

A G E N D A
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
October 12, 2022
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes for September 14, 2022 Regular Meeting

D. PUBLIC HEARINGS

1. CBPA-22-0111 : 36 Gray Gables
2. CBPA-22-0121 : 1676 Jamestown Road
3. CBPA-22-0126 : 112 Discovery Lane

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 10/12/2022
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: Minutes for September 14, 2022 Regular Meeting

ATTACHMENTS:

	Description	Type
☐	Minutes from the September 14, 2022 Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	10/5/2022 - 5:20 PM
Chesapeake Bay Group	Small, Toni	Approved	10/5/2022 - 5:28 PM
Publication Management	Pobiak, Amanda	Approved	10/6/2022 - 8:59 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/6/2022 - 4:57 PM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
September 14, 2022
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for September 14, 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:

Halle Dunn, Vice Chairman
Charles Roadley
Larry Waltrip
Robert Lukens

Board Members Absent:

Michael O'Brien

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
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
Joshua Everard, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes from the June 8 2022, Regular Meeting

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

The minutes were approved on a voice vote.

2. Minutes from the July 13, 2022, Regular Meeting

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

The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

1. CBPA-22-0104 : 105 Ambrose Hill

A motion to Approve w/ Conditions was made by Robert Lukens, the motion result was

Passed.

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

Ayes: Dunn, Lukens, Roadley, Waltrip

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Lee Scott and Ms. Jeannie S Trainum for encroachments into the Resource Protection Area (RPA) for the removal and replacement of existing retaining walls. The property is further identified as James City County Parcel No. 5030400077. 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. Dunn opened the Public Hearing.

A. Mr. Joe Krallinger, The Structures Group, 3904 Matthews Circle, explained that the existing timber retaining wall is rotting and that the proposed wall will be a segmented concrete block wall installed along the same footprint as the existing wall.

Mr. Dunn closed the Public Hearing.

Mr. Roadley expressed support for the plan, citing the small degree to which further encroachment into the RPA would occur.

2. CBPA-22-0109 : 124 Thomas Cartwright

A motion to Approve w/ Conditions was made by Charles Roadley, the motion result was Passed.

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

Ayes: Dunn, Lukens, Roadley, Waltrip

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Sean Allburn for encroachments into the RPA for the construction of a fishing platform. The property is further identified as James City County Parcel No. 5130200021. 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.

Staff answered questions from the Board, including the proposed location of the platform.

Mr. Dunn opened the Public Hearing.

A. Mr. Sean Allburn, 124 Thomas Cartwright, answered questions from the Board about aspects of the plan including the size of the proposed platform and cause for choosing not to install a pier.

Mr. Woolson explained to the Board that construction of a pier at the site would involve approval from more agencies than the applicant currently has included in their proposal.

Mr. Roadley reiterated to Mr. Allburn the Board's purpose to reduce impact into the RPA by

enforcing the implementation of construction plans with the smallest footprint as possible.

Mr. Dunn closed the Public Hearing.

Mr. Roadley expressed support for the plan, citing its minimal encroachment into the RPA.

3. CBPA-22-0093 : 9250 Six Mount Zion Road: Stonehouse Tract S, Phase 1

A motion to Approve w/ Conditions was made by Larry Waltrip, the motion result was Passed.

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

Ayes: Dunn, Lukens, Roadley, Waltrip

Absent: O'Brien

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Jeff Huentelman, Land Planning Solutions, Inc., on behalf of MCP Stonehouse LLC, for encroachments into the RPA for the installation of a sanitary sewer line. The property is further identified as James City County Parcel No. 0540100011. 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.

Staff answered the questions from the Board regarding further details about the plan including the impact of proposed grading.

Mr. Dunn opened the Public Hearing.

A. Mr. Jeff Huentelman, Land Planning Solutions, Inc., 1403 Greenbrier Parkway, Chesapeake, VA, answered questions from the Board about details of the request including plans for runoff reduction at the site, the location of a proposed access road that will lead to a stormwater Best Management Practices facility, and confirmation of an aerial sewer line crossing.

Mr. Dunn closed the Public Hearing.

The Board deliberated the pros and cons of the application, including apparent impacts to the RPA and the importance of maintaining erosion control.

4. CBPA-22-0107 : 9100 Six Mount Zion Road : Stonehouse Tract 11A, Phase 1

A motion to Approve w/ Conditions was made by Charles Roadley, the motion result was Passed.

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

Ayes: Dunn, Lukens, Roadley, Waltrip

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Jeff Huentelman, Land Planning Solutions, Inc., on behalf of MCP Stonehouse LLC, for encroachments into the RPA for the installation of a sanitary sewer line. The property is further identified as James City County Parcel No. 0540100016. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Dunn opened the Public Hearing.

A. Mr. Jeff Huentelman, Land Planning Solutions, Inc., 1403 Greenbrier Parkway, Chesapeake, VA, offered further details about the precise location of proposed sewer line, especially as it relates to the nearby Stonehouse developments.

Mr. Dunn closed the Public Hearing.

5. CBPA-22-0105 : 124 James Bray Drive

A motion to Approve w/ Conditions was made by Halle Dunn, the motion result was Passed.

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

Ayes: Dunn, Lukens, Waltrip

Nays: Roadley

Absent: O'Brien

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources Inc., on behalf of Ms. Beverly Olsen, Olsen Fine Homebuilding, for encroachments into the RPA for the construction of a single-family dwelling. The property is further identified as James City County Parcel No. 31402A0014. 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.

Staff answered questions from the Board about the request, including details about the proximity of nearby wetlands and the viability of proposed canopy tree plantings.

Mr. Dunn opened the Public Hearing.

A. Mr. Chase Grogg, LandTech Resources Inc., 205 Bulifants Boulevard, Suite E, offered further details about the plan, including the expected effectiveness of proposed drainage solutions and the square footage and location of the house.

B. Mr. Daniel Chambers, 122 James Bray, objected to the plan, citing a history of drainage issues on his lot that will ostensibly be exacerbated by the proposed drainage plans at the site.

A. Mr. Grogg rebutted Mr. Chambers' assessment of the expected drainage conditions, asserting that water will not be directed to Mr. Chambers' lot.

A. and B. Mr. Chambers and Mr. Grogg discussed their interpretations of the proposed drainage solutions and subsequent impacts on the condition of the lots.

B. Mr. Chambers reiterated his objection, citing impact to his lot's property value, the view from his lot, and encroachment into the RPA of the proposed house.

C. Ms. Kim Orthner, 120 Crail, objected to the plan, citing impact to the surrounding environment.

D. Mr. Walter Orthner, 120 Crail, objected to the plan, citing issues with drainage and soil at the site. Mr. Orthner also referred to his observation of trees being cleared from the lots of other single-family dwelling construction projects in Ford's Colony.

E. Mr. Simon Watrous, 223 Woburn, asserted that there is no intention to clearcut the site and

that the smaller square footage of the house was chosen for its reduced impact.

D. Mr. Orthner reiterated both his observation of tree clearing from other lots in Ford's Colony and his objection to the plan.

Mr. Dunn closed the Public Hearing.

As a statement directed to the citizens, Mr. Roadley outlined the purpose of the Board and offered some detail on the history of resource and wetland protection in James City County.

Mr. Dunn commended the effort to reduce impact to the RPA that the plan demonstrates.

Mr. Waltrip stressed the importance of minimalizing tree clearing when preparing lots for home development. He also commended the apparent effort to manage drainage issues at the site.

The Board continued to discuss the pros and cons of the request.

E. BOARD CONSIDERATIONS

Mr. Lukens announced his decision to retire from his respective memberships with the Chesapeake Bay Board and Wetlands Board.

Mr. Woolson updated the Board on the other members' respective term expirations.

1. CBPA-21-0178 - 5508 Swan Road

A motion to Approve w/ Conditions was made by Charles Roadley, the motion result was Passed.

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

Ayes: Dunn, Lukens, Roadley, Waltrip

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the extension request submitted by Mr. Jason Hoyle for use of the RPA on property identified as James City County Parcel No. 3140600011 as set forth in the application CBPA-21-0178.

2. Election of Officers

Mr. Long reminded the Board that the results of this meeting's elections will remain in effect until the next regularly scheduled elections are held in November.

A motion to Appoint Individuals to Boards and Commissions was made by Halle Dunn, the motion result was Died for lack of Second.

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

Ayes:

Absent: O'Brien

Mr. Dunn nominated Mr. Roadley as Chair of the Chesapeake Bay Board.

A motion to Appoint Individuals to Boards and Commissions was made by Charles Roadley, the motion result was Passed.

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

Ayes: Lukens, Roadley, Waltrip

Nays: Dunn

Absent: O'Brien

Mr. Roadley nominated Mr. Dunn as Chair of the Chesapeake Bay Board.

A motion to Appoint Individuals to Boards and Commissions was made by Halle Dunn, the motion result was Passed.

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

Ayes: Dunn, Lukens, Roadley, Waltrip

Absent: O'Brien

Mr. Dunn nominated Mr. Roadley as Vice Chair of the Chesapeake Bay Board.

F. MATTERS OF SPECIAL PRIVILEGE

None.

G. ADJOURNMENT

A motion to Adjourn the meeting was made by Mr. Dunn and approved on a voice vote.

The meeting adjourned at 7:25 p.m.

ITEM SUMMARY

DATE: 10/12/2022
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-22-0111 : 36 Gray Gables

CBPA-22-0111: Mr. Lance Frost, Country Village MHP, has applied for a Chesapeake Bay Exception for encroachments into the Resource Protection Area (RPA) buffer for the installation of a mobile home on property located at 36 Gray Gables Drive, JCC Parcel No. 5920100001.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution to Approve	Resolution
☐	Resolution to Deny	Resolution
☐	Site Plan	Exhibit
☐	APO Letter	Backup Material
☐	APO List	Backup Material
☐	Gazette Ad	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	10/6/2022 - 5:08 PM
Chesapeake Bay Group	Small, Toni	Approved	10/6/2022 - 5:09 PM
Publication Management	Daniel, Martha	Approved	10/7/2022 - 8:36 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/7/2022 - 11:27 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-22-0111. 36 Gray Gables Drive
Staff Report for the October 12, 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. Lance Frost, Country Village Mobile Home Park (MHP)
Agent: Ms. Lisa Crumpler, Bobjack LTD
Location: 36 Gray Gables Drive
Parcel Identification No.: 5920100001
Parcel: Lot 36, Barlows
Lot Size: 0.12 acres
Area of Lot in Resource Protection Area (RPA): 0.06 acres (50%)
Watershed: Skiffes Creek (JL35)
Floodplain: None
Proposed Activity: Installation of a mobile home
Impervious Cover: 966 square feet
RPA Encroachment: 587 square feet, landward 50-foot RPA
Staff Contact: Robin Benedict, Watershed Planner Phone: 253-6781

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Lisa Crumpler, Bobjack LTD, has applied for a Chesapeake Bay Exception on behalf of Mr. Lance Frost, Country Village MHP for encroachments into the RPA buffer for the installation of a mobile home located at 36 Gray Gables Drive within the Country Village MHP subdivision and the Skiffes Creek watershed. The property is further identified as James City County Tax Map Parcel No. 5920100001. The parcel was platted in 1970, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.12 acres, of which 50% is located within the RPA. The applicant is proposing to replace the previously existing 1,064-square-foot home with a 966-square-foot home with two decks. The previous home was demolished around 2002 and the lot has remained vacant since. Total impacts to the RPA associated with this proposal equate to 587 square feet of impacts to the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equals 14 shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the installation of a mobile home. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the mobile home is a new installation on a lot that has remained vacant for approximately 20 years.

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

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The submittal of a mitigation plan equating to 14 shrubs be submitted to the Stormwater and Resource Protection Division; and
3. A surety of \$500 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
4. This exception request approval shall become null and void if construction has not begun by October 12, 2023; and
5. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than August 31, 2023, six weeks prior to the expiration date.

