

A G E N D A
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
March 9, 2022
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from the February 9, 2022, Chesapeake Bay Board

D. PUBLIC HEARINGS

1. CBPA-22-0010 : 500 Thompson Lane
2. CBPA-22-0004 : 1584 Harbor Road
3. CBPA-22-0001 : 2413 Sarah Spence

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 3/9/2022

TO: Chesapeake Bay Board

FROM: Trevor Long, Chesapeake Bay Board Secretary

SUBJECT: Minutes from the February 9, 2022, Chesapeake Bay Board

ATTACHMENTS:

	Description	Type
📎	Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 4:18 PM
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 4:20 PM
Publication Management	Pobiak, Amanda	Approved	3/1/2022 - 4:33 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	3/2/2022 - 4:26 PM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
February 9, 2022
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for February 9, 2022, was called to order.

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

B. ROLL CALL

Board Members Present:

David Gussman, Chairman
Halle Dunn
William Apperson
Charles Roadley
Michael O'Brien

Board Members Absent:

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
Robin Benedict, Watershed Planner, Stormwater and Resource Protection

C. MINUTES

1. Minutes from the January 12, 2022 Regular Meeting

A motion to Approve the minutes was made by Mr. Gussman.

The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

1. CBPA-21-0200 : 7581 Richmond Road

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Ryan Stephenson, AES Consulting Engineers on behalf of Ms. Lisa Marston, for encroachments into the Resource Protection Area (RPA) buffer for the construction of three temporary sediment traps located at 7581 Richmond Road, within the Oakland Pointe Subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Tax Map Parcel No. 2310100002. 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. Gussman inquired if Marston's Pond was considered a Best Management Practice (BMP).

Mr. Long affirmatively replied, yes sir.

Mr. Apperson discussed Marston's Pond origination as a storage pond built by Mr. Jack Barnett.

Mr. Woolson explained the history of the BMP designation.

Mr. Gussman opened the Public Hearing.

A. Mr. Ryan Stephenson, AES Consulting Engineers, outlined the project for the Board.

Mr. Roadley inquired of the placement of the forebays outside of the RPA.

Discussion ensued.

Mr. Gussman closed the Public Hearing.

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA-21-0200 at 7581 Richmond Road.

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

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

NAYS: None

ABSENT: Waltrip

2. CBPA-21-0211 : 19 Windjammer Court

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Darel Crumpler, Country Village Mobile Home Park and Mr. Lance Frost, County Village Mobile Home Park, for encroachments into the RPA buffer for the replacement of a mobile home located at 19 Windjammer Court, within the Skiffes Creek watershed. The property is further identified as James City County Tax Map Parcel No. 5920100001. 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. Gussman opened the Public Hearing.

A. Mr. Lance Frost, Country Village Mobile Home Park, outlined the project for the Board.

Mr. Gussman closed the Public Hearing.

Mr. Dunn made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA-21-0211 at 19 Windjammer Court.

A motion to Approve with Conditions was made by Mr. Dunn, the motion result was:
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1
AYES: Gussman, Dunn, Apperson, Roadley, O'Brien
NAYS: None
ABSENT: Waltrip

E. BOARD CONSIDERATIONS

None

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 5:25 p.m.

ITEM SUMMARY

DATE: 3/9/2022
TO: Chesapeake Bay Board
FROM: Trevor Long
SUBJECT: CBPA-22-0010 : 500 Thompson Lane

CBPA-22-0010: Mr. Nathaniel R. Thompson, III, has filed an exception request for encroachments into the Resource Protection Area (RPA) buffer for the demolition and construction of a single-family dwelling, garage, patio, two decks, and retaining walls at 500 Thompson Lane, JCC Parcel ID No. 3610100005.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Site Plan	Exhibit
☐	Adjacent Property Owner Letter	Backup Material
☐	Adjacent Property Owner List	Backup Material
☐	Public Ad	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 1:22 PM
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 1:33 PM
Publication Management	Daniel, Martha	Approved	3/1/2022 - 1:45 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	3/1/2022 - 3:05 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 22-0010, 500 Thompson Lane
Staff Report for the March 9, 2022, 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. Nathaniel Thompson

Agent: None

Location: 500 Thompson Lane

Parcel Identification No.: 3610100005

Parcel: Warburton's Pond

Lot Size: 34.93 acres

Area of Lot in Resource Protection Area (RPA): 34.77 acres +/- (99%)

Watershed: Gordon Creek (HUC JL 29)

Floodplain: Zone AO and Zone X - Flood Depths of 1 to 3 feet with the base flood elevation determined to be 7 feet mean sea level

Proposed Activity: Demolition and Construction of a single-family dwelling, garage, patio, two decks, and retaining walls

Impervious Cover: 3,779 square feet

RPA Encroachment: 2,203 square feet, landward 50-foot RPA
1,576 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Nathaniel Thompson has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the demolition and construction of a single-family dwelling with an attached garage, patio, two decks, and retaining walls on property located at 500 Thompson Lane within the Warburton's Pond subdivision and the Gordon Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3610100005. The parcel was platted in 1982, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 34.93 acres, of which 99% is located within the RPA. The applicant is proposing to demolish the existing home and garage to construct a new single-family residence with a garage, patio, two decks, and retaining walls. This plan was previously approved on July 20, 2018, and extended August 14, 2019; however, the approval has since expired. This plan has been adjusted to meet the conditions set forth in the revised Ordinance for retaining walls.

The existing home and garage equate to approximately 1,505 square feet of impacts to the RPA. Total new impervious cover for the proposed construction equates to approximately 2,203 square feet to the landward 50-foot RPA and 1,576 square feet to the seaward 50-foot RPA. This construction will also require the construction of multiple retaining walls. Required mitigation of this amount of impervious impacts equals 10 planting units (10 canopy trees, 20 understory trees, and 30 shrubs). The applicant has also proposed to allow approximately 3,000 square feet of maintained lawn area adjacent to the existing wetlands to naturally revegetate, which will count towards the applicant's mitigation. Total mitigation requirements include the revegetation of the previously maintained area and the installation of seven planting units (seven canopy trees, 14 understory trees, and 21 shrubs). The applicant has also proposed to enroll in the Turf Love Program in addition to using gravel under the deck to mitigate stormwater runoff.

STAFF EVALUATION

Staff has evaluated the application and exception request for the demolition and construction of a single-family dwelling with an attached garage, patio, two decks, and retaining walls. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because some of the proposed construction is considered accessory in nature and there is expansion of a non-conforming structure.

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 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; 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 applicant 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 seven planting units (seven canopy trees, 14 understory trees, and 21 shrubs) be submitted to the Stormwater and Resource Protection Division; and
3. The revegetation of approximately 3,000 square feet of previously maintained lawn area; and

4. A surety of \$5,000 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings and enrollment into the Turf Love Program; and
5. This exception request approval shall become null and void if construction has not begun by March 9, 2023; and
6. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than January 26, 2023, six weeks prior to the expiration date.

TAL/ap
CBPA22-10_500ThmpsnLn

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 22-0010. 500 THOMPSON LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Nathaniel Thompson (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on March 9, 2022, 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. 3610100005 and further identified as 500 Thompson Lane (the “Property”) as set forth in the application CBPA 22-0010 for the purpose of demolition and construction of a single-family dwelling, garage, patio, two decks, and retaining walls; 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 as required for the project; and
 - b) The submittal of a mitigation plan equating to seven planting units (seven canopy trees, 14 understory trees, and 21 shrubs) be submitted to the Stormwater and Resource Protection Division; and

- c) The revegetation of approximately 3,000 square feet of previously maintained lawn area; and
- d) A surety of \$5,000 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings and enrollment into the Turf Love Program; and
- e) This exception request approval shall become null and void if construction has not begun by March 9, 2023; and
- f) Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than January 26, 2023, six weeks prior to the expiration date.

David Gussman
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 9th day of March, 2022.

