

AGENDA
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
January 10, 2024
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from the December 13, 2023, Regular Meeting

D. PUBLIC COMMENT

E. PUBLIC HEARING(S)

1. CBPA-23-0160 : 8810 Pocahontas Trail Unit: 59
2. CBPA-23-0165 : 4209 Cliffside Drive
3. CBPA-23-0171 : 131 George Sandys
4. CBPA-23-0172 : 109 Thorpes Parish
5. CBPA-23-0175 : 160 John Browning
6. CBPA-23-0174 : 275 Old Stage Road
7. CBPA-23-0183 : 275 Old Stage Road

F. BOARD CONSIDERATION(S)

1. CBPA-22-0120 : 108 Murcar

G. MATTERS OF SPECIAL PRIVILEGE

H. ADJOURNMENT

MINUTES
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

The Chesapeake Bay Board meeting for December 13, 2023, was called to order.

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

B. ROLL CALL

Board Members Present:

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

Board Members Absent:

Larry Waltrip

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
Andrew Dean, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes from the November 8, 2023 Regular Meeting

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

The minutes were Approved on a voice vote.

D. PUBLIC COMMENT

None.

E. PUBLIC HEARING(S)

1. CBPA-23-0141 : 7485 Melissa Lane

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

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Ms. Juanita L. Scarlett and Mr. David Bennett, for encroachments into the Resource Protection Area (RPA) for the installation of a driveway expansion and parking pad. The property is further identified as James City County Real Estate Tax Map Parcel No. 2520100002A. 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. David Bennett, 7485 Melissa Lane, provided additional details about the plan, including an explanation of why expanding the driveway was necessary to meet accessibility requirements during potential emergency situations.

Mr. Roadley closed the Public Hearing.

The Board discussed the pros and cons of the plan.

2. CBPA-23-0155 : 7851 Pocahontas Trail

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

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Thomas Walker, Vanasse Hangen Brustlin, Inc., on behalf of SeaWorld Parks & Entertainment, LLC, for encroachments into the RPA for the construction of a new structure. The property is further identified as James City County Real Estate Tax Map Parcel No. 5140100009. 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. Anthony Loubier, Vanasse Hangen Brustlin, Inc., 351 McLaws Circle, Suite 3, provided further details of the plan for the Board.

Mr. Roadley closed the Public Hearing.

The Board discussed the pros and cons of the plan.

F. BOARD CONSIDERATION(S)

1. Resolution of Appreciation - Halle Dunn

The Resolution of Appreciation - Halle Dunn Agenda item was completed directly after the Resolution of Appreciation - Trevor Long item.

Mr. Roadley read the resolution for Mr. Halle Dunn into the record.

2. Resolution of Appreciation - Trevor Long

The Resolution of Appreciation - Trevor Long Agenda item was completed directly before the Resolution of Appreciation - Halle Dunn item.

Mr. Roadley read the resolution for Mr. Trevor Long into the record.

3. 2024 Calendar

A motion to Approve the 2024 meeting date calendar was made by Mr. O'Brien and Approved on a voice vote.

G. MATTERS OF SPECIAL PRIVILEGE

None.

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(A)(7) of the Code of Virginia.

A motion to Enter Closed Session was made by Mr. Roadley and approved on a unanimous voice vote.

2. Certification of Closed Session

A motion to Certify that the Board only spoke about those matters indicated that it would speak about in Closed Session was made by Mr. Woolson, the motion result was Passed.

Ayes: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Bowie, Maye, O'Brien, Roadley

Absent: Waltrip

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

2. Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia.

I. ADJOURNMENT

A motion to Adjourn was made by Mr. Maye and Approved on a voice vote.

The meeting adjourned at 6:33 p.m.