RB/md
CBPA22-111_36GryGbles

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-22-0111. 36 GRAY GABLES DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Lisa Crumpler, Bobjack LTD, on behalf of Mr. Lance Frost, Country Village Mobile Home Park, (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 12, 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. 5920100001 and further identified as 36 Gray Gables Drive (the “Property”) as set forth in the application CBPA-22-0111 for the purpose of installation of a mobile home; and

WHEREAS, the Board has heard the arguments presented and 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, finds that the application meets all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **APPROVES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0111, subject to the following conditions:

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The submittal of a mitigation plan equating to 14 shrubs be submitted to the Stormwater and Resource Protection Division; and
3. A surety of \$500 be submitted in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
4. This exception request approval shall become null and void if construction has not begun by October 12, 2023; and
5. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than August 31, 2023, six weeks prior to the expiration date.

Halle Dunn
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of October, 2022.

RESOLUTION

CASE NO. CBPA-22-0111. 36 GRAY GABLES DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Lisa Crumpler, Bobjack LTD, on behalf of Mr. Lance Frost, Country Village Mobile Home Park, (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 12, 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. 5920100001 and further identified as 36 Gray Gables Drive (the “Property”) as set forth in the application CBPA-22-0111 for the purpose of installation of a mobile home; and

WHEREAS, the Board has heard the arguments presented and 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, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0111.

Halle Dunn
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

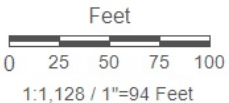
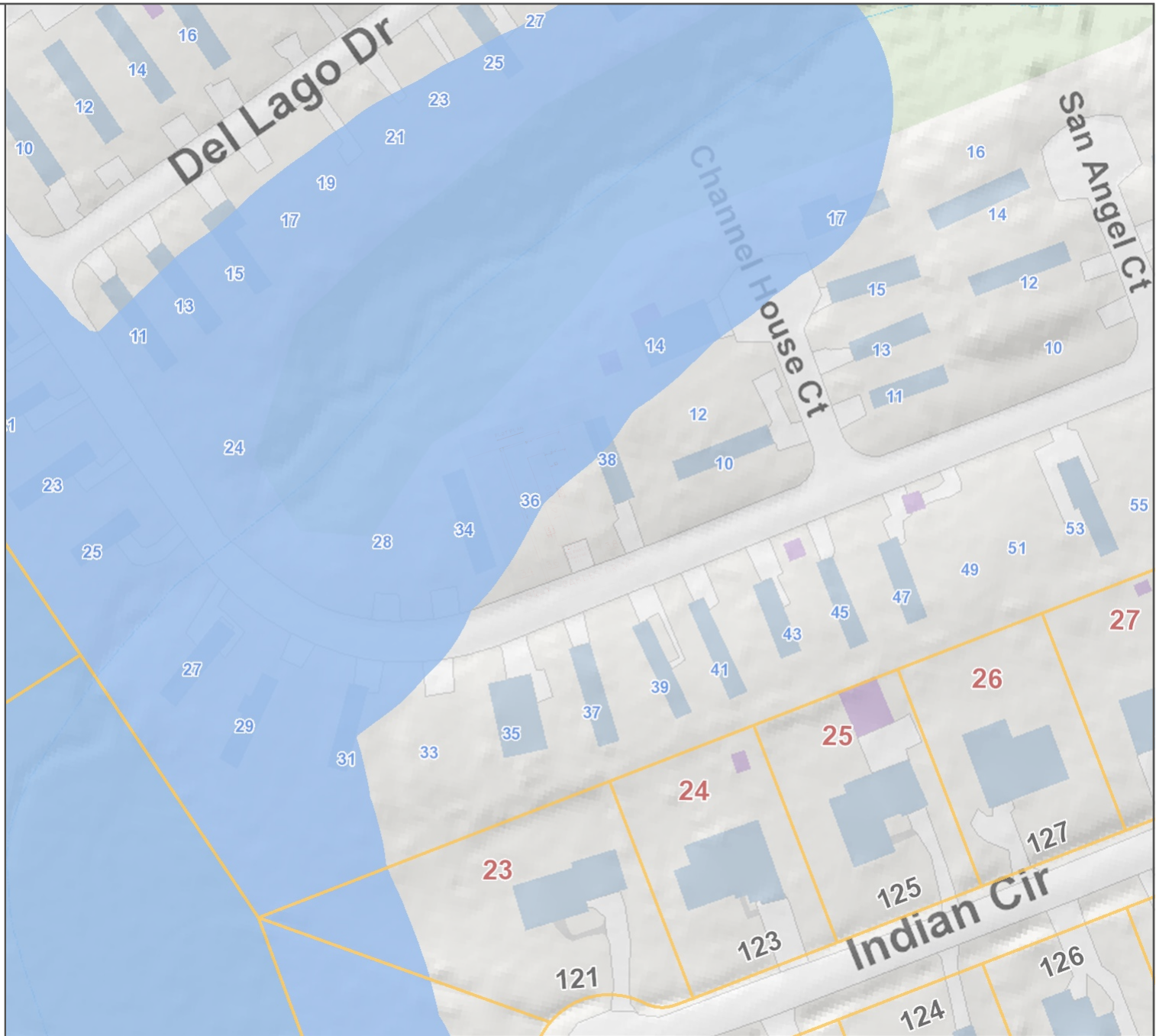
Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of October, 2022.

CBPA22-111_36GryGblesDeny-res



Legend

- Parcels
- Resource Protection Area RPA



Title:

Date: 9/20/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.



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
757-259-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

8766 POCAHONTAS LLC
3625 BEECH DOWN DR
CHANTILLY, VA 20151-3382

RE: CBPA-22-0111
36 Gray Gables Drive
Replacement of a mobile home

September 21, 2022

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. Lance Frost, Country Village MHP for encroachments into the Resource Protection Area (RPA) buffer for the installation of a mobile home on property located at 36 Gray Gables Drive, JCC Parcel No. 5920100001.

A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, October 12, 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



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ADKINS, CHAUNCEY L & MILDRED B
133 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

RE: CBPA-22-0111
36 Gray Gables Drive
Replacement of a mobile home

September 21, 2022

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1204 Jolly Pond Road
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757-565-0971

CARTERS COVE INC
203 THE MAINE
WILLIAMSBURG, VA 23185-1458

RE: CBPA-22-0111
36 Gray Gables Drive
Replacement of a mobile home

September 21, 2022

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757-565-0971

CARTERS COVE, INC.
203 THE MAINE
WILLIAMSBURG, VA 23185-1458

RE: CBPA-22-0111
36 Gray Gables Drive
Replacement of a mobile home

September 21, 2022

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757-565-0971

CHESTNUT GROVE DEVELOPMENT LLC
264 MCLAWS CIR ~STE H
WILLIAMSBURG, VA 23185-5677

RE: CBPA-22-0111
36 Gray Gables Drive
Replacement of a mobile home

September 21, 2022

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. Lance Frost, Country Village MHP for encroachments into the Resource Protection Area (RPA) buffer for the installation of a mobile home on property located at 36 Gray Gables Drive, JCC Parcel No. 5920100001.

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Sincerely,

Trevor Long

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



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**
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Williamsburg, VA 23185
757-259-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

DANIELS, DARRYL W & CECILIA M
131 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

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FEBIAR, CARLOS E & GAY R
121 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

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HERITAGE COMMUNITY LLC
7250 REDWOOD BLVD ~STE 360
NOVATO, CA 94945-3268

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September 21, 2022

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HILL, LOUISE L
121 GROVE HEIGHTS AVE
WILLIAMSBURG, VA 23185-6039

RE: CBPA-22-0111
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JOHNSON, JAMES SR & VERONICA
119 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

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LEWIS, CELIA J
127 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

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Lisa Crumpler
Bobjack LDT
10 GRAY GABLES DR
Williamsburg, VA 23185

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NEWPORT DATSUN
P O BOX 1219
KITTY HAWK, NC 27949-1219

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OWENS, RANDY ALLEN & OWENS KENNETH D
137 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

RE: CBPA-22-0111
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Replacement of a mobile home

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OWENS, RONALD DEAN
135 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

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OYER, EDWIN C TRUSTEE & MARION G TRUSTEE
139 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

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PALMER, CHARLINE DAVIS
8774 POCAHONTAS TRL
WILLIAMSBURG, VA 23185-6026

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PALMER, KEENAN W
PO BOX 15356
NEWPORT NEWS, VA 23605-0026

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Williamsburg, VA 23188
757-259-4122

**Stormwater and
Resource Protection**
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757-259-6670

Facilities & Grounds
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757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

SCARBOROUGH, MARGARET K
8750 POCAHONTAS TRL ~#A
WILLIAMSBURG, VA 23185-6027

RE: CBPA-22-0111
36 Gray Gables Drive
Replacement of a mobile home

September 21, 2022

Dear Adjacent Property Owner:

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A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, October 12, 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,

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757-253-6789
trevor.long@jamescitycountyva.gov



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SEJ ASSET MANAGEMENT & INVESTMENT
1722 ROUTH ST STE 1000
DALLAS, TX 75201-2506

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SKIFFES CREEK L.L.C.
473 WOLF DRIVE
NEWPORT NEWS, VA 23601-1900

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SNOWBURG, HOLLY I JR & KATHY J
101 WHITING AVE
WILLIAMSBURG, VA 23185-6011

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STATEWIDE INC
707 MOBJACK PLACE
NEWPORT NEWS, VA 23606-1929

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TAYLOR, BRANDON & JENNIFER
125 INDIAN CIR
WILLIAMSBURG, VA 23185-6214

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VIRGINIA ELECTRIC & POWER COMPANY
P O BOX 26666
RICHMOND, VA 23261-6666

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123 INDIAN CIR
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WILLIAMSBURG, VA 23185

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WILLIAMSBURG, VA 23185

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PIN	Last Name	Address Line 1	City	State	Zip Code
5910100021	8766 POCAHONTAS LLC	3625 BEECH DOWN DR	CHANTILLY	VA	20151-3382
5920200029	ADKINS, CHAUNCEY L & MILDRED B	133 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5910100020	CARTERS COVE INC	203 THE MAINE	WILLIAMSBURG	VA	23185-1458
5910100022	CARTERS COVE, INC.	203 THE MAINE	WILLIAMSBURG	VA	23185-1458
5910600001A	CHESTNUT GROVE DEVELOPMENT LLC	264 MCLAWS CIR ~STE H	WILLIAMSBURG	VA	23185-5677
5920200028	DANIELS, DARRYL W & CECILIA M	131 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5920200023	FEBIAR, CARLOS E & GAY R	121 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5920100003	HERITAGE COMMUNITY LLC	7250 REDWOOD BLVD ~STE 360	NOVATO	CA	94945-3268
5230100107	HILL, LOUISE L	121 GROVE HEIGHTS AVE	WILLIAMSBURG	VA	23185-6039
5920200022	JOHNSON, JAMES SR & VERONICA	119 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5920200026	LEWIS, CELIA J	127 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
	Lisa Crumpler Bobjack LDT	10 GRAY GABLES DR	Williamsburg	VA	23185
5920100001	NEWPORT DATSUN	P O BOX 1219	KITTY HAWK	NC	27949-1219
5920200031	OWENS, RANDY ALLEN & OWENS KENNETH D	137 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5920200030	OWENS, RONALD DEAN	135 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5920200032	OYER, EDWIN C TRUSTEE & MARION G TRUSTEE	139 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5910100023	PALMER, CHARLINE DAVIS	8774 POCAHONTAS TRL	WILLIAMSBURG	VA	23185-6026
5910100017	PALMER, KEENAN W	PO BOX 15356	NEWPORT NEWS	VA	23605-0026
5240200016	PALMER, KEENAN W	PO BOX 15356	NEWPORT NEWS	VA	23605-0026
5240200018	PALMER, KEENAN W	PO BOX 15356	NEWPORT NEWS	VA	23605-0026
5910100019	SCARBOROUGH, MARGARET K	8750 POCAHONTAS TRL ~#A	WILLIAMSBURG	VA	23185-6027
5910100024A	SEJ ASSET MANAGEMENT & INVESTMENT	1722 ROUTH ST STE 1000	DALLAS	TX	75201-2506
5920100044	SKIFFES CREEK L.L.C.	473 WOLF DRIVE	NEWPORT NEWS	VA	23601-1900
5230200027	SNOWBURG, HOLLY I JR & KATHY J	101 WHITING AVE	WILLIAMSBURG	VA	23185-6011
5920200027	STATEWIDE INC	707 MOBJACK PLACE	NEWPORT NEWS	VA	23606-1929
5920200025	TAYLOR, BRANDON & JENNIFER	125 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5920100002	VIRGINIA ELECTRIC & POWER COMPANY	P O BOX 26666	RICHMOND	VA	23261-6666
5920200024	WARD, WAYNE T	123 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
	RESIDENT	34 Gray Gables Dr	WILLIAMSBURG	VA	23185
	RESIDENT	38 Gray Gables Dr	WILLIAMSBURG	VA	23185
	RESIDENT	37 Gray Gables Dr	WILLIAMSBURG	VA	23185
	RESIDENT	35 Gray Gables Dr	WILLIAMSBURG	VA	23185
	RESIDENT	39 Gray Gables Dr	WILLIAMSBURG	VA	23185



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY OCTOBER 12, 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-22-0111: Mr. Lance Frost, Country Village MHP, has applied for a Chesapeake Bay Exception for encroachments into the Resource Protection Area (RPA) buffer for the installation of a mobile home on property located at 36 Gray Gables Drive, JCC Parcel No. 5920100001.

