

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
May 12, 2021
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from April 14, 2021, Regular Meeting

D. PUBLIC HEARINGS

1. Case No. CBPA-21-0060 : 4373 Landfall Drive
2. Case No. CBPA 21-0061 : 1560 Harbor Road
3. Case No. CBPA-21-0059 : 185 Southport

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 5/12/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Chesapeake Bay Board Secretary
SUBJECT: Minutes from April 14, 2021, Regular Meeting

ATTACHMENTS:

	Description	Type
📎	Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Secretary, ChesBay	Approved	5/9/2021 - 7:41 AM

MINUTES
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

The Chesapeake Bay Board meeting for April 14, 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:

Charles Roadley, Acting Chairperson
William Apperson
Michael O'Brien
David Gussman-Remote Access
Robert Lukens-Remote Access

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

Board Members Absent:

Halle Dunn
Larry Waltrip

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Liz Parman, Assistant County Attorney
Michael Woolson, Resource Protection Section Chief, 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 February 10, 2021, Regular Meeting

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

2. Minutes from March 22, 2021, Work Session

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

D. PUBLIC HEARINGS

1. CBPA 21-0017: 10025 Sycamore Landing Road

Mr. Michael Woolson, Resource Protection Section Chief, presented the exception request submitted by Mr. Jeffrey Miller, for encroachments into the Resource Protection Area (RPA) buffer for the construction of a detached garage located at 10025 Sycamore Landing Road within the Ware Creek watershed. The property is further identified as James City County Tax Map Parcel No. 0720400007. 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.

The Board deliberated the pros and cons of this application.

Mr. Roadley opened the Public Hearing.

A. Mr. Jeffrey Miller, builder and owner, outlined the project for the Board.

Mr. Roadley 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 21 -0017 at 10025 Sycamore Landing Road.

A motion to Approve with Conditions was made by Mr. Apperson, the motion result was:
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2
AYES: Roadley, Apperson, O'Brien, Gussman, Lukens
NAYS: None
ABSENT: Dunn, Waltrip

2. CBPA 21-0036: 104 Seven Oaks

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Ms. Peggy Krapf, Heart's Ease Landscaping on the behalf of Ms. Peggy Marsilii, for encroachments into the RPA buffer for the construction of two retaining walls and a patio 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 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.

The Board deliberated the pros and cons of this application.

Mr. O'Brien inquired if the two retaining walls were parallel to each other.

Mr. Long affirmatively answered. The topography is tiered. He deferred the elevation change to the applicant for answer.

Mr. Roadley opened the Public Hearing.

A. Ms. Peggy Krapf, Heart's Ease Landscape & Garden Design, outlined the project for the Board.

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

Mr. O'Brien made a motion to Adopt the resolution for Chesapeake Bay Board Case No.

CBPA 21-0036 at 104 Seven Oaks.

A motion to Approve with Conditions was made by Mr. O'Brien, the motion result was:
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2
AYES: Roadley, Apperson, O'Brien, Gussman, Lukens
NAYS: None
ABSENT: Dunn, Waltrip

3. CBPA 21-0044: 9209 Candle Light Court

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Ms. Catherine Gallagher, River Pools and Spas, on behalf of Ms. Amber Gilliam for encroachments into the RPA buffer for the construction of a pool and paver patio area surrounding the pool 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 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.

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

Mr. Roadley inquired if it was pavers or a patio outside the encroachment outside of the pool.

Mr. Long answered that patio material would be concrete but deferred to the applicant for answer.

Mr. O'Brien inquired if the applicant would explain if the patio was permeable or not.

Mr. Long confirmed that the applicant was in attendance at the meeting and would be available to answer.

Mr. Roadley inquired if there were any means to control runoff.

Mr. Long replied none had been submitted at this time.

Mr. Roadley opened the Public Hearing.

A. Ms. Amber Gilliam, owner, outlined the project for the Board. She noted the building materials for patio area were planned to be concrete, but pavers could be used if the Board preferred.

Mr. Roadley expressed the concern that the Board has over the large impervious area in the RPA buffer is creating an opportunity for additional runoff. One means to address that would be if the property is conducive to some form of infiltration to help minimize that runoff and absorb some of those nutrients or installation of some type of infiltration paver system.

Mr. O'Brien stated the large area around the pool was the area needing infiltration.

Mr. Roadley noted the option of deferment.

A. Ms. Gilliam replied that she wanted to have the Board act on it tonight.

Mr. Woolson noted that prior to a decision on infiltration or materials, the proximity of the drain field to within 20 feet of the pool may be a Health Department issue. He further noted if

that distance was permitted.

Mr. O'Brien inquired about septic fields.

A. Ms. Gilliam replied and explained about the location of the septic and lines shown on the drawing.

Mr. Roadley 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 21-0044 at 9209 Candle Light Court.

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

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 2

AYES: Apperson, O'Brien, Gussman, Lukens

NAYS: Roadley

ABSENT: Dunn, Waltrip

4. CBPA 21-0045: 4055 South Riverside Drive

Mr. Trevor Long, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc. on behalf of Mr. Charles Woollum, Jr. and Mrs. Kathryn Woollum, for encroachments into the RPA buffer for construction of a house addition located at 4055 South Riverside Drive, 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 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.

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

Mr. Roadley opened the Public Hearing.

A. Mrs. Kathryn Woollum, owner, outlined the project for the Board.

Mr. Roadley inquired if the owners were elevating the structure or keeping it at grade.

A. Mrs. Woollum replied the cottage was on a slab, but the applicants were unsure at this time of recommendations on elevations. She noted this was one of two lots that had never flooded.

Mr. O'Brien stated as shown in the drawing, you are in the green not the blue area.

Mr. Woolson replied that he could explain the Floodplain picture. The green is the X shaded zone which we do not regulate. The Woollums are correct that they are outside the Floodplain. They do not have to meet minimum freeboard requirements although it is a discussion staff will have with them at some point for safety factor, but they are not required to elevate their structure. (Freeboard is the elevation of a building's lowest floor to a height above the minimum base flood elevation (BFE)).

Mr. Roadley stated that he did not see a site plan in the presentation other than that small view. He asked for verbal description of the addition locations.

A. Mrs. Woollum replied with the dimensions and location of the addition.

Mr. Roadley asked if the majority of the encroachment was to be on the street side of the home.

A. Mrs. Woollum replied that it is to the left for the majority. The entire cottage is in the RPA. She explained the proposed building dimensions in greater detail.

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

Mr. O'Brien made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21-0045 at 4055 South Riverside Drive.

A motion to Approve with Conditions was made by Mr. O'Brien, the motion result was:

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

AYES: Roadley, Apperson, O'Brien, Gussman, Lukens

NAYS: None

ABSENT: Dunn, Waltrip

5. CBPA 21-0047: 208 Monifieth

Mr. Michael Woolson, Resource Protection Section Chief, presented the exception request submitted by Mr. Matthew Roth, Roth Environmental, LLC. on behalf of Mr. Marty Mather, Omega Development, LLC for encroachments into the RPA buffer for the construction of a single-family dwelling and deck 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 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.