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0160. 8810-59 Pocahontas Trail
Staff Report for the January 10, 2024, 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: Heritage Community, LLC
Agent: Ms. Linda Krohn, American Community Management
Location: 8810-59 Pocahontas Trail
Parcel Identification No.: 5920100003
Parcel: Heritage Mobile Home Park (MHP)
Lot Size: 0.03 acres
Area of Lot in Resource Protection Area (RPA): 0.02 acres (67%)
Watershed: Skiffes Creek (JL35)
Floodplain: None
Proposed Activity: Installation of a mobile home
Impervious Cover: 784 square feet
RPA Encroachment: 124 square feet, new impervious cover, landward 50-foot RPA
Staff Contact: Robin Benedict, Watershed Planner Phone: 253-6781

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Linda Krohn, American Community Management, has applied for a Chesapeake Bay Exception on behalf of Heritage Community, LLC for encroachments into the RPA buffer for the installation of a mobile home located at 8810-59 Pocahontas Trail within the Heritage MHP subdivision and the Skiffes Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 5920100003. The parcel was platted in 1965, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.03 acres, of which 67% is located within the RPA. The applicant is proposing to replace the previously existing 660-square-foot mobile home with a 784-square-foot mobile home. Total new impacts to the RPA associated with this proposal equate to 124 square feet to the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equals five shrubs. If the applicant decides there is no room on the property to perform the required amounts of mitigation, the applicant may pay into the Chesapeake Bay Mitigation Fund in the amount of \$500.

STAFF EVALUATION

Staff has evaluated the application and exception request for the installation of a mobile home. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the proposed mobile home is larger than the previously existing home.

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 surety of \$500 in a form acceptable to the James City County Attorney's Office to guarantee the planting of five shrubs or the payment of \$500 into the Chesapeake Bay Mitigation Fund; and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 2024, six weeks prior to the expiration date.

RB/md
CBPA23-160_8810-59PocTrl

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0160. 8810-59 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 8810-59 Pocahontas Trail and further identified as James City County Real Estate Tax Map Parcel No. 5920100003, as set forth in the application CBPA-23-0160 for the purpose of installing a mobile home; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application meets all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **APPROVES** the exception request for Chesapeake Bay Board Case No. CBPA-23-0160, subject to the following conditions:

1. The Applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicant must submit a surety of \$500 in a form acceptable to the James City County Attorney’s Office to guarantee the planting of five shrubs or the payment of \$500 into the Chesapeake Bay Mitigation Fund; and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 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 10th day of January 2024.

RESOLUTION

CASE NO. CBPA-23-0160. 8810-59 POCAHONTAS TRAIL

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 8810-59 Pocahontas Trail and further identified as James City County Real Estate Tax Map Parcel No. 5920100003, as set forth in the application CBPA-23-0160 for the purpose of installing a mobile home; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-23-0160.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of January 2024.

CBPA23-160_8810-59PocTrlDny-res

Case Number: CBPA-23-0160

PIN	Last Name	Address Line 1	City	State	Zip Code
5920200021	BOWMAN, ROBERT L	117 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5910100030	CARTERS GROVE ASSOCIATES LLC	70 WEST MADISON ~STE 4600	CHICAGO	IL	60602-4215
5910600001A	CHESTNUT GROVE DEVELOPMENT LLC	264 MCLAWS CIR ~STE H	WILLIAMSBURG	VA	23185-5677
5920200023	FEBIAR, CARLOS E & GAY R	4508 BOULEVARD RD SE	OLYMPIA	WA	98501-4751
5910100027	GROVE CHRISTIAN OUTREACH CENTER	8800 POCAHONTAS TRL	WILLIAMSBURG	VA	23185-6247
5920100003	HERITAGE COMMUNITY LLC	485 SEAPORT CT ~STE 101	REDWOOD CITY	CA	94063-2730
5920200019	JAMES T DUGUAY JR INC	334 REDOUBT RD	YORKTOWN	VA	23692-4874
5920200022	JOHNSON, JAMES SR & VERONICA	119 INDIAN CIR	WILLIAMSBURG	VA	23185-6214
5910100025	KENGRACE LLC	422 ORIANA RD	NEWPORT NEWS	VA	23608-3733
5920200020	LYAPUN, OLEKSANDR	115 INDIAN CIR	WILLIAMSBURG	VA	23185-0214
	Ms. Linda Krohn American Community Management	125 Burgess St	Williamsburg	VA	23185-85
5920100001	NEWPORT DATSUN	P O BOX 1219	KITTY HAWK	NC	27949-1219
5910400001A	POCAHONTAS SQUARE TOWNHOUSE	4071 IRONBOUND RD ~STE 200	WILLIAMSBURG	VA	23188-2894



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-23-0160
8810 Pocahontas Trl Unit: 59
Installation of mobile home

December 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 Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, for encroachments into the Resource Protection Area buffer for the installation of a mobile home. The project is located at 8810 Pocahontas Trl Unit: 59, JCC Tax Map Parcel No. 5920100003.