CBPA-22-0126: Property Owner has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a raised garden bed, walkway, greenhouse, deck, pergola, and two sheds on property located at 112 Discovery Lane, JCC Parcel No. 4730500020.

CBPA-22-0121: Mr. Travis Edelen, VHB, has applied for a Chesapeake Bay Exception on behalf of JTR Properties, LLC for encroachments into the RPA buffer for the installation of sanitary sewer line on property located at 1676 Jamestown Road, JCC Parcel No. 4730100036.

CBPA-22-0116: Mr. Douglas Lundberg has applied for a Chesapeake Bay Exception on behalf of Mr. John and Mrs. Sharon Jones for encroachments into the RPA buffer for the extension of a deck on property located at 1572 Harbor Road, JCC Parcel No. 4310200017.

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 Sep 28, 2022 and Oct 5, 2022.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

CARD # x6648

ITEM SUMMARY

DATE: 9/14/2022
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-22-0121 : 1676 Jamestown Road

CBPA-22-0121: Mr. Travis Edelen, VHB, has applied for a Chesapeake Bay Exception on behalf of JTR Properties, LLC for encroachments into the RPA buffer for the installation of sanitary sewer line on property located at 1676 Jamestown Road, JCC Parcel No. 4730100036.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution to Approval	Resolution
☐	Resolution to Deny	Resolution
☐	Site Plan	Exhibit
☐	Open Space Easement	Exhibit
☐	APO List	Backup Material
☐	Gazette Ad	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	10/5/2022 - 5:21 PM
Chesapeake Bay Group	Small, Toni	Approved	10/5/2022 - 5:28 PM
Publication Management	Pobiak, Amanda	Approved	10/6/2022 - 8:53 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/6/2022 - 4:56 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA- 22-0121. 1676 Jamestown Road
Staff Report for the October 12, 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: JTR Properties LLC

Agent: Anthony Loubier, VHB

Location: 1676 Jamestown Road

Parcel Identification No.: 4730100036

Parcel: Pt Of Neck of Land

Project Area: 17.35 acres

Area of Lot in Resource Protection Area (RPA): 7.60 acres (44%)

Watershed: Powhatan Creek (JL31)

Floodplain: Zone AE Elevation 7

Proposed Activity: Installation of a sanitary sewer

Impervious Cover: 0 square feet

RPA Encroachment: 2,304 square feet

Staff Contact: Robin Benedict, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of JTR Properties LLC for encroachments into the RPA buffer for the installation of a sanitary sewer located at 1676 Jamestown Road within the Powhatan Terrace subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4730100036.

The total project area is 17.35 acres, of which 44% is located within the RPA. The applicants are proposing to install a sanitary sewer connection to the existing pump station on the adjacent property. Total impacts to the RPA associated with this proposal equate to 2,340 square feet. Required mitigation for this amount of impacts equals double the amount of impacts as dedicated undisturbed natural open space. The applicant has proposed mitigation for these impacts with a total of 1.99 acres (86,506 square feet) of undisturbed natural open space as mitigation.

STAFF EVALUATION

Staff has evaluated the application and exception request for the installation of a sanitary sewer. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the installation of a sanitary sewer is not water dependent and is proposed to be constructed within the RPA buffer.

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 the request, staff recommends the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Deed of Natural Open Space be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a Land Disturbing Permit; and
3. This exception request approval shall become null and void if construction has not begun by October 12, 2023; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than August 31, 2023, six weeks prior to the expiration date.

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-22-0121. 1676 JAMESTOWN ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Anthony Loubier, Vanasse Hangen Brustlin, Inc., on behalf of JTR Properties, LLC, (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 12, 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. 4730100036 and further identified as 1676 Jamestown Road (the “Property”) as set forth in the application CBPA-22-0121 for the purpose of installation of a sanitary sewer; and

WHEREAS, the Board has heard the arguments presented and 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, finds that the application meets all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **APPROVES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0121, subject to the following conditions:

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Deed of Natural Open Space be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a Land Disturbing Permit; and
3. This exception request approval shall become null and void if construction has not begun by October 12, 2023; and
4. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than August 31, 2023, six weeks prior to the expiration date.

Halle Dunn
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of October, 2022.

CBPA22-121_1676JmstwnRdApp-res

RESOLUTION

CASE NO. CBPA-22-0121. 1676 JAMESTOWN ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Anthony Loubier, Vanasse Hangen Brustlin, Inc., on behalf of JTR Properties, LLC, (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 12, 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. 4730100036 and further identified as 1676 Jamestown Road (the “Property”) as set forth in the application CBPA-22-0121 for the purpose of installation of a sanitary sewer; and

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

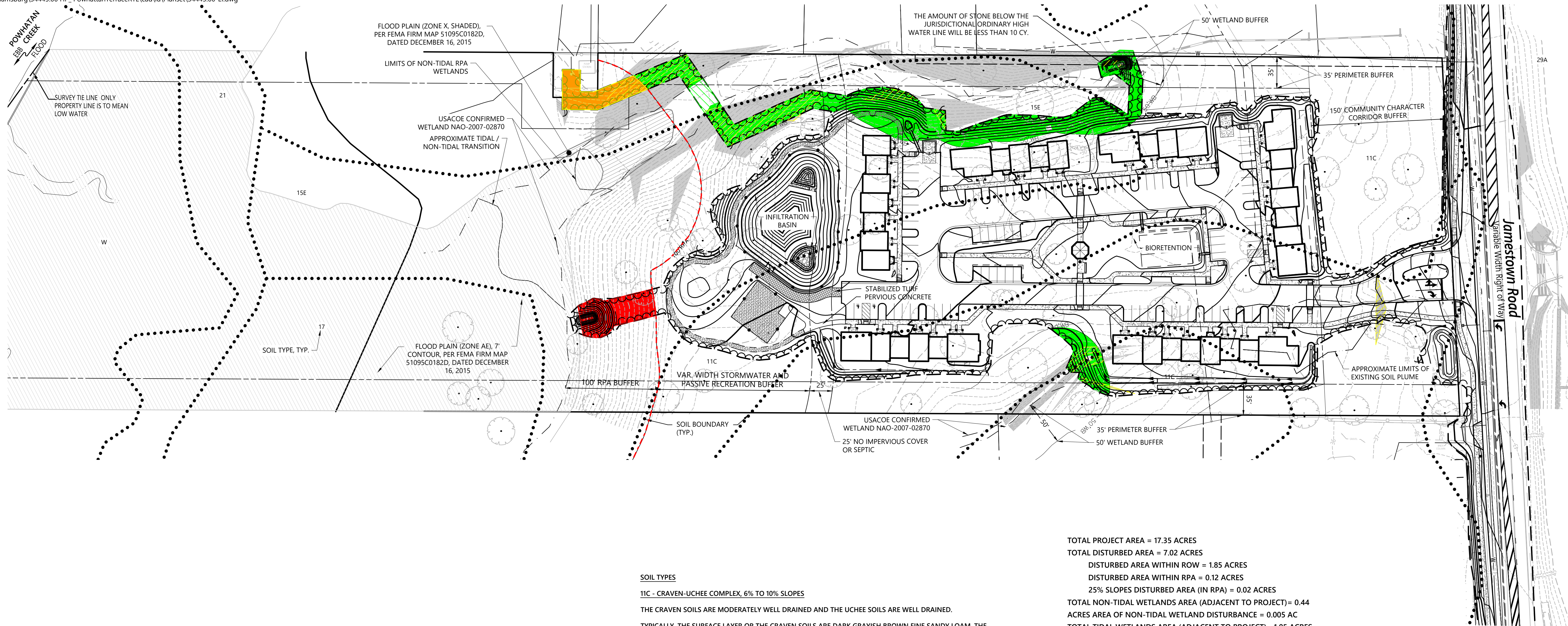
NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0121.

Halle Dunn
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of October, 2022.

CBPA22-121_1676JmstwnRdDny-res



NOTE: THE CONTRACTOR SHALL HAVE A LICENSED GEOTECHNICAL ENGINEER ON SITE DURING EARTHWORK OPERATIONS WITHIN THE LIMITS OF THE REMEDIATED SOIL CONTAMINATION AREA AS IDENTIFIED ON THESE PLANS. IF ANY CONTAMINATED SOIL IS DISTURBED DURING EARTHWORK OPERATIONS, THE CONTRACTOR IS TO REMOVE AND DISPOSE OF THE CONTAMINATED MATERIAL AT THE DIRECTION OF THE GEOTECHNICAL ENGINEER AND IN ACCORDANCE WITH STATE LAW. CONTAMINATED SOILS SHALL NOT BE PLACED IN CONSTRUCTED BERMS ON SITE.

SOIL TYPES

11C - CRAVEN-UCHEE COMPLEX, 6% TO 10% SLOPES

THE CRAVEN SOILS ARE MODERATELY WELL DRAINED AND THE UCHEE SOILS ARE WELL DRAINED.

TYPICALLY, THE SURFACE LAYER OR THE CRAVEN SOILS ARE DARK GRAYISH BROWN FINE SANDY LOAM. THE SUBSURFACE LAYER IS PALE OLIVE FINE SANDY LOAM. THE SUBSOIL IS A YELLOWISH BROWN CLAY IN THE UPPER PART WITH YELLOWISH BROWN SANDY CLAY LOAM MOTTLED WITH GRAY IN THE MIDDLE AND LOWER PARTS. THE SUBSTRATUM IS BROWNISH YELLOW FINE SANDY LOAM MOTTLED WITH GRAY IN THE UPPER PART AND GRAY LOAMY FINE SAND WITH YELLOW MOTTLES IN THE LOWER PART.

TYPICALLY, THE SURFACE LAYER OF THE UCHEE SOIL ARE DARK GRAYISH LOAMY FINE SAND. THE SUBSURFACE LAYER IS LIGHT YELLOWISH BROWN AND VERY PALE BROWN LOAMY FINE SAND. THE SUBSOIL IS STRONG BROWN SANDY CLAY LOAM IN THE UPPER AND STRONG BROWN SANDY CLAY LOAM AND CLAY MOTTLED WITH GRAY AND RED IN THE LOWER PART. THE SUBSTRATUM IS VARIEGATED RED, BROWN AND GRAY STRATIFIED SANDY LOAM AND SANDY CLAY LOAM.

