

A G E N D A
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
June 14, 2023
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from the May 10, 2023 Regular Meeting

D. PUBLIC HEARINGS

1. CBPA-23-0053 : 5932 Montpelier
2. CBPA-23-0058 : 112 Discovery Lane
3. CBPA-23-0060 : 499 Jolly Pond Road
4. CBPA-23-0051 : 108 Brancaster
5. CBPA-23-0052 : 7260 Osprey Drive
6. CBPA-23-0041 : 141 Riverview Plantation
7. CBPA-23-0044 : 112 North Turnberry

E. BOARD CONSIDERATIONS

F. MATTERS OF SPECIAL PRIVILEGE

G. ADJOURNMENT

ITEM SUMMARY

DATE: 6/14/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: Minutes from the May 10, 2023 Regular Meeting

ATTACHMENTS:

	Description	Type
▣	Minutes from the May 10, 2023 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:16 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:19 AM
Publication Management	Daniel, Martha	Approved	6/7/2023 - 11:40 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:35 PM

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
May 10, 2023
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for May 10, 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:

Halle Dunn
Charles Roadley, Chair
Larry Waltrip
Scott Maye, Vice Chair
Leslie Bowie, Alternate

Board Members Absent:

Michael O'Brien

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection
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 for April 12, 2023 Regular Meeting

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

The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

1. CBPA-23-0039 : 105 Tewning Road

A motion to Approve w/ Conditions was made by Halle Dunn, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Bowie, Dunn, Maye, Roadley, Waltrip
Absent: O'Brien

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. James Die, RK&K, on behalf of Mr. Darryl Cook, James City County, for encroachments into the Resource Protection Area (RPA) for the retrofit of an existing stormwater Best Management Practices (BMP) facility. The property is further identified as James City County

Tax Map Parcel No. 3910100003. 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.

Mr. Roadley opened the Public Hearing.

A. Mr. Darryl Cook, James City County General Services Department, 107 Tewning Road, offered further information about the plan including a survey of the existing BMPs at and near the site, the extent of the clearing that is included in the plan, and an explanation of how stormwater runoff will be directed once the work is complete.

Mr. Roadley closed the Public Hearing.

The Board discussed the pros and cons of the plan.

2. CBPA-23-0045 : 5343 Rockingham Drive

A motion to Approve w/ Conditions was made by Scott Maye, the motion result was Passed.

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

Ayes: Bowie, Dunn, Maye, Roadley, Waltrip

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Andrew Coleman, for encroachments into the RPA for the replacement and expansion of a deck. The property is further identified as James City County Tax Map Parcel No. 3221200153. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley opened the Public Hearing.

A. Mr. Andrew Coleman, 5343 Rockingham Drive, provided further details of existing site conditions.

Mr. Roadley closed the Public Hearing.

The Board discussed the pros and cons of the plan.

3. CBPA-23-0031 : 205 Bulwell Forest

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

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

Ayes: Bowie, Dunn, Maye, Roadley, Waltrip

Absent: O'Brien

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Greenwood - Homes Hampton Roads, LLC, for encroachments into the RPA for the construction of a single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 3233100019. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

The Public Hearing remained open from the April 12, 2023, Regular Board Meeting.

A. Mr. Chase Grogg, LandTech Resources, Inc., 205 Bulifants Boulevard, Suite E, provided further details about the plan including an explanation of changes that were made to the site plan since its submittal.

Mr. Roadley closed the Public Hearing.

The Board discussed the pros and cons of the plan, including recognition of the plan's minimal expected impact to water quality.

Staff clarified the location of BMPs as they appear on the site plan for the Board.

4. CBPA-23-0032 : 5 Tay River

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

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 1

Ayes: Bowie, Maye, Waltrip

Nays: Dunn, Roadley

Absent: O'Brien

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Walk Wright Construction, LLC, for encroachments into the RPA for the construction of a single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 3720200044. 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.

The Public Hearing remained open from the April 12, 2023, Regular Board Meeting.

A. Mr. Chase Grogg, LandTech Resources, Inc., 205 Bulifants Boulevard, Suite E, offered further details about the plan, including an explanation of the history of RPA and wetland delineation adjustments at the site, a description of the house's proposed size as it relates to other nearby houses, and the expected flow of stormwater runoff after construction is completed.

Mr. Roadley closed the Public Hearing.

The Board considered the pros and cons of the plan.

Mr. Dunn expressed concern for the extent to which the plan encroaches into the RPA, especially with reference to the size of the house.

5. CBPA-23-0030: 153 Shinnecock

A motion to Defer was made by Charles Roadley, the motion result was Passed.

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

Ayes: Bowie, Dunn, Maye, Roadley, Waltrip

Absent: O'Brien

A motion to Deny was made by Scott Maye, the motion result was Failed.

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

Ayes:

Nays: Bowie, Dunn, Maye, Roadley, Waltrip

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. Howard Jones, for encroachments into the RPA for the construction of a single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 3720400016. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

The Public Hearing remained open from the April 12, 2023, Regular Board Meeting.

A. Mr. Chase Grogg, LandTech Resources, Inc., 205 Bulifants Boulevard, Suite E, provided further details of the plan including a description of the house's proposed size as it relates to other nearby houses.

B. Mr. Howard Jones, 5309 Ashborough Drive, Providence Forge, Virginia, offered an explanation for the increased size of the proposed house in comparison to the minimum size requirement established by the Ford's Colony Homeowners Association, citing the need to accommodate current and expected health requirements of his family members.

Mr. Roadley closed the Public Hearing.

The Board considered the pros and cons of the plan, including the impact of the increased size of the house.

Mr. Everard advised the Board on the appropriate procedure to accommodate both the active motion to Deny the application for the exception request as well as the requested motion to Defer. Mr. Everard also confirmed for the Board that an Approved motion to Deny would require the Applicant to resubmit a new exception request if they intended to bring the case before the Board again.

Mr. Roadley reopened the Public Hearing.

6. CBPA-23-0041 : 141 Riverview Plantation

A motion to Defer was made by Scott Maye, the motion result was Passed.

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

Ayes: Bowie, Dunn, Maye, Roadley, Waltrip

Absent: O'Brien

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Edward and Ms. Kalisha Jordan, for encroachments into the RPA for the installation of a driveway and site grading. The property is further identified as James City County Tax Map Parcel No. 1640500002. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley opened the Public Hearing.

A. Mr. Edward Jordan, 141 Riverview Plantation, provided further details of the plan including an explanation of how the site constraints have contributed to the application for the exception request.

Mr. Roadley expressed concern for the effectiveness of the erosion control measures in the plan.

B. Ms. Vivian Carpenter, 137 Riverview Plantation Drive, objected to the plan, citing historic problems regarding previous construction work at the site, concern for further encroachment into the RPA, and the potential issues that may arise if the location of the existing septic system overlaps with the proposed plan.

A. Mr. Jordan reiterated the need for erosion control at the site.

Mr. Roadley closed the Public Hearing.

Mr. May indicated that further consideration of the site constraints might yield a more effective revised plan.

Mr. Dunn expressed concern for the extent to which the proposed location of the driveway encroaches into the RPA.

Mr. Waltrip considered the benefit of relocating the proposed driveway.

Mr. Roadley reopened the Public Hearing.

A. Mr. Jordan indicated that moving the proposed location of the driveway would not affect the existing erosion issues.

Mr. Roadley expressed the need for further information about the details of the plan.

A. Mr. Jordan requested a deferral for the exception request.

Mr. Roadley closed the Public Hearing.

Mr. Roadley reopened the Public Hearing.

7. CBPA-23-0044 : 112 North Turnberry

A motion to Defer was made by Halle Dunn, the motion result was Passed.

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

Ayes: Bowie, Dunn, Maye, Roadley, Waltrip

Ms. Robin Benedict, Watershed Planner, presented the request for deferral submitted by Mr. Mark Adam, Black Tip Associates, LLC, on behalf of Ms. Karen and Mr. David Hescocx, citing the need for further revision of the site plan. The exception request is for encroachments into the RPA for the construction of a new single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 3721200004. Ms. Benedict also recommended that the Public Hearing should be opened and remain so as a matter of procedure.

Mr. Roadley opened the Public Hearing.

E. BOARD CONSIDERATIONS

None.

F. MATTERS OF SPECIAL PRIVILEGE

Absent: O'Brien

None.

G. ADJOURNMENT

Absent: O'Brien

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

The meeting adjourned at 7:14 p.m.

ITEM SUMMARY

DATE: 6/14/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0053 : 5932 Montpelier

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive , JCC Tax Map Parcel No. 3221200230.

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	Small, Toni	Approved	6/7/2023 - 11:16 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:18 AM
Publication Management	Pobiak, Amanda	Approved	6/7/2023 - 11:32 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:34 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0053. 5932 Montpelier Drive
Staff Report for the June 14, 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. Danielle Meenan

Agent: None

Location: 5932 Montpelier Drive

Parcel Identification No.: 3221200230

Parcel: Lot 23, Section 3C, Scott's Pond

Lot Size: 0.24 acres

Area of Lot in Resource Protection Area (RPA): 0.17 acres (71%)

Watershed: Powhatan Creek (JL31)

Floodplain: None

Proposed Activity: Installation of an above-ground swimming pool

Impervious Cover: 288 square feet

RPA Encroachment: 288 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Danielle Meenan has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of an above-ground swimming pool located at 5932 Montpelier Drive within the Scott's Pond subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3221200230. The parcel was platted in 2005, after the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 0.24 acres, of which 71% is located within the RPA. The applicant is proposing to construct a 24-foot by 12-foot above-ground pool. Total impacts to the RPA associated with this proposal equate to 288 square feet in the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equals eight shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the installation of an above-ground swimming pool. 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 pool is considered accessory in nature.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the 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, 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 eight 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. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 2024, six weeks prior to the expiration date.

TAL/ap
CBPA23-53_5932Mntpelr

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0053. 5932 MONTPELIER DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Danielle Meenan (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 5932 Montpelier Drive (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 3221200230, as set forth in the application CBPA-23-0053 for the purpose of installation of an above-ground swimming pool; 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-23-0053, 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 eight 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. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 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 14th day of June, 2023.

CBPA23-53_5932MntpelrApp-res

RESOLUTION

CASE NO. CBPA-23-0053. 5932 MONTPELIER DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Danielle Meenan (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 5932 Montpelier Drive (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 3221200230, as set forth in the application CBPA-23-0053 for the purpose of installation of an above-ground swimming pool; 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-23-0053.

Charles Roadley
Chair, Chesapeake Bay Board

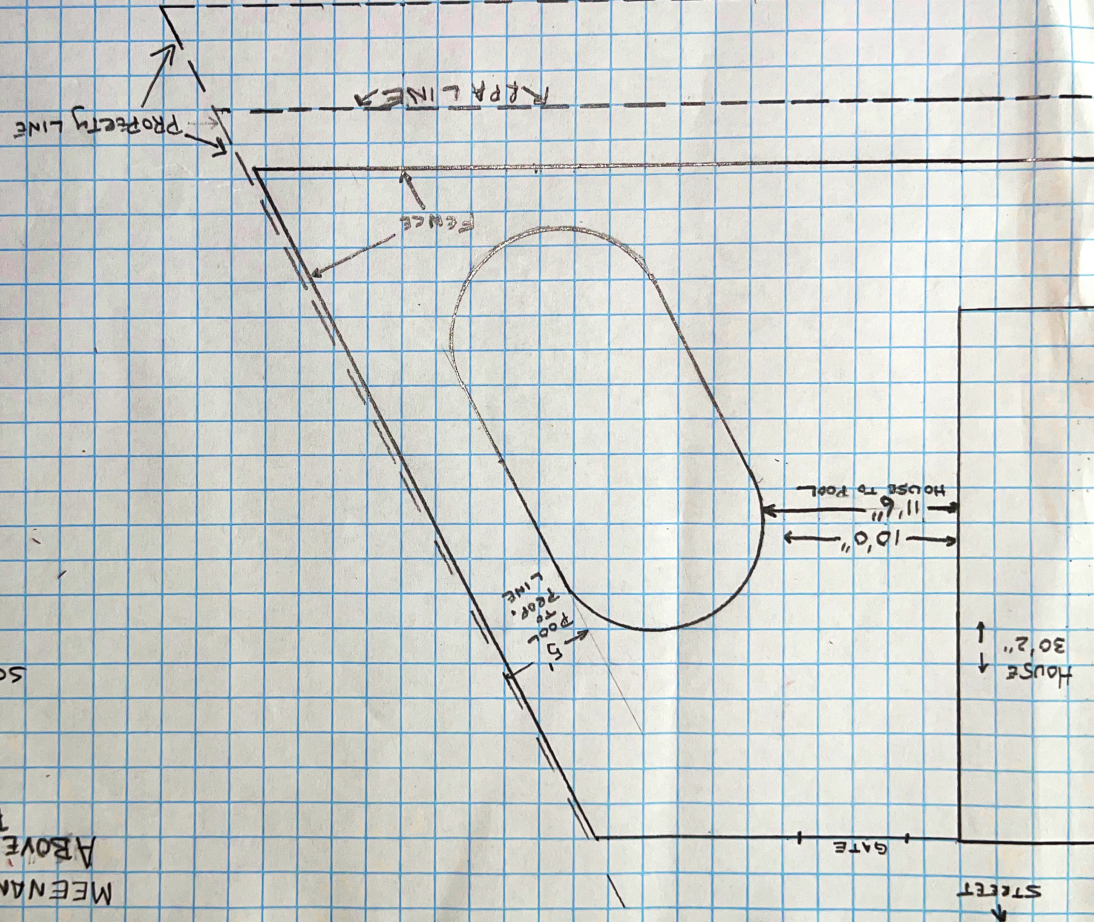
Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 14th day of June, 2023.

CBPA23-53_5932MntpelrDny-res

MEENAN - 5932 MONTPELIER DR.
ABOVE GROUND 12'x24' OVAL
POOL INSTALL LOCATION
11 APRIL 2023

SCALE $\frac{1}{4}" = 2'-0"$



Case Number: CBPA-23-0053

PIN	Last Name	Address Line 1	City	State	Zip Code
3221200231	ELKINS, ELAINE A TRUSTEE	5936 MONTPELIER DR	WILLIAMSBURG	VA	23188-8122
3221200228	FLEISCHMAN, ANDREW SETH & KAILA ANNE	5924 MONTPELIER DR	WILLIAMSBURG	VA	23188-8122
3221200230	MEENAN, SEAN K & DANIELLE T	5932 MONTPELIER DR	WILLIAMSBURG	VA	23188-8122
3221200001D	SCOTTS POND COMMUNITY ASSOCIATION	P O BOX 102	LIGHTFOOT	VA	23090-0102
3221200232	TUA, WILLIAM & NAYDA I	5935 MONTPELIER DR	WILLIAMSBURG	VA	23188-8122
3221200234	VOIGT, GRAHAM J & GIBBINS, CHELSEA M	5927 MONTPELIER DR	WILLIAMSBURG	VA	23188-8122
3221200229	WHIPPLE, BRIAN P & ALICE FAE	5928 MONTPELIER DR	WILLIAMSBURG	VA	23188-8122
3221200233	WRIGHT, TODD W & DEBBIE S	5931 MONTPELIER DR	WILLIAMSBURG	VA	23188-8122



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-23-0053
5932 Montpelier Drive
Installation of above-ground
swimming pool

May 25, 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. Danielle and Mr. Sean Meenan for encroachments into the Resource Protection Area buffer for the installation of an above-ground swimming pool. The project is located at 5932 Montpelier Drive , JCC Tax Map Parcel No. 3221200230.

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, June 14, 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 WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 14, 2023 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-23-0013: Mr. Rich Calvert, Calvert Marine, on behalf of Mr. Gary McSherry, has applied for a Wetlands Permit for the replacement of a bulkhead and installation of a pier on property located at 5030 River Drive, JCC Tax Map Parcel No. 0930300006.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive, JCC Tax Map Parcel No. 3221200230.