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, January 10, 2024, 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, JANUARY 10, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0160: Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, has applied for a Chesapeake Bay Exception for the installation of a mobile home on property located at 8810 Pocahontas Trl Unit: 59, JCC Real Estate Tax Map Parcel No. 5920100003.

CBPA-23-0165: Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, has applied for a Chesapeake Bay Exception for the expansion of a deck on property located at 4209 Cliffside Drive, JCC Real Estate Tax Map Parcel No. 2341200015.

CBPA-23-0171: Mr. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, has applied for a Chesapeake Bay Exception for the construction of a retaining wall on property located at 131 George Sandys, JCC Real Estate Tax Map Parcel No. 5820200030.

CBPA-23-0172: Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, has applied for a Chesapeake Bay Exception for the construction of a walkway, patio, and retaining wall on property located at 109 Thorpes Parish, JCC Real Estate Tax Map Parcel No. 5030300014.

CBPA-23-0174: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

CBPA-23-0175: Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, has applied for a Chesapeake Bay Exception for the construction of a pool, patio, pavilion, and retaining walls on property located at 160 John Browning, JCC Real Estate Tax Map Parcel No. 5130400014.

CBPA-23-0183: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

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.

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0165. 4209 Cliffside Drive
Staff Report for the January 10, 2024, 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. Douglas and Ms. Susan Miller

Agent: Mr. Andrew Ross, AF Ross, LLC

Location: 4209 Cliffside Drive

Parcel Identification No.: 2341200015

Parcel: Lot 15, Phase 1, Section 3A, Colonial Heritage

Lot Size: 0.13 acres

Area of Lot in Resource Protection Area (RPA): 0.02 acres (15%)

Watershed: Yarmouth Creek (JL28)

Floodplain: None

Proposed Activity: Construction of a deck extension

Impervious Cover: 356 square feet

RPA Encroachment: 356 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Andrew Ross, AF Ross, LLC, has applied for a Chesapeake Bay Exception on behalf of Mr. Douglas and Ms. Susan Miller for encroachments into the RPA buffer for the construction of a deck extension located at 4209 Cliffside Drive within the Colonial Heritage subdivision and the Yarmouth Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 2341200015. 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 0.13 acres, of which 15% is located within the RPA. The applicants are proposing to expand an existing 120-square-foot deck located in the rear of the home to 420 square feet with new stairs of 56 square feet. Total impacts to the RPA associated with this proposal equate to 356 square feet in the landward 50-foot RPA buffer. Required mitigation for this amount of impervious impacts equals nine shrubs.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a deck extension. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the construction of a deck is considered accessory in nature.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the Applicants any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity; and
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality; and
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances, either permitted or 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 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 \$500 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plantings of nine shrubs; and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 2024, six weeks prior to the expiration date.

RB/md
CBPA23-165_4209CliffsdDr

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0165. 4209 CLIFFSIDE DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, 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. 2341200015 and further identified as 4209 Cliffside Drive (the “Property”), as set forth in the application CBPA-23-0165 for the purpose of constructing a deck 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-23-0165, 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 \$500 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings of nine shrubs; and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 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 10th day of January, 2024.

CBPA23-165_4209CliffsdDrApp-res

RESOLUTION

CASE NO. CBPA-23-0165. 4209 CLIFFSIDE DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, 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. 2341200015 and further identified as 4209 Cliffside Drive (the “Property”), as set forth in the application CBPA-23-0165 for the purpose of constructing a deck 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-23-0165.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of January, 2024.

CBPA23-165_4209CliffsdDrDny-res



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-23-0165
4209 Cliffside Drive
Expansion of deck

December 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. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, for encroachments into the Resource Protection Area buffer for the expansion of a deck. The project is located at 4209 Cliffside Drive, JCC Tax Map Parcel No. 2341200015.