THE SHRINK/SWELL POTENTIAL FOR THE CRAVEN AND UCHEE SOILS ARE LOW TO MODERATE. THE EROSION FACTOR "K" IS FROM 0.32 TO 0.37 FOR THE CRAVEN SOIL AND 0.20 TO 0.28 FOR THE UCHEE SOIL. CRAVEN SOILS ARE IN HYDROLOGIC GROUP "C", UCHEE SOILS ARE IN HYDROLOGIC GROUP "A".

15E - EMPORIA COMPLEX, 15% TO 25% SLOPES

THE EMPORIA SOIL IS WELL DRAINED.

TYPICALLY, THE SURFACE LAYER IS DARK GRAYISH BROWN FINE SANDY LOAM. THE SUBSURFACE LAYER IS PALE BROWN LOAM. THE SUBSOIL IS YELLOWISH BROWN LOAM WITH MOSTLY STRONG BROWN AND GRAY MOTTLES IN THE MIDDLE PART; AND MOTTLED GRAY AND BROWN, FIRM SANDY CLAY LOAM IN THE LOWER PART. THE SUBSTRATUM IS VARIEGATED GRAY, BROWN AND RED FIRM SANDY CLAY LOAM.

THE PERMEABILITY OF THIS SOIL IS MODERATE IN THE UPPER PART OF THE SUBSOIL AND MODERATELY SLOW IN THE LOWER PART. THE AVAILABLE WATER CAPACITY IS MODERATE.

THE SHRINK/SWELL POTENTIAL FOR THE SUBSOIL IS MODERATE. THE EROSION FACTOR "K" IS FROM 0.20 TO 0.28. EMPORIA SOILS ARE IN HYDROLOGIC GROUP "C".

29A - SLAGLE FINE SANDY LOAM, 0% TO 2% SLOPES

THE SLAGLE FINE SANDY LOAM SOIL IS MODERATELY WELL DRAINED.

TYPICALLY, THE SURFACE LAYER OF THIS SOIL IS DARK GRAYISH BROWN FINE SANDY LOAM. THE SUBSURFACE LAYER IS LIGHT YELLOWISH BROWN FINE SANDY LOAM. THE SUBSOIL IS MOSTLY MOTTLED YELLOWISH BROWN CLAY LOAM AND SANDY CLAY LOAM. THE SUBSTRATUM IS MOTTLED SANDY CLAY LOAM.

THE PERMEABILITY OF THIS SLAGLE FINE SANDY LOAM SOIL IS MODERATE IN THE UPPER PART OF THE SUBSOIL AND MODERATELY SLOW OR SLOW IN THE LOWER PART. THE AVAILABLE WATER CAPACITY IS MODERATE.

THE SHRINK/SWELL POTENTIAL FOR THE SLAGLE FINE SANDY LOAM SOIL IS MODERATE. THE EROSION FACTOR "K" IS 0.24. NORFOLK SOILS ARE IN HYDROLOGIC GROUP "C".

29B - SLAGLE FINE SANDY LOAM, 2% TO 6% SLOPES

THE SLAGLE FINE SANDY LOAM SOIL IS MODERATELY WELL DRAINED.

TYPICALLY, THE SURFACE LAYER OF THIS SOIL IS DARK GRAYISH BROWN FINE SANDY LOAM. THE SUBSURFACE LAYER IS LIGHT YELLOWISH BROWN FINE SANDY LOAM. THE SUBSOIL IS MOSTLY MOTTLED YELLOWISH BROWN CLAY LOAM AND SANDY CLAY LOAM. THE SUBSTRATUM IS MOTTLED SANDY CLAY LOAM.

THE PERMEABILITY OF THIS SLAGLE FINE SANDY LOAM SOIL IS MODERATE IN THE UPPER PART OF THE SUBSOIL AND MODERATELY SLOW OR SLOW IN THE LOWER PART. THE AVAILABLE WATER CAPACITY IS MODERATE.

THE SHRINK/SWELL POTENTIAL FOR THE SLAGLE FINE SANDY LOAM SOIL IS MODERATE. THE EROSION FACTOR "K" IS 0.24. NORFOLK SOILS ARE IN HYDROLOGIC GROUP "C".

W - WATER

TOTAL PROJECT AREA = 17.35 ACRES
 TOTAL DISTURBED AREA = 7.02 ACRES
 DISTURBED AREA WITHIN ROW = 1.85 ACRES
 DISTURBED AREA WITHIN RPA = 0.12 ACRES
 25% SLOPES DISTURBED AREA (IN RPA) = 0.02 ACRES
 TOTAL NON-TIDAL WETLANDS AREA (ADJACENT TO PROJECT) = 0.44 ACRES
 ACRES AREA OF NON-TIDAL WETLAND DISTURBANCE = 0.005 AC
 TOTAL TIDAL WETLANDS AREA (ADJACENT TO PROJECT) = 1.05 ACRES
 TOTAL AREA OF TIDAL WETLAND DISTURBANCE = 0.0 AC

PROJECT IMPERVIOUS AREAS

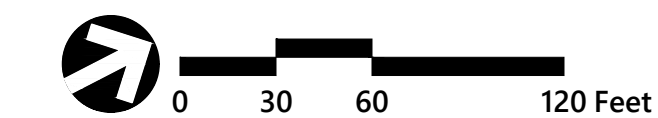
	TOTAL PROJECT	RPA
PRE-DEVELOPMENT	1.33 ACRES	0.0 ACRES
POST DEVELOPMENT	3.71 ACRES	0.0 ACRES
% INCREASE	14%	0.0%

NOTES:

- TIDAL WETLANDS: THERE ARE NO TIDAL WETLANDS LOCATED WITHIN THE SITE AREA INCLUDING THE RPA AND RMA AREAS.
- TIDAL SHORES: THERE ARE NO TIDAL SHORES LOCATED WITHIN THE DISTURBED AREA INCLUDING THE RPA AND RMA.
- 100 FOOT RPA BUFFER: THE 100 FOOT RPA BUFFER IS SHOWN AS EXTENDING 100 FEET LANDWARD OF THE FIELD LOCATED WETLANDS.
- 25% SLOPES: SLOPES OF 25% OR GREATER ARE SHOWN ON THIS SHEET AND ARE BASED ON AERIAL TOPOGRAPHIC SURVEYS OF THE AREA. 0.12 AC ARE IMPACTED.
- FLOOD ZONE: THIS PROJECT IS LOCATED WITHIN FEMA FIRM ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN), ZONE X500 (AREAS DETERMINED TO BE INSIDE THE 500 YEAR FLOOD PLAIN), AND ZONE AE (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; BFE=7 FEET) AS SHOWN ON FEMA FIRM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 51095C0182D DATED DEC. 16, 2015.

LEGEND:

- LIMITS OF WORK
- 50'WB WETLAND BUFFER ZONE
- WETLAND BUFFER IMPACTS
- RPA BUFFER IMPACTS
- STEEP SLOPE
- STEEP SLOPE IMPACTS
- WETLAND IMPACTS
- SOIL BOUNDARY
- 100 YEAR FLOOD PLAIN (ZONE AE) 7' CONTOUR, PER FEMA FIRM MAP 51095C0182D, DATED DECEMBER 16, 2015



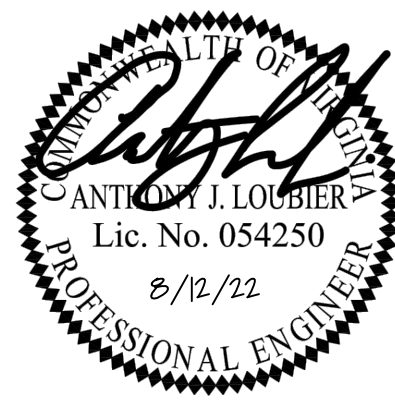
**Powhatan Terrace
 James City County, VA**

1676 Jamestown Road
 Williamsburg, Virginia

No.	Revision	Date	App'd.
5	Revised Per County Comments	8/12/2022	SAR
4	Revised Per County Comments	1/26/2022	SAR
3	Revised Per Building Revisions	9/24/2021	SAR
2	Revised Per County Comments	6/25/2021	SAR
1	Revised Per County Comments	4/24/2020	SAR

Designed by: _____ Checked by: _____
 Issued for: _____ Date: August 12, 2022
Approval

Environmental Inventory



C-15

Sheet 8 of 47

Project Number: 34445.00
 JCC CASE #SP-19-0001

Certificate Of Source Of Title

PARCEL ID 4730100036/4730100037/4730100039
 THE PROPERTY SHOWN ON THIS PLAT WAS CONVEYED BY ASSOCIATED DEVELOPERS, INC TO JTR PROPERTIES, LLC, BY INSTRUMENT, DATED 9/14/2011 AND RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY IN INSTRUMENT 110019987.

Owner's Consent

THE PLATTING OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER AND THE SUBDIVISION ORDINANCE OF JAMES CITY COUNTY, VIRGINIA.

IN WITNESS THEREOF IS HEREBY PLACED THE FOLLOWING SIGNATURES AND SEALS.

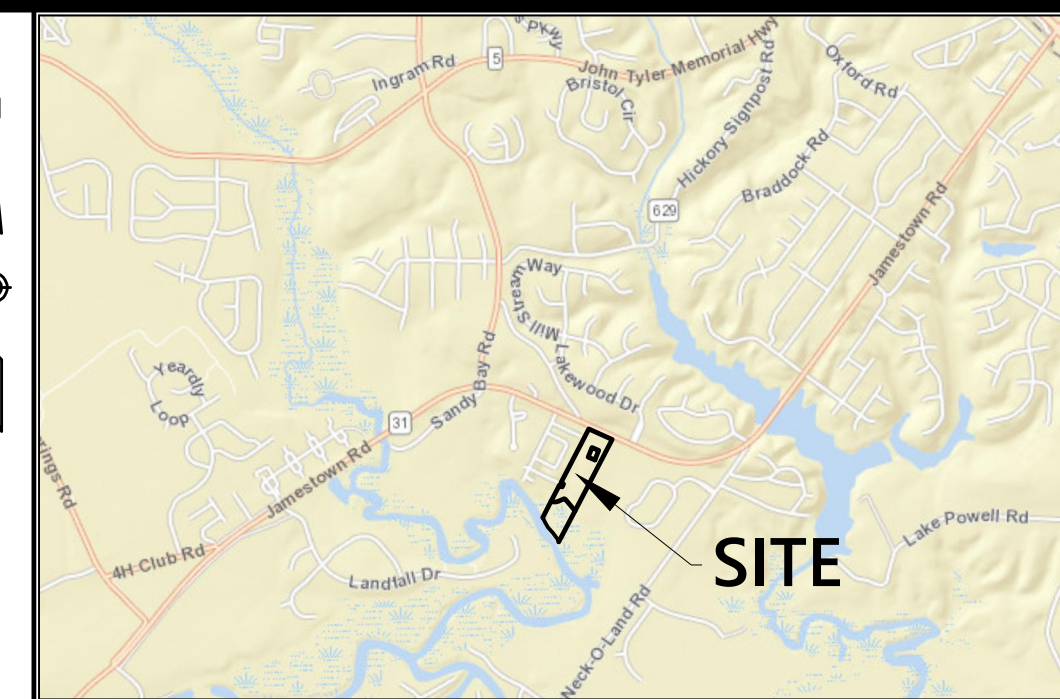
STATE OF VIRGINIA
 COMMONWEALTH AT LARGE

I, _____, A NOTARY PUBLIC IN AND FOR THE AFORESAID COMMONWEALTH DO HEREBY CERTIFY THAT _____, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, HAS PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE SAME ON THIS DAY OF _____, 20____.

