

A G E N D A
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
April 12, 2023
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from the March 8, 2023 Regular Meeting

D. PUBLIC HEARINGS

1. CBPA-23-0017 : 9230 Pocahontas Trail
2. CBPA-23-0015 : 4101 Monticello Avenue
3. CBPA-23-0035 : 3036 North Riverside
4. CBPA-23-0011 : 1727 Centennial Drive
5. CBPA-23-0031 : 205 Bulwell Forest
6. CBPA-23-0025 : 100 Red Berkshire
7. CBPA-23-0032 : 5 Tay River
8. CBPA-23-0030 : 153 Shinnecock

E. BOARD CONSIDERATIONS

1. CBPA-21-0060 : 4373 Landfall Drive

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: Minutes from the March 8, 2023 Regular Meeting

ATTACHMENTS:

	Description	Type
▣	Minutes from the March 8, 2023 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/4/2023 - 3:58 PM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2023 - 8:12 PM
Publication Management	Pobiak, Amanda	Approved	4/5/2023 - 8:33 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:52 PM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
March 8, 2023
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for March 8, 2023 was called to order.

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

B. ROLL CALL

Board Members Present:

Charles Roadley, Chair
Larry Waltrip
Scott Maye, Vice Chair
Michael O'Brien
Leslie Bowie, Alternate

Board Members Absent:

Halle Dunn

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection
Robin Benedict, Watershed Planner, Stormwater and Resource Protection
Trevor Long, Watershed Planner, Stormwater and Resource Protection
Joshua Everard, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes from the February 8, 2023, Chesapeake Bay Board Meeting

A motion to Approve the minutes was made by Ms. Bowie.

The minutes were approved on a voice vote.

Preceding the presentation and review of the Public Hearings, the Board completed the Matters of Special Privilege Agenda item as follows.

1. Colonial Soil and Water Conservation District - Annual Update

A. Mr. Doug Hall, an elected official of the Colonial Soil and Water Conservation District, described the history and current condition of the agency including its community involvement, support of the Chesapeake Bay Preservation Act, youth outreach programs, and other programs that promote the conservation of natural resources in James City County. Mr. Hall also detailed the present and future fiscal year budget statuses.

D. PUBLIC HEARINGS

1. CBPA-23-0005 : 247 William Barksdale

A motion to Approve w/ Conditions was made by Michael O'Brien, the motion result was Passed.

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

Ayes: Bowie, Maye, O'Brien, Roadley, Waltrip

Absent: Dunn

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Matthew Roth, Roth Environmental, LLC, on behalf of Mr. Bryan Schumacher, for encroachments into the Resource Protection Area (RPA) buffer for the construction of a retaining wall. The property is further identified as James City County Tax Map Parcel No. 4940300095. 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 clarified details of the plan for the Board including the precise location of the proposed retaining wall.

Mr. Roadley opened the Public Hearing.

A. Mr. Chase Grogg, LandTech Resources, Inc., 205-E Bulifants Boulevard, described aspects of the retaining wall including its shape, size, and location.

Mr. Roadley closed the Public Hearing.

The Board considered the pros and cons of the plan.

2. CBPA-23-0008 : 108 Oxford Circle

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

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

Ayes: Bowie, Maye, O'Brien, Roadley, Waltrip

Absent: Dunn

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Keith Taylor, for encroachments into the RPA for the construction of a deck. The property is further identified as James City County Tax Map Parcel No. 4720700016. 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 clarified details of the plan for the Board including an explanation that the placement of gravel underneath the proposed deck is a condition of the request.

Mr. Roadley opened the Public Hearing.

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

The Board considered the pros and cons of the plan.

3. CBPA-23-0009 : 109 Murcar

A motion to Approve w/ Conditions was made by Scott Maye, the motion result was Passed.
AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 1
Ayes: Bowie, Maye, O'Brien, Waltrip
Nays: Roadley
Absent: Dunn

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. Geno Godwin and Ms. Judith Alicea, for encroachments into the RPA buffer for the construction of a single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 3710800078. 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 deferred to the applicant to provide the exact size of the proposed house's impact.

Mr. Roadley opened the Public Hearing.

A. Mr. Chase Grogg, LandTech Resources, Inc., 205-E Bulifants Boulevard, offered further details of the plan including the exact size of the proposed house's impact and an explanation of particular design aspects of the plan. Mr. Grogg also described the soil and other site conditions that contributed to further design aspects of the plan in response to questions from the Board.

Mr. Roadley closed the Public Hearing.

The Board considered the pros and cons of the plan including the plan's regard of the current site conditions.

Mr. Roadley commented on the extent to which the plan encroaches into the RPA and the challenges of the site conditions.

4. CBPA-22-0150 : 112 Discovery Lane

A motion to Deny was made by Scott Maye, the motion result was Passed.
AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 1
Ayes: Bowie, Maye, O'Brien
Nays: Roadley, Waltrip
Absent: Dunn

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Ms. April Warren, for encroachments into the RPA for the construction and approval of a walkway surrounding a raised garden bed, greenhouse, deck, pergola, and two sheds. The property is further identified as James City County Tax Map Parcel No. 4730500020. 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 clarified details of the plan for the Board including the approval status of particular structures at the site.

The Public Hearing remained open from the February 8, 2023 Chesapeake Bay Board Regular Meeting at which the plan was initially presented and deferred.

A. Ms. April Warren, 112 Discovery Lane, recalled information she and her husband received from interactions with multiple County representatives preceding, during the process of, and after completion of the work that has been done at the site. The description of this information included references to particular construction requirements and restrictions. Similarly, Ms. Warren recalled information she and her husband received from a conversation with a representative of the Virginia Department of Environmental Quality. Ms. Warren also commented on the efforts made to complete the approval process as required by the County Code and the extent to which those efforts were duly diligent. Ms. Warren further described aspects of the project's purpose, various components of the work, its apparent impact on the surrounding area, and the condition of structures on neighboring parcels. In response to a question from the Board about the location of the existing greenhouse, Ms. Warren indicated that she could not explain why its location was chosen.

B. Mr. Bruce Plumley, 115 Godspeed Lane, objected to the plan, referencing the aesthetic dissonance of the existing and proposed structures with the surrounding houses. Mr. Plumley also cited building restrictions that are described in the governing documents of the Powhatan Shores Homeowners Association Inc. that presides over the neighborhood in which the site is located.

A. Ms. Warren responded to Mr. Plumley's objection by referencing the existence of multiple structures on other parcels that are located within the same neighborhood. Ms. Warren also indicated that the appearance of the structures described in this plan are comparatively similar to those of the other structures.

Mr. Long read three letters that each offered opinions about the plan and were submitted anonymously to the County. The first letter described an interaction that included Ms. Warren's husband and an individual who owns property in the same neighborhood wherein approval of the construction of a pergola at the site was given by the neighbor. The second letter indicated that observable stormwater runoff from the site into the adjacent canal has had and would continue to have a negligible environmental impact. The third letter objected to the plan, citing the size of the included structures as being too large. Mr. Long also displayed digital media files that were submitted by Ms. Warren to the Board including images and videos of the site during rain events.

Staff clarified the particular site conditions that are being considered in this exception request.

A. Ms. Warren offered further details about the site conditions including an explanation of the decision to place gravel at the site.

Mr. Roadley closed the Public Hearing.

Mr. Roadley discussed the site conditions as they relate to stormwater runoff with reference to the existing gravel walkways as well as to existing and proposed structures. Mr. Roadley also commented that superficial judgements of any aspects of the plan are not under consideration by the Board.

Mr. Maye described both the significant size of the area impacted by the plan and the significant site constraints as they relate to the proposed mitigation plantings.

In referencing his previous comments about the gravel walkways, Mr. Roadley indicated that the mitigation planting requirements would be correspondingly reduced if the walkways were excluded from consideration.

Mr. O'Brien commented on the impact the plan has to water quality. Specifically, Mr. O'Brien cited that the location of the greenhouse, especially with respect to the seaward, 50-foot RPA

delineation, disqualifies the plan from being the minimum necessary to afford relief. He indicated the possibility of conditionally requiring the relocation of the greenhouse.

Mr. Everard explained to the Board that aspects of a plan such as the location of items, are immutable and that changes to those aspects are not a function of the conditions that the Board can add or adjust. Mr. Everard further explained that the submittal of a new exception request is needed to effect such changes. Additionally, Mr. Everard indicated that conditions such as mitigation plantings and surety amounts can be added or adjusted by the Board.

The Board discussed its approval options with regard to Mr. Everard's explanation.

Mr. Waltrip commented on the gravel walkways and relocation of the greenhouse before commending the plan's efforts to mitigate extra stormwater runoff.

E. BOARD CONSIDERATIONS

None.

F. MATTERS OF SPECIAL PRIVILEGE

1. Colonial Soil and Water Conservation District - Annual Update

The Colonial Soil and Water Conservation District - Annual Update Agenda item was completed just after the Minutes Agenda item.

G. ADJOURNMENT

A motion to Adjourn was made by Mr. O'Brien and approved on a voice vote.

The meeting adjourned at 7:08 p.m.

ITEM SUMMARY

DATE: 4/12/2023

TO: Chesapeake Bay Board

FROM: Trevor Long, Chesapeake Bay Board Secretary

SUBJECT: CBPA-23-0017 : 9230 Pocahontas Trail

CBPA-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/4/2023 - 3:56 PM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2023 - 8:12 PM
Publication Management	Pobiak, Amanda	Approved	4/5/2023 - 8:30 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:49 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0017. 9230 Pocahontas Trail
Staff Report for the April 12, 2023, 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: Peninsula Pentecostals Inc.

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

Location: 9230 Pocahontas Trail

Parcel Identification No.: 6010100006

Parcel: P-1, Kirby's

Lot Size: 23.43 acres

Project Size: 6.92 acres

Area of Lot in Resource Protection Area (RPA): 0.74 acres (10%)

Watershed: Skiffes Creek (JL35)

Floodplain: None

Proposed Activity: Installation of a sanitary sewer

Impervious Cover: 0 square feet

RPA Encroachment: 763 square feet, landward 50-foot RPA
922 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the RPA buffer for the installation of a sanitary sewer located at 9230 Pocahontas Trail within the Acreage Lots subdivision and the Skiffes Creek watershed. The property is further identified as James City County Tax Map Parcel No. 6010100006. The parcel was platted in 2015, after the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size for this parcel is 23.43 acres; however, the area designated for the proposed sanitary sewer crossing is approximately 6.92 acres of which 10% is located within the RPA. The applicant is proposing to install a sanitary sewer connection associated with the Peninsula Pentecostals Church construction. Total impacts to the RPA associated with this proposal equate to 763 square feet of impacts to the landward 50-foot RPA and 922 square feet of impacts to the seaward 50-foot RPA for a total of 1,685 square feet. Required mitigation for this amount of impacts is the recordation of a Deed of Natural Open Space for an area twice the size of the impacted RPA (3,500 square feet).

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 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 Applicant must record a Deed of Natural Open Space in the Williamsburg/James City County Courthouse prior to the issuance of a Land Disturbing Permit; and
3. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

TAL/md
CBPA23-17_9230PocahTrl

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0017. 9230 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Anthony Loubier, Vanasse Hangen Brustlin, Inc., on behalf of Peninsula Pentecostals Inc. (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 6010100006 and further identified as 9230 Pocahontas Trail (the “Property”) as set forth in the application CBPA-23-0017 for the purpose of installing 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-23-0017, 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 Applicant must record a Deed of Natural Open Space in the Williamsburg/James City County Courthouse prior to the issuance of a Land Disturbing Permit; and
3. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

Charles Roadley
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 April, 2023.

CBPA23-17_9230PocahTrlApp-res

RESOLUTION

CASE NO. CBPA-23-0017. 9230 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Anthony Loubier, Vanasse Hangen Brustlin, Inc., on behalf of Peninsula Pentecostals Inc. (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 6010100006 and further identified as 9230 Pocahontas Trail (the “Property”) as set forth in the application CBPA-23-0017 for the purpose of installing 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-23-0017.

Charles Roadley
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 April, 2023.

CBPA23-17_9230PocahTrlDeny-res

Mr. Long,

Thank you for taking the time to meet with me today on the Pentecostals request for the encroachment into the RPA buffer for the sanitary sewer connection on the property located at 9230 Pocahontas Trail. Would you please pass on my concerns to the Chesapeake Bay

My concerns are the integrity of the existing sewer system approaching 40 years old, the current water quality of the stream running alongside of the sewer system, and the physical connection of the new sewer system crossing over/under the stream.

Case Number: CBPA-23-0017

PIN	Last Name	Address Line 1	City	State	Zip Code
	Anthony Loubier, VHB	351 McLaws Circle Unit: Suite 3	Williamsburg	VA	23185
5920400070	BAN, IOAN TRUSTEE & VATCHENKOVA,	4012 DUNBARTON CIR	WILLIAMSBURG	VA	23188-6643
5920400066	BAXTER, WILLIAM O JR	1646 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400052	BONNETTE, NICOLLE M	1674 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400062	BROWN, ESTER D	1654 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400056	CARTER, JOANNE	1666 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920600001A	CARTER'S VILLAGE HOMEOWNERS ASSOCIA	4029 IRONBOUND RD	WILLIAMSBURG	VA	23188-2549
5920400078	CHAMPINE, PENNY A	1622 ANGEL CT	WILLIAMSBURG	VA	23185-6264
5920400051	CHON, SANG DAE	1676 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400065	CLEMENTS, LEWIS A	1648 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400060	CLEVHOMES LLC	107 MOYOCK RUN	YORKTOWN	VA	23693-2726
5920400067	CLEVHOMES LLC	107 MOYOCK RUN	YORKTOWN	VA	23693-2726
5920400047	CRISCO, TELFORD E, JR & BASILE-CRISCO,	203 BROOK MEADOW RD	LANSING	KS	66043-4301
5920400050	DAHLIA LLC	3705 WATERLOO PL	WILLIAMSBURG	VA	23188-2006
5920400058	DEVINE, PAMELA MARIE	1662 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400068	FATALE, THOMAS V	1642 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400071	FOLHART, JOSEPH ARNOLD JR ESTATE	1636 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
6010100009C	GREEN MOUNT ASSOCIATES LLC	11835 FISHING POINT DR ~STE 101	NEWPORT NEWS	VA	23606-2584
5920400063	HENSHAW, BRIAN W	1652 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400057	HOADLEY, DOUGLAS C & ALICE M	1664 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400046	JONES, TAMARA	1686 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400074	LANG, WALTER C	1630 ANGEL CT	WILLIAMSBURG	VA	23185-6264
5920400075	LEE, SHEILA MONIQUE	5902 MOUNT EAGLE DR ~APT 1216	ALEXANDRIA	VA	22303-2521
5920400072	MCCORMICK, THOMAS CARPER JR TRUSTEE &	1634 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400069	MCDONALD, JENNY L	1640 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400049	MOORE, PATRICIA A	1680 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920100016	MORNING STAR BAPTIST CHURCH	15620 JOHN DISKINS CIR	WOODBIDGE	VA	22191
5920400054	NAVARRO, BEATRICE M	1670 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400055	NICHIFOR, ION	1668 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400048	O'MALLEY, MATTHEW T	901 NORTHWOOD DR	CHESAPEAKE	VA	23322-8723
5920400076	PAPPAS, NICOLE M	18495 ALEXIS CT	BARHAMSVILLE	VA	23011-2384
6010100006	PENINSULA PENTECOSTALS INC	404 SHARON DRIVE	NEWPORT NEWS	VA	23602-5609
6010100007	PENINSULA PENTECOSTALS INC	404 SHARON DRIVE	NEWPORT NEWS	VA	23602-5609
5920400059	REMILLARD, RANDY L TRUSTEE	16900 HOLLY POINT RD	WILLIAMSBURG	VA	23185-7643
5920400061	RITTER, MICHAEL R	1656 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
6010100010A	RWV SELF STORAGE II LLC	1 PRESIDENTIAL BLVD ~STE 201	BALA CYNWYD	PA	19004-1007
5920400073	SCOTT, CYNTHIA V	1632 ANGEL CT	WILLIAMSBURG	VA	23185-6264
5920400077	SHARKEY, MICHAEL J & LINDA A	1624 ANGEL CT	WILLIAMSBURG	VA	23185-6264
5920400001C	SKIFFES CREEK HOMEOWNERS ASSOCIATION INC	PO BOX 3244	LEE HALL	VA	23603-0244
5920400001D	SKIFFES CREEK HOMEOWNERS ASSOCIATION INC	PO BOX 3244	LEE HALL	VA	23603-0244
5920400001E	SKIFFES CREEK HOMEOWNERS ASSOCIATION INC	PO BOX 3244	LEE HALL	VA	23603-0244
6010100004A	SKIFFES CREEK LLC	473 WOLF DRIVE	NEWPORT NEWS	VA	23601-1900
5920400053	SMITH, DETRIC B	1672 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263
5920400064	TOPP, JOHN F & KELLY O	1650 SKIFFES CREEK CIR	WILLIAMSBURG	VA	23185-6263

Case Number: CBPA-23-0017

5920400045	TUTTLE, JOHN R JR	6635 LANGLEY PINES LN	LANEXA	VA	23089-5077
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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

«Last_Name»
«Address_Line_1»
«City», «State» «Zip_Code»

RE: CBPA-23-0017
9230 Pocahontas Trail
Construction of a sanitary sewer
connection

March 20, 2023
Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Anthony Loubier, VHB, on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Tax Map Parcel No. 6010100006.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 12, 2023, 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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY APRIL, 12, 2023, 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-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

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 Mar 29, 2023 and Apr 5, 2023.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x6648

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-015 : 4101 Monticello Avenue

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/5/2023 - 7:56 AM
Chesapeake Bay Group	Small, Toni	Approved	4/5/2023 - 8:26 AM
Publication Management	Pobiak, Amanda	Approved	4/5/2023 - 8:57 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:52 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0015. 4101 Monticello Avenue
Staff Report for the April 12, 2023, 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: Windswept Development, LLC

Agent: Mr. Ryan Stephenson, AES Consulting Engineers

Location: 4101 Monticello Avenue

Parcel Identification No.: 3740100010

Parcel: P-3A, Hidden Tract Subdivision

Lot Size: 14.56 acres

Area of Lot in Resource Protection Area (RPA): 5.50 acres (38%)

Watershed: Powhatan Creek (JL31)

Floodplain: Zone A

Proposed Activity: Installation of a sanitary sewer

Impervious Cover: 0 square feet

RPA Encroachment: 505 square feet, landward 50-foot RPA
242 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development, LLC, for encroachments into the RPA buffer for the installation of a sanitary sewer located at 4101 Monticello Avenue within The Settlement at Powhatan Creek subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3740100010. The project is part of The Settlement at Powhatan Creek Phase 4. This parcel was platted in 2005, after the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 14.56 acres, of which 38% is located within the RPA. The applicant is proposing to install a sanitary sewer connection associated with The Settlement at Powhatan Creek Phase 4 construction. Total impacts to the RPA associated with this proposal equate to 505 square feet of impacts to the landward 50-foot RPA and 242 square feet of impacts to the seaward 50-foot RPA for a total of 747 square feet of impacts. Required mitigation for this amount of impacts is the recordation of a Deed of Natural Open Space for an area twice the size of the impacted RPA (1,500 square feet).

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 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 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 Applicant must record a Deed of Natural Open Space in the Williamsburg/James City County Courthouse prior to the issuance of a Land Disturbing Permit; and
3. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

TAL/ap
CBPA23-15_4101MontAve

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0015. 4101 MONTICELLO AVENUE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Windswept Development, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 3740100010 and further identified as 4101 Monticello Avenue (the “Property”) as set forth in the application CBPA-23-0015, 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-23-0015, 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 Applicant must record a Deed of Natural Open Space in the Williamsburg/James City County Courthouse prior to the issuance of a Land Disturbing Permit; and
3. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

Charles Roadley
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 April, 2023.

CBPA23-15_4101MontAveApp-res

RESOLUTION

CASE NO. CBPA-23-0015. 4101 MONTICELLO AVENUE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Windswept Development, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 3740100010 and further identified as 4101 Monticello Avenue (the “Property”) as set forth in the application CBPA-23-0015, for the purpose of installing a sanitary sewer; and

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

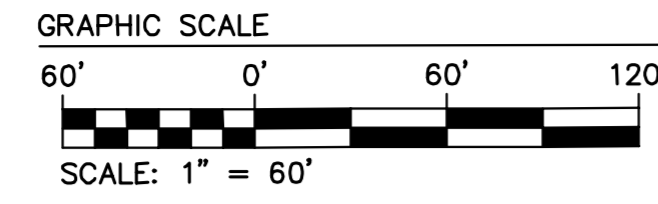
NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-23-0015.

Charles Roadley
Chair, Chesapeake Bay Board

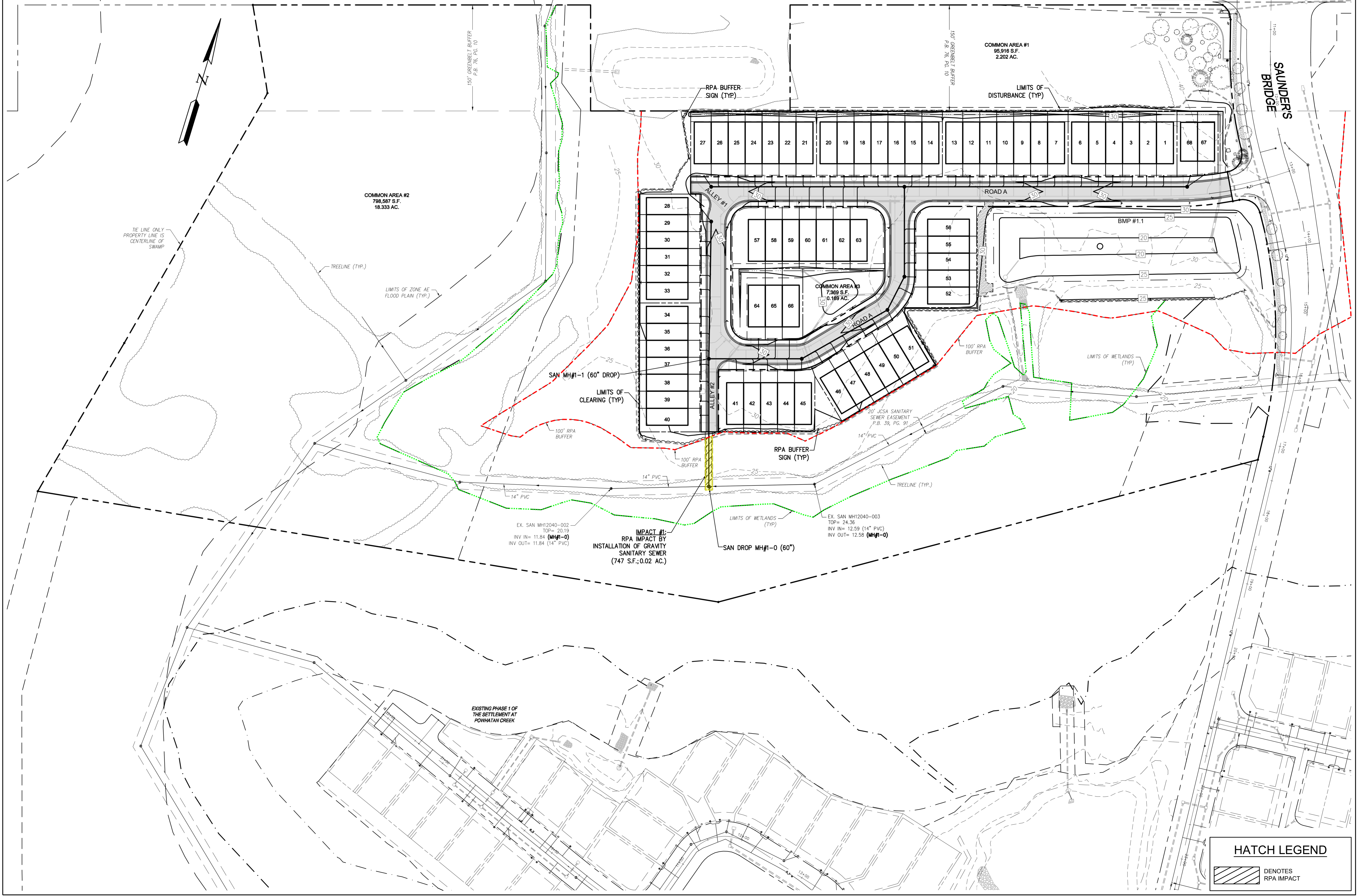
Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 12th day of April, 2023.

CBPA23-15_4101MontAveDny-res



MONTICELLO AVENUE
 120' R/W - STATE ROUTE 5000
 P.B. 73, PG. 52



HATCH LEGEND

	DENOTES RPA IMPACT
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Rev.	Date	Description	TRR	Reviewed By
1	10/27/2022	REVISED PER AG COMMENTS		



AES
 CONSULTING ENGINEERS
 Hampton Roads | Central Virginia | Middle Peninsula

5248 Old Towne Road, Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 255-0640
 www.aesva.com

SITE PLAN FOR
THE SETTLEMENT AT POWHATAN CREEK - PHASE 4
 BERKELEY DISTRICT | JAMES CITY COUNTY | VIRGINIA

Project Contacts: TRS
 Project Number: 9254-17
 Scale: 1"=60' Date: 06/28/2022
 Sheet Title: EXHIBIT A FOR WQIA
 Sheet Number: 1 of 1

Case Number: CBPA-23-0015

PIN	Last Name	Address Line 1	City	State	Zip Code
3741500001A	MONTICELLO WOODS HOMEOWNERS	103 BULIFANTS BLVD ~ STE A	WILLIAMSBURG	VA	23188-5722
3730300001B	MONTICELLO WOODS HOMEOWNERS ASSOCIAT	103 BULIFANTS BLVD ~STE A	WILLIAMSBURG	VA	23188-5722
3741500001B	MONTICELLO WOODS HOMEOWNERS ASSOCIAT	103 BULIFANTS BLVD ~ STE A	WILLIAMSBURG	VA	23188-5722
	Ryan Stephenson AES Consulting Engineers	5248 Olde Towne Rd	Williamsburg	VA	23188
3741700001A	SETTLEMENT AT POWHATAN CREEK COMMUNI	103 BULIFANTS BLVD ~ STE A	WILLIAMSBURG	VA	23188-5722
4621900001B	SETTLEMENT AT POWHATAN CREEK COMMUNITY	103 BULIFANTS BLVD ~ STE A	WILLIAMSBURG	VA	23188-5722
3740100013	WINDSWEPT DEVELOPMENT LLC	PO BOX 461	MIDLOTHIAN	VA	23113-0461
3730100009	WINDSWEPT DEVELOPMENT LLC	PO BOX 461	MIDLOTHIAN	VA	23113-0461
3740100010	WINDSWEPT DEVELOPMENT LLC	PO BOX 461	MIDLOTHIAN	VA	23113-0461



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

«Last_Name»
«Address_Line_1»
«City», «State» «Zip_Code»

RE: CBPA-23-0015
4101 Monticello Avenue
Construction of a sanitary sewer
connection

March 20, 2023
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. Ryan Stephenson, AES Consulting Engineers, on behalf of Windswept Development LLC for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Tax Map Parcel No. 3740100010.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 12, 2023, 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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY APRIL, 12, 2023, 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-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

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 Mar 29, 2023 and Apr 5, 2023.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x6648

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0035 : 3036 North Riverside

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/5/2023 - 7:56 AM
Chesapeake Bay Group	Small, Toni	Approved	4/5/2023 - 8:26 AM
Publication Management	Daniel, Martha	Approved	4/5/2023 - 9:07 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:52 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-22-0035. 3036 North Riverside Drive
Staff Report for the April 12, 2023, 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. Jennifer Hewitt

Agent: None

Location: 3036 North Riverside Drive

Parcel Identification No.: 1910200047A

Parcel: Lot 47, Section 1, Chickahominy Haven

Lot Size: 0.37 acres

Area of Lot in Resource Protection Area (RPA): 0.20 acres (54%)

Watershed: Yarmouth Creek (JL28)

Floodplain: Zone AE - Base flood elevation 7 feet mean sea level

Proposed Activity: Construction of two retaining walls

Impervious Cover: 145 square feet

RPA Encroachment: 0 square feet, landward 50-foot RPA
145 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Jennifer Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of two retaining walls located at 3036 North Riverside Drive within the Chickahominy Haven subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Tax Map Parcel No. 1910200047A. The parcel was platted in 1959, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.37 acres, of which 54% is located within the RPA. The applicant is proposing to construct two 4-foot-tall retaining walls to help prevent erosion on her property equating to 70 square feet of impacts to the seaward 50-foot RPA. Additionally, the applicant is proposing a sidewalk and stairs that are also being heard by the Board equating to 65 square feet of impacts to the seaward 50-foot RPA. Total impacts to the RPA associated with this proposal equate to 145 square feet of impacts to the seaward 50-foot RPA. Required mitigation for this amount of impervious impacts equals six shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of two retaining walls. 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 retaining wall 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 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 minor for the proposed development. Staff provides no recommendation for this proposal however, should the Board wish to approve this proposal, 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 Applicant must submit a mitigation plan equating to six shrubs to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$500 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 must comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance, and receive all required approval and permits prior to commencement of such activities; and
5. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

TAL/md
CBPA22-35_3036NRvrsDr

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-Error! Reference source not found.. 3036 NORTH RIVERSIDE DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, **Error! Reference source not found.** (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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.**Error! Reference source not found.** and further identified as 3036 North Riverside Drive (the “Property”) as set forth in the application **CBPA-Error! Reference source not found.** for the purpose of **Error! Reference source not found.;** 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-Error! Reference source not found.**, subject to the following conditions:

Error! Reference source not found.

Charles Roadley
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 April, 2023.