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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 – May 31, 2023 and June 7, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

ITEM SUMMARY

DATE: 6/14/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0058 : 112 Discovery Lane

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:17 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:19 AM
Publication Management	Pobiak, Amanda	Approved	6/7/2023 - 11:42 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:35 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0058. 112 Discovery Lane
Staff Report for the June 14, 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. April Warren

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

Location: 112 Discovery Lane

Parcel Identification No.: 4730500020

Parcel: Lot 20, Section 1, Powhatan Shores

Lot Size: 0.41 acres

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

Watershed: Powhatan Creek (JL31)

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

Proposed Activity: Approval of a shed and gravel paths

Impervious Cover: 857 square feet

RPA Encroachment: 513 square feet, seaward 50-foot RPA
344 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. April Warren has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the approval of a shed and gravel paths located at 112 Discovery Lane within the Powhatan Shores subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4730500020. The parcel was platted in 1975, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.41 acres, of which 59% is located within the RPA. Existing conditions of the property as of the 2017 aerial photography include a single-family dwelling, a driveway, and a level yard leading to a timber bulkhead adjacent to the canal. In June of 2022, staff was made aware of construction that was potentially occurring within the RPA on the previously mentioned property. On June 24, 2022, staff performed an inspection of the property and found various structures being constructed within the RPA. Upon investigation, staff found a series of raised garden beds with gravel walkways or decking surrounding the beds adjacent to an existing bulkhead on the property. Landward of these garden structures, staff found a greenhouse, wooden work area, and garden shed being constructed. At that time,

staff asked the homeowner to halt construction until the apparent violation could be remedied to which the homeowner agreed.

This property appeared before the Chesapeake Bay Board on October 12, 2022, for the after-the-fact approval of gravel and decking surrounding raised garden beds, a greenhouse, three sheds, and a pergola structure. This exception request, CBPA-22-0126, was denied during this meeting. A new application, CBPA-22-0150 was then brought before the Chesapeake Bay Board on March 8, 2023, for the after-the-fact approval of a walkway surrounding raised garden beds, a greenhouse, a pergola structure, and two sheds. This application was denied during this meeting. The applicant has since removed one existing shed, greenhouse, decking around the greenhouse, and slate, concrete, and gravel within the RPA.

The applicant is requesting after-the-fact approval for an existing shed and gravel pathways within the RPA. Total impacts to the RPA associated with this proposal equate to 513 square feet of impacts to the seaward 50-foot RPA and 344 square feet of impacts to the landward 50-foot RPA for a sum of 857 square feet of impacts. Required mitigation for this amount of impervious impacts equals two planting units (two canopy trees, four understory trees, and eight shrubs). Because this exception request is being heard after-the-fact, mitigation requirements are doubled, equating to four canopy trees, eight understory trees, and 12 shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the approval of a shed and gravel paths. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the exception request is being heard after-the-fact and the gravel 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 moderate for the proposed development. Should the Board wish to approve this exception 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 four planting units to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$3,000 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
4. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 2024, six weeks prior to the expiration date.

TAL/md
CBPA23-58_112DscvryLn

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0058. 112 DISCOVERY LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. April Warren (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 112 Discovery Lane (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 4730500020, as set forth in the application CBPA-23-0058 for the purpose of approval of a shed and gravel paths; 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-23-0058, 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 four planting units to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$3,000 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
4. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 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 14th day of June, 2023.

RESOLUTION

CASE NO. CBPA-23-0058. 112 DISCOVERY LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. April Warren (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 112 Discovery Lane (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 4730500020, as set forth in the application CBPA-23-0058 for the purpose of approval of a shed and gravel paths; 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-23-0058.

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 14th day of June, 2023.

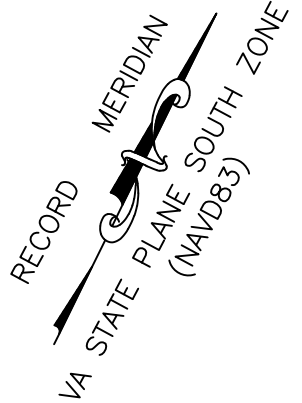
CBPA23-58_112DscvryLnDeny-res

NOTES:

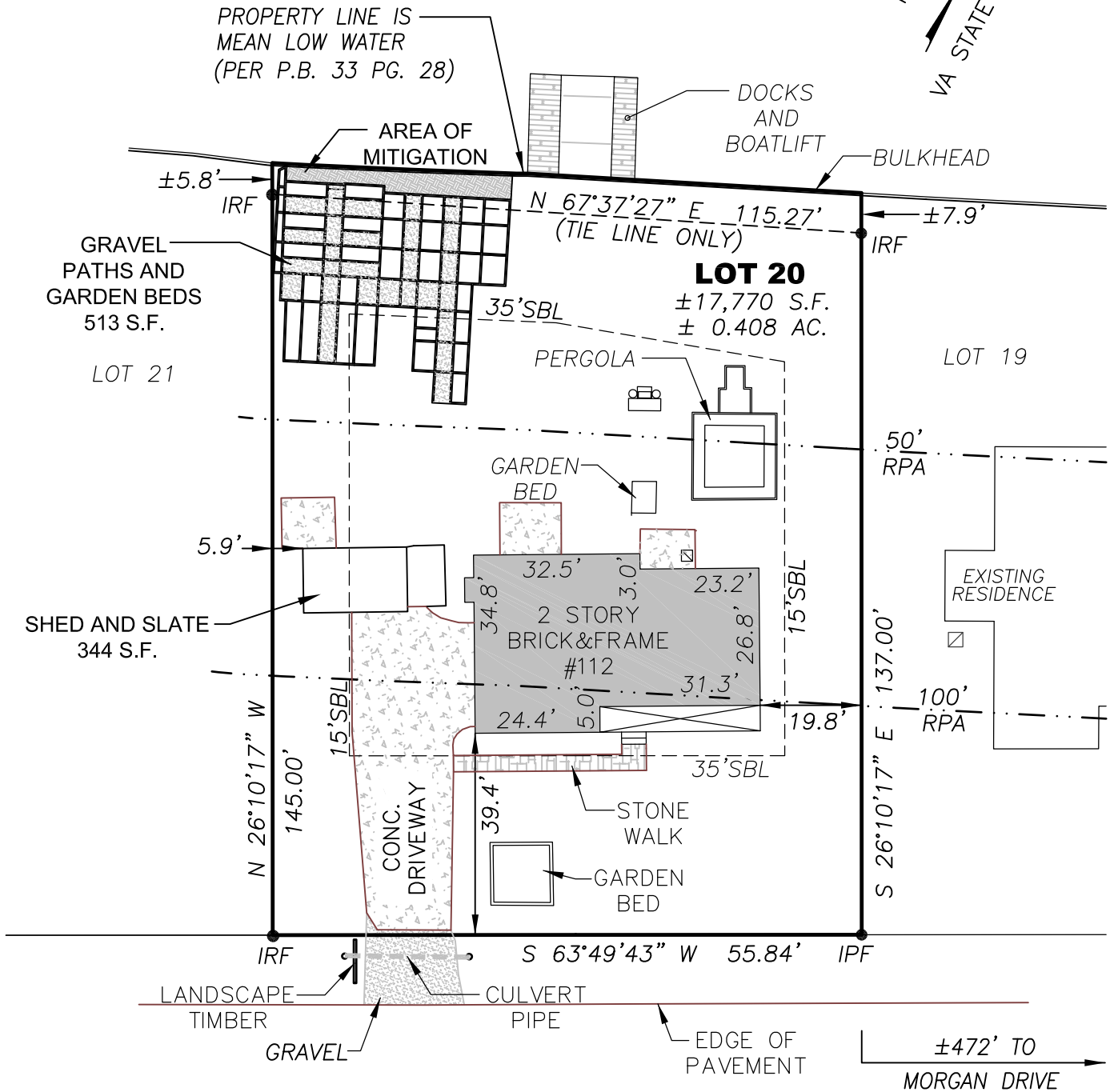
1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 33, PG. 27-29.
2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
3. LOT LIES IN F.I.R.M. ZONE "X" , ZONE "AE" (ELEV 7) ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0182D DATED DECEMBER 16, 2015.
4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.

LEGEND

-  HVAC UNIT
-  GARDEN BED
- IRF = IRON ROD FOUND
- IPF = IRON PIPE FOUND



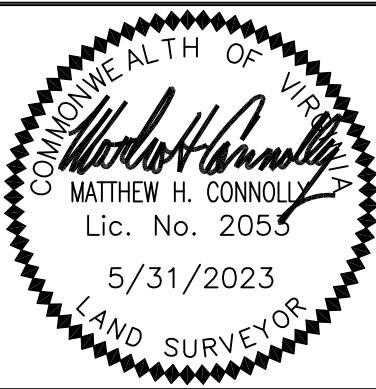
POWHATAN SHORES CANAL



DISCOVERY LANE
(50' R/W)

ADDRESS:

112 DISCOVERY LANE
JAMES CITY COUNTY, VIRGINIA



REFERENCES:
P.B. 33
PG. 27-29

DATE: 5/31/23
SCALE: 1"=30'
JOB# 23-176
CAD File
23-176.dwg

EXHIBIT SHOWING RPA IMPROVEMENTS OF LOT 20, SECTION I
POWHATAN SHORES
For:
APRIL WARREN
JAMES CITY COUNTY VIRGINIA

LandTech Resources, Inc.
Engineering and Surveying Consultants
205 E Bulifants Blvd., Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com



Case Number: CBPA-23-0058

PIN	Last Name	Address Line 1	City	State	Zip Code
4730500021	Boyer, Frank L & Lisa M	110 Discovery Ln	Williamsburg	Va	23185-3105
4730500035	Gentry, Jess J & Amanda M	117 Godspeed Ln	Williamsburg	Va	23185-3171
4730500019	Hernandez, James L & Eileen R	114 Discovery Ln	Williamsburg	Va	23185-3105
4730500033	Nester, Gary E	114 Godspeed Ln	Williamsburg	Va	23185-3108
4730500034	Plumley, Bruce B	115 Godspeed Ln	Williamsburg	Va	23185-3171
473050001b	Powhatan Shores Homeowners Association	103a Discovery Ln	Williamsburg	Va	23185-3104
4731300006	Powhatan Shores Homeowners Association	112 Lands End Dr	Williamsburg	Va	23185-3158
4731300003	Sylvester, Richard W Iii & Suzanne K	105a Discovery Ln	Williamsburg	Va	23185-3104
4731300004	Van Tassell, Ryan T & Monika B	105 Discovery Ln	Williamsburg	Va	23185-3104
4730500020	Warren, April Ann	112 Discovery Ln	Williamsburg	Va	23185-3105



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-23-0058
112 Discovery Lane
Approval of shed, garden
structures

May 25, 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. April Warren for encroachments into the Resource Protection Area buffer for the approval of a shed and garden structures. The project is located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, June 14, 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 WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 14, 2023 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-23-0013: Mr. Rich Calvert, Calvert Marine, on behalf of Mr. Gary McSherry, has applied for a Wetlands Permit for the replacement of a bulkhead and installation of a pier on property located at 5030 River Drive, JCC Tax Map Parcel No. 0930300006.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive, JCC Tax Map Parcel No. 3221200230.

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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 – May 31, 2023 and June 7, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

ITEM SUMMARY

DATE: 6/14/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0060 : 499 Jolly Pond Road

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:16 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:18 AM
Publication Management	Daniel, Martha	Approved	6/7/2023 - 11:34 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:35 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0060. 499 Jolly Pond Road
Staff Report for the June 14, 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

Applicants: Colonial Heritage, LLC, c/o Lennar/Vermont White

Agent: Mr. Ryan Stephenson, AES Consulting Engineers

Location: 499 Jolly Pond Road

Parcel Identification No.: 2240100007

Parcel: Additional Land Colonial Heritage

Lot Size: 533.84 acres total
136 acres, project area

Area of Lot in Resource Protection Area (RPA): 26 acres (20%), project area

Watershed: Yarmouth Creek (JL28)

Floodplain: None

Proposed Activity: Installation of a sanitary sewer and sanitary sewer bridge connections

RPA Wetland Encroachment: Approximately 10,424 square feet from aerial crossings

RPA Encroachment: Approximately 30,394 square feet, landward and 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 Colonial Heritage, LLC, c/o Lennar/Vermont White for encroachments into the RPA buffer for the installation of a sanitary sewer and sanitary sewer bridge connections located at 499 Jolly Pond Road within the Colonial Heritage subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Tax Map Parcel No. 2240100007.

The total lot size of this property is 533.84 acres; however, the area designated for the proposed sanitary sewer crossing is approximately 136 acres, of which 20% is located within the RPA. The applicants are proposing to install a sanitary sewer connection associated with the Deer Lake Estates project within Colonial Heritage. This proposal was originally approved on May 8, 2019, but has since expired. Total impacts to the RPA buffer associated with this proposal equate to 30,394 square feet of impacts to the RPA. There are two aerial crossings of wetlands systems in this proposal, which adds approximately 10,424 square feet of impact within the RPA feature. Required mitigation for this amount of impact is the recordation of a Deed of Natural Open Space for an area twice the size of the impacted RPA (60,788 square feet). The applicants have proposed an area equal to 60,984 square feet as mitigation, therefore satisfying County mitigation requirements.

STAFF EVALUATION

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

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the Applicants any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity; and
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality; and
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances, either permitted or non-conforming that are related to adjacent parcels; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

Staff has reviewed the application and exception request and has determined the impacts associated with the proposal to be 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 Applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicants 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 June 14, 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 3, 2024, six weeks prior to the expiration date.

TAL/ap
CBPA23-60_499JPnd

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0060. 499 JOLLY POND ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage, LLC, c/o Lennar/Vermont White (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 499 Jolly Pond Road (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 2240100007, as set forth in the application CBPA-23-0060 for the purpose of installing a sanitary sewer and sanitary sewer bridge connections; 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-23-0060, subject to the following conditions:

1. The Applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicants must submit a mitigation plan equating to eight shrubs to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicants 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. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 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 14th day of June, 2023.