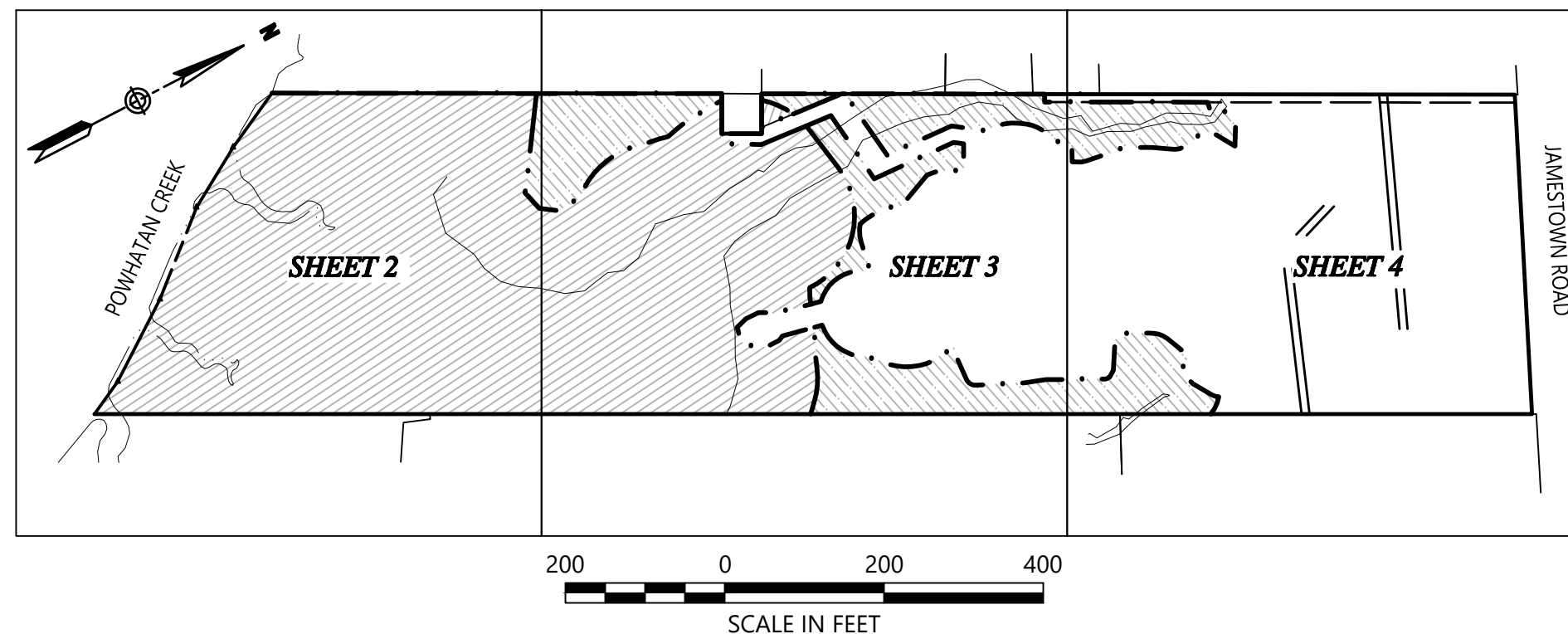
NOTARY PUBLIC
 MY COMMISSION EXPIRES:

OPEN SPACE AREA SUMMARY

AREA	WITHIN RPA	OUTSIDE RPA	TOTAL
1A	297,664 SQ. FT. / 6.8334 AC.	0 SQ. FT. / 0 AC.	
1B	734 SQ. FT. / 0.0169 AC.	0 SQ. FT. / 0 AC.	
1	298,398 SQ. FT. / 6.8503 AC.	0 SQ. FT. / 0 AC.	298,398 SQ. FT. / 6.8503 AC.
2A	0 SQ. FT. / 0 AC.	31,113 SQ. FT. / 0.7143 AC.	
2B	0 SQ. FT. / 0 AC.	10,308 SQ. FT. / 0.2366 AC.	
2C	0 SQ. FT. / 0 AC.	19,289 SQ. FT. / 0.4428 AC.	
2D	0 SQ. FT. / 0 AC.	1,376 SQ. FT. / 0.0316 AC.	
2E	0 SQ. FT. / 0 AC.	24,420 SQ. FT. / 0.5606 AC.	
2	0 SQ. FT. / 0 AC.	86,506 SQ. FT. / 1.9859 AC.	86,506 SQ. FT. / 1.9859 AC.



Vicinity Map
 1" = 3,000'



General Notes

1. THIS PROPERTY IS ZONED R-2.
2. THESE PROPERTIES REPRESENT JAMES CITY COUNTY TAX PARCELS 4730100036,
3. THIS PROPERTY APPEAR TO LIE WITHIN FLOOD ZONE X AND ZONE AE ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY-NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY PANEL NO. 51095C0182D, DATED SEPT. 16, 2015.
4. THIS PROPERTY IS SERVED OR ARE TO BE SERVED BY PUBLIC WATER AND PUBLIC SEWER.
5. ALL NEW UTILITIES SHALL BE PLACED UNDERGROUND IN ACCORDANCE WITH SECTION 19-33 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
6. COORDINATE VALUES SHOWN BASED ON JAMES CITY COUNTY GEODETIC CONTROL MONUMENT STA. NO. 318
7. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT DEPICT ALL TITLE MATTERS AND/OR ENCUMBRANCES AFFECTING THE SUBJECT PROPERTY.
8. NEW MONUMENTS WILL BE SET IN ACCORDANCE WITH SECTIONS 19-34 THROUGH 19-36 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
9. THIS PROPERTY LIES PARTIALLY WITHIN A RESOURCE PROTECTION AREA AND A RESOURCE MANAGEMENT AREA AND IS SUBJECT TO JAMES CITY COUNTY'S CHESAPEAKE BAY PRESERVATION ORDINANCE.
10. WETLANDS AND LANDS WITHIN RESOURCE PROTECTION AREAS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES PERMITTED BY SECTION 23-7(c)(1) OF THE JAMES CITY COUNTY CODE.
11. RESOURCE PROTECTION LINE (100'RPA) AND WETLANDS BUFFER (50'WB) AS SHOWN HEREON ARE BASED ON A FIELD DELINEATION BY VHB AND APPROVED BY JAMES CITY COUNTY JAMES CITY COUNTY.
12. ANY EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.
13. PROPERTY IS SUBJECT TO LAND USE CASES Z-0007-2007, MP-0005-2007, SUP-0020-2007, Z-0004-2017, Z-20-0005 AND Z-19-0001

Surveyor's Certification

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA.



Certificate of Approval

THIS BOUNDARY LINE IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

 JAMES CITY COUNTY SUBDIVISION AGENT

REFERENCES
 INST. NO. 110019987 (DEED)
 INST. NO. 080014310 (PLAT)
 INST. NO. 0600022202 (DEED)
 D.B. 74, PAGE 98 (DEED)
 D.B. 74, PAGE 100 (PLAT)

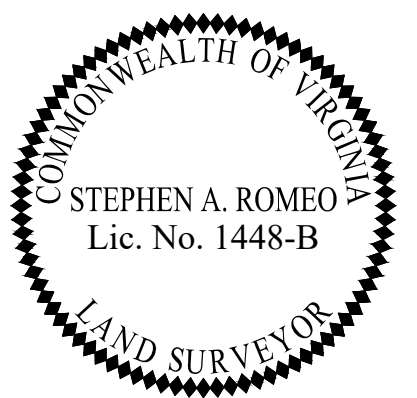
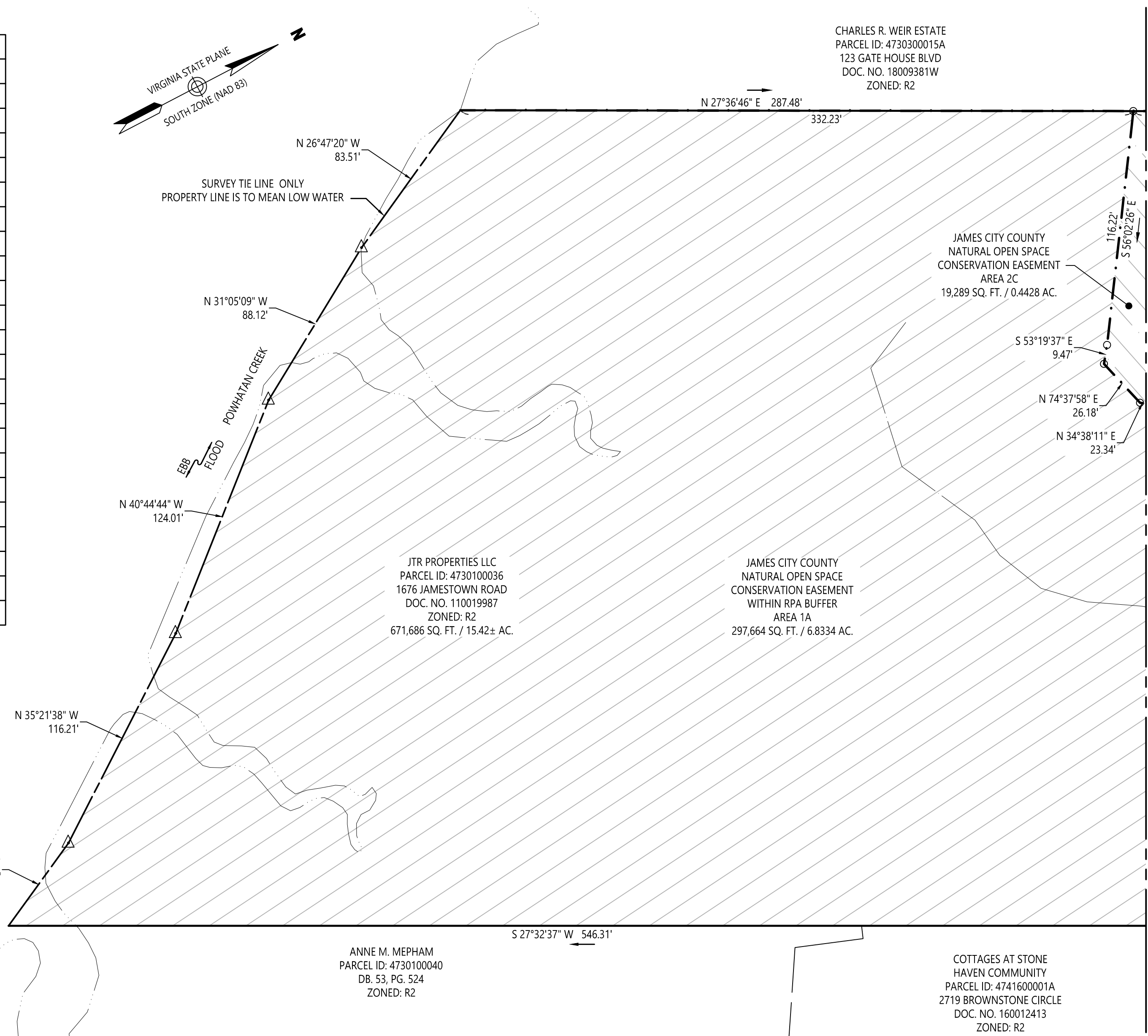
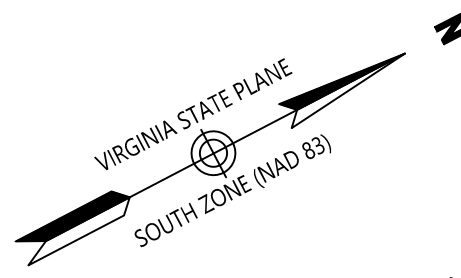
**Natural Open Space Easement
 Being The Property Of
 JTR Properties, LLC
 Parcel 4730100036**

James City County, Virginia

DATE: 8/08/2022	SHEET 1 OF 4	SCALE: 1" = 200'
PROJECT NO: 34445.01	DRAWN BY: CRO	CHECKED BY: SAR

vhb Transportation Land Development Environmental Services
 351 McLaws Circle, Suite 3
 Williamsburg, Virginia 23185
 757 220 0500 • FAX 757 903 2794