CBPA23-35_3036NRvrsDrApp-res

RESOLUTION

CASE NO. CBPA-Error! Reference source not found.. 3036 NORTH RIVERSIDE DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, **Error! Reference source not found.** (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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.**Error! Reference source not found.** 3036 North Riverside Drive as set forth in the application CBPA-**Error! Reference source not found.** for the purpose of **Error! Reference source not found.**; 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-**Error! Reference source not found.**

Charles Roadley
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 April, 2023.

CBPA23-35_3036NRvrsDrDeny-res



Chesapeake Bay Board of James City County, Virginia

April 12, 2023

CBPA 23-0035

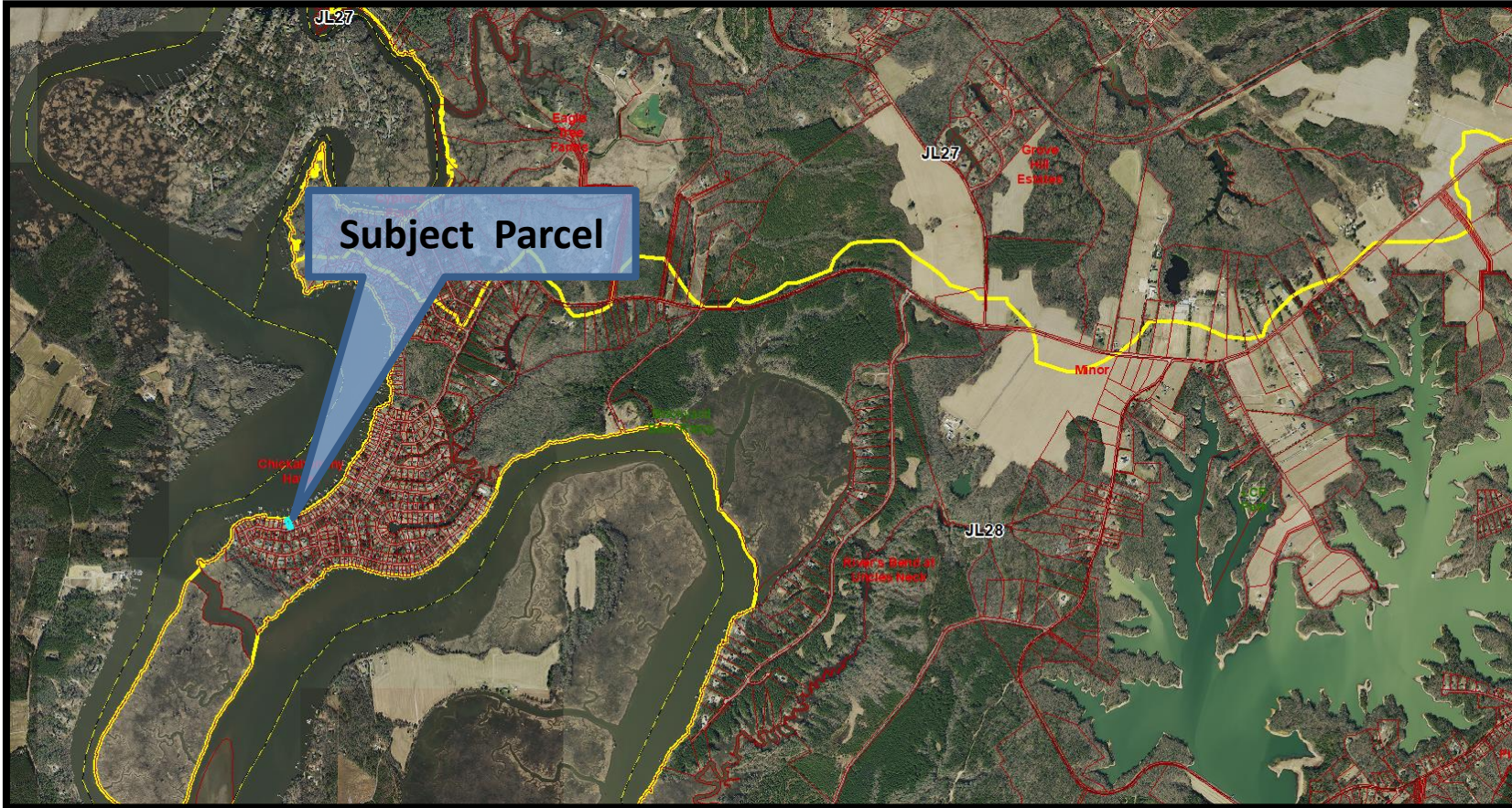
Jennifer Hewitt

3036 North Riverside Drive

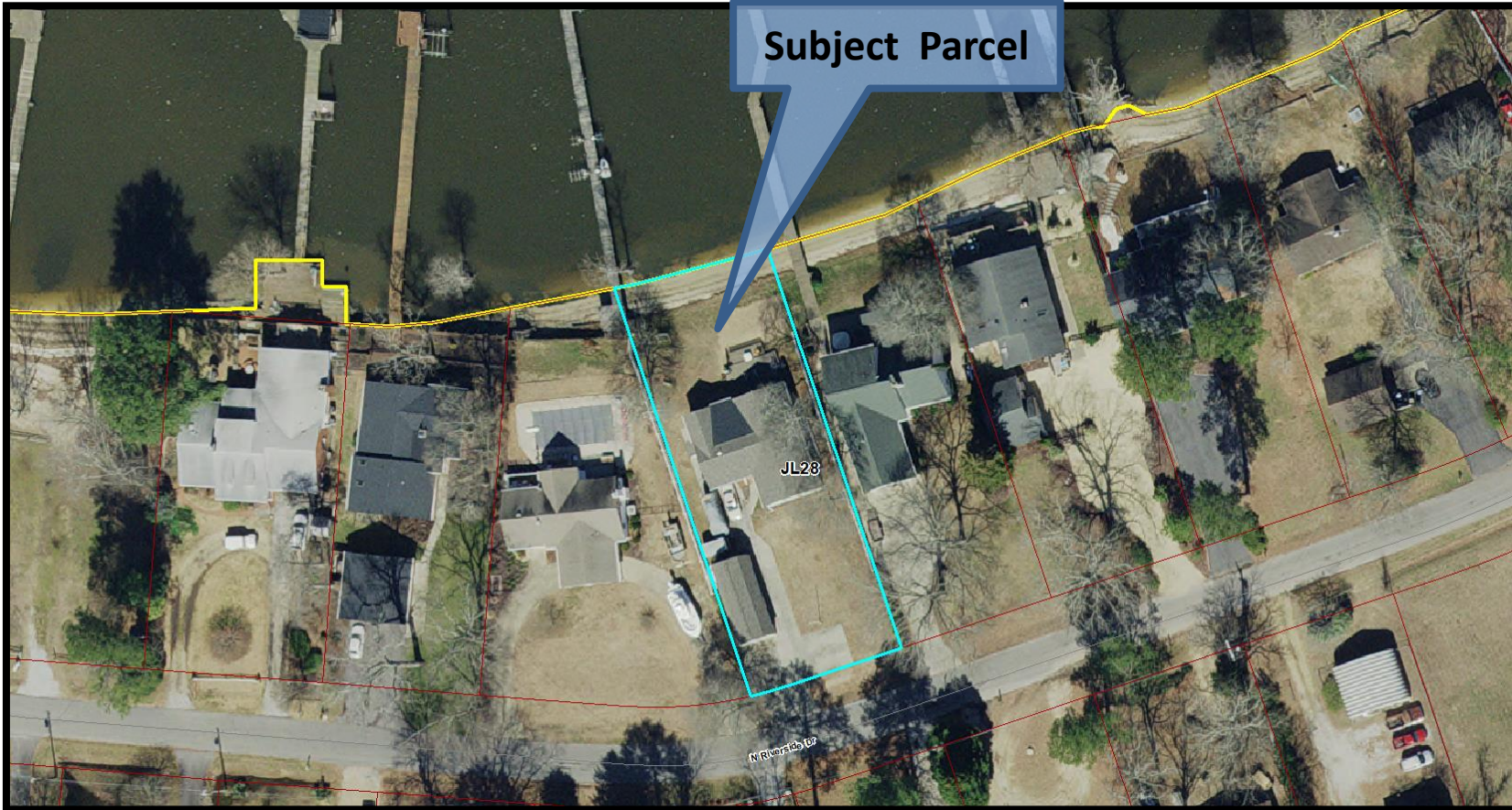


Applicant Request

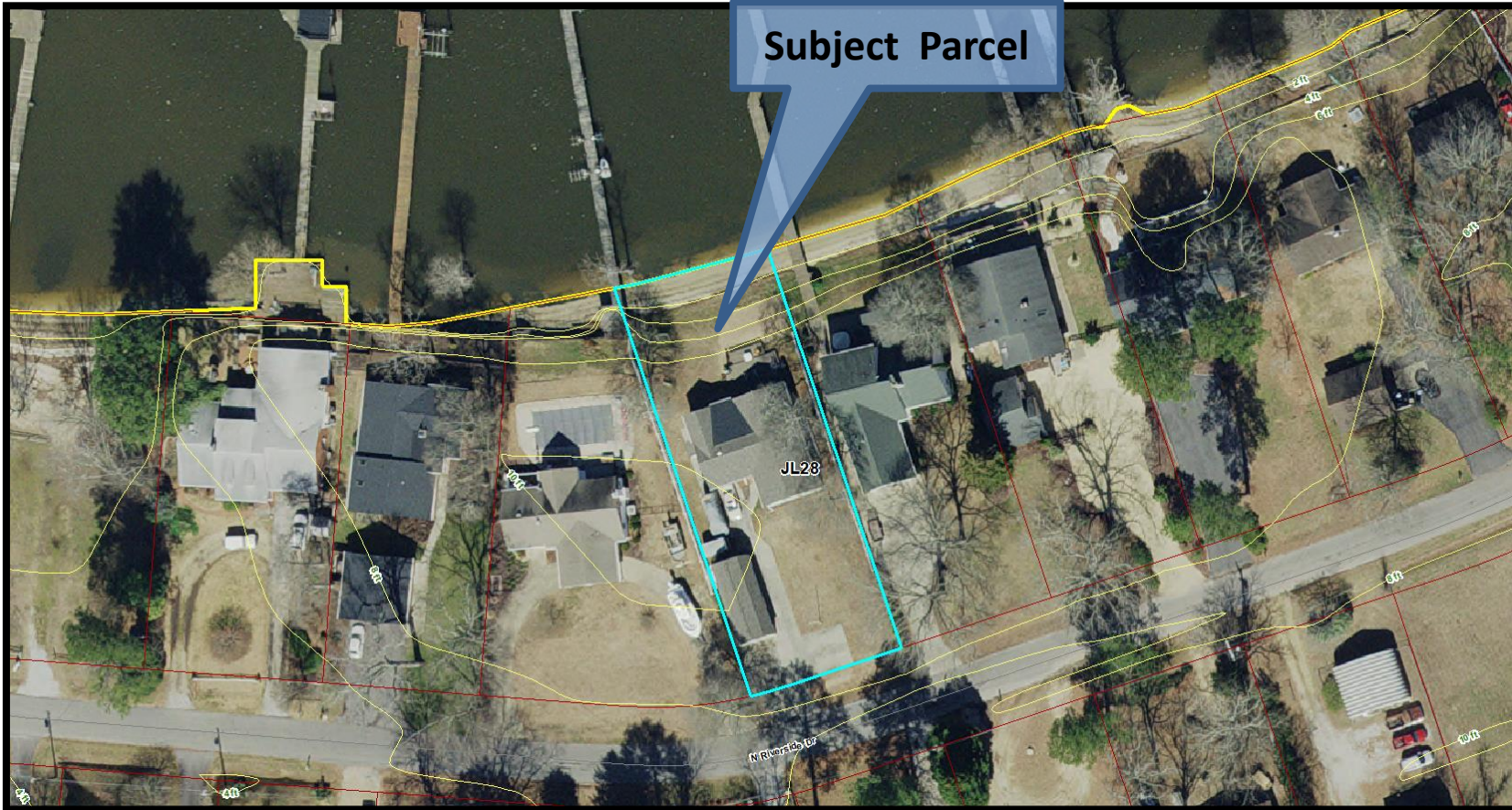
- ✓ Construction of two retaining walls.



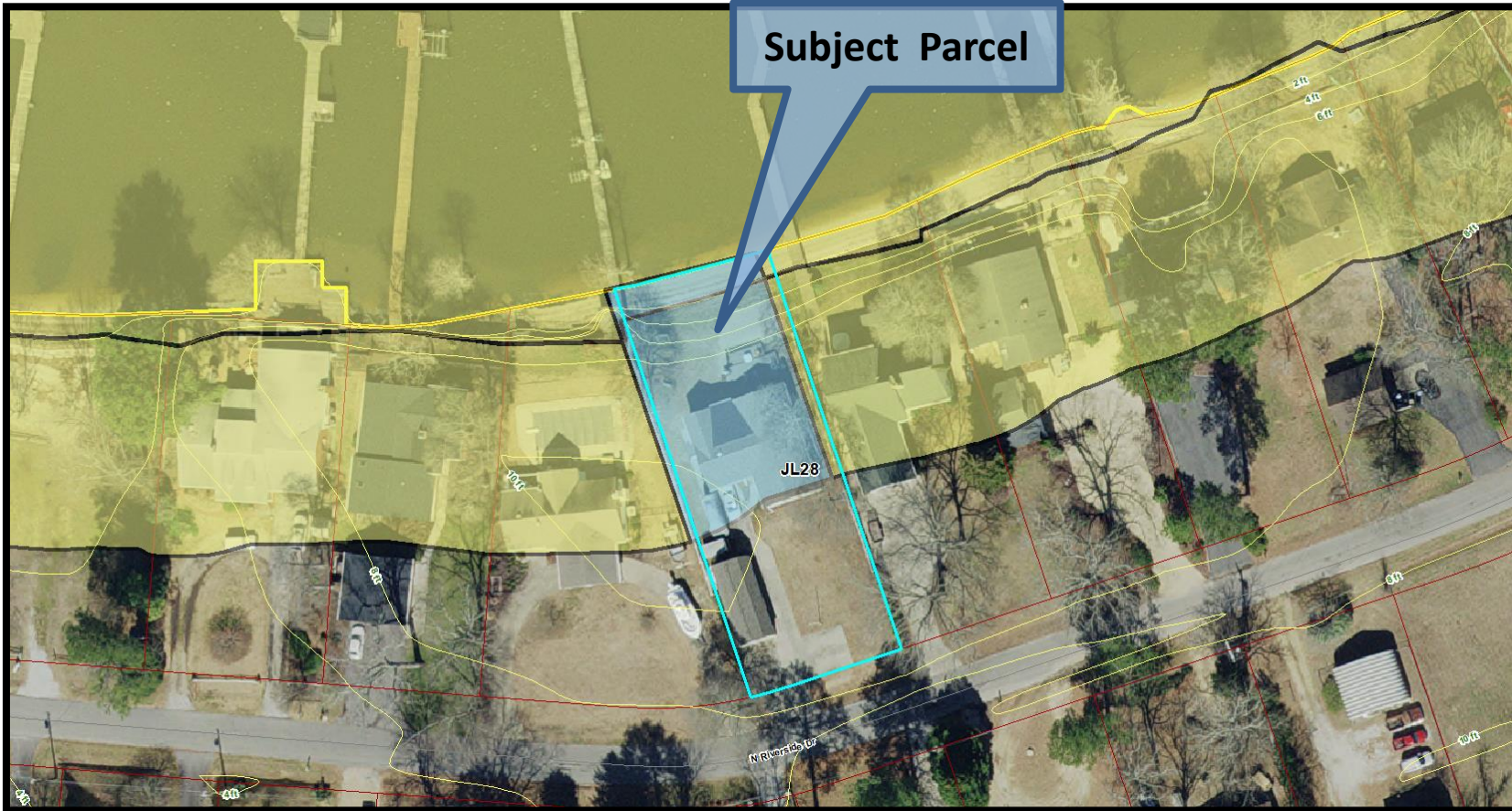
Vicinity Map
CBPA-23-0035
3036 North Riverside Drive



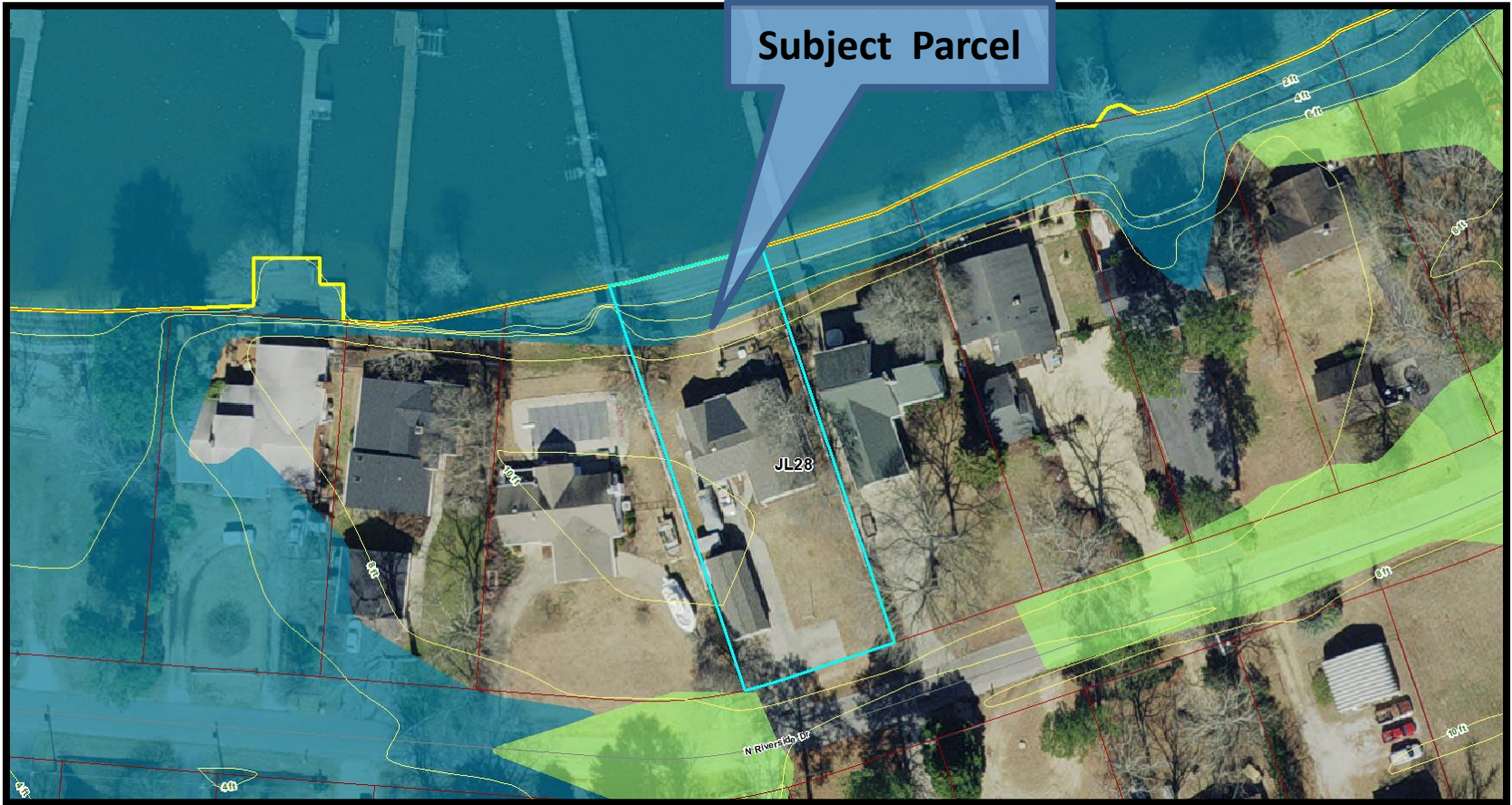
Aerial
CBPA-23-0035
3036 North Riverside Drive



Topography
CBPA-23-0035
3036 North Riverside Drive



Resource Protection Area
CBPA-23-0035
3036 North Riverside Drive



FEMA
CBPA-23-0035
3036 North Riverside Drive

Site Plan showing proposed improvements, submitted January 24, 2023. For representative use only for presentation of case #CBPA-23-0035.

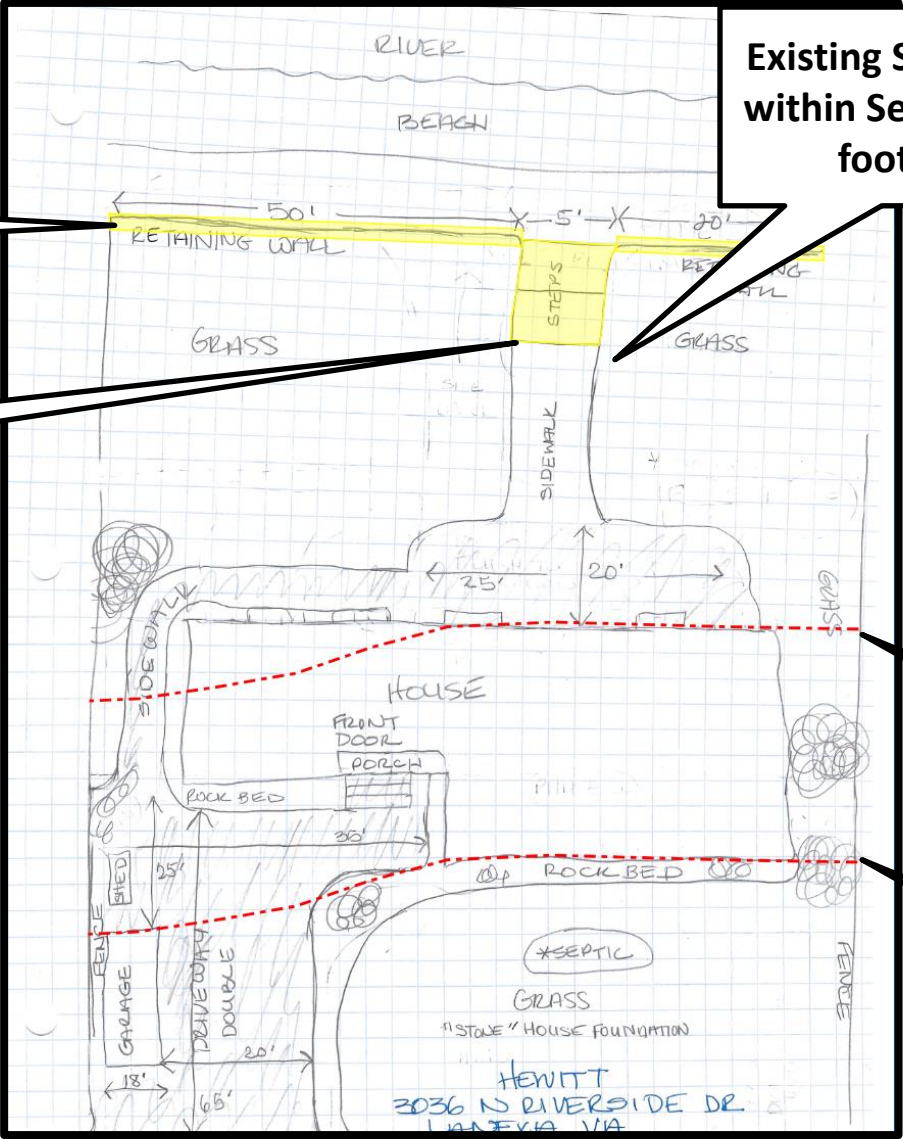
Proposed Retaining Wall

Proposed Steps

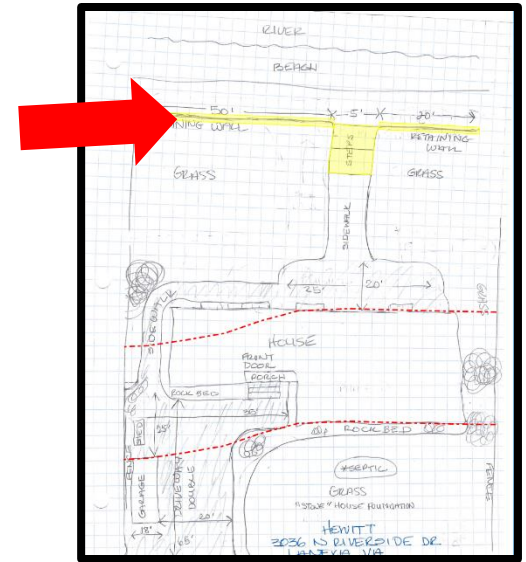
Existing Stone Wall within Seaward 50-foot RPA

50-foot Resource Protection Area

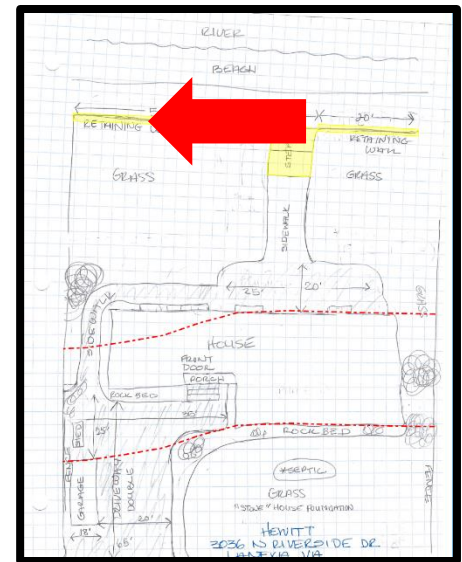
100-foot Resource Protection Area



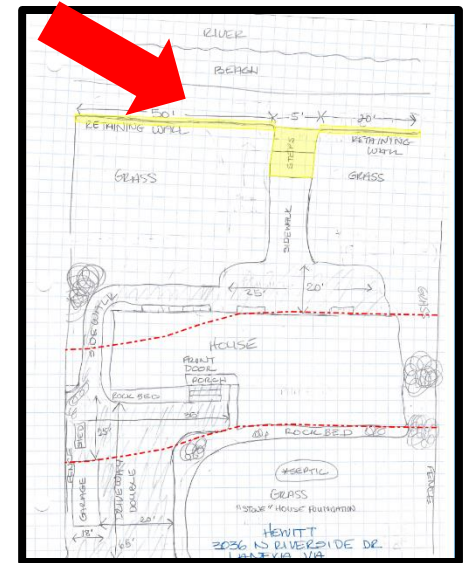
**Existing Conditions - CBPA-23-0035
3036 North Riverside Drive**



**Site Photograph #1 - CBPA-23-0035
3036 North Riverside Drive**



Site Photograph #2 - CBPA-23-0035
3036 North Riverside Drive



Site Photograph #3 - CBPA-23-0035
3036 North Riverside Drive

Considerations



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

- ✓ The exception request is the minimum necessary to afford relief; and
- ✓ 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
- ✓ 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
- ✓ 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
- ✓ Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

Permit Conditions



- ✓ All other necessary local, state and federal permits
- ✓ A mitigation plan equating to 6 shrubs
- ✓ A surety of \$500 to guarantee plantings
- ✓ All development activities located in the special flood hazard area must comply with Article VI, Division 3, Floodplain Area Regulations
- ✓ This exception request approval will become null and void if construction has not begun by April 12, 2024
- ✓ Written requests for an extension must be submitted no later than March 1, 2024

RIVER

BEACH

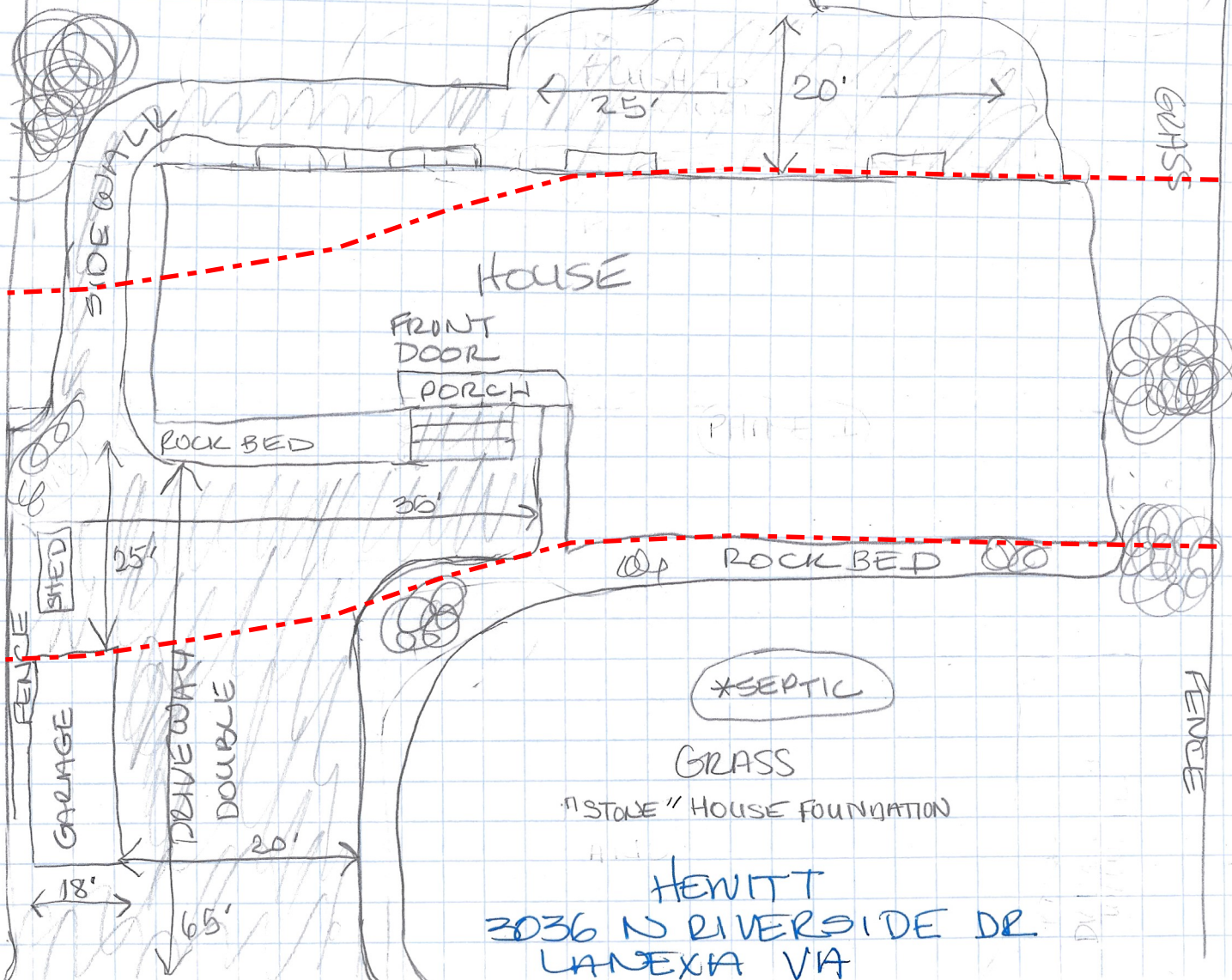


GRASS

GRASS

SIDEWALK

SIDE WALK



HEWITT
3036 N RIVERSIDE DR
LANEXA VA

Case Number: CBPA-23-0035

PIN	Last Name	Address Line 1	City	State	Zip Code
1910200048	HAMER, CAROLINE C TRUSTEE	3034 N RIVERSIDE DR	LANEXA	VA	23089-9403
1910200047A	HEWITT, JEREMY & JENNIFER	3036 N RIVERSIDE DR	LANEXA	VA	23089-9403
	Jennifer Hewitt We Care Concessions, LLC	3036 N Riverside Drive	Lanexa	VA	23089
1910200063	JONES, WILLIAM B TRUSTEE	7214 CANAL ST	LANEXA	VA	23089-9423
1910200064	MEADOWS, CASEY T	3041 N RIVERSIDE DR	LANEXA	VA	23089-9404
1910200062	MEADOWS, CRAIG T	3037 N RIVERSIDE DR	LANEXA	VA	23089-9404
1910200047	VIA, RAYMOND E JR & SHEPLER-VIA, PAT	3038 N RIVERSIDE DR	LANEXA	VA	23089-9403



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

«Last_Name»
«Address_Line_1»
«City», «State» «Zip_Code»

RE: CBPA-23-0035
3036 North Riverside Dr
Installation of two retaining walls

March 20, 2023
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. Jennifer and Mr. Jeremy Hewitt for encroachments into the Resource Protection Area (RPA) buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Tax Map Parcel No. 1910200047A.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 12, 2023, 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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY APRIL, 12, 2023, 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-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

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 Mar 29, 2023 and Apr 5, 2023.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x6648

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0011 : 1727 Centennial Drive

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/4/2023 - 3:55 PM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2023 - 8:12 PM
Publication Management	Daniel, Martha	Approved	4/5/2023 - 8:08 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:49 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0011. 1727 Centennial Drive
Staff Report for the April 12, 2023, 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. James Frohmiller

Agent: None

Location: 1727 Centennial Drive

Parcel Identification No.: 0340600010

Parcel: Lot 10, Phase 1, Section 3, The Retreat

Lot Size: 3.04 acres

Area of Lot in Resource Protection Area (RPA): 2.06 acres (68%)

Watershed: Diascund Creek (JL27)

Floodplain: None

Proposed Activity: Construction of a deck

Impervious Cover: 835 square feet

RPA Encroachment: 508 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a deck located at 1727 Centennial Drive within The Retreat subdivision and the Diascund Creek watershed. The property is further identified as James City County Tax Map Parcel No. 0340600010. The parcel was platted in 2002, prior to the changes in the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 3.04 acres, of which 68% is located within the RPA. In February of 2023, officials from the James City County Stormwater and Resource Protection Division received notice that a deck was being constructed on this property without the submission of a Chesapeake Bay Preservation Exception Request. The applicant became aware that the contractor had not acquired any permits for this project after starting construction and has since fired the contractor and is attempting to gain the approval of the construction of the deck after the fact. Total impacts to the RPA associated with this proposal equate to 508 square feet in the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equals one canopy tree, two understory trees, and six shrubs. Because this exception request is being heard before the Board after the fact, staff would require double the mitigation units equating to two canopy trees, four understory trees, and 12 shrubs.