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

Mr. Woolson noted an additional note not in the staff report was that the applicant supplied a VA Runoff Reduction Method worksheet which discloses that those two Best Management Practices (BMPs) will reduce the nutrient loads coming off of the project to predevelopment or better loading, ensuring that this project has no effect or a net benefit.

Mr. O'Brien inquired of the building envelope and asked if that was the recommended building envelope or was the area off to the left less invasive.

Mr. Woolson deferred to the applicant for an answer.

Mr. Roadley inquired if an Operations and Maintenance Plan had been submitted.

Mr. Woolson negatively replied, noting that was not a requirement.

Mr. Lukens inquired if the road access site plan showed a low area in the roadway, as the site plan notes a couple catch basins. He questioned the capacity of these catch basins, if under severe storm conditions if we would have additional flood conditions from the uphill side.

Mr. Woolson answered that these were roadway inlets. These are drop inlets, (DIs). They convey to one of the many ponds within the Ford's Colony Subdivision.

Mr. Lukens asked if this was active drainage rather than simple infiltration.

Mr. Roadley opened the Public Hearing.

A. Mr. Matthew Roth, Roth Environmental, LLC, outlined the project for the Board. He explained that Monifieth has drop inlets along the road. There is no flowing onto the lot from the road.

Mr. Roadley inquired if Mr. Roth has an Operations and Maintenance checklist or plan for these structures once it is turned over to an owner.

A. Mr. Roth answered that he uses the Department of Environmental Quality required plan for it. He noted that could be a viable resource to offer and staff could require it as part of small BMPs.

B. Mr. Mather, owner, thanked the Board for its consideration.

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

Mr. O'Brien made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21-0047 at 208 Monifieth.

A motion to Approve with Conditions was made by Mr. O'Brien, the motion result was:
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2
AYES: Roadley, Apperson, O'Brien, Gussman, Lukens
NAYS: None
ABSENT: Dunn, Waltrip

E. BOARD CONSIDERATIONS

1. CBPA 19-0037: 499 Jolly Pond Road

Mr. Michael Woolson, Resource Protection Section Chief, presented the exception second extension request submitted by Mr. Ryan Stephenson, AES Consulting Engineers for a one year extension of the exception request originally granted on May 8, 2019. The exception request was for construction of sanitary sewer and sanitary sewer connection located at 499 Jolly Pond Road in Deer Lake Estates in the Colonial Heritage subdivision and Yarmouth Creek watershed. Staff concurred with this request and all other conditions of the approving resolution would still apply with a new expiration date of April 14, 2022.

Mr. Apperson made a motion to Adopt the resolution for Extension for Chesapeake Bay Board Case No. CBPA 19 -0037 at 499 Jolly Pond Road.

A motion to Approve with Conditions was made by Mr. Apperson. The motion result was:
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2
AYES: Roadley, Apperson, O'Brien, Gussman, Lukens
NAYS: None
ABSENT: Dunn, Waltrip

F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

A motion to Adjourn was made by Mr. Roadley and approved on a voice vote. The meeting adjourned at 6:49 p.m.

ITEM SUMMARY

DATE: 5/12/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA-21-0060 : 4373 Landfall Drive

Mr. Jeff and Mrs. Beth Hoer, has filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 4373 Landfall Drive, JCC Parcel ID No. 4732400036.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Secretary, ChesBay	Approved	5/9/2021 - 7:44 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0060. 4373 Landfall Drive
Staff Report for the May 12, 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. Jeff and Mrs. Elizabeth Hoer

Agent: Mr. Ricky Edgerton, Edgerton Contracting, Inc.

Location: 4373 Landfall Drive

Parcel Identification No.: 4732400036

Parcel: Lot 36, Parcel 4, Landfall at Jamestown

Lot Size: 1.06 acres

Area of Lot in Resource Protection Area (RPA): 0.77 acres +/- (73%)

Watershed: Powhatan Creek (HUC JL 31)

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

Proposed Activity: Construction of new single-family dwelling

Impervious Cover: 1,639 square feet

RPA Encroachment: 1,639 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Ricky Edgerton, Edgerton Contracting, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Jeff and Mrs. Elizabeth Hoer for encroachments into the RPA buffer for the construction of a new single-family dwelling on property located at 4373 Landfall Drive within the Landfall subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4732400036. The parcel was platted in 2001, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990. The application of the 2004 Ordinance revisions does not affect this property.

The total lot size of this property is 1.06 acres, of which 73% is located within the RPA. The applicants have proposed the construction of a single-family dwelling of which 1,639 square feet impact the landward 50-foot RPA. A covered porch and patio area are included in the impacts to the RPA. County mitigation requirements for the proposed amount of impervious impacts to the RPA equates to the plantings of four planting units (four canopy trees, eight understory trees, and 16 shrubs).

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a new single-family dwelling. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the lot was platted after the adoption of the Chesapeake Bay Ordinance.

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 moderate for the proposed development. Staff recommends approval for this exception request and if the Board wishes to approve this request, staff recommends the following conditions be incorporated into the approval:

1. The applicants must obtain all other necessary federal, state, and local permits as required for the project, including a building permit; and
2. The four planting units of mitigation are for the RPA impacts only. The Natural Open Space impacts and a revised Deed of Easement for Natural Open Space shall be processed under separate coverage and must be in place prior to issuance of a building permit; and
3. A surety of \$2,000 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 May 12, 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 31, 2022, six weeks prior to the expiration date.

TAL/md
CBPA21-60_4373LdfallDr

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 21-0059. 4373 LANDFALL DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Jeff and Mrs. Elizabeth Hoer (the “Applicants”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on May 12, 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. 4732400036 and further identified as 4373 Landfall Drive (the “Property”) as set forth in the application CBPA 21-0060 for the purpose of constructing a single-family dwelling, deck, and 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 applicants must obtain all other necessary federal, state, and local permits as required for the project; and
 - b. The four planting units of mitigation are for the RPA impacts only. The Natural Open Space impacts and a revised Deed of Easement for Natural Open Space shall be processed under separate coverage and must be in place prior to issuance of a building permit; and

- c. A surety of \$2,000 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 May 12, 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 31, 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 12th day of May, 2021.

CBPA21-60_4374LdfallDr-res

LOT 36
LANDFALL AT JUNCTION
PHASE FIVE

N 84°05'17" E 102.32'

RELOCATED NATURAL
OPEN SPACE EASEMENT

100 YEAR FLOOD
ELEVATION

LANDFALL AT JUNCTION
PHASE FIVE
CONSERVATION AREA "A"
REF. 00000000

(1,427 SF)

RELOCATED 15' NATURAL
OPEN SPACE EASEMENT

LIMITS OF WETLANDS
AND SPA
(P.B. 72, PG. 24-25)

LOT 36
46,000 SF.
1.058 AC.