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, January 10, 2024, 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

Case Number: CBPA-23-0165

PIN	Last Name	Address Line 1	City	State	Zip Code
	Andrew Ross AF Ross LLC	116 Tewning Road	Williamsburg	VA	23188
2341200001B	COLONIAL HERITAGE HOMEOWNERS	6500 ARTHUR HILLS DR	WILLIAMSBURG	VA	23188-7247
2341200016	JOHNSON, MICHAEL RICHARD TRUSTEE &	4205 CLIFFSIDE DR	WILLIAMSBURG	VA	23188-7266
2341200015	MILLER, DOUGLAS J TRUSTEE &	4209 CLIFFSIDE DR	WILLIAMSBURG	VA	23188-7266



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, JANUARY 10, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0160: Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, has applied for a Chesapeake Bay Exception for the installation of a mobile home on property located at 8810 Pocahontas Trl Unit: 59, JCC Real Estate Tax Map Parcel No. 5920100003.

CBPA-23-0165: Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, has applied for a Chesapeake Bay Exception for the expansion of a deck on property located at 4209 Cliffside Drive, JCC Real Estate Tax Map Parcel No. 2341200015.

CBPA-23-0171: Mr. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, has applied for a Chesapeake Bay Exception for the construction of a retaining wall on property located at 131 George Sandys, JCC Real Estate Tax Map Parcel No. 5820200030.

CBPA-23-0172: Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, has applied for a Chesapeake Bay Exception for the construction of a walkway, patio, and retaining wall on property located at 109 Thorpes Parish, JCC Real Estate Tax Map Parcel No. 5030300014.

CBPA-23-0174: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

CBPA-23-0175: Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, has applied for a Chesapeake Bay Exception for the construction of a pool, patio, pavilion, and retaining walls on property located at 160 John Browning, JCC Real Estate Tax Map Parcel No. 5130400014.

CBPA-23-0183: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

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.

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0171. 131 George Sandys
Staff Report for the January 10, 2024, 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. Tammy Short

Agent: Mr. Joseph Krallinger, The Structures Group, Inc.

Location: 131 George Sandys

Parcel Identification No.: 5820200030

Parcel: Lot 30, Sandys Fort Kingsmill

Lot Size: 0.42 acres

Area of Lot in Resource Protection Area (RPA): 0.07 acres (17%)

Watershed: Skiffes Creek (JL35)

Floodplain: None

Proposed Activity: Replacement of the existing retaining wall

Impervious Cover: 110 square feet

RPA Encroachment: 110 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Joseph Krallinger, The Structures Group, Inc., has applied for a Chesapeake Bay Exception on behalf of Ms. Tammy Short for encroachments into the RPA buffer for the replacement of the existing retaining wall located at 131 George Sandys within the Kingsmill subdivision and the Skiffes Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 5820200030. The parcel was platted in 1999, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.42 acres, of which 17% is located within the RPA. The existing timber retaining wall on the property is failing and currently sits across three properties. The applicant is proposing to remove the existing wall and construct a new one entirely within the property lines of this parcel. Additionally, the applicant will be removing 611 square feet of impervious hardscape within the RPA. As there is no increase in impervious areas, no mitigation is required for this project.

STAFF EVALUATION

Staff has evaluated the application and exception request for the replacement of the existing 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 a retaining wall is considered accessory in nature.

CONSIDERATION BY THE CHESAPEAKE BAY BOARD

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

1. The exception request is the minimum necessary to afford relief; and
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity; and
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code and is not of substantial detriment to water quality; and
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances, either permitted or 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. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
3. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 28, 2024, six weeks prior to the expiration date.

RB/ap
CBPA23-171_131GeoSndy

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0171. 131 GEORGE SANDYS

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Joseph Krallinger, The Structures Group, Inc., on behalf of Ms. Tammy Short (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 131 George Sandys and further identified as James City County Real Estate Tax Map Parcel No. 5820200030, as set forth in the application CBPA-23-0171 for the purpose of replacing the existing 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-23-0171, 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. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
3. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 28, 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 10th day of January, 2024.

CBPA23-171_131GeoSndyApp-res

RESOLUTION

CASE NO. CBPA-23-0171. 131 GEORGE SANDYS

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Joseph Krallinger, The Structures Group, Inc., on behalf of Ms. Tammy Short (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 131 George Sandys and further identified as James City County Real Estate Tax Map Parcel No. 5820200030, as set forth in the application CBPA-23-0171 for the purpose of replacing the existing 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-23-0171.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of January, 2024.