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. This exception request is being heard by the Board after the fact.

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 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 Applicant must submit a mitigation plan equating to two canopy trees, four understory trees, and 12 shrubs to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$2,500 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
4. The Applicant must place three inches of gravel underneath the footprint of the deck; and
5. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

TAL/md
CBPA23-11_1727CentDr

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0011. 1727 CENTENNIAL DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. James Frohmiller (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 0340600010, and further identified as 1727 Centennial Drive (the “Property”) as set forth in the application CBPA-23-0011 for the purpose of constructing a deck; 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-23-0011, 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 Applicant must submit a mitigation plan equating to two canopy trees, four understory trees, and 12 shrubs to the Stormwater and Resource Protection Division and approved prior to project start; and
3. The Applicant must submit a surety of \$2,500 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
4. The Applicant must place three inches of gravel underneath the footprint of the deck; and
5. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

Charles Roadley
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 April, 2023.

RESOLUTION

CASE NO. CBPA-23-0011. 1727 CENTENNIAL DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. James Frohmiller (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 0340600010, and further identified as 1727 Centennial Drive (the “Property”) as set forth in the application CBPA-23-0011 for the purpose of constructing a deck; and

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

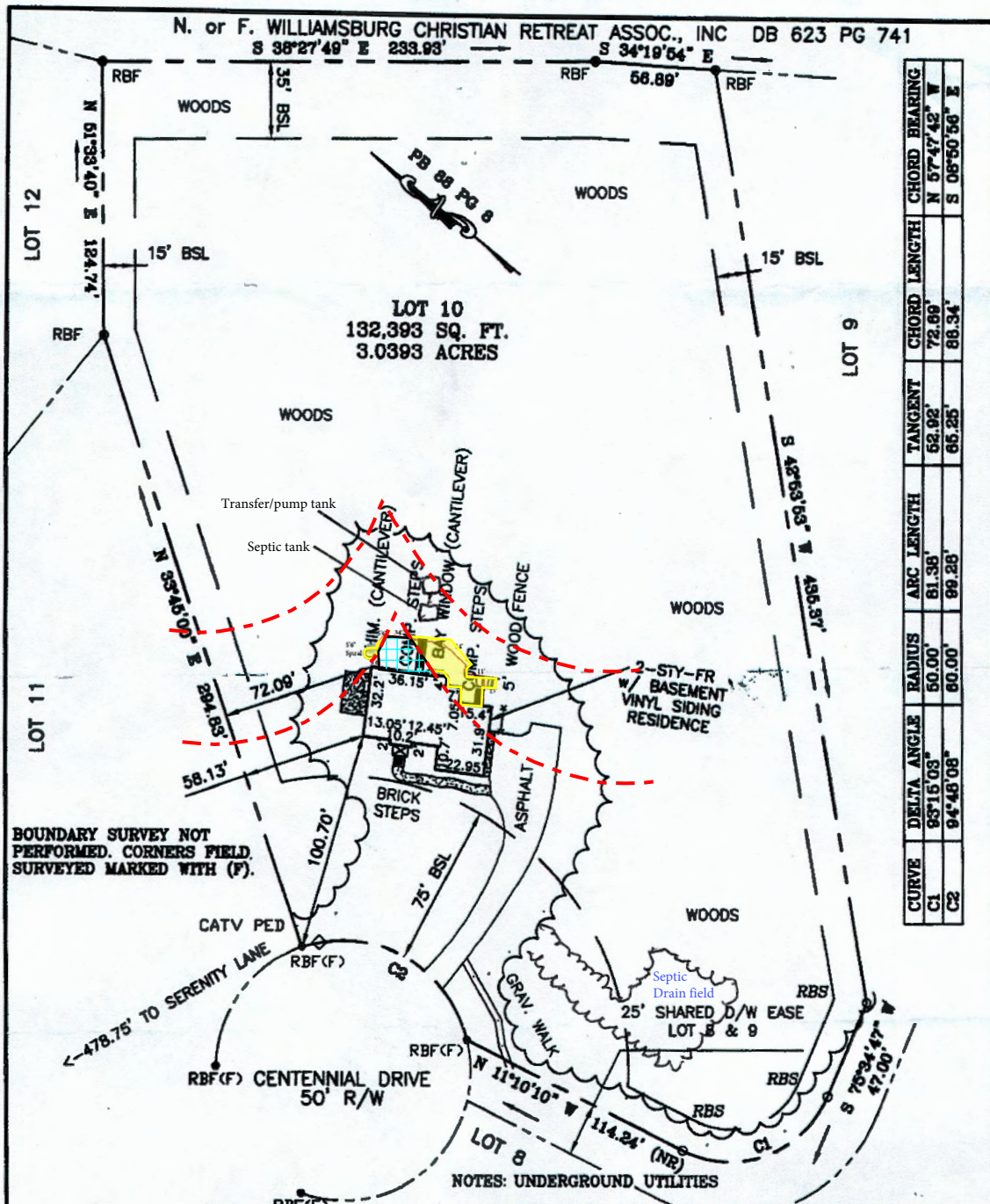
NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-23-0011.

Charles Roadley
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 April, 2023.

CBPA23-11_1727CentDrDeny-res



CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	95°16'03"	50.00'	81.36'	52.92'	72.09'	N 57°47'42" W
C2	94°48'08"	60.00'	89.28'	65.25'	88.34'	S 08°50'56" E



THIS IS TO CERTIFY THAT ON SEPTEMBER 17, 2013 I PERFORMED A CURRENT FIELD SURVEY OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE AS SHOWN ON THIS PLAN. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN.

Eric R. DuBois L.S.

F.B. 935 PG. 78
 SHAHEEN/ADP

RETREAT-1-3-10.DWG
 JOB NO.13-289

#1727 CENTENNIAL DRIVE

PHYSICAL SURVEY OF THE PROPERTY OF
JAMES E. & REBECCA E. FROHMILLER

LOT 10 PHASE 1

THE RETREAT
 SECTION THREE
 STONEHOUSE DISTRICT
 JAMES CITY COUNTY, VIRGINIA

ADPA A.D. POTTS & ASSOCIATES, INC.
 11524 JEFFERSON AVENUE
 NEWPORT NEWS, VIRGINIA 23601
 PHONE: (757) 595-4810
 SCALE: 1"=60' DATE: 9/17/13

Case Number: CBPA-23-0011

PIN	Last Name	Address Line 1	City	State	Zip Code
0340600008	BATES, JOHN L & RHONDA S	1728 CENTENNIAL DR	TOANO	VA	23168-8937
0340600007	ERMATINGER, WILLIAM RAYMOND TRUSTEE	1724 CENTENNIAL DR	TOANO	VA	23168-8934
0340600010	FROHMILLER, JAMES E & REBECCA E	1727 CENTENNIAL DR	TOANO	VA	23168-8937
0340600012	GULDEN, KENNETH D & TRACEY S.	9104 SERENITY LN	TOANO	VA	23168-8935
0340600011	HENRY, RANDALL S & LINDSEY H	9100 SERENITY LN	TOANO	VA	23168-8935
0340600009	SHELTON, BERRY B III & HOLLY H	1732 CENTENNIAL DR	TOANO	VA	23168-8937
0430100014	WILLIAMSBURG CHRISTIAN	9275 BARNES RD	TOANO	VA	23168-8908



General Services
107 Tewning Road
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P: 757-259-4080
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jamescitycountyva.gov

Capital Projects
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Fleet
103 Tewning Road
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**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

«Last_Name»
«Address_Line_1»
«City», «State» «Zip_Code»

RE: CBPA-23-0011
1727 Centennial Drive
Construction and approval of a
deck

March 20, 2023
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. James Frohmiller for encroachments into the Resource Protection Area (RPA) buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Tax Map Parcel No. 0340600010.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 12, 2023, 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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY APRIL, 12, 2023, 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-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

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 Mar 29, 2023 and Apr 5, 2023.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x6648

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0031 : 205 Bulwell Forest

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/5/2023 - 7:56 AM
Chesapeake Bay Group	Small, Toni	Approved	4/5/2023 - 8:25 AM
Publication Management	Pobiak, Amanda	Approved	4/5/2023 - 8:38 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:52 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0031. 205 Bulwell Forest
Staff Report for the April 12, 2023, 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: Greenwood Homes-Hampton Roads, LLC

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

Location: 205 Bulwell Forest

Parcel Identification No.: 3233100019

Parcel: Lot 19, Section 12, Ford's Colony

Lot Size: 0.69 acres

Area of Lot in Resource Protection Area (RPA): 0.60 acres (87%)

Watershed: Powhatan Creek (JL31)

Floodplain: None

Proposed Activity: Construction of a single-family dwelling

Impervious Cover: 4,316 square feet

RPA Encroachment: 2,640 square feet, landward 50-foot RPA
1,676 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Chase Grogg, LandTech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes-Hampton Roads, LLC, for encroachments into the RPA buffer for the construction of a single-family dwelling located at 205 Bulwell Forest within the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3233100019. The parcel was platted in 2003, prior to the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 0.69 acres, of which 87% is located within the RPA. Existing conditions on this property include a wooded lot with wetlands across the rear of the property, a Best Management Practice access easement through the property, and a James City Service Authority access easement across the lot. The applicant is proposing to construct a single-family dwelling with an attached deck. Total impacts to the RPA associated with this proposal equate to 2,640 square feet of impacts to the landward 50-foot RPA and 1,676 square feet of impacts to the seaward 50-foot RPA for a total of 4,316 square feet of impacts to the RPA. The minimum first-floor square footage required for this section of Ford's Colony is 2,000 square feet. The proposed house has a first-floor square footage equal to 2,558 square feet, which is 28%

more than the minimum. Required mitigation for this amount of impervious impacts equals 11 planting units (11 canopy trees, 22 understory trees, and 33 shrubs). The applicant is proposing to plant seven planting units and purchase the remaining four credits through the James City County Mitigation Fund at the cost of \$3,000. Additionally, there are two proposed infiltration trenches. Staff is requesting that an affidavit be recorded in the Williamsburg/James City County Courthouse because of the environmental sensitivity of this lot.

STAFF EVALUATION

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

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the 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 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 Applicant must submit a surety of \$5,250 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings of seven planting units; and
3. The Applicant must submit a payment of \$3,000 into the James City County Mitigation Fund prior to the issuance of a building permit; and
4. The Applicant must place three inches of gravel underneath the footprint of the deck; and
5. An affidavit must be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a building permit; and

6. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
7. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

TAL/md
CBPA23-31_205BulwellFor

- Attachments:
1. Resolution
 2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0031. 205 BULWELL FOREST

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Greenwood Homes-Hampton Roads, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 3233100019 and further identified as 205 Bulwell Forest (the “Property”) as set forth in the application CBPA-23-0031 for the purpose of constructing a single-family dwelling; 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-23-0031, 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 Applicant must submit a surety of \$5,250 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings of seven planting units; and
3. The Applicant must submit a payment of \$3,000 into the James City County Mitigation Fund prior to the issuance of a building permit; and
4. The Applicant must place three inches of gravel underneath the footprint of the deck; and
5. An affidavit must be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a building permit; and
6. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
7. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

Charles Roadley
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 April, 2023.

RESOLUTION

CASE NO. CBPA-23-0031. 205 BULWELL FOREST

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Greenwood Homes-Hampton Roads, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 3233100019 and further identified as 205 Bulwell Forest (the “Property”) as set forth in the application CBPA-23-0031, for the purpose of constructing a single-family dwelling; 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-23-0031.

Charles Roadley
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 April, 2023.

CBPA23-31_205BulwellForDeny-res

GENERAL NOTES

1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN INST#030011451.
2. ELEVATIONS SHOWN HEREON ARE IN FEET AND ARE CLOSELY RELATED TO JCC GIS (NAVD88).
3. WETLANDS, AS SHOWN, WERE DELINEATED BY ROTH ENVIRONMENTAL.
4. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
5. PARCEL LIES IN F.I.R.M. ZONE "X" ACCORDING TO COMMUNITY PANEL #51095C0117D, DATED DECEMBER 16, 2015.
6. LOT SERVED BY PUBLIC WATER AND SEWER. CONTRACTOR TO COORDINATE CONNECTIONS WITH JAMES CITY COUNTY UTILITIES.
7. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
8. TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY.
9. CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION.
10. CONTRACTOR TO INSTALL ORANGE SAFETY FENCE AROUND PERIMETER OF CONSTRUCTION.
11. PROPOSED RESIDENCE SHOWN BASED OFF OF PLANS PROVIDED BY CLIENT DATED 8/3/2022 & AND TO BE CONFIRMED BY CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR TO VERIFY PLAN DIMENSIONS PRIOR TO CONSTRUCTION.

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

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

MITIGATION TABLE: 4,479 S.F. / 400 S.F. = 12 CREDITS

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

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

EROSION & SEDIMENT CONTROL NOTES

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

BUILDING INFORMATION

PROPOSED BUILDING IS A 1-STORY FRAME
 PROPOSED GARAGE IS FRONT LOADING
 SECTION 12 FIRST FLOOR REQUIREMENT: 2,000 S.F.
 PROPOSED FIRST FLOOR: 2,558 S.F.

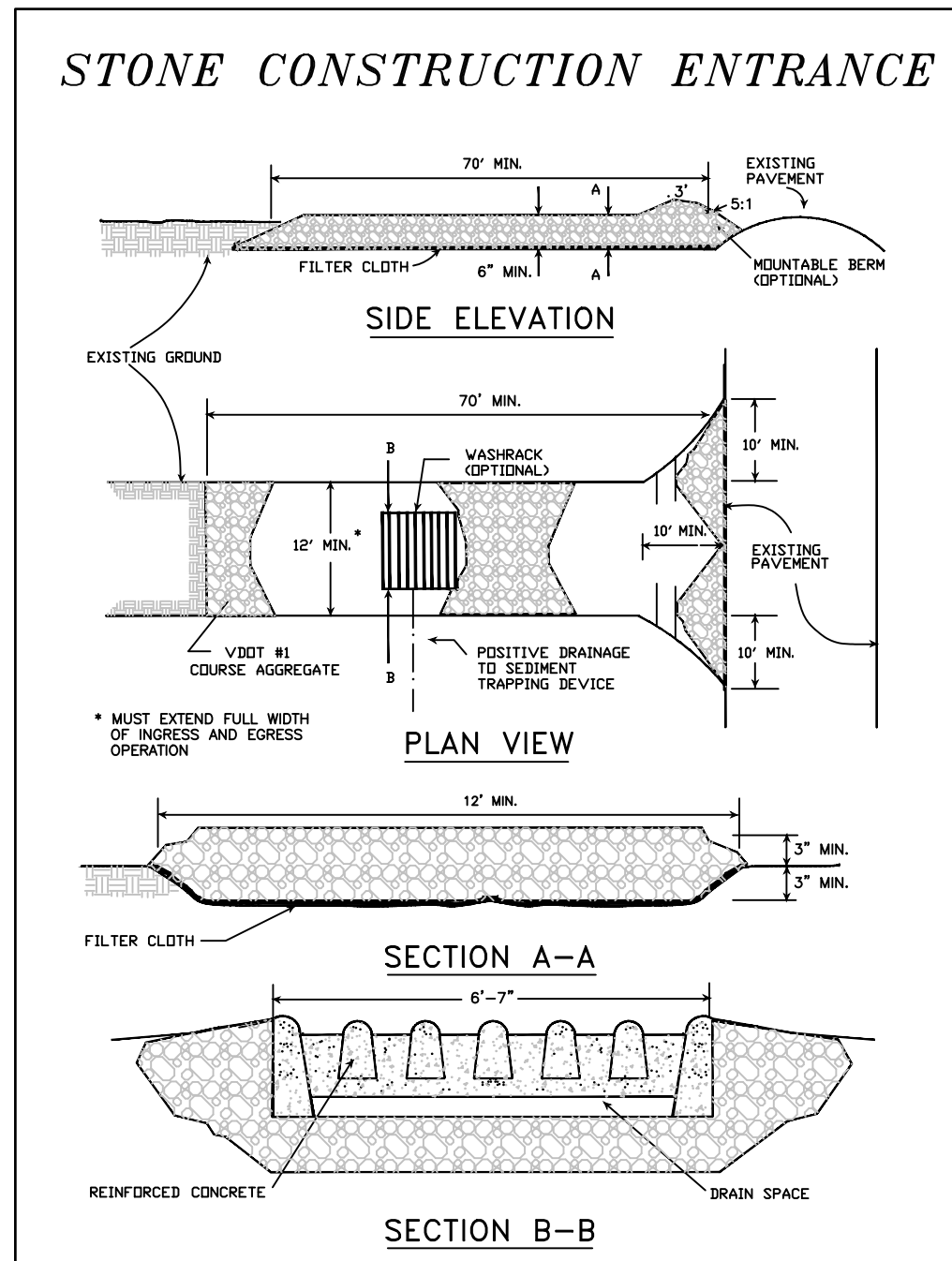
BUILDING SETBACK (SBL)

FRONT: 30'
 REAR: 20'
 SIDE: 9.8' (10% LOT WIDTH)

EXISTING ADDRESS:

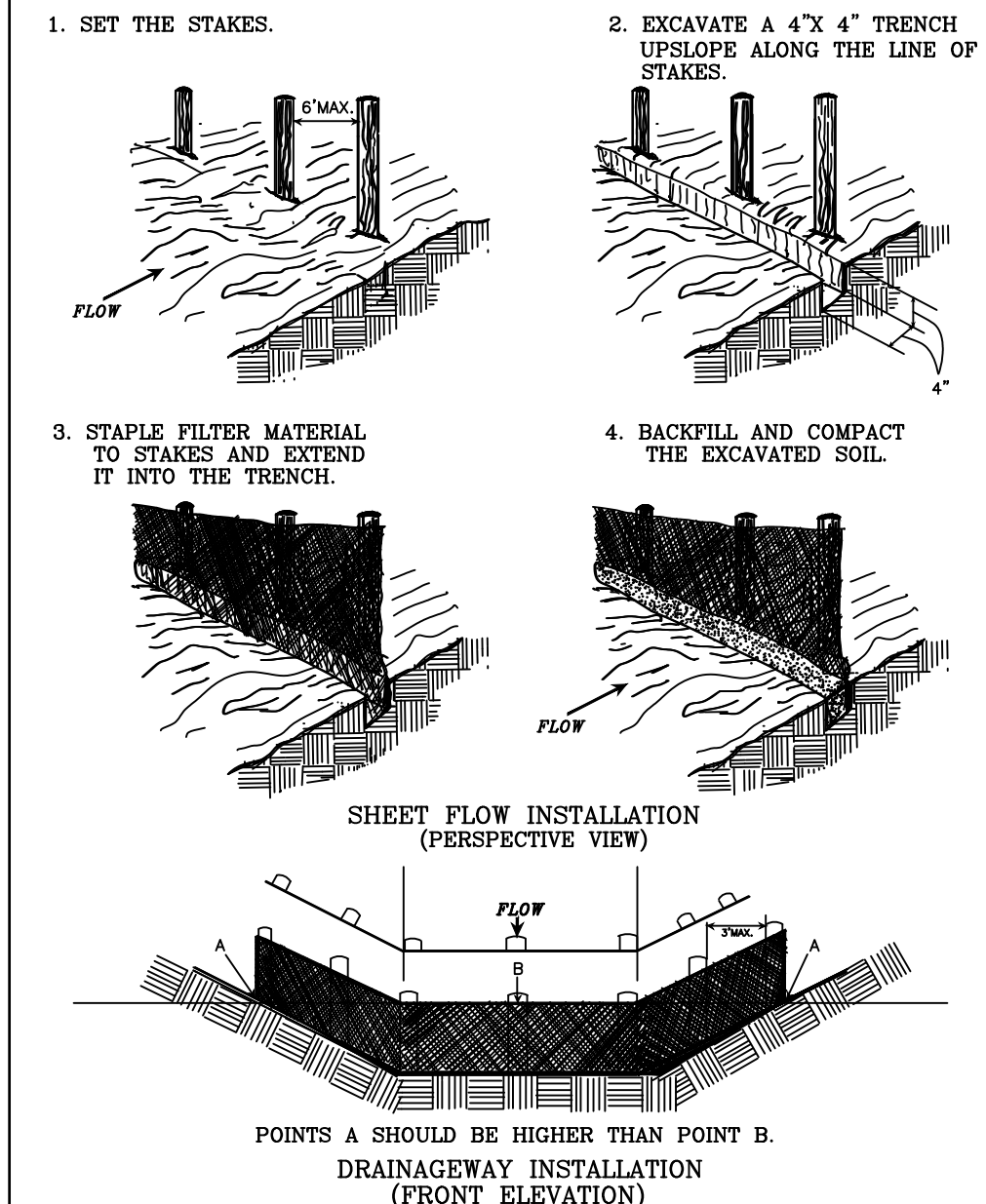
205 BULWELL FOREST
 JAMES CITY COUNTY, VIRGINIA

STONE CONSTRUCTION ENTRANCE



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

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



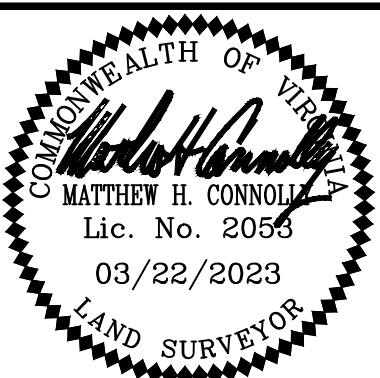
SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Plate 3.05-2 Sherwood and Wyant

SURVEYORS CERTIFICATION

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

Matthew H. Connolly 12/12/2022
 MATTHEW H. CONNOLLY, L.S. DATE

SHEET 1 OF 4



DATE: 12/12/2022
 DRAWN BY: AEQ
 PROJECT No. 22-363
 FILE NAME: 22-363.DWG
 REFERENCES:
 INST.# 030011451

PLOT PLAN OF
 LOT 19, SECTION XII
 FORD'S COLONY
 FOR
 GREENWOOD HOMES
 JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	1/4/2023	ADDED TRASH ENCLOSURE
2	2/7/2023	CORRECTED FINISH FLOOR ELEVATION
3	2/28/2023	REVISED RPA AS FLAGGED BY OTHERS
4	3/22/2023	REVISED PER COUNTY COMMENT



RECORD
INST. # 031100451
MERIDIAN

EROSION & SEDIMENT CONTROL NOTES

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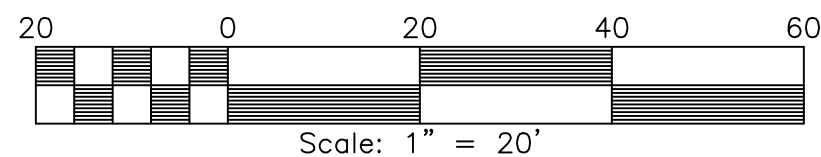
SITE INFORMATION

PARCEL ID: 3233100019
TOTAL AREA: 29,980 S.F. / 0.688 AC.
IMPERVIOUS AREA: 5,566 S.F. / 0.128 AC.
IMPERVIOUS WITHIN 50' RPA: 1,676 S.F. / 0.038 AC.
IMPERVIOUS WITHIN 100' RPA: 2,640 S.F. / 0.061 AC.
IMPERVIOUS WITHIN RPA TOTAL: 4,316 S.F. / 0.099 AC.
DISTURBED AREA: 12,600 S.F. / 0.289 AC.
ZONING DISTRICT: R4 RESIDENTIAL PLANNED COMMUNITY
EXISTING SITE IS PARTLY WOODED AS SHOWN

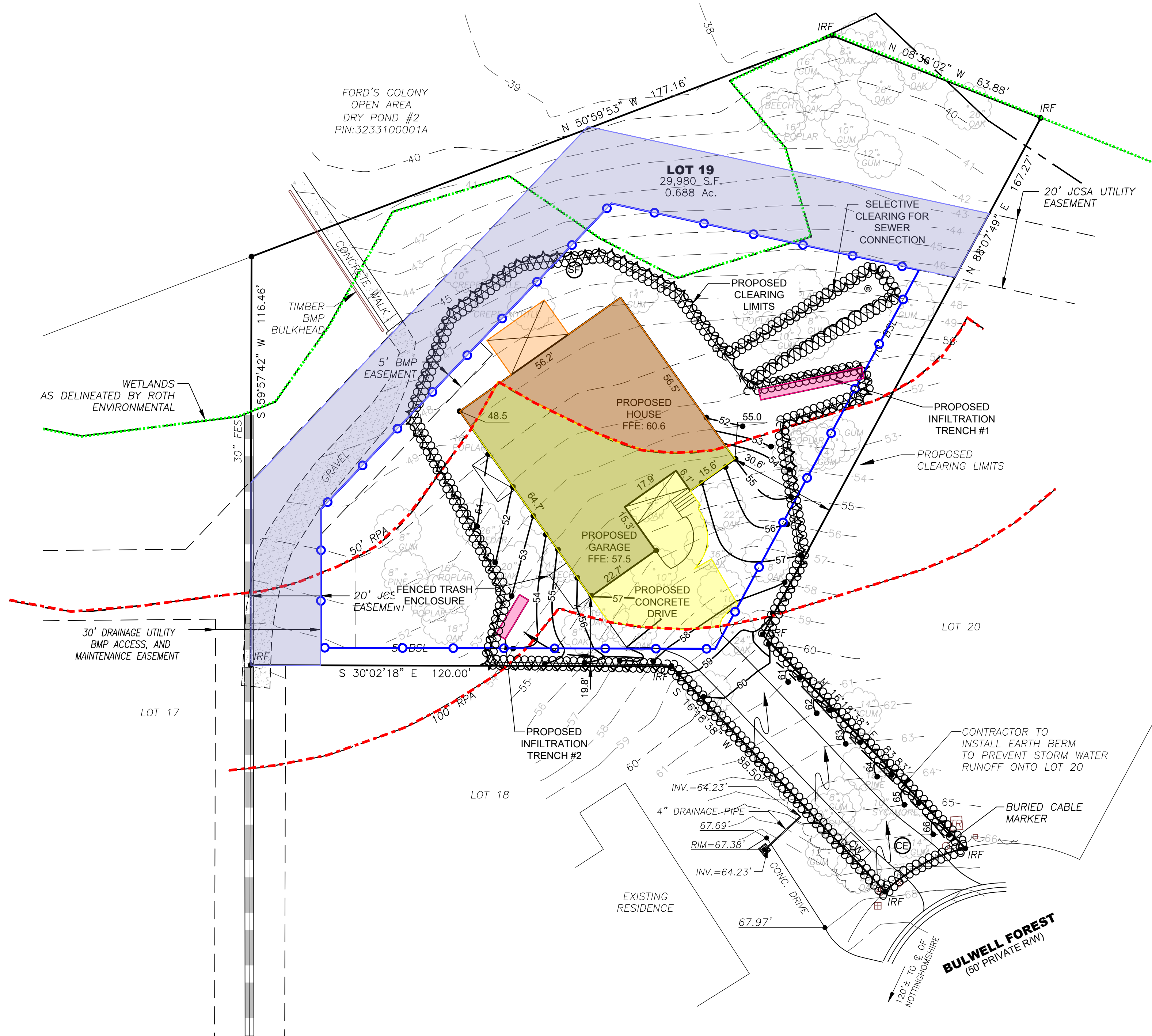
EXISTING ADDRESS:

205 BULWELL FOREST
JAMES CITY COUNTY, VIRGINIA

- LEGEND**
- ⊕ WATER METER
 - ⊙ SEWER CLEAN OUT
 - ⊕ CABLE PEDESTAL
 - ⊕ TELEPHONE PEDESTAL
 - TR TRANSFORMER
 - IRF = IRON ROD FOUND
 - CW CONCRETE WASHOUT
 - PROPOSED HVAC AREA LOCATION IS APPROXIMATE
 - PROPOSED SWALE



SHEET 2 OF 4



DATE: 12/12/2022
DRAWN BY: AEQ
PROJECT No. 22-363
FILE NAME: 22-363.DWG
REFERENCES:
INST#030011451

PLOT PLAN OF
LOT 19, SECTION XII
FORD'S COLONY
FOR
GREENWOOD HOMES

JAMES CITY COUNTY

VIRGINIA

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

MITIGATION TABLE: 4,316 S.F. / 400 S.F. = 11 CREDITS

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NATIVE SHRUBS	33

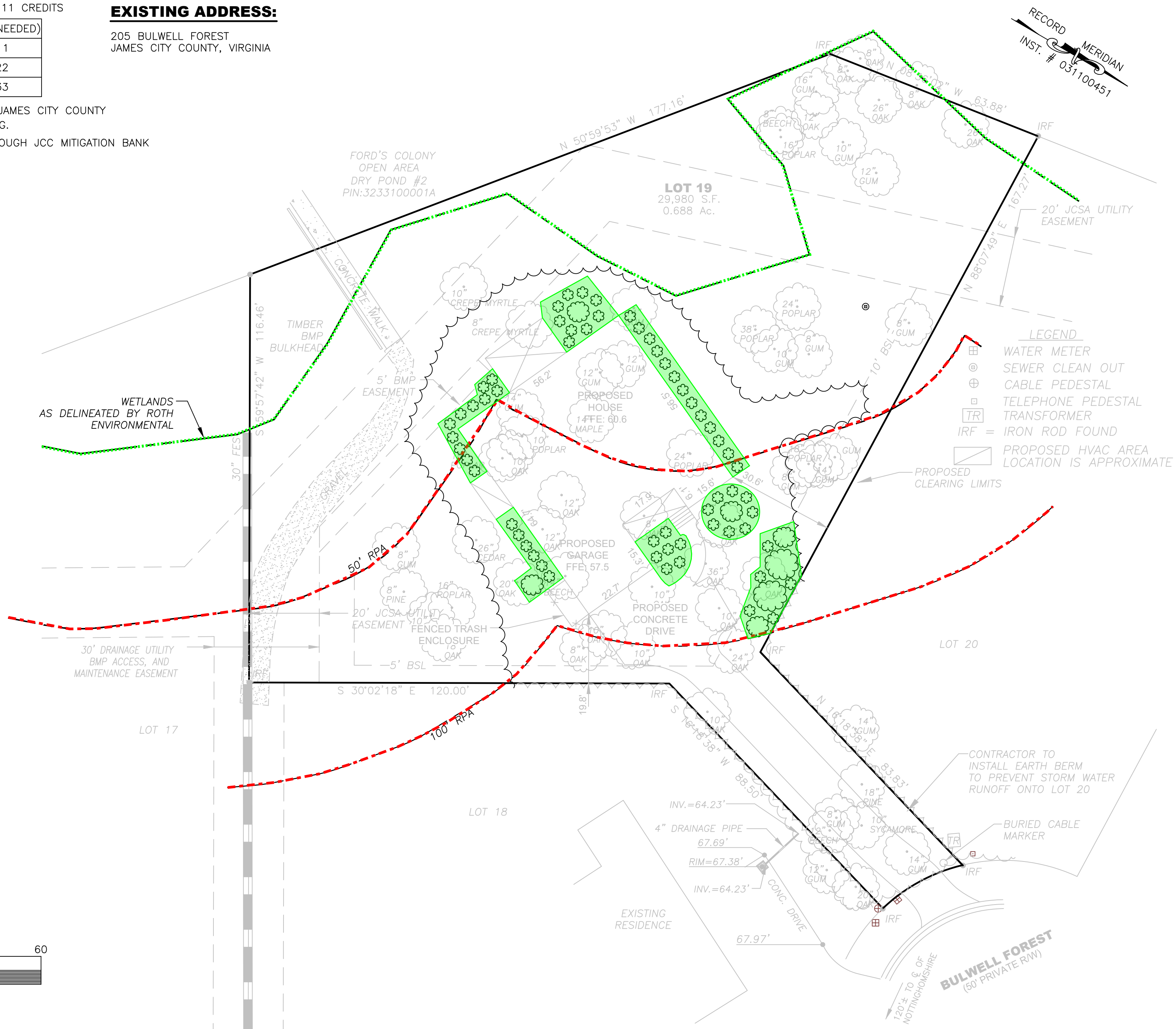
EXISTING ADDRESS:

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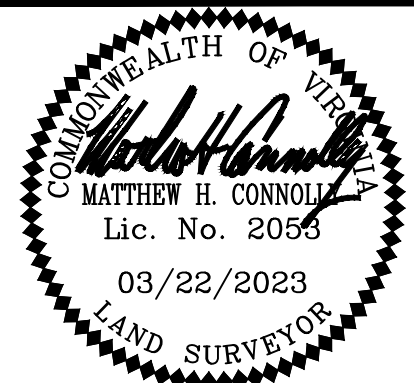
- * CONTRACTOR/OWNER TO COORDINATE WITH JAMES CITY COUNTY FOR REQUIREMENTS ON MITIGATION PLANTING.
- * CONTRACTOR TO PURCHASE 4 CREDITS THROUGH JCC MITIGATION BANK

LANDSCAPE LEGEND (7 CREDITS)

- CANOPY =2 SHOWN
- UNDERSTORY =5 SHOWN
- SHRUBS =59 SHOWN



SHEET 3 OF 4

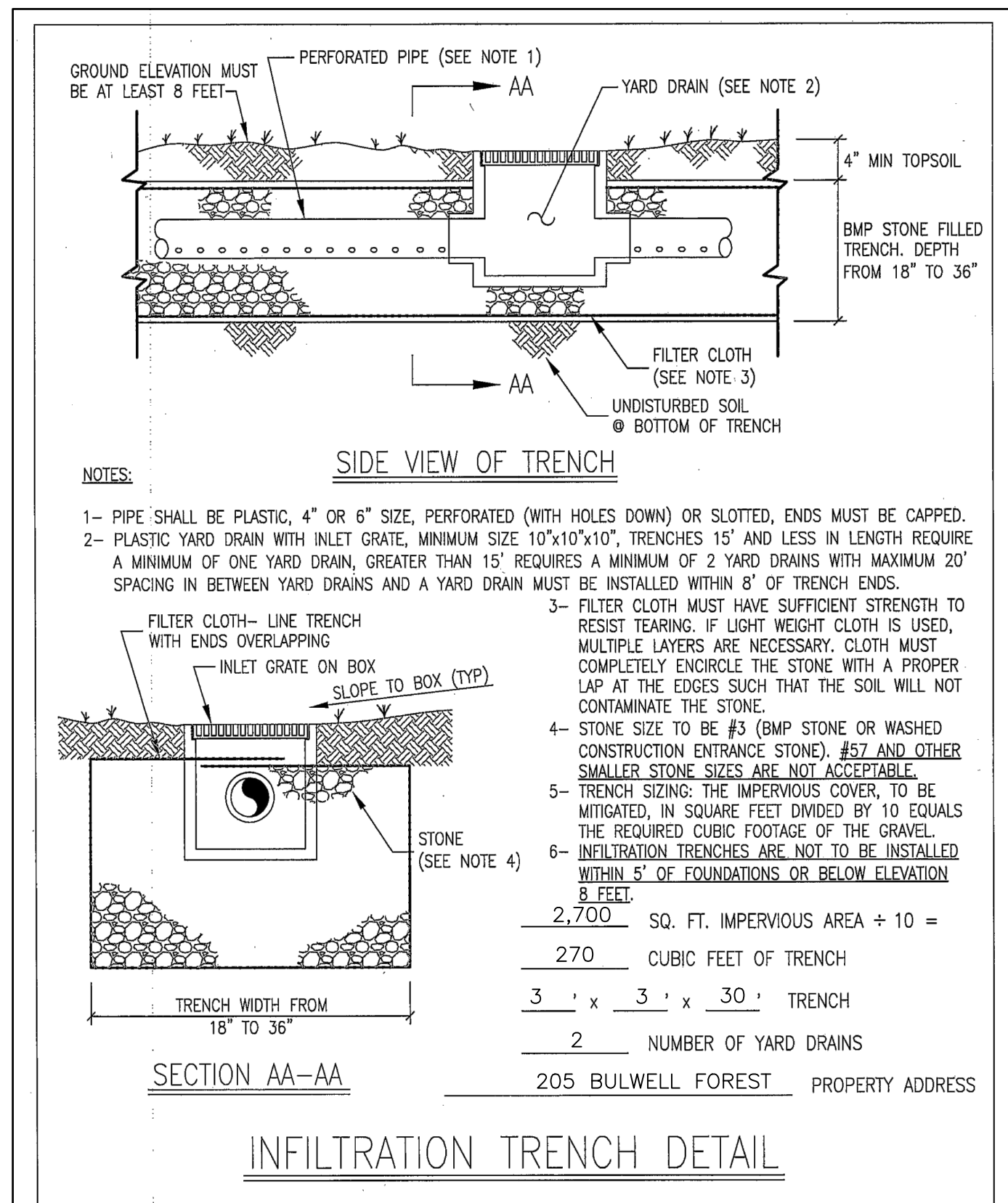


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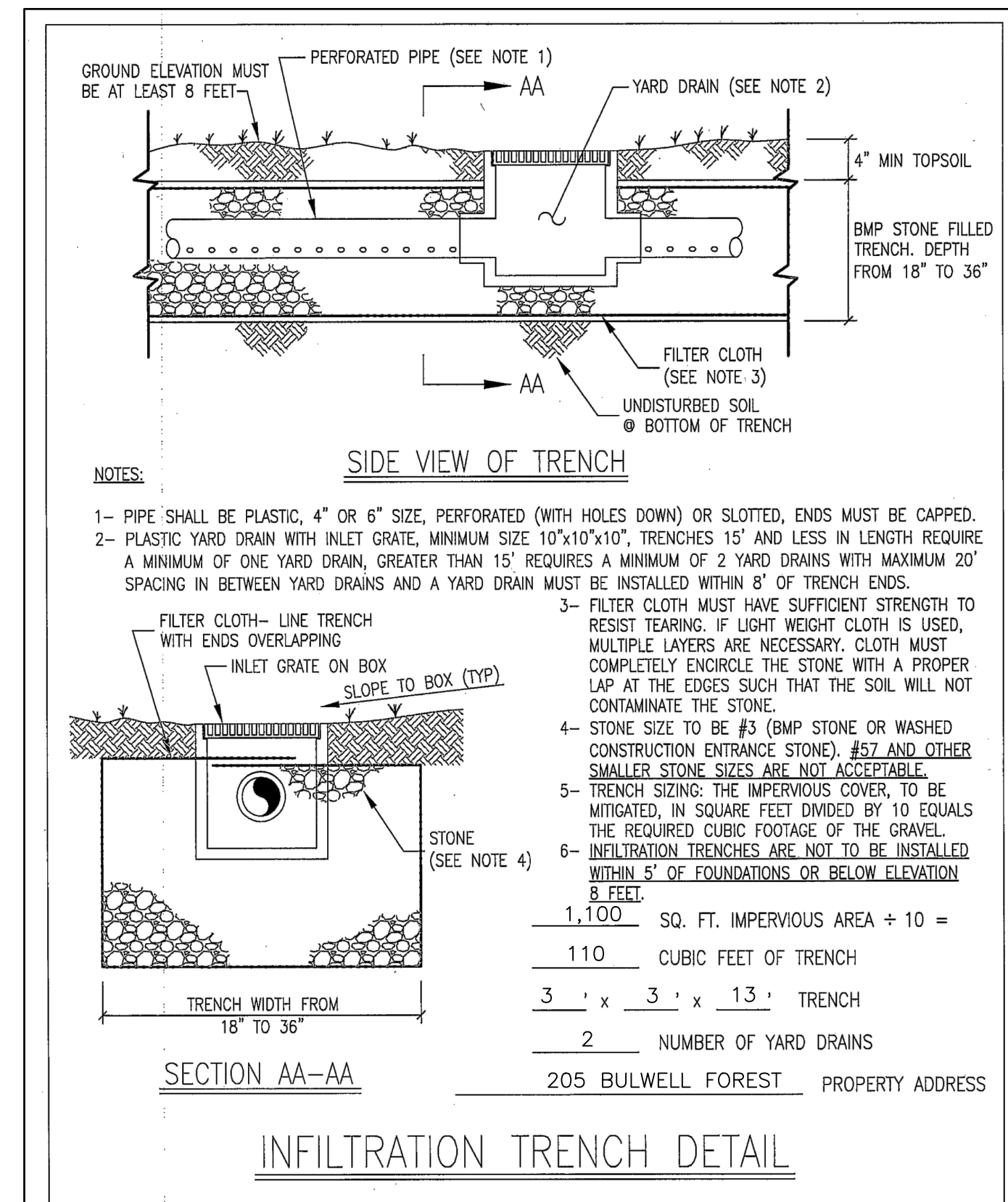
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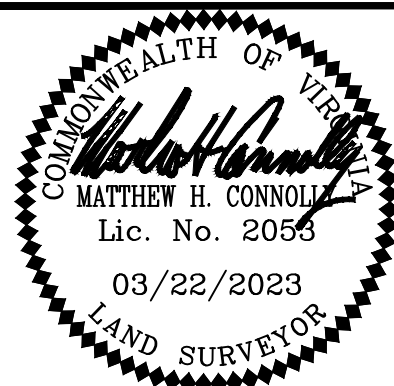
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TRENCH DETAIL #1



TRENCH DETAIL #2



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 PROJECT No. 22-363
 FILE NAME: 22-363.DWG
 REFERENCES:
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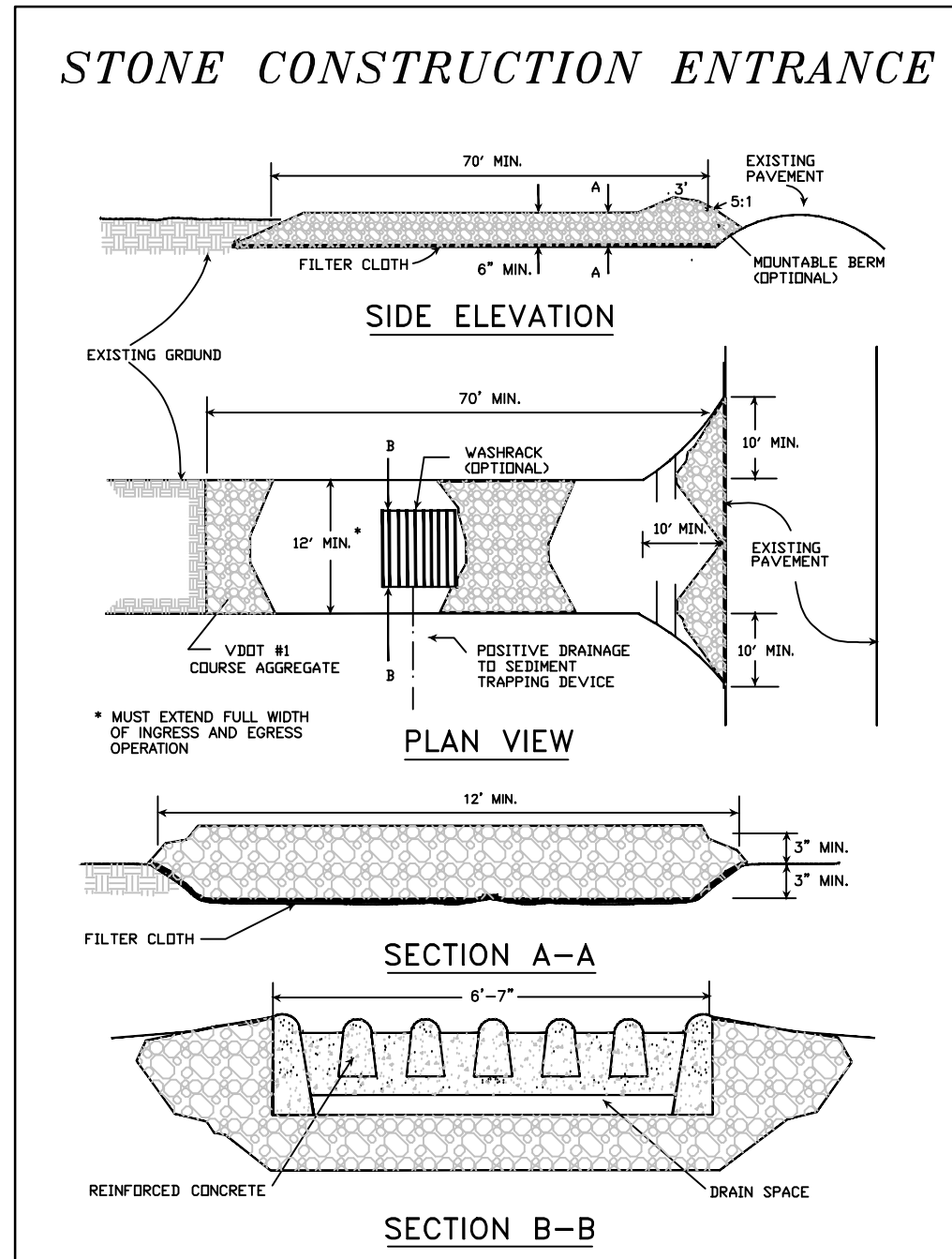
BUILDING SETBACK (SBL)

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 SIDE: 9.8' (10% LOT WIDTH)

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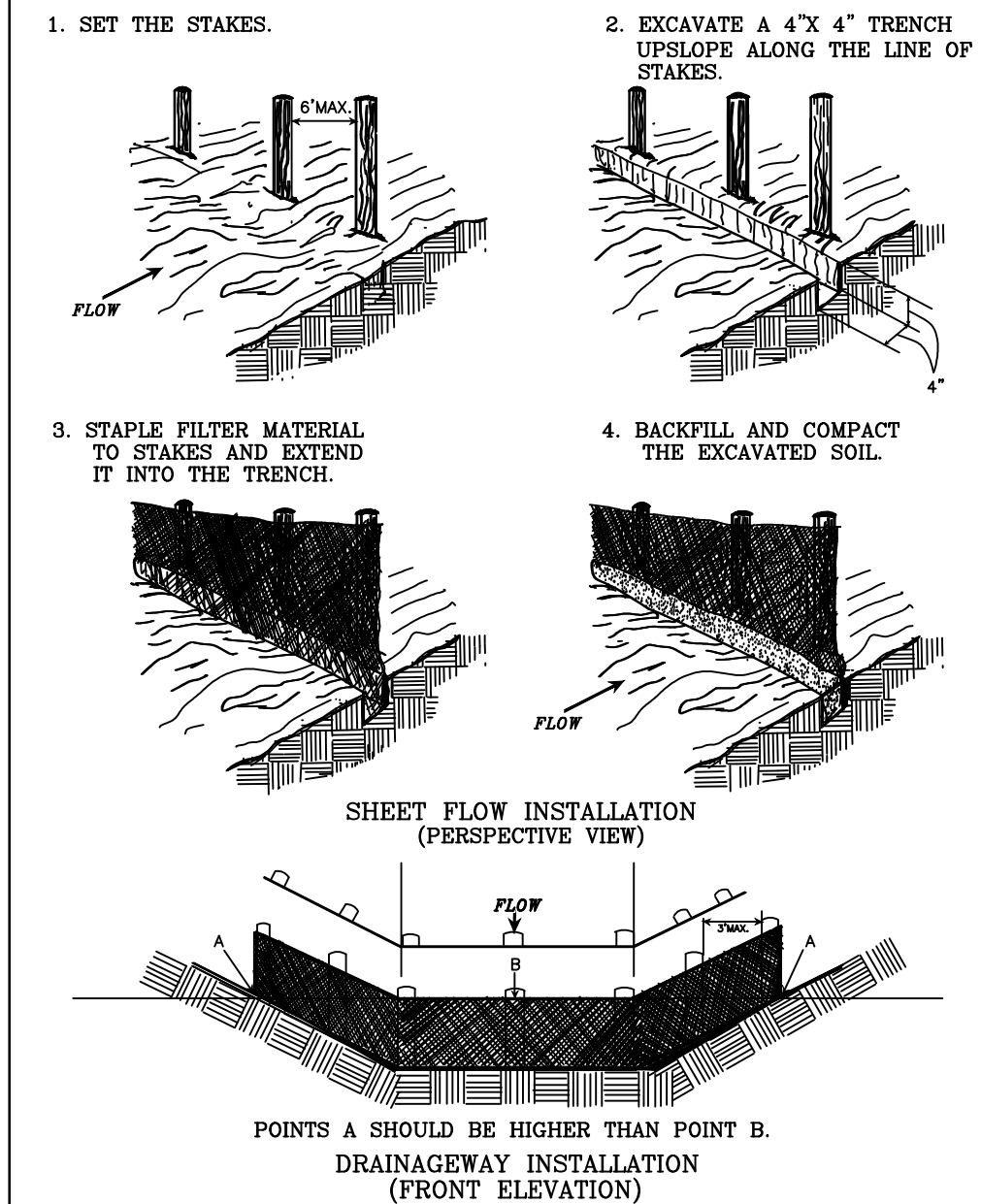
205 BULWELL FOREST
 JAMES CITY COUNTY, VIRGINIA

STONE CONSTRUCTION ENTRANCE



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

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

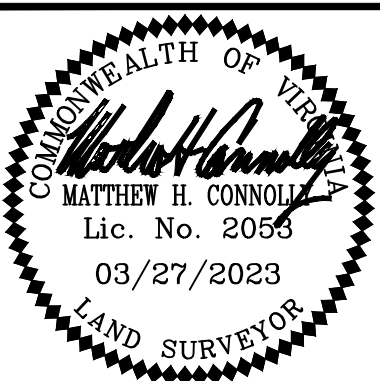


SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant PLATE 3.05-2

SURVEYORS CERTIFICATION

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Matthew H. Connolly
 MATTHEW H. CONNOLLY, L.S. 12/12/2022 DATE



DATE: 12/12/2022
 DRAWN BY: AEQ
 PROJECT No. 22-363
 FILE NAME: 22-363.DWG
 REFERENCES:
 INST.# 030011451

LOT PLAN OF
 LOT 19, SECTION XII
 FORD'S COLONY
 FOR
 GREENWOOD HOMES
 JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
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3	2/28/2023	REVISED RPA AS FLAGGED BY OTHERS
4	3/22/2023	REVISED PER COUNTY COMMENT
5	3/27/2023	REVISED PER COUNTY COMMENT



RECORD MERIDIAN
INST. # 031100451

EROSION & SEDIMENT CONTROL NOTES

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SITE INFORMATION

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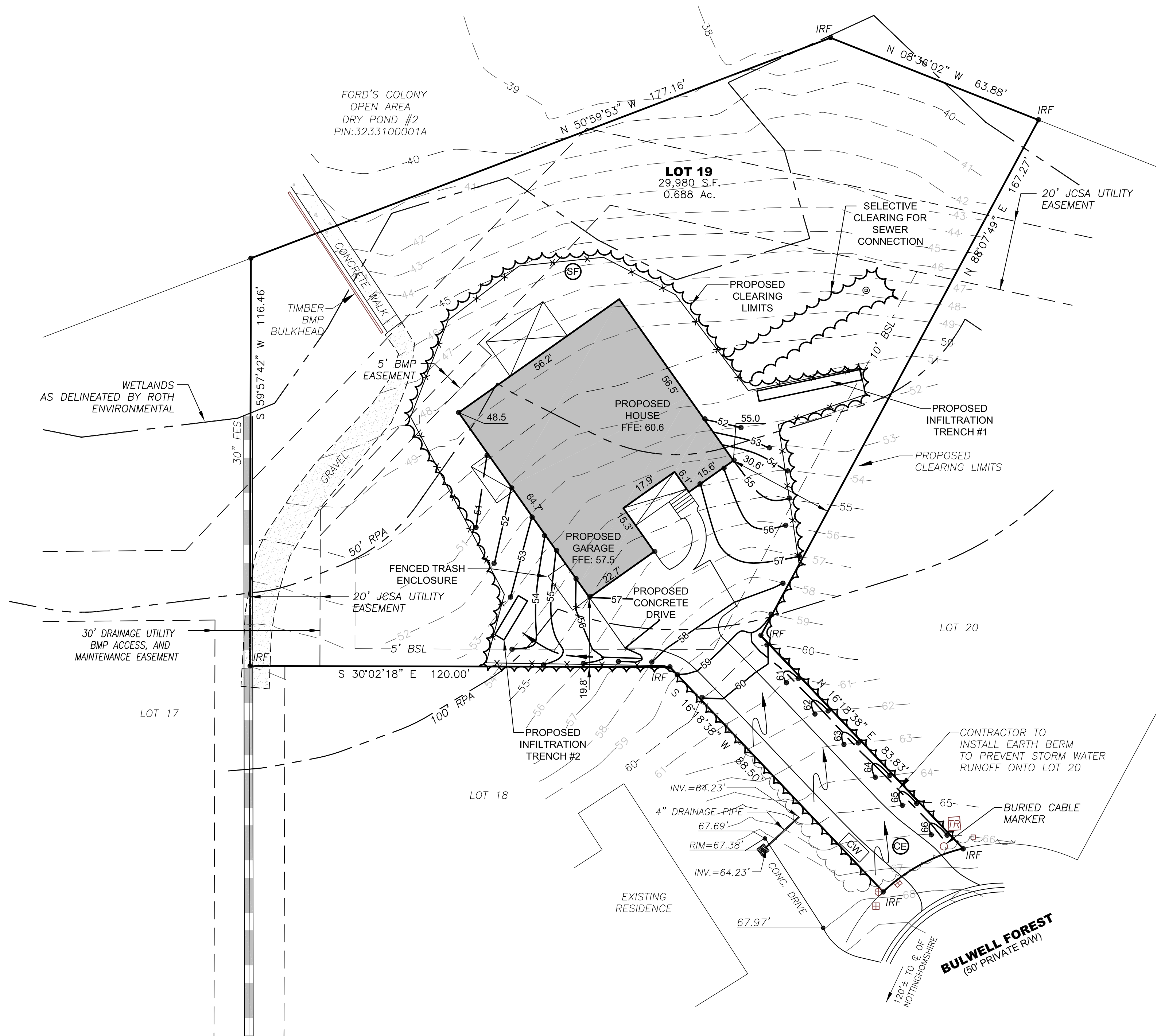
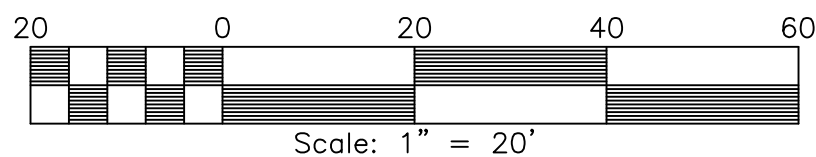
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205 BULWELL FOREST
JAMES CITY COUNTY, VIRGINIA

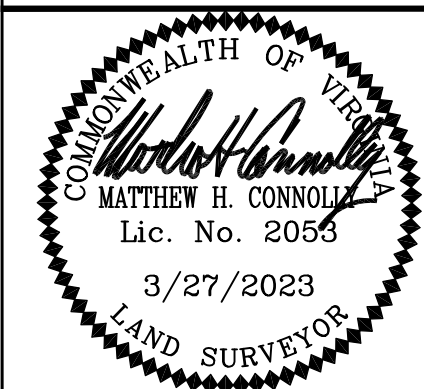
LEGEND

- WATER METER
- SEWER CLEAN OUT
- CABLE PEDESTAL
- TELEPHONE PEDESTAL
- TRANSFORMER
- IRF = IRON ROD FOUND
- CW CONCRETE WASHOUT
- PROPOSED HVAC AREA LOCATION IS APPROXIMATE