LOT 37
LANDFALL AT JUNCTION
PHASE FIVE

3,200.00' N
3,200.00' E

EXISTING 100' WIDE
BOTH SIDES EASEMENT
(P.B. 61, PG. 66-67)

EXIST. NATURAL OPEN
SPACE EASEMENT
(P.B. 61, PG. 66-67)

LANDFALL AT JUNCTION
PHASE FOUR
CONSERVATION AREA "A"
P.B. 61, PG. 66-67

(1,074 SF)

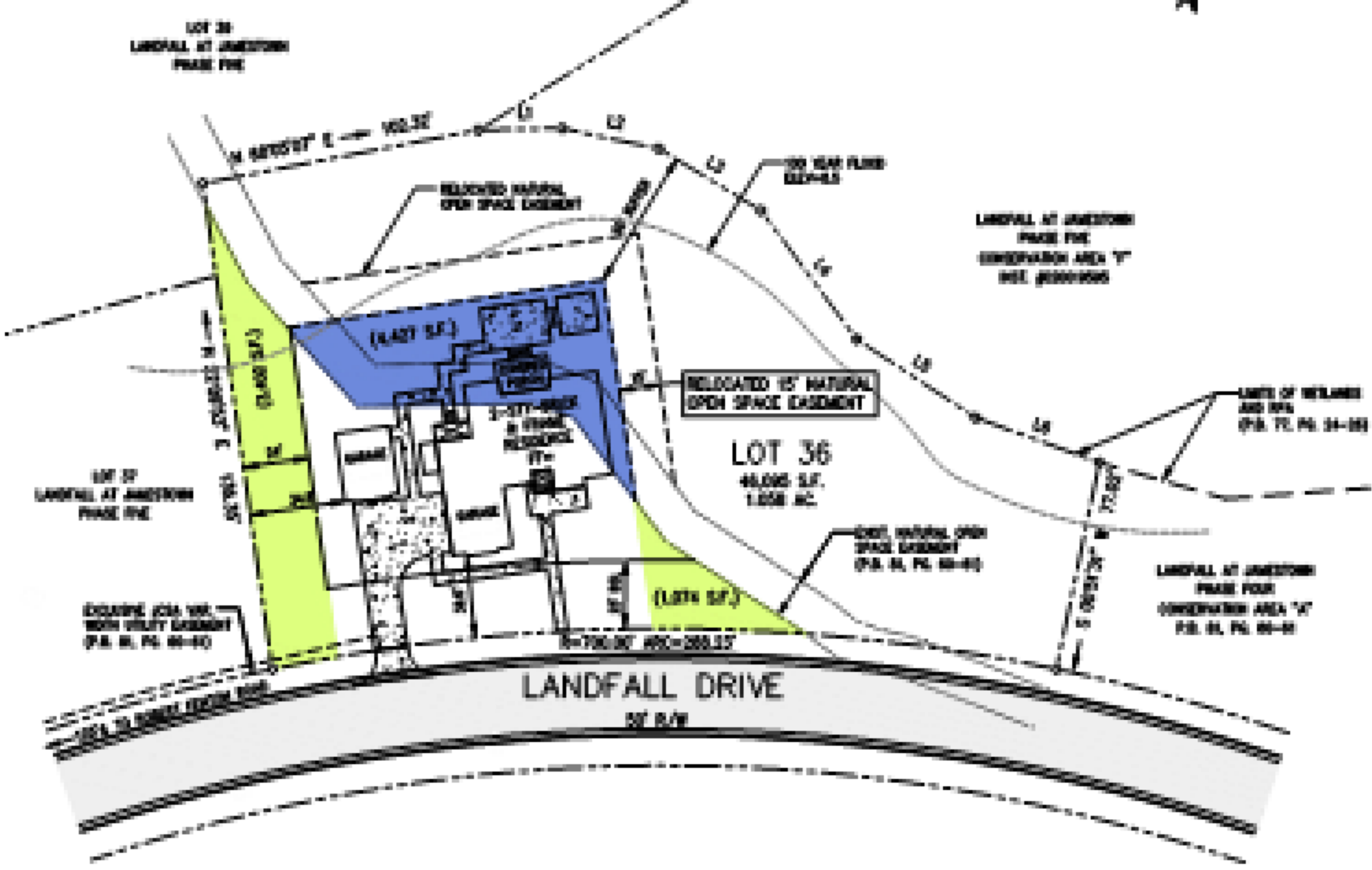
S 79°00'00" W 288.33'

LANDFALL DRIVE

57' R/W

EXISTING 100' WIDE
BOTH SIDES EASEMENT
(P.B. 61, PG. 66-67)

100' WIDE
100' WIDE





PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY MAY 12, 2021 AT 5 P.M.** IN THE COUNTY GOVERNMENT CENTER BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0061: Mr. William and Mrs. Diane Donohue have filed an exception request for encroachments into the resource protection area (RPA) buffer for the construction of a patio at 1560 Harbor Road, JCC Parcel ID No. 4310200014.

CBPA 21-0059: Mr. Chase Grogg, LandTech Resources, Inc. and Mr. Larry Walk, Walkwright Construction have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 185 Southport, JCC Parcel ID No. 3811300034.

CBPA 21-0060: Mr. Ricky Edgerton, Edgerton Contracting, Inc. on behalf of Mr. Jeff and Mrs. Beth Hoer, has filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 4373 Landfall Drive, JCC Parcel ID No. 4732400036.

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 – APRIL 28, 2021 and MAY 5, 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

April 21, 2021

RE: CBPA 21-0060
4373 Landfall Drive
Single Family Dwelling

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 Edgerton Contracting, Inc., on behalf of Mr. Jeff and Mrs. Elizabeth Hoer for encroachment into the Resource Protection Area (RPA) buffer for the construction of a single family dwelling. The project is located at 4373 Landfall Drive and further identified as JCC Parcel No. 4732400036.

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, May 12, 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: Edgerton Contracting, Inc.
Attn: Mr. Ricky Edgerton

MDW: jep

Mailing List for: CBPA-21-0060-4373 Landfall Drive: Single Family Dwelling

Owner: 4732400036-4373 Landfall Drive
Cheetham, Paul F, Trustee and Jane T,
Trustee
P.O. Box 1596
Williamsburg, VA 23187-1596

Contractor:
Edgerton Contracting, Inc.
Attn: Mr. Ricky Edgerton
P.O. Box 1189
Yorktown, VA 23692-1189

Future New Owner: 4732400036-4373
Landfall Drive
Hoer, Jeff and Elizabeth
105 Kaitlyn Court
Yorktown, VA 23693

4732400034
Green, Jeffrey L & Kathy J
4372 Landfall Drive
Williamsburg, VA 23185-2305

Identity Sign Builders, Inc.
Attn: Mr. Jeff Hoer
11861 Canon Boulevard, Suite L
Newport News, VA 23606

4732400037
Thompson, John P, Jr. & Alison M
4369 Landfall Drive
Williamsburg, VA 23185-2306

4732400035 -4376 Landfall Drive
Treacy, Jonathan T & Debra J
285 Mill Stream Way
Williamsburg, VA 23185-3187

4732400039
Degaraff, James F & Melissa K
2504 Robert Fenton Road
Williamsburg, VA 23185-2313

4640700001E-2525 Robert Fenton Road
4732400001A-4381 Landfall Drive
Landfall at Jamestown Community Association
103 Bulifants Boulevard, Suite A
Williamsburg, VA 23188-5722

