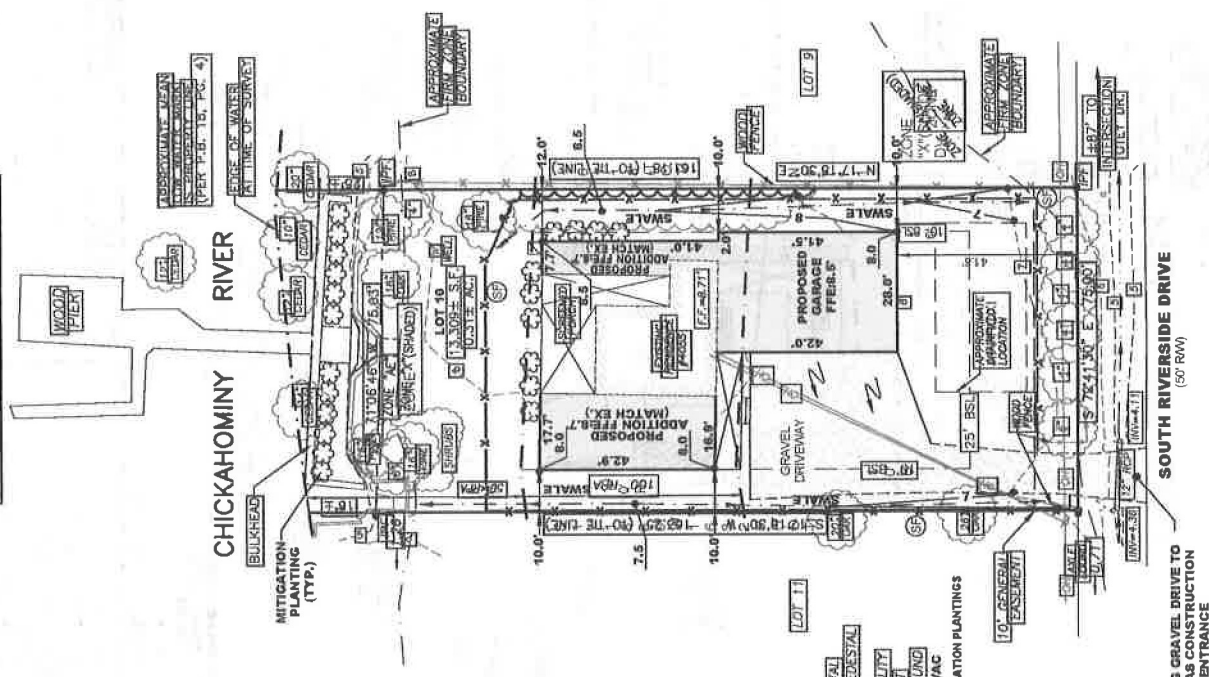
LRI LANDTECH RESOURCES, INC.
 ENGINEERING & SURVEYING CONSULTANTS
 200 Albemarle Street, Suite 100, Charlottesville, VA 22902
 800-541-1622
 www.lri-landtech.com

TOTAL AREA: 13,309 S.F. / 0.31 AC. 13,309± S.F. / 0.31± AC EXISTING IMPERVIOUS AREA (ENTIRE SITE): 3,800 S.F. / 0.09 AC. 3,800± S.F. / 0.09± AC EXISTING IMPERVIOUS AREA IN RPA: 2,165 S.F. / 0.05 AC. 2,165± S.F. / 0.05± AC. FINAL IMPERVIOUS AREA (ENTIRE SITE): 5,210 S.F. / 0.12 AC. 5,210± S.F. / 0.12± AC. FINAL IMPERVIOUS AREA IN RPA: 2,500± S.F. / 0.06± AC. IMPERVIOUS AREA INCREASE IN RPA: 325± S.F. / 0.01± AC. DISTURBED AREA: 9,697± S.F. / 0.22± AC. 9,697± S.F. / 0.22± AC. PARCEL ID: 1910500010 (GENERAL RESIDENTIAL) EXISTING ZONING DISTRICT: R2 (GENERAL RESIDENTIAL) P2 (GENERAL RESIDENTIAL) EXISTING SITE IS DEVELOPED WITH AN EXISTING SINGLE FAMILY HOME AS SHOWN FRONT: 281 REAR: 35 SIDE: 10' 4065 SOUTH RIVERSIDE DRIVE JAMES CITY COUNTY, VA

CHICKAHOMINY RIVER

CHICKAHOMINY RIVER

SOUTH RIVERSIDE DRIVE (50' RW)



- LEGEND**
- ⊕ CABLE PEDESTAL
 - ⊖ TELEPHONE PEDESTAL
 - ⊙ UTILITY POLE
 - OVERHEAD UTILITY
 - IRON ROD SET
 - IRON PIPE FOUND
 - ⊗ PROPOSED HVAC
 - ⊗ PROPOSED MITIGATION PLANTINGS
 - ⊗ 10' GENERAL EASEMENT

LANDSCAPING NOTES

1. SPECIES AND LOCATION OF PLANTS TO BE COORDINATED WITH THE JAMES CITY COUNTY ENGINEERING AND RESOURCE PROTECTION DIVISION.

MITIGATION LEGEND

- ⊕ NATIVE SHRUB
- ⊗ 2 SHRUBS PER UNDERSTORY TREE AND 4 SHRUBS PER CANOPY TREE

MITIGATION MEASURE	QTY. (NEEDED)	QTY. (PROPOSED)
NATIVE CANOPY TREES	2	0
NATIVE UNDERSTORY TREES	4	0
NATIVE SHRUBS	0	22

SITE INFORMATION

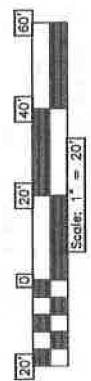
TOTAL AREA: 13,309± S.F. / 0.31± AC.
 EXISTING IMPERVIOUS AREA (ENTIRE SITE): 3,800± S.F. / 0.09± AC.
 EXISTING IMPERVIOUS AREA IN RPA: 2,165± S.F. / 0.05± AC.
 FINAL IMPERVIOUS AREA (ENTIRE SITE): 5,210± S.F. / 0.12± AC.
 FINAL IMPERVIOUS AREA IN RPA: 2,500± S.F. / 0.06± AC.
 IMPERVIOUS AREA INCREASE IN RPA: 325± S.F. / 0.01± AC.
 DISTURBED AREA: 9,697± S.F. / 0.22± AC.
 PARCEL ID: 1910500010
 ZONING DISTRICT: R2 (GENERAL RESIDENTIAL)
 EXISTING SITE IS DEVELOPED WITH AN EXISTING SINGLE FAMILY HOME AS SHOWN

BUILDING SETBACK (SBL)

FRONT: 25'
 REAR: 35'
 SIDE: 10'

ADDRESS:

4055 SOUTH RIVERSIDE DRIVE
 JAMES CITY COUNTY, VA



DATE: 03/05/2021
 DRAWN BY: LRS
 PROJECT NO. 16-037
 FILE NAME: 16-037PP.dwg
 REFERENCES:
 P.B. 18, PG. 4



LAYOUT / GRADING / MITIGATION PLAN
 2 OF 2

PLOT PLAN OF
 LOT 10, SECTION NO. 4
 CHICKAHOMINY HAVEN
 FOR
 KATHRYN M. & CHARLES R. WOLLUM

JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISIONS / COMMENT / NOTE



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING **WEDNESDAY APRIL 14, 2021 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 21-0005: Mid-Atlantic Resource Consulting, on behalf of Chickahominy Haven Citizen Association, have applied for a wetlands permit for the removal and construction of a community pier at 3026 N Riverside Drive and 3028 North Riverside Drive, JCC Parcel Numbers. 1820200052 and 1820200051.

WJPA 21-0008: Virginia Marine Contracting, Inc, on behalf of Clinton Morgeson and Meagan Thomas, have applied for a wetlands permit for the installation of a pier, walkway and stepdown platform at 210 Red Oak Landing Road, JCC Parcel No. 4730100032.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0047: Roth Environmental on behalf of Omega Development have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling and deck at 208 Monifieth, JCC Parcel No. 3710800085.

CBPA 21-0045: LandTech Resources, Inc. on behalf of Charles and Kathryn Woollum have filed an exception request for encroachments into the RPA buffer for the construction of house addition at 4055 South Riverside Drive, JCC Parcel No. 1910500010.

CBPA 21-0044: River Pools and Spas, on behalf of Amber Gilliam, have filed an exception request for encroachments into the RPA buffer for the construction of a pool at 9209 Candle Light Court, JCC Parcel No. 0330300052.

CBPA 21-0036: Heart's Ease Landscape, on behalf of Joseph and Peggy Marsilii, have filed an exception request for encroachments into the RPA buffer for the construction of two retaining walls and a patio with steps at 104 Seven Oaks, JCC Parcel No. 3130900037.

CBPA 21-0017: Jeffrey Miller Builder, on behalf of Jeffrey and Anne Miller, have filed an exception request for encroachments into the RPA buffer for the construction of a detached garage, retaining wall and driveway extension at 10025 Sycamore Landing Road, JCC Parcel No. 0720400007.

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 – MARCH 31, 2021 and APRIL 7, 2021.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

CARD # x5230

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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March 24, 2021

RE: CBPA 21-0045
4055 South Riverside Drive
House Addition

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. Charles Woollum, Jr. and Mrs. Kathryn Woollum for encroachment into the Resource Protection Area (RPA) buffer for the construction of an addition to a single family residence. The project is located at 4055 South Riverside Drive and further identified as JCC Parcel No. 1910500010.

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, April 14, 2021 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. c/o Mr. Chase Grogg

MDW: jep

Mailing List for: CBPA-21-0045-4055 S Riverside Drive : Addition

Owner: 1910500010- 4055 S Riverside Drive

Woollum, Charles R, Jr. & Kathryn M
121 Tayside
Williamsburg, VA 23188-9161

1910500009-4053 S Riverside Drive

Kaufman, Robert B & Patricia C
10115 Christiano Drive
Glen Allen, VA 23060-3710

1910500055

Mayberry, Robert M, III
4058 S Riverside Drive
Lanexa, VA 23089-9414

Contractor:

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

1910500011-4057 S Riverside Drive

Pokorny, Clayton W & Andrea P
109 Bay HL
Williamsburg, VA 23188-7895

1910500054-4060 S Riverside Drive

Hobbes, LLC
7229 Otey Drive
Lanexa, VA 23089-9428

ITEM SUMMARY

DATE: 4/14/2021

TO: Chesapeake Bay Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Case No. CBPA 21-0047 : 208 Monifieth

Roth Environmental, on behalf of Omega Development, has filed an exception request for encroachments into the resource protection area (RPA) buffer for the construction of a single-family dwelling and deck at 208 Monifieth, JCC Parcel ID No. 3710800085.

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Presentation	Presentation
▣	Resolution	Resolution
▣	Site Plan	Backup Material
▣	WQIA	Backup Material
▣	Stormwater Calculations	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	4/7/2021 - 4:46 PM
Chesapeake Bay Group	Small, Toni	Approved	4/8/2021 - 11:21 AM
Publication Management	Daniel, Martha	Approved	4/8/2021 - 11:47 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/8/2021 - 3:17 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0047. 208 Monifieth
Staff Report for the April 14, 2021, Chesapeake Bay Board Public Hearing**

This staff report is prepared by the 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. Marty Mather, Omega Development, LLC

Agent: Mr. Mathew Roth, Roth Environmental, LLC

Location: 208 Monifieth

Parcel Identification No.: 3710800085

Parcel: Lot 85, Section 31, Ford's Colony

Lot Size: 0.51 acres

Area of Lot in Resource Protection Area (RPA): 0.48 acres +/- (95%)

Watershed: Powhatan Creek (HUC JL 31)

Floodplain: None affecting this property

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

Impervious Cover: 4,831 square feet

RPA Encroachment: 3,224 square feet, landward 50-foot RPA
1,009 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Mathew Roth, Roth Environmental, LLC, has applied for a Chesapeake Bay Exception on behalf of Mr. Marty Mather, Omega Development, LLC, for encroachments into the RPA buffer for the construction of a new single-family dwelling and deck on property located at 208 Monifieth within the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3710800085. The parcel was platted in 2001, before the changes to the Chesapeake Bay Ordinance in 2004.

The total lot size of this property is 0.51 acres, of which 95% is located within the RPA. The applicant is proposing to construct a new single-family dwelling with a deck equating to a total of 4,831 square feet of impacts of which 3,224 square feet are proposed within the landward 50-foot RPA and 1,009 square feet are proposed within the seaward 50-foot RPA. Total impervious impacts to the RPA equate to 4,233 square feet. The entirety of the proposed deck is located within the seaward 50-foot RPA. Due to the configuration of this lot and the RPA impacts associated with the changes to the Chesapeake Bay Ordinance in 2004, there is no room outside of the RPA to construct a single-family dwelling. It is for this reason that the proposed construction impacts the RPA.

Required mitigation for this amount of impervious cover impact to the RPA equates to the planting of 10 canopy trees, 20 understory trees, and 30 shrubs. The applicant has proposed the plantings of four canopy trees, six understory trees, 104 shrubs, and 2,470 square feet of mulch. The applicant is also proposing to construct two bioretention Best Management Practices (BMPs) in order to capture runoff from the proposed development. Therefore, proposed mitigation for the amount of impervious impacts exceeds County mitigation requirements because of the BMPs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a single-family dwelling and deck. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the deck is considered accessory in nature and the proposed dwelling extends into the seaward 50-foot RPA.

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 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 recommend approval for this exception request; however, if the Board wishes to approve 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; and
2. The bioretention BMPs will follow the standards and specifications found in the Virginia Department of Environmental Quality Stormwater Specification No. 9 Bioretention, current version. All plantings required for the bioretention BMPs shall not count towards the required plantings; and
3. A surety of \$5,000 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the planting mitigation and bioretention installations; and
4. The submission of bioretention BMP as-builts; and

5. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
6. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, six weeks prior to the expiration date.

TAL/md
CBPA21-47Monifieth

Attachments:

1. Resolution
2. Site Plan



Chesapeake Bay Board of James City County, Virginia

April 14, 2021

CBPA 21-0047

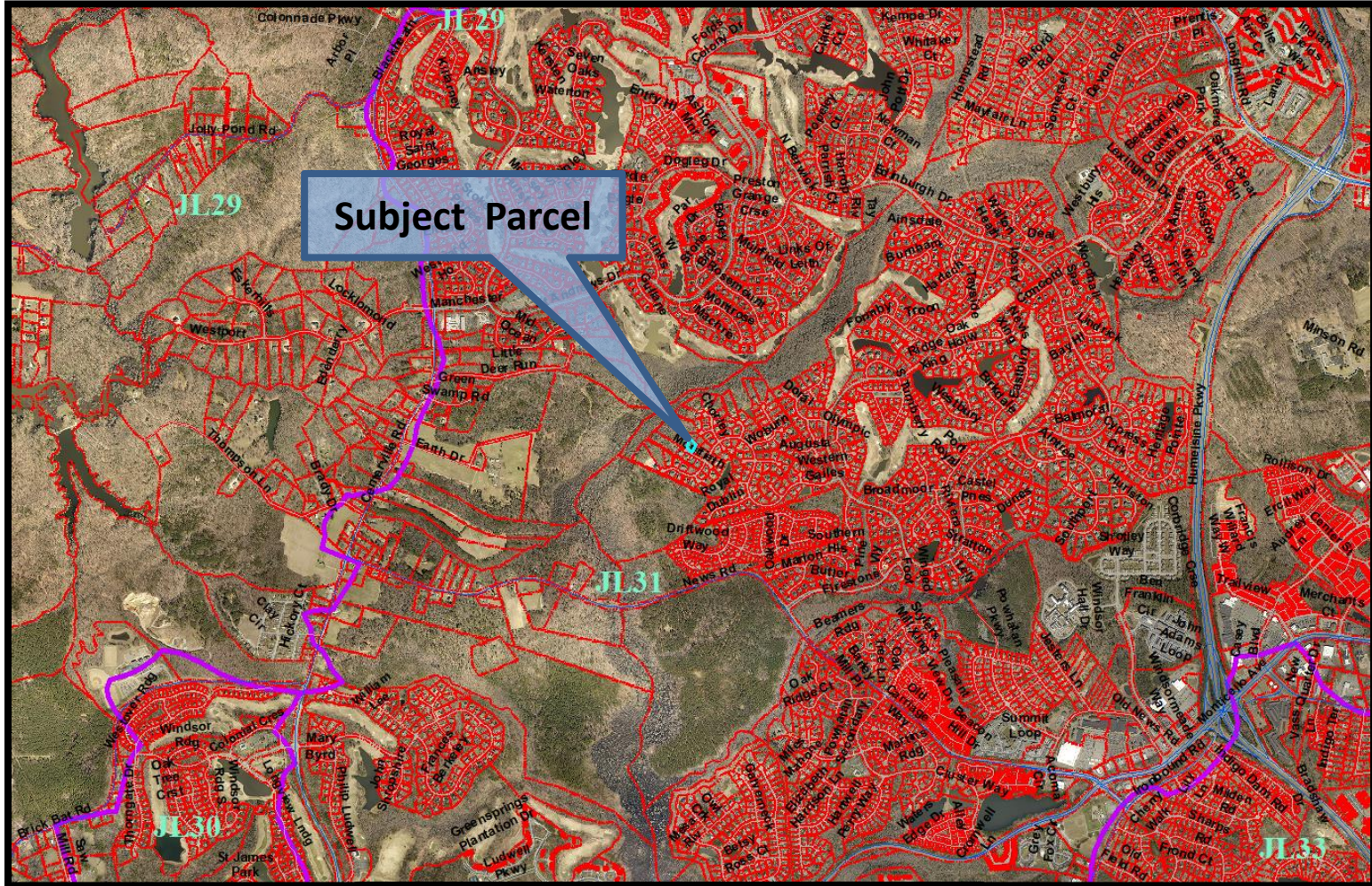
Omega Development, LLC

208 Monifieth



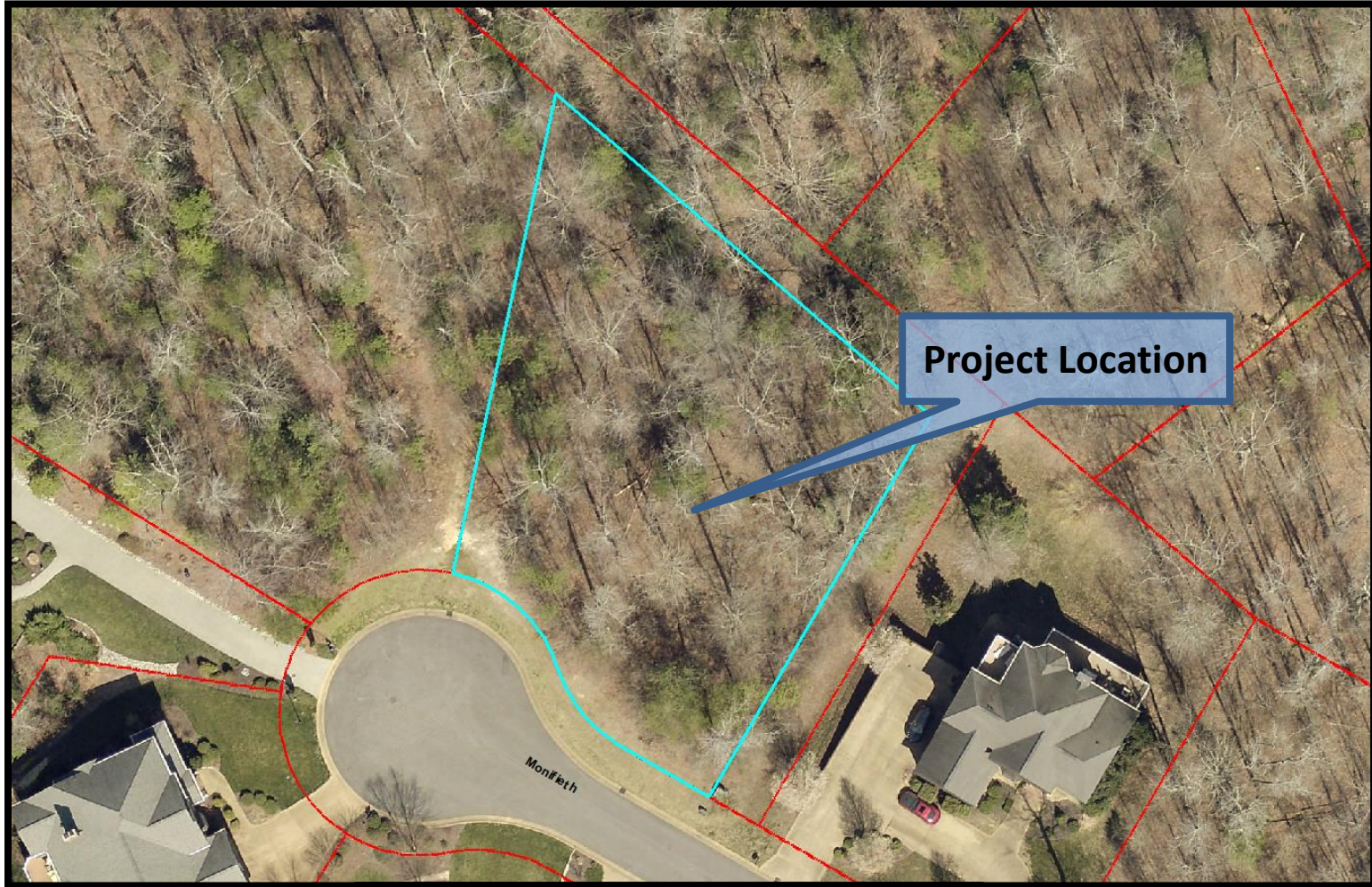
Applicant Request

- ✓ Construct a single family dwelling and deck.

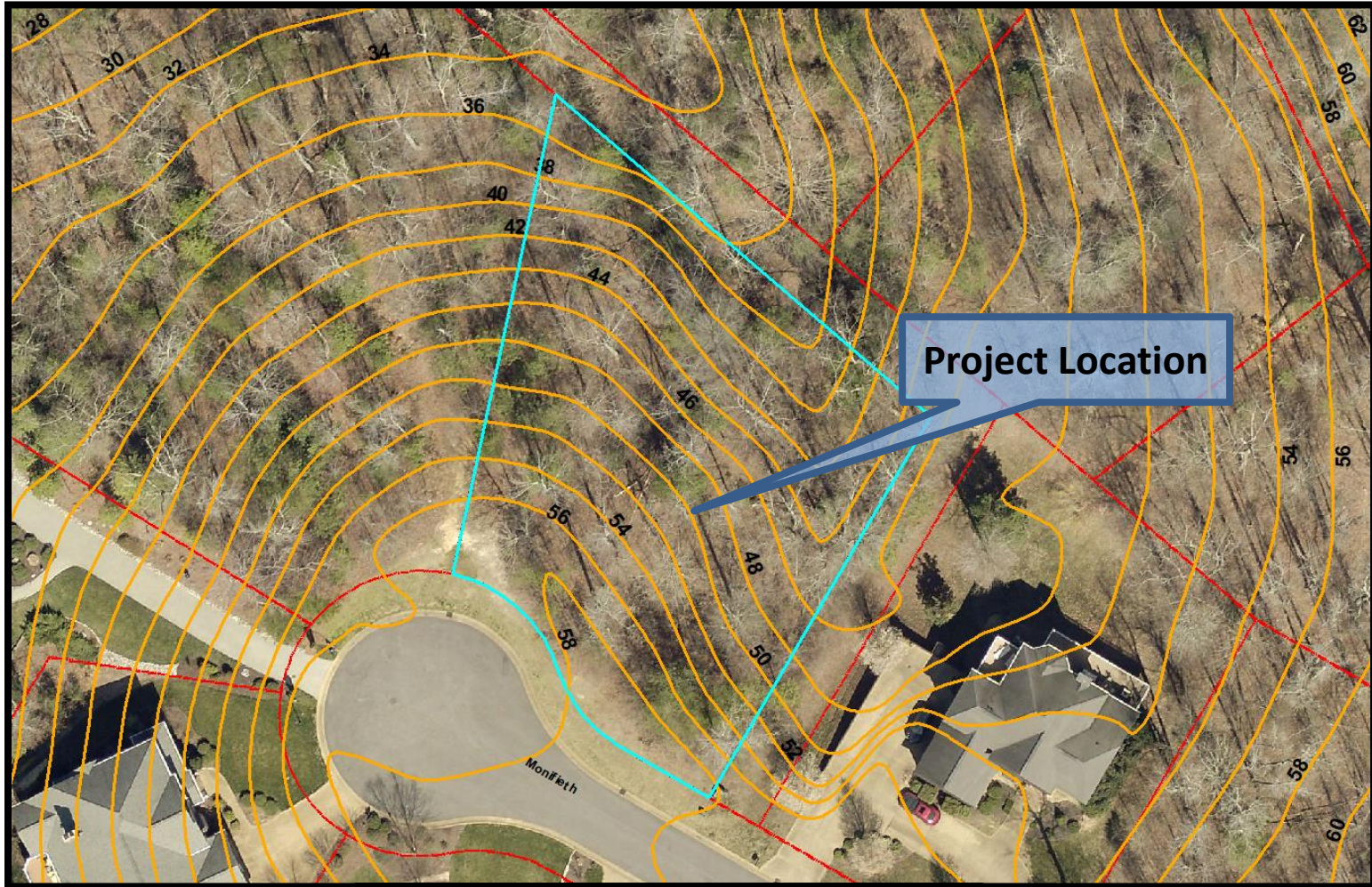


Subject Parcel

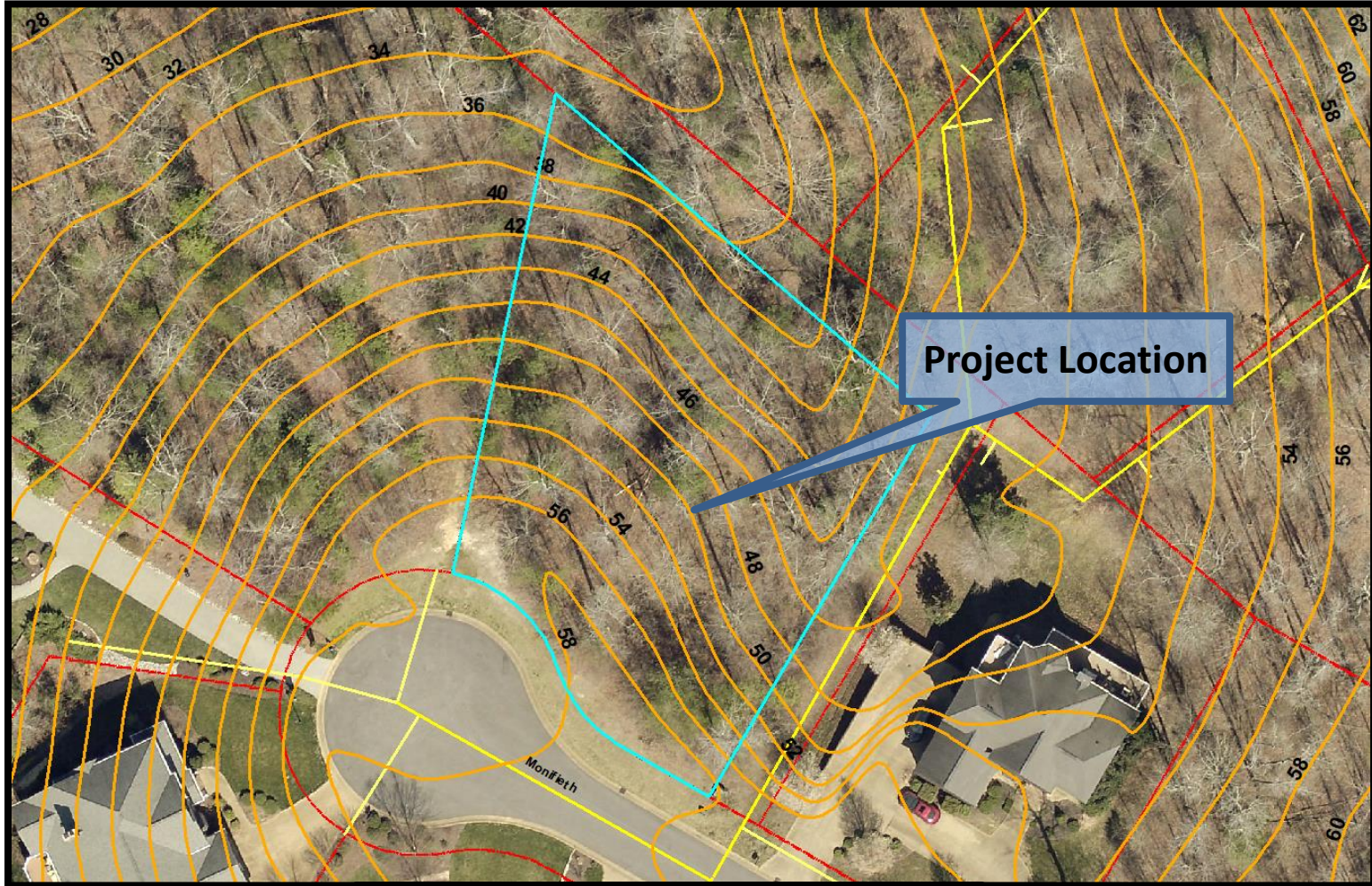
**Vicinity Map
CBPA-21-0047
208 Monifieth**



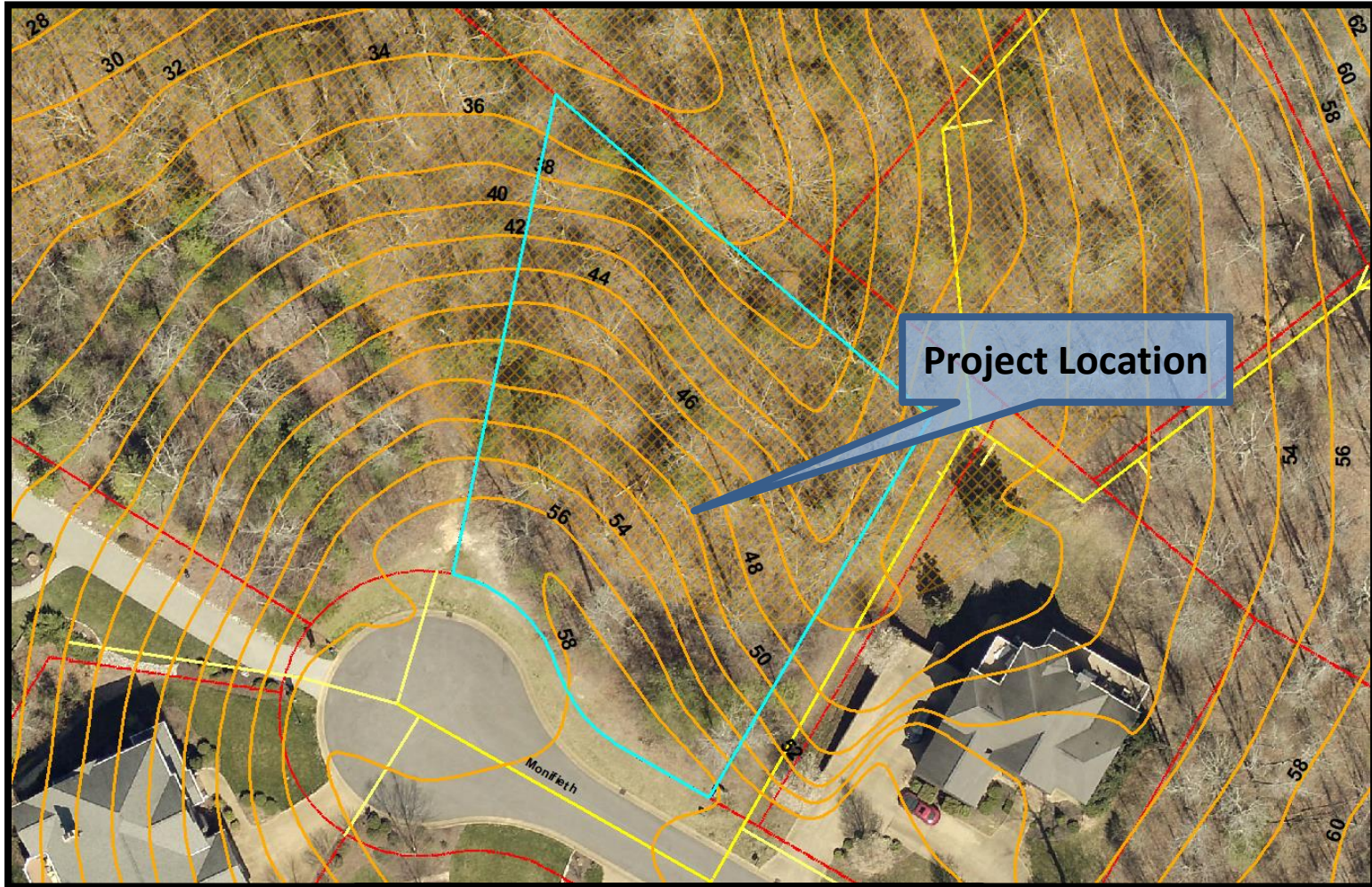
Aerial Photograph
CBPA-21-0047
208 Monifieth