--- PROPOSED SWALE



SHEET 2 OF 4



DATE: 12/12/2022
DRAWN BY: AEQ
PROJECT No. 22-363
FILE NAME: 22-363.DWG
REFERENCES:
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PLOT PLAN OF
LOT 19, SECTION XII
FORD'S COLONY
FOR
GREENWOOD HOMES

JAMES CITY COUNTY

VIRGINIA

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2	2/7/2023	CORRECTED FINISH FLOOR ELEVATION
3	2/28/2023	REVISED WETLANDS AS FLAGGED BY OTHERS
4	3/22/2023	REVISED PER COUNTY COMMENT
5	3/27/2023	REVISED PER COUNTY COMMENT

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

MITIGATION TABLE: 4,316 S.F. / 400 S.F. = 11 CREDITS

MITIGATION MEASURE	TOTAL QTY.(NEEDED)
NATIVE CANOPY TREES	11
NATIVE UNDERSTORY TREES	22
NATIVE SHRUBS	33

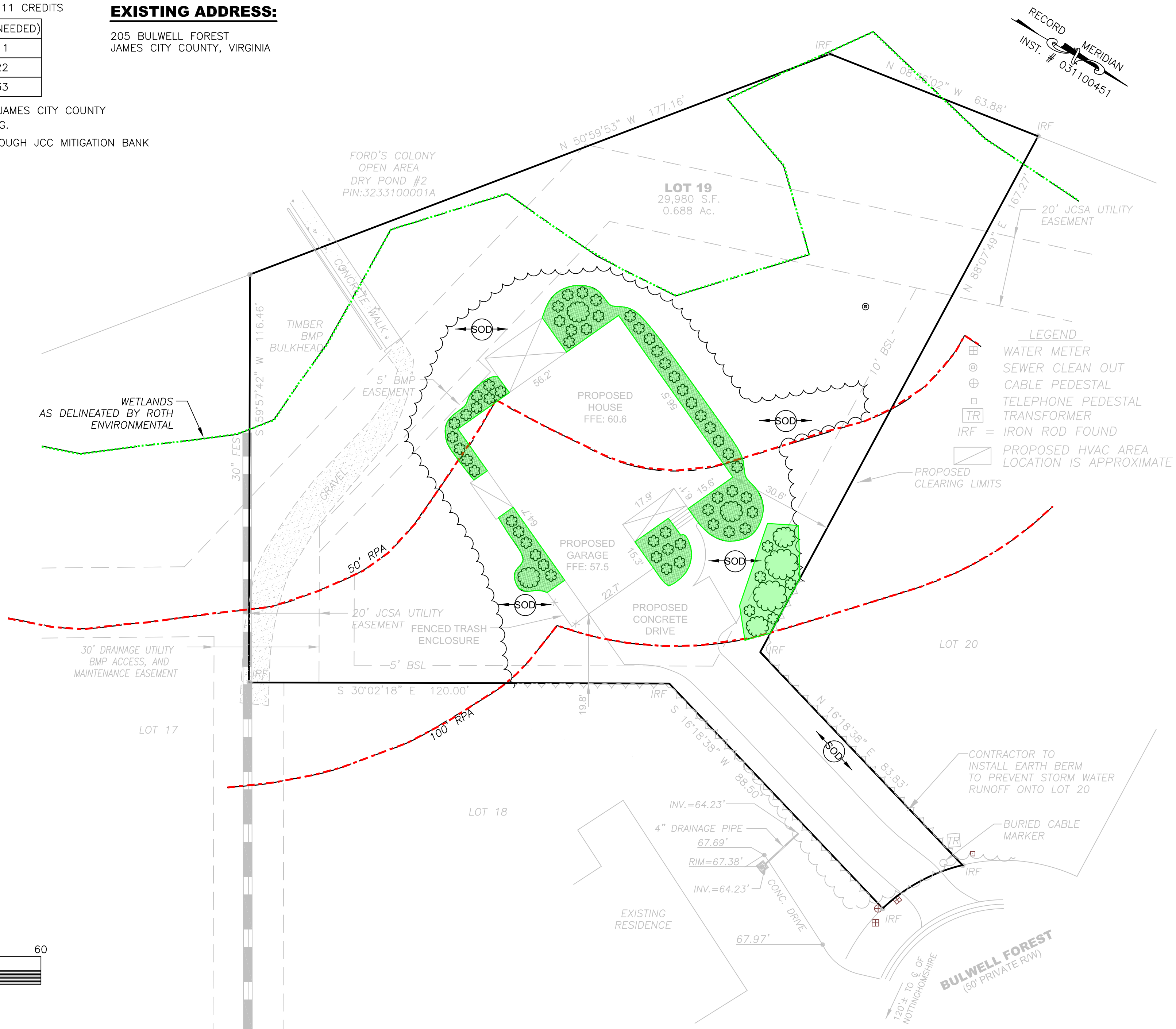
EXISTING ADDRESS:

205 BULWELL FOREST
JAMES CITY COUNTY, VIRGINIA

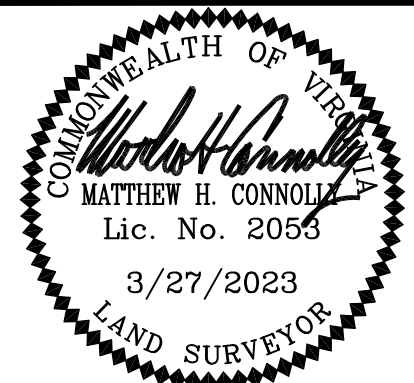
- * CONTRACTOR/OWNER TO COORDINATE WITH JAMES CITY COUNTY FOR REQUIREMENTS ON MITIGATION PLANTING.
- * CONTRACTOR TO PURCHASE 4 CREDITS THROUGH JCC MITIGATION BANK

LANDSCAPE LEGEND (7 CREDITS)

- CANOPY =2 SHOWN
- UNDERSTORY =5 SHOWN
- SHRUBS =59 SHOWN
- MULCHED AREAS



SHEET 3 OF 4

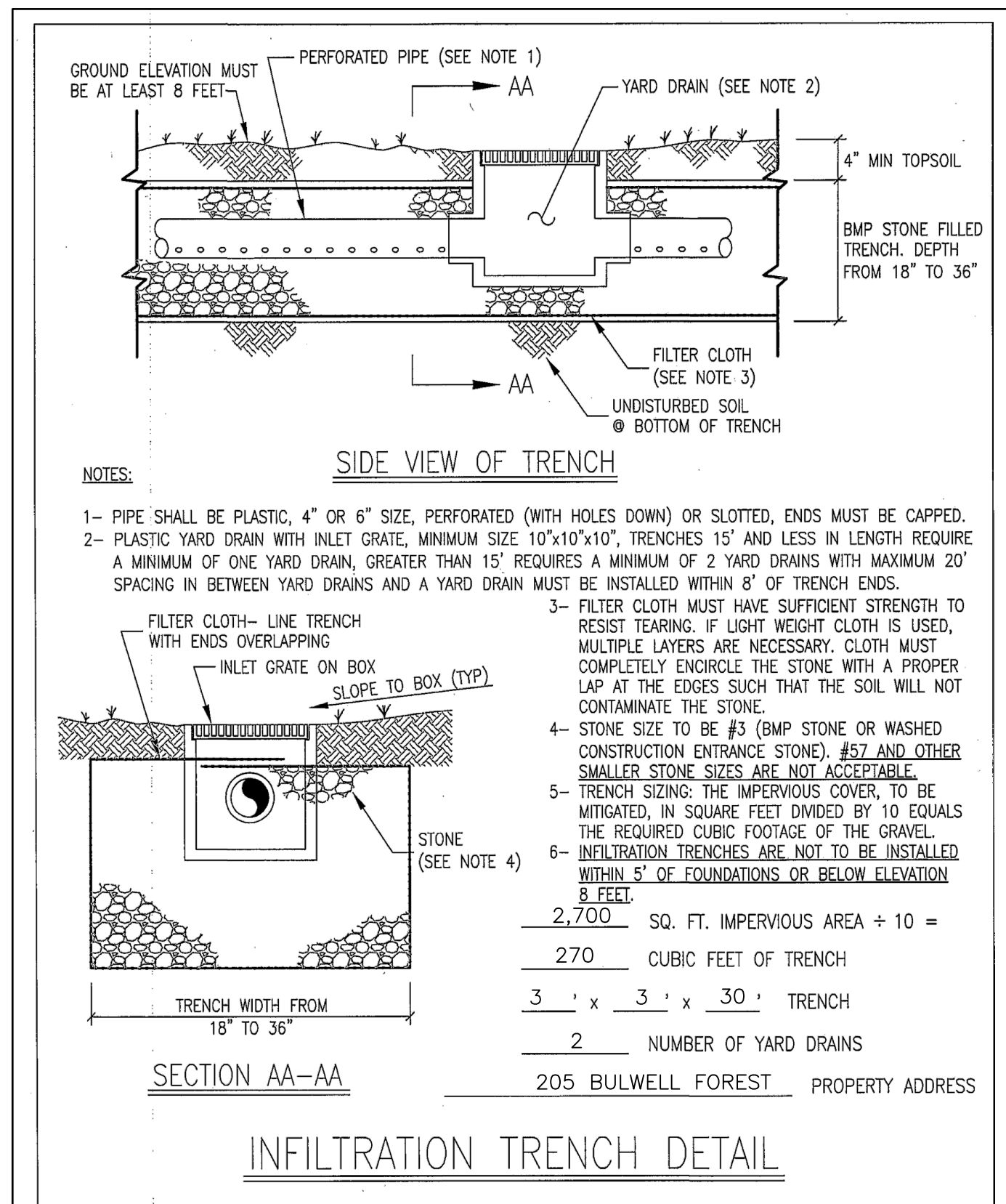


DATE: 12/12/2022
DRAWN BY: AEQ
PROJECT No. 22-363
FILE NAME: 22-363.DWG
REFERENCES:
INST#030011451

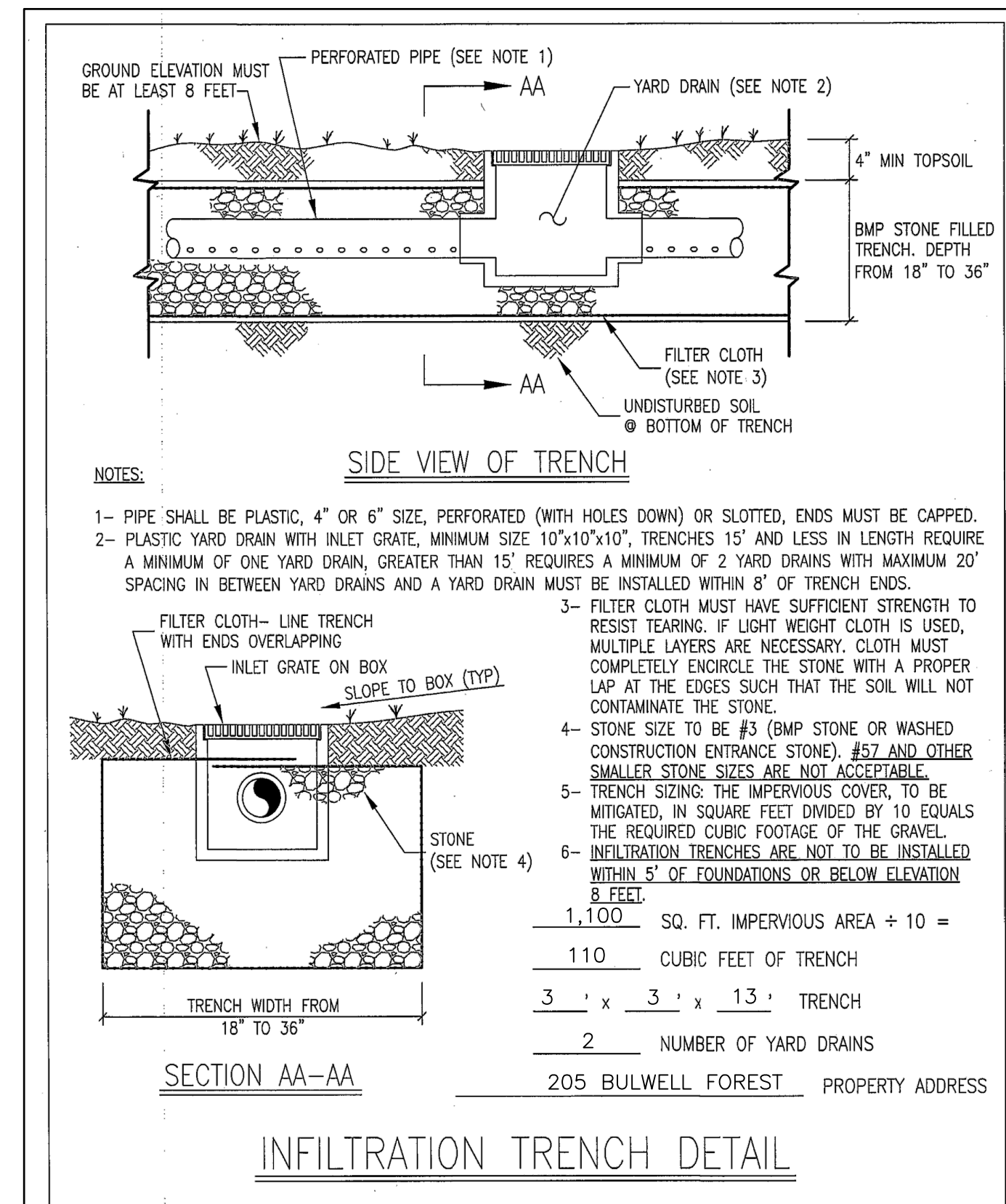
PLOT PLAN OF
LOT 19, SECTION XII
FORD'S COLONY
FOR
GREENWOOD HOMES
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	1/4/2023	ADDED TRASH ENCLOSURE
2	2/7/2023	CORRECTED FINISH FLOOR ELEVATION
3	2/28/2023	REVISED WETLANDS AS FLAGGED BY OTHERS
4	3/22/2023	REVISED PER COUNTY COMMENT
5	3/27/2023	REVISED PER COUNTY COMMENT

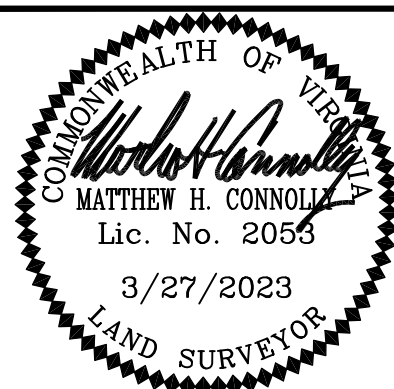
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Ph: (757) 565-1677 Fax: (757) 565-0782
web: landtechresources.com



TRENCH DETAIL #1



TRENCH DETAIL #2



DATE: 12/12/2022
 DRAWN BY: AEQ
 PROJECT No. 22-363
 FILE NAME: 22-363.DWG
 REFERENCES:
 INST#030011451

PLOT PLAN OF
 LOT 19, SECTION XII
 FORD'S COLONY
 FOR
 GREENWOOD HOMES

JAMES CITY COUNTY

VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	1/4/2023	ADDED TRASH ENCLOSURE
2	2/7/2023	CORRECTED FINISH FLOOR ELEVATION
3	2/28/2023	REVISED WETLANDS AS FLAGGED BY OTHERS
4	3/22/2023	REVISED PER COUNTY COMMENT
5	3/27/2023	REVISED PER COUNTY COMMENT



Case Number: CBPA-23-0031

PIN	Last Name	Address Line 1	City	State	Zip Code
3233100022	ANDINO, MARK R TRUSTEE & JULIET D TRUSTEE	204 BULWELL FRST	WILLIAMSBURG	VA	23188-3509
3233100023	BERKLEY, EARL LEE & TERRY BARNES	200 BULWELL FRST	WILLIAMSBURG	VA	23188-3509
	Chase Grogg, LandTech Resources, Inc.	205-E Bulifants Blvd	Williamsburg	VA	23188
3233100020	DAY, JOHN W TRUSTEE & LIU HSIUCHEN T	614 RUNYON AVE	PISCATAWAY	NJ	88544-4719
3233100001B	FORD'S COLONY AT WILLIAMSBURG HOMEOWNERS ASSOC	100 MANCHESTER	WILLIAMSBURG	VA	23188-7404
3233100001A	FORDS COLONY AT WILLIAMSBURG HOMEOWNERS ASSOCIATION	100 MANCHESTER	WILLIAMSBURG	VA	23188-7404
3233100019	GREENWOOD HOMES HAMPTON ROADS LLC	PO BOX 1467	CHARLOTTESVILLE	VA	22902-1467
3233100017	KIONKA, TERRI K	168 NOTTINGHAMSHIRE	WILLIAMSBURG	VA	23188-3505
3233100018	MURAWSKI, RONALD J TRUSTEE & PATRICIA M TRUSTEE	201 BULWELL FOREST	WILLIAMSBURG	VA	23188-3509
3233100021	SAKLY, LOTFI	2825 LAURA GAE CIR	VIENNA	VA	22180-7469



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

«Last_Name»
«Address_Line_1»
«City», «State» «Zip_Code»

RE: CBPA-23-0031
205 Bulwell Forrest
Construction of a single-family
dwelling

March 20, 2023
Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the Resource Protection Area (RPA) buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Tax Map Parcel No. 3233100019.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 12, 2023, 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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY APRIL, 12, 2023, 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-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

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 Mar 29, 2023 and Apr 5, 2023.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x6648

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0025 : 100 Red Berkshire

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/5/2023 - 7:55 AM
Chesapeake Bay Group	Small, Toni	Approved	4/5/2023 - 8:25 AM
Publication Management	Daniel, Martha	Approved	4/5/2023 - 8:30 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:51 PM

RESOLUTION

CASE NO. CBPA-23-0025. 100 RED BERKSHIRE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Surin Properties, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 31312000001 and further identified as 100 Red Berkshire (the “Property”) as set forth in the application CBPA-23-0025 for the purpose of constructing a single-family dwelling with a deck; 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-23-0025, 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 Applicant must submit a surety of \$6,000 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings of eight canopy trees, 16 understory trees, and 24 shrubs and installation of the infiltration trench; and
3. A six-foot chain link fence must be installed at the limits of clearing to reduce impacts to the adjacent wetlands; and
4. An affidavit must be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a building permit; and
5. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

Charles Roadley
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 April, 2023.

CBPA23-25_100RdBrkshreApp-res

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0025. 100 Red Berkshire
Staff Report for the April 12, 2023, 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: Surin Properties, LLC

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

Location: 100 Red Berkshire

Parcel Identification No.: 31312000001

Parcel: Lot 1, Section 32, Ford's Colony

Lot Size: 0.25 acres

Area of Lot in Resource Protection Area (RPA): 0.24 acres (96%)

Watershed: Powhatan Creek (JL31)

Floodplain: None

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

Impervious Cover: 3,083 square feet

RPA Encroachment: 1,289 square feet, landward 50-foot RPA
1,794 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Chase Grogg, LandTech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties, LLC, for encroachments into the RPA buffer for the construction of a single-family dwelling with a deck located at 100 Red Berkshire within the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 31312000001. The parcel was platted in 1999, prior to the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 0.25 acres, of which 96% is located within the RPA. Existing conditions on this property include a wooded lot with wetlands on the rear of the lot. The applicant is proposing to construct a single-family dwelling with a deck. Total impacts to the RPA associated with this proposal equate to 1,289 square feet of impacts to the landward 50-foot RPA and 1,794 square feet of impacts to the seaward 50-foot RPA for a total of 3,083 square feet of impacts. The minimum first-floor square footage required for this section of Ford's Colony is 1,700 square feet. The proposed house has a first-floor square footage equal to 1,705 square feet. Required mitigation for this amount of impervious impacts equals eight planting units (eight canopy trees, 16 understory trees, and 24 shrubs) which the applicant has provided in

a mitigation plan. The applicant has also proposed an infiltration trench on this property. Staff is requesting that an affidavit be recorded in the Williamsburg/James City County Courthouse because of the environmental sensitivity of this lot.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a single-family dwelling with 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 the single-family home extends into the seaward 50-foot RPA.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the 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 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 Applicant must submit a surety of \$6,000 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings of eight canopy trees, 16 understory trees, and 24 shrubs and installation of the infiltration trench; and
3. A six-foot chain link fence must be installed at the limits of clearing to reduce impacts to the adjacent wetlands; and
4. An affidavit must be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a building permit; and

5. This exception request approval will become null and void if construction has not begun by April 12, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than March 1, 2024, six weeks prior to the expiration date.

TAL/ap
CBPA23-25_100RdBrkshre

- Attachments:
1. Resolution
 2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0025. 100 RED BERKSHIRE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Surin Properties, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on April 12, 2023, 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. 31312000001 and further identified as 100 Red Berkshire (the “Property”) as set forth in the application CBPA-23-0025 for the purpose of constructing a single-family dwelling with a deck; 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-23-0025.

Charles Roadley
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 April, 2023.

CBPA23-25_100RdBrkshreDny-res

GENERAL NOTES

- THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 7, PG. 170.
- ELEVATION SHOWN HEREON ARE IN FEET AND ARE BASED ON AN ASSUMED DATUM OF 100'.
- WETLANDS, IF ANY, WERE NOT RESEARCHED OR LOCATED FOR THIS PLAT.
- THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
- PARCEL LIES IN F.I.R.M. ZONE "X" ACCORDING TO COMMUNITY PANEL #5101030041D, DATED DECEMBER 9, 2014.
- LOT SERVED BY PUBLIC WATER AND SEWER. CONTRACTOR TO COORDINATE CONNECTIONS WITH JAMES CITY COUNTY UTILITIES.
- CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
- TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY.
- CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION.
- PROPOSED RESIDENCE SHOWN BASED OFF OF PLANS PROVIDED BY CLIENT & AND ARE TO BE CONFIRMED BY CONTRACTOR PRIOR TO CONSTRUCTION.
- CONTRACTOR TO INSTALL ORANGE SAFETY FENCE AROUND PERIMETER OF CONSTRUCTION.

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

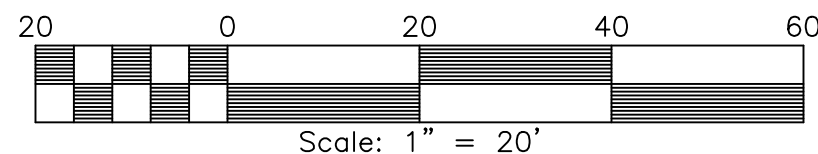
CURB & GUTTER SECTIONS WILL REQUIRE (2) SCHEDULE 40-4" CONDUITS PLACED 3' BELOW GRADE, OR AS LOW AS POSSIBLE TO NOT CONFLICT WITH OTHER UTILITIES, DIRECTLY BEHIND THE CURB FOR FUTURE WIRES.
SECTIONS: 3B, 8A, 8B, 10, 12, 13A, 13B, 14A, 14B, 15, 17, 18, 30, 31 & 32
DATE: _____ SIGNED: _____

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

LEGEND

- ⊕ CABLE PEDESTAL
- ⊞ WATER METER
- ⊙ SEWER CLEAN OUT
- ⊗ WATER VALVE
- ⊠ TELEPHONE PEDESTAL
- ▭ PROPOSED HVAC LOCATION
- SANITARY SEWER MANHOLE
- IRF = IRON ROD FOUND
- CWO CONC. WASH OUT

--- PROPOSED SWALE (1%MIN)



RECORD MERIDIAN
P.B. 75, PG. 8

EROSION & SEDIMENT CONTROL NOTES

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

BUILDING INFORMATION

PROPOSED BUILDING IS A 2-STORY FRAME
SECTION 32 FIRST FLOOR REQUIREMENT: 1,700 S.F.
PROPOSED FIRST FLOOR: 1,705 S.F.

SITE INFORMATION

PARCEL ID: 3131200001
TOTAL AREA: 10,773 S.F. / 0.25 AC.
IMPERVIOUS AREA: 3,083 S.F. / 0.0707 AC.
IMPERVIOUS WITHIN 50' RPA: 1,794 S.F. / 0.0418 AC.
IMPERVIOUS WITHIN 100' RPA: 1,289 S.F. / 0.0295 AC.
IMPERVIOUS AREA TOTAL: 3,083 S.F. / 0.0707 AC.
DISTURBED AREA: 9,588 S.F. / 0.2201 AC.
ZONING DISTRICT: R4 - RESIDENTIAL PLANNED COMMUNITY
EXISTING SITE IS PARTLY WOODED AS SHOWN

BUILDING SETBACK (SBL)

TO BE CONFIRMED BY FORD'S COLONY
FRONT: 15'
REAR: 30'
SIDE: 5'/10'

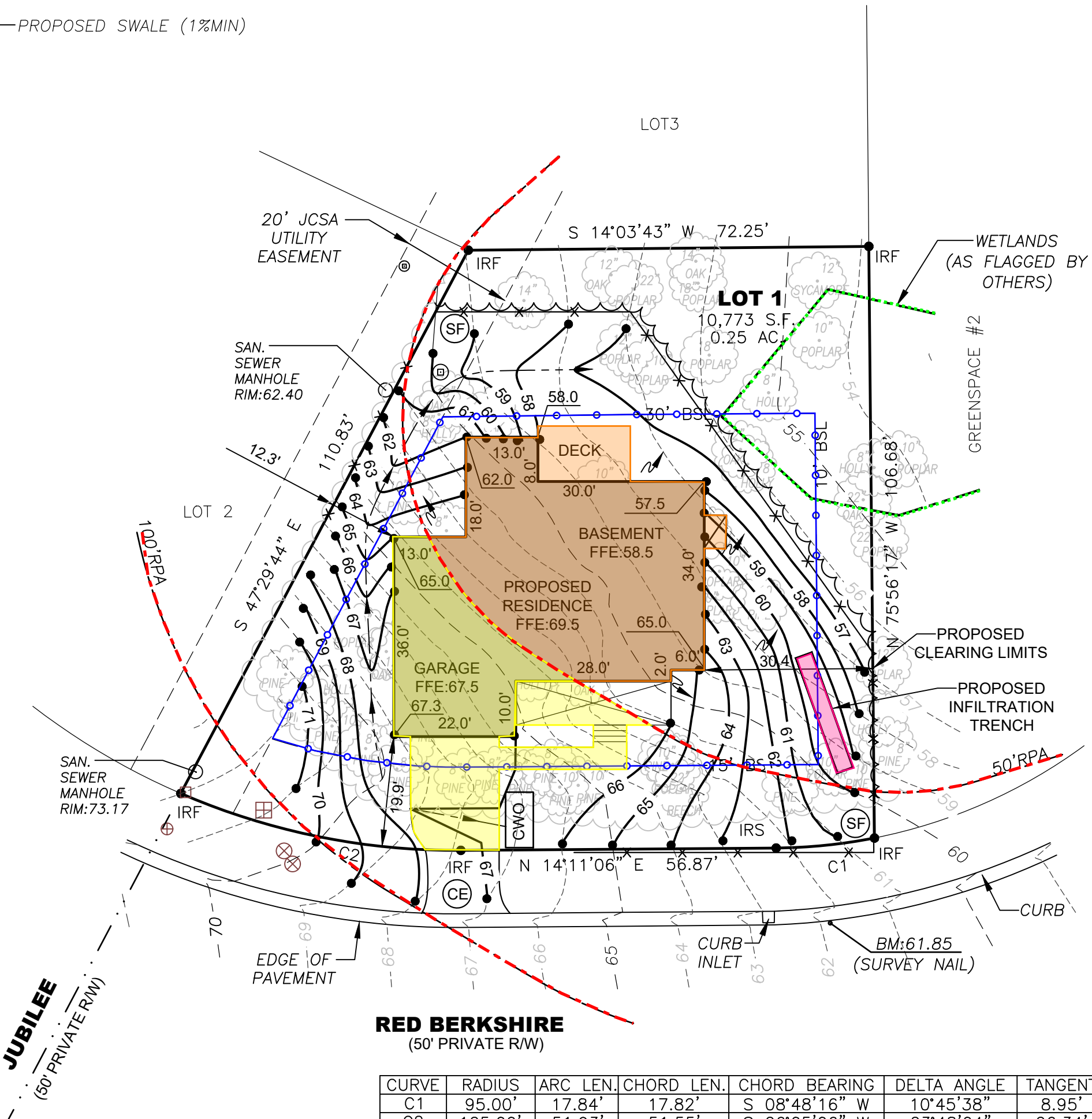
EXISTING ADDRESS:

100 RED BERKSHIRE
JAMES CITY COUNTY, VIRGINIA

SURVEYORS CERTIFICATION

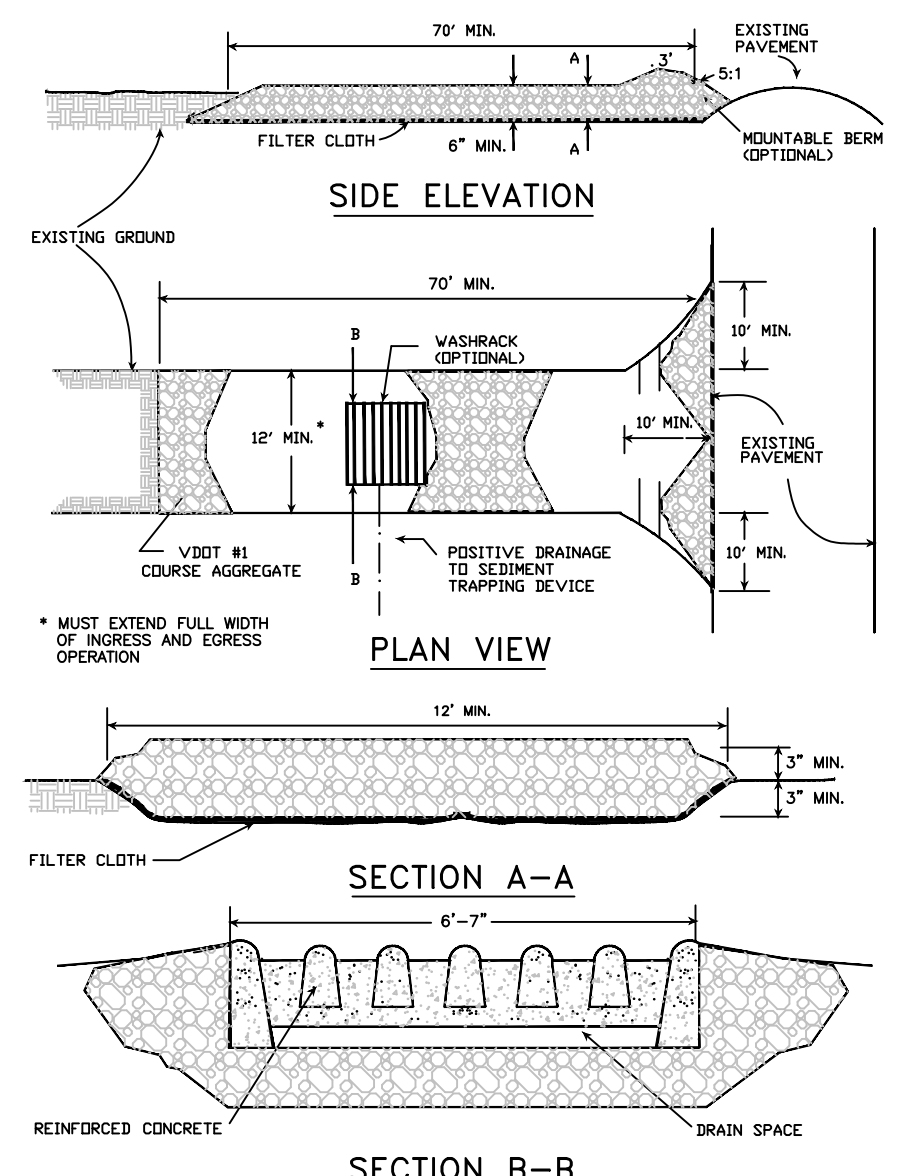
THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY. ALL THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. LANDTECH RESOURCES, INC. HAS BEEN RETAINED AND PAID TO STAKE, AS A MINIMUM, THE BUILDING ENVELOPE & ANY DETACHED ACCESSORY STRUCTURE.