ITEM SUMMARY

DATE: 5/12/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA 21-0061 : 1560 Harbor Road

Mr. William and Mrs. Diane Donohue have filed an exception request for encroachments into the resource protection area (RPA) buffer for the construction of a patio at 1560 Harbor Road, JCC Parcel ID No. 4310200014.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Secretary, ChesBay	Approved	5/9/2021 - 7:48 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0061. 1560 Harbor Road
Staff Report for the May 12, 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. William and Mrs. Diane Donohue

Agent: None

Location: 1560 Harbor Road

Parcel Identification No.: 4310200014

Parcel: Lot 14, The Harbor at The Governors Land

Lot Size: 0.33 acres

Area of Lot in Resource Protection Area (RPA): 0.21 acres +/- (64%)

Watershed: James River (HUC JL 30)

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

Proposed Activity: Construction of a patio

Impervious Cover: 191 square feet

RPA Encroachment: 191 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. William and Mrs. Diane Donohue have applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a patio on property located at 1560 Harbor Road within the Governors Land subdivision and the James River watershed. The property is further identified as James City County Tax Map Parcel No. 4310200014. The parcel was platted in 1994, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990. The application of the 2004 Ordinance revisions does not affect this property.

The total lot size of this property is 0.33 acres, of which 64% is located within the RPA. The applicants are proposing to construct a patio addition to the rear of the existing house equating to approximately 191 square feet of impacts to the landward 50-foot RPA. The applicants have expressed that the existing patio does not allow full utilization of the backyard, and it is for this reason the applicants have proposed to impact the RPA. County mitigation requirements for the proposed amount of impervious impacts to the RPA equates to the plantings of one understory tree and three shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a patio. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the construction of a patio 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 recommends approval for this exception request and if the Board wishes to approve this request, staff recommends the following conditions be incorporated into the approval:

1. The applicants must obtain all other necessary federal, state, and local permits as required for the project, including a building permit if necessary; and
2. The submittal of a mitigation plan equating to one understory tree and three shrubs be submitted to the Stormwater and Resource Protection Division; and
3. A surety of \$250 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 May 12, 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 31, 2022, six weeks prior to the expiration date.

TAL/md
CBPA21-61_1560HarborRd

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 21-0061. 1560 HARBOR ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. William and Mrs. Diane Donohue (the “Applicants”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on May 12, 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. 4310200014 and further identified as 1560 Harbor Road (the “Property”) as set forth in the application CBPA 21-0061 for the purpose of constructing 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 applicants must obtain all other necessary federal, state, and local permits as required for the project; and
 - b. The submittal of a mitigation plan equating to one understory tree and three shrubs be submitted to the Stormwater and Resource Protection Division; and
 - c. A surety of \$250 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 May 12, 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 31, 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 12th day of May, 2021.

CBPA21-61_1560HarborRd-res



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY MAY 12, 2021 AT 5 P.M.** IN THE COUNTY GOVERNMENT CENTER BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0061: Mr. William and Mrs. Diane Donohue have filed an exception request for encroachments into the resource protection area (RPA) buffer for the construction of a patio at 1560 Harbor Road, JCC Parcel ID No. 4310200014.

CBPA 21-0059: Mr. Chase Grogg, LandTech Resources, Inc. and Mr. Larry Walk, Walkwright Construction have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 185 Southport, JCC Parcel ID No. 3811300034.

CBPA 21-0060: Mr. Ricky Edgerton, Edgerton Contracting, Inc. on behalf of Mr. Jeff and Mrs. Beth Hoer, has filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 4373 Landfall Drive, JCC Parcel ID No. 4732400036.

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 – APRIL 28, 2021 and MAY 5, 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

April 21, 2021

RE: CBPA 21-0061
1560 Harbor Road
Patio

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been made by Mr. William and Mrs. Diane Donohue for encroachment into the Resource Protection Area (RPA) buffer for the construction of a patio. The project is located at 1560 Harbor Road and further identified as JCC Parcel No. 4310200014.

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, May 12, 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: None

MDW: jep

Mailing List for: CBPA-21-0061–1560 Harbor Road : Patio

Owner: 4310200014- 1560 Harbor Road

Donohue, William J & Diane M
P.O. Box 79
Butler, MD 21023-0079

Contractor:

Edgerton Contracting, Inc.
P.O. Box 1189
Yorktown, VA 23692-1189

4310200015

Whitwell, Joan E, Trustee
1564 Harbor Road
Williamsburg, VA 23185-7630

4310200006

Darira, Amar & Patricia E
1528 Harbor Road
Williamsburg, VA 23185-7630

4310200013-1556 Harbor Road

Schultz, Daniel C & Laura Lee
P.O. Box 432
Milford, CT 06460-0432

4310200002 – 1569 Harbor Road

Christy, James T & Grace T
2929 Barrets Pointe Road
Williamsburg, VA 23185-7557

4310200007

Roesch, Edgar B, Jr.
1532 Harbor Road
Williamsburg, VA 23185-7630

4320700001A- 1636 Harbor Road

Governor's Land Foundation
1400 Two Rivers Road
Williamsburg, VA 23185-7685

ITEM SUMMARY

DATE: 5/12/2021
TO: Chesapeake Bay Board
FROM: Michael Woolson, Senior Watershed Planner
SUBJECT: Case No. CBPA-21-0059 : 185 Southport

Mr. Chase Grogg, LandTech Resources, Inc. and Mr. Larry Walk, Walkwright Construction have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 185 Southport, JCC Parcel ID No. 3811300034.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Secretary, ChesBay	Approved	5/9/2021 - 7:54 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 21-0059. 185 Southport
Staff Report for the May 12, 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. Joe and Mrs. Lara Daas

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

Location: 185 Southport

Parcel Identification No.: 3811300034

Parcel: Lot 34, Section 30, Ford's Colony

Lot Size: 1.17 acres

Area of Lot in Resource Protection Area (RPA): 1.14 acres +/- (97%)

Watershed: Powhatan Creek (HUC JL 31)

Floodplain: None affecting this property

Proposed Activity: Construction of new single-family dwelling

Impervious Cover: 4,933 square feet

RPA Encroachment: 4,220 square feet, landward 50-foot RPA
773 square feet, seaward 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. Joe and Mrs. Lara Daas for encroachments into the RPA buffer for the construction of a new single-family dwelling on property located at 185 Southport within the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3811300034. The parcel was platted in 2002, prior to the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 1.17 acres, of which 97% is located within the RPA. There are existing wetlands on the lot, further restraining the buildable area for the proposed development. The applicants are proposing the construction of a new single-family dwelling equating to 4,220 square feet of impacts to the landward 50-foot RPA and 773 square feet of impacts to the seaward 50-foot RPA. Total impacts to the RPA associated with the proposed dwelling equates to approximately 4,933 square feet of impacts. In addition to the proposed dwelling, the applicants are also proposing the construction of a deck and patio. Impacts associated with the deck and patio are included in the total square feet of impervious cover for this project.