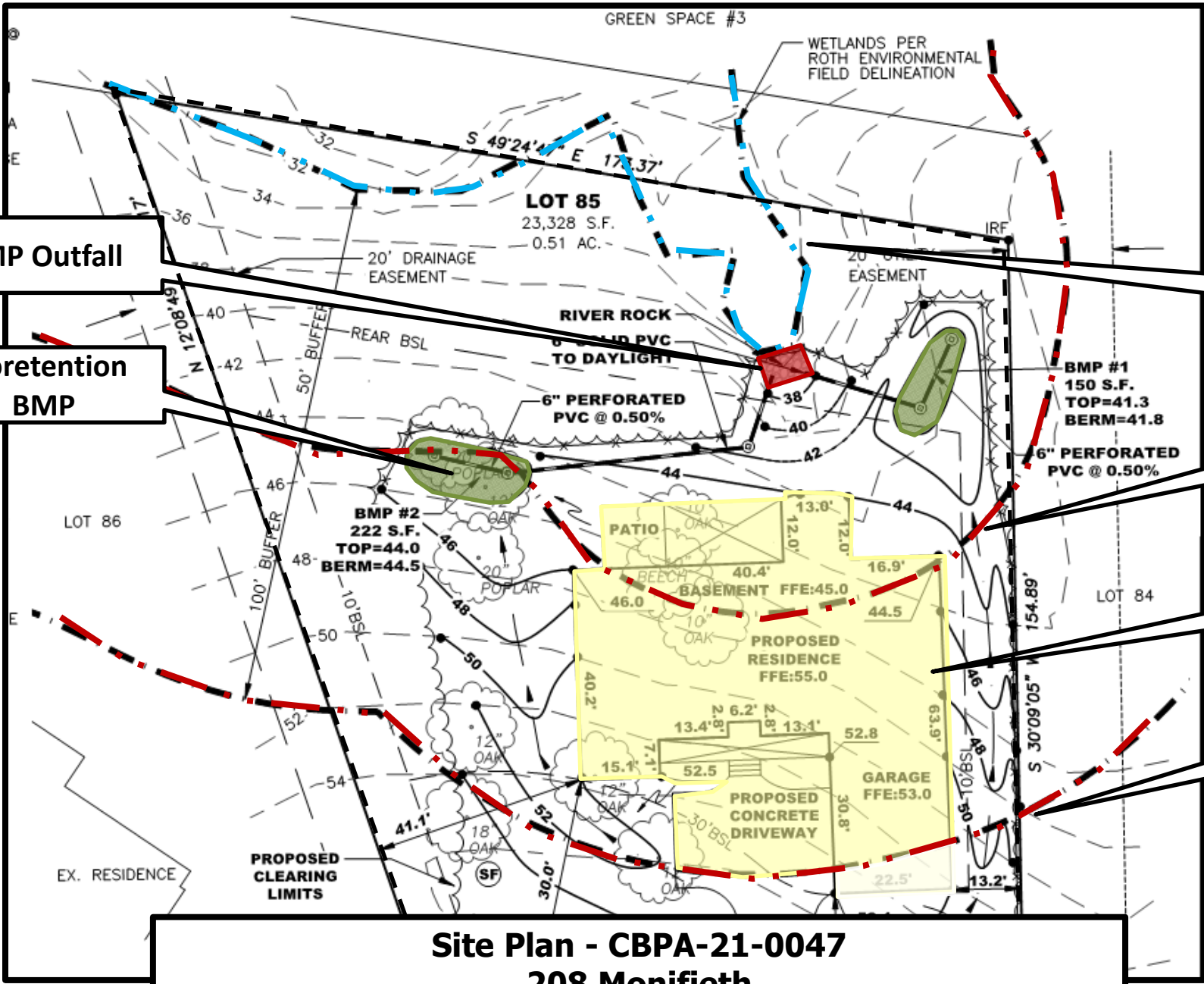
Topography
CBPA-21-0047
208 Monifieth



Sanitary Sewer
CBPA-21-0047
208 Monifieth



Resource Protection Area
CBPA-21-0047
208 Monifieth



Site Plan showing proposed improvements, submitted March 5, 2021. For representative use only for presentation of case #CBPA-21-0047

BMP Outfall

Bioretention BMP

Delineated Wetlands

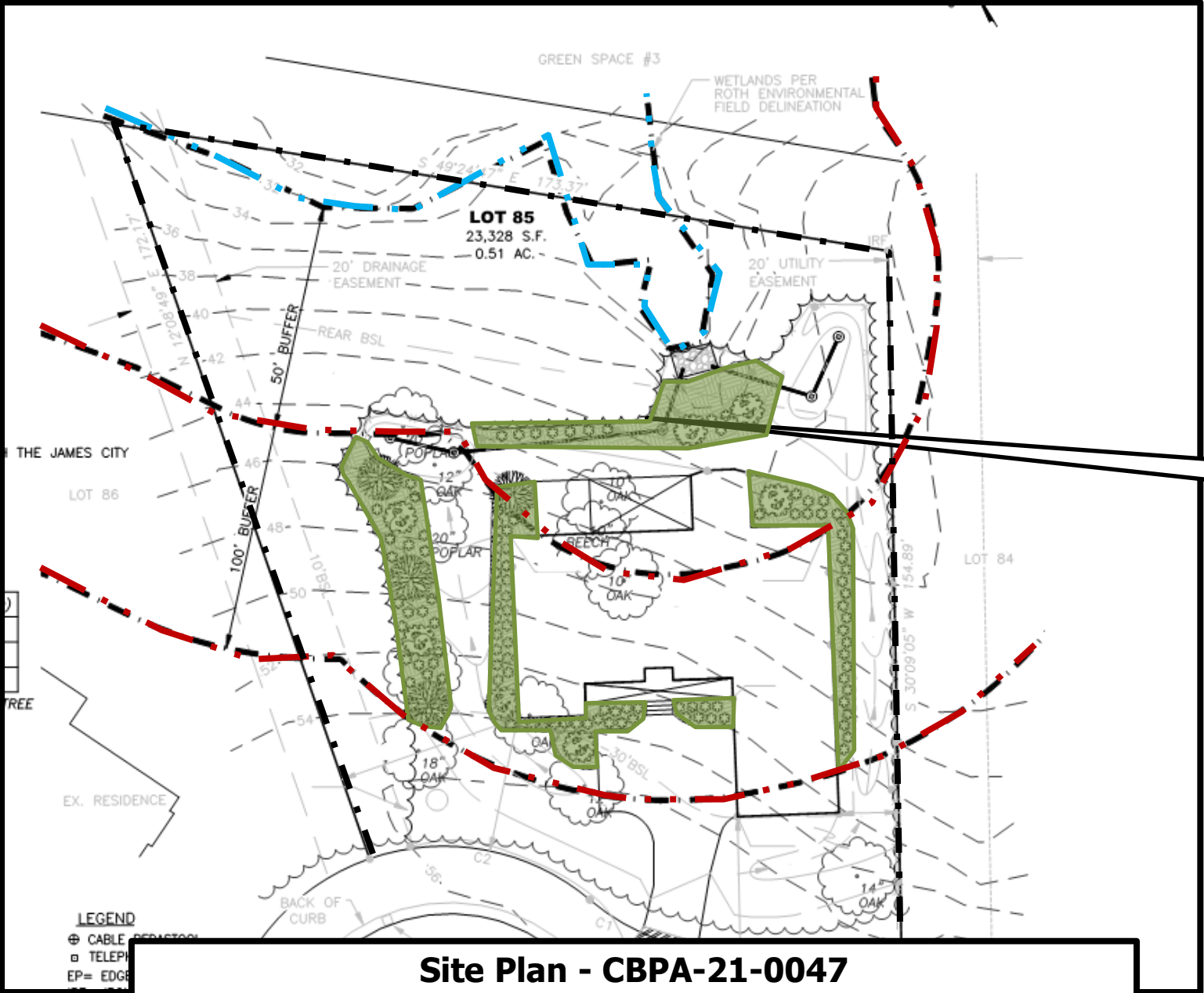
50 foot Resource Protection Area

Proposed Impervious Impacts

100 foot Resource Protection Area

Site Plan - CBPA-21-0047
208 Monifieth

Site Plan showing proposed improvements, submitted March 5, 2021. For representative use only for presentation of case #CBPA-21-0047

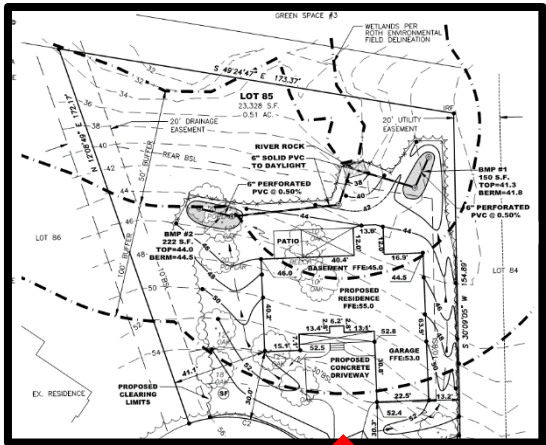


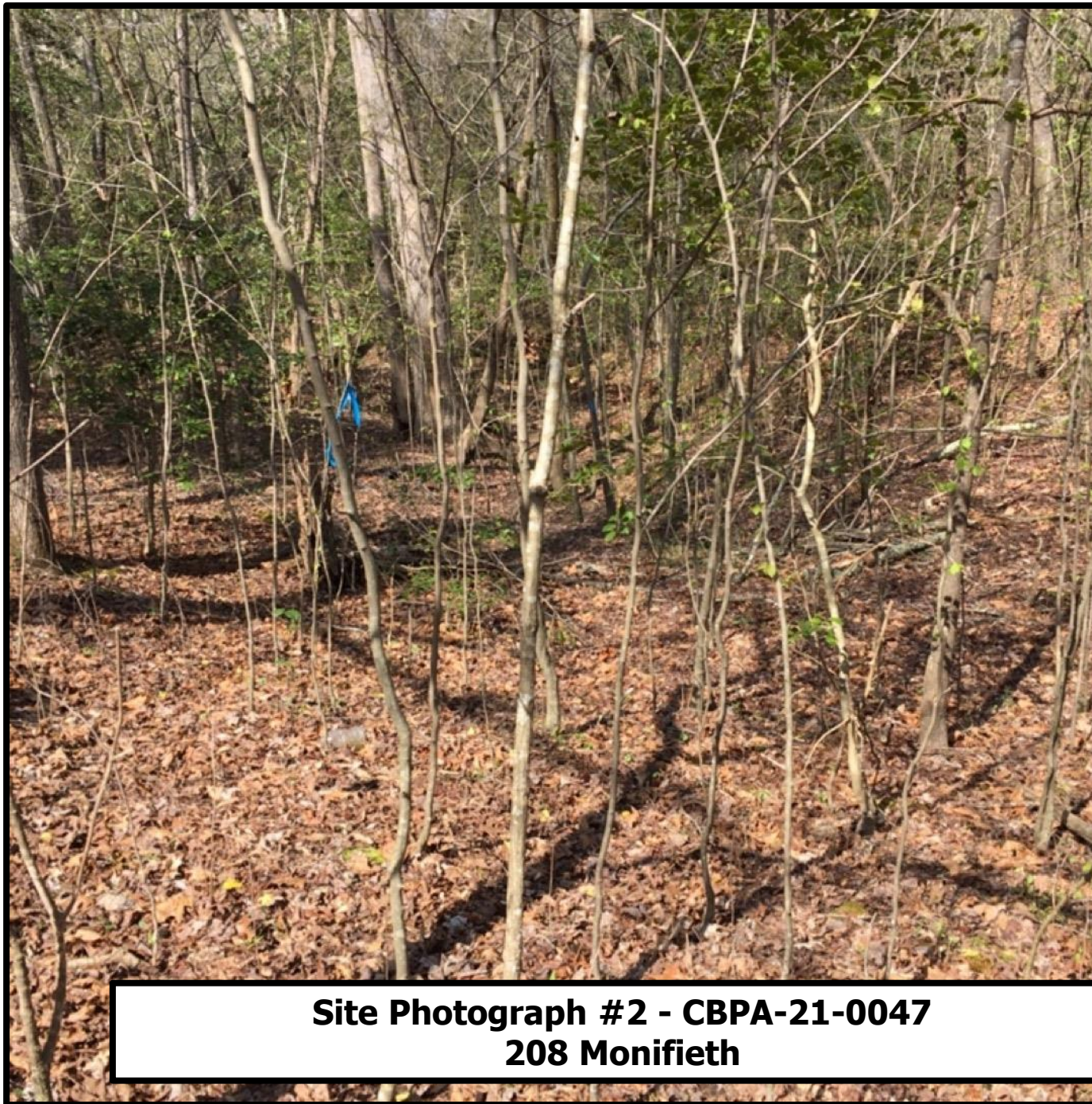
Areas of Mitigation

Site Plan - CBPA-21-0047
208 Monifieth

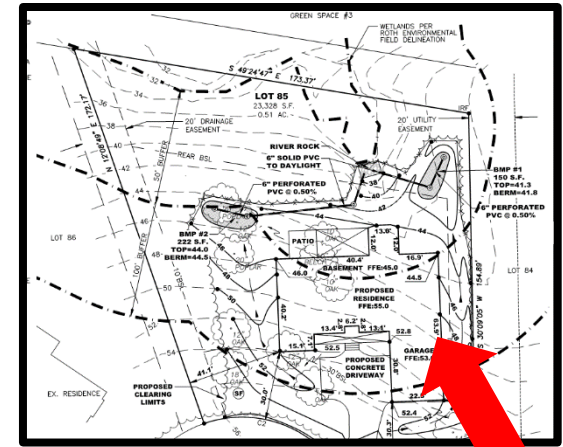


**Site Photograph #1 - CBPA-21-0047
208 Monifieth**



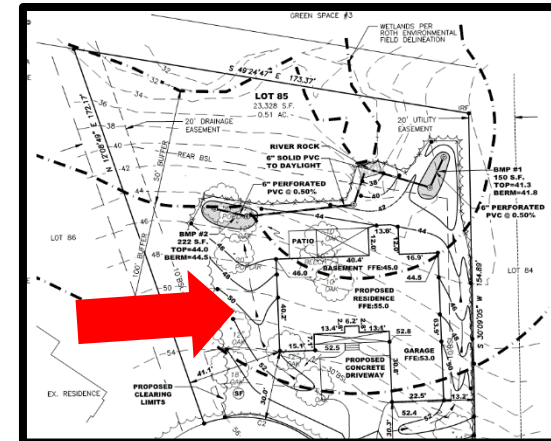


**Site Photograph #2 - CBPA-21-0047
208 Monifieth**



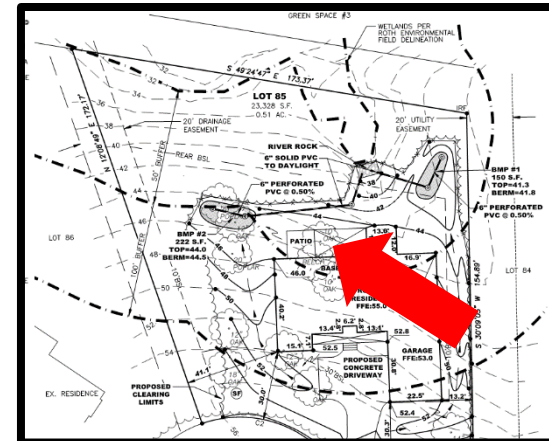


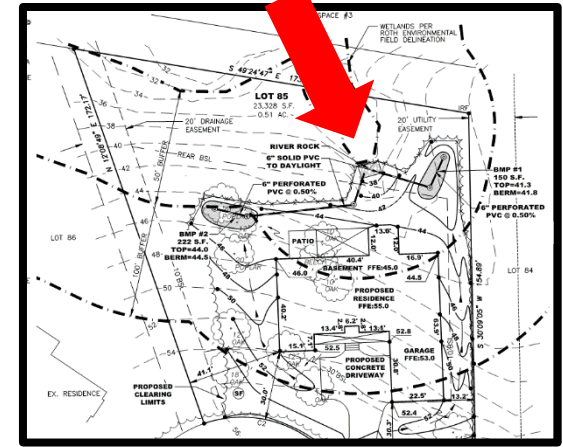
**Site Photograph #3 - CBPA-21-0047
208 Monifieth**





**Site Photograph #4 - CBPA-21-0047
208 Monifieth**

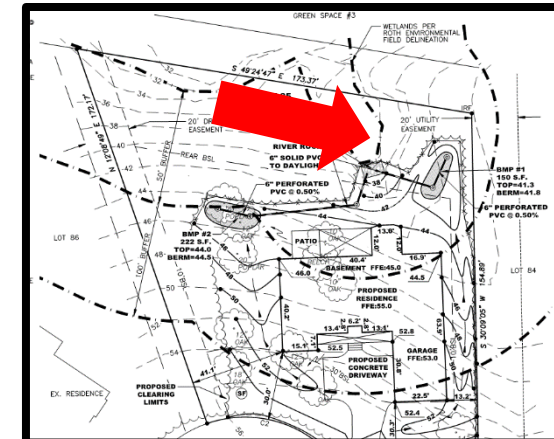




**Mitigation Photograph #1 - CBPA-21-0047
208 Monifieth**



**Mitigation Photograph #2 - CBPA-21-0047
208 Monifieth**



Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary local, state and federal permits
- ✓ The bio-retention BMPs follow VADEQ Spec. 9, current version, and all planting requirements required for the BMPs do not count towards the required mitigation plantings
- ✓ A surety of \$5,000 to guarantee mitigation plantings

Permit Conditions



Staff Recommendation Continued

- ✓ Submission of bioretention BMPs asbuilts
- ✓ This exception request approval shall become null and void if construction has not begun by April 14, 2022
- ✓ Written requests for extension submitted no later than March 3, 2022

RESOLUTION

CASE NO. CBPA 21-0047. 208 MONIFIETH

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Marty Mather (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 14, 2021, 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. 3710800085 and further identified as 208 Monifieth (the “Property”) as set forth in the application CBPA 21-0047 for the purpose of constructing a single-family dwelling and deck; 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; and
 - b. The bioretention Best Management Plans (BMPs) will follow the standards and specifications found in the Virginia Department of Environmental Quality Stormwater Specification No. 9 Bioretention, current version. All plantings required for the bioretention BMPs shall not count towards the required plantings; and

- c. A surety of \$5,000 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the planting mitigation and bioretention installations; and
- d. The submission of bioretention BMP as-builts; and
- e. This exception request approval shall become null and void if construction has not begun by April 14, 2022; and
- f. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 3, 2022, 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 14th day of April, 2021.

