

AGENDA
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
December 13, 2023
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. **Minutes from the November 8, 2023 Regular Meeting**

D. PUBLIC COMMENT

E. PUBLIC HEARING(S)

1. CBPA-23-0141 : 7485 Melissa Lane
2. CBPA-23-0155 : 7851 Pocahontas Trail

F. BOARD CONSIDERATION(S)

1. Resolution of Appreciation - Halle Dunn
2. Resolution of Appreciation - Trevor Long
3. 2024 Calendar

G. MATTERS OF SPECIAL PRIVILEGE

H. CLOSED SESSION

1. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation pursuant to Section 2.2-3711(7) of the Code of Virginia.
2. Certification of Closed Session

I. ADJOURNMENT

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
November 8, 2023
5:00 PM

A. CALL TO ORDER

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

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

B. ROLL CALL

Board Members Present:

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

Board Members Absent:

Charles Roadley, Chair

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
Emily Grojean, Watershed Planner, Stormwater and Resource Protection
Liz Parman, Deputy County Attorney, County Attorney's Office
Andrew Dean, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes from the October 11, 2023, Regular Meeting

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

The minutes were Approved on a voice vote.

D. PUBLIC COMMENT

None.

E. PUBLIC HEARING(S)

1. CBPA-23-0123 : 4388 Landfall Drive

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

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Ryan Linnekin, Williams Landscape & Design, on behalf of Mr. William Trolan, for encroachments into the Resource Protection Area (RPA) for the construction of two retaining walls and installation of riprap. The property is further identified as James City County Real Estate Tax Map Parcel No. 4732400082. 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. Maye opened the Public Hearing.

A. Mr. Ryan Linnekin, Williams Landscape & Design, 1554 Penniman Road, provided further details of the plan for the Board.

Mr. Maye closed the Public Hearing.

The Board discussed the pros and cons of the plan.

F. BOARD CONSIDERATION(S)

1. Election of Officers for 2024

A motion to Appoint Mr. Charles Roadley as Chair of the Chesapeake Bay Board was made by Mr. Maye and Approved by a unanimous voice vote.

A motion to Appoint Mr. Michael O'Brien as Vice Chair of the Chesapeake Bay Board was made by Ms. Bowie and Approved by a unanimous voice vote.

A motion to Appoint Ms. Robin Benedict as Secretary of the Chesapeake Bay Board was made by Mr. Maye and Approved by a unanimous voice vote.

2. CBPA-21-0178 : 5508 Swan Road

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

Ms. Robin Benedict, Watershed Planner, presented an extension request for the exception originally approved by the Board on January 12, 2022. The exception was originally submitted by Mr. Jason Hoyle. An extension was previously approved by the Board on September 14, 2022, with an expiration date of January 11, 2024. Staff proposed that the new expiration date of January 11, 2026, be approved.

3. CBPA-21-0130 : 115 Heathery

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

Absent: Roadley

Ms. Robin Benedict, Watershed Planner, presented an extension request for the exception originally approved by the Board on January 12, 2022. The exception was originally submitted by Elite E and E Investments, LLC. An extension was previously approved by the Board on December 14, 2022, with an expiration date of January 12, 2024. Staff proposed that the new expiration date of January 12, 2026, be approved.

G. MATTERS OF SPECIAL PRIVILEGE

None.

H. ADJOURNMENT

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

The meeting adjourned at 5:29 p.m.

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0141. 7485 Melissa Lane
Staff Report for the December 13, 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: Ms. Nita Scarlett and Mr. David Bennett
Agent: None
Location: 7485 Melissa Lane
Parcel Identification No.: 2520100002A
Parcel: Parcel 1, Wood Acres Country Day School
Lot Size: 3.39 acres
Area of Lot in Resource Protection Area (RPA): 1.45 acres (43%)
Watershed: Skimino Creek (YO65)
Floodplain: None
Proposed Activity: Installation of a driveway expansion, parking pad, and retaining wall
Impervious Cover: 1,334 square feet
RPA Encroachment: 1,224 square feet, landward 50-foot RPA
110 square feet, seaward 50-foot RPA
Staff Contact: Robin Benedict, Watershed Planner Phone: 253-6781

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Nita Scarlett and Mr. David Bennett have applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the installation of a driveway expansion, parking pad, and retaining wall located at 7485 Melissa Lane within the Skimino Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 2520100002A. The parcel was platted in 1997, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990. The RPA was re-delineated to the 2004 standards when the home was built in 2016.