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S13°25'19"W	45.49'
L2	N0°23'31"E	19.42'
L3	N28°47'30"W	6.54'
L4	N12°25'08"E	41.87'
L5	N62°22'56"W	8.14'
L6	N62°22'56"W	33.68'
L7	N62°22'56"W	8.26'
L8	S5°00'00"W	42.90'
L9	S5°00'00"W	66.16'
L10	N5°00'00"E	33.56'
L11	N36°00'00"E	12.51'
L12	S13°25'19"W	12.67'
L13	N12°25'08"E	9.92'
L14	S62°22'54"E	9.94'
L15	S77°33'33"E	14.66'
L16	N12°26'27"E	15.51'
L17	N65°45'34"E	20.79'
L18	S60°26'36"E	32.26'
L19	S59°06'23"W	35.36'
L20	S24°48'28"W	9.24'
L21	S10°15'09"E	32.30'
L22	S32°34'42"W	23.80'



CURVE TABLE						
NUMBER	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C1	100.00'	79.44'	45°30'47"	41.95'	N13°18'13"W	77.36'
C2	100.00'	18.39'	10°32'14"	9.22'	N8°56'11"W	18.36'
C3	100.00'	6.87'	3°56'14"	3.44'	N78°11'07"E	6.87'
C4	100.00'	177.03'	101°25'51"	122.24'	S49°07'50"E	154.80'
C5	100.00'	4.06'	2°19'27"	2.03'	S64°23'21"E	4.06'
C6	100.00'	43.51'	24°55'46"	22.10'	N51°04'10"E	43.17'
C7	219.00'	5.55'	1°27'04"	2.77'	S64°03'42"E	5.55'
C8	10.43'	13.34'	73°18'48"	7.76'	S0°24'49"W	12.45'
C9	56.89'	36.25'	36°30'23"	18.76'	S18°49'01"W	35.64'

CURVE TABLE						
NUMBER	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C10	88.62'	46.37'	29°58'49"	23.73'	S0°02'23"E	45.85'
C11	58.10'	46.04'	45°23'59"	24.30'	S76°26'57"E	44.84'
C12	10.53'	20.96'	114°03'00"	16.23'	S30°32'26"E	17.67'
C13	54.10'	68.71'	72°45'56"	39.86'	S9°53'54"E	64.19'
C14	58.58'	58.56'	57°16'36"	31.99'	N70°05'24"E	56.15'
C15	158.58'	44.86'	16°12'24"	22.58'	N42°18'32"E	44.71'
C16	77.93'	56.44'	41°30'05"	29.52'	N22°30'21"E	55.22'
C17	12.87'	15.57'	69°18'09"	8.89'	N59°10'23"E	14.63'
C18	19.55'	20.42'	59°51'27"	11.25'	N0°40'49"W	19.50'

CURVE TABLE						
NUMBER	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C19	36.43'	24.83'	39°03'19"	12.92'	N44°07'49"E	24.35'
C20	19.44'	9.48'	27°55'36"	4.83'	N44°10'56"E	9.38'
C21	50.00'	23.91'	27°24'03"	12.19'	S37°16'08"E	23.68'
C22	34.76'	15.51'	25°34'14"	7.89'	S20°06'05"W	15.38'
C23	37.54'	15.56'	23°45'26"	7.90'	S24°58'05"W	15.45'
C24	53.17'	29.62'	31°54'59"	15.20'	S53°01'15"W	29.24'
C25	87.00'	46.51'	30°37'37"	23.82'	S21°44'57"W	45.96'



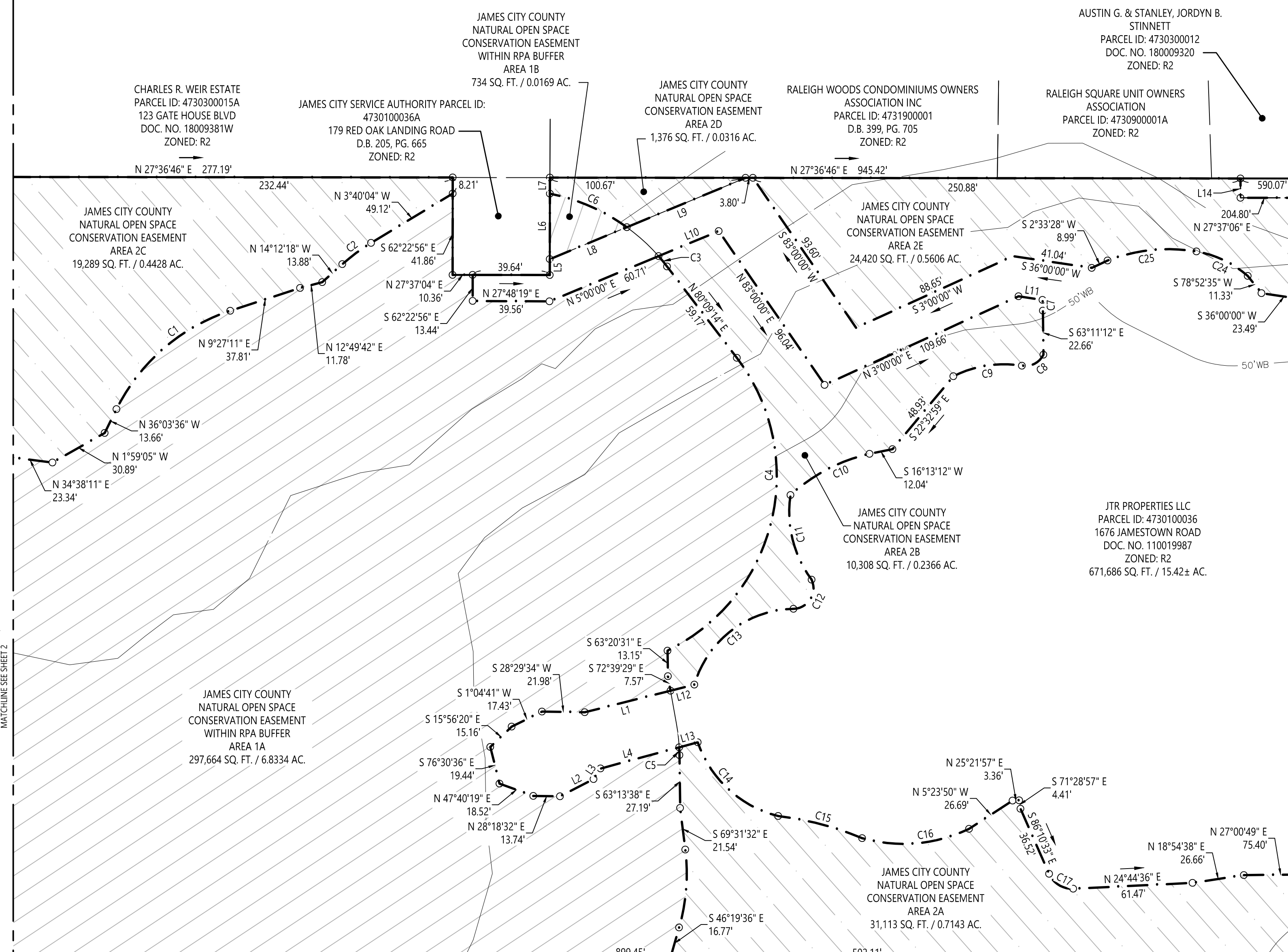
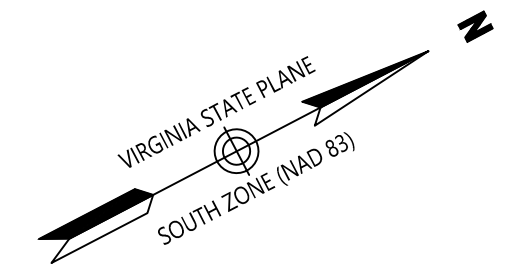
Natural Open Space Easement Being The Property Of JTR Properties, LLC Parcel 4730100036

James City County, Virginia

DATE: 8/08/2022	SHEET 2 OF 4	SCALE: 1"=40'
PROJECT NO: 34445.01	DRAWN BY: CRO	CHECKED BY: SAR

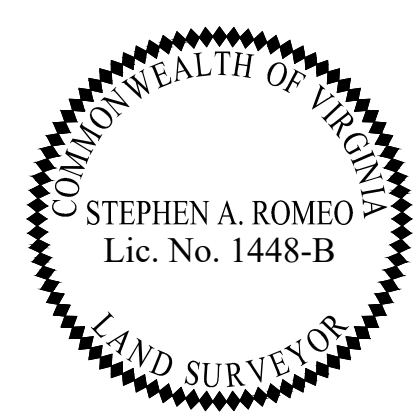
Transportation
Land Development
Environmental Services

351 McLaws Circle, Suite 3
Williamsburg, Virginia 23185
757 220 0500
FAX 757 903 2794



MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 2



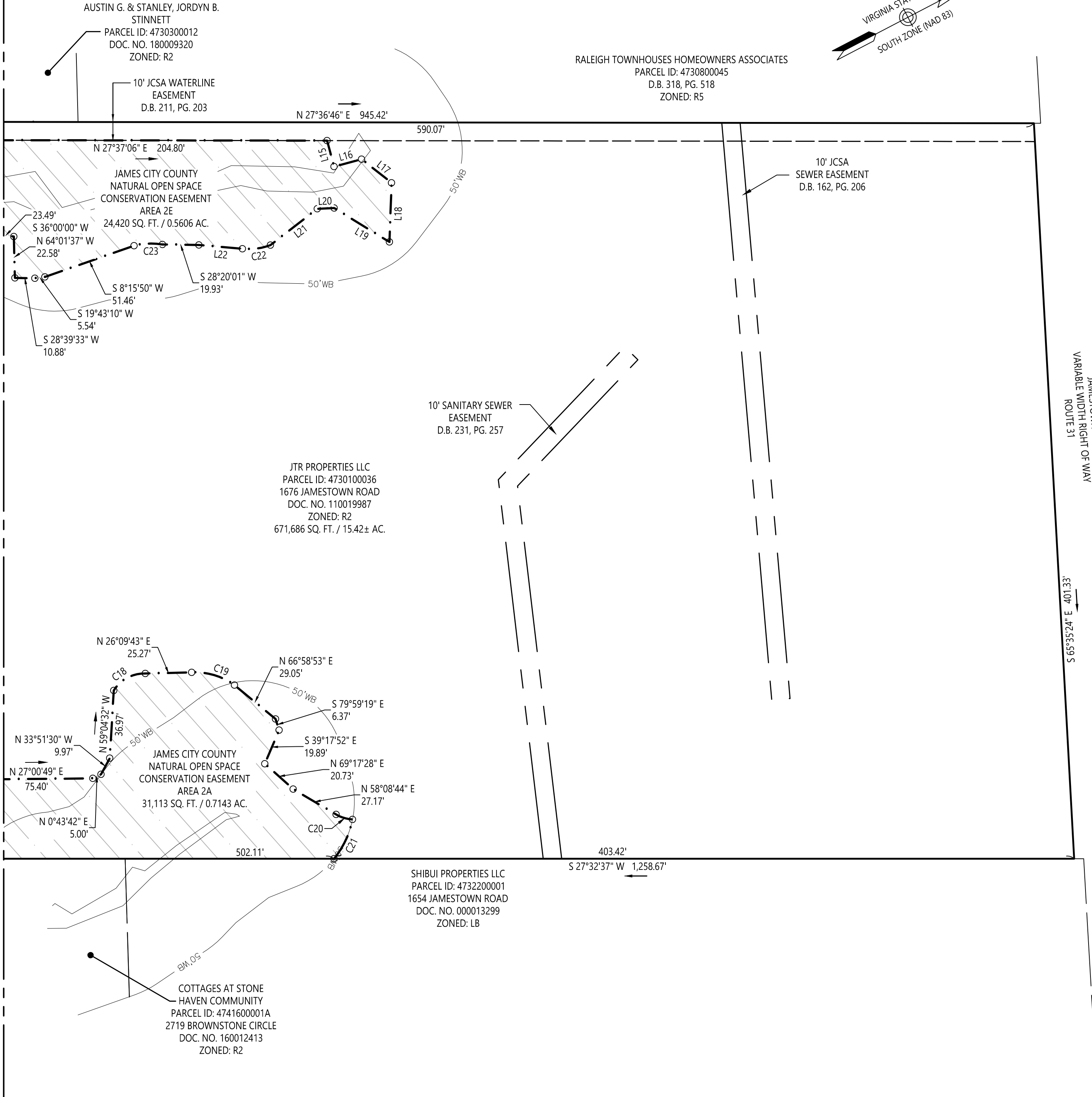
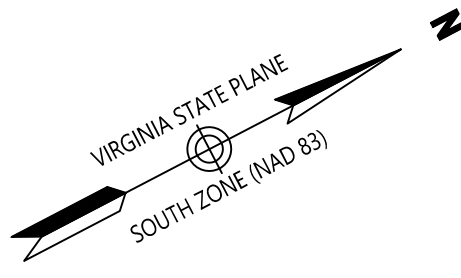
**Natural Open Space Easement
Being The Property Of
JTR Properties, LLC
Parcel 4730100036**