CBPA21-47Monifieth-res

GENERAL NOTES

1. A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM.
2. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS PLAT.
3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
4. PARCEL LIES IN F.I.R.M. ZONE "X" ACCORDING TO COMMUNITY PANEL #51095CO116D, DATED DECEMBER 16, 2015.
5. LOT SERVED BY PUBLIC WATER AND SEWER.
6. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
7. ELEVATION AS SHOWN HEREON ARE IN FEET AND ARE CLOSELY RELATED TO JCC GIS.
8. DIMENSIONS SHOWN HEREON ARE TO THE FRAMELINE OF THE BUILDING

NOTE TO CONTRACTOR

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

BUILDING SETBACKS (PER FORD'S COLONY)

FRONT SETBACK: 30'
 REAR SETBACK: 25' OR 25% OF LOT DEPTH, WHICH EVER IS GRATER
 SIDE SETBACK: 10'

NOTES

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

BUILDING INFORMATION

PROPOSED RESIDENCE IS 2 STORY
 PROPOSED GARAGE IS COURT YARD LOADING

SITE INFORMATION

TOTAL AREA: 23,328 S.F. / 0.51 AC.
 DISTURBED AREA: 12,878 S.F. / 0.296 AC.
 IMPERVIOUS: 4,831 S.F. / 0.111 AC.
 IMPERVIOUS WITHIN 50' RPA: 1009 S.F. / 0.011 AC.
 IMPERVIOUS WITHIN 100' RPA: 3,224 S.F. / 0.074 AC.
 TOTAL IMPERVIOUS WITHIN RPA: 4,233 / 0.097
 PARCEL ID: 3710800085
 ZONING DISTRICT: R4 RESIDENTIAL PLANNED COMMUNITY
 EXISTING SITE IS WOODED AS SHOWN
 MITIGATION TABLE: 4,233 S.F. / 400 S.F. = 10.58 CREDITS

MITIGATION MEASURE	QTY.(NEEDED)
NATIVE CANOPY TREES	12
NATIVE UNDERSTORY TREES	24
NATIVE SHRUBS	36

* CONTRACTOR/OWNER TO COORDINATE WITH JAMES CITY COUNTY FOR REQUIREMENTS ON MITIGATION PLANTING.

EXISTING ADDRESS:

208 MONIFIETH
 JAMES CITY COUNTY, VIRGINIA

SURVEYORS CERTIFICATION

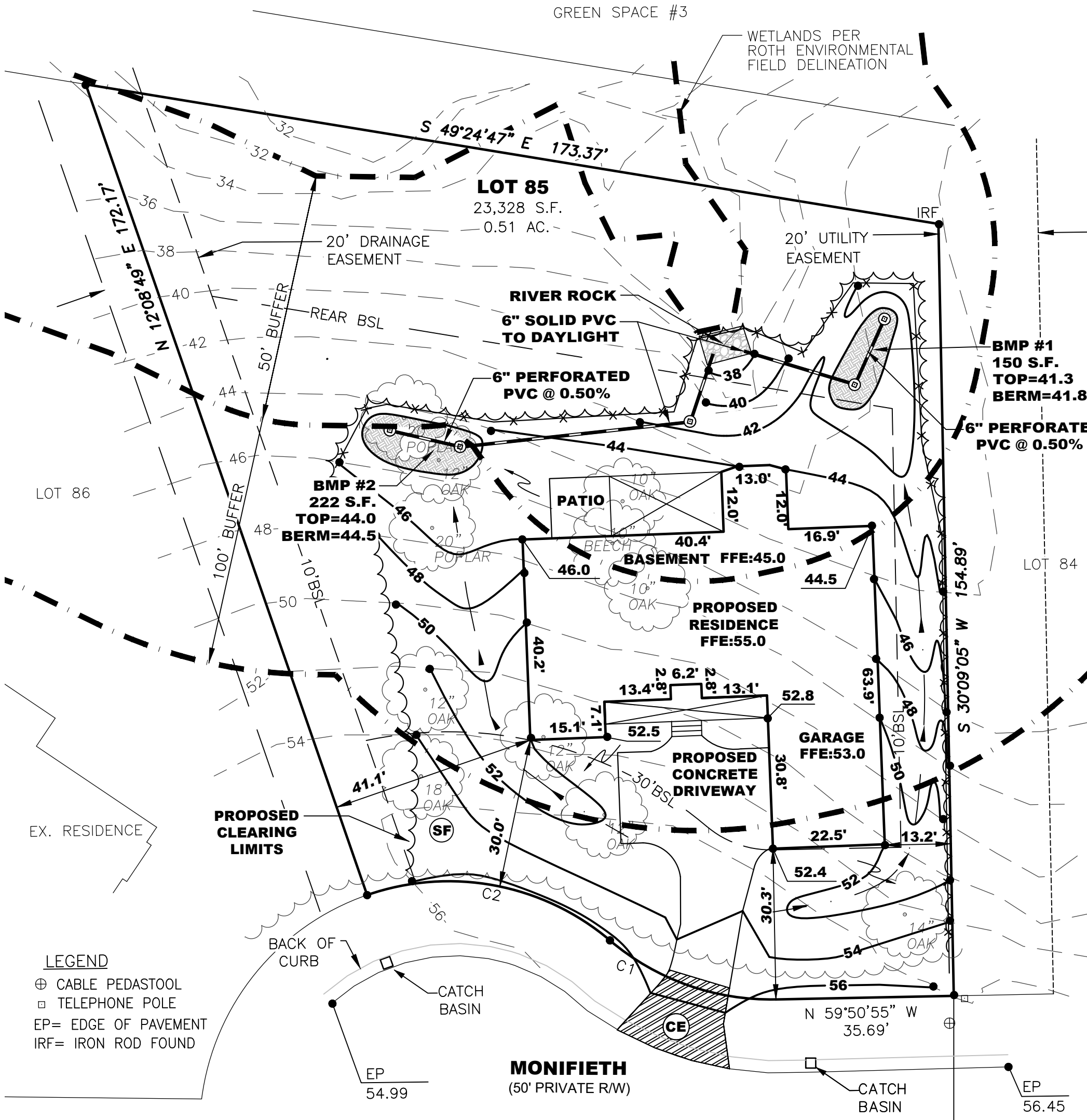
THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY. ALL THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. LANDTECH RESOURCES, INC. HAS BEEN RETAINED AND PAID TO STAKE, AS A MINIMUM, THE BUILDING ENVELOPE & ANY DETACHED ACCESSORY STRUCTURE.

01/19/2021
 MATTHEW H. CONNOLLY, L.S. DATE

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

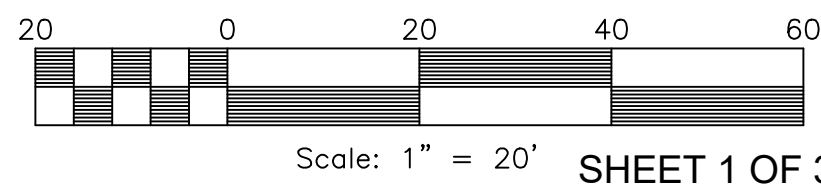
DRAINAGE CONTROL/IMPROVEMENTS SHALL BE INSTALLED IMMEDIATELY AFTER CLEARING SUCH THAT NO DISTURBED AREA DRAINAGE FLOWS ONTO ADJACENT PROPERTIES. ()

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



LEGEND

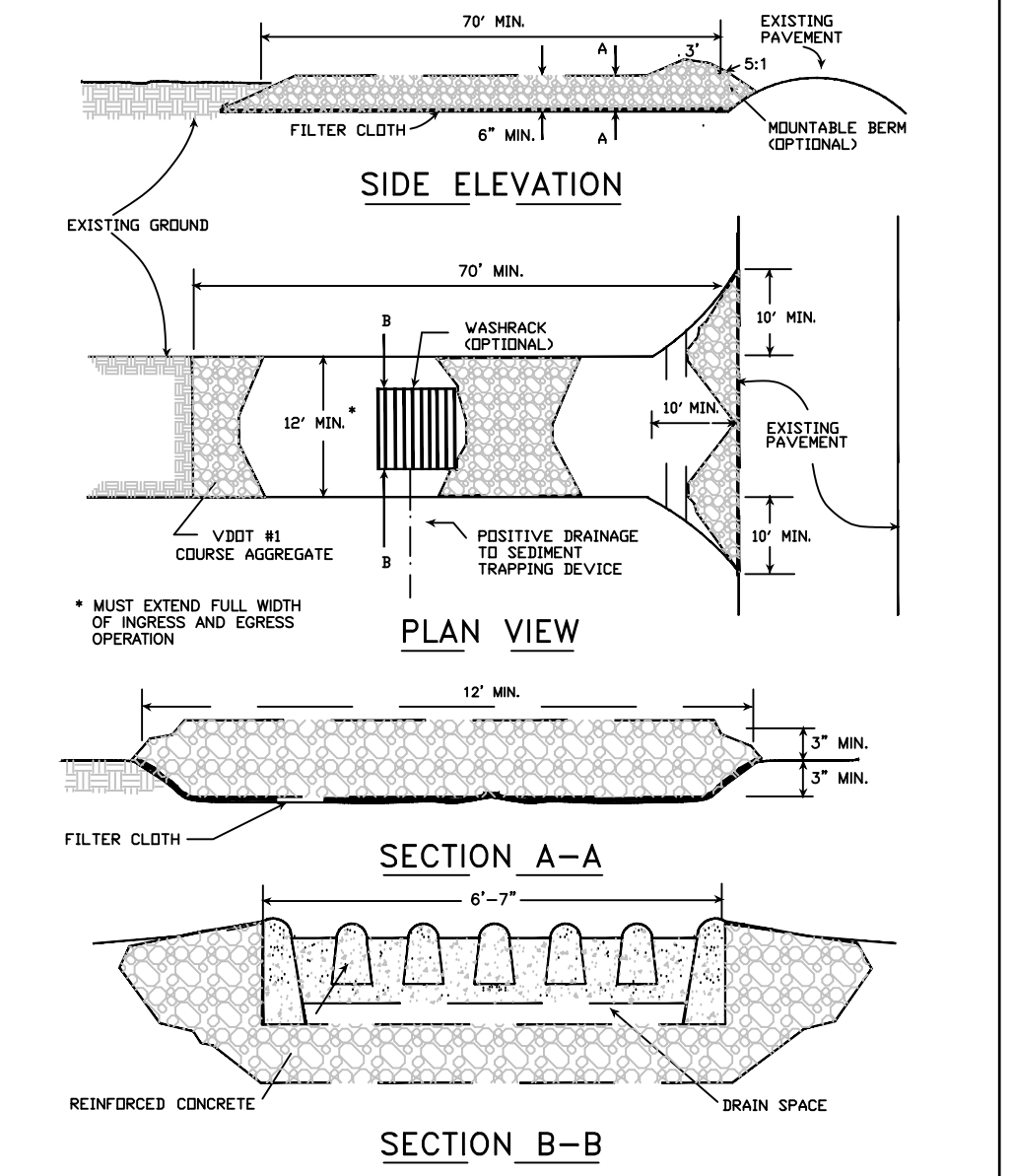
- ⊕ CABLE PEDASTOOL
- TELEPHONE POLE
- EP= EDGE OF PAVEMENT
- IRF= IRON ROD FOUND



NO	DELTA	CHORD BEARING	TAN	RADIUS	ARC	CHORD
C1	41°24'35"	N 39°08'38" W	18.90	50.00	36.14	35.36
C2	59°24'40"	N 48°08'40" W	28.53	50.00	51.85	49.55

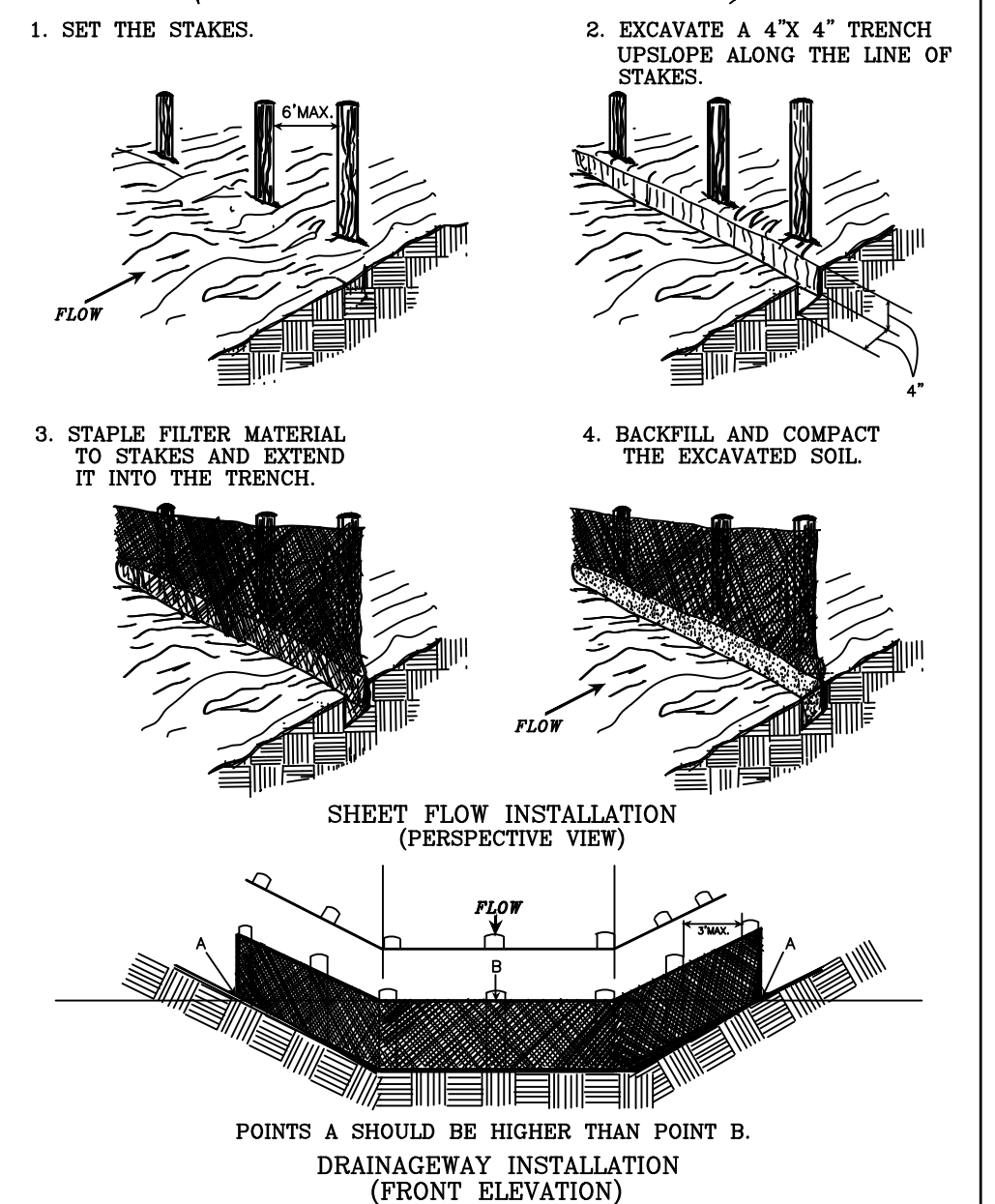
±282' TO C. OF WESTERN GAILES

STONE CONSTRUCTION ENTRANCE

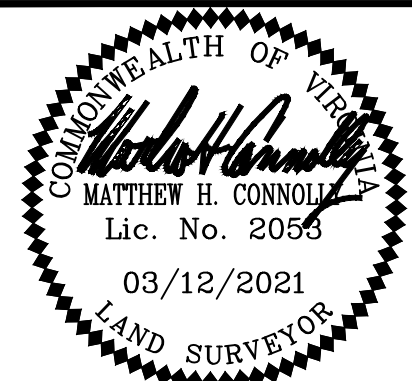


SOURCE: ADAPTED FROM 1983 Maryland Standards for Soil Erosion and Sediment Control, and Va. DSWC PLATE 3.02-1