CBPA23-60_499JPndApp-res

RESOLUTION

CASE NO. CBPA-23-0060. 499 JOLLY POND ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage, LLC, c/o Lennar/Vermont White (“the Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 499 Jolly Pond Road and further identified as James City County Real Estate Tax Map Parcel No. 2240100007, as set forth in the application CBPA-23-0060 for the purpose of installing a sanitary sewer and sanitary sewer bridge connections; and

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

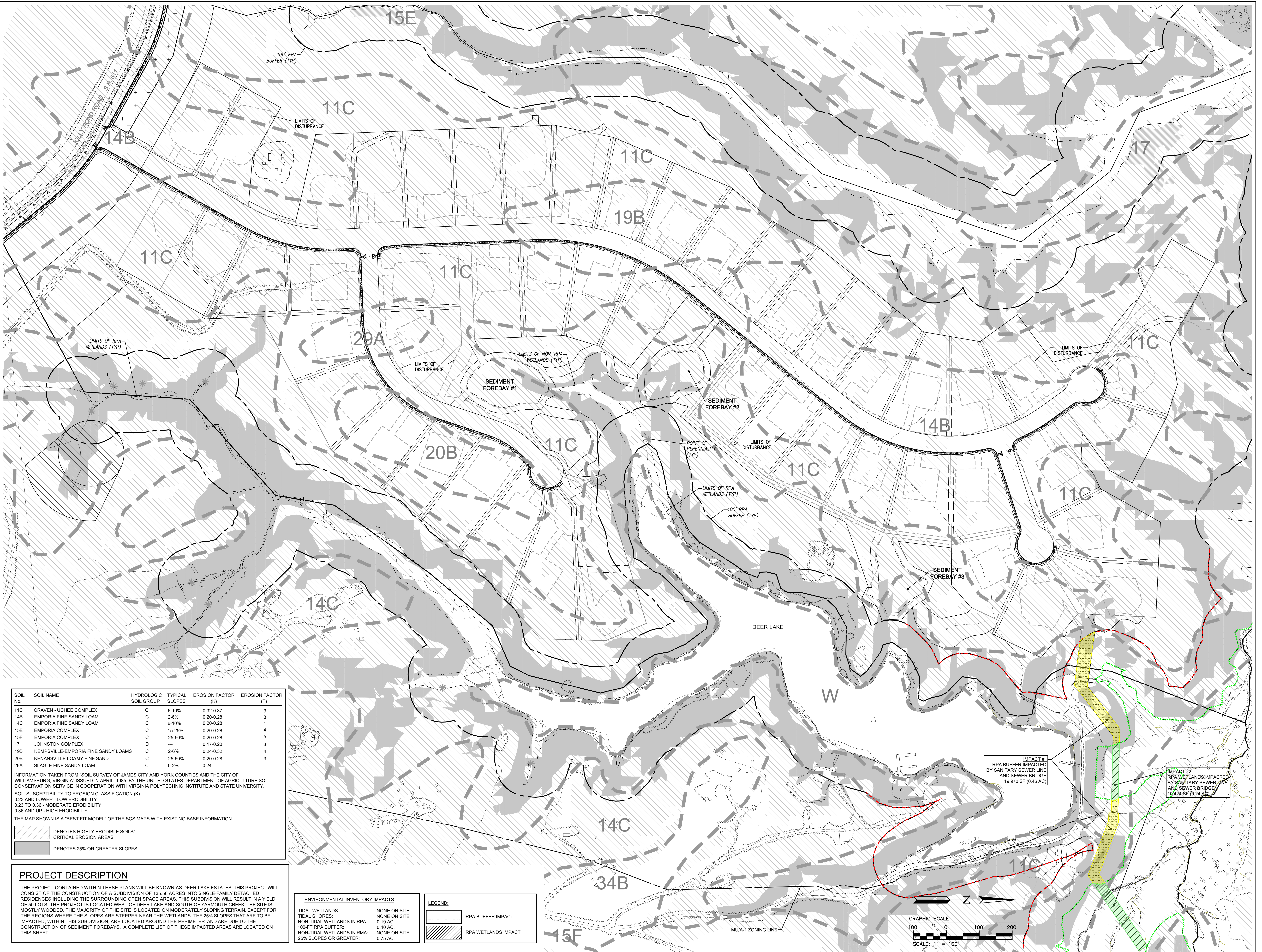
NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-23-0060.

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 14th day of June, 2023.

CBPA23-60_499JPndDny-res



SOIL No.	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	GRAVEN - UCHEE COMPLEX	C	6-10%	0.32-0.37	3
14B	EMPORIA FINE SANDY LOAM	C	2-6%	0.20-0.28	3
14C	EMPORIA FINE SANDY LOAM	C	6-10%	0.20-0.28	4
15E	EMPORIA COMPLEX	C	15-25%	0.20-0.28	4
15F	EMPORIA COMPLEX	C	25-50%	0.20-0.28	5
17	JOHNSTON COMPLEX	D	---	0.17-0.20	3
19B	KEMPSVILLE-EMPORIA FINE SANDY LOAMS	C	2-6%	0.24-0.32	4
20B	KENANSVILLE LOAMY FINE SAND	C	25-50%	0.20-0.28	3
29A	SLAGLE FINE SANDY LOAM	C	0-2%	0.24	4

INFORMATION TAKEN FROM "SOIL SURVEY OF JAMES CITY AND YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VIRGINIA" ISSUED IN APRIL, 1985, BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE IN COOPERATION WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
 0.23 AND LOWER - LOW ERODIBILITY
 0.23 TO 0.36 - MODERATE ERODIBILITY
 0.36 AND UP - HIGH ERODIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SCS MAPS WITH EXISTING BASE INFORMATION.

- DENOTES HIGHLY ERODIBLE SOILS/ CRITICAL EROSION AREAS
- DENOTES 25% OR GREATER SLOPES

PROJECT DESCRIPTION

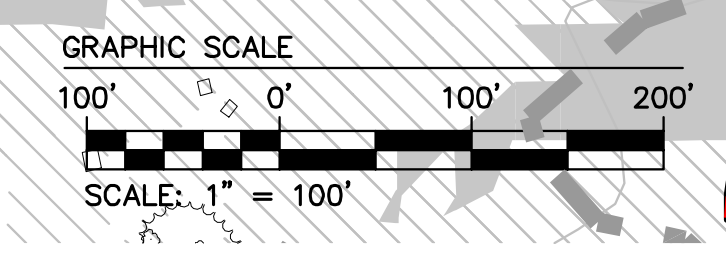
THE PROJECT CONTAINED WITHIN THESE PLANS WILL BE KNOWN AS DEER LAKE ESTATES. THIS PROJECT WILL CONSIST OF THE CONSTRUCTION OF A SUBDIVISION OF 135.56 ACRES INTO SINGLE-FAMILY DETACHED RESIDENCES INCLUDING THE SURROUNDING OPEN SPACE AREAS. THIS SUBDIVISION WILL RESULT IN A YIELD OF 50 LOTS. THE PROJECT IS LOCATED WEST OF DEER LAKE AND SOUTH OF YARMOUTH CREEK. THE SITE IS MOSTLY WOODED. THE MAJORITY OF THE SITE IS LOCATED ON MODERATELY SLOPING TERRAIN, EXCEPT FOR THE REGIONS WHERE THE SLOPES ARE STEEPER NEAR THE WETLANDS. THE 25% SLOPES THAT ARE TO BE IMPACTED, WITHIN THIS SUBDIVISION, ARE LOCATED AROUND THE PERIMETER AND ARE DUE TO THE CONSTRUCTION OF SEDIMENT FOREBAYS. A COMPLETE LIST OF THESE IMPACTED AREAS ARE LOCATED ON THIS SHEET.

ENVIRONMENTAL INVENTORY IMPACTS

TIDAL WETLANDS:	NONE ON SITE
TIDAL SHORES:	NONE ON SITE
NON-TIDAL WETLANDS IN RPA:	0.19 AC.
100'-FT RPA BUFFER:	0.40 AC.
NON-TIDAL WETLANDS IN RMA:	NONE ON SITE
25% SLOPES OR GREATER:	0.75 AC.

LEGEND:

	RPA BUFFER IMPACT
	RPA WETLANDS IMPACT



Rev.	Date	Description
1	03/19/15	REVISED PER JAMES CITY COUNTY COMMENTS
2	08/06/15	REVISED PER JAMES CITY COUNTY COMMENTS
3	11/19/15	REVISED PER JAMES CITY COUNTY COMMENTS

1248 Old Town Road, Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 220-9944
 Fax: (757) 220-9944
 www.ams.com

AMS
 CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

SUBDIVISION PLAN
 FOR
DEER LAKE ESTATES
 OWNER/DEVELOPER: COLONIAL HERITAGE L.L.C.
 STONEHOUSE DISTRICT
 JAMES CITY COUNTY
 VIRGINIA

Project Contacts: HWPT/RS
 Project Number: 9625-03
 Scale: 1"=100' Date: 11/16/15

Sheet Title:
**EXHIBIT A FOR
 WQIA**

Sheet Number
EX-A

Water Quality Impact Assessment

For

Deer Lake Estates

March 12, 2019



Prepared by:

AES Consulting Engineers

5248 Olde Towne Road, Suite 1

Williamsburg, VA 23188

(757) 253-0040 Fax: (757) 220-8994

<http://www.aesva.com>

Table of Contents

I. INTRODUCTION

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I. INTRODUCTION

Colonial Heritage, LLC is proposing the residential subdivision of 135.56 acres into the 50 lots that will be known as Deer Lake Estates. The site is located west of Deer Lake and the recently approved Colonial Heritage Phase VI – Section 1.

The purpose of this assessment is to summarize and organize information about the proposed impacts to the Chesapeake Bay Preservation Area(s) (CBPAs) which are reasonably necessary for the development of this property and to identify proposed mitigation that addresses such impacts.

For the purposes of this report, there are two (2) specific areas of CBPA impacts in the project area; Section 23-7 of the James City County Chesapeake Bay Ordinance generally categorizes these impacts. Exhibit A, submitted with this report, identifies the relative location of the impacts. Upon approval of the formal exception, the proposed mitigation described in this assessment will be incorporated into the submitted subdivision plans, which are required as part of the development review process.

The total area impacted approximately amounts to 30,394 square feet (including wetlands impact), in which case this assessment shall be considered a Minor Water Quality Impact.

II. MINOR WATER QUALITY IMPACT ASSESSMENT

A. Identification of Impacts and Required Information for Review

A majority of the site is moderately sloped, averaging 2-10%, with smaller areas exceeding 10%. A majority of lands sloped 10-25% are located in RPA buffers and (with the exceptions listed below) shall not be disturbed. The hydrologic soil groups found to be located on this site are primarily hydrologic group C that generally indicates a low infiltration rate, with a majority of these soils being located in RPA buffers and wetlands. Exhibit A more clearly delineates the various soils and their relative hydrological classification, erosive characteristics and typical slopes.

RPA Buffer Impact No. 1

Impact No. 1 is for the construction of a portion of off-site sanitary sewer (with sewer bridge) that will collect sewage from Deer Lake Estates and convey to the previously installed portion of sanitary sewer located in the wetlands just upstream of the existing pump station that is designed to handle these units. The area of this impact is 19,970 square feet or 0.46 acres.

RPA Wetlands Impact No. 2

Impact No. 2 is for the construction of a portion of off-site sanitary sewer (with sewer bridge) within the wetlands that will collect sewage from Deer Lake Estates and convey to the previously installed portion of sanitary sewer located in the wetlands just upstream of the existing pump station that is designed to handle these units. The area of this impact is 10,424 square feet or 0.24 acres.

Careful consideration has been taken to minimize the impacts for the proposed development. Exhibit A, submitted with this report, identifies the location of these impacts. The proposed mitigation described in this assessment has been incorporated into the construction plans for the subdivision, which are required as part of the development review process.

Although not dependent on the review and approval of this assessment, required permits necessary to develop this project include: General Virginia Stormwater Management Program (VSMP) Permit, Corps of Engineers Wetland Disturbance Permit, Virginia Department of Environmental Quality's Virginia Water Protection General Permit, Land-Disturbing Permit and Siltation Agreement, JCSA Construction Permit and Dam Safety Permit. These and any other permits that may be required shall be (if not already) applied for at the appropriate time.

B. Proposed Mitigation

Mitigation to the sanitary sewer connection (cross-country) shall include minimal disturbance to existing vegetation. Initial mitigation efforts for these impacts shall include E&S measures as described in the Virginia Erosion & Sediment Control Handbook, such as permanent seeding that will incorporate a conservation seed mix applicable to the special requirements of the RPA, super silt fencing, and ECSC-3 straw/coconut turf reinforcement matting (manufactured by East Coast Erosion Control or equal). These elements have been designed such that the preservation of existing vegetation will be preserved to the greatest extent possible. We have also added conservation easements (Natural Open Space) as required for impacts to the RPA buffer by sanitary sewer installation. The amount of Natural Open Space provided exceeds two times the area impacted by the sanitary sewer installation. These stabilization measures and open space easements are located within the construction plans for the Deer Lake Estates plan dated November 16, 2015.

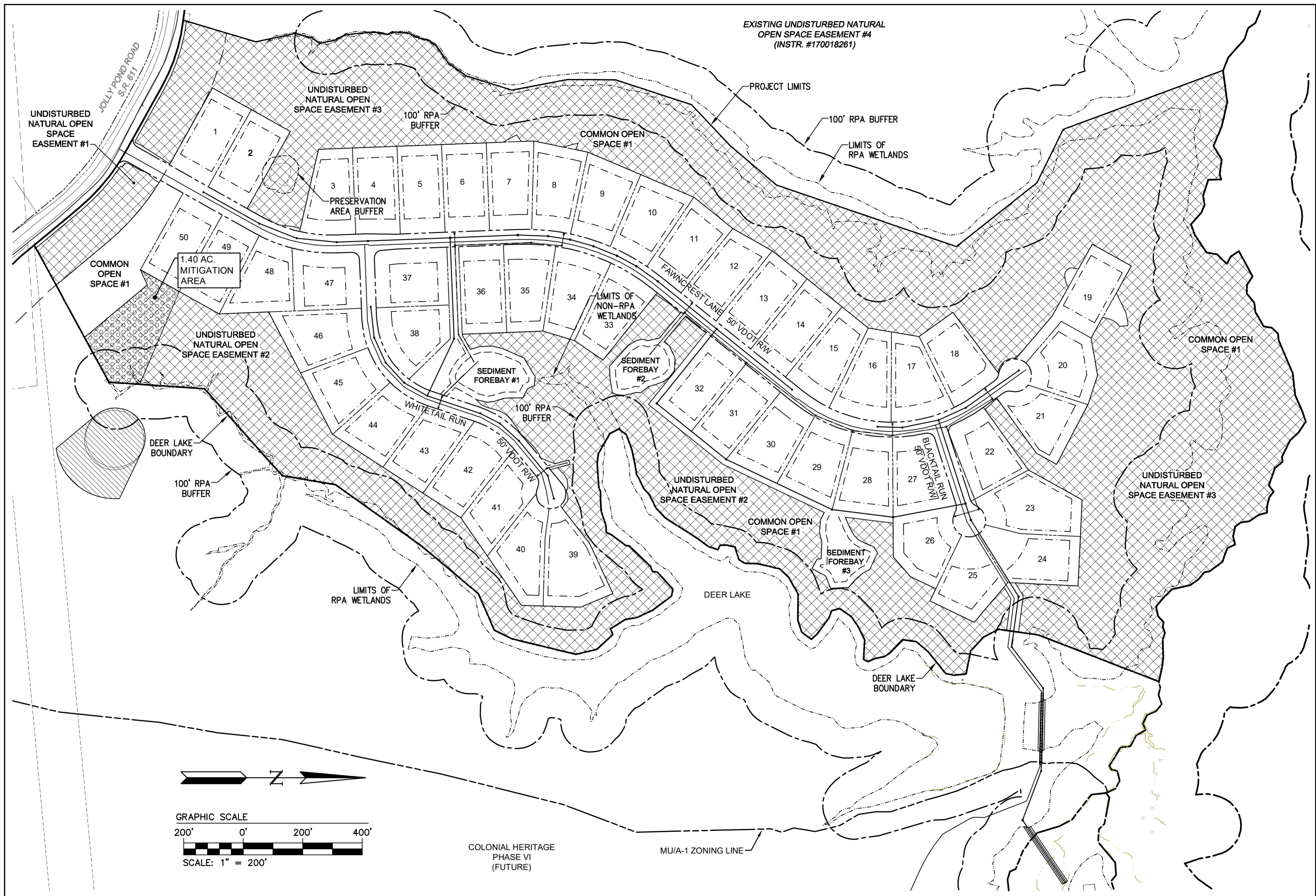
III. CONCLUSION

In summary, the findings of this Water Quality Impact Analysis indicate that:

- All measures or methods have been explored to avoid any impact to the CBPA. When unavoidable, the impacted area has been minimized to the greatest extent possible.
- Extensive measures were also employed to minimize the effects of the subsequent discharge of stormwater to the receiving channel and wetlands.
- E&S measures, conservation seeding and additional conservation easements (Natural Open Space) have been provided in order to mitigate for the impacts noted.

IV. APPENDIX

(Please refer to attached Exhibit A)



S:\085\9625\03\Deer Lake 2017\Engineering\Plans\Mitigation Area\W08503001\Mitigation Area Exhibit.dwg, 03/03/2019 7:48:51 AM, rmas.svs

Rev.	Date	Description	Revised By



5248 Olde Towne Road, Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 253-0040
 Fax: (757) 220-8994
 www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula

MITIGATION AREA EXHIBIT
DEER LAKE ESTATES
 OWNER/DEVELOPER: COLONIAL HERITAGE L.L.C.