CBPA23-171_131GeoSndyDny-res



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-23-0171
131 George Sandys
Construction of retaining wall

December 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. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, for encroachments into the Resource Protection Area buffer for the construction of a retaining wall. The project is located at 131 George Sandys, JCC Tax Map Parcel No. 5820200030.

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, January 10, 2024, 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

Case Number: CBPA-23-0171

PIN	Last Name	Address Line 1	City	State
5820100002	CARTERS GROVE ASSOCIATES LLC	70 W MADISON ~STE 4600	CHICAGO	IL
5820200027	DHILLON, AVTAR S TRUSTEE &	113 ROFFINGHAMS WAY	WILLIAMSBURG	VA
5130100002	ESCALANTE KINGSMILL DEVELOPMENT LLC	2930 BLEDSOE ST STE 124	FORT WORTH	TX
5130100004	ESCALANTE KINGSMILL RESORT LLC	2930 BLEDSOE ST ~STE 124	FORT WORTH	TX
5140200001A	KINGSMILL COMMUNITY SERVICES ASSOCIATION	PO BOX 348	WILLIAMSBURG	VA
5820200026	LITTREAL, WILLIAM B & MARIA E	147 GEORGE SANDYS	WILLIAMSBURG	VA
5820200025	MASON, KENNETH T & CHRISTINE J	151 GEORGE SANDYS	WILLIAMSBURG	VA
5140200008	MOOREHEAD, DONALD VERNON & MCMURRAY,	116 ANDREW LINDSEY	WILLIAMSBURG	VA
	Mr. Joseph Krallinger The Structures Group	1200 Old Colony Lane	Williamsburg	VA
5140200005	REKHI, BHUPINDAR S & GUNWANT S	119 ANDREW LINDSEY	WILLIAMSBURG	VA
5820300001A	RIVER BLUFFS CONDOMINIUM ASSOCIATION	100 KINGSMILL RD	WILLIAMSBURG	VA
5140200009	ROESCH, EDGAR B III	119 GEORGE SANDYS	WILLIAMSBURG	VA
5820200030	SHORT, TAMMY L	131 GEORGE SANDYS	WILLIAMSBURG	VA
5820200029	SPOONER, SUE GUNN	135 GEORGE SANDYS	WILLIAMSBURG	VA
5140200007	STROUSE, MICHAEL C TRUSTEE &	120 ANDREW LINDSEY	WILLIAMSBURG	VA
5140200006	SULLIVAN, JOHN P & GAIL E.	123 ANDREW LINDSEY	WILLIAMSBURG	VA
5820200028	TREOLO, PAUL JR TRUSTEE	139 GEORGE SANDYS	WILLIAMSBURG	VA

Case Number: CBPA-23-0171

Zip Code
60602-4215
23185-8915
76107-2942
76107-2942
23187-0348
23185-8938
23185-8938
23185-8934
23185
23185-8935
23185-5579
23185-8938
23185-8938
23185-8938
23185-8934
23185-8935
23185-8938



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, JANUARY 10, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0160: Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, has applied for a Chesapeake Bay Exception for the installation of a mobile home on property located at 8810 Pocahontas Trl Unit: 59, JCC Real Estate Tax Map Parcel No. 5920100003.

CBPA-23-0165: Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, has applied for a Chesapeake Bay Exception for the expansion of a deck on property located at 4209 Cliffside Drive, JCC Real Estate Tax Map Parcel No. 2341200015.

CBPA-23-0171: Mr. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, has applied for a Chesapeake Bay Exception for the construction of a retaining wall on property located at 131 George Sandys, JCC Real Estate Tax Map Parcel No. 5820200030.

CBPA-23-0172: Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, has applied for a Chesapeake Bay Exception for the construction of a walkway, patio, and retaining wall on property located at 109 Thorpes Parish, JCC Real Estate Tax Map Parcel No. 5030300014.

CBPA-23-0174: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

CBPA-23-0175: Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, has applied for a Chesapeake Bay Exception for the construction of a pool, patio, pavilion, and retaining walls on property located at 160 John Browning, JCC Real Estate Tax Map Parcel No. 5130400014.