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant PLATE 3.05-2







DATE: 09/30/2020
 DRAWN BY: AEQ
 PROJECT No. 20-270
 FILE NAME: 20-270.DWG
 REFERENCES:
 INST.010019806

PLOT PLAN OF
 LOT 85, SECTION XXXI
 FORD'S COLONY
 FOR
 OMEGA CONSTRUCTION
 JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	3-12-2021	REVISED FOR CBBA SUBMISSION COMMENTS

LRI LANDTECH RESOURCES, INC.
 ENGINEERING · SURVEYING · GPS
 205E Bullfants Blvd. Williamsburg, VA 23188
 Ph: (757) 565-1677 Fax: (757) 565-0782
 web: landtechresources.com

MITIGATION LEGEND

-  AREAS TO BE MULCHED (2,470± S.F.)
-  CANOPY TREE (4)
-  UNDERSTORY TREE (6)
-  SHRUB (104)

SITE INFORMATION

TOTAL AREA: 23,328 S.F. / 0.51 AC.
 DISTURBED AREA: 12,878 S.F. / 0.296 AC.
 IMPERVIOUS: 4,831 S.F. / 0.111 AC.
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MITIGATION MEASURE	QTY.(NEEDED)
NATIVE CANOPY TREES	12
NATIVE UNDERSTORY TREES	24
NATIVE SHRUBS	36

* CONTRACTOR/OWNER TO COORDINATE WITH JAMES CITY COUNTY FOR REQUIREMENTS ON MITIGATION PLANTING.

LANDSCAPING NOTES

- CONTRACTOR TO PROVIDE 3" OF GRAVEL UNDER THE DECK.
- LOCATION AND SPECIES OF PLANTS TO BE COORDINATED WITH THE JAMES CITY COUNTY ENGINEERING AND RESOURCE PROTECTION DIVISION.

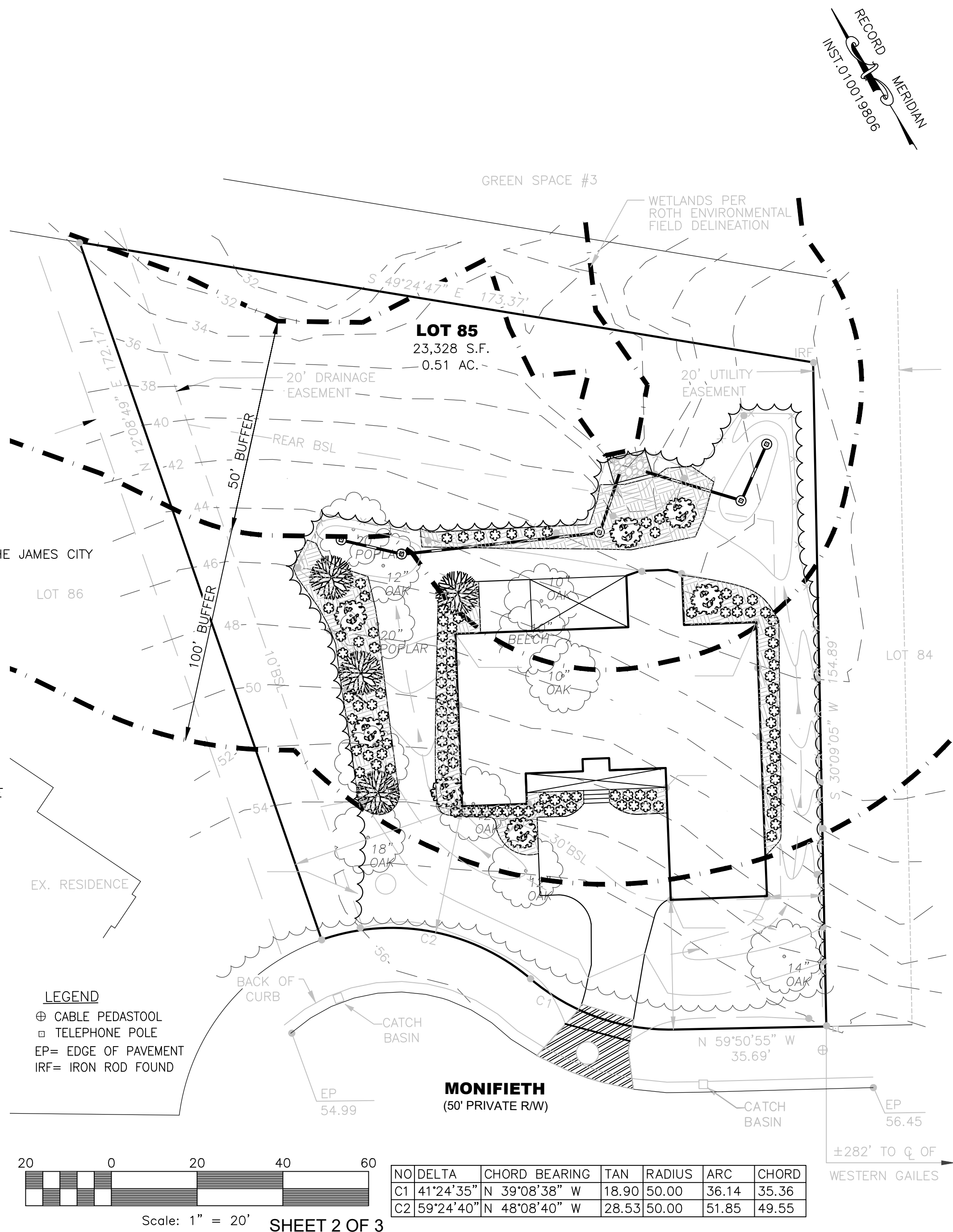
EXISTING ADDRESS:

208 MONIFIETH
 JAMES CITY COUNTY, VIRGINIA

MITIGATION TABLE

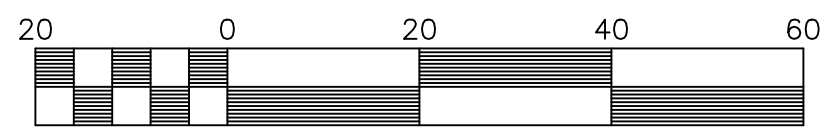
MITIGATION MEASURE	QTY.(NEEDED)	QTY. (PROPOSED)
NATIVE CANOPY TREES	12	4
NATIVE UNDERSTORY TREES	24	6
NATIVE SHRUBS	36	104

2 SHRUBS PER UNDERSTORY TREE AND 4 SHRUBS PER CANOPY TREE



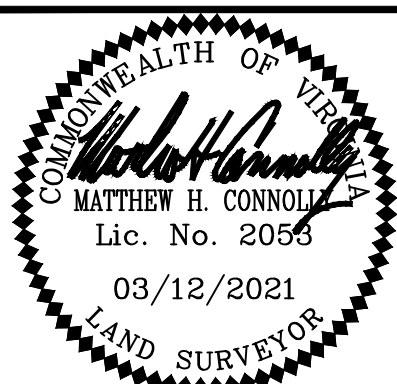
LEGEND

- ⊕ CABLE PEDASTOOL
- TELEPHONE POLE
- EP= EDGE OF PAVEMENT
- IRF= IRON ROD FOUND



NO	DELTA	CHORD BEARING	TAN	RADIUS	ARC	CHORD
C1	41°24'35"	N 39°08'38" W	18.90	50.00	36.14	35.36
C2	59°24'40"	N 48°08'40" W	28.53	50.00	51.85	49.55

SHEET 2 OF 3



DATE: 09/30/2020
 DRAWN BY: AEQ
 PROJECT No. 20-270
 FILE NAME: 20-270.DWG
 REFERENCES:
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PLOT PLAN OF
 LOT 85, SECTION XXXI
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BMP #1 DESIGN - BIO-RETENTION FILTER LEVEL 1

TURF AREA: 0.11 ACRES
 IMPERVIOUS AREA: 0.02 ACRES

TOTAL CDA: 0.13 ACRES

VRRM T_v REQUIRED - 158 CF

MEDIA DEPTH -
 SURFACE PONDING (V_r=1.00): DEPTH=6" EQ. DEPTH=6"
 MULCH LAYER: DEPTH=3" EQ. DEPTH=0
 SOIL MEDIA (V_r=0.25): DEPTH=18" EQ. DEPTH=6"
 GRAVEL CHOKER (V_r=0.20): DEPTH=3" EQ. DEPTH=0.05'
 GRAVEL LAYER (V_r=0.40): DEPTH=12" EQ. DEPTH=4.8"

FILTER EQUIVALENT STORAGE DEPTH - 1.32'

MIN. SURFACE AREA REQUIRED -
 (158CF) / (1.32') = 120 FT²
 150 FT² PROVIDED

BMP #2 DESIGN - BIO-RETENTION FILTER LEVEL 2

TURF AREA: 0.08 ACRES
 IMPERVIOUS AREA: 0.09 ACRES

TOTAL CDA: 0.17 ACRES

VRRM T_v REQUIRED - 378 CF

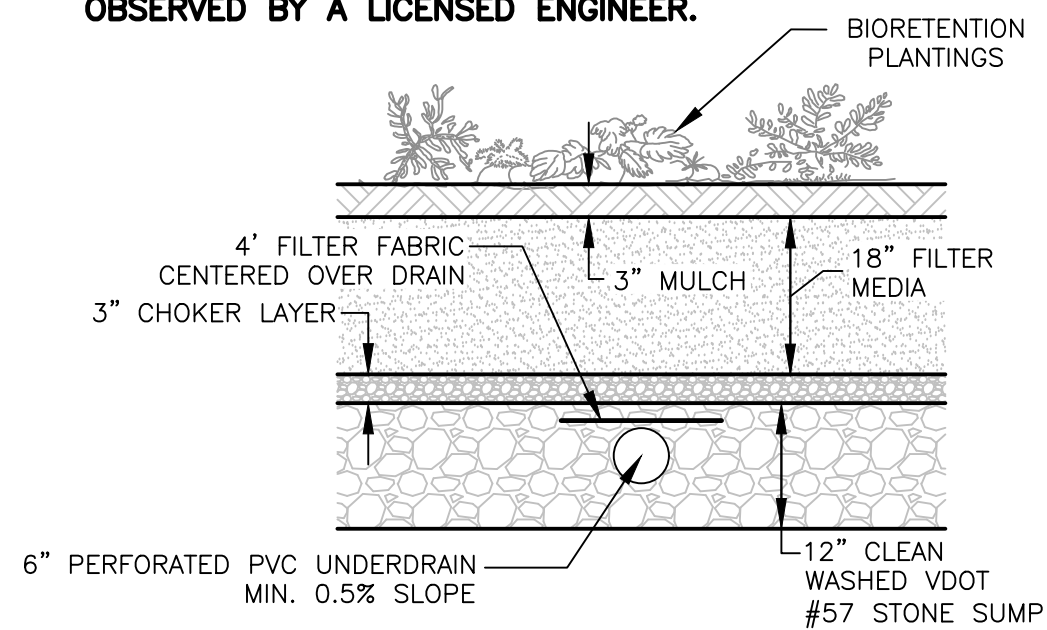
MEDIA DEPTH -
 SURFACE PONDING (V_r=1.00): DEPTH=6" EQ. DEPTH=6"
 MULCH LAYER: DEPTH=3" EQ. DEPTH=0
 SOIL MEDIA (V_r=0.25): DEPTH=24" EQ. DEPTH=6"
 GRAVEL CHOKER (V_r=0.20): DEPTH=3" EQ. DEPTH=0.05'
 GRAVEL LAYER (V_r=0.40): DEPTH=12" EQ. DEPTH=4.8"

FILTER EQUIVALENT STORAGE DEPTH - 1.70'

MIN. SURFACE AREA REQUIRED -
 (378CF) / (1.70') = 222 FT²
 222 FT² PROVIDED

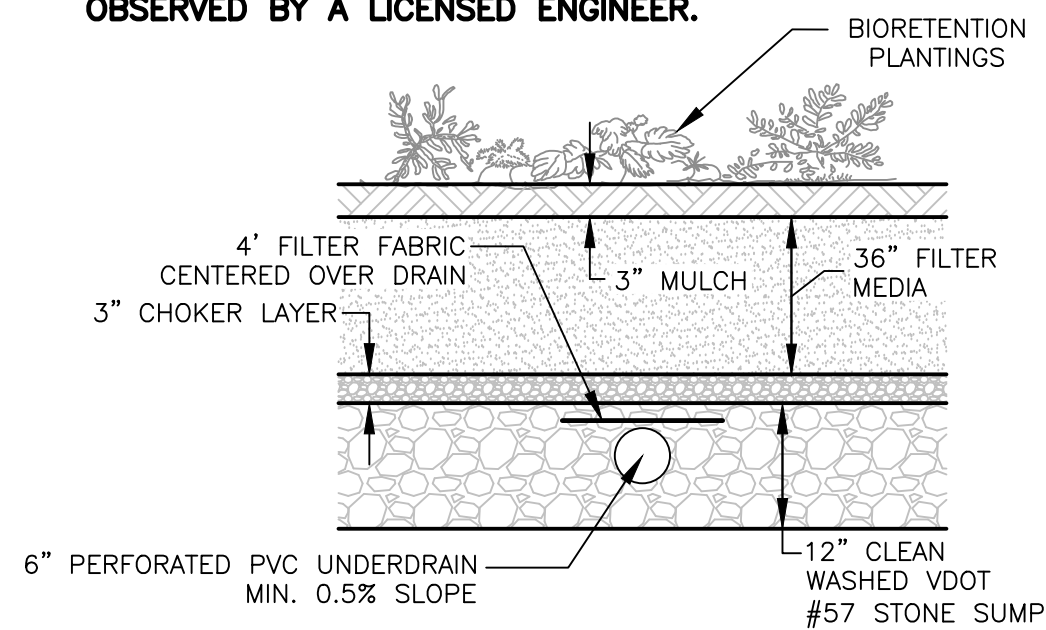
NOTES:

1. A 6" UNDERDRAIN IS REQUIRED WITHOUT PROPER INFILTRATION TESTING.
2. SIDE SLOPE EXCAVATION IS NOT TO BE VERTICAL.
3. BIO-RETENTION PLANTINGS TO BE TAKEN FROM VA DEQ STORMWATER DESIGN SPECIFICATION NO. 9 TABLE 9.4.
4. BIO-RETENTION MATERIAL SPECIFICATIONS TO BE TAKEN FROM VA DEQ STORMWATER DESIGN SPECIFICATION NO. 9 TABLE 9.6.
5. **INSTALLATION OF THE BIO-RETENTION FACILITY SHOULD BE OBSERVED BY A LICENSED ENGINEER.**