CBPA22-10_500ThmpsnLn-res

THOMPSON RESIDENCE: MAIN HOUSE & ATTACHED GARAGE

500 THOMPSON LANE, WILLIAMSBURG, VA 23185

HOPKE & ASSOCIATES INC. PROJECT No. 38026



F-1 SCHEMATIC PERSPECTIVE
TI.1 NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

NO SCALE

LIST OF DRAWINGS

TITLE SHEET:
 TI.1 TITLE SHEET
 TI.2 SPECIFICATIONS

SITE PLAN:
 SDI.1 SITE DEVELOPMENT PLAN
 SDI.2 ENLARGED SITE DEVELOPMENT PLAN & DETAILS

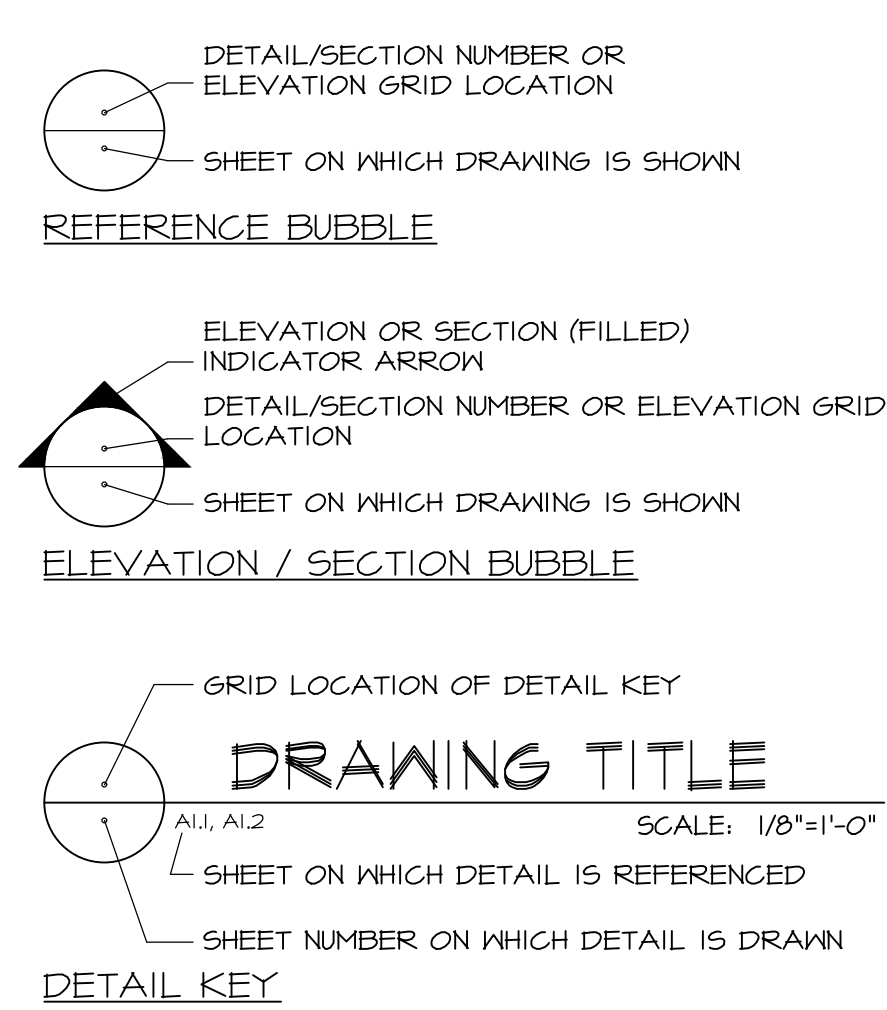
STRUCTURAL:
 SI.1 FOUNDATION PLAN
 SI.2 FRAMING AND ROOF PLANS
 SI.3 ROOF AND ROOF FRAMING PLANS

ARCHITECTURAL:
 AI.1 FIRST FLOOR PLAN & WINDOW SCHEDULE
 AI.2 SECOND FLOOR PLAN

A2.1 ELEVATIONS
 A2.2 ELEVATIONS, CONTINUED
 A2.3 BUILDING SECTIONS

A3.1 WALL SECTIONS

SYMBOLS LEGEND



- CLOSET**
- 1 ROOM NAME & NUMBER
 - 44 OCCUPANCY, ROOM OR AREA
 - 3 DOOR TAG
 - B WINDOW TAG

- NORTH ARROW
- ELEVATION TARGET
- WALL TYPE TAG

DRAWING KEYNOTE SYSTEM

A KEYNOTING SYSTEM IS USED ON THESE DRAWINGS FOR MATERIALS REFERENCES AND NOTES. REFER TO THE KEYNOTE LEGEND ON EACH SHEET FOR THE INFORMATION WHICH RELATES TO EACH KEYNOTE SYMBOL ON THE RESPECTIVE DRAWING. A MASTER LEGEND OF ALL KEYNOTES IS PROVIDED IN THE PROJECT MANUAL. THE KEYNOTES ARE STRUCTURED AS INDICATED BELOW:

MOST APPLICABLE DIVISION E.G. DIVISION 4: MASONRY

3 LETTER SUFFIX, E.G. 0" CMU WALL W. MTL. HORIZ. TRUSS-TYPE JT. REINF. @ 16" O.C. VERT

NOTE: THE ORGANIZATION OF THE KEYNOTING SYSTEM ON THE DRAWINGS, WITH THE KEYNOTE REFERENCE NUMBERS RELATED TO THE SPECIFICATIONS SECTIONS NUMBERING SYSTEM, SHALL NOT CONTROL THE CONTRACTOR IN DIVIDING THE WORK AMONG SUBCONTRACTORS OR IN ESTABLISHING THE EXTENT OF WORK TO BE PERFORMED BY ANY TRADE.

THIS DOCUMENT IN ITS ENTIRETY HAS BEEN ELECTRONICALLY SIGNED IN ACCORDANCE WITH TITLE 18 VAC 10-20-760.

ORIGINAL DOCUMENTS AS DESIGNED BY THE LICENSED PROFESSIONAL ARCHITECT LISTED BELOW HAVE BEEN RETAINED BY HOPKE & ASSOCIATES, INC. THE ARCHITECT CANNOT ASSUME RESPONSIBILITY FOR MODIFICATIONS TO THIS DOCUMENT NOT MADE BY THE ARCHITECT OR EMPLOYEES OF HOPKE & ASSOCIATES, INC. ON BEHALF OF THE ARCHITECT UNDER HIS / HER DIRECT CONTROL. ANY MODIFICATIONS NOT PERFORMED BY THE ARCHITECT OR EMPLOYEES UNDER HIS / HER DIRECT CONTROL INVALIDATE THE ELECTRONIC SIGNATURE.

ELECTRONICALLY SIGNED BY:

ABBREVIATIONS

ACC'D	AT	FDTN	FOUNDATION	PERF	PERFORATED
AGT	ACCORDING TO	FIN	FINISH	PERIM	PERIMETER
ADA	AMERICANS WITH DISABILITIES ACT	FLR	FLOOR	FLR	FLOOR
ADJ	ADJUST, ADJUSTABLE	F.O.S.	FACE OF STUD	F.LYND	PLYWOOD
AFF	ABOVE FINISHED FLOOR	FT	FEET, FOOT	PME	PLUMBING / MECHANICAL / ELECTRICAL
AGGR	AGGREGATE	F.V.	FIELD VERIFY	PREFAB	PREFABRICATED
ALT	ALTERNATE	GA	GAUZE	PARISG	PARISH
ALUM	ALUMINUM	GALV	GALVANIZED	PSL	TRUSS JOIST @ PARALLEL STRAND LUMBER
AMP	AMPERE	GC	GENERAL CONTRACTOR	PSI	POUNDS PER SQUARE INCH
ANSI	AMERICAN NAT'L STANDARDS INST.	GYP BD	GYPSUM WALL BOARD	PT	PAINT
APPROX	APPROXIMATE	GWB	GYPSUM WALL BOARD	PVC	POLYVINYL CHLORIDE
ANI	ARCHITECTURAL WOODWORK INST.	H&A	HOPKE & ASSOCIATES	QT	QUARRY TILE
AHJ	AUTHORITY HAVING JURISDICTION	HORIZ	HORIZONTAL	QTY	QUANTITY
		HP	HORSEPOWER		
		HT	HEIGHT	RA	REGISTERED ARCHITECT
BITUM	BITUMINOUS	HM	HOLLOW METAL	REB	REINFORCED
BLDG	BUILDING	HVAC	HEATING, VENTILATING, & AIR CONDITIONING	REINFD	REINFORCED
BOT	BOTTOM			REQ'D	REQUIRED
BTU	BRITISH THERMAL UNIT			R.O.	ROUGH OPENING
BRG	BEARING				
		IBC	INTERNATIONAL BUILDING CODE	SF	SQUARE FEET
CL	CENTERLINE	ILO	IN LIEU OF	SHT	SHEET
CFM	CUBIC FEET PER MINUTE	IN	INCH	SIM	SIMILAR
CELL, CLG	CEILING	INCL	INCLUDE	SPEC	SPECIFICATION
CLR	CLEAR	INSUL	INSULATION	SG	SQUARE
CMU	CONCRETE MASONRY UNIT	INT	INTERIOR	SQ	SQUARE
COLUM	COLUMN	IRC	INTERNATIONAL RESIDENTIAL CODE	STC	SOUND TRANSMISSION CLASS
CONC	CONCRETE	JC	JANITOR'S CLOSET	STD	STANDARD
CONT	CONTINUOUS			STL	STEEL
CPT	CARPET	LBS	POUNDS	STRUCT	STRUCTURAL
CT	CERAMIC TILE				
		MAX	MAXIMUM	T&G	TONGUE & GROOVE
DEMO	DEMOLITION, DEMOLISH	MECH	MECHANICAL	TCA	TILE COUNCIL OF AMERICA
DIAM, Ø	DIAMETER	MANUF	MANUFACTURER	TRK	TRUSS
DIM	DIMENSION	MF	METAL FLASHING	TJ	TRUSS JOIST @ JOISTS
DIV	DIVISION	MFL	MASONRY FLASHING	TRTD	TREATED
DN	DOWN	M.O.	MOUNTED OPENING	TYP	TYPICAL
DTL	DETAIL	MTD	MOUNTED	TO EX	TO MATCH EXISTING
DWGS	DRAWINGS	MTL	METAL		
		N/A	NOT APPLICABLE	UL	UNDERWRITERS' LABORATORY
EA	EACH	N.I.C.	NOT IN CONTRACT	UNO.	UNLESS NOTED OTHERWISE
ELEC	ELECTRICAL	#	NUMBER, FOUND	VCT	VINYL COMPOSITION TILE
ELEV	ELEVATION	NO	NOT	VERT	VERTICAL
EPDM	ETHYLENE-PROPYLENE-DIENE MONOMER	NTS	NOT TO SCALE	VUSBC	VIRGINIA UNIFORM STATEWIDE BUILDING CODE
		O.C.	ON CENTER		
EQ	EQUAL	OPFR	OPERABLE	W/	WITH
EQUIP	EQUIPMENT	OPNG	OPENING	W/IN	WITHIN
EXIST	EXISTING	OPP	OPPOSITE	W/OUT	WITHOUT
EXP	EXPANSION, EXPOSURE			WD	WOOD
EXT	EXTERIOR	PE	PROFESSIONAL ENGINEER	WRB	WATER-RESISTANT G.M.B.

GENERAL NOTES

- APPLICABLE CODE: 2015 V.C.G. RESIDENTIAL EXCERPTS (2015 VIRGINIA RESIDENTIAL CODE); SEE 51.2 FOR DESIGN DATA
- WHERE NOT OTHERWISE SPECIFIED, ALL WORKMANSHIP AND MATERIAL QUALITY TO BE IN KEEPING WITH RESPECTIVE INDUSTRIES AT A MINIMUM. R.S. MEANS "RESIDENTIAL AND LIGHT COMMERCIAL CONSTRUCTION STANDARDS" TO SERVE AS REFERENCE OF QUALITY STANDARDS.
- IF ERRORS, CONFLICTS, OR OMISSIONS ARE DISCOVERED IN THE DRAWINGS / PROJECT MANUAL, CONSULT THE ARCHITECT PRIOR TO OBTAINING BUILDING MATERIALS AND/OR CONSTRUCTION.
- DIMENSIONS ARE DRAWN TO FACE OF STUD OR FACE OF MASONRY UNLESS OTHERWISE INDICATED.
- VERIFY / COORDINATE UTILITY REVISIONS WITH REQUIREMENTS FOR NEW WORK (INCLUDING GAS AND ELECTRIC METERS OR TRANSFORMERS).
- COORDINATE GRADINGS WITH SITE PLAN BY OTHERS; WHERE PRACTICABLE, GRADE TO SLOPE AWAY FROM STRUCTURE AT MINIMUM 5% (6" IN 10').
- VERIFY SURFACE DRAINAGE AT ALL EXTERIOR DOOR LANDINGS SLOPING AWAY FROM DOOR(S) AT A RATIO OF EXACTLY 1/8" : 12" FOR A DISTANCE OF FIVE FEET, MIN.
- VERIFY MECHANICAL EQUIPMENT AND DUCT RUN LAYOUT / SIZES / CONDENSATE LINE TERMINATIONS PRIOR TO CONSTRUCTION.
- VERIFY EXHAUST LINES / LOUVERS / ROOF VENTS PRIOR TO CONSTRUCTION. ROUTE ROOFTOP PLUMBING AND MECHANICAL VENTS TO REAR FACING PLANES OF ROOF.
- NOTE: THESE DRAWINGS UTILIZE WALL TYPES; SEE WALL TYPE PLAN DETAILS AND DESIGNATIONS AT A3.1.
- DELEGATED DESIGN SUBMITTALS TO BE PROVIDED TO ARCHITECT AND A.H.J. CONFIRM FOUNDATION LOADS AND POINT LOAD LOCATIONS PRIOR TO EXECUTING FOUNDATION WORK.

4	RETAINING WALL REVISIONS	01/10/2022
2	OWNER REVISIONS	04/08/2021
1	RESPONSE TO CODE COMMENTS	02/24/2021
No.	Drawing Edition / Revision	Date

Project Info:

THOMPSON RESIDENCE	500 THOMPSON LANE
WILLIAMSBURG, VA 23185	MAIN HOUSE & ATTACHED GARAGE
TITLE SHEET	
(DRAWN) REVIEWED: (kms) JAH	

HOPKE & ASSOCIATES INC.
 ARCHITECTURE ■ PLANNING ■ INTERIORS

1156 Jamestown Road, Suite C
 Williamsburg, VA 23185
 757.229.1100 Telephone
 757.229.0869 Facsimile
 www.hopke.com

Project No. 38026

Seal

COMMONWEALTH OF VIRGINIA
 JOHN A. HOPKE
 Lic. No. 6663
 04/16/2021
 ARCHITECT

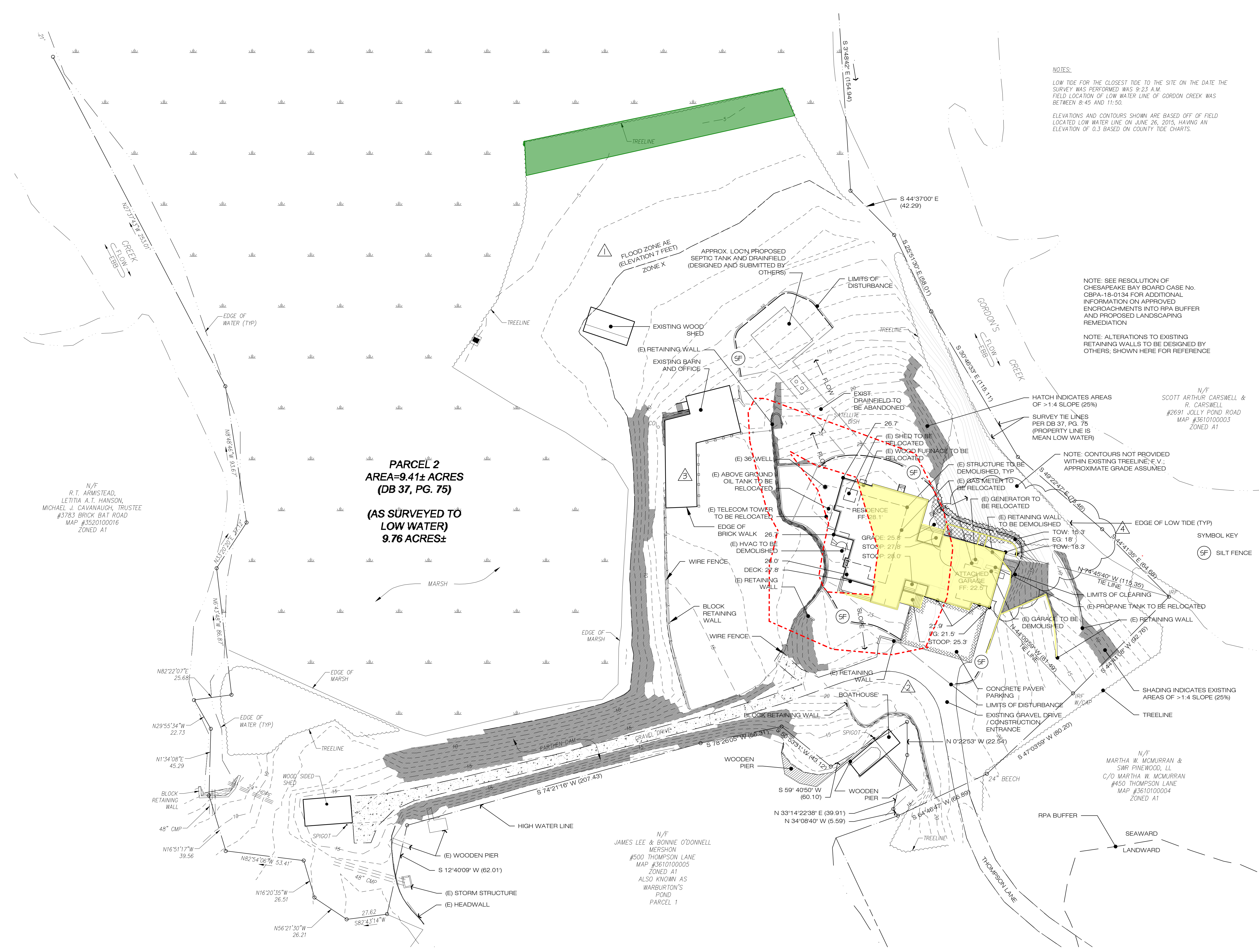
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TI.1
 1 of 13