CBPA-23-0183: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

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.

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0172. 109 Thorpe’s Parish
Staff Report for the January 10, 2024, 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. Ken and Ms. Christy Tankersley

Agent: Mr. Joseph Krallinger, The Structures Group, Inc.

Location: 109 Thorpe’s Parish

Parcel Identification No.: 5030300014

Parcel: Lot 14, Tutters Neck

Lot Size: 0.69 acres

Area of Lot in Resource Protection Area (RPA): 0.55 acres (80%)

Watershed: College Creek (JL34)

Floodplain: None

Proposed Activity: Replacement of a retaining wall and construction of a walkway and patio

Impervious Cover: 1,727 square feet total
470 square feet, new impervious cover

RPA Encroachment: 174 square feet, landward 50-foot RPA
296 square feet, seaward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Joseph Krallinger, The Structures Group, Inc., has applied for a Chesapeake Bay Exception on behalf of Mr. Ken and Ms. Christy Tankersley for encroachments into the RPA buffer for the replacement of a retaining wall and construction of a walkway and patio located at 109 Thorpe’s Parish within the Kingsmill subdivision and the College Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 5030300014. The parcel was platted in 1978, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 0.69 acres, of which 80% is located within the RPA. The applicants are proposing to remove and replace the failing retaining walls on the property. Additionally, they are proposing to construct a walkway along the side of the existing home and replace the existing concrete patio with hardscape pavers. Total impacts to the RPA associated with this proposal equal 174 square feet in the landward 50-foot RPA and 296 square feet in the seaward 50-foot RPA for a total of 470 square feet of new impervious cover. The required mitigation for this amount of impervious impacts equals one planting unit (one canopy tree, two understory trees, and three shrubs). The applicants have provided a mitigation plan that satisfies this requirement.

STAFF EVALUATION

Staff has evaluated the application and exception request for the replacement of a retaining wall and construction of a walkway and patio. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the construction of a retaining wall, walkway, and patio 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 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 surety of \$1,000 in a form acceptable to the James City County Attorney's Office to guarantee the planting of one planting unit (one canopy tree, two understory trees, and three shrubs); and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 28, 2024, six weeks prior to the expiration date.

RB/ap
CBPA23-172_109ThrpsPrsh

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0172. 109 THORPE'S PARISH

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Joseph Krallinger, The Structures Group, Inc., on behalf of Mr. Ken and Ms. Christy Tankersley (the "Applicants"), has applied to the Chesapeake Bay Board of James City County (the "Board") on January 10, 2024, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property located at 109 Thorpe's Parish and further identified as James City County Real Estate Tax Map Parcel No. 5030300014, as set forth in the application CBPA-23-0172 for the purpose of replacing a retaining wall and constructing a walkway and patio; 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-23-0172, 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 \$1,000 in a form acceptable to the James City County Attorney's Office to guarantee the planting of one planting unit (one canopy tree, two understory trees, and three shrubs); and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 28, 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 10th day of January, 2024.

RESOLUTION

CASE NO. CBPA-23-0172. 109 THORPE’S PARISH

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Joseph Krallinger, The Structures Group, Inc., on behalf of Mr. Ken and Ms. Christy Tankersley (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 109 Thorpe’s Parish and further identified as James City County Real Estate Tax Map Parcel No. 5030300014, as set forth in the application CBPA-23-0172 for the purpose of replacing a retaining wall and constructing a walkway and patio; 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-23-0172.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of January, 2024.

CBPA23-172_109ThrpsPrshDny-res



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-23-0172
109 Thorpes Parish
Construction of walkway, patio,,
retaining wall

December 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. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, for encroachments into the Resource Protection Area buffer for the construction of a walkway, patio, and retaining wall. The project is located at 109 Thorpes Parish, JCC Tax Map Parcel No. 5030300014.