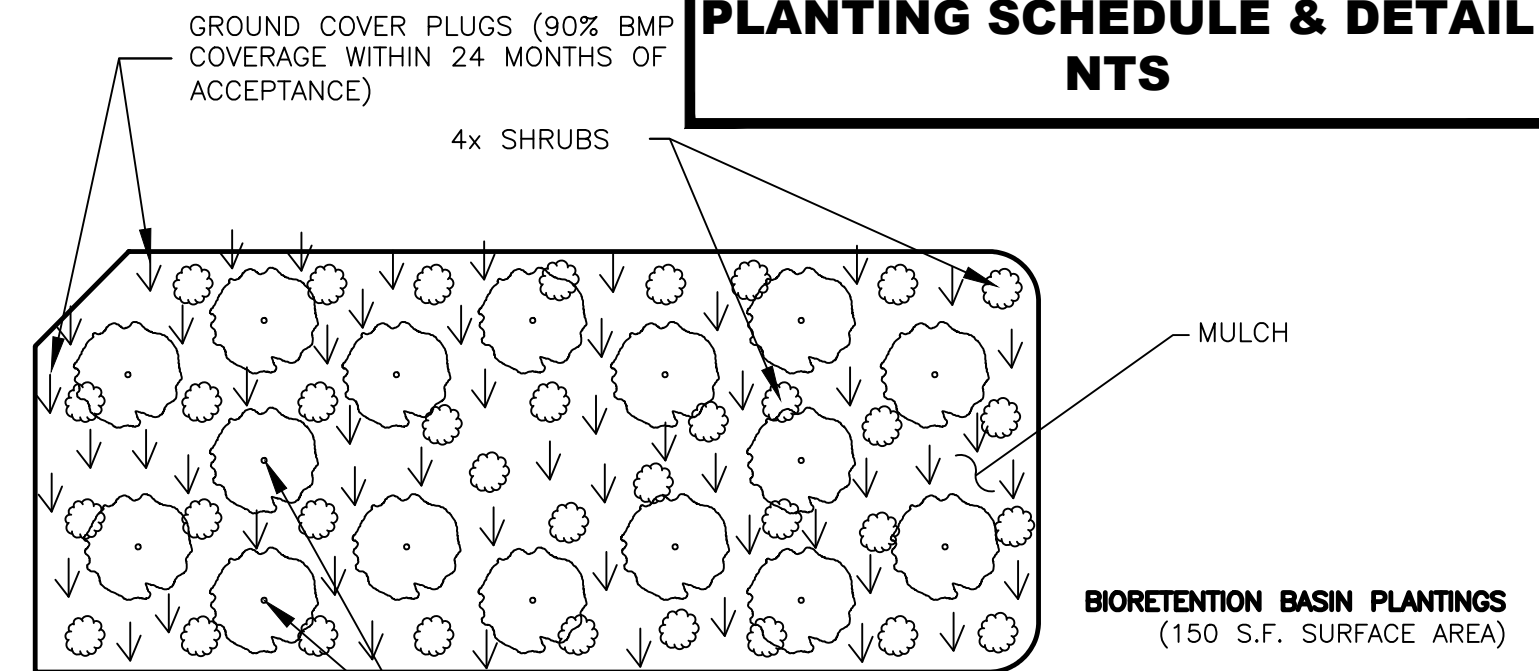


NOTES:

1. A 6" UNDERDRAIN IS REQUIRED WITHOUT PROPER INFILTRATION TESTING.
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5. **INSTALLATION OF THE BIO-RETENTION FACILITY SHOULD BE OBSERVED BY A LICENSED ENGINEER.**



**BIORETENTION #1 & 2
 PLANTING SCHEDULE & DETAILS**



REQUIRED PLANTS
 1 TREE per 250 S.F. SA = 1 TREES
 SHRUBS @ 10' O/C = 4 SHRUBS
 GROUND COVER PLUGS @ 18" OC = TBD IN FIELD

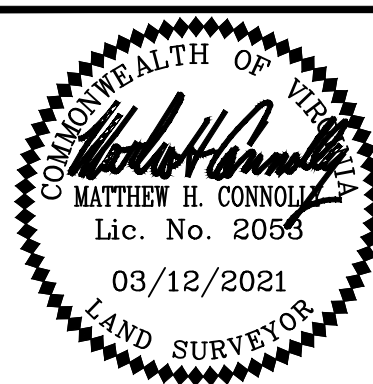
SPECIES

SPECIES OF PLANT MATERIAL REQUIRED IS TO BE DETERMINED BY THE OWNER/CONTRACTOR. REFER TO DETAIL ON THIS SHEET FOR ACCEPTABLE PLANT MATERIALS (TABLE 9.4 POPULAR NATIVE PLANT MATERIALS FOR BIORETENTION FROM VA DEQ STORMWATER DESIGN MANUAL, VERSION 1.9). DEVIATIONS FROM THIS LIST MUST BE APPROVED BY THE CITY PRIOR TO PLANTING.

THE FOLLOWING ADDITIONAL GUIDANCE IS PROVIDED REGARDING DEVELOPING AN EFFECTIVE BIORETENTION LANDSCAPING PLAN:

- 1) PLANTS SHOULD BE SELECTED BASED ON A SPECIFIED ZONE OF HYDRIC TOLERANCE AND MUST BE CAPABLE OF SURVIVING BOTH WET AND DRY CONDITIONS.
- 2) "WET FOOTED" SPECIES SHOULD BE PLANTED NEAR THE CENTER, WHEREAS UPLAND SPECIES DO BETTER PLANTED NEAR THE EDGE.
- 3) WOODY VEGETATION SHOULD NOT BE LOCATED AT POINTS OF INFLOW; TREES SHOULD NOT BE PLANTED DIRECTLY ABOVE UNDERDRAINS, BUT SHOULD BE LOCATED CLOSER TO THE PERIMETER.
- 4) IF TREES ARE PART OF THE PLANTING PLAN, A TREE DENSITY OF APPROXIMATELY ONE TREE PER 250 SQUARE FEET (I.E., 15 FEET ON-CENTER) IS RECOMMENDED.
- 5) SHRUBS AND HERBACEOUS VEGETATION SHOULD GENERALLY BE PLANTED IN CLUSTERS AND AT HIGHER DENSITIES (10 FEET ON-CENTER AND 1 TO 1.5 FEET ON-CENTER, RESPECTIVELY). TEMPORARY OR SUPPLEMENTAL IRRIGATION MAY BE NEEDED FOR THE BIORETENTION PLANTINGS IN ORDER FOR PLANT INSTALLERS TO PROVIDE A WARRANTY REGARDING PLANT MATERIAL SURVIVAL.
- 6) DESIGNERS SHOULD ALSO REMEMBER THAT PLANTING HOLES FOR TREES NEED MUST BE AT LEAST 4 FEET DEEP TO PROVIDE ENOUGH SOIL VOLUME FOR THE ROOT STRUCTURE OF MATURE TREES. THIS APPLIES EVEN IF THE REMAINING SOIL MEDIA LAYER IS SHALLOWER THAN 4 FEET.
- 7) IF TREES ARE USED, PLANT SHADE-TOLERANT GROUND COVERS WITHIN THE DRIP LINE.
- 8) MAINTENANCE IS AN IMPORTANT CONSIDERATION IN SELECTING PLANT SPECIES. PLANT SELECTION DIFFERS IF THE AREA WILL BE FREQUENTLY MOWED, PRUNED, AND WEDED, IN CONTRAST TO A SITE WHICH WILL RECEIVE MINIMUM ANNUAL MAINTENANCE.
- 9) IF THE BIORETENTION AREA IS TO BE USED FOR SNOW STORAGE OR IS TO ACCEPT SNOWMELT RUNOFF, IT SHOULD BE PLANTED WITH SALT-TOLERANT, HERBACEOUS PERENNIALS.

SHEET 3 OF 3



DATE: 09/30/2020
 DRAWN BY: AEQ
 PROJECT No. 20-270
 FILE NAME: 20-270.DWG
 REFERENCES:
 INST.010019806

PLOT PLAN OF
 LOT 85, SECTION XXXI
 FORD'S COLONY
 FOR
 OMEGA CONSTRUCTION

JAMES CITY COUNTY

VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	3-12-2021	REVISED FOR CBBA SUBMISSION COMMENTS





ROTH ENVIRONMENTAL, LLC

208 MONIFIETH WATER QUALITY IMPACT ASSESSMENT AND MITIGATION PLAN MARCH 10, 2021

The subject property is located at 208 Monifieth. This is within the Ford's Colony subdivision. The 0.51-acre lot is situated on the northern side of the cul-de-sac. This is between the cul-de-sac and a wetland system. The undeveloped, forested lot was subdivided in 2001.

General Project Information

The topography on the lot is at its highest on the southern portion of the property adjacent to the cul-de-sac. In this area the property is at elevation 56'. The property slopes from south to north. Along the northern portion of the site, the property elevations are as low as 32'. An intermittent stream and wetland system is found in these lower elevations. This stream is an unnamed tributary of Powhatan Creek.

Roth Environmental performed a wetland delineation on the site. Fieldwork for the wetland delineation was performed using the Routine Determination Method outlined in *the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (TR-10-30)*. This manual uses three parameters (vegetation, soils, and hydrology) in determining and delineating wetlands. The limits of the wetlands and Waters of the U.S. were delineated in the field using numbered pink and black flagging. These areas were survey located by LRI and incorporated into the site plan.

The wetlands on the site are considered connected and contiguous to downstream perennial streams. A break in this system was not found during Roth Environmental's delineation of the wetlands. Pursuant to the DCR guidance document, "*Resource Protection Areas: Nontidal Wetlands*" revised dated December 10, 2007, nontidal wetlands that are connected and contiguous to downstream perennial streams are RPA features. Roth Environmental coordinated with the James City County Engineering and Resource Protection Division and confirmed this assessment.

A site plan is attached to this submission package. This plan shows the locations of the nontidal wetlands and the limits of the 50-foot and 100-foot RPA buffers. The majority of the site is either RPA feature (nontidal wetland) or is within the RPA buffer.

As shown on the site plans, the property, the property cannot be developed without permits from the James City County CBPA Board do to the location of the RPA buffer. Wetland permits from the Corps of Engineers and the Department of Environmental Quality are not required as the applicant is not impacting wetlands.

Proposed Development

The proposed development on this lot is for the construction of a single family house. The applicant has situated the house on the front building setback limit.

In an effort to keep the house as far to the south as possible, the applicant has selected a design that is “L” shaped. The shape of the house keeps the structure as close to the front building setback limit as possible.

The applicant is also planning a walk-out basement in order to work with the natural topography of the lot. In doing so, the house design will not require as much grading and fill over the entire lot as compared to a lot where the applicant is attempting to raise or level significant areas in order to raise the foundation to a certain elevation.

The proposed plan for the development on the lot includes the construction of a house, driveway, deck, and bioretention areas. All of these features will encroach into the RPA buffer. As with many of the other lots in Ford’s Colony, development of the site cannot be accomplished without encroachment into the RPA buffer.

The impervious area associated with the proposed improvements is 4,233 square feet (0.097 acres).

Development Alternatives

The location of the proposed house on this lot is dictated by the front building setback and the wetlands on the rear of the lot. In an attempt to minimize the impact to the wetlands and RPA buffer caused by the development on the lot, the applicant selected a design that very closely follows the front building setback.

The grading plan has incorporated two bioretention areas at the back corners of the house. These areas are positioned in order to catch and treat stormwater runoff from the impervious areas on the site. While some limited clearing was required in order to accomplish the placement of these features, their benefits greatly outweigh the additional removal of vegetation.

Impervious Encroachment in the RPA Buffer

Based on the site plans, the impervious area is divided as follows:

- Impervious area within the seaward 50’ RPA buffer – 1,009 square feet
- Impervious area within the landward 50’ RPA buffer – 3,224 square feet
- Total Impervious Area within the RPA Buffer – 4,233 square feet

Mitigation

The goal of the mitigation plan is to protect the environmental resources downstream. The greatest potential for degradation of the downstream resources caused by the proposed plan is nonpoint source pollution. Roth Environmental and LandTech Resources worked together to reduce the footprint of the proposed development to the greatest extent practicable.

Mitigation for the impervious surface created by the proposed plan will include three elements. These are mitigative plantings, enrollment in the “Turf Love” program, and the addition of a bioretention basin. By incorporating all of these elements into the site plan, the applicant has provided removal of potential nonpoint source pollutants associated with the project.

Downstream wetlands and waters will not be adversely impacted by the project.

Table 1: Nonpoint source pollutants identified in the Chesapeake Bay Preservation Act, their potential to affect the downstream resources, and the mitigation proposed to offset these potential impacts are shown in the table below.

Pollutant	Main Potential to Affect Downstream Resources	Measures to Control Pollutants
Sediment	Low to moderate during construction.	During construction – DEQ approved erosion and sediment controls. Following construction – seeding, plantings, and mulching.
Nutrients	Low as part of lawn care	Enrollment in the Turf Love Program will reduce over-application of fertilizers and pesticides. Mitigative plantings will use available nutrients and the bioretention area will infiltrate stormwater.
Bacteria	No significant sources of bacteria	N/A
Viruses	No significant sources of viruses	N/A
Oxygen Depletion	This could potentially be caused downstream by very high application of fertilizers	Enrollment in the Turf Love Program will reduce over-application of fertilizers and pesticides.
Hydrocarbons	Minimal - Potentially caused by leaks from construction equipment during land disturbing activities	Standard DEQ pollution prevention controls will be utilized during heavy equipment use on-site. This includes a spill prevention kit on-site during land disturbing activities
Toxic Metals	None – no toxic metals are anticipated to be used on the site	N/A
Toxic Chemicals	None – no toxic chemicals are anticipated to be used on the site	N/A
Chlorides/Chlorinated Water	None	N/A

Increases in Water Temperature	Low/Moderate from rooftop	The bioretention area will capture the first flush of stormwater off the site. This is the warmest water that could discharge from the site. Mitigative plantings will also provide shade that reduces potential thermal pollution in runoff.
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Mitigative Plantings

The first mitigation element is native plantings. The applicant is offering the equivalent of twelve mitigation units as recommended in the Riparian Buffer Restoration Guide to offset the proposed impervious area. This brings the totals for mitigation planting to 4 canopy trees, 6 understory trees, and 104 shrubs. All plantings will be located within the RPA buffer and will be incorporated into the landscape plan required by Ford’s Colony. Mitigative plantings will be located around the perimeter of the clearing limits and around the foundation of the house.

We specifically added the plants (and mulch beds) around the clearing limits and the bioretention areas so that they will have a greater opportunity to absorb nutrients, stabilize the soils, and prevent erosion.

The foundation plantings are necessary to achieve the required number of plants due to such a large number of plantings required and the limited amount of remaining cleared area for the yard.

The 2,470 square feet of mulch beds will be created within the clearing limits. This will limit the amount of turf grass on the site and aid in the stabilization of the yard. The combination of the mulch beds and planting density on the site will increase its ability to absorb nutrients, toxicants, and reduce sediments. It will also aid in stabilizing the soils on the slopes. The vegetation will also aid in the reduction of thermal pollution of the stormwater runoff by creating shaded areas.

Canopy trees will be a minimum of 1.5” caliper or six feet tall. Understory trees will be a minimum of 0.75” caliper or five feet tall. Shrubs will be a minimum of 3 gallons in size or 18” tall. The goal of the landscape plan is to achieve a minimum of 75% native species planted for the mitigation effort. The remainder of the species may be non-native ornamental species. It is recommended that all plantings be installed in the fall or early winter.

Native trees and shrubs will be selected from the Native Plant List found on the James City County website. Recommended species include the following:

Canopy Trees:

Red maple (*Acer rubrum*), river birch (*Betula nigra*), red oak (*Quercus rubra*), and willow oak (*Quercus phellos*).

Understory Trees:

Flowering dogwood (*Cornus florida*), eastern redbud (*Cercis canadensis*), American holly (*Ilex opaca*), and Canada serviceberry (*Amelanchier canadensis*).

Shrubs:

American beautyberry (*Callicarpa americana*), inkberry holly (*Ilex glabra*), winterberry (*Ilex verticillata*), sweetspire (*Itea virginica*), New Jersey tea (*Ceanothus americanus*), waxmyrtle (*Morella cerifera*), and red chokeberry (*Aronia arbutifolia*).

The Mitigation Plan included with the submission package shows the approximate location of these plantings. Once the applicant has selected the specific species for these locations, they will coordinate the final landscape plan with the CBPA Board's Staff Liaison, Michael Woolson, for review and approval.

Should specified native species not be available from local nursery stock or the applicant chooses to incorporate ornamentals into the non-native portion of the mitigation plan, they will coordinate with Mr. Woolson prior to purchase of the plant materials.

As part of the typical CBPA encroachment requirements, the applicant will post a surety for the proposed plantings. This surety will be determined by county staff and be returned to the applicant once the mitigative plantings are installed and the county verifies their installation. Additionally, the applicant will enter into the standard county agreement to maintain the mitigative plantings.

Turf Love Program

With the use of turf grass in the site design, the applicants will enroll in the "Turf Love" program administered by the Virginia Cooperative Extension for all areas within the buffer that are proposed for turf grass. As part of this program, a cooperative extension agent will perform an on-site lawn/site analysis and will teach the residents how to produce healthy turf while reducing the use of fertilizers, pesticides, and insecticides.