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SAVED: 11/10/2022 2:35:25 PM PLOTTED: 11/10/2022 2:44:09 PM

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A-4 SITE PLAN
SDI.I

4	RETAINING WALL REVISIONS	01/10/2022
3	OWNER REVISIONS 2	08/02/2021
2	OWNER REVISIONS	04/03/2021
1	RESPONSE TO CODE COMMENTS	02/24/2021
No.	Drawing Edition / Revision	Date

Project Info:

THOMPSON RESIDENCE
500 THOMPSON LANE
WILLIAMSBURG, VA 23185
MAIN HOUSE & ATTACHED GARAGE

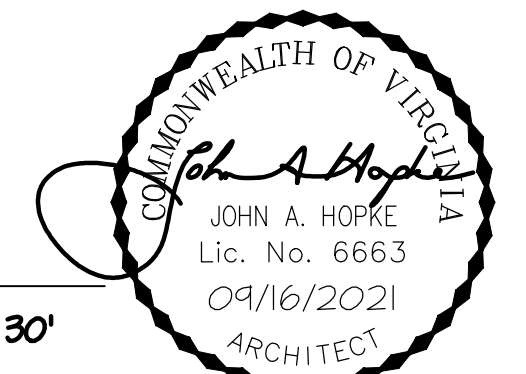
SITE PLAN
(DRAWN) REVIEWED: (jeh) JAH

HOPKE & ASSOCIATES INC.
ARCHITECTURE ■ PLANNING ■ INTERIORS

1156 Jamestown Road, Suite C
Williamsburg, VA 23185
757.229.1100 Telephone
757.229.0869 Facsimile
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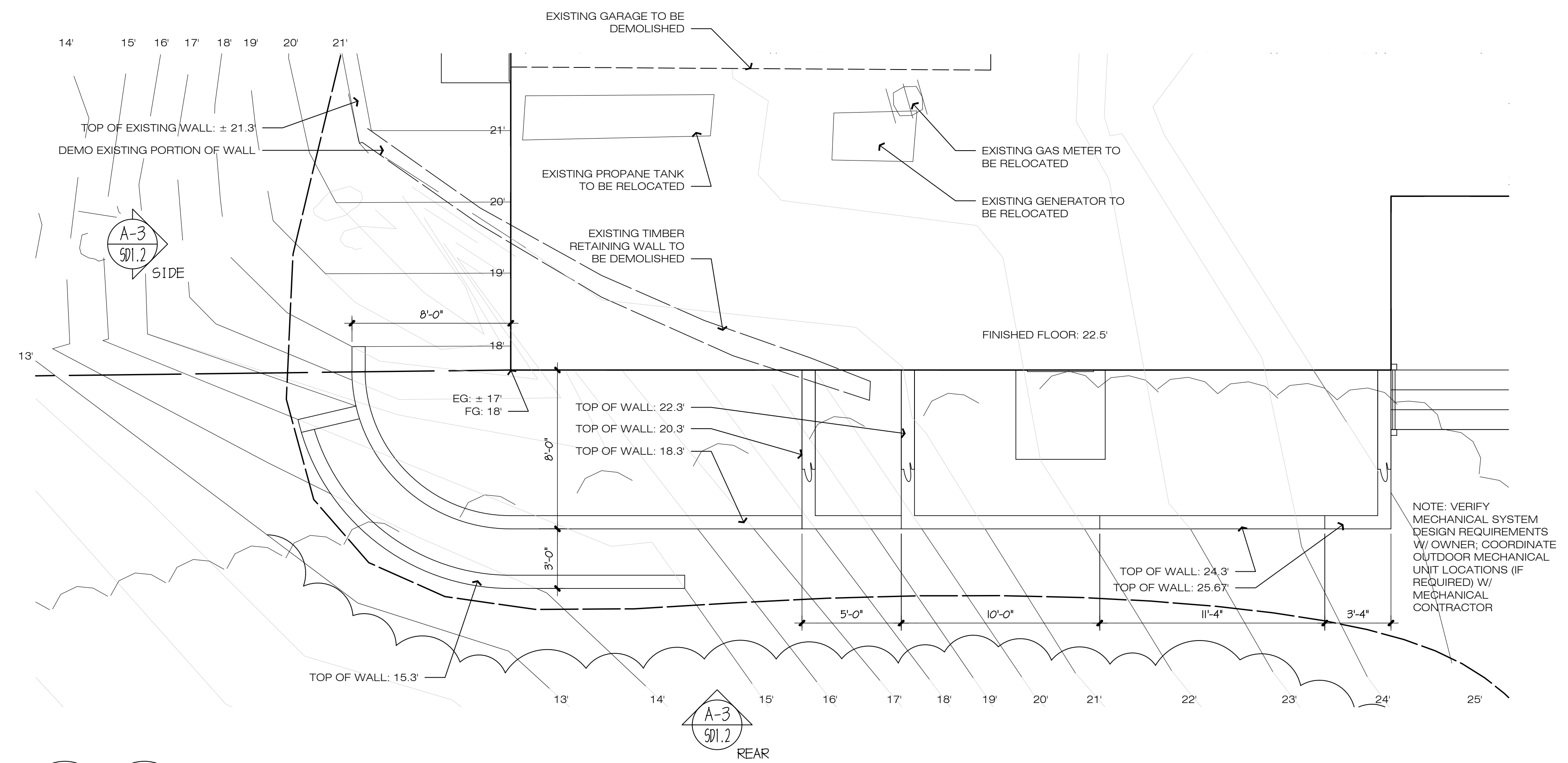
Project No. 38026