James City County, Virginia

DATE: 8/08/2022	SHEET 3 OF 4	SCALE: 1"=40'
PROJECT NO: 34445.01	DRAWN BY: CRO	CHECKED BY: SAR

	Transportation Land Development Environmental Services	351 McLaws Circle, Suite 3 Williamsburg, Virginia 23185 757 220 0500 FAX 757 903 2794
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**Natural Open Space Easement
Being The Property Of
JTR Properties, LLC
Parcel 4730100036**

James City County, Virginia

DATE: 8/08/2022	SHEET 4 OF 4	SCALE: 1"=40'
PROJECT NO: 34445.01	DRAWN BY: CRO	CHECKED BY: SAR



Transportation
Land Development
Environmental Services

351 McLaws Circle, Suite 3
Williamsburg, Virginia 23185
757 220 0500
FAX 757 903 2794

PIN	Last Name	Address Line 1	City	State	Zip Code
4730800044	ADAMS, GARRY K & JOYCE LYN P	121 ALBEMARLE DR	WILLIAMSBURG	VA	23185-2361
4730800041	BURGE, ANDREW T & WATTS BRONWEN M	115 ALBEMARLE DR	WILLIAMSBURG	VA	23185-2361
4731900139	CAMPUS DEVELOPMENTS LLC	3322 DERBY LN	WILLIAMSBURG	VA	23185-1465
4731900141	CAMPUS DEVELOPMENTS LLC	3322 DERBY LN	WILLIAMSBURG	VA	23185-1465
4731900143	CAMPUS DEVELOPMENTS LLC	3322 DERBY LN	WILLIAMSBURG	VA	23185-1465
4731900145	CAMPUS DEVELOPMENTS LLC	3322 DERBY LN	WILLIAMSBURG	VA	23185-1465
4741600001A	COTTAGES AT STONE HAVEN COMMUNITY	PO BOX 4	WILLIAMSBURG	VA	23187-0004
4730800040	DCH PROPERTIES LLC	108 BURWELL CT	WILLIAMSBURG	VA	23185-6507
4730800002	DRYGALA PROPERTIES FOUR LLC	3649 BRIDGEWATER DR	WILLIAMSBURG	VA	23188-2595
4730900001	GARDNER, DEVON M	300 HEINZ ST -APT C217	PITTSBURGH	PA	15212-5972
4741400001	HALL, LYMAN R JR TRUSTEE &	1630 JAMESTOWN RD	WILLIAMSBURG	VA	23185-3111
4730800038	INDIGO MANAGEMENT LLC	131 INDIGO DAM RD	WILLIAMSBURG	VA	23188-2591
4730100036A	JAMES CITY SERVICE AUTHORITY	119 TEWNING RD	WILLIAMSBURG	VA	23188-2639
4730100036	JTR PROPERTIES LLC	626 DOCK LNDG	WILLIAMSBURG	VA	23185-7903
4730100037	JTR PROPERTIES LLC	626 DOCK LNDG	WILLIAMSBURG	VA	23185-7903
4730100039	JTR PROPERTIES LLC	626 DOCK LNDG	WILLIAMSBURG	VA	23185-7903
4730900114C	KELLY, MARIA C TRUSTEE	105 RACEFIELD DR	TOANO	VA	23168-8918
4730800039	MCLAUGHLIN, URSULA	4019 NORTHRIDGE ST	WILLIAMSBURG	VA	23185-3875
4730900114A	MERRIL, STEVEN A JR	4087 AMBASSADOR CIR	WILLIAMSBURG	VA	23188-1449
4730900114B	MIDDLETON, BRETT & XEREAS-MIDDLETON,	169 OLD CARRIAGE WAY	WILLIAMSBURG	VA	23188-2606
4730800037	MOONEY, EDWARD J & MARIT LORRAINE	36 BROMLEY DR	WILLIAMSBURG	VA	23185-2364
4730900114D	NUMBER TWO PROPERTIES LLC	2850 SANDY BAY RD -STE 101	WILLIAMSBURG	VA	23185-2362
4730800001	PULLEY, LOUISE BRADSHAW	37 BROMLEY DR	WILLIAMSBURG	VA	23185-2364
4730900001A	RALEIGH SQUARE UNIT OWNERS ASSOCIATION	131 ALBEMARLE DR	WILLIAMSBURG	VA	23185-2318
4730800045	RALEIGH TOWNHOUSES HOMEOWNERS ASSOCIATION	4071 IRONBOUND RD -STE 200	WILLIAMSBURG	VA	23188-2894
4731900001	RALEIGH WOODS CONDOMINIUM OWNERS	1781 JAMESTOWN RD	WILLIAMSBURG	VA	23185-2363
4730800003	ROBBINS, COREY S	33 BROMLEY DR	WILLIAMSBURG	VA	23185-2364
4730800042	SEID, JONATHAN P & SHARON G	117 ALBEMARLE DR	WILLIAMSBURG	VA	23185-2361
4732200001	SHIBUI PROPERTIES LLC	1654 JAMESTOWN RD	WILLIAMSBURG	VA	23185-3111
4732200002	SHIBUI PROPERTIES LLC	1654 JAMESTOWN RD	WILLIAMSBURG	VA	23185-3111
4730300012	STINNETT, AUSTIN G & STANLEY, JORDYN B	125 ALBEMARLE DR	WILLIAMSBURG	VA	23185-2318
4730800043	TOTH, LOUIS L; JR	11 RAINTREE DRIVE	HAMPTON	VA	23666-2183
	Travis Edelen, VHB	351 McLaws Cir Unit 3	Williamsburg	VA	23185
4730300015A	WEIR, CHARLES R ESTATE	123 GATE HOUSE BLVD	WILLIAMSBURG	VA	23185-3106
4730800036	WILLIAMS, ANTHONY KOURI & QUINN,	34 BROMLEY DR	WILLIAMSBURG	VA	23185-2354



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY OCTOBER 12, 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-22-0111: Mr. Lance Frost, Country Village MHP, has applied for a Chesapeake Bay Exception for encroachments into the Resource Protection Area (RPA) buffer for the installation of a mobile home on property located at 36 Gray Gables Drive, JCC Parcel No. 5920100001.

CBPA-22-0126: Property Owner has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a raised garden bed, walkway, greenhouse, deck, pergola, and two sheds on property located at 112 Discovery Lane, JCC Parcel No. 4730500020.

CBPA-22-0121: Mr. Travis Edelen, VHB, has applied for a Chesapeake Bay Exception on behalf of JTR Properties, LLC for encroachments into the RPA buffer for the installation of sanitary sewer line on property located at 1676 Jamestown Road, JCC Parcel No. 4730100036.

CBPA-22-0116: Mr. Douglas Lundberg has applied for a Chesapeake Bay Exception on behalf of Mr. John and Mrs. Sharon Jones for encroachments into the RPA buffer for the extension of a deck on property located at 1572 Harbor Road, JCC Parcel No. 4310200017.

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 Sep 28, 2022 and Oct 5, 2022.

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W

CARD # x6648

ITEM SUMMARY

DATE: 10/12/2022
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-22-0126 : 112 Discovery Lane

CBPA-22-0126: Property Owner has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a raised garden bed, walkway, greenhouse, deck, pergola, and two sheds on property located at 112 Discovery Lane, JCC Parcel No. 4730500020.

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution to Approve	Resolution
☐	Resolution to Deny	Resolution
☐	Site Plan	Exhibit
☐	Protest 1	Backup Material
☐	Protest 2	Backup Material
☐	APO Letter	Backup Material
☐	APO List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	10/6/2022 - 5:15 PM
Chesapeake Bay Group	Small, Toni	Approved	10/6/2022 - 5:16 PM
Publication Management	Pobiak, Amanda	Approved	10/7/2022 - 8:31 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	10/7/2022 - 11:27 AM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-22-0126. 112 Discovery Lane
Staff Report for the October 12, 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: Ms. April Warren

Agent: None

Location: 112 Discovery Lane

Parcel Identification No.: 4730500020

Parcel: Lot 20, Section 1, Powhatan Shores

Lot Size: 0.41 acres

Area of Lot in Resource Protection Area (RPA): 0.24 acres (59%)

Watershed: Powhatan Creek (JL31)

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

Proposed Activity: Construction of gravel paths, a wooden work area, a compost area, a greenhouse, a wooden deck area, a pergola, and three sheds

Impervious Cover: After-the-fact: 1,834 square feet
Proposed: 544 square feet

RPA Encroachment: After-the-fact: 670 square feet, landward 50-foot RPA
After-the-fact: 1,164 square feet, seaward 50-foot RPA

Proposed: 544 square feet, landward 50-foot RPA
Proposed: 0 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. April Warren has applied for an after-the-fact Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of gravel paths, a wooden work area, a compost area, a greenhouse, a wooden deck area, a pergola, and two sheds at 112 Discovery Lane within the Powhatan Shores subdivision and the Powhatan Creek watershed. This exception request also includes the construction of a new deck and shed. The property is further identified as James City County Tax Map Parcel No. 4730500020. The parcel was platted in 1975, prior to the enactment of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.41 acres, of which 59% is located within the RPA. Existing conditions of the property as of the 2017 aerial include a single-family dwelling, a driveway, and a level yard leading to a timber bulkhead adjacent to the canal. The applicant is proposing to gain after-the-fact approval for the

construction of gravel and/or wooden deck paths equating to approximately 836 square feet within the seaward 50-foot RPA, a cold-frame gardening structure equating to approximately 45 square feet of impacts to the seaward 50-foot RPA, a work area and compost bin equating to approximately 139 square feet of impacts to the seaward 50-foot RPA, a greenhouse equating to approximately 120 square feet of impacts to the seaward 50-foot RPA, a garden shed equating to approximately 24 square feet of impacts to the seaward 50-foot RPA and 42 square feet of impacts to the landward 50-foot RPA, and a pergola structure area equating to approximately 308 square feet of impacts to the landward 50-foot RPA. In the process of evaluating this application, staff also found that there is an existing shed on the property that is not visible in any of the aerial photography prior to 2017 equating to approximately 320 square feet of impacts to the landward 50-foot RPA. Staff does not have any record of written requests for a Chesapeake Bay Preservation waiver for any of the previously mentioned structures. Total impacts associated with the after-the-fact structures equate to 670 square feet of impervious impacts to the landward 50-foot RPA and 1,164 square feet of impacts to the seaward 50-foot RPA for a sum of 1,834 square feet of impacts.

In addition to the after-the-fact proposals that are being heard by the Board, the applicant is also proposing the new construction of an additional 160-square-foot shed and an additional 384-square-foot deck for a total of an additional 544 square feet within the landward 50-foot RPA. This would be the third shed located on the property and the second deck on the property. Total impacts associated with the new proposals equate to 544 square feet of impacts to the landward 50-foot RPA.