The total lot size of this property is 3.39 acres, of which 43% is located within the RPA. The applicants are proposing to expand the existing gravel driveway and install a parking pad and retaining wall. The purpose of the driveway expansion is to make the front of the existing home more accessible. Total impacts to the RPA associated with this proposal equate to 1,224 square feet of impacts to the landward 50-foot RPA and 110 square feet of impacts to the seaward 50-foot RPA for a total of 1,334 square feet of impacts. Required mitigation for this amount of impervious impacts equals three planting units (three canopy trees, six understory trees, and nine shrubs).

STAFF EVALUATION

Staff has evaluated the application and exception request for the installation of a driveway expansion, parking pad, 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 expansion of the existing driveway and installation of a parking pad and retaining wall are considered accessory in nature.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

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

STAFF RECOMMENDATIONS

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

1. The 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 equal to three planting units (three canopy trees, six understory trees, and nine shrubs) to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicants 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 December 13, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 1, 2024, six weeks prior to the expiration date.

RB/md
CBPA23-141_7485MelisLn

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0141. 7485 MELISSA LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Nita Scarlett and Mr. David Bennett (the “Applicants”), have applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 7485 Melissa Lane (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 2520100002A, as set forth in the application CBPA-23-0141 for the purpose of installing a driveway expansion, parking pad, 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-23-0141, 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 equal to three planting units (three canopy trees, six understory trees, and nine shrubs) to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicants 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 December 13, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 1, 2024, six weeks prior to the expiration date.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 13th day of December, 2023.

RESOLUTION

CASE NO. CBPA-23-0141. 7485 MELISSA LANE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Nita Scarlett and Mr. David Bennett (the “Applicants”), have applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 7485 Melissa Lane (the “Property”) and further identified as James City County Real Estate Tax Map Parcel No. 2520100002A, as set forth in the application CBPA-23-0141 for the purpose of installing a driveway expansion, parking pad, 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-23-0141.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 13th day of December, 2023.

CBPA23-141_7485MelisLnDny-res

Case Number: CBPA-23-0141

PIN	Last Name	Address Line 1	City	State	Zip Code
2520100002A	BENNETT, DAVID & SCARLETT, JUANITA L	7485 MELISSA LN	WILLIAMSBURG	VA	23188-9317
2520100002	RASPANTI, ANTHONY P TRUSTEE & RENEE	7491 MELISSA LN	WILLIAMSBURG	VA	23188-9317
2520100003	WILLIAMS, BARRY LESTER TRUSTEE &	7459 MELISSA LN	WILLIAMSBURG	VA	23188-9317



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-23-0141
7485 Melissa Lane
Installation of driveway expansion,
parking pad

November 16, 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. Juanita L. and Mr. David Bennett for encroachments into the Resource Protection Area buffer for the installation of a driveway expansion and parking pad. The project is located at 7485 Melissa Lane, JCC Tax Map Parcel No. 2520100002A.

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, December 13, 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,

Robin Benedict

Robin Benedict
Chesapeake Bay Board Secretary
757-253-6781
Robin.Benedict@jamescitycountyva.gov



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, DECEMBER 13, 2023, AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0155: Mr. Thomas Walker, VHB, Inc., on behalf of Seaworld Parks & Entertainment LLC, has applied for a Chesapeake Bay Exception for the construction of a new structure on property located at 7851 Pocahontas Trail, JCC Real Estate Tax Map Parcel No. 5140100009.

CBPA-23-0141: Ms. Juanita L. Scarlett and Mr. David Bennett, have applied for a Chesapeake Bay Exception for the installation of a driveway expansion and parking pad on property located at 7485 Melissa Lane, JCC Real Estate Tax Map Parcel No. 2520100002A.