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts: TRS	
Project Number: 9625-00	
Scale: 1"=200'	Date: 05/03/2019
Sheet Number	
1 of 1	

Case Number: CBPA-23-0060

PIN	Last Name	Address Line 1	City	State
3110100004	ALLEN, EDWARD HUSTON & VIRGINIA B	202 JOLLY POND RD	WILLIAMSBURG	VA
2330700078	AVERY, BENJAMIN J & LAUREN C	3986 ISAAC CIR	WILLIAMSBURG	VA
2330700095	BENNETT, DOUGLAS WILLIAM & LEONA FAYE	3918 ISAAC CIR	WILLIAMSBURG	VA
2330700087	BOULTER, ERIC G TRUSTEE & SANDRA A TRUSTEE	3950 ISAAC CIR	WILLIAMSBURG	VA
3110100035	BOWKER FAMILY TRUST C/O JAMES BOWKER	117 LAKEPOINT CT	WILLIAMSBURG	VA
3110100002	BRC COMPANY LLC	6699 FOX CENTRE PKWY ~PMB 115	GLOUCESTER	VA
2230100044	BRYVAN YARMOUTH LLC	4925 CENTERVILLE RD ~STE C	WILLIAMSBURG	VA
3020100004	BURGAN, CARL R & RHONDA A	384 JOLLY POND RD	WILLIAMSBURG	VA
2330400105	CAHILL, THOMAS JOSEPH & CHERNEY, SUSAN LOUISE	6527 YARMOUTH RUN	WILLIAMSBURG	VA
2330500004	COLONIAL HERITAGE HOMEOWNERS ASSOC I C/O THE COLONIAL HERITAGE CLUB	6500 ARTHUR HILLS DR	WILLIAMSBURG	VA
2330700001A	COLONIAL HERITAGE HOMEOWNERS ASSOCIATION INC	7015 STATESMAN	WILLIAMSBURG	VA
2240100007	COLONIAL HERITAGE LLC C/O LENNAR/VERMONT WHITE	14280 PARK MEADOW DR ~STE 108	CHANTILLY	VA
2330700083	CONKLIN, DONNA L & DAVID COLIN	3966 ISAAC CIR	WILLIAMSBURG	VA
2330700081	CONNELLY, STEPHEN FRANCIS & SUSAN HAN	3974 ISAAC CIR	WILLIAMSBURG	VA
2330700097	COOK, JOHN LOUIS & ROBERTA J	3910 ISAAC CIR	WILLIAMSBURG	VA
2330400104	COOPER, STEPHEN L & MOTSINGER, KAREN S	6531 YARMOUTH RUN	WILLIAMSBURG	VA
2230100045	CRANSTON MILL POND LLC	1101 HAYNES ST STE 211	RALEIGH	NC
2330700082	DALY, JAMES P & SUSAN	3970 ISAAC CIR	WILLIAMSBURG	VA
2330700093	FARRELL, KATHLEEN	3926 ISAAC CIR	WILLIAMSBURG	VA
2330700048	FURMAN, LYNN LARRY & BEVERLY ANN	6368 YARMOUTH RUN	WILLIAMSBURG	VA
2330700084	GERDTZ, PAUL A & CECILIA	3962 ISAAC CIR	WILLIAMSBURG	VA
3110100009	HATCHER, EDWARD C JR & DOROTHY	6119 CENTERVILLE RD	WILLIAMSBURG	VA
2330700073	HATTORF, PERRY BROWN & IIDI COOK	4006 ISAAC CIR	WILLIAMSBURG	VA
2330700075	HESS, CHARLOTTE REESE	3998 ISAAC CIR	WILLIAMSBURG	VA
2330100001	HIDDEN ACRES FARM, INC % WAYNE S NUNN	P O BOX 835	NORGE	VA
3110100007	HIPPLE, MATTHEW J	106 JOLLY POND RD	WILLIAMSBURG	VA
2330700074	HOLDER, SUSAN FAYE & BRIAN PAUL	4002 ISSAC CIR	WILLIAMSBURG	VA
2330400108	HULSEBOSCH, DANIEL WILLIAM & SATSUKI M	6515 YARMOUTH RUN	WILLIAMSBURG	VA
3010100009	JAMES CITY COUNTY	PO BOX 8784	WILLIAMSBURG	VA

Case Number: CBPA-23-0060

2330700096	JARRETT, MICHAEL THOMAS & CLARKE, MICHAEL PATRICK	3914 ISAAC CIR	WILLIAMSBURG	VA
2330700092	KAUSS, ERIC JONATHAN & KRANZ-KAUSS, ALICE JANE	3930 ISAAC CIR	WILLIAMSBURG	VA
2330700053	KENNDEY, MICHAEL LAWRENCE & MARLEY-KENNEDY, AMY CATHERINE	6348 YARMOUTH RUN	WILLIAMSBURG	VA
2330700050	KOO, BETTY O	6360 YARMOUTH RUN	WILLIAMSBURG	VA
2330700049	LEE, RODNEY LEWIS & LESA F	6364 YARMOUTH RUN	WILLIAMSBURG	VA
3110100006	LOGAN, DAVID & HALEY	190 JOLLY POND RD	WILLIAMSBURG	VA
3110100083	MANNING, HARLEY R	214 JOLLY POND RD	WILLIAMSBURG	VA
2330400111	MARKS, KLAUS PETER & EDITH ROSE	3906 ISAAC CIR	WILLIAMSBURG	VA
3020100003	MATULA, RICHARD A TRUSTEE	113 MID OCEAN	WILLIAMSBURG	VA
2330700086	MCKEON, GARY JAMES & MARGARET MARY	3954 ISAAC CIR	WILLIAMSBURG	VA
2330700051	MEYERS, JEROME ANTHONY	6356 YARMOUTH RUN	WILLIAMSBURG	VA
2330700052	O'KELLEY, KAREN	6352 YARMOUTH RUN	WILLIAMSBURG	VA
2330400101	PARRIOTT, GARY R TRUSTEE & ANNE M TRUSTEE	6543 YARMOUTH RUN	WILLIAMSBURG	VA
2330700088	PAUL, SUROJIT TRUSTEE & SHALINI TRUSTEE	3946 ISAAC CIR	WILLIAMSBURG	VA
2330700072	PEZZETTA, LOUIS & MARY L	4010 ISAAC CIR	WILLIAMSBURG	VA
3110100005A	PIERCE, SARAH & HARRIS, COLEMAN	216-B BURTON WOODS	WILLIAMSBURG	VA
2330700076	PRUSS, CHRISTINE ANN	3994 ISSAC CIR	WILLIAMSBURG	VA
2330700077	RAMOS, GLORIA IVETTE & PEDRO JUAN RAMOS	3990 ISAAC CIR	WILLIAMSBURG	VA
2330400102	REDDING, JOSEPH S JR & BRENDA FAYE	6539 YARMOUTH RUN	WILLIAMSBURG	VA
2330700080	REGEN, STEVEN LOUIS & BARBARA M	3978 ISAAC CIR	WILLIAMSBURG	VA
2330700091	RHODES, CAROL JEAN & CORRIEL, MITCHELL JOSEPH	3934 ISSAC CIR	WILLIAMSBURG	VA
2330400106	ROBERTS, ELIJAH BENNETT & CHANCE-ROBERTS, MARION L	PO BOX 65	LIGHTFOOT	VA
2330700094	ROLLER, CHARLES GAIL & SARAH ELAINE	3922 ISAAC CIR	WILLIAMSBURG	VA
2330700085	RUDNICK, LILLIAN TRUSTEE & STEVEN TRUSTEE	3958 ISAAC CIR	WILLIAMSBURG	VA
	Ryan Stephenson AES Consulting Engineers	5248 Olde Towne Rd, Unit 1	Williamsburg	VA
2330700054	SANDERS, JOHN KEVIN	6344 YARMOUTH RUN	WILLIAMSBURG	VA
2330400109	SANDERSON, JEROME ALAN & FLEHINGER, RHONA JOY	6509 YARMOUTH RUN	WILLIAMSBURG	VA
2330700089	SEARS, BONNIE REASH	3942 ISAAC CIR	WILLIAMSBURG	VA
2330700090	SIRACUSA, ROBERT J TRUSTEE & KAREN N TRUSTEE	3938 ISAAC CIR	WILLIAMSBURG	VA
2330400103	SLACK, KENNETH JR & JAN V	6535 YARMOUTH RUN	WILLIAMSBURG	VA

Case Number: CBPA-23-0060

2330400110	SPAULDING, GREGORY BRUCE & LEISHA MITSUE	6505 YARMOUTH RUN	WILLIAMSBURG	VA
2330300126	SQUIER, DAN E TRUSTEE & GARMAN-SQUIER, CYNTHIA A TRUSTEE	3801 ISAAC CIR	WILLIAMSBURG	VA
2330400107	TETER, ROBERT L TRUSTEE & BARBARA S TRUSTEE	6519 YARMOUTH RUN	WILLIAMSBURG	VA
3110100005B	VILLANUEVA, EVER PORFIRO SALAMANCA	118 RONDANE PL	WILLIAMSBURG	VA
3110100034	WALLACE, CURTIS LEE JR ESTATE C/O LOIS L BUENO	9427 FESTIVAL WAY	CHARLOTTE	NC
3110100003	WALLACE, RICHARD B & MARIE P	206 JOLLY POND RD	WILLIAMSBURG	VA
2330700079	WERNER, SLOBODANKA U & MICHAEL R	3982 ISAAC CIR	WILLIAMSBURG	VA
2240100009	WILLIAMSBURG-JAMES CITY COUNTY SCHOOL BOARD	117 IRONBOUND RD	WILLIAMSBURG	VA
3020100004A	YANEZ SUAREZ, ALEJANDRO	12 HICKORY CT	WILLIAMSBURG	VA

Case Number: CBPA-23-0060

Zip Code
23188-7321
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Case Number: CBPA-23-0060

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Case Number: CBPA-23-0060

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23188-1023
28215-3290
23188-7321
23188-2054
23185-2616
23188-1309



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-23-0060
499 Jolly pond Rd
Installation of sanitary sewer line

May 25, 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 Colonial Heritage LLC, for encroachments into the Resource Protection Area buffer for the installation of a sanitary sewer line. The project is located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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, June 14, 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 WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 14, 2023 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-23-0013: Mr. Rich Calvert, Calvert Marine, on behalf of Mr. Gary McSherry, has applied for a Wetlands Permit for the replacement of a bulkhead and installation of a pier on property located at 5030 River Drive, JCC Tax Map Parcel No. 0930300006.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive, JCC Tax Map Parcel No. 3221200230.

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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 – May 31, 2023 and June 7, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

ITEM SUMMARY

DATE: 6/14/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0051 : 108 Brancaster

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:16 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:17 AM
Publication Management	Daniel, Martha	Approved	6/7/2023 - 11:24 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:34 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0051. 108 Brancaster
Staff Report for the June 14, 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

Applicants: Mr. David and Ms. Wendy Budnick

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

Location: 108 Brancaster

Parcel Identification No.: 3810300034

Parcel: Lot 34, Section 6, Ford's Colony

Lot Size: 0.60 acres

Area of Lot in Resource Protection Area (RPA): 0.56 acres (93%)

Watershed: Powhatan Creek (JL31)

Floodplain: Zone AE

Proposed Activity: Construction of a single-family dwelling with an attached deck and retaining wall

Impervious Cover: 3,756 square feet

RPA Encroachment: 3,153 square feet, landward 50-foot RPA
545 square feet, seaward 50-foot RPA
9,687 square feet, RPA disturbance

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Chase Grogg, LandTech Resources, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. David and Ms. Wendy Budnick for encroachments into the RPA buffer for the construction of a single-family dwelling with an attached deck and retaining wall located at 108 Brancaster within the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3810300034. The parcel was platted in 1981, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.60 acres, of which 93% is located within the RPA. Existing conditions on the property include a wooded lot with wetlands on the rear of the property and a 20-foot drainage and utility easement along the eastern side of the lot. The applicants are proposing to construct a single-family dwelling with an attached deck and a retaining wall. Total impacts to the RPA associated with this proposal equate to 3,153 square feet of impacts to the landward 50-foot RPA and 545 square feet of impacts to the seaward 50-foot RPA for a total of 3,756 square feet of impacts. The minimum first-floor square footage

required for this section of Ford's Colony is 1,100 square feet. The proposed house has a first-floor square footage equal to 1,237 square feet, a 12% increase. Required mitigation for this amount of impervious impacts equals 10 planting units (10 canopy trees, 20 understory trees, and 30 shrubs). The applicants have provided a mitigation plan that satisfies this requirement. Staff is also requesting that an affidavit be recorded in the Williamsburg/James City County Courthouse due to 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 an attached deck and retaining wall. 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 Applicants any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity; and
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality; and
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances, either permitted or non-conforming that are related to adjacent parcels; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

Staff has reviewed the application and exception request and has determined the impacts associated with the proposal to be major for the proposed development. Staff recommends approval for this exception request and if the Board wishes to approve the request, staff recommends the following conditions be incorporated into the approval:

1. The Applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicants must submit a surety of \$7,500 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
3. The Applicants must place three inches of gravel underlain with filter fabric under the footprint of the deck; 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 June 14, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 2024, six weeks prior to the expiration date.

TAL/md
CBPA23-51_108Brncstr

- Attachments:
1. Resolution
 2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0051. 108 BRANCASTER

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. David and Ms. Wendy Budnick (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 108 Brancaster (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 3810300034, as set forth in the application CBPA-23-0051 for the purpose of constructing a single-family dwelling with an attached deck and retaining wall; 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-23-0051, subject to the following conditions:

1. The Applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicants must submit a surety of \$7,500 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
3. The Applicants must place three inches of gravel underlain with filter fabric under the footprint of the deck; 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 June 14, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 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 14th day of June, 2023.

RESOLUTION

CASE NO. CBPA-23-0051. 108 BRANCASTER

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. David and Ms. Wendy Budnick (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 108 Brancaster (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 3810300034, as set forth in the application CBPA-23-0051 for the purpose of constructing a single-family dwelling with an attached deck and retaining wall; 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-23-0051.

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 14th day of June, 2023.

CBPA23-51_108BrncstrDeny-res

GENERAL NOTES

1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 45, PG. 37-41.
2. ELEVATIONS SHOWN HEREON ARE IN FEET AND ARE CLOSELY RELATED TO JCC GIS (NAVD88).
3. WETLANDS, AS SHOWN, WERE DELINEATED AND FLAGGED BY ROTH ENVIRONMENTAL THEN FIELD LOCATED BY THIS FIRM.
4. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
5. PARCEL LIES IN F.I.R.M. ZONE "X" ZONE "AE" (ELEV 33') ACCORDING TO COMMUNITY PANEL #51095C0117D, DATED DECEMBER 16, 2015.
6. LOT SERVED BY PUBLIC WATER AND SEWER. CONTRACTOR TO COORDINATE CONNECTIONS WITH JAMES CITY SERVICE AUTHORITY PRIOR TO CONSTRUCTION.
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. PROPOSED RESIDENCE SHOWN BASED OFF OF PLANS PROVIDED BY CLIENT & AND TO BE CONFIRMED BY CONTRACTOR PRIOR TO CONSTRUCTION.
11. CONTRACTOR TO INSTALL ORANGE SAFETY FENCE AROUND PERIMETER OF CONSTRUCTION SITE.