Total impacts to the RPA associated with this proposal equate to a total of 1,834 square feet of impacts associated with the after-the-fact encroachments and 544 square feet of impacts associated with the proposed structures. Therefore, total impacts associated with all encroachments to the RPA buffer equate to 2,378 square feet. Because portions of this exception request are being heard after-the-fact, normal mitigation amounts for those encroachments have been doubled. Therefore, required mitigation associated with the encroachments being heard after-the-fact, normally equating to four and a half mitigation units, equates to nine planting units (nine canopy trees, 18 understory trees, and 27 shrubs). Required mitigation for the proposed impervious encroachment equates to one planting unit (one canopy tree, two understory trees, and three shrubs). In total, required mitigation for the entirety of the impervious impacts associated with this exception request equate to 10 planting units (10 canopy trees, 20 understory trees, and 30 shrubs). Staff does not believe there is enough space on the lot for the required mitigation.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of gravel paths, a wooden work area, a compost area, a greenhouse, a wooden deck area, a pergola, and three sheds. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because all the structures 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 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. Should the Board wish to approve the request, staff recommends the following conditions be incorporated into the approval:

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The submittal of a mitigation plan equating to 10 planting units be submitted to the Stormwater and Resource Protection Division; and
3. 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
4. All development activities located in the special flood hazard area shall comply with Article VI Division 3 Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits; and
5. That an affidavit be recorded in the Williamsburg/James City County Courthouse prior to the issuance of the building permit; and
6. This exception request approval shall become null and void if construction has not begun by October 12, 2023; and
7. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than August 31, 2023, six weeks prior to the expiration date.

TAL/ap
CBPA22-126_112DscvryLn-rev

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-22-0126. 112 DISCOVERY LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. April Warren, (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 12, 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. 4730500020 and further identified as 112 Discovery Lane (the “Property”) as set forth in the application CBPA-22-0126 for the purpose of construction and approval of a walkway surrounding a raised garden bed, a greenhouse, deck, pergola, and two sheds; and

WHEREAS, the Board has heard the arguments presented and 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, finds that the application meets all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **APPROVES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0126, subject to the following conditions:

1. The applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The submittal of a mitigation plan equating to eight planting units be submitted to the Stormwater and Resource Protection Division; and
3. A surety of \$4,000 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 October 12, 2023; and
5. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than August 31, 2023, six weeks prior to the expiration date.

Halle Dunn
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of October, 2022.

RESOLUTION

CASE NO. CBPA-22-0126. 112 DISCOVERY LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. April Warren, (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on October 12, 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. 4730500020 and further identified as 112 Discovery Lane. (the “Property”) as set forth in the application CBPA-22-0126 for the purpose of construction and approval of a walkway surrounding a raised garden bed, a greenhouse, deck, pergola, and two sheds; and

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

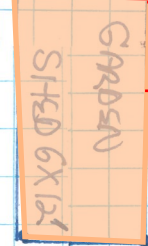
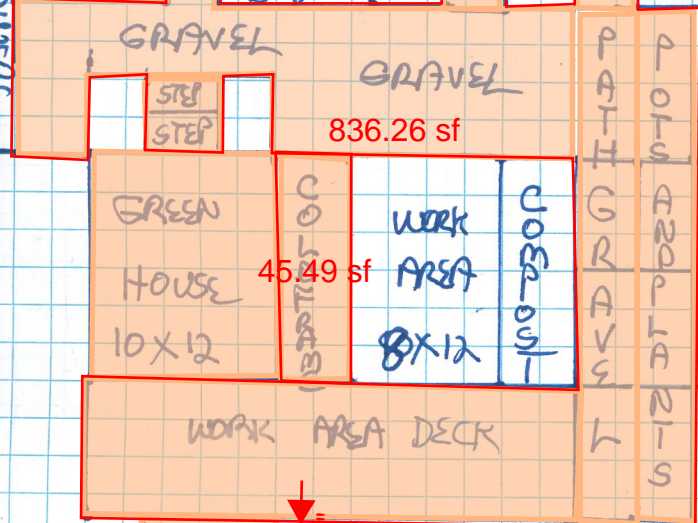
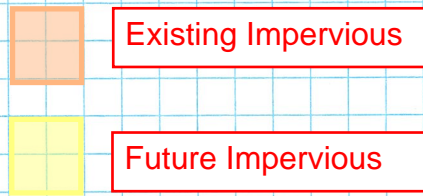
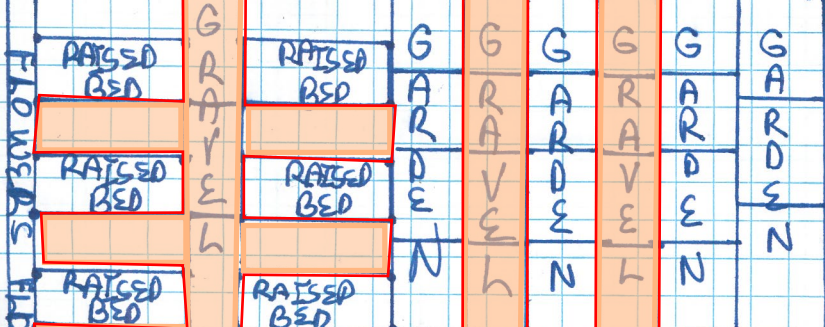
NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0126.

Halle Dunn
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

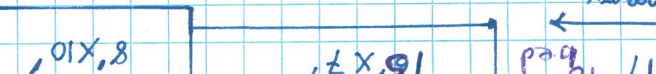
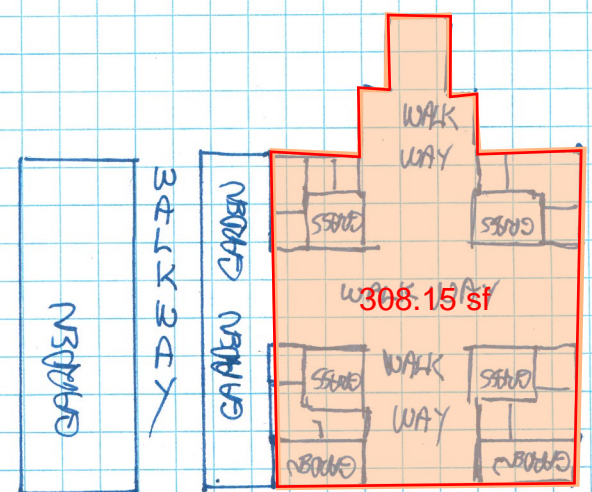
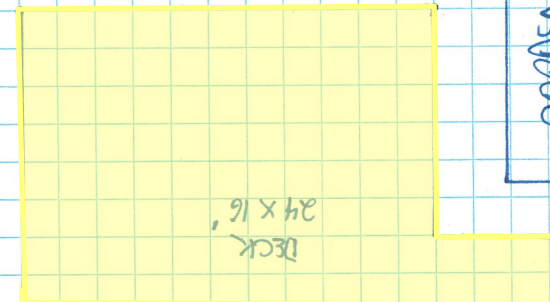
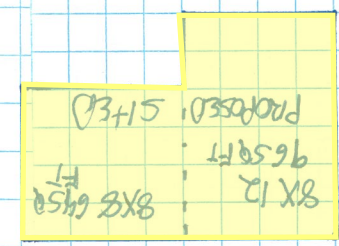
Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of October, 2022.

CBPA22-126_112DscvryLnDny-res



4'-7 3/4"

50 FT FROM WATER/BULK HEAD



LINE PROPERTY

Trevor Long

From:
Sent:
To:
Subject:

Dear Chesapeake Bay Board

I oppose the approval of RE:CBPA-22-0126 at 112 Discovery Lane.
Construction and approval landscape improvements.

I oppose the overwhelming construction and landscape plan. This construction layout is overwhelming to the property and the house. There will be a total of three sheds not two because one shed has already been built on the property. This layout infringes on the adjacent property owners and does not belong in a residential neighborhood. With a small lot like 112 Discovery Lane, this plan does not blend into the Powhatan Shores residential neighborhood. Homes that are located across the canal have direct sight of the overwhelming amount of structures on the property. This project is overwhelming for the neighborhood and the home at 112 Discovery Lane.
Please reject this construction plan request.

Trevor Long

From:

Sent:

To:

Subject:

020

The Warren's have built way to many buildings in their back yard. It's not aesthetically eye appealing, basically an eye sore . It takes away from the water view and appears to be to close to the canal. We are not a farming neighborhood. Apparently the Warren's only think of themselves and not of the Chesapeake Bay Act and also neighbors. Please help our neighborhood and have them remove the buildings.

Thank you,

Sent from my iPhone



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
757-259-6670

Facilities & Grounds

113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste

1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

BOYER, FRANK L & LISA M
110 DISCOVERY LN
WILLIAMSBURG, VA 23185-3105

RE: CBPA-22-0126
112 Discovery Lane
Construction and approval
landscape improvements.

September 21, 2022

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 April Warren for encroachments into the Resource Protection Area (RPA) buffer for the construction and approval of a raised garden bed, walkway, greenhouse, deck, pergola, and two sheds on property located at 112 Discovery Lane, JCC Parcel No. 4730500020.

A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, October 12, 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



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

Fleet
103 Tewning Road
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757-259-4122

**Stormwater and
Resource Protection**
101-E Mounts Bay Road
Williamsburg, VA 23185
757-259-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

GENTRY, JESS J & AMANDA M
117 GODSPEED LN
WILLIAMSBURG, VA 23185-3171

RE: CBPA-22-0126
112 Discovery Lane
Construction and approval
landscape improvements.

September 21, 2022

Dear Adjacent Property Owner:

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A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, October 12, 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



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Solid Waste
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Williamsburg, VA 23188
757-565-0971

HERNANDEZ, JAMES L TRUSTEE &
114 DISCOVERY LN
WILLIAMSBURG, VA 23185-3105

RE: CBPA-22-0126
112 Discovery Lane
Construction and approval
landscape improvements.

September 21, 2022

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NESTER, GARY E
114 GODSPEED LN
WILLIAMSBURG, VA 23185-3108

RE: CBPA-22-0126
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September 21, 2022

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PLUMLEY, BRUCE B
115 GODSPEED LN
WILLIAMSBURG, VA 23185-3171

RE: CBPA-22-0126
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landscape improvements.

September 21, 2022

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POWHATAN SHORES HOMEOWNERS ASSOCIATION
112 LANDS END DR
WILLIAMSBURG, VA 23185-3158

RE: CBPA-22-0126
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September 21, 2022

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SYLVESTER, RICHARD W III & SUZANNE K
105A DISCOVERY LN
WILLIAMSBURG, VA 23185-3104

RE: CBPA-22-0126
112 Discovery Lane
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VAN TASSELL, RYAN T & MONIKA B
105 DISCOVERY LN
WILLIAMSBURG, VA 23185-3104

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WARREN, APRIL ANN
112 DISCOVERY LN
WILLIAMSBURG, VA 23185-3105

RE: CBPA-22-0126
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PIN	Last Name	Address Line 1	City	State	Zip Code
4730500021	BOYER, FRANK L & LISA M	110 DISCOVERY LN	WILLIAMSBURG	VA	23185-3105
4730500035	GENTRY, JESS J & AMANDA M	117 GODSPEED LN	WILLIAMSBURG	VA	23185-3171
4730500019	HERNANDEZ, JAMES L TRUSTEE &	114 DISCOVERY LN	WILLIAMSBURG	VA	23185-3105
4730500033	NESTER, GARY E	114 GODSPEED LN	WILLIAMSBURG	VA	23185-3108
4730500034	PLUMLEY, BRUCE B	115 GODSPEED LN	WILLIAMSBURG	VA	23185-3171
4731300006	POWHATAN SHORES HOMEOWNERS ASSOCIATION	112 LANDS END DR	WILLIAMSBURG	VA	23185-3158
4731300003	SYLVESTER, RICHARD W III & SUZANNE K	105A DISCOVERY LN	WILLIAMSBURG	VA	23185-3104
4731300004	VAN TASSELL, RYAN T & MONIKA B	105 DISCOVERY LN	WILLIAMSBURG	VA	23185-3104
4730500020	WARREN, APRIL ANN	112 DISCOVERY LN	WILLIAMSBURG	VA	23185-3105