Bioretention Areas

The site plan incorporates two bioretention areas on the northern corners of the clearing limits. The stormwater from the site will be directed into these features via swales that extend along each side of the house.

The bioretention areas have been appropriately sized for the site. Underdrain systems in the bioretention areas will allow any overflow from the BMPs to flow to a stabilized discharge point immediately above the wetland area.

The bioretention areas will be planted with trees and shrubs as required in the DEQ BMP Manual. This is shown in the bioretention detail of the third sheet of the submitted plans.

As shown on the attached VRRM spreadsheets, the total nitrogen and total phosphorus removal rates have been achieved with the bioretention areas.

/Users/Roth/Documents/Roth Environmental, LLC/Projects/2020/20-192.208 Monifieth/CBPA Submission/2021.03.10.Project Description and Mitigation Plan.208 Monifieth.docx

2011 BMP Standards and Specifications 2013 Draft BMP Standards and Specifications

Project Name: **208 Monifieth - Omega Construction**
 Date: **3/12/2021**

CLEAR ALL
 (Ctrl+Shift+R)

- data input cells
- constant values
- calculation cells
- final results

BMP Design Specifications List: 2013 Draft Stds & Specs

Site Information

Post-Development Project (Treatment Volume and Loads)

Land Cover (acres)

	A Soils	B Soils	C Soils	D Soils	Totals
Forest/Open Space (acres) -- undisturbed, protected forest/open space or reforested land					0.00
Managed Turf (acres) -- disturbed, graded for yards or other turf to be mowed/managed		0.09		0.10	0.19
Impervious Cover (acres)		0.03		0.08	0.11
					0.30

Constants

Annual Rainfall (inches)	43
Target Rainfall Event (inches)	1.00
Total Phosphorus (TP) EMC (mg/L)	0.26
Total Nitrogen (TN) EMC (mg/L)	1.86
Target TP Load (lb/acre/yr)	0.41
Pj (unitless correction factor)	0.90

Runoff Coefficients (Rv)

	A Soils	B Soils	C Soils	D Soils
Forest/Open Space	0.02	0.03	0.04	0.05
Managed Turf	0.15	0.20	0.22	0.25
Impervious Cover	0.95	0.95	0.95	0.95

Post-Development Requirement for Site Area

TP Load Reduction Required (lb/yr) **0.21**

LAND COVER SUMMARY -- POST DEVELOPMENT

Land Cover Summary	
Forest/Open Space Cover (acres)	0.00
Weighted Rv (forest)	0.00
% Forest	0%
Managed Turf Cover (acres)	0.19
Weighted Rv (turf)	0.23
% Managed Turf	63%
Impervious Cover (acres)	0.11
Rv (impervious)	0.95
% Impervious	37%
Site Area (acres)	0.30
Site Rv	0.49

Treatment Volume and Nutrient Loads	
Treatment Volume (acre-ft)	0.0123
Treatment Volume (cubic feet)	535
TP Load (lb/yr)	0.34
TN Load (lb/yr) (Informational Purposes Only)	2.41

Drainage Area A

CLEAR BMP AREAS

Drainage Area A Land Cover (acres)

	A Soils	B Soils	C Soils	D Soils	Totals	Land Cover Rv
Forest/Open Space (acres)					0.00	0.00
Managed Turf (acres)		0.06		0.05	0.11	0.22
Impervious Cover (acres)		0.01		0.01	0.02	0.95
Total					0.13	

Total Phosphorus Available for Removal in D.A. A (lb/yr)	0.10
Post Development Treatment Volume in D.A. A (ft ³)	158

Stormwater Best Management Practices (RR = Runoff Reduction)

--Select from dropdown lists--

Practice	Runoff Reduction Credit (%)	Managed Turf Credit Area (acres)	Impervious Cover Credit Area (acres)	Volume from Upstream Practice (ft ³)	Runoff Reduction (ft ³)	Remaining Runoff Volume (ft ³)	Total BMP Treatment Volume (ft ³)	Phosphorus Removal Efficiency (%)	Phosphorus Load from Upstream Practices (lb)	Untreated Phosphorus Load to Practice (lb)	Phosphorus Removed By Practice (lb)	Remaining Phosphorus Load (lb)	Downstream Practice to be Employed
1. Vegetated Roof (RR)													
1.a. Vegetated Roof #1 (Spec #5)	45			0	0	0	0	0	0.00	0.00	0.00	0.00	
1.b. Vegetated Roof #2 (Spec #5)	60			0	0	0	0	0	0.00	0.00	0.00	0.00	
2. Rooftop Disconnection (RR)													
2.a. Simple Disconnection to A/B Soils (Spec #1)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.b. Simple Disconnection to C/D Soils (Spec #1)	25			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.c. To Soil Amended Filter Path as per specifications (existing C/D soils) (Spec #4)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.d. To Dry Well or French Drain #1, Micro-Infiltration #1 (Spec #8)	50			0	0	0	0	25	0.00	0.00	0.00	0.00	
2.e. To Dry Well or French Drain #2, Micro-Infiltration #2 (Spec #8)	90			0	0	0	0	25	0.00	0.00	0.00	0.00	
2.f. To Rain Garden #1, Micro-Bioretenion #1 (Spec #9)	40			0	0	0	0	25	0.00	0.00	0.00	0.00	
2.g. To Rain Garden #2, Micro-Bioretenion #2 (Spec #9)	80			0	0	0	0	50	0.00	0.00	0.00	0.00	
2.h. To Rainwater Harvesting (Spec #6)	0			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.i. To Stormwater Planter, Urban Bioretention (Spec #9, Appendix A)	40			0	0	0	0	25	0.00	0.00	0.00	0.00	
3. Permeable Pavement (RR)													
3.a. Permeable Pavement #1 (Spec #7)	45			0	0	0	0	25	0.00	0.00	0.00	0.00	
3.b. Permeable Pavement #2 (Spec #7)	75			0	0	0	0	25	0.00	0.00	0.00	0.00	
4. Grass Channel (RR)													
4.a. Grass Channel A/B Soils (Spec #3)	20			0	0	0	0	15	0.00	0.00	0.00	0.00	
4.b. Grass Channel C/D Soils (Spec #3)	10			0	0	0	0	15	0.00	0.00	0.00	0.00	
4.c. Grass Channel with Compost Amended Soils as per specs (see Spec #4)	20			0	0	0	0	15	0.00	0.00	0.00	0.00	
5. Dry Swale (RR)													
5.a. Dry Swale #1 (Spec #10)	40			0	0	0	0	20	0.00	0.00	0.00	0.00	
5.b. Dry Swale #2 (Spec #10)	60			0	0	0	0	40	0.00	0.00	0.00	0.00	
6. Bioretention (RR)													
6.a. Bioretention #1 or Micro-Bioretenion #1 or Urban Bioretention (Spec #9)	40	0.11	0.02	0	63	95	158	25	0.00	0.10	0.05	0.04	

Nitrogen Removal Efficiency (%)	Nitrogen Load from Upstream Practices (lbs)	Untreated Nitrogen Load to Practice (lbs)	Nitrogen Removed By Practice (lbs)	Remaining Nitrogen Load (lbs)
1. Vegetated Roof (RR)				
0		0.00	0.00	0.00
0		0.00	0.00	0.00
2. Rooftop Disconnection (RR)				
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
15	0.00	0.00	0.00	0.00
15	0.00	0.00	0.00	0.00
40	0.00	0.00	0.00	0.00
60	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
40	0.00	0.00	0.00	0.00
3. Permeable Pavement (RR)				
25	0.00	0.00	0.00	0.00
25		0.00	0.00	0.00
4. Grass Channel (RR)				
20	0.00	0.00	0.00	0.00
20	0.00	0.00	0.00	0.00
20	0.00	0.00	0.00	0.00
5. Dry Swale (RR)				
25	0.00	0.00	0.00	0.00
35	0.00	0.00	0.00	0.00
6. Bioretention (RR)				
40	0.00	0.71	0.45	0.26

6.b. Bioretention #2 or Micro-Bioretention #2 (Spec #9)	80			0	0	0	0	50	0.00	0.00	0.00	0.00	
7. Infiltration (RR)													
7.a. Infiltration #1 (Spec #8)	50			0	0	0	0	25	0.00	0.00	0.00	0.00	
7.b. Infiltration #2 (Spec #8)	90			0	0	0	0	25	0.00	0.00	0.00	0.00	
8. Extended Detention Pond (RR)													
8.a. ED #1 (Spec #15)	0			0	0	0	0	15	0.00	0.00	0.00	0.00	
8.b. ED #2 (Spec #15)	15			0	0	0	0	15	0.00	0.00	0.00	0.00	
9. Sheetflow to Filter/Open Space (RR)													
9.a. Sheetflow to Conservation Area, A/B Soils (Spec #2)	75			0	0	0	0	0	0.00	0.00	0.00	0.00	
9.b. Sheetflow to Conservation Area, C/D Soils (Spec #2)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	
9.c. Sheetflow to Vegetated Filter Strip, A Soils or Compost Amended B/C/D Soils (Spec #2 & #4)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	

60	0.00	0.00	0.00	0.00
7. Infiltration (RR)				
15	0.00	0.00	0.00	0.00
15	0.00	0.00	0.00	0.00
8. Extended Detention Pond (RR)				
10	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00
9. Sheetflow to Filter/Open Space (RR)				
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00

TOTAL IMPERVIOUS COVER TREATED (ac)	0.02	AREA CHECK: OK.
TOTAL MANAGED TURF AREA TREATED (ac)	0.11	AREA CHECK: OK.
TOTAL RUNOFF REDUCTION IN D.A. A (ft ³)	63	
TOTAL PHOSPHORUS AVAILABLE FOR REMOVAL IN D.A. A (lb/yr)	0.10	
TOTAL PHOSPHORUS REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. A (lb/yr)	0.05	
TOTAL PHOSPHORUS REMAINING AFTER APPLYING RUNOFF REDUCTION PRACTICES IN D.A. A (lb/yr)	0.04	
SEE WATER QUALITY COMPLIANCE TAB FOR SITE COMPLIANCE CALCULATIONS		

TOTAL RUNOFF REDUCTION IN D.A. A (ft ³)	63
NITROGEN REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. A (lb/yr)	0.45
SEE WATER QUALITY COMPLIANCE TAB FOR SITE CALCULATIONS (Information Only)	

10. Wet Swale (no RR)													
10.a. Wet Swale #1 (Spec #11)	0			0	0	0	0	20	0.00	0.00	0.00	0.00	
10.b. Wet Swale #2 (Spec #11)	0			0	0	0	0	40	0.00	0.00	0.00	0.00	
11. Filtering Practices (no RR)													
11.a. Filtering Practice #1 (Spec #12)	0			0	0	0	0	60	0.00	0.00	0.00	0.00	
11.b. Filtering Practice #2 (Spec #12)	0			0	0	0	0	65	0.00	0.00	0.00	0.00	
12. Constructed Wetland (no RR)													
12.a. Constructed Wetland #1 (Spec #13)	0			0	0	0	0	50	0.00	0.00	0.00	0.00	
12.b. Constructed Wetland #2 (Spec #13)	0			0	0	0	0	75	0.00	0.00	0.00	0.00	
13. Wet Ponds (no RR)													
13.a. Wet Pond #1 (Spec #14)	0			0	0	0	0	50	0.00	0.00	0.00	0.00	
13.b. Wet Pond #1 (Coastal Plain) (Spec #14)	0			0	0	0	0	45	0.00	0.00	0.00	0.00	
13.c. Wet Pond #2 (Spec #14)	0			0	0	0	0	75	0.00	0.00	0.00	0.00	
13.d. Wet Pond #2 (Coastal Plain) (Spec #14)	0			0	0	0	0	65	0.00	0.00	0.00	0.00	

10. Wet Swale (Coastal Plain) (no RR)				
25	0.00	0.00	0.00	0.00
35	0.00	0.00	0.00	0.00
11. Filtering Practices (no RR)				
30	0.00	0.00	0.00	0.00
45	0.00	0.00	0.00	0.00
12. Constructed Wetland (no RR)				
25	0.00	0.00	0.00	0.00
55	0.00	0.00	0.00	0.00
13. Wet Ponds (no RR)				
30	0.00	0.00	0.00	0.00
20	0.00	0.00	0.00	0.00
40	0.00	0.00	0.00	0.00
30	0.00	0.00	0.00	0.00

14. Manufactured Treatment Devices (no RR)												
14.a. Manufactured Treatment Device-Hydrodynamic	0			0	0	0	0	20	0.00	0.00	0.00	0.00
14.b. Manufactured Treatment Device-Filtering	0			0	0	0	0	20	0.00	0.00	0.00	0.00
14.c. Manufactured Treatment Device-Generic	0			0	0	0	0	20	0.00	0.00	0.00	0.00

14. Manufactured BMP (no RR)				
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00

TOTAL IMPERVIOUS COVER TREATED (ac)	0.02	AREA CHECK: OK.
TOTAL MANAGED TURF AREA TREATED (ac)	0.11	AREA CHECK: OK.
TOTAL PHOSPHORUS REMOVAL REQUIRED ON SITE (lb/yr)	0.21	
TOTAL PHOSPHORUS AVAILABLE FOR REMOVAL IN D.A. A (lb/yr)	0.10	
TOTAL PHOSPHORUS REMOVED WITHOUT RUNOFF REDUCTION PRACTICES IN D.A. A (lb/yr)	0.00	
TOTAL PHOSPHORUS REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. A (lb/yr)	0.05	
TOTAL PHOSPHORUS LOAD REDUCTION ACHIEVED IN D.A. A (lb/yr)	0.05	
TOTAL PHOSPHORUS REMAINING AFTER APPLYING BMP LOAD REDUCTIONS IN D.A. A (lb/yr)	0.04	
SEE WATER QUALITY COMPLIANCE TAB FOR SITE COMPLIANCE CALCULATIONS		
NITROGEN REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. A (lb/yr)	0.45	
NITROGEN REMOVED WITHOUT RUNOFF REDUCTION PRACTICES IN D.A. A (lb/yr)	0.00	
TOTAL NITROGEN REMOVED IN D.A. A (lb/yr)	0.45	

Drainage Area B

CLEAR BMP AREAS

Drainage Area A Land Cover (acres)

	A Soils	B Soils	C Soils	D Soils	Totals	Land Cover Rv
Forest/Open Space (acres)					0.00	0.00
Managed Turf (acres)		0.03		0.05	0.08	0.23
Impervious Cover (acres)		0.02		0.07	0.09	0.95
Total					0.17	

Total Phosphorus Available for Removal in D.A. B (lb/yr)	0.24
Post Development Treatment Volume in D.A. B (ft ³)	378

Stormwater Best Management Practices (RR = Runoff Reduction)

--Select from dropdown lists--

Practice	Runoff Reduction Credit (%)	Managed Turf Credit Area (acres)	Impervious Cover Credit Area (acres)	Volume from Upstream Practice (ft ³)	Runoff Reduction (ft ³)	Remaining Runoff Volume (ft ³)	Total BMP Treatment Volume (ft ³)	Phosphorus Removal Efficiency (%)	Phosphorus Load from Upstream Practices (lb)	Untreated Phosphorus Load to Practice (lb)	Phosphorus Removed By Practice (lb)	Remaining Phosphorus Load (lb)	Downstream Practice to be Employed
1. Vegetated Roof (RR)													
1.a. Vegetated Roof #1 (Spec #5)	45			0	0	0	0	0	0.00	0.00	0.00	0.00	
1.b. Vegetated Roof #2 (Spec #5)	60			0	0	0	0	0	0.00	0.00	0.00	0.00	
2. Rooftop Disconnection (RR)													
2.a. Simple Disconnection to A/B Soils (Spec #1)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.b. Simple Disconnection to C/D Soils (Spec #1)	25			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.c. To Soil Amended Filter Path as per specifications (existing C/D soils) (Spec #4)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.d. To Dry Well or French Drain #1, Micro-Infiltration #1 (Spec #8)	50			0	0	0	0	25	0.00	0.00	0.00	0.00	
2.e. To Dry Well or French Drain #2, Micro-Infiltration #2 (Spec #8)	90			0	0	0	0	25	0.00	0.00	0.00	0.00	
2.f. To Rain Garden #1, Micro-Bioretenion #1 (Spec #9)	40			0	0	0	0	25	0.00	0.00	0.00	0.00	
2.g. To Rain Garden #2, Micro-Bioretenion #2 (Spec #9)	80			0	0	0	0	50	0.00	0.00	0.00	0.00	
2.h. To Rainwater Harvesting (Spec #6)	0			0	0	0	0	0	0.00	0.00	0.00	0.00	
2.i. To Stormwater Planter, Urban Bioretention (Spec #9, Appendix A)	40			0	0	0	0	25	0.00	0.00	0.00	0.00	
3. Permeable Pavement (RR)													
3.a. Permeable Pavement #1 (Spec #7)	45			0	0	0	0	25	0.00	0.00	0.00	0.00	
3.b. Permeable Pavement #2 (Spec #7)	75			0	0	0	0	25	0.00	0.00	0.00	0.00	
4. Grass Channel (RR)													
4.a. Grass Channel A/B Soils (Spec #3)	20			0	0	0	0	15	0.00	0.00	0.00	0.00	
4.b. Grass Channel C/D Soils (Spec #3)	10			0	0	0	0	15	0.00	0.00	0.00	0.00	
4.c. Grass Channel with Compost Amended Soils as per specs (see Spec #4)	20			0	0	0	0	15	0.00	0.00	0.00	0.00	
5. Dry Swale (RR)													
5.a. Dry Swale #1 (Spec #10)	40			0	0	0	0	20	0.00	0.00	0.00	0.00	
5.b. Dry Swale #2 (Spec #10)	60			0	0	0	0	40	0.00	0.00	0.00	0.00	
6. Bioretention (RR)													
6.a. Bioretention #1 or Micro-Bioretention #1 or Urban Bioretention (Spec #9)	40			0	0	0	0	25	0.00	0.00	0.00	0.00	