Matthew H. Connolly
MATTHEW H. CONNOLLY, L.S. DATE 2/22/2023



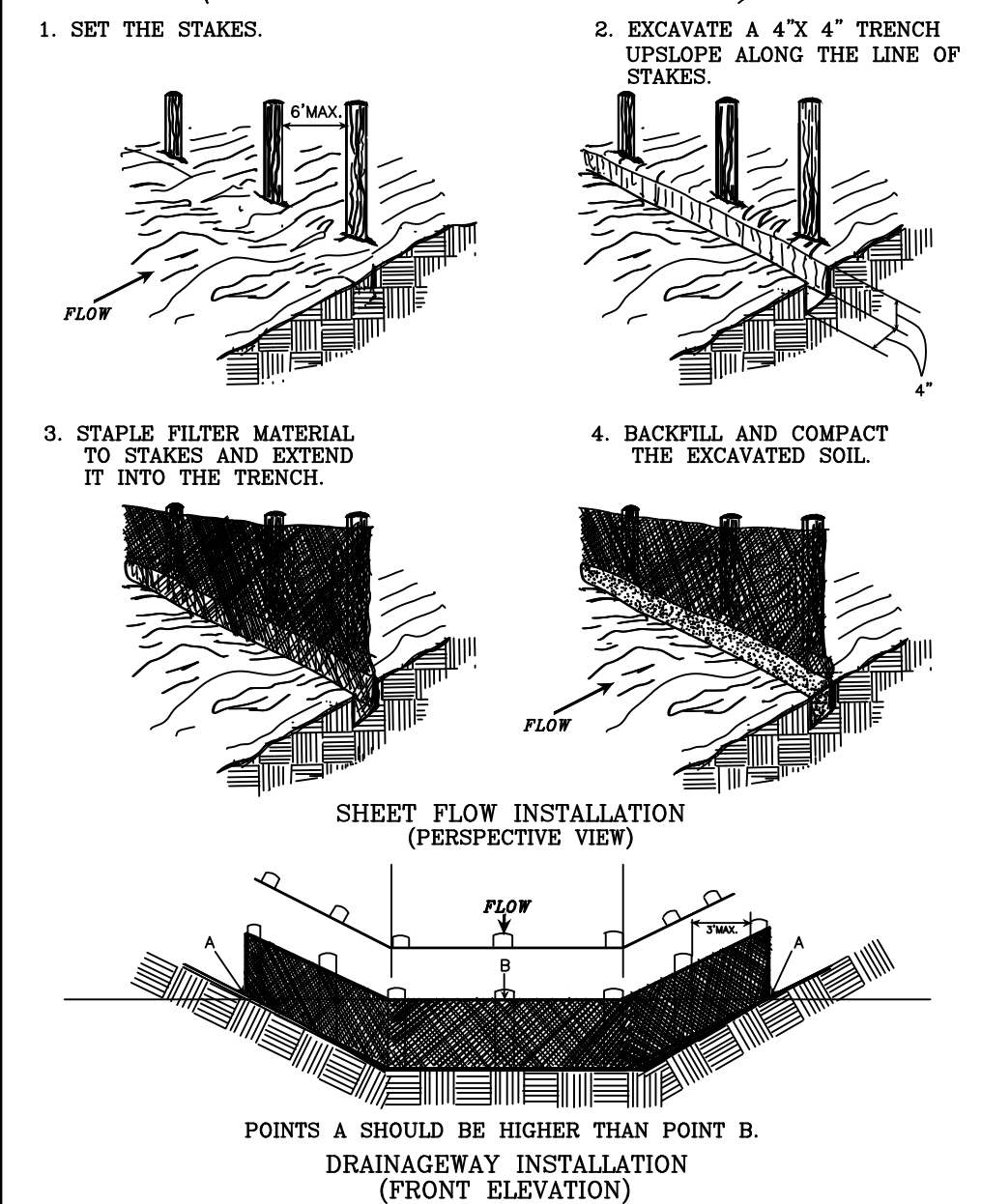
CURVE	RADIUS	ARC LEN.	CHORD LEN.	CHORD BEARING	DELTA ANGLE	TANGENT
C1	95.00'	17.84'	17.82'	S 08°48'16" W	10°45'38"	8.95'
C2	125.00'	51.93'	51.55'	S 26°05'06" W	23°48'04"	26.34'

STONE CONSTRUCTION ENTRANCE



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

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



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



DATE: 2/24/2023
DRAWN BY: AEQ
PROJECT No. 23-061
FILE NAME: 23-061.DWG
REFERENCES:
P.B. 75 PGS. 7-10

LOT PLAN OF
LOT 1, SECTION XXXII
FORD'S COLONY
FOR
DAVE JOHNSON BUILDERS
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1.	3/22/2023	REVISED TO SHOW MITIGATION PLANTINGS

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

MITIGATION TABLE: 3,083 S.F. / 400 S.F. = 8 CREDITS

MITIGATION MEASURE	TOTAL QTY.(NEEDED)
NATIVE CANOPY TREES	8
NATIVE UNDERSTORY TREES	16
NATIVE SHRUBS	24

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

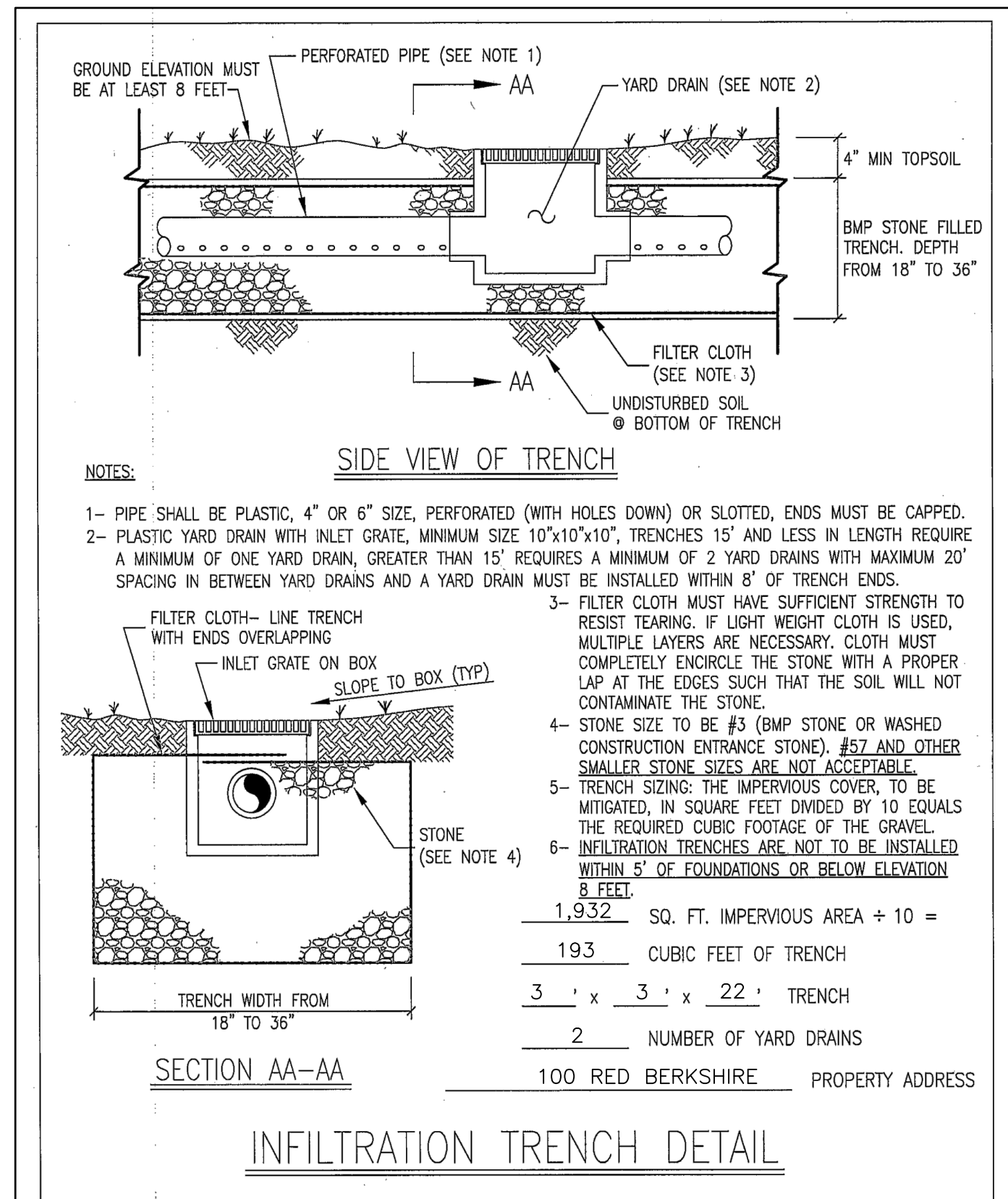
LEGEND

- ⊕ CABLE PEDESTAL
- ⊗ WATER METER
- ⊙ SEWER CLEAN OUT
- ⊗ WATER VALVE
- ⊠ TELEPHONE PEDESTAL
- ⊙ PROPOSED HVAC LOCATION
- ⊙ SANITARY SEWER MANHOLE
- IRF = IRON ROD FOUND

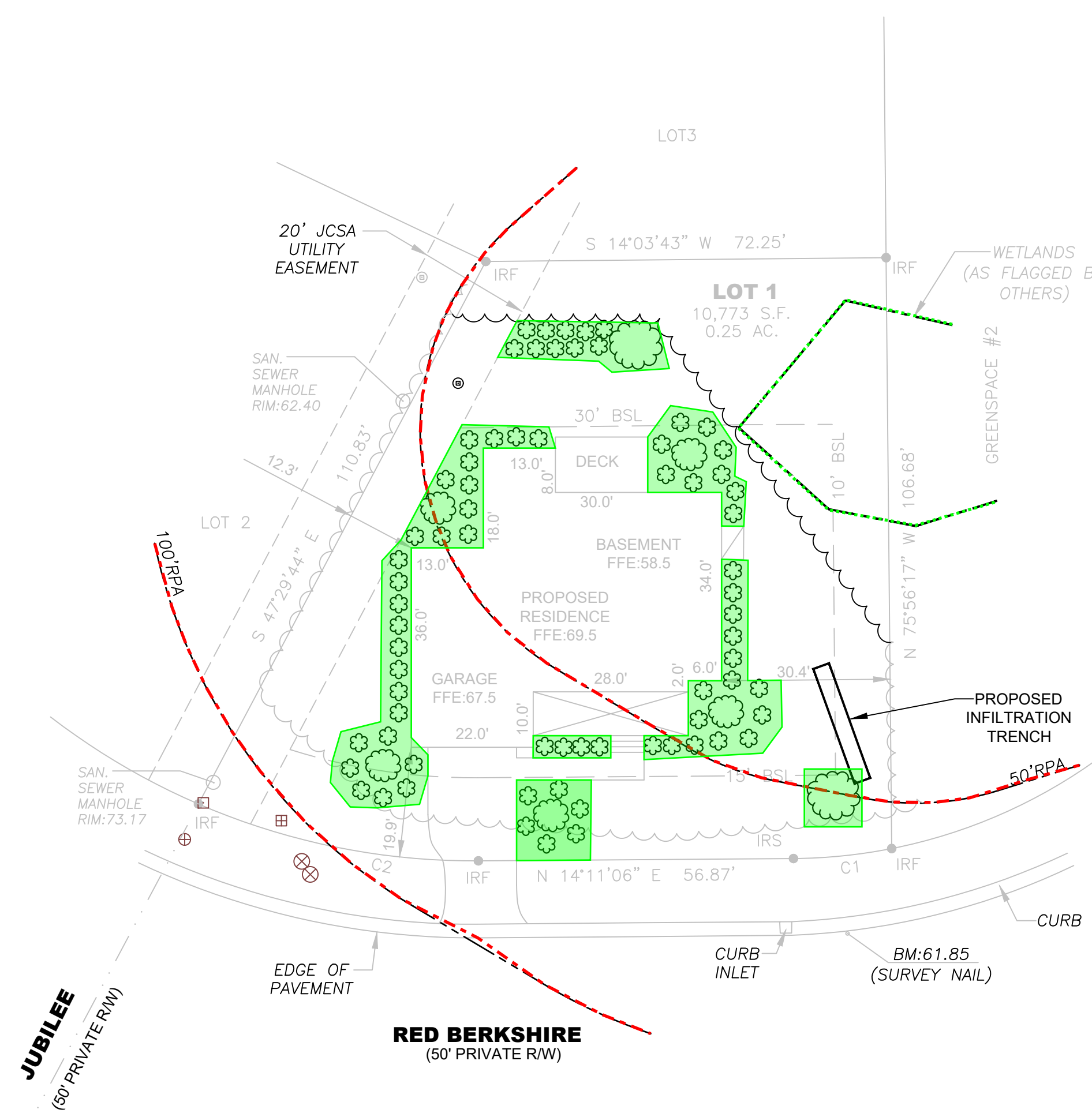
LANDSCAPE LEGEND

- ☁ CANOPY =2 SHOWN
- ☁ UNDERSTORY =5 SHOWN
- ☁ SHRUBS =70 SHOWN

RECORD MERIDIAN
P.B. 75, PG. PG. 8

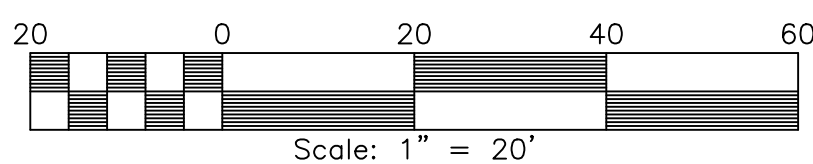


TRENCH DETAIL

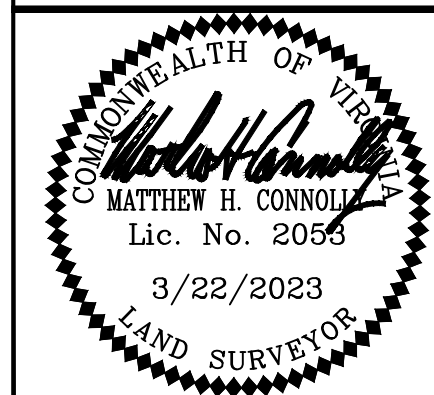


EXISTING ADDRESS:

100 RED BERKSHIRE
JAMES CITY COUNTY, VIRGINIA



CURVE	RADIUS	ARC LEN.	CHORD LEN.	CHORD BEARING	DELTA ANGLE	TANGENT
C1	95.00'	17.84'	17.82'	S 08°48'16" W	10°45'38"	8.95'
C2	125.00'	51.93'	51.55'	S 26°05'06" W	23°48'04"	26.34'



DATE: 2/24/2023
DRAWN BY: AEQ
PROJECT No. 23-061
FILE NAME: 23-061.DWG
REFERENCES:
P.B. 75 PGS. 7-10

LOT PLAN OF
LOT 1, SECTION XXXII
FORD'S COLONY
FOR
DAVE JOHNSON BUILDERS
JAMES CITY COUNTY
VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1.	3/22/2023	REVISED TO SHOW MITIGATION PLANTINGS



GENERAL NOTES

- THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 7, PG. 170.
- ELEVATION SHOWN HEREON ARE IN FEET AND ARE BASED ON AN ASSUMED DATUM OF 100'.
- WETLANDS, IF ANY, WERE NOT RESEARCHED OR LOCATED FOR THIS PLAT.
- THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
- PARCEL LIES IN F.I.R.M. ZONE "X" ACCORDING TO COMMUNITY PANEL #5101030041D, DATED DECEMBER 9, 2014.
- LOT SERVED BY PUBLIC WATER AND SEWER. CONTRACTOR TO COORDINATE CONNECTIONS WITH JAMES CITY COUNTY UTILITIES.
- CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
- TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY.
- CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION.
- PROPOSED RESIDENCE SHOWN BASED OFF OF PLANS PROVIDED BY CLIENT & AND ARE TO BE CONFIRMED BY CONTRACTOR PRIOR TO CONSTRUCTION.
- CONTRACTOR TO INSTALL ORANGE SAFETY FENCE AROUND PERIMETER OF CONSTRUCTION.

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

CURB & GUTTER SECTIONS WILL REQUIRE (2) SCHEDULE 40-4" CONDUITS PLACED 3' BELOW GRADE, OR AS LOW AS POSSIBLE TO NOT CONFLICT WITH OTHER UTILITIES, DIRECTLY BEHIND THE CURB FOR FUTURE WIRES.

SECTIONS: 3B, 8A, 8B, 10, 12, 13A, 13B, 14A, 14B, 15, 17, 18, 30, 31 & 32

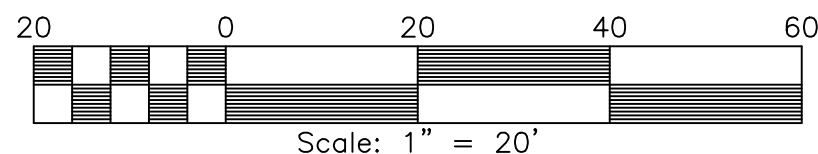
DATE: _____ SIGNED: _____

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

LEGEND

- ⊕ CABLE PEDESTAL
- ⊞ WATER METER
- ⊙ SEWER CLEAN OUT
- ⊗ WATER VALVE
- ⊠ TELEPHONE PEDESTAL
- ▭ PROPOSED HVAC LOCATION
- SANITARY SEWER MANHOLE
- IRF = IRON ROD FOUND
- CWO CONC. WASH OUT

→ PROPOSED SWALE (1%MIN)



RECORD MERIDIAN
P.B. 75, PG. 8

EROSION & SEDIMENT CONTROL NOTES

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

BUILDING INFORMATION

PROPOSED BUILDING IS A 2-STORY FRAME
SECTION 32 FIRST FLOOR REQUIREMENT: 1,700 S.F.
PROPOSED FIRST FLOOR: 1,705 S.F.

SITE INFORMATION

PARCEL ID: 3131200001
TOTAL AREA: 10,773 S.F. / 0.25 AC.
IMPERVIOUS AREA: 3,083 S.F. / 0.0707 AC.
IMPERVIOUS WITHIN 50' RPA: 1,794 S.F. / 0.0418 AC.
IMPERVIOUS WITHIN 100' RPA: 1,289 S.F. / 0.0295 AC.
IMPERVIOUS AREA TOTAL: 3,083 S.F. / 0.0707 AC.
DISTURBED AREA: 9,588 S.F. / 0.2201 AC.
ZONING DISTRICT: R4 - RESIDENTIAL PLANNED COMMUNITY
EXISTING SITE IS PARTLY WOODED AS SHOWN

BUILDING SETBACK (SBL)

TO BE CONFIRMED BY FORD'S COLONY
FRONT: 15'
REAR: 30'
SIDE: 5'/10'

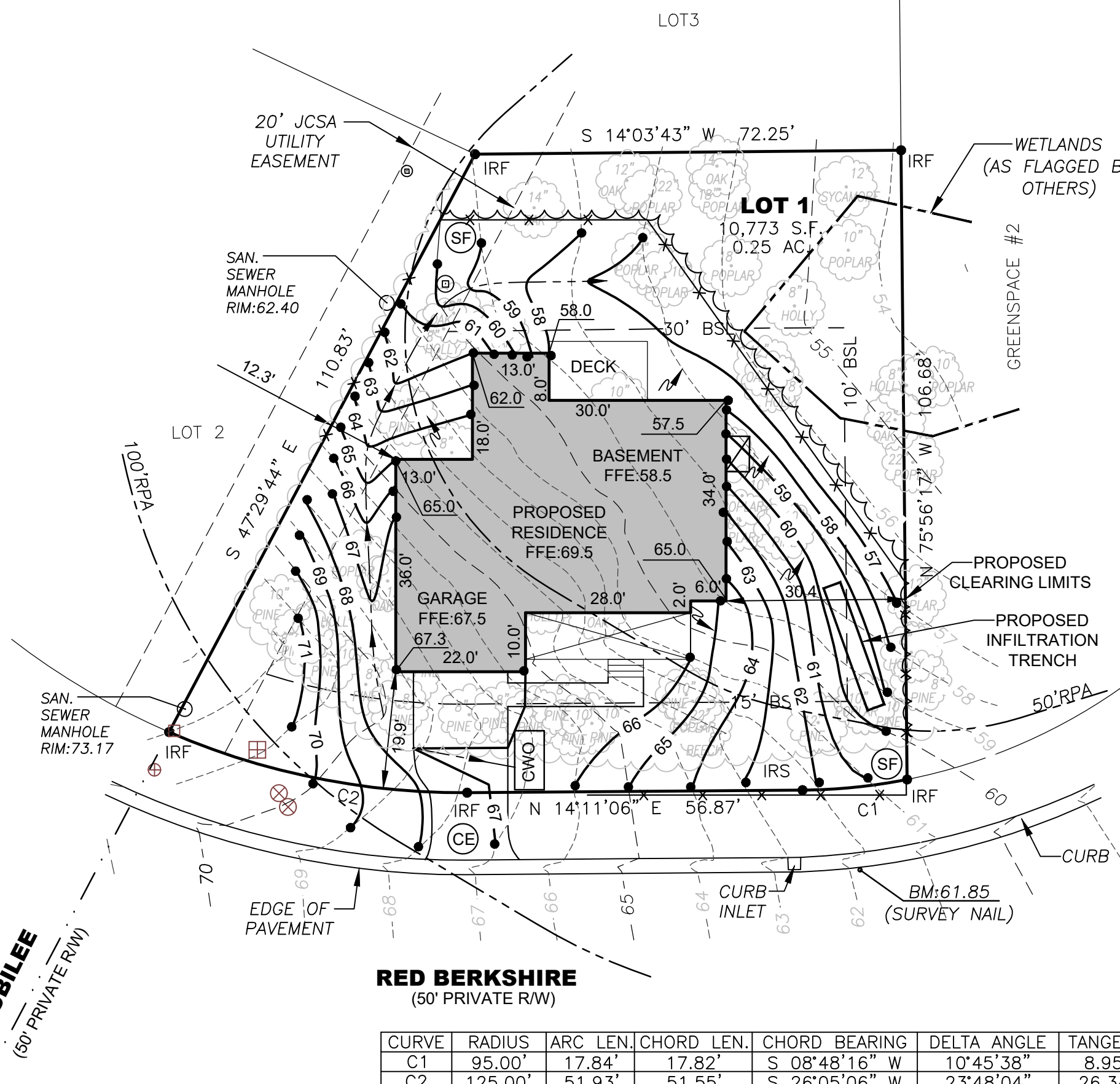
EXISTING ADDRESS:

100 RED BERKSHIRE
JAMES CITY COUNTY, VIRGINIA

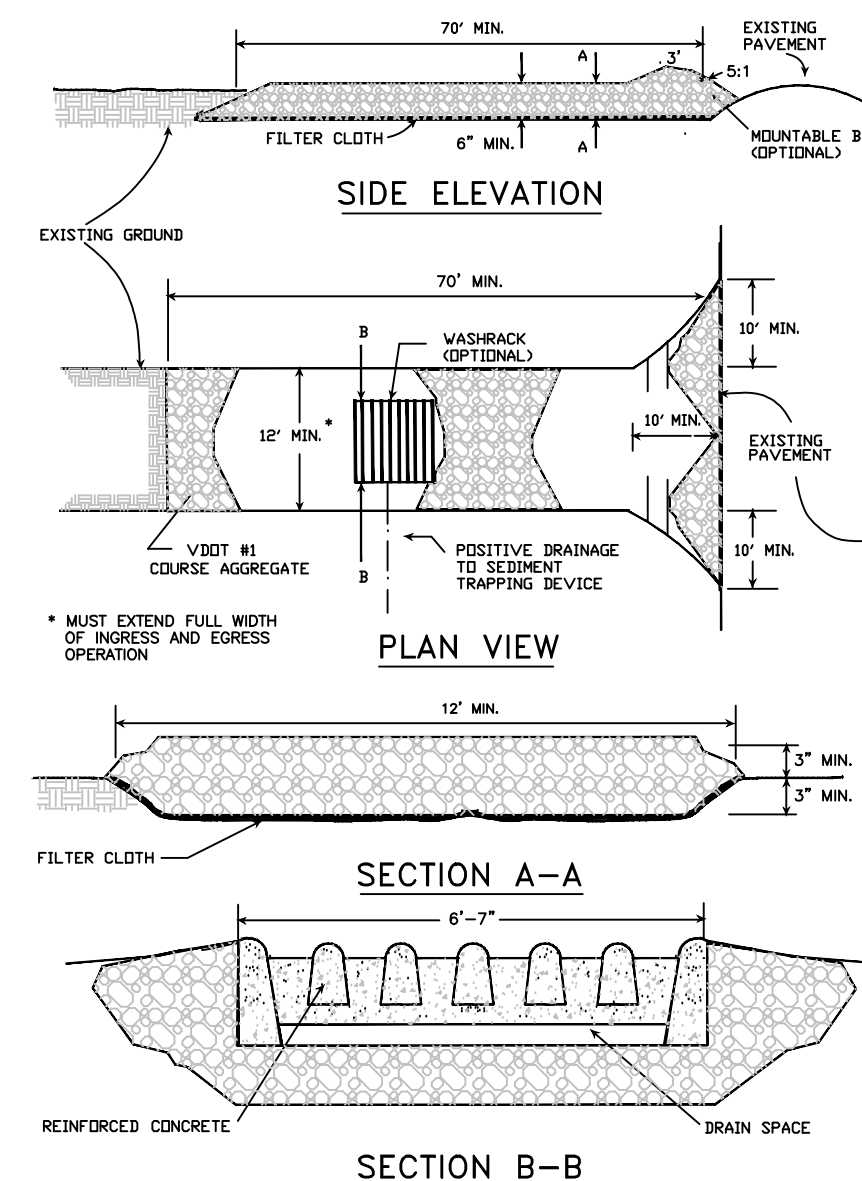
SURVEYORS CERTIFICATION

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

Matthew H. Connolly
MATTHEW H. CONNOLLY, L.S. DATE 2/22/2023

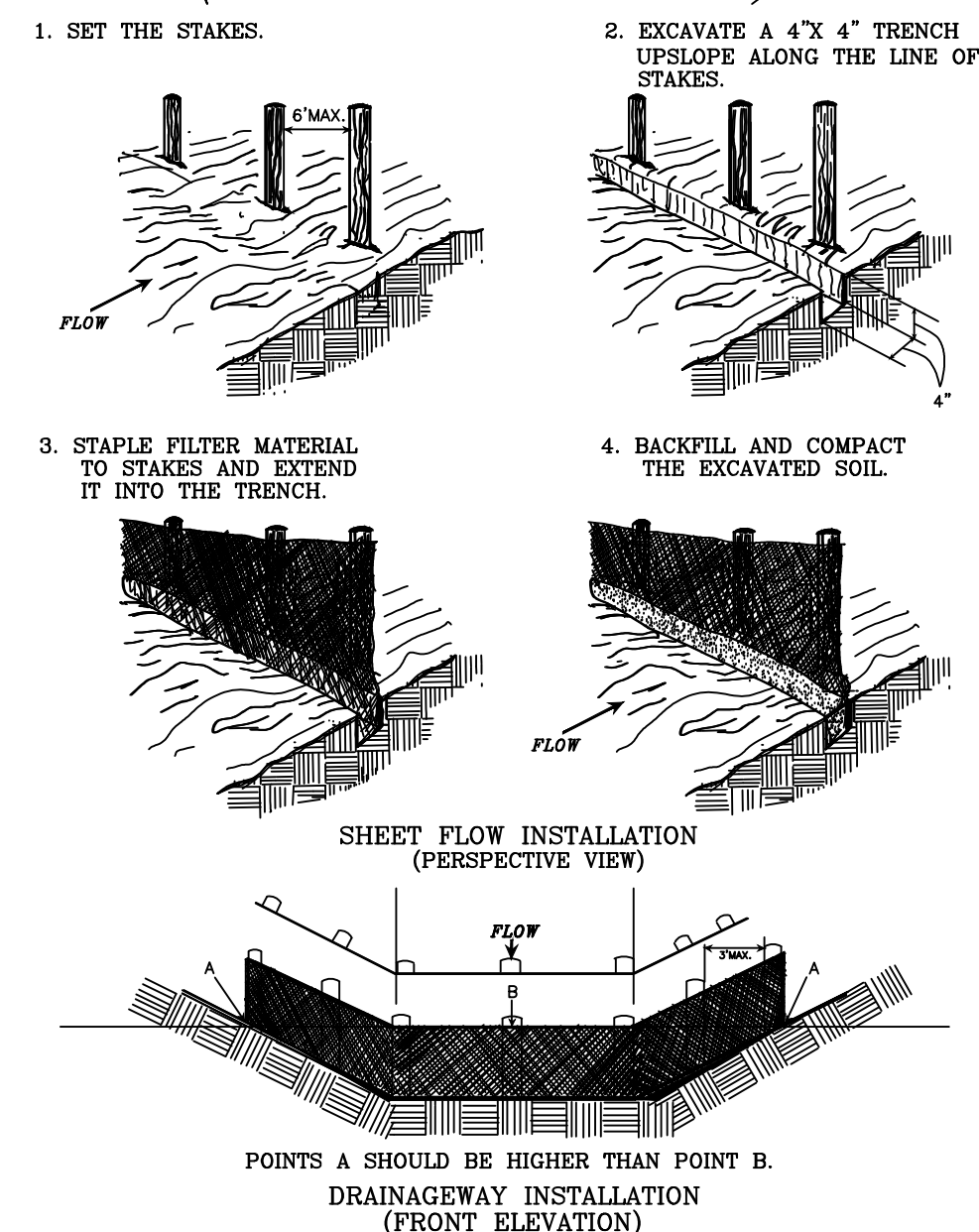


STONE CONSTRUCTION ENTRANCE

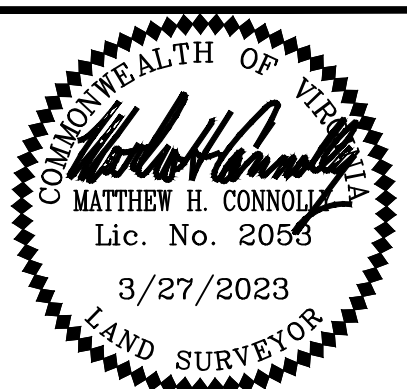


SOURCE: ADAPTED FROM 1983 MARYLAND STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL, AND VA. DSWC PLATE 3.02-1

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



SOURCE: ADAPTED FROM INSTALLATION OF STRAW AND FABRIC FILTER BARRIERS FOR SEDIMENT CONTROL, VA. DSWC SHERWOOD AND WYANT PLATE 3.06-2