EROSION & SEDIMENT CONTROL NOTES

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

SITE INFORMATION

PARCEL ID: 3810300034
 TOTAL AREA: 26,089 S.F. / 0.599 AC.
 IMPERVIOUS AREA: 3,977 S.F. / 0.091 AC.
 IMPERVIOUS WITHIN 50' RPA: 766 S.F. / 0.018
 IMPERVIOUS WITHIN 100' RPA: 3,153 S.F. / 0.072 AC.
 DISTURBED AREA: 11,909 S.F. / 0.273 AC.
 DISTURBED WITHIN 50' RPA: 2,856 S.F. / 0.066
 DISTURBED WITHIN 100' RPA: 7,151 S.F. / 0.164 AC.
 ZONING DISTRICT: R4
 EXISTING SITE IS MOSTLY WOODED AS SHOWN

BUILDING SETBACK (SBL)

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

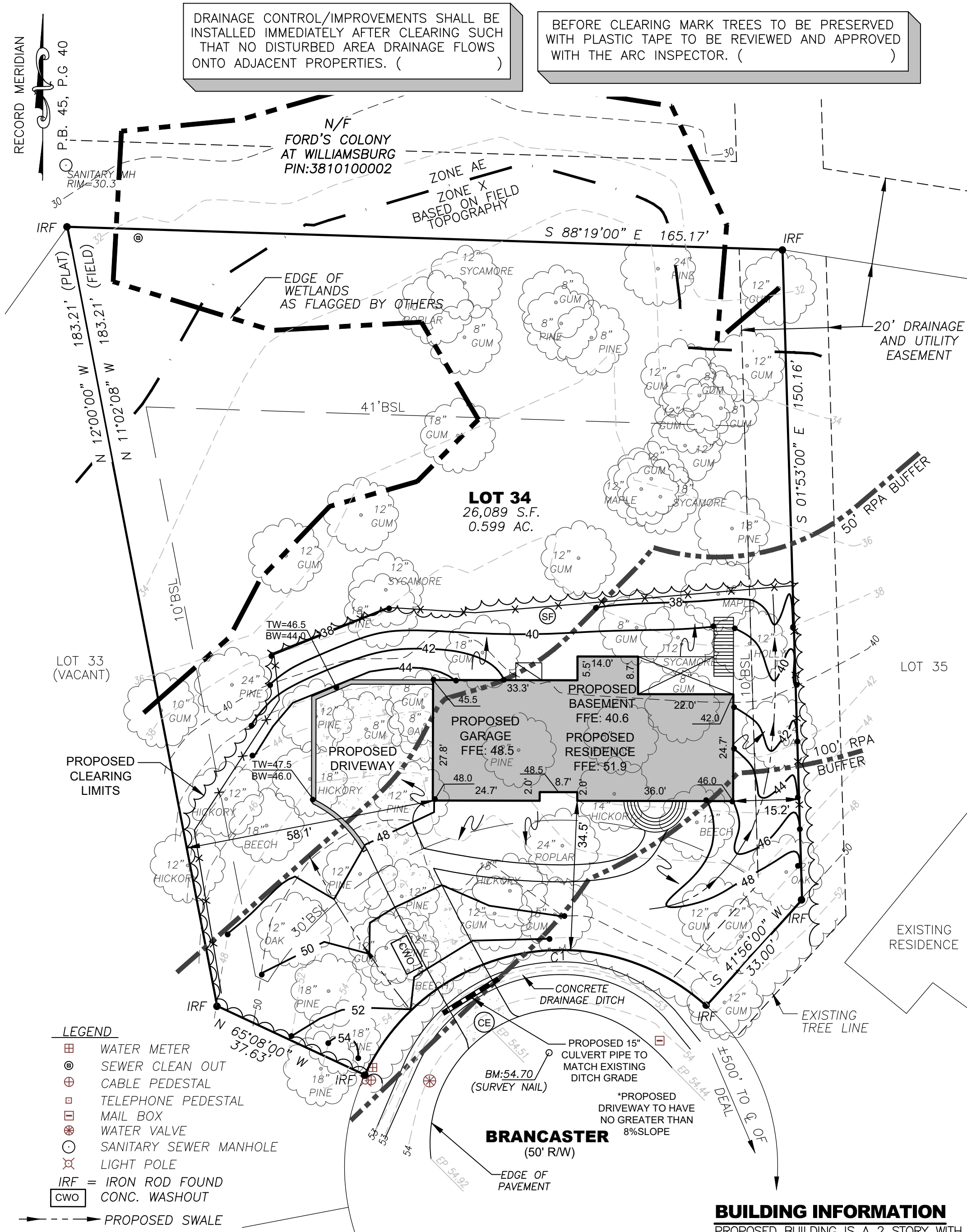
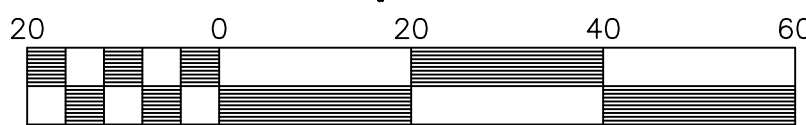
EXISTING ADDRESS:

108 BRANCASTER
 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 TO STAKE, AS A MINIMUM, THE BUILDING ENVELOPE & ANY DETACHED ACCESSORY STRUCTURE.

Matthew H. Connolly
 MATTHEW H. CONNOLLY, L.S. 4/10/2023
 DATE



LEGEND

- ⊕ WATER METER
- ⊙ SEWER CLEAN OUT
- ⊕ CABLE PEDESTAL
- ⊕ TELEPHONE PEDESTAL
- ⊕ MAIL BOX
- ⊕ WATER VALVE
- ⊕ SANITARY SEWER MANHOLE
- ⊕ LIGHT POLE
- IRF = IRON ROD FOUND
- CWO CONC. WASHOUT

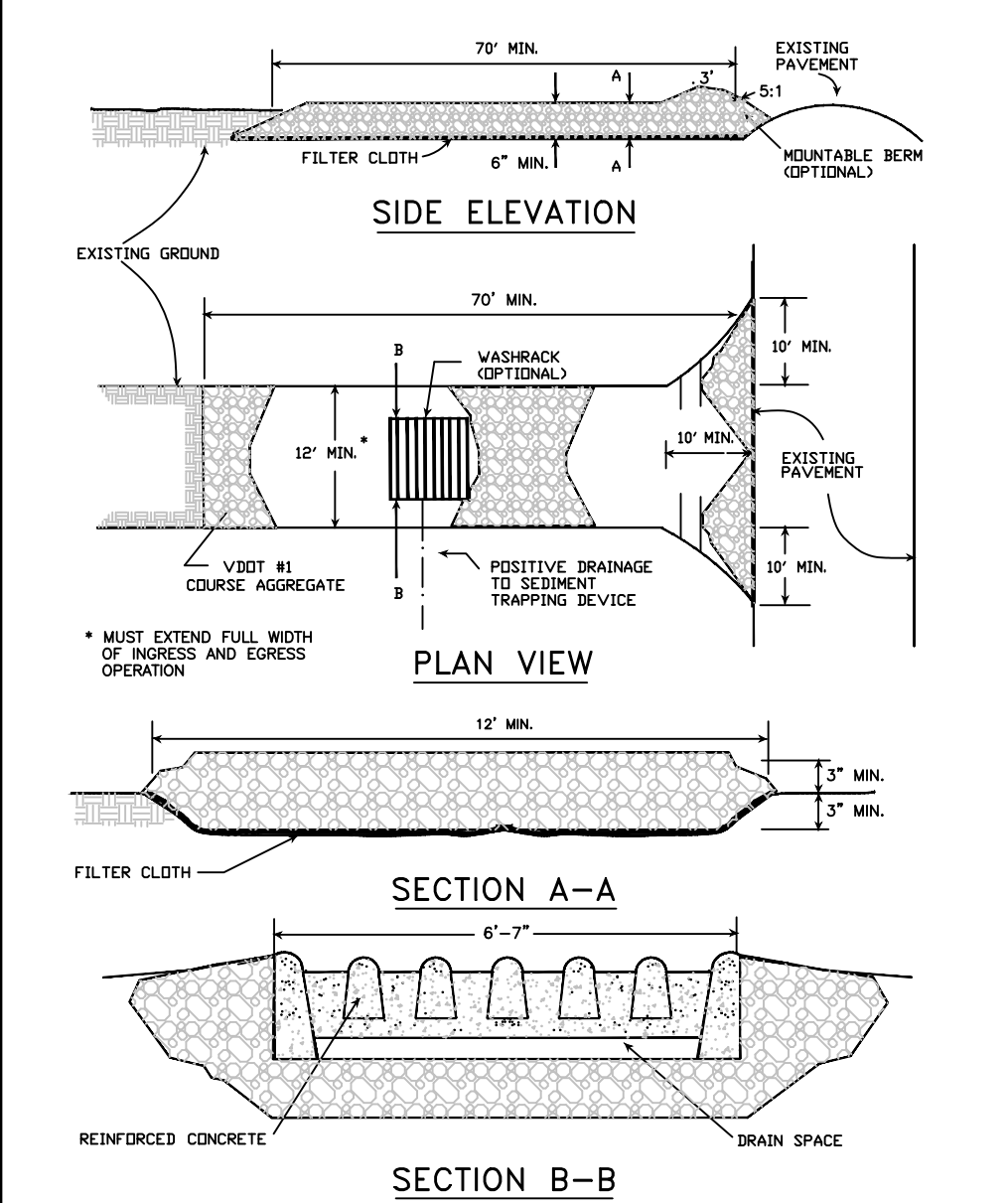
--- PROPOSED SWALE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	93.42'	50.00'	107°03'02"	S 78°24'10" W	80.41'

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

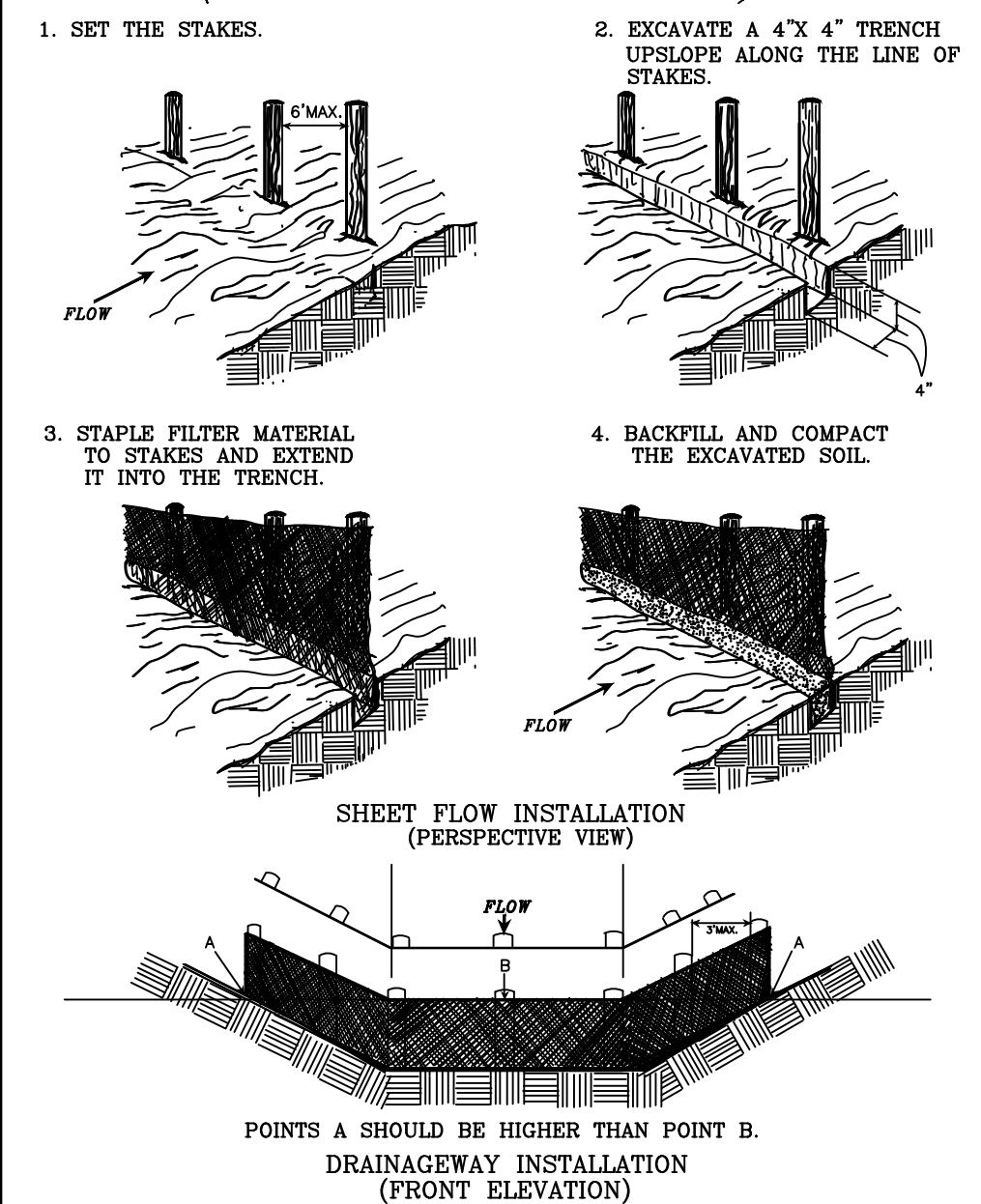
BEFORE CLEARING MARK TREES TO BE PRESERVED WITH PLASTIC TAPE TO BE REVIEWED AND APPROVED WITH THE ARC INSPECTOR. ()

STONE CONSTRUCTION ENTRANCE



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

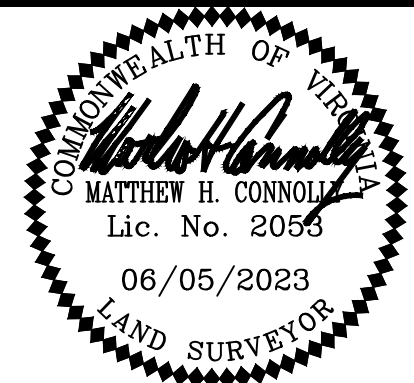
CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



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

BUILDING INFORMATION

PROPOSED BUILDING IS A 2 STORY WITH WALKOUT BASEMENT
 PROPOSED GARAGE IS SIDE LOADING
 BUILDING FIRST FLOOR : 1,237 S.F.
 SECTION VI MINIMUM S.F.: 1,100 S.F.