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 – November 29, 2023 and December 6, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0155. 7851 Pocahontas Trail
Staff Report for the December 13, 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: SeaWorld Parks & Entertainment, LLC

Agent: Mr. Thomas Walker, Vanasse Hangen Brustlin, Inc. (VHB Inc.)

Location: 7851 Pocahontas Trail

Parcel Identification No.: 5140100009

Parcel: Busch Gardens Williamsburg

Lot Size: 383 acres

Area of Lot in Resource Protection Area (RPA): 130 acres +/- (39%)

Watershed: Skiffes Creek (JL35)

Floodplain: None

Proposed Activity: Construction of a shack

Impervious Cover: 132 square feet

RPA Encroachment: 132 square feet, landward 50-foot RPA

Staff Contact: Robin Benedict, Watershed Planner Phone: 253-6781

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Thomas Walker, VHB Inc., has applied for a Chesapeake Bay Exception on behalf of SeaWorld Parks & Entertainment, LLC, for encroachments into the RPA buffer for the construction of a shack located at 7851 Pocahontas Trail within the Skiffes Creek watershed. The property is otherwise known as Busch Gardens Williamsburg and is further identified as James City County Real Estate Tax Map Parcel No. 5140100009.

The total lot size of this property is 383 acres, of which 39% is located within the RPA. The applicant is proposing to construct a wooden shack that will be utilized as a theming element for the Loch Ness Monster roller coaster. The structure cannot be relocated outside of the RPA because it cannot encroach within the ride envelope. Total impacts to the RPA associated with this proposal equate to 132 square feet of impacts to the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equals five shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a shack. 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 shack 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 nonconforming that are related to adjacent parcels; and
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

STAFF RECOMMENDATIONS

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

1. The Applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicant must submit a mitigation plan equal to five shrubs to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$250 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 December 13, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 1, 2024, six weeks prior to the expiration date.

RB/ap
CBPA23-155_7851PocTrl

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0155. 7851 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Thomas Walker, Vanasse Hangen Brustlin, Inc., on behalf of SeaWorld Parks & Entertainment, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 2023, to request an exception to use the Resource Protection Area (“the “RPA”) on a parcel of property located at 7851 Pocahontas Trail and further identified as James City County Real Estate Tax Map Parcel No. 5140100009, as set forth in the application CBPA-23-0155 for the purpose of constructing a shack; 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-23-0155, 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 equal to five shrubs to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must submit a surety of \$250 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 December 13, 2024; and
5. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 1, 2024, six weeks prior to the expiration date.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 13th day of December, 2023.

CBPA23-155_7851PocTrlApp-res

RESOLUTION

CASE NO. CBPA-23-0155. 7851 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Thomas Walker, , Vanasse Hangen Brustlin, Inc., on behalf of SeaWorld Parks & Entertainment, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on December 13, 2023, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 7851 Pocahontas Trail and further identified as James City County Real Estate Tax Map Parcel No. 5140100009, as set forth in the application CBPA-23-0155 for the purpose of constructing a shack; 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-23-0155.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 13th day of December, 2023.

CBPA23-155_7851PocTrlDny-res

Case Number: CBPA-23-0155

PIN	Last Name	Address Line 1	City	State	Zip Code
5130100001	ANHEUSER BUSCH BREWING PROPERTIES LLC	1 BUSCH PL	SAINT LOUIS	MO	63118-1849
5230100112	ANHEUSER-BUSCH LLC	CORPORATE TAX DEPT	SAINT LOUIS	MO	63118-1849
5230100111	ESCALANTE KINGSMILL RESORT LLC	2930 BLEDSOE ST STE 124	FORT WORTH	TX	76107-2942
5140100003	LEE, EDGAR ROBERT & REBECCA LINDSEY	215 TELFORD DR	NEWPORT NEWS	VA	23602-5224
5140100009	SEAWORLD PARKS & ENTERTAINMENT LLC	P O BOX 543185	DALLAS	TX	75354-3185
5140100002	STURDIVANT, TONI C	8405 POCAHONTAS TRL	WILLIAMSBURG	VA	23185-5952
	Thomas Walker VHB, Inc.	351, Suite 3, McLaws Circle	Williamsburg	Virginia	23185



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-23-0155
7851 Pocahontas Trail
Construction of new structure

November 20, 2023

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Chesapeake Bay Board by Mr. Thomas Walker, VHB, Inc., on behalf of Seaworld Parks & Entertainment LLC, for encroachments into the Resource Protection Area buffer for the construction of a new structure. The project is located at 7851 Pocahontas Trail, JCC Tax Map Parcel No. 5140100009.