County mitigation requirements for the proposed amount of impervious impacts to the RPA equates to the plantings of 13 planting units (13 canopy trees, 26 understory trees, and 39 shrubs). The applicants have

proposed the plantings of 13 canopy trees, 26 understory trees, and 39 shrubs. These mitigation plantings should not be planted within the James City Service Authority easement that impacts this property. In addition to County mitigation requirements, the applicants are proposing the construction of two bioretention basin Best Management Plans (BMPs), therefore exceeding County mitigation requirements.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a new single-family dwelling. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the construction encroaches into the seaward 50-foot RPA and the patio and deck 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 major for the proposed development. Staff recommends approval for this exception request and, if the Board wishes to approve this request, staff recommends the following conditions be incorporated into the approval:

1. The applicants must obtain all other necessary federal, state, and local permits as required for the project, including a building permit; and
2. The bioretention BMPs shall 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 \$7,000 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings and BMP construction; and
4. The submission of bioretention BMP asbuilts: and
5. This exception request approval shall become null and void if construction has not begun by May 12, 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 31, 2022, six weeks prior to the expiration date.

TAL/md
CBPA21-59_185Southprt

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 21-0059. 185 SOUTHPORT

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Joe and Mrs. Lara Daas (the “Applicants”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on May 12, 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. 3811300034 and further identified as 185 Southport (the “Property”) as set forth in the application CBPA 21-0059 for the purpose of constructing a single-family dwelling, deck, and 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 applicants 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 \$7,000 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the planting mitigation and BMP construction; and
- d. The submission of bioretention BMP asbuilts: and
- e. This exception request approval shall become null and void if construction has not begun by May 12, 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 31, 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 12th day of May, 2021.

CBPA21-59_185Southprt-res

GENERAL NOTES

1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 60 PG. 10.
2. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS PLAT.
3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES EXCEPT THOSE SHOWN.
4. PARCEL LIES IN F.I.R.M. ZONE "X" ACCORDING TO COMMUNITY PANEL #51095C0117D, DATED DECEMBER 16, 2015.
5. LOT SERVED BY PUBLIC WATER AND SEWER.
6. ELEVATION AS SHOWN HEREON ARE IN FEET AND ARE GPS DERIVED (NAVD88).
7. THIS SURVEY WAS COMPLETED BY LANDTECH RESOURCES, INC. UNDER THE DIRECT AND RESPONSIBLE CHARGE OF MATTHEW CONNOLLY, L.S. LICENSE NO. CCC, FROM AN ACTUAL GROUND SURVEY MADE UNDER HIS SUPERVISION; THE INFORMATION SHOWN HEREON WAS OBTAINED ON 12/17/2020 AND MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
8. DIMENSIONS SHOWN HEREON ARE TO THE FRAMELINE OF THE BUILDING

EXISTING ADDRESS:

185 SOUTHPORT
JAMES CITY COUNTY, VIRGINIA

N/F
FORD'S COLONY AT
WILLIAMSBURG
PID:381100001A

PROPERTY LINE IS
CENTER OF COLD
SPRING SWAMP

BUILDING SETBACKS

FRONT SETBACK: 40'
REAR SETBACK: 25' OR 25% OF LOT DEPTH,
WHICH EVER IS GRATER
SIDE SETBACK: 20'

SITE INFORMATION

TOTAL AREA: 50,779 S.F. / 1.166 AC.
TOTAL IMPERVIOUS AREA: 4,933 S.F. / 0.115 AC.
IMPERVIOUS WITHIN 50' RPA: 773 S.F. / 0.018 AC.
IMPERVIOUS WITHIN 100' RPA: 4,220 S.F. / 0.097 AC.
IMPERVIOUS TOTAL WITHIN RPA: 4,993 S.F. / 0.115 AC.
TOTAL DISTURBED AREA: 19,126 S.F. / 0.439 AC.
PARCEL ID: 3811100034
ZONING DISTRICT: R4 RESIDENTIAL PLANNED COMMUNITY
EXISTING SITE IS WOODED AS SHOWN
PROPOSED GARAGE IS COURTYARD LOADING.

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.

Matthew H. Connolly
MATTHEW H. CONNOLLY, L.S.

04/02/2021
DATE

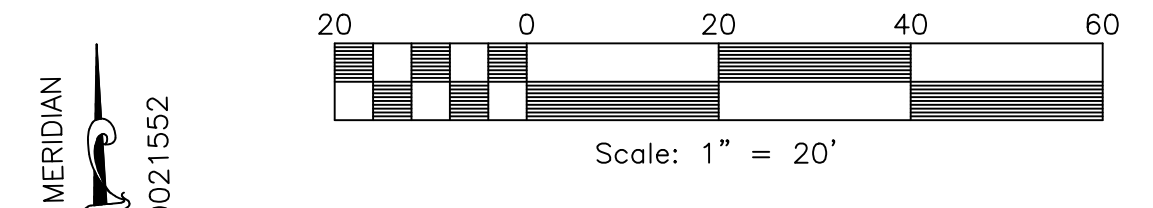
MITIGATION TABLE: 4,993 S.F. / 400 S.F. = 12.48 CREDITS