DATE: 4/10/2023
 DRAWN BY: AEQ
 PROJECT No. 21-220
 FILE NAME: 21-220.DWG
 REFERENCES:
 P.B. 45, PG. 37-41

LOT PLAN OF
 LOT 34, SECTION VI,
 FORD'S COLONY
 FOR
 DAVID BUDNICK
 JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
2.	6/5/2023	REVISED DRIVEWAY
1.	5/17/2023	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

BUILDING INFORMATION

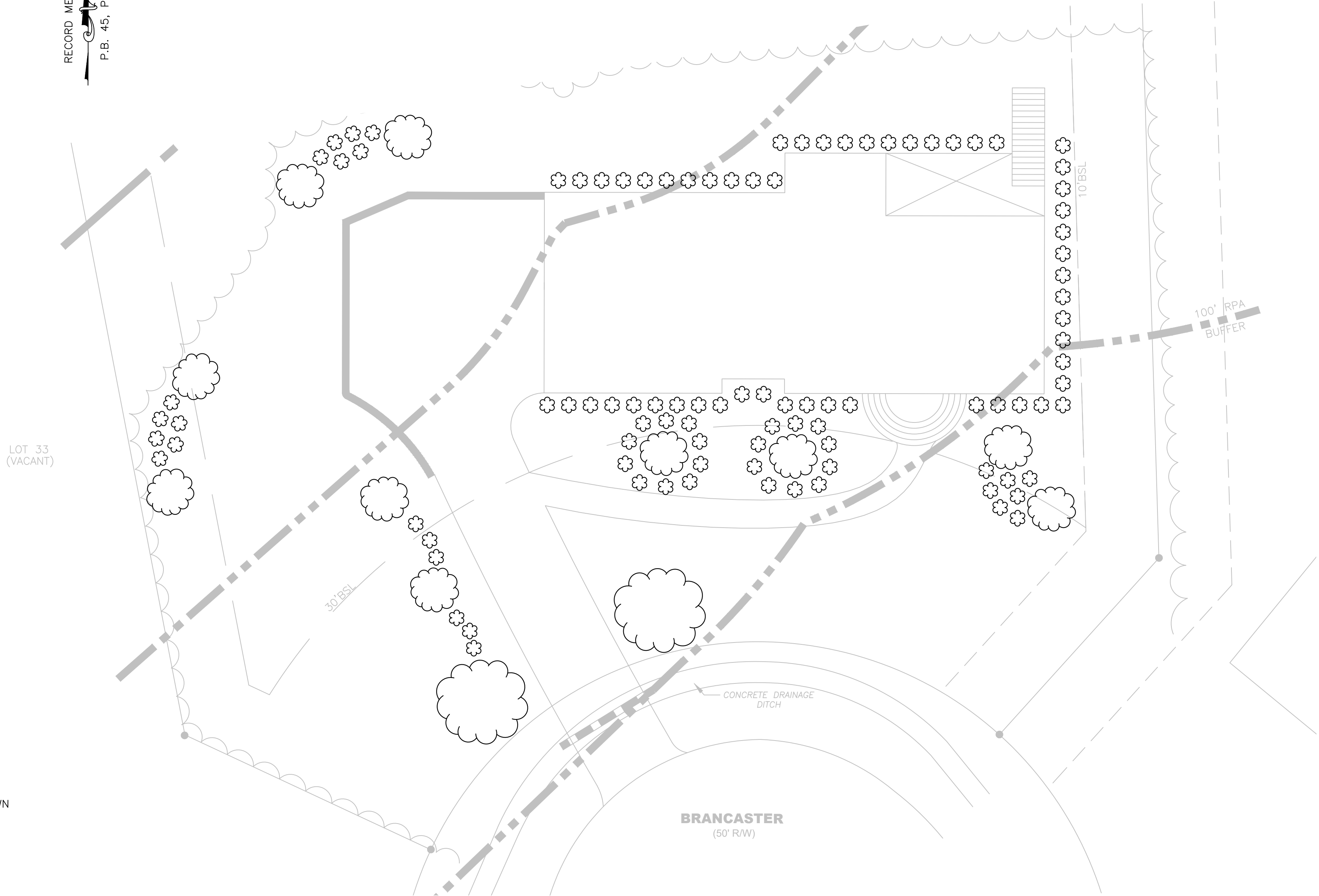
PROPOSED BUILDING IS A 2 STORY WITH WALKOUT BASEMENT
 PROPOSED GARAGE IS SIDE LOADING
 BUILDING FIRST FLOOR : 1,237 S.F.
 SECTION VI MINIMUM S.F.: 1,100 S.F.

MITIGATION TABLE: 3,977 S.F./400 S.F.= 10 CREDITS

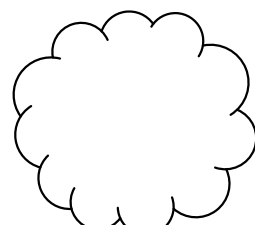


MITIGATION MEASURE	QTY.(NEEDED)
NATIVE CANOPY TREES	10
NATIVE UNDERSTORY TREES	20
NATIVE SHRUBS	30

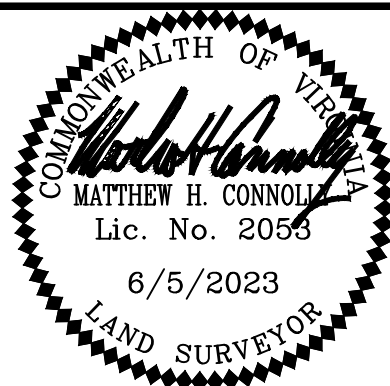
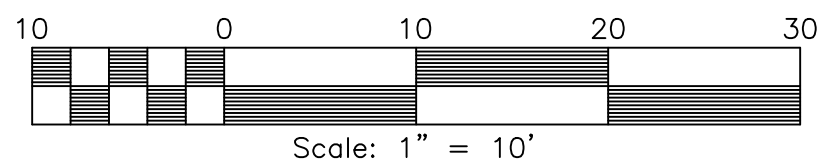
* CONTRACTOR/OWNER TO COORDINATE WITH JAMES CITY COUNTY FOR REQUIREMENTS ON MITIGATION PLANTING.

RECORD MERIDIAN
 P.B. 45, P.G. 40



LEGEND

-  CANOPY = 2 SHOWN
-  UNDERSTORY = 10 SHOWN
-  SHRUB = 99 SHOWN



DATE: 4/10/2023
 DRAWN BY: AEQ
 PROJECT No. 21-220
 FILE NAME: 21-220.DWG
 REFERENCES:
 P.B. 45, PG. 37-41

LOT PLAN OF
 LOT 34, SECTION VI,
 FORD'S COLONY
 FOR
 DAVID BUDNICK
 JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
2.	6/5/2023	REVISED DRIVEWAY
1.	5/17/2023	REVISED TO SHOW MITIGATION PLANTINGS



Case Number: CBPA-23-0051

PIN	Last Name	Address Line 1	City	State	Zip Code
3810300034	Budnick, David W & Wendy L	200 Regency Dr	North Wales	PA	19454-1612
3810300033	Covil, Darnell Lamont & Hillary Brown	253 Newport News Ave	Hampton	VA	23669-4146
3810300035	Deschaine, Charles C & Diane	106 Brancaster	Williamsburg	VA	23188-9179
3810100002	Fords Colony At Williamsburg Homeowners Association	100 Manchester	Williamsburg	VA	23188-7404
3810300032	Hoell, Richard C Trustee & Amelie D Trustee	107 Brancaster	Williamsburg	VA	23188-9179
3810300036	King, Anna K	104 Brancaster	Williamsburg	VA	23188-9179
	Mr. Chase Grogg LandTech Resources, Inc.	205-E Bulifants Blvd	Williamsburg	VA	23188



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 14, 2023 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-23-0013: Mr. Rich Calvert, Calvert Marine, on behalf of Mr. Gary McSherry, has applied for a Wetlands Permit for the replacement of a bulkhead and installation of a pier on property located at 5030 River Drive, JCC Tax Map Parcel No. 0930300006.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive, JCC Tax Map Parcel No. 3221200230.

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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 – May 31, 2023 and June 7, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

ITEM SUMMARY

DATE: 6/14/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0052 : 7260 Osprey Drive

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:16 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:17 AM
Publication Management	Daniel, Martha	Approved	6/7/2023 - 11:28 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:34 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0052. 7260 Osprey Drive
Staff Report for the June 14, 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. Susan Cameron
Agent: None
Location: 7260 Osprey Drive
Parcel Identification No.: 1910800001
Parcel: Lot 1, Section 7, Chickahominy Haven
Lot Size: 1.35 acres
Area of Lot in Resource Protection Area (RPA): 0.84 acres (62%)
Watershed: Yarmouth Creek (JL28)
Floodplain: Zone AE - Base flood elevation determined at 7 feet
Proposed Activity: Approval of an accessory building and driveway extension
Impervious Cover: +/- 4,000 square feet
RPA Encroachment: +/- 3,500 square feet, landward 50-foot RPA
+/- 500 square feet, seaward 50-foot RPA
Staff Contact: Trevor A. Long, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Susan Cameron has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the approval of an accessory building and driveway extension located at 7260 Osprey Drive within the Chickahominy Haven subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Tax Map Parcel No. 1910800001. The parcel was platted in 2004, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 1.35 acres, of which 62% is located within the RPA. In October 2022, officials from the James City County Stormwater and Resource Protection Division received notice that an accessory structure and driveway extension had been installed on this property without the submission of a Chesapeake Bay Preservation Exception request. The applicant is proposing to gain the approval of the construction of the accessory structure and driveway extension after-the-fact. Total impacts to the RPA associated with this proposal equate to approximately 3,500 square feet of impacts to the landward 50-foot RPA and 500 square feet of impacts to the seaward 50-foot RPA for a total of 4,000 square feet of impacts. In April 2020, County staff met on-site to discuss a home addition, which was determined to be in the RPA. At that time, it was discussed what steps were needed in order to get the home addition approved. Required mitigation for this amount of impervious impacts equals 10 planting units (10 canopy trees, 20 understory trees, and 30 shrubs). Because this exception request is being heard before the Board after-the-fact, staff

would require double the mitigation units equating to 20 planting units (20 canopy trees, 40 understory trees, and 60 shrubs).

STAFF EVALUATION

Staff has evaluated the application and exception request for the approval of a boat garage and driveway extension. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because boat garage and driveway extension are considered accessory in nature. This exception request is being heard by the Board after the construction of the project.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the 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 denial of this application. However, if the Board wishes to approve this request, staff recommends the following conditions be incorporated into the approval:

1. The Applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicant must submit a mitigation plan equating to 20 planting units (20 canopy trees, 40 understory trees, and 60 shrubs) to the Stormwater and Resource Protection Division; and
3. The Applicant must submit a surety of \$15,000 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; 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 Condition Nos. 2 and 3 of the resolution are not fulfilled by July 14, 2023.

TAL/ap
CBPA23-52_7260Osprey

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0052. 7260 OSPREY DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Susan Cameron (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 7260 Osprey Drive (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 1910800001, as set forth in the application CBPA-23-0052 for the purpose of approving an accessory structure and driveway extension; 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-23-0052, 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 20 planting units (20 canopy trees, 40 understory trees, and 60 shrubs) to the Stormwater and Resource Protection Division; and
3. The Applicant must submit a surety of \$15,000 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; 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 Conditions Nos. 2 and 3 of the resolution are not fulfilled by July 14, 2023.

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 14th day of June, 2023.

CBPA23-52_7260OspreyApp-res

RESOLUTION

CASE NO. CBPA-23-0052. 7260 OSPREY DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Susan Cameron (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 7260 Osprey Drive (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 1910800001, as set forth in the application CBPA-23-0052 for the purpose of approving an accessory structure and driveway extension; 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-23-0052.

Charles Roadley
Chair, Chesapeake Bay Board

Trevor A. Long
Secretary to the Board

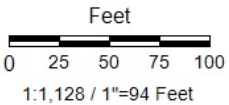
Adopted by the Chesapeake Bay Board of James City County, Virginia, this 14th day of June, 2023.

CBPA23-52_7260OspreyDny-res



Legend

- Parcels
- Street Names
- Conservation
 - Conservation
 - Greenway
 - Open Space
 - Scenic
 - Resource Protection Area RPA



Title:

Date: 5/23/2023

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



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

Capital Projects
107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet
103 Tewning Road
Williamsburg, VA 23188
757-259-4122

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

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

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

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

RE: CBPA-23-0052
7260 Osprey Drive
Construction, approval of
accessory structure

May 25, 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. Susan and Mr. Kevin Cameron for encroachments into the Resource Protection Area buffer for the construction and approval of an accessory structure. The project is located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

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, June 14, 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

Case Number: CBPA-23-0052

PIN	Last Name	Address Line 1	City	State	Zip Code
1910800001	CAMERON, KEVIN JAMES	7260 OSPREY DR	LANEXA	VA	23089-9409
1910900060	CETIN, JOHN JR & SANDRA A	7259 CANAL ST	LANEXA	VA	23089-9424
1910900012A	CHICKAHOMINY MARINA INC	PO BOX 476	TOANO	VA	23168-0476
1910900012	COLONIAL WATERSKI CLUB C/O GORDON IVEY	4085 S RIVERSIDE DR	LANEXA	VA	23089-9415
1910900055	CRITZER, JASON S	7258 CANAL ST	LANEXA	VA	23089-9423
1920100018	JAMES CITY COUNTY	PO BOX 8784	WILLIAMSBURG	VA	23187-8784
1910800003	ROBERTS, MATTHEW & CHRISTINE	12490 RIVER RD	RICHMOND	VA	23238-6132



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 14, 2023 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-23-0013: Mr. Rich Calvert, Calvert Marine, on behalf of Mr. Gary McSherry, has applied for a Wetlands Permit for the replacement of a bulkhead and installation of a pier on property located at 5030 River Drive, JCC Tax Map Parcel No. 0930300006.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive, JCC Tax Map Parcel No. 3221200230.

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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 – May 31, 2023 and June 7, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

ITEM SUMMARY

DATE: 5/10/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0041 : 141 Riverview Plantation

CBPA-23-0041: Jordan, Edward T & Kalisha R has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of a driveway and site grading on property located at 141 Riverview Plantation Dr., JCC Parcel No. 1640500002.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:12 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:15 AM
Publication Management	Pobiak, Amanda	Approved	6/7/2023 - 11:22 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:33 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0041. 141 Riverview Plantation Drive
Staff Report for the June 14, 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. Edward Jordan

Agent: None

Location: 141 Riverview Plantation Drive

Parcel Identification No.: 1640500002

Parcel: Lot 2, Section 1, Block A, Riverview Plantation

Lot Size: 1.65 acres

Area of Lot in Resource Protection Area (RPA): 0.98 acres (59%)

Watershed: Skimino Creek (YO65)

Floodplain: Zone VE - Elevation 15 feet mean sea level
Zone VE - Elevation 12 feet mean sea level

Proposed Activity: Installation of rip rap and grading

Impervious Cover: 600 square feet

RPA Encroachment: 2,652 square feet, landward 50-foot RPA
0 square feet, seaward 50-foot RPA
2,652 square feet of land disturbance

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Edward Jordan has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of rip rap and grading located at 141 Riverview Plantation Drive within the Powhatan Shores subdivision and the Skimino Creek watershed. The property is further identified as James City County Tax Map Parcel No. 1640500002. The parcel was platted in 1962, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 1.65 acres, of which 59% is located within the RPA. The applicant is proposing to grade the front yard of the property and add rip rap to reduce erosion issues. Approximately 2,052 square feet of land disturbance within the landward 50-foot RPA is anticipated associated with the proposed grading. Additionally, the applicant is proposing to install approximately 600 square feet of rip rap within a drainage area within the area of grading that is currently experiencing erosion. Total impacts to the RPA associated with this proposal equate to 2,652 square feet of impacts to the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equals six and a half planting units (six

canopy trees, 12 understory trees, and 23 shrubs). Previous mitigation from a former approval may be planted in this area. Staff would require that all existing mitigation be replanted or remain undisturbed.

STAFF EVALUATION

Staff has evaluated the application and exception request for the installation of rip rap and grading. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because grading within the RPA must be heard by the Board.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity; and
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality; and
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances, either permitted or non-conforming that are related to adjacent parcels; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

Staff has reviewed the application and exception request and has determined the impacts associated with the proposal to be major for the proposed development. Should the Board wish to approve this exception 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 six and a half planting units to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$5,000 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and
4. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 2023, six weeks prior to the expiration date.

TAL/md
CBPA23-41_141RvrvwPI

- Attachments:
1. Resolution
 2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0041. 141 RIVERVIEW PLANTATION DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Edward Jordan (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 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. 1640500002 and further identified as 141 Riverview Plantation Drive (the “Property”) as set forth in the application CBPA-23-0041 for the purpose of installation of rip rap and grading; 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-23-0041, 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 six and a half planting units to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$5,000 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
4. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 2023, 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 14th day of June, 2023.

RESOLUTION

CASE NO. CBPA-23-0041. 141 RIVERVIEW PLANTATION DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Edward Jordan (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 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. 1640500002 and further identified as 141 Riverview Plantation Drive (the “Property”) as set forth in the application CBPA-23-0041 for the purpose of installation of rip rap and grading; 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-23-0041.

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 14th day of June, 2023.