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, December 13, 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,

Robin Benedict

Robin Benedict
Chesapeake Bay Board Secretary
757-253-6781
Robin.Benedict@jamescitycountyva.gov



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, DECEMBER 13, 2023, AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKEBAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0155: Mr. Thomas Walker, VHB, Inc., on behalf of Seaworld Parks & Entertainment LLC, has applied for a Chesapeake Bay Exception for the construction of a new structure on property located at 7851 Pocahontas Trail, JCC Real Estate Tax Map Parcel No. 5140100009.

CBPA-23-0141: Ms. Juanita L. Scarlett and Mr. David Bennett, have applied for a Chesapeake Bay Exception for the installation of a driveway expansion and parking pad on property located at 7485 Melissa Lane, JCC Real Estate Tax Map Parcel No. 2520100002A.

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 – November 29, 2023 and December 6, 2023
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

James City County Wetlands & Chesapeake Bay Boards

2024 Meeting Dates

Quarter 1

January

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Quarter 2

April

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Quarter 3

July

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Quarter 4

October

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

James City County Wetlands & Chesapeake Bay Boards
2024 Meeting Dates & Deadlines

Meeting Date	Application Deadline	Payment Deadline	APOs and Gazette Ad Submittal	Preliminary Agenda & 1st Ad Publication	Send Docs to Publications Management	Novus Board Packages & 2nd Ad Publication
<i>2nd Wednesday of the month</i>	<i>6 weeks</i>	<i>20 days (Thurs)</i>	<i>19 days (Fri)</i>	<i>2 weeks (Wed)</i>	<i>9 days (Mon)</i>	<i>1 week (Wed)</i>
January 10, 2024	Nov-29 (2023)	Dec-21 (2023)	Dec-22 (2023)	Dec-27 (2023)	Jan-1 (2024)	Jan-3
February 14, 2024	Jan-3	Jan-25	Jan-26	Jan-31	Feb-5	Feb-7
March 13, 2024	Jan-31	Feb-22	Feb-23	Feb-28	Mar-4	Mar-6
April 10, 2024	Feb-28	Mar-21	Mar-22	Mar-27	Apr-1	Apr-3
May 8, 2024	Mar-27	Apr-18	Apr-19	Apr-24	Apr-29	May-1
June 12, 2024	May-1	May-23	May-24	May-29	Jun-3	Jun-5
July 10, 2024	May-29	Jun-20	Jun-21	Jun-26	Jul-1	Jul-3
August 14, 2024	Jul-3	Jul-25	Jul-26	Jul-31	Aug-5	Aug-7
September 11, 2024	Jul-31	Aug-22	Aug-23	Aug-28	Sep-2	Sep-4
October 9, 2024	Aug-28	Sep-19	Sep-20	Sep-25	Sep-30	Oct-2
November 13, 2024	Oct-2	Oct-24	Oct-25	Oct-30	Nov-4	Nov-6
December 11, 2024	Oct-30	Nov-21	Nov-22	Nov-27	Dec-2	Dec-4
January 8, 2025	Nov-27 (2024)	Dec-19 (2024)	Dec-20 (2024)	Dec-25 (2024)	Nov-6 (2024)	Jan-1 (2025)

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Chesapeake Bay Board of James City County, Virginia, (the “Board”) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, hereby certifies that, to the best of each member’s knowledge: i) only legal matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such legal matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(7).

Charles Roadley
Chairman, Chesapeake Bay Board

ATTEST:

Robin Bendict
Secretary, Chesapeake Bay Board

WALTRIP
MAYE
O’BRIEN
BOWIE
ROADLEY

VOTES			
<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 13th day of December, 2023.

121323cbb-ex-res