MITIGATION MEASURE	QTY.(NEEDED)
NATIVE CANOPY TREES	13
NATIVE UNDERSTORY TREES	26
NATIVE SHRUBS	39

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

LANDSCAPING NOTES

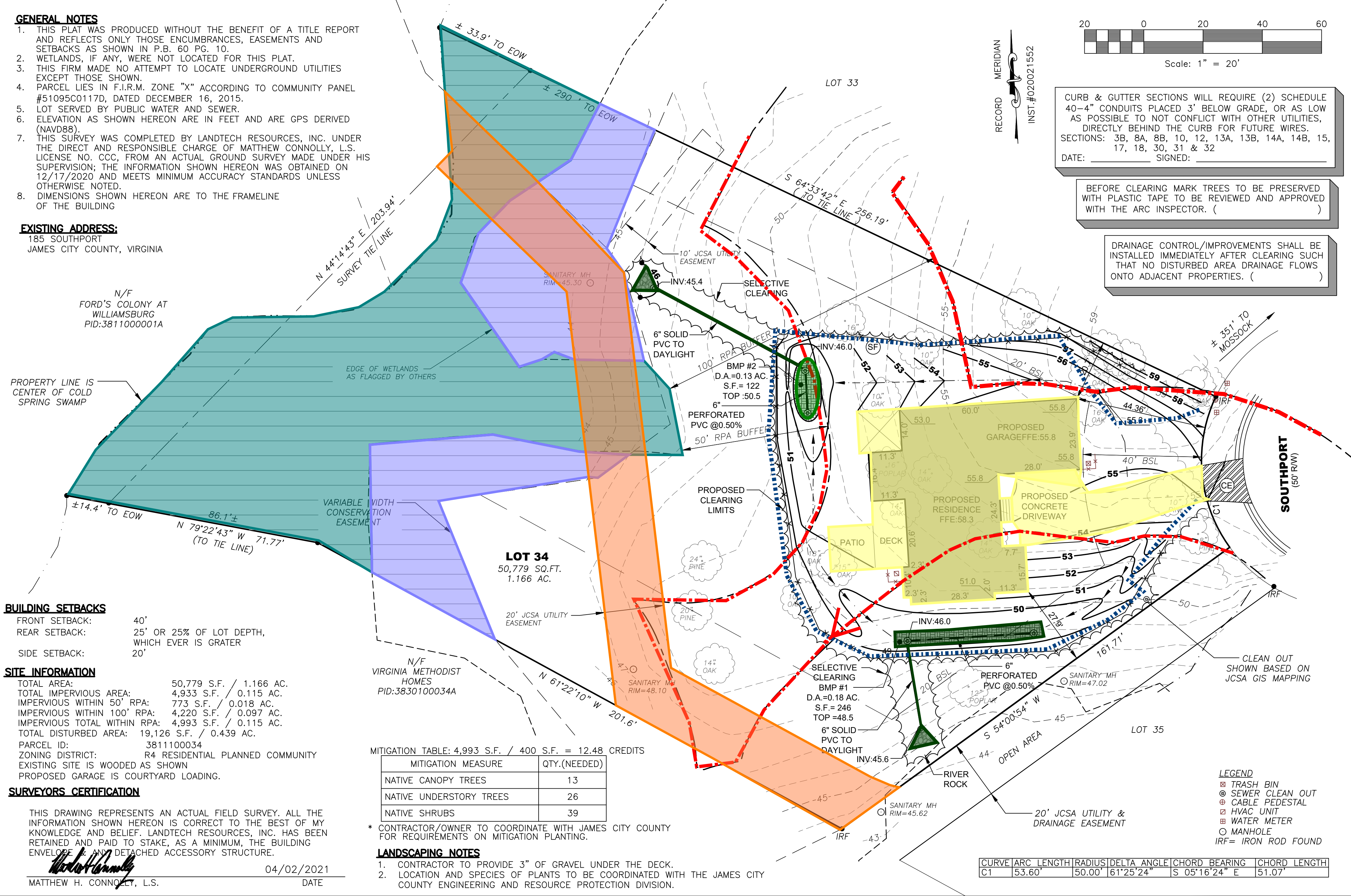
1. CONTRACTOR TO PROVIDE 3" OF GRAVEL UNDER THE DECK.
2. LOCATION AND SPECIES OF PLANTS TO BE COORDINATED WITH THE JAMES CITY COUNTY ENGINEERING AND RESOURCE PROTECTION DIVISION.



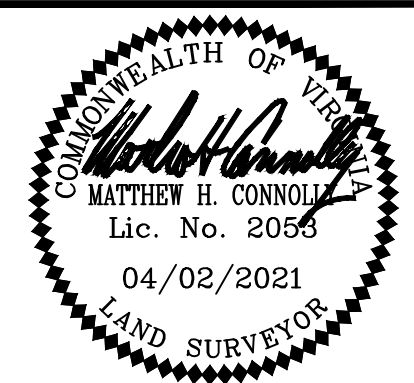
CURB & GUTTER SECTIONS WILL REQUIRE (2) SCHEDULE 40-4" CONDUITS PLACED 3' BELOW GRADE, OR AS LOW AS POSSIBLE TO NOT CONFLICT WITH OTHER UTILITIES, DIRECTLY BEHIND THE CURB FOR FUTURE WIRES.
SECTIONS: 3B, 8A, 8B, 10, 12, 13A, 13B, 14A, 14B, 15, 17, 18, 30, 31 & 32
DATE: _____ SIGNED: _____

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. ()



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	53.60'	50.00'	61°25'24"	S 05°16'24" E	51.07'



DATE: 4/2/2021
DRAWN BY: AEQ
PROJECT No. 21-103
FILE NAME: 21-103.DWG
REFERENCES:
INST.#020021552

1 OF 2
PLOT PLAN OF
LOT 34, SECTION XXX, FORD'S COLONY
FOR
WALKWRIGHT CONSTRUCTION
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE

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

BMP #1 DESIGN - BIO-RETENTION FILTER LEVEL 1

TURF AREA: 0.11 ACRES
 IMPERVIOUS AREA: 0.07 ACRES

TOTAL CDA: 0.18 ACRES

VRRM T_v REQUIRED - 325 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 -
 (325CF) / (1.32') = 246 FT²

BMP #2 DESIGN - BIO-RETENTION FILTER LEVEL 2

TURF AREA: 0.09 ACRES
 IMPERVIOUS AREA: 0.04 ACRES

TOTAL CDA: 0.13 ACRES

VRRM T_v REQUIRED - 207 CF

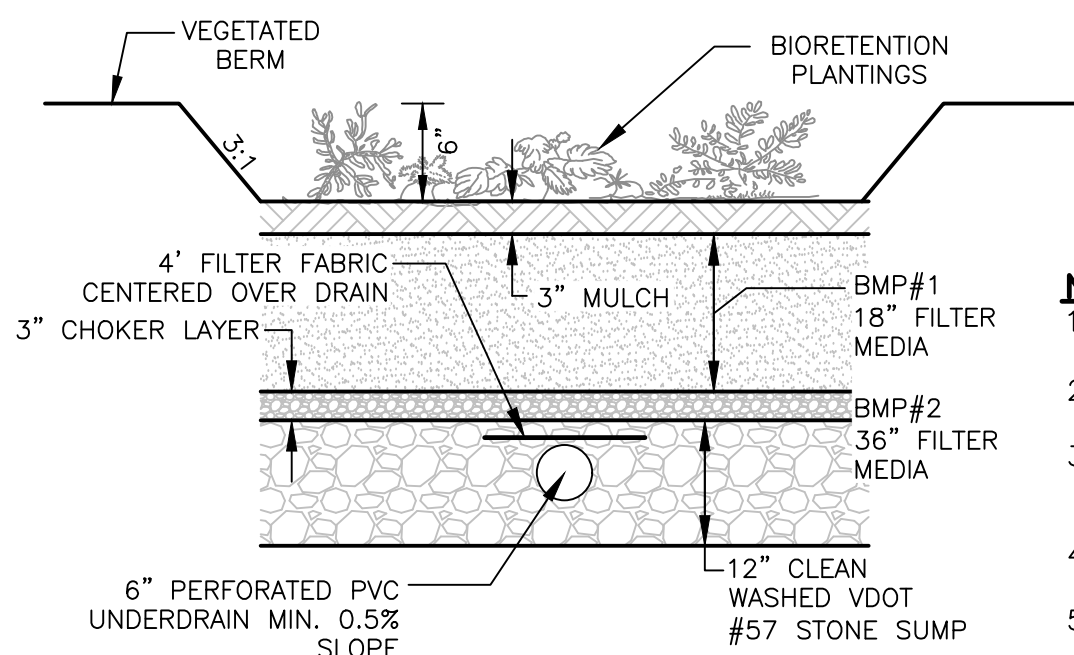
MEDIA DEPTH -
 SURFACE PONDING (V_r=1.00): DEPTH=6" EQ. DEPTH=6"
 MULCH LAYER: DEPTH=3" EQ. DEPTH=0
 SOIL MEDIA (V_r=0.25): DEPTH=36" EQ. DEPTH=6"
 GRAVEL CHOKER (V_r=0.20): DEPTH=3" EQ. DEPTH=0.05'
 GRAVEL LAYER (V_r=0.40): DEPTH=12" EQ. DEPTH=4.8"