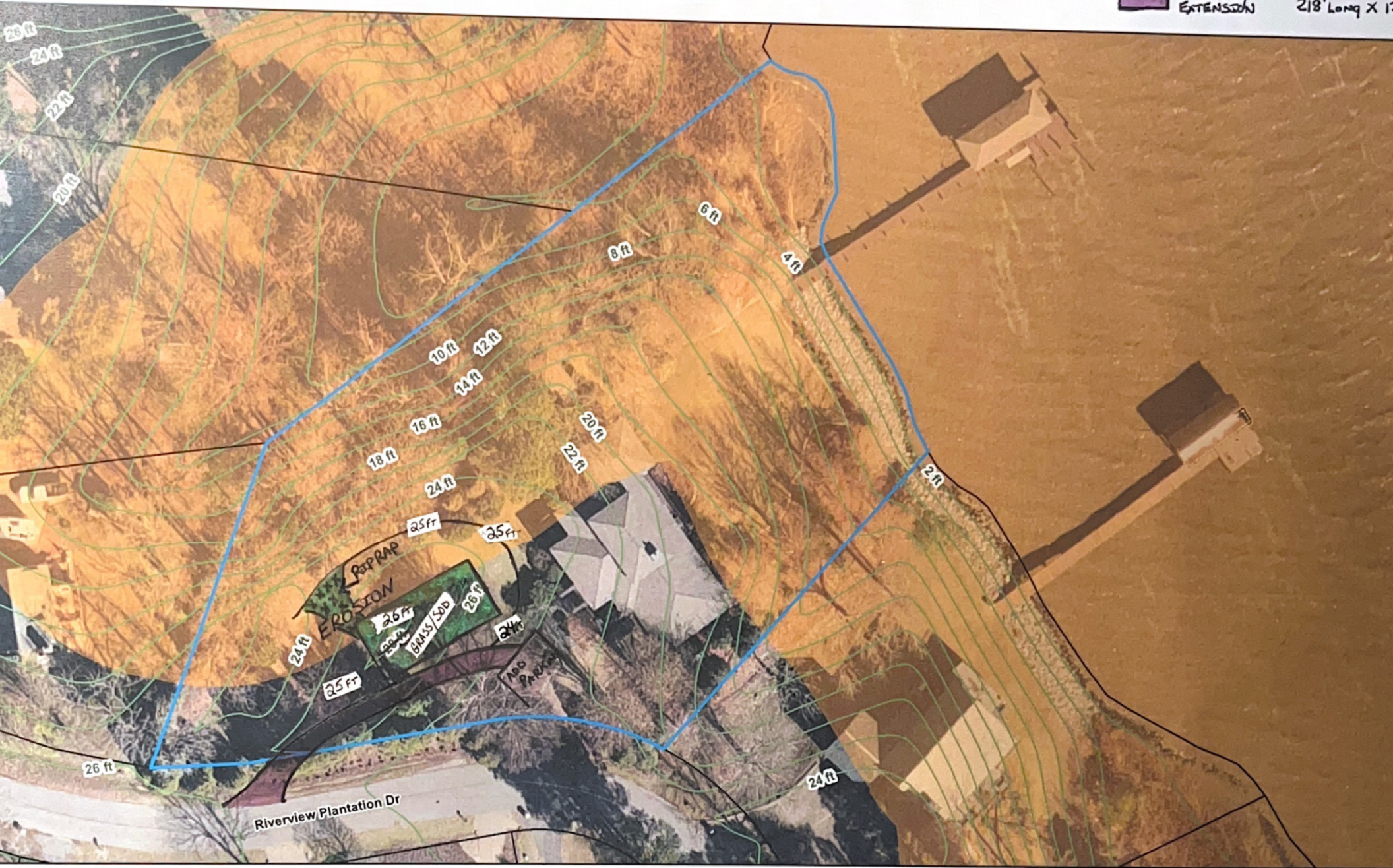
CBPA23-41_141RvrwPIDeny-res

RIVERVIEW PLANT DR

 GRASS/SOD AFTER GRADING TO REPLACE AN EXACT AREA THAT IS CURRENTLY A LARGE

 RIP RAP +/- 600 SQ FT

 DRIVEWAY EXTENSION 4" EXPOSED AG. C. 218' LONG X 12'





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-23-0041
141 Riverview Plantation Dr.
Installation of driveway, site
grading

May 25, 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. Edward Jordan for encroachments into the Resource Protection Area buffer for the installation of a driveway and site grading. The project is located at 141 Riverview Plantation Dr., JCC Tax Map Parcel No. 1640500002.

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, June 14, 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

Case Number: CBPA-23-0041

PIN	Last Name	Address Line 1	City	State	Zip Code
1.641E+09	CARPENTER, MARK E & VIVIAN E	137 RIVERVIEW PLANTATION DR	WILLIAMSBURG	VA	23188-6819
1.641E+09	CASTO, WILLIAM G	142 RIVERVIEW PLANTATION DR	WILLIAMSBURG	VA	23188-6816
1.641E+09	JESSEMAN, GREGORY H & MARIA L	143 RIVERVIEW PLANTATION DR	WILLIAMSBURG	VA	23188-6819
1.641E+09	JORDAN, EDWARD T & KALISHA R	141 RIVERVIEW PLANTATION DR	WILLIAMSBURG	VA	23188-6819
1.641E+09	MILLER, EDWARD F TRUSTEE & CHRISTINE R TRUSTEE	112 FOUR MILE TREE	WILLIAMSBURG	VA	23188-6833
1.641E+09	MULHARE, MARY LOUISE TRUSTEE	PO BOX 308	LIGHTFOOT	VA	23090-0308
1.641E+09	PONTON, ROBERT & MARIAN A	PSC 103 BOX 844	APO	AE	96030-0009
1.641E+09	RODRIGUEZ, ROBERT T JR & PAMELA J	138 RIVERVIEW PLANTATION DR	WILLIAMSBURG	VA	23188-6816



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 14, 2023 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-23-0013: Mr. Rich Calvert, Calvert Marine, on behalf of Mr. Gary McSherry, has applied for a Wetlands Permit for the replacement of a bulkhead and installation of a pier on property located at 5030 River Drive, JCC Tax Map Parcel No. 0930300006.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive, JCC Tax Map Parcel No. 3221200230.

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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 – May 31, 2023 and June 7, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

ITEM SUMMARY

DATE: 5/10/2023
TO: Chesapeake Bay Board
FROM: Trevor Long, Chesapeake Bay Board Secretary
SUBJECT: CBPA-23-0044 : 112 North Turnberry

CBPA-23-0044: Mr. Mark Adam, Black Tip Associates, LLC, has applied for a Chesapeake Bay Exception on behalf of Ms. Karen and Mr. David Hescox for encroachments into the RPA buffer for the construction of a new single-family dwelling on property located at 112 North Turnberry, JCC Parcel No. 3721200004.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:15 AM
Chesapeake Bay Group	Small, Toni	Approved	6/7/2023 - 11:16 AM
Publication Management	Pobiak, Amanda	Approved	6/7/2023 - 11:27 AM
Chesapeake Bay Group	Secretary, ChesBay	Approved	6/7/2023 - 3:34 PM

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0044. 112 North Turnberry
Staff Report for the June 14, 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

Applicants: Mr. David and Ms. Karen Hescox

Agent: Mr. Mark Adam, Black Tip Associates, LLC

Location: 112 North Turnberry

Parcel Identification No.: 3721200004

Parcel: Lot 4, Section 14A, Ford's Colony

Lot Size: 0.48 acres

Area of Lot in Resource Protection Area (RPA): 0.42 acres (88%)

Watershed: Powhatan Creek (JL31)

Floodplain: None

Proposed Activity: Construction of a new single-family dwelling with a porch and retaining wall

Impervious Cover: 4,325 square feet

RPA Encroachment: 3,500 square feet, landward 50-foot RPA
825 square feet, seaward 50-foot RPA
9,156 square feet, RPA disturbance

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Mark Adam, Black Tip Associates, LLC, has applied for a Chesapeake Bay Exception on behalf of Mr. David and Ms. Karen Hescox for encroachments into the RPA buffer for the construction of a new single-family dwelling with a porch and retaining wall located at 112 North Turnberry within the Ford's Colony subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3721200004. The parcel was platted in 2000, prior to the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 0.48 acres, of which 88% is located within the RPA. Existing conditions on this property include a wooded lot with wetlands along the back property line. The applicants are proposing to construct a new single-family dwelling with a porch and retaining wall. Total impacts to the RPA associated with this proposal equate to approximately 3,500 square feet of impacts to the landward 50-foot RPA and 825 square feet of impacts to the seaward 50-foot RPA for a total of 4,325 square feet of impacts. The minimum first-floor square footage required for this section of Ford's Colony is 1,200 square feet. The proposed house has a first-floor square footage equal to 2,157 square feet, 80% 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). 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 new single-family dwelling with a porch and retaining wall. 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, and the construction of the 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 Applicants any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity; and
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality; and
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances, either permitted or non-conforming that are related to adjacent parcels; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

Staff has reviewed the application and exception request and has determined the impacts associated with the proposal to be major for the proposed development. Staff recommends denial for this exception request but if the Board wishes to approve the request, staff recommends the following conditions be incorporated into the approval:

1. The Applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. An affidavit must be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a building permit; and
3. The Applicants must submit a mitigation plan equating to 11 planting units (11 canopy trees, 22 understory trees, and 33 shrubs) to the Stormwater and Resource Protection Division prior to project start; and
4. The Applicants must submit a surety of \$8,250 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings; and

5. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 2024, six weeks prior to the expiration date.

TAL/ap
CBPA23-44_112NTrnberry

- Attachments:
1. Resolution
 2. Site Plan

RESOLUTION

CASE NO. CBPA-23-44. 112 NORTH TURNBERRY

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Mark Adam, Black Tip Associates, LLC, on behalf of Mr. David and Ms. Karen Hescox (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 112 North Turnberry (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 3721200004, as set forth in the application CBPA-23-0044 for the purpose of constructing a new single-family dwelling with a porch and retaining wall; 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-23-0044, subject to the following conditions:

1. The Applicants must obtain all other necessary federal, state, and local permits as required for the project; and
2. An affidavit must be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a building permit; and
3. The Applicants must submit a mitigation plan equating to 11 planting units (11 canopy trees, 22 understory trees, and 33 shrubs) to the Stormwater and Resource Protection Division prior to project start; and
4. The Applicants must submit a surety of \$8,250 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
5. This exception request approval will become null and void if construction has not begun by June 14, 2024; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than May 3, 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 14th day of June, 2023.

RESOLUTION

CASE NO. CBPA-23-44. 112 NORTH TURNBERRY

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Mark Adam, Black Tip Associates, LLC, on behalf of Mr. David and Ms. Karen Hescoc (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on June 14, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 112 North Turnberry (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 3721200004, as set forth in the application CBPA-23-0044 for the purpose of constructing a new single-family dwelling with a porch and retaining wall; and

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

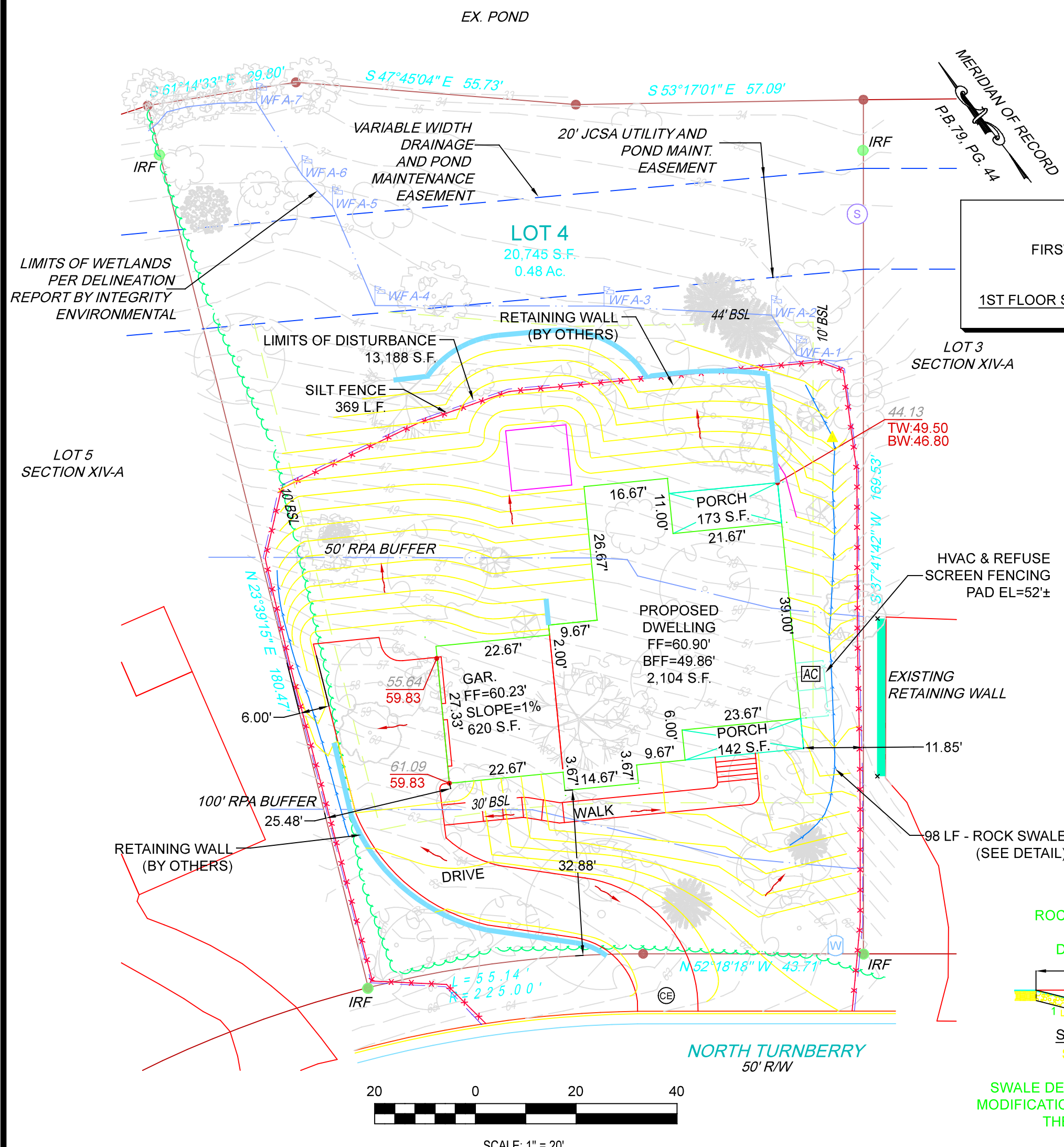
NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-23-0044.

Charles Roadley
Chair, Chesapeake Bay Board

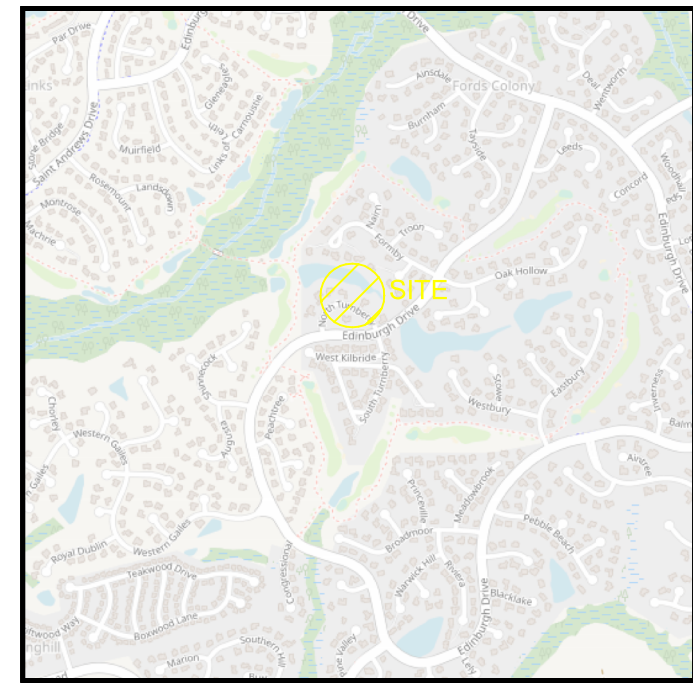
Trevor A. Long
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 14th day of June, 2023.