DATE: 2/24/2023
DRAWN BY: AEQ
PROJECT No. 23-061
FILE NAME: 23-061.DWG
REFERENCES:
P.B. 75 PGS. 7-10

LOT PLAN OF
LOT 1, SECTION XXXII
FORD'S COLONY
FOR
DAVE JOHNSON BUILDERS
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
2.	3/27/2023	REVISED PER COUNTY COMMENT
1.	3/22/2023	REVISED TO SHOW MITIGATION PLANTINGS

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

MITIGATION TABLE: 3,083 S.F. / 400 S.F. = 8 CREDITS

MITIGATION MEASURE	TOTAL QTY.(NEEDED)
NATIVE CANOPY TREES	8
NATIVE UNDERSTORY TREES	16
NATIVE SHRUBS	24

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

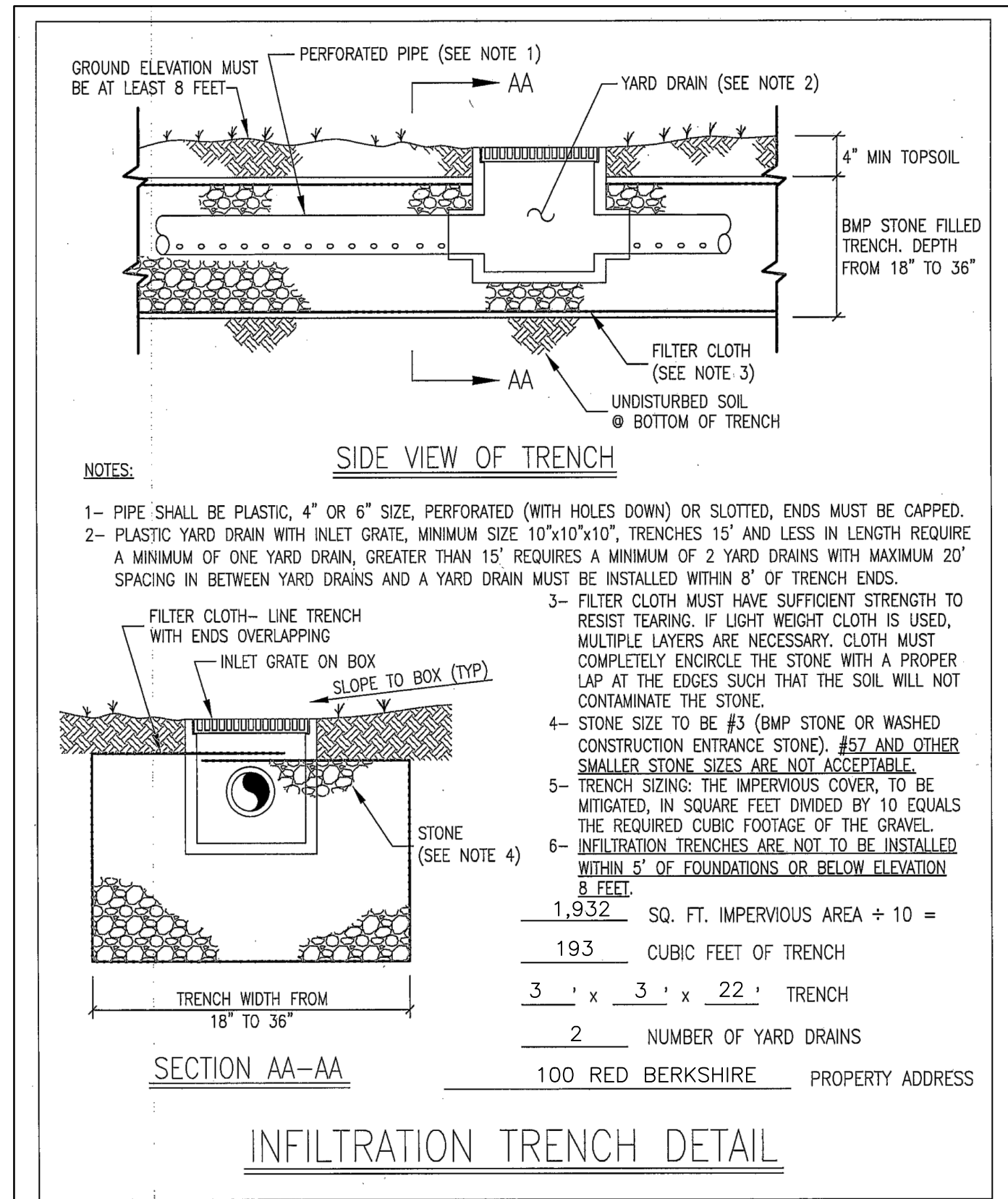
LEGEND

- ⊕ CABLE PEDESTAL
- ⊗ WATER METER
- ⊙ SEWER CLEAN OUT
- ⊗ WATER VALVE
- ⊠ TELEPHONE PEDESTAL
- PROPOSED HVAC LOCATION
- SANITARY SEWER MANHOLE
- IRF = IRON ROD FOUND

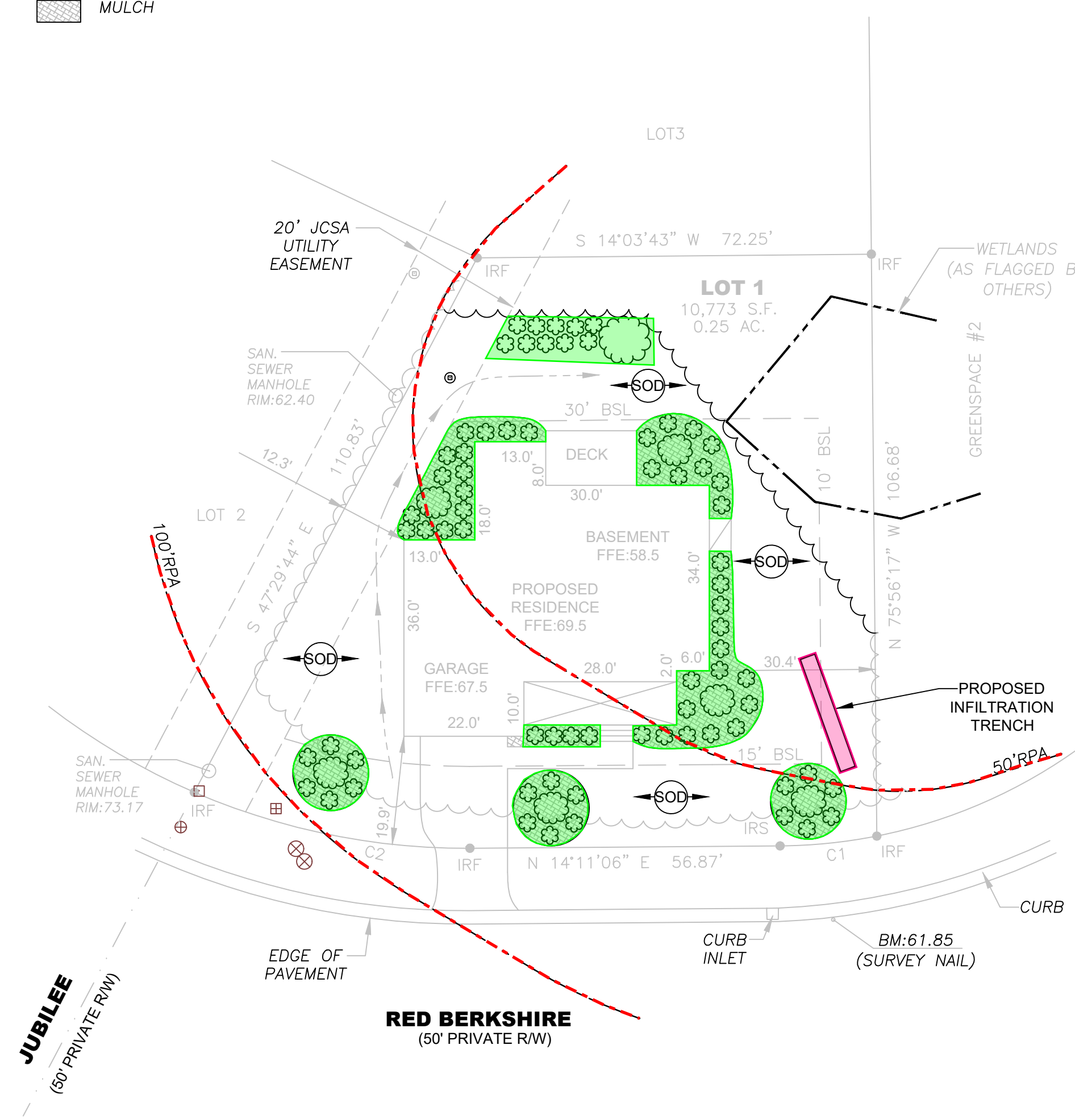
LANDSCAPE LEGEND

- ☁ CANOPY =2 SHOWN
- ☁ UNDERSTORY =6 SHOWN
- ☁ SHRUBS =71 SHOWN
- ▨ MULCH

RECORD MERIDIAN
P.B. 75, PG. PG. 8

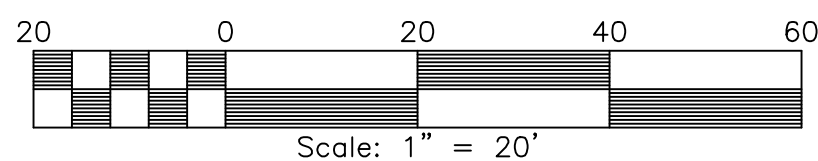


TRENCH DETAIL

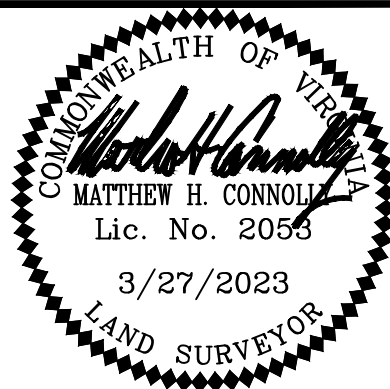


EXISTING ADDRESS:

100 RED BERKSHIRE
JAMES CITY COUNTY, VIRGINIA



CURVE	RADIUS	ARC LEN.	CHORD LEN.	CHORD BEARING	DELTA ANGLE	TANGENT
C1	95.00'	17.84'	17.82'	S 08°48'16" W	10°45'38"	8.95'
C2	125.00'	51.93'	51.55'	S 26°05'06" W	23°48'04"	26.34'



DATE: 2/24/2023
DRAWN BY: AEQ
PROJECT No. 23-061
FILE NAME: 23-061.DWG
REFERENCES:
P.B. 75 PGS. 7-10

PLOT PLAN OF
LOT 1, SECTION XXXII
FORD'S COLONY
FOR
DAVE JOHNSON BUILDERS
JAMES CITY COUNTY
VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
2.	3/27/2023	REVISED PER COUNTY COMMENT
1.	3/22/2023	REVISED TO SHOW MITIGATION PLANTINGS

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

Case Number: CBPA-23-0025

PIN	Last Name	Address Line 1	City	State	Zip Code
	Dave Johnson Dave Johnson Builders	8401 Croaker Rd	Williamsburg	VA	23188
3140800001C	FORD'S COLONY AT WILLIAMSBURG HOMEOWNERS ASSOCIATION	100 MANCHESTER	WILLIAMSBURG	VA	23188-7404
3140800001B	FORD'S COLONY AT WILLIAMSBURG HOMEOWNERS ASSOCIATION	100 MANCHESTER	WILLIAMSBURG	VA	23188-7404
3140800001A	FORD'S COLONY AT WILLIAMSBURG HOMEOWNERS ASSOCIATION	100 MANCHESTER	WILLIAMSBURG	VA	23188-7404
3140800003	KLEIN, EDWARD A & HELEN C	6823 ARTHUR HILLS DR	WILLIAMSBURG	VA	23188-7259
3131200001	SURIN PROPERTIES LLC	8401 CROAKER RD	WILLIAMSBURG	VA	23188-6708
3131200002	WALKER, SHARON ANN TRUSTEE	104 RED BERKSHIRE	WILLIAMSBURG	VA	23188-6462



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

«Last_Name»
«Address_Line_1»
«City», «State» «Zip_Code»

RE: CBPA-23-0025
100 Red Berkshire
Construction of a single-family
dwelling

March 20, 2023
Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Surin Properties LLC for encroachments into the Resource Protection Area (RPA) buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Tax Map Parcel No. 3131200001.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 12, 2023, 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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY APRIL, 12, 2023, 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-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

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 Mar 29, 2023 and Apr 5, 2023.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x6648

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0032 : 5 Tay River

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

ATTACHMENTS:

	Description	Type
☐	Deferral Memo	Cover Memo
☐	Site Plan	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/5/2023 - 7:56 AM
Chesapeake Bay Group	Small, Toni	Approved	4/5/2023 - 8:26 AM
Publication Management	Pobiak, Amanda	Approved	4/5/2023 - 8:58 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:52 PM

MEMORANDUM

DATE: April 12, 2023
TO: The Chesapeake Bay Board
FROM: Robin Benedict, Watershed Planner
SUBJECT: Chesapeake Bay Exception No. CBPA-23-0032. 5 Tay River

Mr. Chase Grogg, LandTech Resources, Inc., has requested a deferral of this application for exception to the Chesapeake Bay Preservation Ordinance while the site plan is finalized for the project. Staff concurs with this request. As this case has been public noticed, staff recommends that the public hearing be opened and stay open until the May meeting, at which time the case will be heard.

RB/md
CBPA23-32_5TayDef-mem

GENERAL NOTES

1. THIS PLAN WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 40, PG. 60-72. ELEVATION SHOWN HEREON ARE IN FEET AND ARE BASED ON AN ASSUMED DATUM OF 100'.
2. WETLANDS, IF ANY, WERE NOT RESEARCHED OR LOCATED FOR THIS PLAN.
3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
4. PARCEL LIES IN F.I.R.M. ZONE "X" ZONE "AE" ACCORDING TO COMMUNITY PANEL #51095C01170, DATED DECEMBER 16, 2015.
5. LOT SERVED BY PUBLIC WATER AND SEWER. CONTRACTOR TO COORDINATE CONNECTIONS WITH JAMES CITY COUNTY UTILITIES.
6. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
7. TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY.
8. CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION.
9. ALL DIMENSIONS SHOWN HEREON ARE TO THE FRAMELINE OF THE BUILDING.

EROSION & SEDIMENT CONTROL NOTES

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

BUILDING INFORMATION

PROPOSED BUILDING IS A 1-STORY FRAME
PROPOSED GARAGE IS COURTYARD LOADING

SITE INFORMATION

PARCEL ID: 3720200044
TOTAL AREA: 24,470 S.F. / 0.562 AC.
IMPERVIOUS AREA: 5,085 S.F. / 0.117 AC.
IMPERVIOUS WITHIN 50' RPA: 1,665 S.F. / 0.038 AC.
IMPERVIOUS WITHIN 100' RPA: 2,861 S.F. / 0.066 AC.
TOTAL IMPERVIOUS WITHIN RPA: 4,526 S.F. / 0.104 AC.
DISTURBED AREA: 13,713 S.F. / 0.315 AC.
ZONING DISTRICT: R4 - RESIDENTIAL PLANNED COMMUNITY
EXISTING SITE IS MOSTLY WOODED AS SHOWN

BUILDING SETBACK (SBL)

FRONT: 30'
REAR: 25' OR 25% WHICHEVER IS GREATER
SIDE: 10'

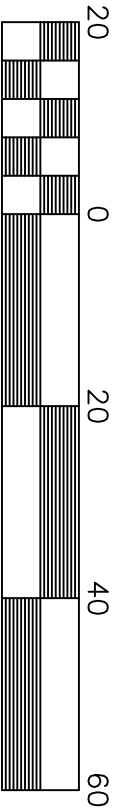
EXISTING ADDRESS:

5 TAY RIVER
JAMES CITY COUNTY, VA

MITIGATION TABLE: 4,526 S.F. / 400 S.F. = 12 CREDITS

MITIGATION MEASURE	TOTAL QTY. (NEEDED)	QTY. (PROPOSED)
NATIVE CANOPY TREES	12	4
NATIVE UNDERSTORY TREES	36	6
NATIVE SHRUBS	72	36

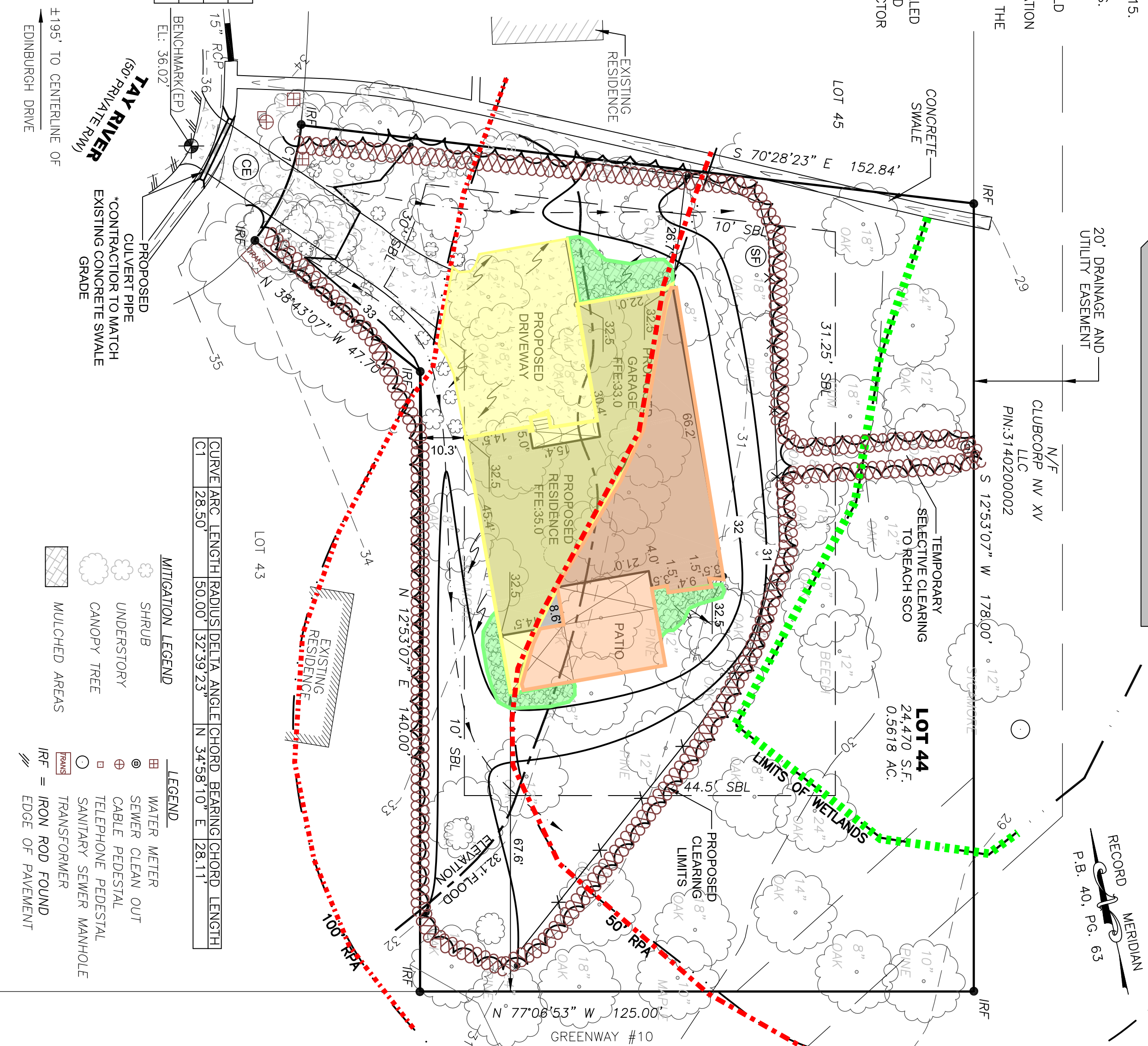
* CONTRACTOR/OWNER TO COORDINATE WITH JAMES CITY COUNTY FOR REQUIREMENTS ON MITIGATION PLANTING.
* TOTAL PROPOSED QUANTITY ON PLAN EQUALS TO THE CREDIT REQUIREMENT NEEDED.



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

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

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



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	28.50'	50.00'	32°39'23"	N 34°58'10" E	28.11'

- MITIGATION LEGEND**
- SHRUB
 - UNDERSTORY
 - CANOPY TREE
 - MULCHED AREAS
- LEGEND**
- WATER METER
 - SEWER CLEAN OUT
 - CABLE PEDESTAL
 - TELEPHONE PEDESTAL
 - SAINTARY SEWER MANHOLE
 - TRANSFORMER
 - IRF = IRON ROD FOUND
 - EDGE OF PAVEMENT

DATE: 6/10/2022

DRAWN BY: AEQ

PROJECT No. 19-284

FILE NAME: 19-284.DWG

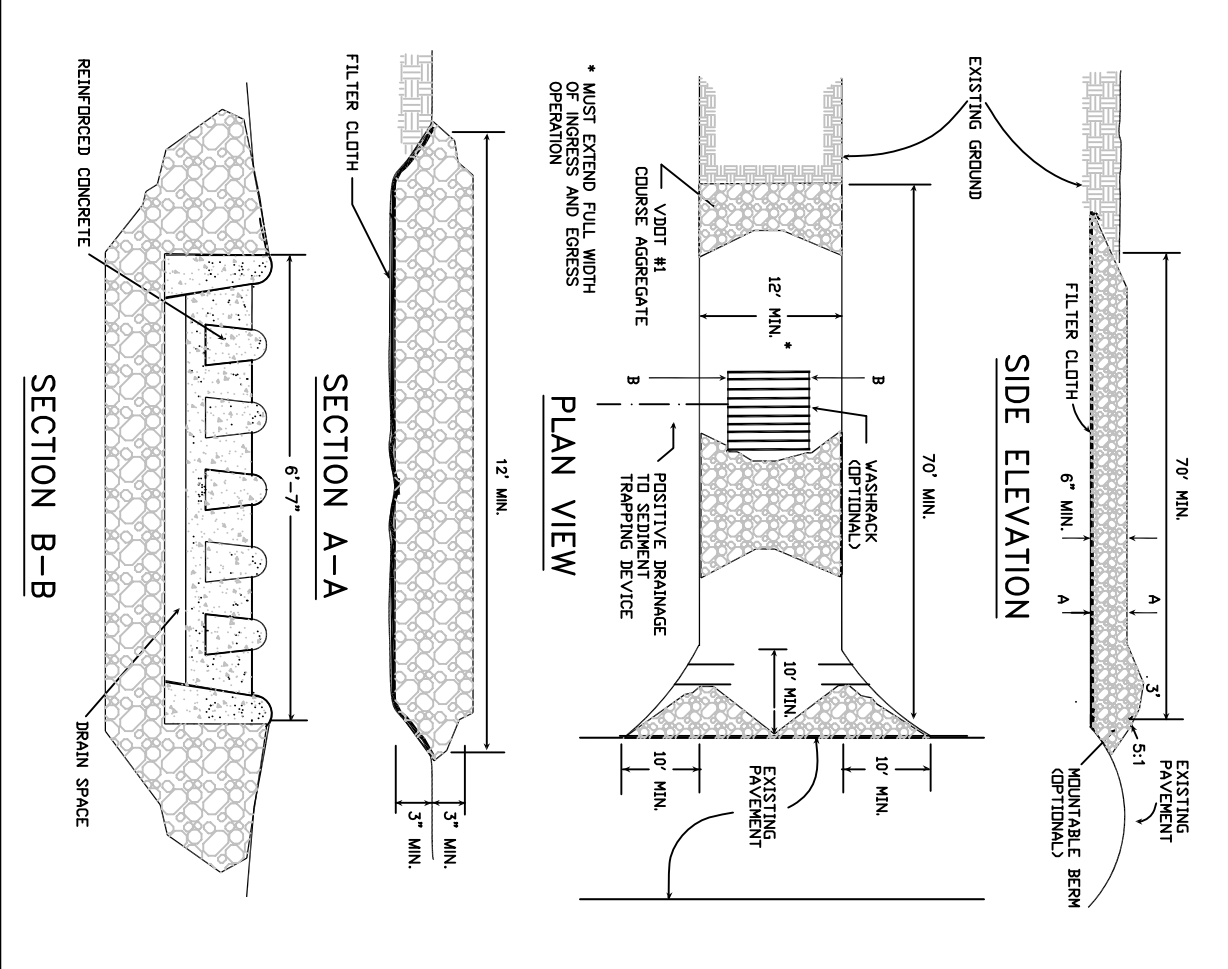
REFERENCES:

P.B. 40, PG. 60-72

CHECK FIT OF
LOT 44, SECTION II
FORDS COLONY
FOR
WALK WRIGHT CONSTRUCTION LLC.
JAMES CITY COUNTY
VIRGINIA

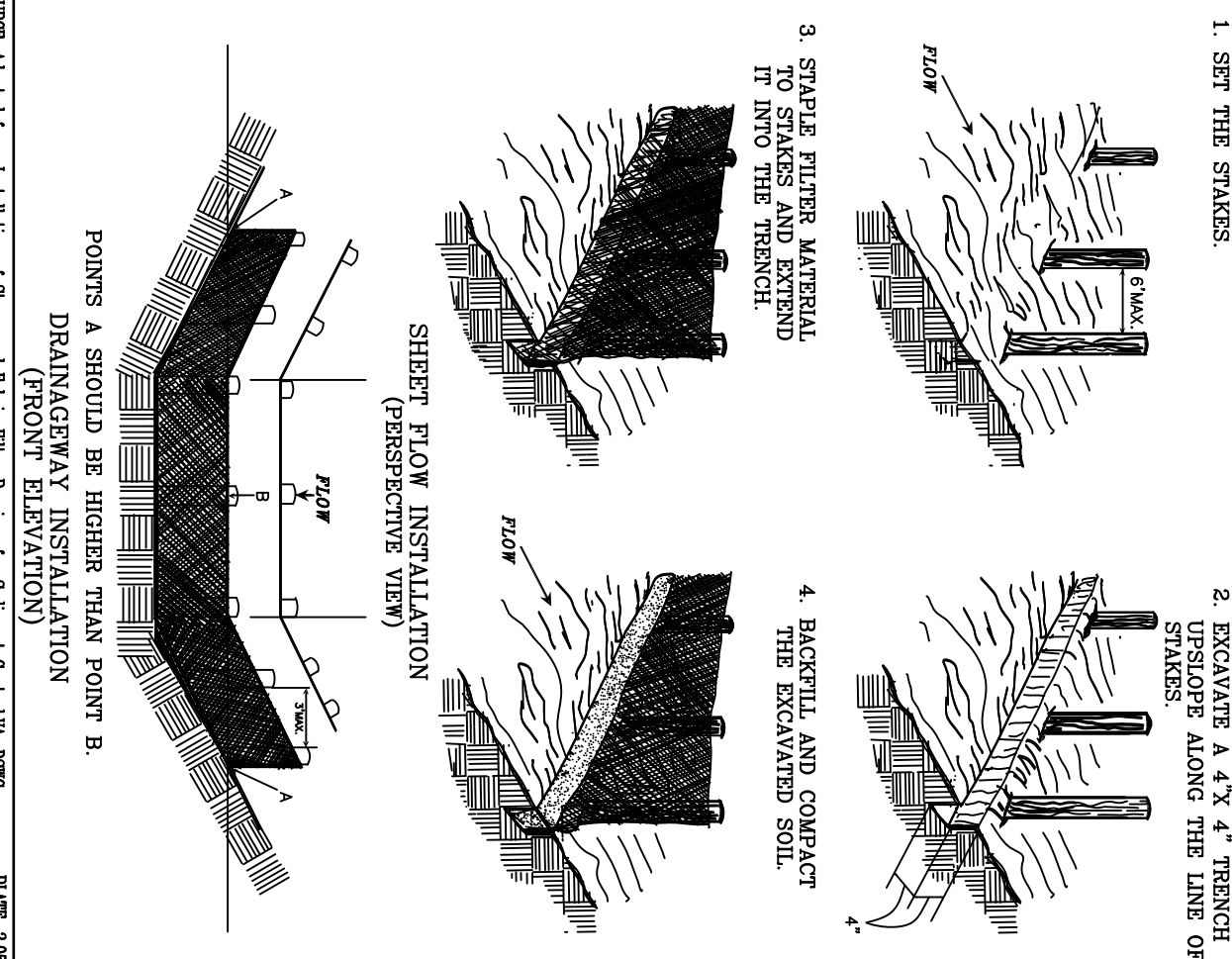
NO.	DATE	REVISION / COMMENT / NOTE

STONE CONSTRUCTION ENTRANCE



SOURCE: ADAPTED FROM 1983 Maryland Standards for Silt Erosion and Sediment Control, and Va. DSWC Plate 306-1

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



SOURCE: Adapted from Installation of Sheet and Fabric Filter Barriers for Sediment Control, Va. DSWC Sherwood and Ysant Plate 306-2

IRI LANDTECH RESOURCES, INC.
ENGINEERING • SURVEYING • GPS
205E Bullfrogs Blvd., Williamsburg, VA 23188
Ph: (757) 835-1111
web: landtechresources.com

COMMONWEALTH OF VIRGINIA
Matthew H. Connolly
Lic. No. 20563
6/10/2022
LAND SURVEYOR

ITEM SUMMARY

DATE: 4/12/2023

TO: Chesapeake Bay Board

FROM: Trevor Long, Chesapeake Bay Board Secretary

SUBJECT: CBPA-23-0030 : 153 Shinnecock

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

ATTACHMENTS:

	Description	Type
☐	Deferral Request	Cover Memo
☐	Site Plan	Cover Memo
☐	Gazette Ad	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/5/2023 - 2:08 PM
Chesapeake Bay Group	Small, Toni	Approved	4/5/2023 - 4:24 PM
Publication Management	Pobiak, Amanda	Approved	4/5/2023 - 4:27 PM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 4:40 PM

MEMORANDUM

DATE: April 12, 2023
TO: The Chesapeake Bay Board
FROM: Robin Benedict, Watershed Planner
SUBJECT: Chesapeake Bay Exception No. CBPA-23-0030. 153 Shinnecock

Mr. Chase Grogg, LandTech Resources, Inc., has requested a deferral of this application for exception to the Chesapeake Bay Preservation Ordinance while the site plan is finalized for the project. Staff concurs with this request. As this case has been public noticed, staff recommends that the public hearing be opened and stay open until the May meeting, at which time the case will be heard.