Sheet
SDI.I
3 of 13



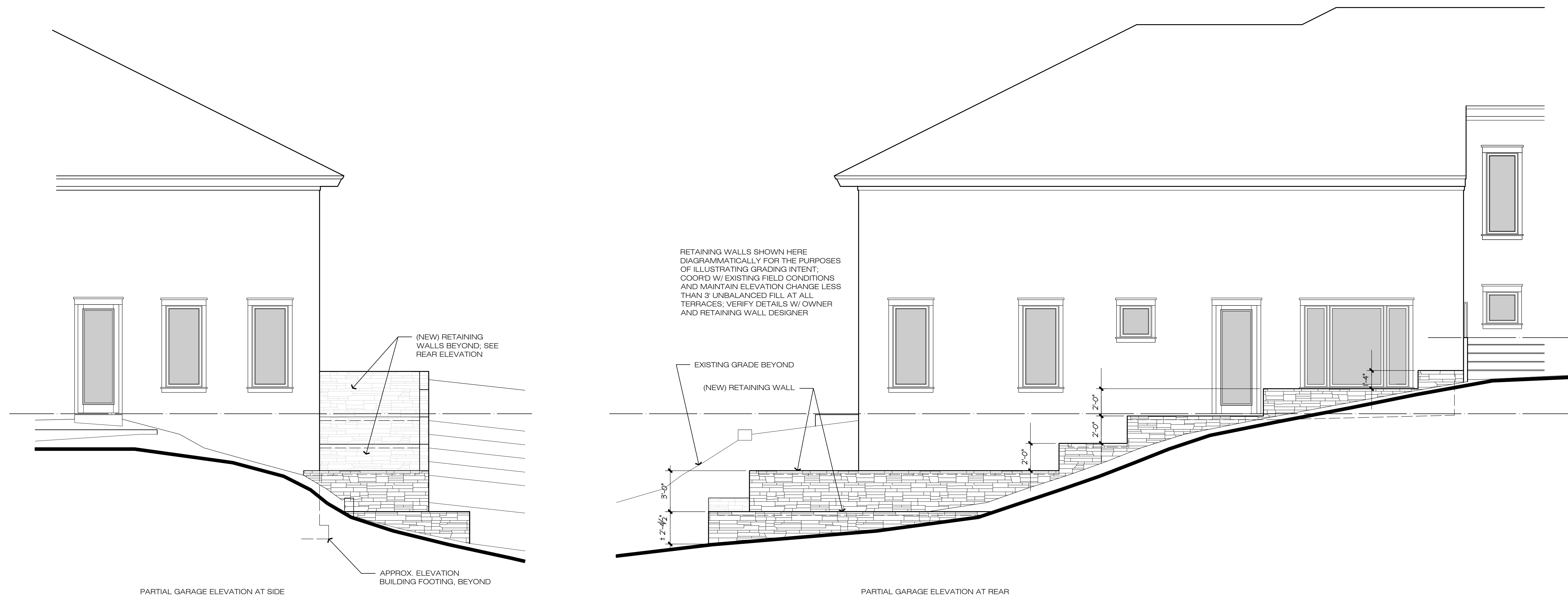
SCALE: 1" = 30'

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20



H-8 ENLARGED GRADING PLAN AT GARAGE
SD1.2 SD11

SCALE: 1/4" = 1'-0"



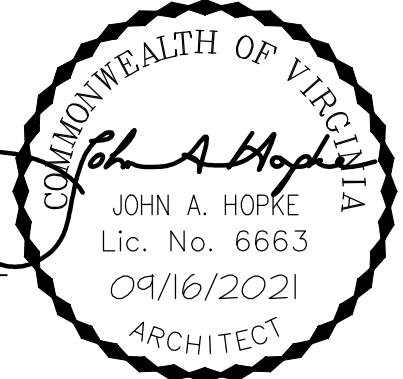
A-3 ELEVATION DETAILS AT GARAGE
SD1.2 SD12

SCALE: 1/4" = 1'-0"

4	RETAINING WALL REVISIONS	01/10/2022
No.	Drawing Edition / Revision	Date
Project Info:		
THOMPSON RESIDENCE		
500 THOMPSON LANE		
WILLIAMSBURG, VA 23185		
MAIN HOUSE & ATTACHED GARAGE		
ENLARGED SITE DEVELOPMENT PLAN & DETAILS		
(DRAWN) REVIEWED: (jeh) JAH		

HOPKE & ASSOCIATES INC.
ARCHITECTURE ■ PLANNING ■ INTERIORS

1156 Jamestown Road, Suite C
Williamsburg, VA 23185
757.229.1100 Telephone
757.229.0869 Facsimile
www.hopke.com



Project No. 38026

Sheet

SD1.2

4 of 13

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20



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

February 16, 2022

RE: CBPA 22-0010
500 Thompson Lane
Demolition and construction of a single-family dwelling,
garage, patio, two decks, retaining walls, and barn tack room 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. Nathaniel R Thompson, III, for encroachment into the Resource Protection Area (RPA) buffer for the demolition and construction of a single-family dwelling, garage, patio, two decks, retaining walls, and barn tack room addition. The project is located at 500 Thompson Lane and further identified as JCC Parcel No. 3610100005.

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, March 9, 2022, 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,

Trevor Long

Trevor Long
Chesapeake Bay Board Secretary
757-253-6789
trevor.long@jamescitycountyva.gov

cc: Hopke & Associates, Inc.
Attn: Mr. John A. Hopke

TL: jep

Mailing List for: CBPA-22-0010 – 500 Thompson Lane: Single Family Dwelling, Garage, Patio,
Two Decks, Retaining Wall and Barn Tack Room Addition

Owner: 3610100005- 500 Thompson Lane
Thompson, Nathaniel R, III & Amy B
3209 Woodland Lane
Alexandria, VA 22309-2255

3520100016 – 3783 Brick Bat Road
Armistead, R T & Hanson, Letitia A T,
Cavanaugh, Michael J, Trustee
3804 Poplar Hill Road, Suite B
Chesapeake, VA 23321-5524

3630100001 – 4085 Centerville Road
Greensprings Materials, LLC
8589 Richmond Road
Toano, VA 23168-9212

3520100015D
Hogge, Thomas H
2697 Jolly Pond Road
Williamsburg, VA 23188-7509

Contractor:
Hopke & Associates, Inc.
Attn: Mr. John A. Hopke
1156 Jamestown Road, Suite C
Williamsburg, VA 23185-3372

3620100040
Thompson, William Albert, Trustee &
Insight Law PLLC, Trustee
138 The Colony
Williamsburg, VA 23185-3157

3610100004
Wright, James M, Trustee & Deborah S, Trustee
450 Thompson Lane
Williamsburg, VA 23188-1377

3610100003 – 2691 Jolly Pond Road
Carswell, Scott Arthur & Carswell, Robert Anson
3921 Leaf Lawn Lane
Woodbridge, VA 22192-4901



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, MARCH 9, 2022 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-22-0010: Mr. Nathaniel R. Thompson, III, has filed an exception request for encroachments into the Resource Protection Area (RPA) buffer for the demolition and construction of a single-family dwelling, garage, patio, two decks, and retaining walls at 500 Thompson Lane, JCC Parcel ID No. 3610100005.

CBPA-22-0004: Ms. Kristi Bruening, Custom Gardens, LLC, on behalf of Mr. Randall and Ms. Ellen Carroll, has filed an exception request for encroachments into the RPA buffer for the replacement of an existing patio with permeable pavers and the installation of artificial turf at 1584 Harbor Road, JCC Parcel ID No. 4310200020.

CBPA-22-0001: Mr. Lloyd Stephens, Stephens Builder, Inc., on behalf of Mr. Charles and Ms. Karen Lyon, has filed an exception request for encroachments into the RPA buffer for the extension of an existing deck, the construction of a new deck, and the installation of an external elevator shaft at 2413 Sarah Spence, JCC Parcel ID No. 4840200015.

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

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 – FEBRUARY 23, 2022, and MARCH 2, 2022.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x9941

COPIES: PLANNING
 ASSISTANT COUNTY ATTORNEY

WETLANDS/CHESAPEAKE BAY BOARD MEMBERS

ITEM SUMMARY

DATE: 3/9/2022
TO: Chesapeake Bay Board
FROM: Trevor Long
SUBJECT: CBPA-22-0004 : 1584 Harbor Road

CBPA-22-0004: Ms. Kristi Bruening, Custom Gardens, LLC, on behalf of Mr. Randall and Ms. Ellen Carroll, has filed an exception request for encroachments into the RPA buffer for the replacement of an existing patio with permeable pavers and the installation of artificial turf at 1584 Harbor Road, JCC Parcel ID No. 4310200020.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Site Plan	Exhibit
☐	Adjacent Property Owner Letter	Backup Material
☐	Adjacent Property Owner List	Backup Material
☐	Public Ad	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 1:22 PM
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 1:33 PM
Publication Management	Daniel, Martha	Approved	3/1/2022 - 1:54 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	3/1/2022 - 3:05 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 22-0004. 1584 Harbor Road
Staff Report for the March 9, 2022, 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. Randall and Mrs. Ellen Carroll

Agent: Ms. Kristi Bruening, Custom Gardens

Location: 1584 Harbor Road

Parcel Identification No.: 4310200020

Parcel: Lot 20, The Harbor, The Governor's Land

Lot Size: 0.30 acres

Area of Lot in Resource Protection Area (RPA): 0.18 acres +/- (60%)

Watershed: Gordon Creek (HUC JL 29)

Floodplain: Zone AE (EL 8)

Proposed Activity: Replacement of existing patio with permeable pavers and artificial turf

Impervious Cover: 803 square feet

RPA Encroachment: 81 square feet, landward 50-foot RPA
722 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Kristi Bruening, Custom Gardens, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the replacement of an existing patio with permeable pavers and artificial turf on property located at 1584 Harbor Road within The Governor's Land subdivision and the Gordon Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4310200020. The parcel was platted in 1994, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.30 acres, of which 60% is located within the RPA. The applicant is proposing to replace the existing 167-square-foot patio to the rear of the existing house with permeable pavers and artificial turf equating to approximately 803 square feet of new impacts in the seaward 50-foot RPA. This project will also encroach on conservation easement located behind the house. Required mitigation of this amount of impervious impacts to the RPA equals the planting of two planting units (two canopy trees, four understory trees, and six shrubs). The applicant has proposed to plant two understory trees and 71 shrubs, therefore exceeding County mitigation requirements.