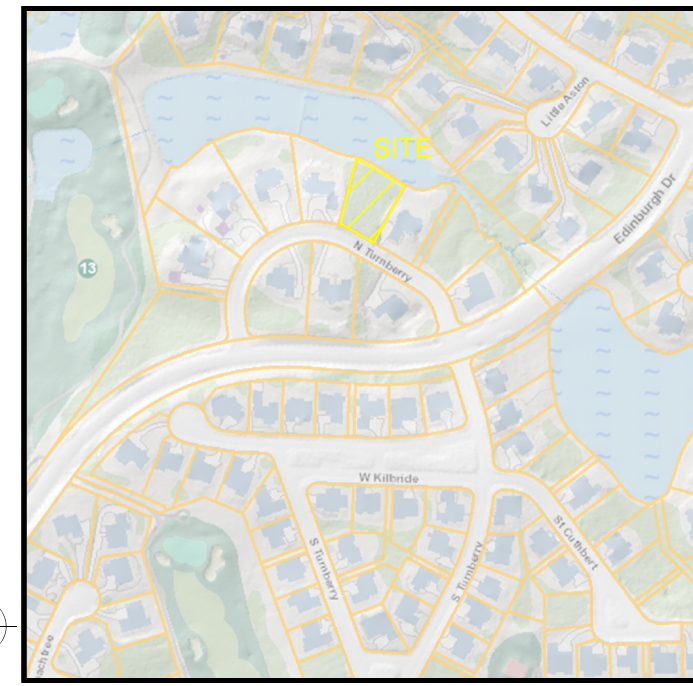
CBPA23-44_112NTrnberryDny-res



AREA TABLE	
FIRST FLOOR LIVING:	2,157 S.F.
GARAGE:	724 S.F.
FRONT PORCH:	148 S.F.
1ST FLOOR SCREEN PORCH:	181 S.F.
TOTAL:	3,210 S.F.



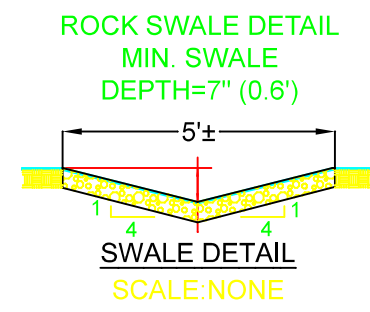
VICINITY MAP
SCALE: 1"=2,000'



LOCATION MAP
SCALE: 1"=500'

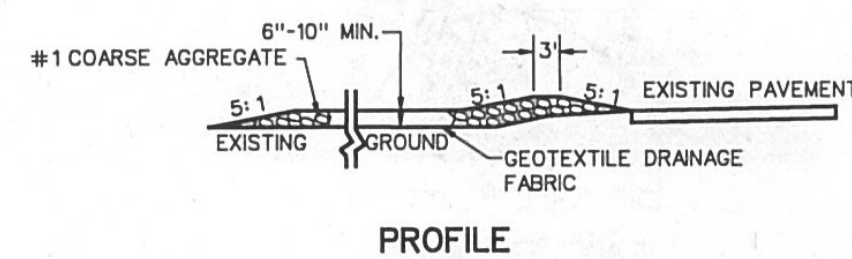
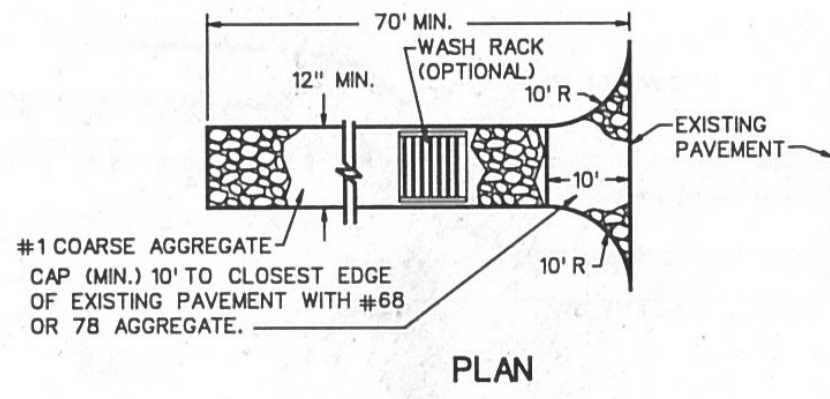
- NO TITLE REPORT FURNISHED.
- THIS PROPERTY LIES IN FIRM ZONES "X" (AREA OF MINIMAL HAZARD) ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0117D, EFFECTIVE DECEMBER 16, 2015.
- THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED BY THIS FIRM ON 07/14/2022 & 07/19/2022 AND ALL THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
- CONTRACTOR/BUILDER: BLACK TIP CONSTRUCTION, 4816 BLUE BILL RUN, WILLIAMSBURG, VIRGINIA
- HOUSE DIMENSIONS BASED ON INFORMATION SUPPLIED BY OWNER/DEVELOPER. CONTRACTOR TO VERIFY ALL DIMENSIONS.
- ALL TREES MAY BE REMOVED WITHIN THE CLEARING LIMITS SHOWN HEREON.
- ANY TREES LARGER THAN 3" IN DIAMETER AND OUTSIDE THE CLEARING LIMITS SHOWN HEREON MAY NOT BE REMOVED WITHOUT THE CONSENT OF THE ARC OR ITS ASSIGNS.
- I HAVE BEEN RETAINED AND PAID TO STAKE, AS A MINIMUM, THE BUILDING ENVELOPE AND ANY DETACHED ACCESSORY STRUCTURES.
- THE RESOURCE PROTECTION AREA (RPA) SHOW ON THIS PLAN IS BASED ON THE DELINEATION REPORT BY INTEGRITY ENVIRONMENTAL.
- ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, CONTOUR INTERVAL 1'.
- OWNER:
HESCOX, DAVID BRYAN & KAREN ANN
P.B. 79, PG. 44
LRSN: 25120
ADDRESS: 112 NORTH TURNBERRY, WILLIAMSBURG, VA 23185

SIGNED: _____ DATE: 05/11/2023

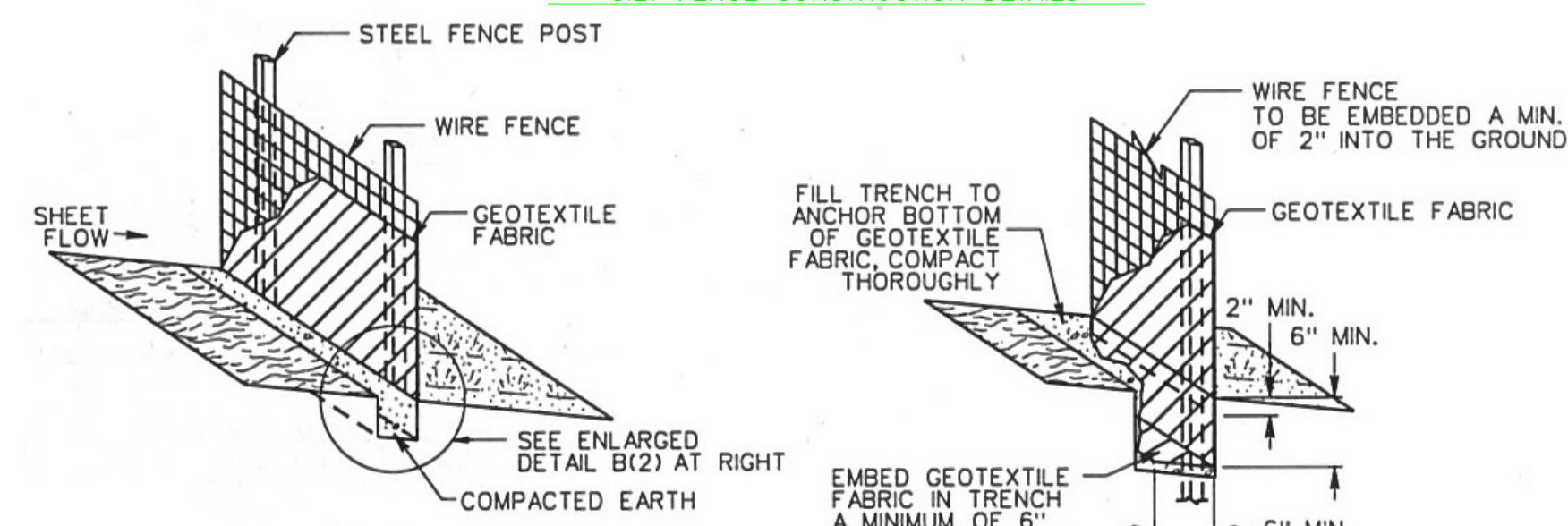


SWALE DETAILS ARE SUBJECT TO MODIFICATION IF DETERMINED SO BY THE CONTRACTOR

STONE CONSTRUCTION ENTRANCE



SILT FENCE CONSTRUCTION DETAILS



DETAIL B(1)

DETAIL B(2)

FRONT SETBACK: 30 FEET FROM THE FRONT LOT LINE
 REAR SETBACK: 25 FEET OR 25 PERCENT OF THE DEPTH OF THE LOT, WHICHEVER IS GREATER, FROM THE REAR LOT LINE.
 SIDE SETBACKS: 10 FEET FROM THE SIDE LOT LINE.
 IN THE EVENT THE ARCHITECTURAL REVIEW COMMITTEE SHALL DETERMINE THAT APPLICATION OF THE AFORESAID SETBACKS TO A PARTICULAR LOT WOULD UNREASONABLY LIMIT THE USE THEREOF BY THE OWNER AND EFFECTIVELY DEPRIVE HIM OF AN APPROPRIATE CONSTRUCTION SITE, THE ARCHITECTURAL REVIEW COMMITTEE MAY GRANT A VARIANCE TO THE OWNER OF SAID LOT FROM THE PROVISIONS OF THESE SETBACK REQUIREMENTS.
 PROPOSED GRADING AVOIDS CROSS LOT DRAINAGE.

LEGEND			
	SILT FENCE		WATER METER
	PROPOSED CONTOUR		SANITARY MAN HOLE
	EXISTING CONTOUR		IRON ROD FOUND
	PROPOSED TREE LINE		EXIST. SPOT GRADE
	EXISTING TREE LINE		PROPOSED SPOT GRADE
	PROPOSED FENCE		PROPOSED HVAC UNIT
	CENTERLINE OF SWALE		PROPOSED CONSTR. ENTRANCE
	LIMITS OF DISTURBANCE		FLOW DIRECTION

05/18/2023

- REV: 11/16/2022 - SNT
- REV: 12/16/2022 - SNT
- REV: 02/17/2023 - SNT
- REV: 03/06/2023 - SNT
- REV: 05/11/2023 - SNT
- REV: 05/18/2023 - MAG



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BOOHER, ROBERT L JR TRUSTEE &
SUSAN L TRUSTEE
102 LITTLE ASTON
WILLIAMSBURG, VA 23188-9199

RE: CBPA-23-0044
112 North Turnberry
Construction of a new single-
family dwelling

April 19, 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. Mark Adam, Black Tip Associates, LLC, on behalf of Ms. Karen and Mr. David Hescox for encroachments into the Resource Protection Area (RPA) buffer for the construction of a new single-family dwelling on property located at 112 North Turnberry, JCC Tax Map Parcel No. 3721200004.

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Sincerely,

Trevor Long

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Chesapeake Bay Board Secretary
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CHRISTENSEN, RICHARD G & JANIS K
108 N TURNBERRY
WILLIAMSBURG, VA 23188-8944

RE: CBPA-23-0044
112 North Turnberry
Construction of a new single-
family dwelling

April 19, 2023

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CLAYTON, JAMES A JR & BETTY LAVERNE
115 N TURNBERRY
WILLIAMSBURG, VA 23188-8944

RE: CBPA-23-0044
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DESMOND, DANIEL J & BARBARA O
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EPERVARY, JAMES S & CATHERINE L
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RE: CBPA-23-0044
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April 19, 2023

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FORD'S COLONY AT WILLIAMSBURG
HOMEOWNERS ASSOCIATION
100 MANCHESTER
WILLIAMSBURG, VA 23188-7404

RE: CBPA-23-0044
112 North Turnberry
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April 19, 2023

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HESCOX, DAVID BRYAN & KAREN ANN
8 PARK DR
CATONSVILLE, MD 21228-5040

RE: CBPA-23-0044
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April 19, 2023

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Mr. Mark Adam
Black Tip Associates, LLC
302 A Ewell Rd
Williamsburg, VA 23188

RE: CBPA-23-0044
112 North Turnberry
Construction of a new single-
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April 19, 2023

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RAMIRO, CRAIG A & RECHELLE A
105 N TURNBERRY
WILLIAMSBURG, VA 23188-8944

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April 19, 2023

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Case Number: CBPA-23-0044

PIN	Last Name	Address Line 1	City	State	Zip Code
3720300258	BOOHER, ROBERT L JR TRUSTEE & SUSAN L TRUSTEE	102 LITTLE ASTON	WILLIAMSBURG	VA	23188-9199
3721200003	CHRISTENSEN, RICHARD G & JANIS K	108 N TURNBERRY	WILLIAMSBURG	VA	23188-8944
3721200011	CLAYTON, JAMES A JR & BETTY LAVERNE	115 N TURNBERRY	WILLIAMSBURG	VA	23188-8944
3721200005	DESMOND, DANIEL J & BARBARA O	116 N TURNBERRY	WILLIAMSBURG	VA	23188-8944
3720300259	EPERVARY, JAMES S & CATHERINE L	104 LITTLE ASTON	WILLIAMSBURG	VA	23188-9199
3721200001A	FORD'S COLONY AT WILLIAMSBURG HOMEOWNERS ASSOCIATION	100 MANCHESTER	WILLIAMSBURG	VA	23188-7404
3721200001B	FORD'S COLONY AT WILLIAMSBURG HOMEOWNERS ASSOCIATION	100 MANCHESTER	WILLIAMSBURG	VA	23188-7404
3721200004	HESCOX, DAVID BRYAN & KAREN ANN	8 PARK DR	CATONSVILLE	MD	21228-5040
	Mr. Mark Adam Black Tip Associates, LLC	302 A Ewell Rd	Williamsburg	VA	23188
3721200012	RAMIRO, CRAIG A & REHELLE A	105 N TURNBERRY	WILLIAMSBURG	VA	23188-8944



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, JUNE 14, 2023 AT 5 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-23-0013: Mr. Rich Calvert, Calvert Marine, on behalf of Mr. Gary McSherry, has applied for a Wetlands Permit for the replacement of a bulkhead and installation of a pier on property located at 5030 River Drive, JCC Tax Map Parcel No. 0930300006.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0051: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Ms. Wendy and Mr. David Budnick, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling on property located at 108 Brancaster, JCC Tax Map Parcel No. 3810300034.

CBPA-23-0052: Ms. Susan and Mr. Kevin Cameron, have applied for a Chesapeake Bay Exception for the construction and approval of an accessory structure on property located at 7260 Osprey Drive, JCC Tax Map Parcel No. 19108000001.

CBPA-23-0053: Ms. Danielle and Mr. Sean Meenan, have applied for a Chesapeake Bay Exception for the installation of an above-ground swimming pool on property located at 5932 Montpelier Drive, JCC Tax Map Parcel No. 3221200230.

CBPA-23-0058: Ms. April Warren, has applied for a Chesapeake Bay Exception for the approval of a shed and garden structures on property located at 112 Discovery Lane, JCC Tax Map Parcel No. 4730500020.

CBPA-23-0060: Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Colonial Heritage LLC, has applied for a Chesapeake Bay Exception for the installation of a sanitary sewer line on property located at 499 Jolly pond Rd, JCC Tax Map Parcel No. 2240100007.

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 – May 31, 2023 and June 7, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W