RB/md
CBPA23-30_153ShnckDef-mem

EROSION & SEDIMENT CONTROL NOTES

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

BUILDING INFORMATION

PROPOSED BUILDING IS A 1-STORY FRAME
SECTION 7 FIRST FLOOR REQUIREMENT: 1,500 S.F.
PROPOSED FIRST FLOOR: 2,455 S.F.

SITE INFORMATION

PARCEL ID: 3720400016
TOTAL AREA: 18,003 S.F. / 0.41 AC.
IMPERVIOUS AREA: 6,257 S.F. / 0.143 AC.
IMPERVIOUS W/IN WETLANDS: 1,748 S.F. / 0.034 AC.
IMPERVIOUS W/IN 50' RPA: 3,228 S.F. / 0.0741 AC.
IMPERVIOUS W/IN 100' RPA: 609 S.F. / 0.0139 AC.
IMPERVIOUS W/IN RPA TOTAL: 5,585 S.F. / 0.1282 AC.
DISTURBED AREA: 14,157 S.F. / 0.325 AC.
ZONING DISTRICT: R4
EXISTING SITE IS PARTLY WOODED AS SHOWN

BUILDING SETBACK (SBL)

TO BE CONFIRMED BY FORD'S COLONY
FRONT: 30'
REAR: 25' OR 25% WHICHEVER IS GREATER
SIDE: 10'

EXISTING ADDRESS:

153 SHINNECOCK
JAMES CITY COUNTY, VIRGINIA

GENERAL NOTES

- THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 50 PGS. 31-40.
- ELEVATIONS SHOWN HEREON ARE IN FEET AND ARE CLOSELY RELATED TO JCC GIS (NAVD88).
- WETLANDS, AS SHOWN, WERE LOCATED AND FLAGGED BY STOKES ENVIRONMENTAL ASSOCIATES THEN FIELD LOCATED BY THIS FIRM.
- THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
- PARCEL LIES IN F.I.R.M. ZONE "X" & "AE29.9" ACCORDING TO COMMUNITY PANEL #51095C0117D, DATED DECEMBER 16, 2015.
- LOT SERVED BY PUBLIC WATER AND SEWER. CONTRACTOR TO COORDINATE CONNECTIONS WITH JAMES CITY COUNTY UTILITIES.
- CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
- TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY.
- CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION.
- CONTRACTOR TO INSTALL ORANGE SAFETY FENCE AROUND PERIMETER OF CONSTRUCTION.
- PROPOSED RESIDENCE SHOWN BASED OFF OF PLANS PROVIDED BY CLIENT DATED 2/23/2023 & AND TO BE CONFIRMED BY CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR TO VERIFY PLAN DIMENSIONS PRIOR TO CONSTRUCTION.

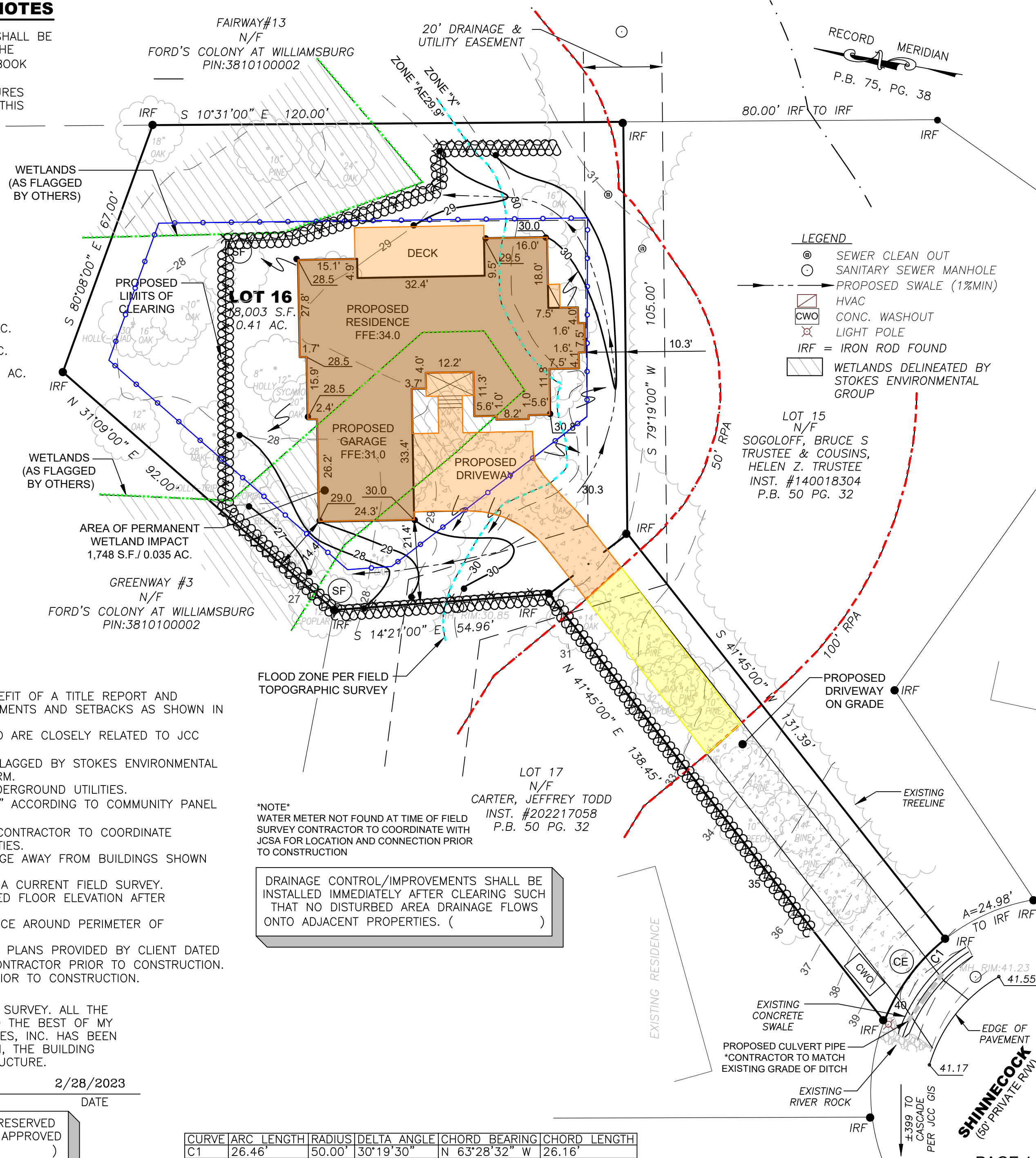
SURVEYORS CERTIFICATION

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

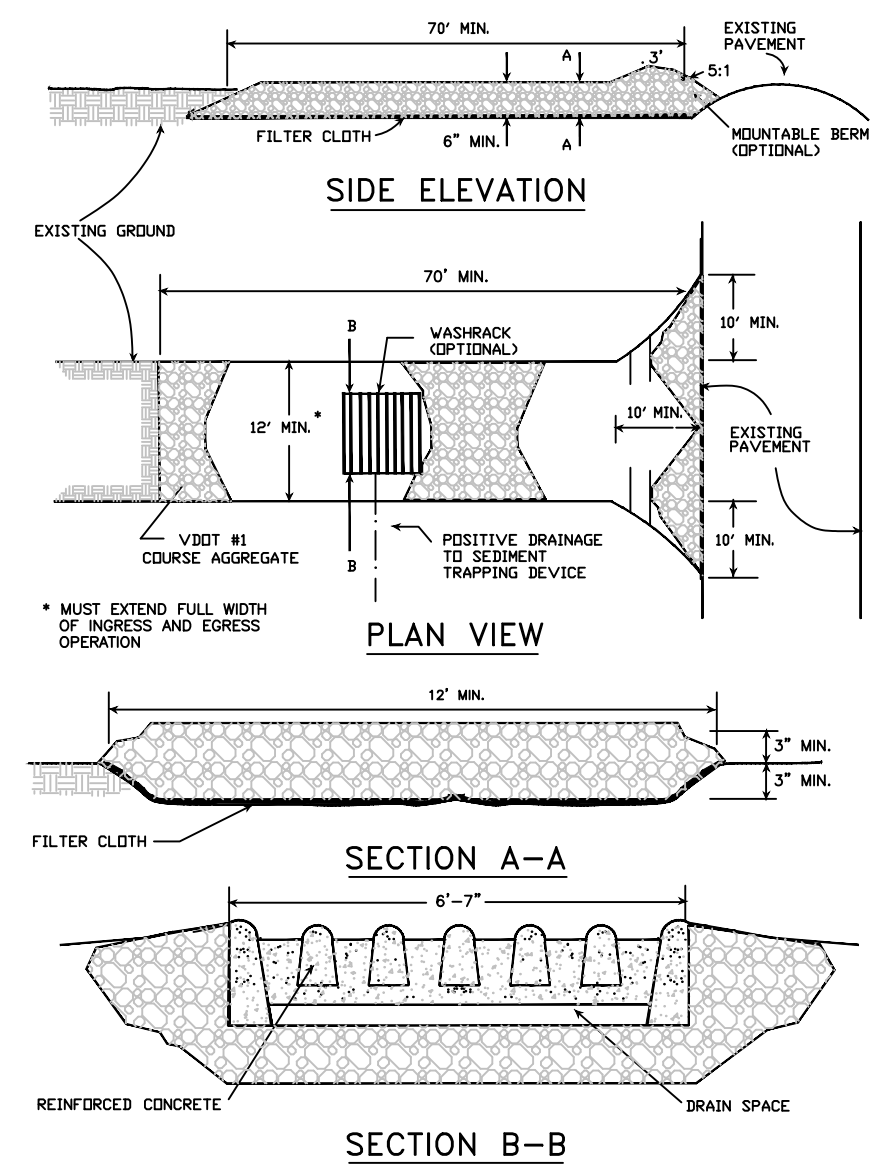
Matthew H. Connolly
MATTHEW H. CONNOLLY, L.S. DATE 2/28/2023

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

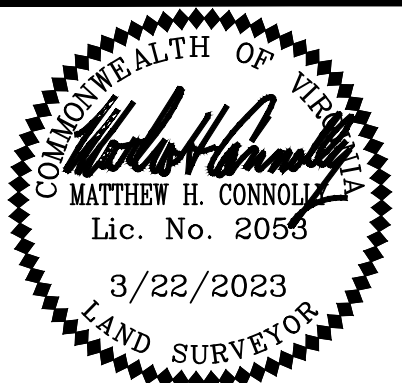
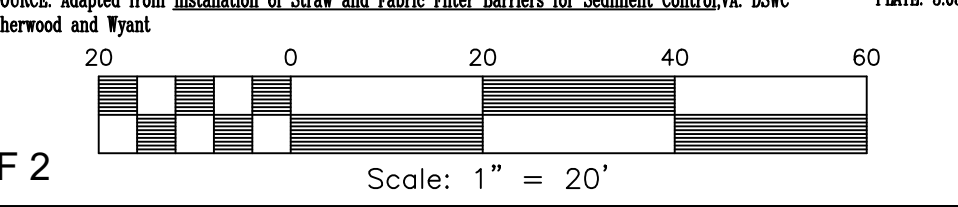
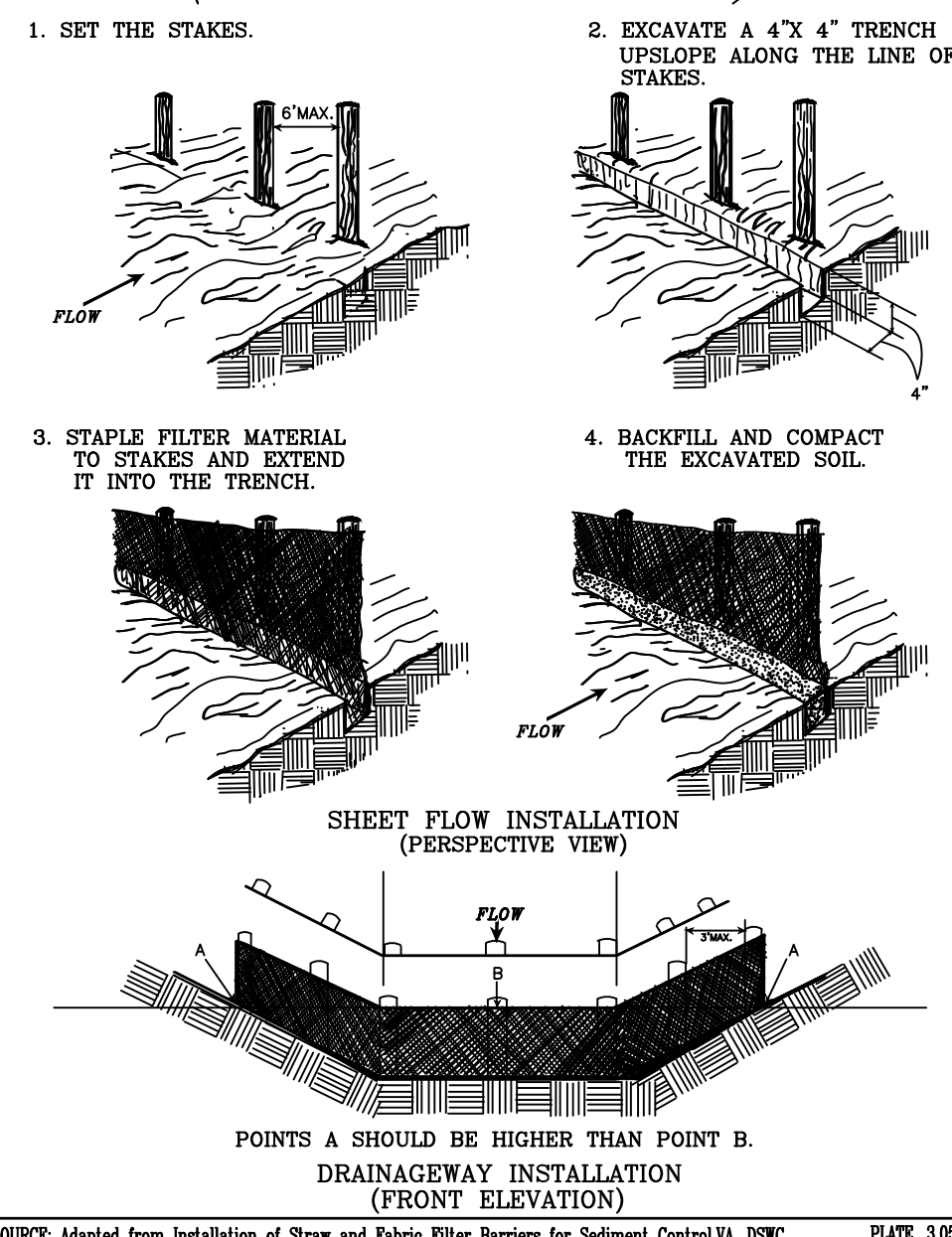
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	26.46'	50.00'	30°19'30"	N 63°28'32" W	26.16'



STONE CONSTRUCTION ENTRANCE



CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



DATE: 3/1/2023
DRAWN BY: AEQ
PROJECT No. 23-036
FILE NAME: 23-036.DWG
REFERENCES:
P.B. 50, PG. 31-40

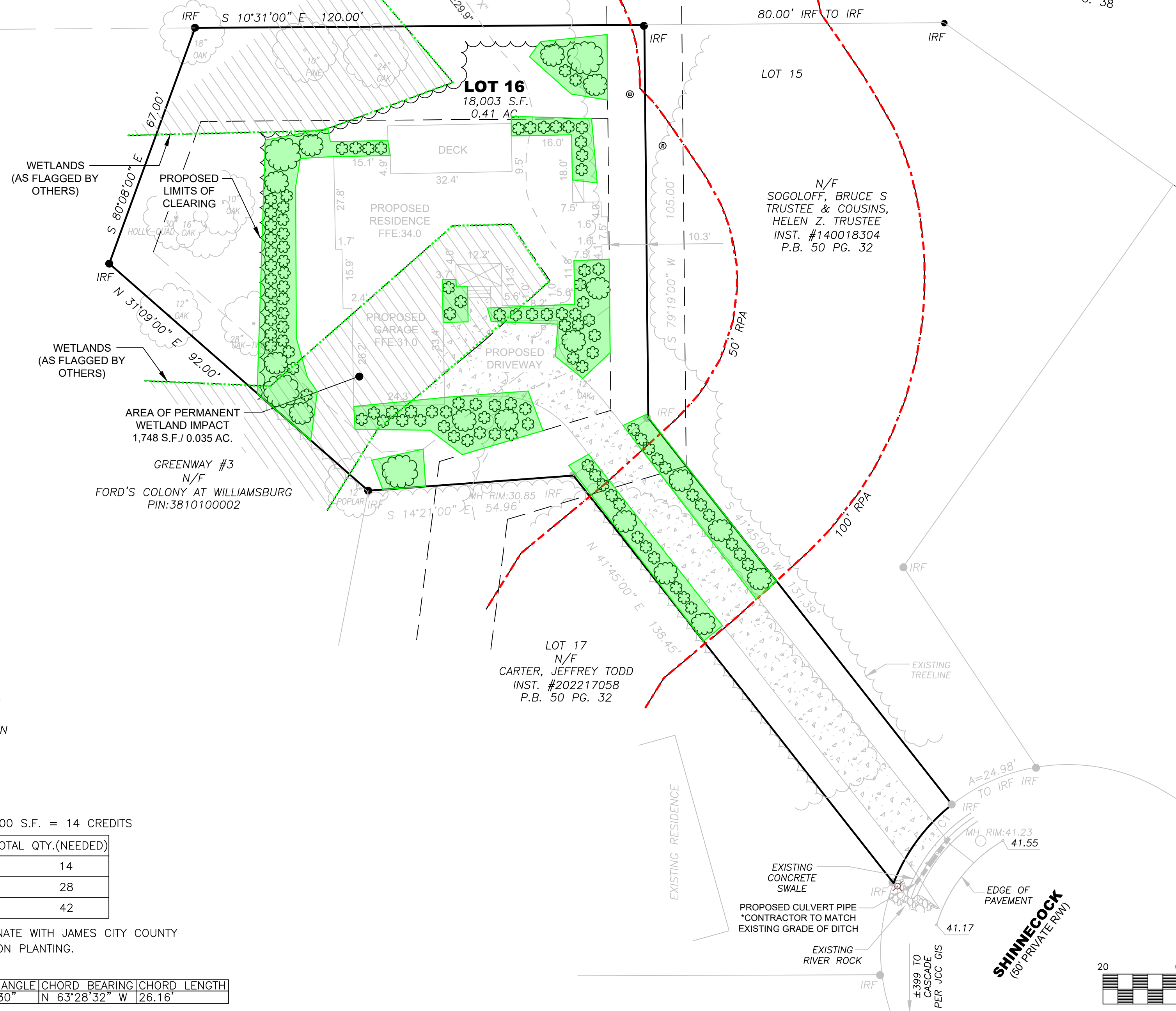
PLAT PLAN OF
LOT 16 SECTION VII
FORD'S COLONY
FOR
HOWARD JONES
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1.	3/22/2023	REVISED TO SHOW MITIGATION PLANTINGS

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

FAIRWAY#13
N/F
FORD'S COLONY AT WILLIAMSBURG
PIN:3810100002

RECORD MERIDIAN
P.B. 75, PG. 38



- LEGEND**
- ⊙ SEWER CLEAN OUT
 - SANITARY SEWER MANHOLE
 - ⊗ LIGHT POLE
 - IRF = IRON ROD FOUND
 - ▨ WETLANDS DELINEATED BY STOKES ENVIRONMENTAL GROUP

- LANDSCAPE LEGEND**
- ☁ CANOPY = 4 SHOWN
 - ☁ UNDERSTORY = 16 SHOWN
 - ☁ SHRUBS = 106 SHOWN

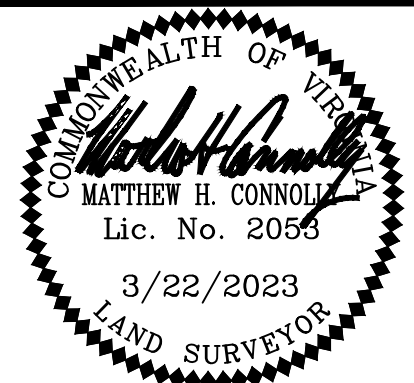
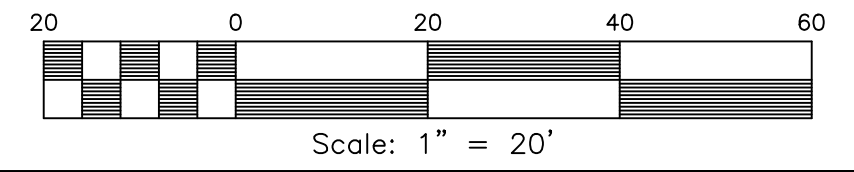
MITIGATION TABLE: 5,585 S.F. / 400 S.F. = 14 CREDITS

MITIGATION MEASURE	TOTAL QTY.(NEEDED)
NATIVE CANOPY TREES	14
NATIVE UNDERSTORY TREES	28
NATIVE SHRUBS	42

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

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	26.46'	50.00'	30°19'30"	N 63°28'32" W	26.16'

PAGE 2 OF 2



DATE: 3/1/2023
DRAWN BY: AEQ
PROJECT No. 23-036
FILE NAME: 23-036.DWG
REFERENCES:
P.B. 50, PG. 31-40

LOT PLAN OF
LOT 16 SECTION VII
FORD'S COLONY
FOR
HOWARD JONES
JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1.	3/22/2023	REVISED TO SHOW MITIGATION PLANTS

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



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY APRIL, 12, 2023, 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-23-0017: Mr. Anthony Loubier, VHB, has applied for a Chesapeake Bay Exception on behalf of Peninsula Pentecostals Inc. for encroachments into the Resource Protection Area (RPA) buffer for the construction of a sanitary sewer connection on property located at 9230 Pocahontas Trail, JCC Parcel No. 6010100006.

CBPA-23-0011: Mr. James Frohmiller has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction and approval of a deck on property located at 1727 Centennial Drive, JCC Parcel No. 0340600010.

CBPA-23-0015: Mr. Ryan Stephenson, AES Consulting Engineers, has applied for a Chesapeake Bay Exception on behalf of Windswept Development LLC for encroachments into the RPA buffer for the construction of a sanitary sewer connection on property located at 4101 Monticello Avenue, JCC Parcel No. 3740100010.

CBPA-23-0032: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Walk Wright Construction LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 5 Tay River, JCC Parcel No. 3720200044.

CBPA-23-0031: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Greenwood Homes Hampton Roads LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 205 Bulwell Forrest, JCC Parcel No. 3233100019.

CBPA-23-0030: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Howard Jones for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 153 Shinnecock, JCC Parcel No. 3720400016.

CBPA-23-0035: Ms. Jennifer and Mr. Jeremy Hewitt has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of two retaining walls on property located at 3036 North Riverside Dr, JCC Parcel No. 1910200047A.

CBPA-23-0025: Mr. Chase Grogg, Landtech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Surin Properties LLC for encroachments into the RPA buffer for the construction of a single-family dwelling on property located at 100 Red Berkshire, JCC Parcel No. 3131200001.

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 Mar 29, 2023 and Apr 5, 2023.
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W
CARD # x6648

ITEM SUMMARY

DATE: 4/12/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-21-0060 : 4373 Landfall Drive

ATTACHMENTS:

	Description	Type
☐	Extension Request	Cover Memo
☐	Resolution to Approve	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Woolson, Michael	Approved	4/4/2023 - 3:55 PM
Chesapeake Bay Group	Small, Toni	Approved	4/4/2023 - 8:11 PM
Publication Management	Daniel, Martha	Approved	4/5/2023 - 8:06 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	4/5/2023 - 1:49 PM

MEMORANDUM

DATE: April 12, 2023
TO: The Chesapeake Bay Board
FROM: Trevor A. Long, Watershed Planner
SUBJECT: Chesapeake Bay Board Exception No. CBPA-21-0060. 4373 Landfall Drive

Mr. Ricky Edgerton, Edgerton Contracting, Inc., is requesting a one-year extension to CBPA-21-0060, originally granted on May 12, 2021. Staff concurs with this request, with the stipulation that all permit conditions, except for the expiration date, be reauthorized and that the new date of expiration be April 13, 2023.

TAL/ap
CBPA21-60_4373LndflExt-mem

Attachment

RESOLUTION

CASE NO. CBPA-21-0060. 4373 LANDFALL DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Ricky Edgerton, Edgerton Contracting, Inc. (the “Applicant”), has requested an extension for the exception granted by the Chesapeake Bay Board of James City County (the “Board”) on May 12, 2021. The exception request is for the use of the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 4732400036 and further identified as 4373 Landfall Drive (the “Property”) as set forth in the application CBPA-21-0060 for the purpose of constructing a single-family dwelling; 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 four planting units of mitigation are for the RPA impacts only. The Natural Open Space impacts and a revised Deed of Easement for Natural Open Space shall be processed under separate coverage and must be in place prior to issuance of a building permit; and

- c. Infiltration Best Management Practice as mitigation, to be reviewed by County staff; and
- d. A surety of \$2,000 be submitted in a form acceptable to the James City County Attorney's Office to guarantee the plantings; and
- e. This exception request approval shall become null and void if construction has not begun by April 13, 2025; and
- f. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than March 2, 2025, six weeks prior to the expiration date.

Charles Roadley
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 April, 2023.

CBPA21-60_4373LndflApp-res