STAFF EVALUATION

Staff has evaluated the application and exception request for the replacement of the existing patio with permeable pavers and artificial turf. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the installation of permeable pavers and artificial turf is considered accessory in nature and the filter media constructed underneath the turf is a compacted gravel.

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; and
2. The planting of two understory trees and 71 shrubs; and
3. A surety of \$3,750 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
4. All runoff generated by the permeable paver patio and artificial turf areas shall utilize the existing drainage structures to direct these flows into the existing Best Management Practice. No runoff shall be directed towards the marina; and
5. This exception request approval shall become null and void if construction has not begun by March 9, 2023; and
6. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than January 26, 2023, six weeks prior to the expiration date.

TAL/ap
CBPA22-4_1584HarborRd

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 22-0004. 1584 HARBOR ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Kristi Bruening, Custom Gardens, on behalf of Mr. Randall and Ms. Ellen Carroll (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on March 9, 2022, 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. 4310200020 and further identified as 1584 Harbor Road (the “Property”) as set forth in the application CBPA-22-0004 for the purpose of replacement of patio with permeable pavers and artificial turf; 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 planting of two understory trees and 71 shrubs; and
 - c) A surety of \$3,750 be submitted in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and

- d) All runoff generated by the permeable paver patio and artificial turf areas shall utilize the existing drainage structures to direct these flows into the existing Best Management Practice. No runoff shall be directed towards the marina; and
- e) This exception request approval shall become null and void if construction has not begun by March 9, 2023; and
- f) Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than January 26, 2023, six weeks prior to the expiration date.

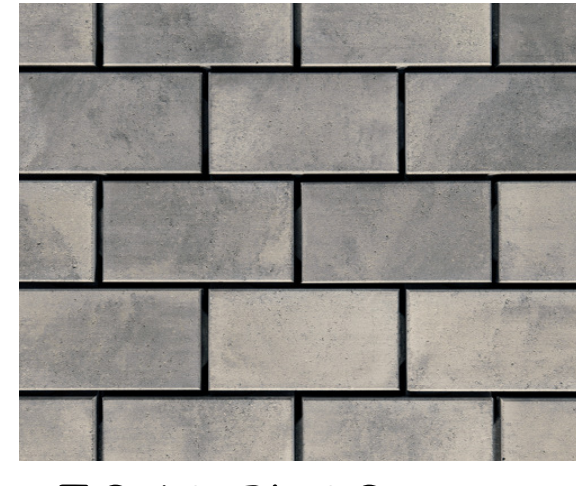
David Gussman
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

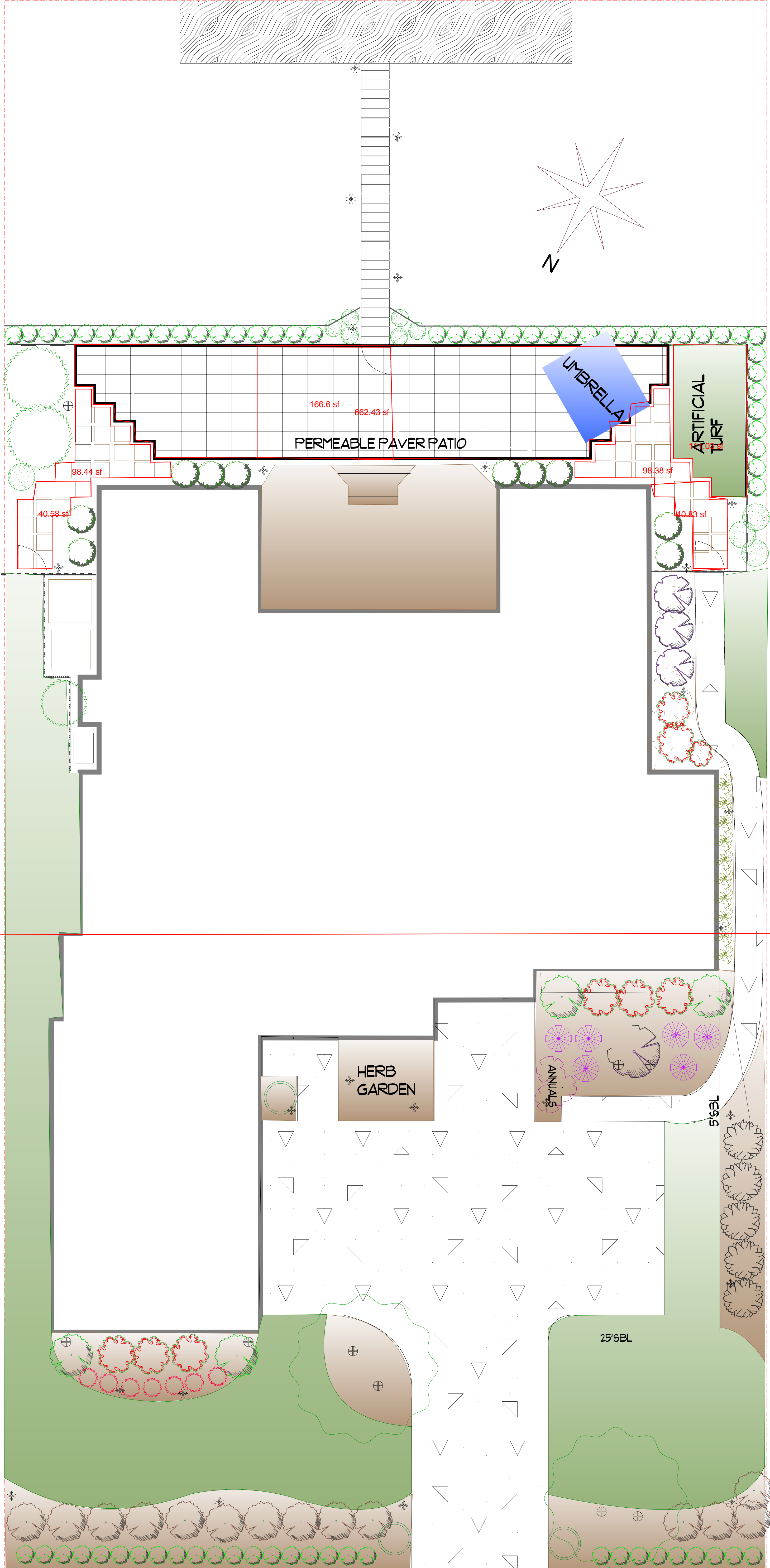
Adopted by the Chesapeake Bay Board of James City County, Virginia, this 9th day of March, 2022.

CBPA22-4_1584HarborRd

COMMON NAME		QTY	COMMON NAME		QTY
FLOWER, ANNUAL			FORSTHIA		3
MIXED SEASONAL ANNUALS			AZALEA, WHITE		14
FLOWER, FERN			SHRUB, EVERGREEN BROADLEAF		
FERN, AUTUMN BRILLIANCE	10		HOLLY, YAUPON		10
FLOWER, GRASS			BOXWOOD, GREEN GEM		71
GRASS, KARL FORESTER	10		BOXWOOD, VELVET GREEN		12
FLOWER, PERENNIAL			CAMELLIA, HARDY APRIL REMEMBER		4
PEONY			GARDENIA, CHUCK HAYES		3
SHRUB, DECIDUOUS	8		DISTYLUM, BLUE CASCADE		6
DOGWOOD, RED TWIG	5		TREE, DECIDUOUS		
			REDBUD, RUBY FALLS		1



TECHO-BLOC
HYDRA: SHALE GREY



Custom Gardens

Landscape Design by: Kristi Bruening

Custom Gardens

Landscape Plan: 1

Carroll

Scale:

3/16" = 1'

Revision #:

Date: 1/18/2022



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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February 16, 2022

RE: CBPA 22-0004
1584 Harbor Road
Replacement of existing patio with permeable
pavers and the installation of artificial turf

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. Kristi Bruening, Custom Gardens, LLC on behalf of Mr. Randall and Ms. Ellen Carroll for encroachment into the Resource Protection Area (RPA) buffer for replacement of an existing patio with permeable pavers and the installation of artificial turf. The project is located at 1584 Harbor Road and further identified as JCC Parcel No. 4310200020.