FILTER EQUIVALENT STORAGE DEPTH - 1.70'

MIN. SURFACE AREA REQUIRED -
 (207CF) / (1.70') = 122 FT²

NOTES:

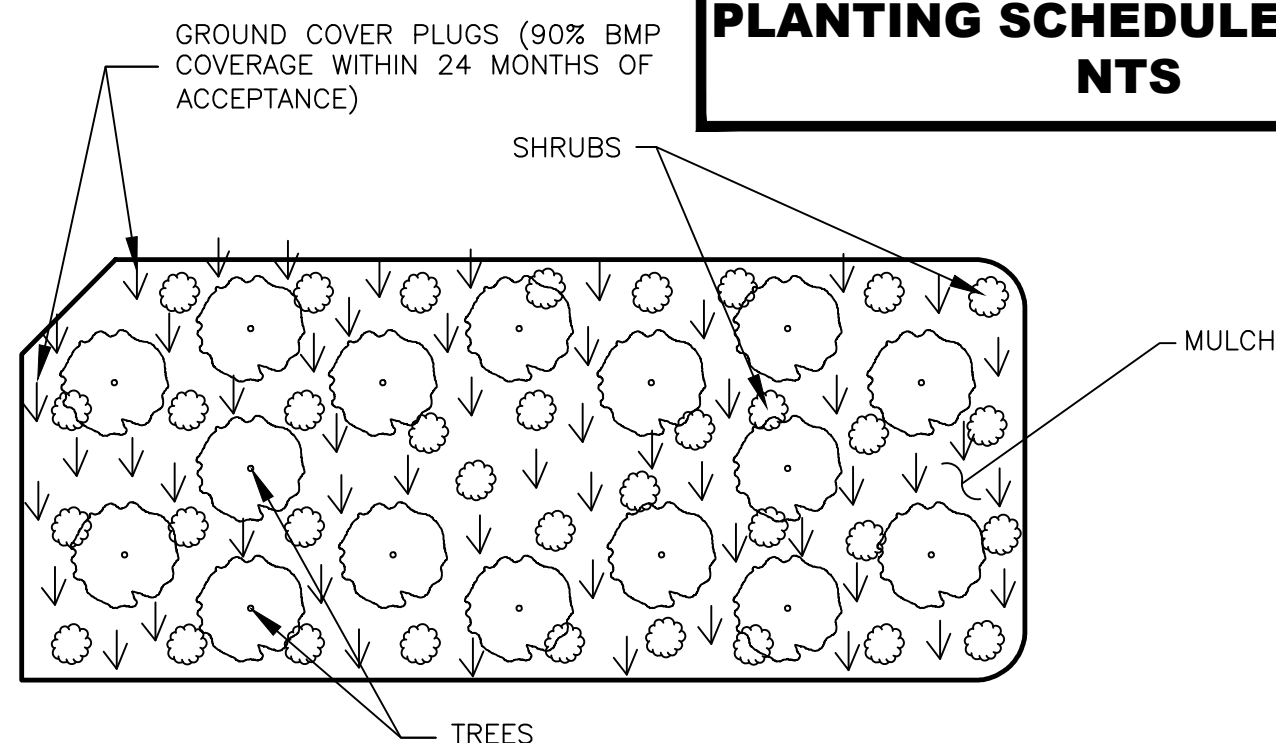
1. A 6" UNDERDRAIN IS REQUIRED WITHOUT PROPER INFILTRATION TESTING.
2. SIDE SLOPE EXCAVATION IS NOT TO BE VERTICAL.
3. BIO-RETENTION PLANTINGS TO BE TAKEN FROM VA DEQ STORMWATER DESIGN SPECIFICATION NO. 9 TABLE 9.4.
4. BIO-RETENTION MATERIAL SPECIFICATIONS TO BE TAKEN FROM VA DEQ STORMWATER DESIGN SPECIFICATION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



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.

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



**BIORETENTION BASIN PLANTINGS BMP#2
 (150 S.F. SURFACE AREA)**

REQUIRED PLANTS
 1 TREE per 250 S.F. SA = 1 TREES
 SHRUBS @ 10' O/C = 12 SHRUBS
 GROUND COVER PLUGS @ 18" OC = TBD IN FIELD

**BIORETENTION BASIN PLANTINGS BMP#1
 (150 S.F. SURFACE AREA)**

REQUIRED PLANTS
 1 TREE per 250 S.F. SA = 1 TREES
 SHRUBS @ 10' O/C = 25 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.

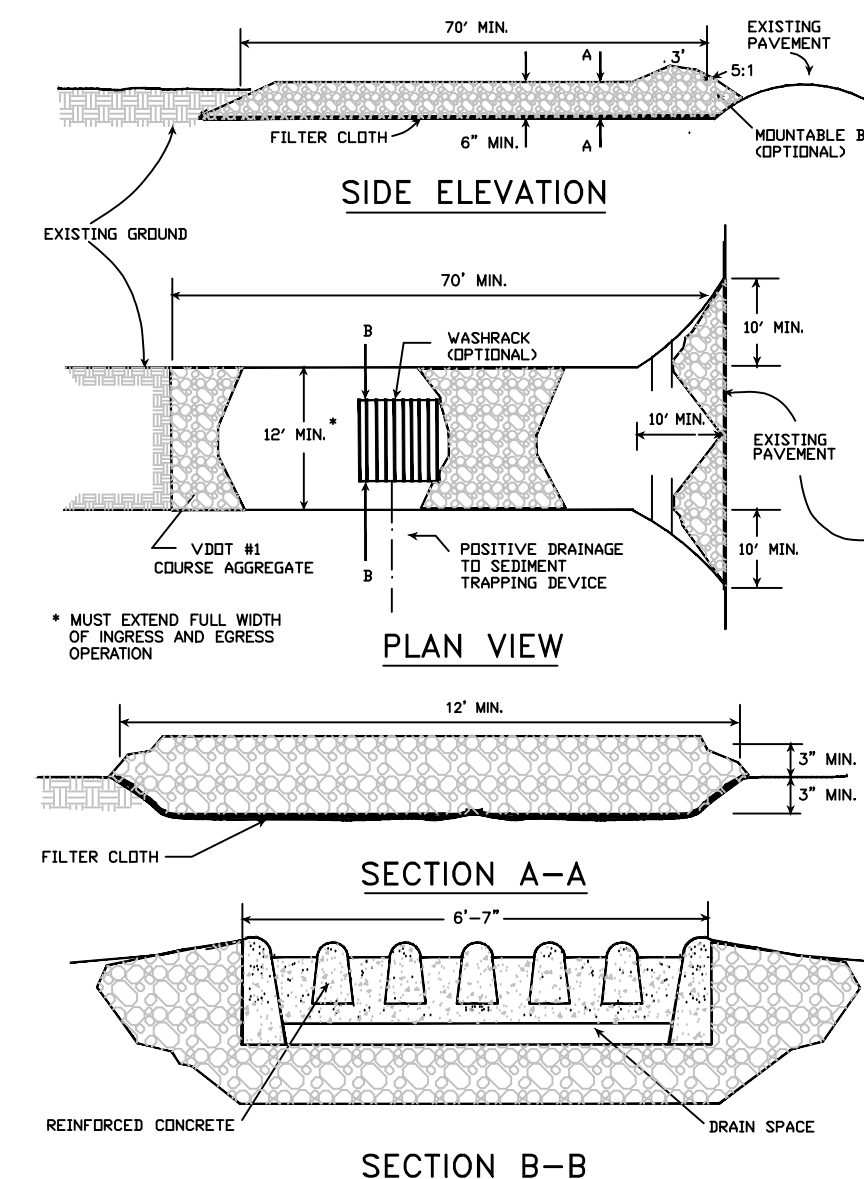
THE FOLLOWING ADDITIONAL GUIDANCE IS PROVIDED REGARDING DEVELOPING AN EFFECTIVE BIORETENTION LANDSCAPING PLAN:

- 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.

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.

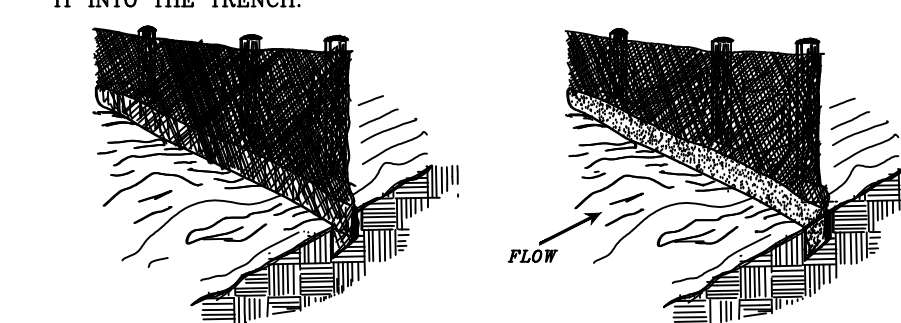
STONE CONSTRUCTION ENTRANCE



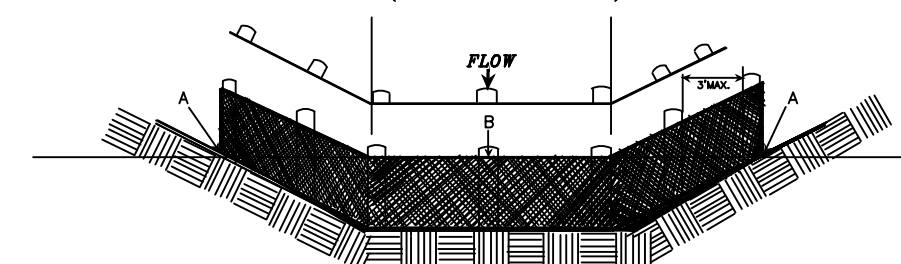
SOURCE: ADAPTED FROM 1983 Maryland Standards for Soil Erosion and Sediment Control, and Va. DSWC Plate 3.02-1

**CONSTRUCTION OF A SILT FENCE
 (WITHOUT WIRE SUPPORT)**

1. SET THE STAKES.
2. EXCAVATE A 4"X 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES.
3. STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.
4. BACKFILL AND COMPACT THE EXCAVATED SOIL.

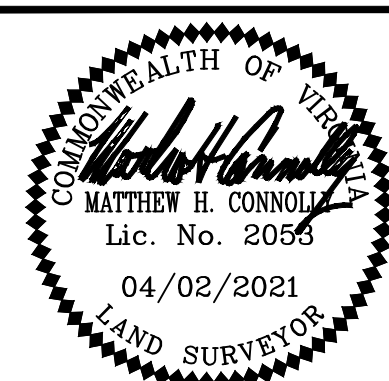


SHEET FLOW INSTALLATION (PERSPECTIVE VIEW)



POINTS A SHOULD BE HIGHER THAN POINT B. DRAINAGEWAY INSTALLATION (FRONT ELEVATION)

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



DATE: 04/02/2021
 DRAWN BY: AEQ
 PROJECT No. 21-103
 FILE NAME: 21-103.DWG
 REFERENCES:
 INST.#020021552

2 OF 2

PLOT PLAN OF
 LOT 34, SECTION XXX, FORD'S COLONY
 FOR
 WALKWRIGHT CONSTRUCTION

JAMES CITY COUNTY

VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE





PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY MAY 12, 2021 AT 5 P.M.** IN THE COUNTY GOVERNMENT CENTER BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 21-0061: Mr. William and Mrs. Diane Donohue have filed an exception request for encroachments into the resource protection area (RPA) buffer for the construction of a patio at 1560 Harbor Road, JCC Parcel ID No. 4310200014.

CBPA 21-0059: Mr. Chase Grogg, LandTech Resources, Inc. and Mr. Larry Walk, Walkwright Construction have filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 185 Southport, JCC Parcel ID No. 3811300034.

CBPA 21-0060: Mr. Ricky Edgerton, Edgerton Contracting, Inc. on behalf of Mr. Jeff and Mrs. Beth Hoer, has filed an exception request for encroachments into the RPA buffer for the construction of a single family dwelling at 4373 Landfall Drive, JCC Parcel ID No. 4732400036.

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 – APRIL 28, 2021 and MAY 5, 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

April 21, 2021

RE: CBPA 21-0059
185 Southport
Single Family Dwelling

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 Walk Wright Construction for encroachment into the Resource Protection Area (RPA) buffer for the construction of a single family dwelling. The project is located at 185 Southport and further identified as JCC Parcel No. 3811300034.

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, May 12, 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: Walk Wright Construction
Attn: Mr. Larry Walk

MDW: jep

Mailing List for: CBPA-21-0059–185 Southport : Single Family Dwelling

Owner: 3811300034- 185 Southport
Langenus, Paul Michael, Trustee and
Maureen Margaret, Trustee
3016 River Reach
Williamsburg, VA 23185-7544

Contractor:
Walk Wright Construction
Attn: Mr. Larry Walk
123 Hempstead Road
Williamsburg, VA 23188-1520

3811300033
Chisam, Mark E, Trustee & Ann L, Trustee
184 Southport
Williamsburg, VA 23188-8937

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

3811300035
Russell, Gloria Smith & Gregory Dane
181 Southport
Williamsburg, VA 23188-8937

3811000001A – 105 A Winged Foot-Greenways
S-9A
3811300001A- 3400 Edinburgh Drive
Ford's Colony at Williamsburg Homeowners
Association
100 Manchester
Williamsburg, VA 23188-7404

3811300029-170 Southport
Mahatme, Arvind & Patel, Sheran S
461 Ashley Drive
Williams Bay, WI 53191-9677

3811000027
Hassan, Keith S & Shannon M
140 Pebble Beach
Williamsburg, VA 23188-8904

3811000026
Robinson, Kathleen D & Thomas T
145 Pebble Beach
Williamsburg, VA 23188-8904