Nitrogen Removal Efficiency (%)	Nitrogen Load from Upstream Practices (lbs)	Untreated Nitrogen Load to Practice (lbs)	Nitrogen Removed By Practice (lbs)	Remaining Nitrogen Load (lbs)
1. Vegetated Roof (RR)				
0		0.00	0.00	0.00
0		0.00	0.00	0.00
2. Rooftop Disconnection (RR)				
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
15	0.00	0.00	0.00	0.00
15	0.00	0.00	0.00	0.00
40	0.00	0.00	0.00	0.00
60	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
40	0.00	0.00	0.00	0.00
3. Permeable Pavement (RR)				
25	0.00	0.00	0.00	0.00
25		0.00	0.00	0.00
4. Grass Channel (RR)				
20	0.00	0.00	0.00	0.00
20	0.00	0.00	0.00	0.00
20	0.00	0.00	0.00	0.00
5. Dry Swale (RR)				
25	0.00	0.00	0.00	0.00
35	0.00	0.00	0.00	0.00
6. Bioretention (RR)				
40	0.00	0.00	0.00	0.00

6.b. Bioretention #2 or Micro-Bioretention #2 (Spec #9)	80	0.08	0.09	0	302	76	378	50	0.00	0.24	0.21	0.02	
7. Infiltration (RR)													
7.a. Infiltration #1 (Spec #8)	50			0	0	0	0	25	0.00	0.00	0.00	0.00	
7.b. Infiltration #2 (Spec #8)	90			0	0	0	0	25	0.00	0.00	0.00	0.00	
8. Extended Detention Pond (RR)													
8.a. ED #1 (Spec #15)	0			0	0	0	0	15	0.00	0.00	0.00	0.00	
8.b. ED #2 (Spec #15)	15			0	0	0	0	15	0.00	0.00	0.00	0.00	
9. Sheetflow to Filter/Open Space (RR)													
9.a. Sheetflow to Conservation Area, A/B Soils (Spec #2)	75			0	0	0	0	0	0.00	0.00	0.00	0.00	
9.b. Sheetflow to Conservation Area, C/D Soils (Spec #2)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	
9.c. Sheetflow to Vegetated Filter Strip, A Soils or Compost Amended B/C/D Soils (Spec #2 & #4)	50			0	0	0	0	0	0.00	0.00	0.00	0.00	

60	0.00	1.69	1.56	0.14
7. Infiltration (RR)				
15	0.00	0.00	0.00	0.00
15	0.00	0.00	0.00	0.00
8. Extended Detention Pond (RR)				
10	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00
9. Sheetflow to Filter/Open Space (RR)				
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00

TOTAL IMPERVIOUS COVER TREATED (ac)	0.09	AREA CHECK: OK.
TOTAL MANAGED TURF AREA TREATED (ac)	0.08	AREA CHECK: OK.
TOTAL RUNOFF REDUCTION IN D.A. B (ft ³)	302	
TOTAL PHOSPHORUS AVAILABLE FOR REMOVAL IN D.A. B (lb/yr)	0.24	
TOTAL PHOSPHORUS REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. B (lb/yr)	0.21	
TOTAL PHOSPHORUS REMAINING AFTER APPLYING RUNOFF REDUCTION PRACTICES IN D.A. B (lb/yr)	0.02	
SEE WATER QUALITY COMPLIANCE TAB FOR SITE COMPLIANCE CALCULATIONS		

TOTAL RUNOFF REDUCTION IN D.A. B (ft ³)	302
NITROGEN REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. B (lb/yr)	1.56
SEE WATER QUALITY COMPLIANCE TAB FOR SITE CALCULATIONS (Information Only)	

10. Wet Swale (no RR)													
10.a. Wet Swale #1 (Spec #11)	0			0	0	0	0	20	0.00	0.00	0.00	0.00	
10.b. Wet Swale #2 (Spec #11)	0			0	0	0	0	40	0.00	0.00	0.00	0.00	
11. Filtering Practices (no RR)													
11.a. Filtering Practice #1 (Spec #12)	0			0	0	0	0	60	0.00	0.00	0.00	0.00	
11.b. Filtering Practice #2 (Spec #12)	0			0	0	0	0	65	0.00	0.00	0.00	0.00	
12. Constructed Wetland (no RR)													
12.a. Constructed Wetland #1 (Spec #13)	0			0	0	0	0	50	0.00	0.00	0.00	0.00	
12.b. Constructed Wetland #2 (Spec #13)	0			0	0	0	0	75	0.00	0.00	0.00	0.00	
13. Wet Ponds (no RR)													
13.a. Wet Pond #1 (Spec #14)	0			0	0	0	0	50	0.00	0.00	0.00	0.00	
13.b. Wet Pond #1 (Coastal Plain) (Spec #14)	0			0	0	0	0	45	0.00	0.00	0.00	0.00	
13.c. Wet Pond #2 (Spec #14)	0			0	0	0	0	75	0.00	0.00	0.00	0.00	
13.d. Wet Pond #2 (Coastal Plain) (Spec #14)	0			0	0	0	0	65	0.00	0.00	0.00	0.00	

10. Wet Swale (Coastal Plain) (no RR)				
25	0.00	0.00	0.00	0.00
35	0.00	0.00	0.00	0.00
11. Filtering Practices (no RR)				
30	0.00	0.00	0.00	0.00
45	0.00	0.00	0.00	0.00
12. Constructed Wetland (no RR)				
25	0.00	0.00	0.00	0.00
55	0.00	0.00	0.00	0.00
13. Wet Ponds (no RR)				
30	0.00	0.00	0.00	0.00
20	0.00	0.00	0.00	0.00
40	0.00	0.00	0.00	0.00
30	0.00	0.00	0.00	0.00

14. Manufactured Treatment Devices (no RR)												
14.a. Manufactured Treatment Device-Hydrodynamic	0			0	0	0	0	20	0.00	0.00	0.00	0.00
14.b. Manufactured Treatment Device-Filtering	0			0	0	0	0	20	0.00	0.00	0.00	0.00
14.c. Manufactured Treatment Device-Generic	0			0	0	0	0	20	0.00	0.00	0.00	0.00

14. Manufactured BMP (no RR)				
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00
0	0.00	0.00	0.00	0.00

TOTAL IMPERVIOUS COVER TREATED (ac)	0.09	AREA CHECK: OK.
TOTAL MANAGED TURF AREA TREATED (ac)	0.08	AREA CHECK: OK.
TOTAL PHOSPHORUS REMOVAL REQUIRED ON SITE (lb/yr)	0.21	
TOTAL PHOSPHORUS AVAILABLE FOR REMOVAL IN D.A. B (lb/yr)	0.24	
TOTAL PHOSPHORUS REMOVED WITHOUT RUNOFF REDUCTION PRACTICES IN D.A. B (lb/yr)	0.00	
TOTAL PHOSPHORUS REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. B (lb/yr)	0.21	
TOTAL PHOSPHORUS LOAD REDUCTION ACHIEVED IN D.A. B (lb/yr)	0.21	
TOTAL PHOSPHORUS REMAINING AFTER APPLYING BMP LOAD REDUCTIONS IN D.A. B (lb/yr)	0.02	
SEE WATER QUALITY COMPLIANCE TAB FOR SITE COMPLIANCE CALCULATIONS		
NITROGEN REMOVED WITH RUNOFF REDUCTION PRACTICES IN D.A. B (lb/yr)	1.56	
NITROGEN REMOVED WITHOUT RUNOFF REDUCTION PRACTICES IN D.A. B (lb/yr)	0.00	
TOTAL NITROGEN REMOVED IN D.A. B (lb/yr)	1.56	

Site Results (Water Quality Compliance)

Area Checks	D.A. A	D.A. B	D.A. C	D.A. D	D.A. E	AREA CHECK
FOREST/OPEN SPACE (in)	0.00	0.00	0.00	0.00	0.00	OK.
IMPERVIOUS COVER (in)	0.02	0.09	0.00	0.00	0.00	OK.
IMPERVIOUS COVER TREATED (in)	0.02	0.09	0.00	0.00	0.00	OK.
MANAGED TURF AREA (in)	0.11	0.08	0.00	0.00	0.00	OK.
MANAGED TURF AREA TREATED (in)	0.11	0.08	0.00	0.00	0.00	OK.
AREA CHECK	OK.	OK.	OK.	OK.	OK.	

Site Treatment Volume (ft³)

0

Runoff Reduction Volume and TP By Drainage Area

	D.A. A	D.A. B	D.A. C	D.A. D	D.A. E	TOTAL
RUNOFF REDUCTION VOLUME ACHIEVED (ft ³)	63	302	0	0	0	365
TP LOAD AVAILABLE FOR REMOVAL (lb/yr)	0.10	0.24	0.00	0.00	0.00	0.34
TP LOAD REDUCTION ACHIEVED (lb/yr)	0.05	0.21	0.00	0.00	0.00	0.27
TP LOAD REMAINING (lb/yr)	0.04	0.02	0.00	0.00	0.00	0.07
NITROGEN LOAD REDUCTION ACHIEVED (lb/yr)	0.45	1.56	0.00	0.00	0.00	2.01

Total Phosphorus

FINAL POST-DEVELOPMENT TP LOAD (lb/yr)	0.34
TP LOAD REDUCTION REQUIRED (lb/yr)	0.21
TP LOAD REDUCTION ACHIEVED (lb/yr)	0.27
TP LOAD REMAINING (lb/yr)	0.07
REMAINING TP LOAD REDUCTION REQUIRED (lb/yr)	0.00 **

** TARGET TP REDUCTION EXCEEDED BY 0.05 LB/YEAR **

Total Nitrogen (For Information Purposes)

POST-DEVELOPMENT LOAD (lb/yr)	2.41
NITROGEN LOAD REDUCTION ACHIEVED (lb/yr)	2.01
REMAINING POST-DEVELOPMENT NITROGEN LOAD (lb/yr)	0.39



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING **WEDNESDAY APRIL 14, 2021 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 21-0005: Mid-Atlantic Resource Consulting, on behalf of Chickahominy Haven Citizen Association, have applied for a wetlands permit for the removal and construction of a community pier at 3026 N Riverside Drive and 3028 North Riverside Drive, JCC Parcel Numbers. 1820200052 and 1820200051.

WJPA 21-0008: Virginia Marine Contracting, Inc, on behalf of Clinton Morgeson and Meagan Thomas, have applied for a wetlands permit for the installation of a pier, walkway and stepdown platform at 210 Red Oak Landing Road, JCC Parcel No. 4730100032.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0047: Roth Environmental on behalf of Omega Development have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling and deck at 208 Monifieth, JCC Parcel No. 3710800085.

CBPA 21-0045: LandTech Resources, Inc. on behalf of Charles and Kathryn Woollum have filed an exception request for encroachments into the RPA buffer for the construction of house addition at 4055 South Riverside Drive, JCC Parcel No. 1910500010.

CBPA 21-0044: River Pools and Spas, on behalf of Amber Gilliam, have filed an exception request for encroachments into the RPA buffer for the construction of a pool at 9209 Candle Light Court, JCC Parcel No. 0330300052.

CBPA 21-0036: Heart's Ease Landscape, on behalf of Joseph and Peggy Marsilii, have filed an exception request for encroachments into the RPA buffer for the construction of two retaining walls and a patio with steps at 104 Seven Oaks, JCC Parcel No. 3130900037.

CBPA 21-0017: Jeffrey Miller Builder, on behalf of Jeffrey and Anne Miller, have filed an exception request for encroachments into the RPA buffer for the construction of a detached garage, retaining wall and driveway extension at 10025 Sycamore Landing Road, JCC Parcel No. 0720400007.

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 – MARCH 31, 2021 and APRIL 7, 2021.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

CARD # x5230

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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March 24, 2021

RE: CBPA 21-0047
208 Monifieth
Single Family Residence

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 Omega Development, LLC for encroachment into the Resource Protection Area (RPA) buffer for the construction of a single family residence. The project is located at 208 Monifieth and further identified as JCC Parcel No. 3710800085.

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, April 14, 2021 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. c/o Mr. Chase Grogg

MDW: jep

Mailing List for: CBPA-21-0047-208 Monifieth : Single Family Dwelling

Owner: 3710800085- 208 Monifieth
Omega Development LLC
Attn: Marty Mather and LeAnn C Hardie
1012 Estates Court
Portsmouth, VA 23703-5465

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

3710800084
Bailey, Bruce E & Mary Jo
204 Monifieth
Williamsburg, VA 23188-8947

Roth Environmental, LLC
Attn: Matthew Roth
700 Prescott
Newport News, VA 23602-7019

3710800086-212 Monifieth
Walker, Brady J & Cortney E
115 Sir John Randolph Terrace
Williamsburg, VA 23185-8023

3710800079-105 Murcar
Seu, Matthew John, Trustee & Lisa Fraim,
Trustee
20727 Spiceberry Court
Ashburn, VA 20147-4484

3721100001A- 107 Western Gales
Ford's Colony at Williamsburg Homeowners
Association
100 Manchester
Williamsburg, VA 23188-7404

3710800078: 109 Murcar
Dulin, Stanley L & Judy D
514 White Oak Drive
Elizabethtown, KY 42701-5491

3710800088
Dinuzzo, Karen A & Joseph A
215 Monifieth
Williamsburg, VA 23188-8947

3710800089
Stubert, Howard J, Trustee & Sally L, Trustee
209 Monifieth
Williamsburg, VA 23188-8947

ITEM SUMMARY

DATE: 4/14/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: Case No. CBPA 19-0037 : 499 Jolly Pond Road

Mr. Ryan Stephenson has requested a 1-year extension to the previously approved CBPA-19-0037.

ATTACHMENTS:

	Description	Type
☐	Staff Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/7/2021 - 5:13 PM
Chesapeake Bay Group	Small, Toni	Approved	4/8/2021 - 11:20 AM
Publication Management	Daniel, Martha	Approved	4/8/2021 - 11:52 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/8/2021 - 3:16 PM

MEMORANDUM

DATE: April 14, 2021
TO: The Chesapeake Bay Board
FROM: Michael D. Woolson, Section Chief, Resource Protection
SUBJECT: Chesapeake Bay Board Exception No. CBPA 19-0037. 499 Jolly Pond Road

Mr. Ryan Stevenson, AES Consulting Engineers, on behalf of Colonial Heritage, LLC., is requesting a one-year extension to CBPA 19-0037. Construction of this project will not begin before the exception expires.

Staff concurs with this request with the stipulation that all permit conditions, except for the expiration date, be reauthorized. This is the second extension request for this project.

MDW/md
CBPA19-37JPdRdext-mem

Attachment

RESOLUTION

CASE NO. CBPA 19-0037. 499 JOLLY POND ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION

ORDINANCE EXCEPTION EXTENSION

WHEREAS, Mr. Joseph Roque (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on May 8, 2019, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Parcel No. 2240100007 and further identified as 499 Jolly Pond Road (the “Property”) as set forth in the application CBPA 19-0037 for the purpose of sanitary sewer connections; and

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

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

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
 - a. The applicant must obtain all other necessary federal, state, and local permits required for the project; and
 - b. A surety of \$5,000 will be required in a form acceptable to the County Attorney’s Office to guarantee the dedication of the Natural Open Space deed and easement; and

- c. This exception request approval shall become null and void if construction has not begun by May 13, 2022; and
- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than April 1, 2022, six weeks before the expiration date.

David Gussman
Chair, Chesapeake Bay Board

Michael Woolson
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 14th day of April, 2021.

CBPA19-37JPdRdext-res