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, March 9, 2022, 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,

Trevor Long

Trevor Long
Chesapeake Bay Board Secretary
757-253-6789
trevor.long@jamescitycountyva.gov

cc: Custom Gardens, LLC
Attn: Ms. Kristi Bruening

TL: jep

Mailing List for: CBPA-22-0004 –1584 Harbor Road : Replacement of existing patio with permeable paver patio extended with artificial turf

Owner: 4310200020

Carroll, Randall William & Ellen
1584 Harbor Road
Williamsburg, VA 23185-7630

4310200019

Wilkinson, Thomas A, III, Trustee &
Mary D, Trustee
1580 Harbor Road
Williamsburg, VA 23185-7630

4310200021

Flynn, Richard J & Gayle M
1588 Harbor Road
Williamsburg, VA 23185-7630

Contractor:

Custom Gardens, LLC
Attn: Ms. Kristi Bruening
337 Redoubt Road
Yorktown, VA 23692-4875

4320700001A- 1636 Harbor Road

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

4310200001B - 1759 Harbor Road

4320700001B – 1635 Harbor Road
Governor's Land Foundation
2700 Two Rivers Road
Williamsburg, VA 23185-7600



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, MARCH 9, 2022 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-22-0010: Mr. Nathaniel R. Thompson, III, has filed an exception request for encroachments into the Resource Protection Area (RPA) buffer for the demolition and construction of a single-family dwelling, garage, patio, two decks, and retaining walls at 500 Thompson Lane, JCC Parcel ID No. 3610100005.

CBPA-22-0004: Ms. Kristi Bruening, Custom Gardens, LLC, on behalf of Mr. Randall and Ms. Ellen Carroll, has filed an exception request for encroachments into the RPA buffer for the replacement of an existing patio with permeable pavers and the installation of artificial turf at 1584 Harbor Road, JCC Parcel ID No. 4310200020.

CBPA-22-0001: Mr. Lloyd Stephens, Stephens Builder, Inc., on behalf of Mr. Charles and Ms. Karen Lyon, has filed an exception request for encroachments into the RPA buffer for the extension of an existing deck, the construction of a new deck, and the installation of an external elevator shaft at 2413 Sarah Spence, JCC Parcel ID No. 4840200015.

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

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 – FEBRUARY 23, 2022, and MARCH 2, 2022.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x9941

COPIES: PLANNING
 ASSISTANT COUNTY ATTORNEY

WETLANDS/CHESAPEAKE BAY BOARD MEMBERS

ITEM SUMMARY

DATE: 3/9/2022
TO: Chesapeake Bay Board
FROM: Trevor Long
SUBJECT: CBPA-22-0001 : 2413 Sarah Spence

CBPA-22-0001: Mr. Lloyd Stephens, Stephens Builder, Inc., on behalf of Mr. Charles and Ms. Karen Lyon, has filed an exception request for encroachments into the RPA buffer for the extension of an existing deck, the construction of a new deck, and the installation of an external elevator shaft at 2413 Sarah Spence, JCC Parcel ID No. 4840200015.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Site Plan	Exhibit
☐	Previous Mitigation Plan	Exhibit
☐	Adjacent Property Owner Letter	Backup Material
☐	Adjacent Property Owner List	Backup Material
☐	Public Ad	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 1:22 PM
Chesapeake Bay Group	Small, Toni	Approved	3/1/2022 - 1:33 PM
Publication Management	Daniel, Martha	Approved	3/1/2022 - 1:47 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	3/1/2022 - 3:04 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA 22-0001. 2413 Sarah Spence Court
Staff Report for the March 9, 2022, 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. Karen Lyon

Agent: Mr. Lloyd Stephens, Stephens Builder Inc.

Location: 2413 Sarah Spence Court

Parcel Identification No.: 4840200015

Parcel: Lot 15, Part 2, Vineyards at Jockey's Neck

Lot Size: 0.78 acres

Area of Lot in Resource Protection Area (RPA): 0.60 acres +/- (77%)

Watershed: College Creek (HUC JL 34)

Floodplain: None

Proposed Activity: Extension of an existing deck, construction of a new deck, and installation of an external elevator shaft

Impervious Cover: 265 square feet

RPA Encroachment: 265 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Lloyd Stephens, Stephens Builder Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Charles and Mrs. Karen Lyon for encroachments into the RPA buffer for the extension of an existing deck, the construction of a new deck, and the construction of an external elevator shaft on property located at 2413 Sarah Spence Court within the Vineyards subdivision and the College Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4840200015. The parcel was platted in 1990, prior to the changes in the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 0.78 acres, of which 77% is located within the RPA. The applicants are proposing to convert the existing deck and screened porch to a 100-square-foot sunspace and construct a new 120-square-foot deck adjacent to the existing one. Encroachments from the existing structures and new structure will extend 4 feet further into the RPA than current site conditions. Additionally, the applicants have proposed to install a 40-square-foot external elevator shaft on the side of the existing home.

In 2018, the applicants were granted an administrative approval to perform general woodlot management and create an access path to Lake Adjacan. As part of this approval, the applicants provided a planting plan to include the future construction of a patio area and deck expansion. The approved mitigation plan included

three and a half planting units for the 1,375 square feet of proposed, future impervious impacts. Total impacts to the RPA associated with the new proposal associated with this exception request equate to 265 square feet of the landward 50-foot RPA. Required mitigation of this amount of impervious impacts equals 11 shrubs. Because the applicants have already planted mitigation for the previously approved and proposed expansion, no further mitigation is required for this exception request.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a deck. 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 deck 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 applicant must obtain all other necessary federal, state, and local permits as required for the project, including a building permit if necessary; and
2. This exception request approval shall become null and void if construction has not begun by March 9, 2023; and
3. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than January 26, 2023, six weeks prior to the expiration date.

TAL/ap
CBPA22-1_2413SarahSpnceCt

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA 22-0001. 2413 SARAH SPENCE COURT

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Lloyd Stephens, Stephens Builder Inc., on behalf of Mr. Charles and Mrs. Karen Lyon, (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on March 9, 2022, 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. 4840200015 and further identified as 2413 Sarah Spence Court (the “Property”) as set forth in the application CBPA 22-0001 for the purpose of extension and construction of a deck and the installation of external elevator shaft; 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, including a building permit if necessary; and
 - b) This exception request approval shall become null and void if construction has not begun by March 9, 2023; and

- c) Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than January 26, 2023, six weeks prior to the expiration date.

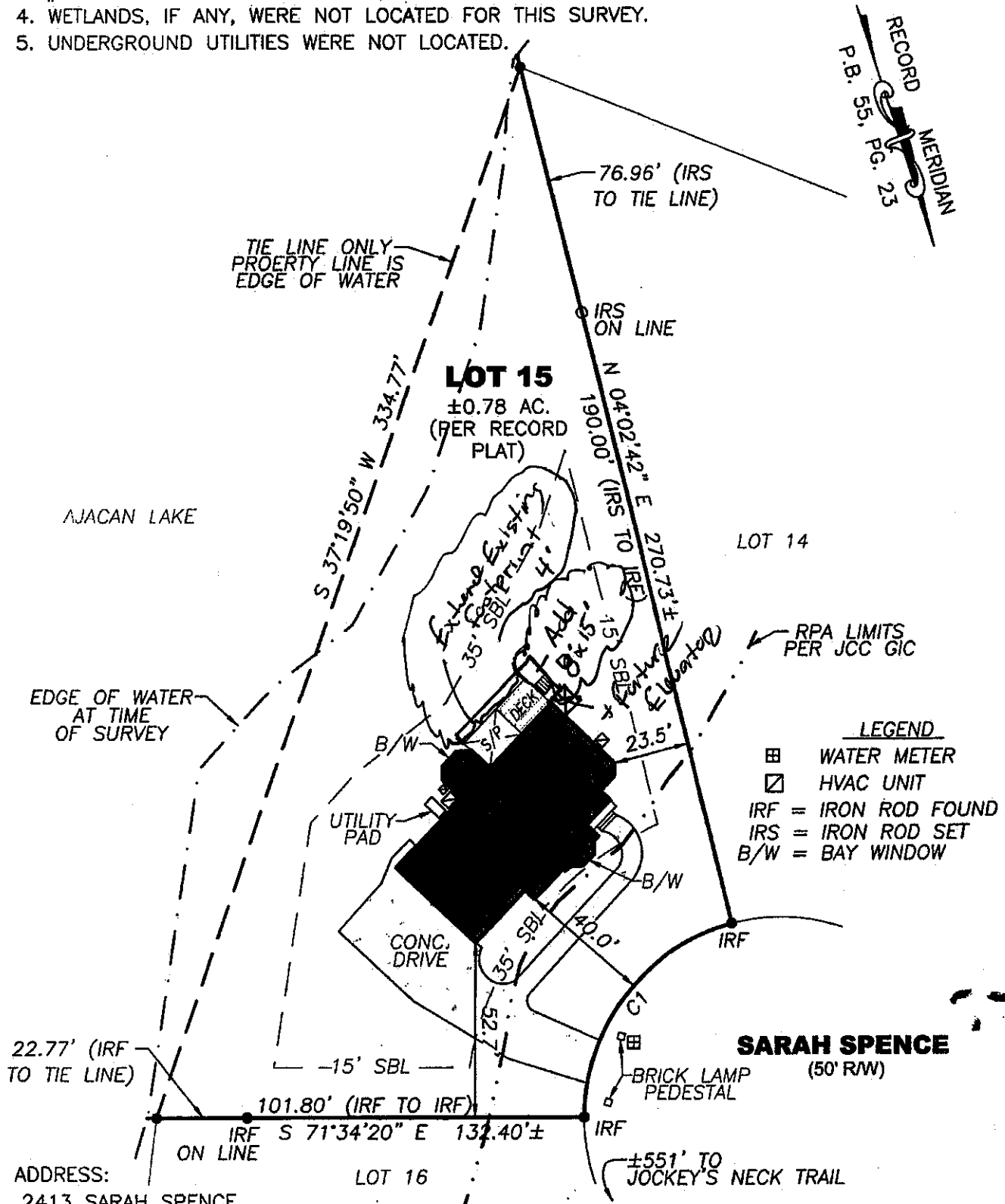
David Gussman
Chair, Chesapeake Bay Board

Trevor Long
Secretary to the Board

CBPA22-1_2413SarahSpnceCt-res

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. 55, PG. 23-24.
2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
3. LOT LIES IN F.I.R.M. ZONE "X" ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0205C DATED SEPTEMBER 28, 2007.
4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.



ADDRESS:
2413 SARAH SPENCE
JAMES CITY COUNTY, VIRGINIA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	60.00'	79.19'	73.63'	N 56°17'46" E	75°41'40"

REFERENCES:
P.B. 55,
PG. 23-24

PHYSICAL SURVEY OF LOT 15, PHASE II
THE VINEYARDS AT JOCKEY'S NECK



AVACAN LAKE.

FORGE POND

TRAPLINE POND
4'-6" WIDE WITH
5-6 STEPS AS
NEEDED

(3) MOUNTAIN
LABRADOR
RETAINMENT
WALLS

DR. DAVID
DWARF
POND

EASTERN PLANTS

DR. BOY SHED

(1) necessary
metal
structure

(2) existing
structure

(1) existing
structure
and
steps

ASPHALT DRIVEWAY (20'x120')

(2) existing
structure
and
steps

(3) NATURAL SPONGE
INSURANCE TO
PROTECT STRUCTURE

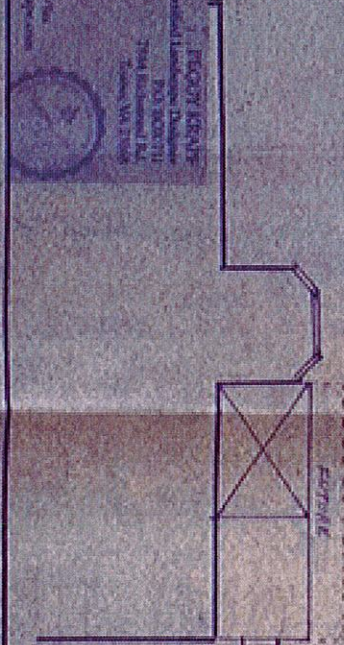


1375 60' x 400' =
554,400 SQ. FT.
31.2 ACRE

HEART'S EASE
Landscape Architecture

1575 W. 4th Street, Suite 101
Farmingdale, NY 11737

PROFESSIONAL LANDSCAPE ARCHITECT



KAREN & CHARLIE LYON RESIDENCE

1375 W. 4th Street, Suite 101
Farmingdale, NY 11737

2413 SARAH SPENCE VINEYARDS

REAR BUFFER PLANTINGS



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

February 16, 2022

RE: CBPA 22-0001
2413 Sarah Spence
Construction and extension of decks,
External Elevator Shaft

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. Lloyd Stephens, Stephens Builder, Inc., on behalf of Mr. Charles and Ms. Karen Lyon for encroachment into the Resource Protection Area (RPA) buffer for the extension of an existing deck, the construction of a new deck and the installation of an external elevator shaft. The project is located at 2413 Sarah Spence and further identified as JCC Parcel No. 4840200015.

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, March 9, 2022, 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,

Trevor Long

Trevor Long
Chesapeake Bay Board Secretary
757-253-6789
trevor.long@jamescitycountyva.gov

cc: Stephens Builder, Inc.
Attn: Mr. Lloyd Stephens

TL: jep

Mailing List for: CBPA-22-0001 –2413 Sarah Spence : Construction and extension of decks,
external elevator shaft.

Owner: 4840200015

Lyon, Charles W & Karen M
2413 Sarah Spence
Williamsburg, VA 23185-8060

4840200016

Eshelman, Carolyn B, Trustee
2409 Sarah Spence
Williamsburg, VA 23185-8060

4840200013

Alpino, Robert J & Lisa Odabasi
2412 Sarah Spence
Williamsburg, VA 23185-8060

4840200014

Mansisor, Jesus R & Tracey G
2416 Sarah Spence
Williamsburg, VA 23185-8060

4840100011-2630 Lake Powell Road

Vineyards Homeowners Association, Inc.
907 Richmond Road
Williamsburg, VA 23186-0001

Contractor:

Stephens Builder, Inc.
Attn: Mr. Lloyd Stephens
7845 Richmond Road, Suite 8
Toano, VA 23168-9073

4840200022

Proios, Gregory G & Lynne S
2685 Jockeys Neck Trail
Williamsburg, VA 23185-8058

4840200021

Payne, Loel Z & Christine A
2689 Jockeys Neck Trail
Williamsburg, VA 23185-8058

4840200023

Barnes, Jeffrey P & Lauren E
2681 Jockeys Neck Trail
Williamsburg, VA 23185-8058

4840200024

Lacasse, Steven E & Margaret L
2677 Jockeys Neck Trail
Williamsburg, VA 23185-8058



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, MARCH 9, 2022 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-22-0010: Mr. Nathaniel R. Thompson, III, has filed an exception request for encroachments into the Resource Protection Area (RPA) buffer for the demolition and construction of a single-family dwelling, garage, patio, two decks, and retaining walls at 500 Thompson Lane, JCC Parcel ID No. 3610100005.

CBPA-22-0004: Ms. Kristi Bruening, Custom Gardens, LLC, on behalf of Mr. Randall and Ms. Ellen Carroll, has filed an exception request for encroachments into the RPA buffer for the replacement of an existing patio with permeable pavers and the installation of artificial turf at 1584 Harbor Road, JCC Parcel ID No. 4310200020.

CBPA-22-0001: Mr. Lloyd Stephens, Stephens Builder, Inc., on behalf of Mr. Charles and Ms. Karen Lyon, has filed an exception request for encroachments into the RPA buffer for the extension of an existing deck, the construction of a new deck, and the installation of an external elevator shaft at 2413 Sarah Spence, JCC Parcel ID No. 4840200015.

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

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 – FEBRUARY 23, 2022, and MARCH 2, 2022.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x9941

COPIES: PLANNING
 ASSISTANT COUNTY ATTORNEY

WETLANDS/CHESAPEAKE BAY BOARD MEMBERS