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, January 10, 2024, 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

Case Number: CBPA-23-0172

PIN	Last Name	Address Line 1	City	State	Zip Code
5030300012	BELL, WALTER A & LARA K	108 THORPES PARISH	WILLIAMSBURG	VA	23185-5120
5030300020	BURKE, MARIA E	108 COLONELS WAY	WILLIAMSBURG	VA	23185-5105
5030300021	KOPP, EDWARD M III TRUSTEE &	100 COL PHILIP JOHNSON	WILLIAMSBURG	VA	23185-5104
5030300019	MCLENDON, PAUL BYRON & AIMEE EILEEN	104 COLONELS WAY	WILLIAMSBURG	VA	23185-5105
	Mr. Joseph Krallinger The Structures Group	1200 Old Colony Lane	Williamsburg	VA	23185
5030300013	ROBINSON, LISA T & JOHN M	113 THORPES PARISH	WILLIAMSBURG	VA	23185-5119
5030300014	TANKERSLEY, KEN L TRUSTEE & CHRISTY	109 THORPES PARISH	WILLIAMSBURG	VA	23185-5119
5030300015	WENGER, MARK J & LINDA C	105 THORPES PARISH	WILLIAMSBURG	VA	23185-5119



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, JANUARY 10, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0160: Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, has applied for a Chesapeake Bay Exception for the installation of a mobile home on property located at 8810 Pocahontas Trl Unit: 59, JCC Real Estate Tax Map Parcel No. 5920100003.

CBPA-23-0165: Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, has applied for a Chesapeake Bay Exception for the expansion of a deck on property located at 4209 Cliffside Drive, JCC Real Estate Tax Map Parcel No. 2341200015.

CBPA-23-0171: Mr. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, has applied for a Chesapeake Bay Exception for the construction of a retaining wall on property located at 131 George Sandys, JCC Real Estate Tax Map Parcel No. 5820200030.

CBPA-23-0172: Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, has applied for a Chesapeake Bay Exception for the construction of a walkway, patio, and retaining wall on property located at 109 Thorpes Parish, JCC Real Estate Tax Map Parcel No. 5030300014.

CBPA-23-0174: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

CBPA-23-0175: Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, has applied for a Chesapeake Bay Exception for the construction of a pool, patio, pavilion, and retaining walls on property located at 160 John Browning, JCC Real Estate Tax Map Parcel No. 5130400014.

CBPA-23-0183: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

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.

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0175. 160 John Browning
Staff Report for the January 10, 2024, 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. Shaun Reddy and Mr. Glenn Ballard

Agent: Mr. Micah Miller, Easton Outdoors

Location: 160 John Browning

Parcel Identification No.: 5130400014

Parcel: Lot 14, Phase 1, Browning’s Grant

Lot Size: 0.95 acre

Area of Lot in Resource Protection Area (RPA): 0.50 acres (53%)

Watershed: Skiffes Creek (JL35)

Floodplain: Zone A

Proposed Activity: Construction of a pool, patio, pavilion, and retaining walls

Impervious Cover: 1,140 square feet

RPA Encroachment: 1,140 square feet, landward 50-foot RPA

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Micah Miller, Easton Outdoors, has applied for a Chesapeake Bay Exception on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard for encroachments into the RPA buffer for the construction of a pool, patio, pavilion, and retaining walls located at 160 John Browning within the Kingsmill subdivision and the Skiffes Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 5130400014. The parcel was platted in 1995, after the adoption of the Chesapeake Bay Preservation Ordinance in 1990. The 2004 Ordinance revisions placed an RPA on this lot.

The total lot size of this property is 0.95 acre, of which 53% is located within the RPA. The applicants are proposing to construct a pool, patio, pavilion, and retaining walls behind the existing house. Total impacts to the RPA associated with this proposal equal 1,140 square feet of impacts to the landward 50-foot RPA. Required mitigation for this amount of impervious impacts equals three planting units (three canopy trees, six understory trees, and nine shrubs). The applicants have provided a mitigation plan equaling eight canopy trees, 13 understory trees, and 31 shrubs, exceeding County mitigation requirements.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a pool, patio, pavilion, and retaining walls. This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the construction of a pool, patio, pavilion, and retaining walls 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 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 surety of \$3,000 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plan equaling three planting units (three canopy trees, six understory trees, and nine shrubs); and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 2024, six weeks prior to the expiration date.

RB/md
CBPA23-175_160JBrowng

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0175. 160 JOHN BROWNING

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 160 John Browning and further identified as James City County Real Estate Tax Map Parcel No. 5130400014, as set forth in the application CBPA-23-0175 for the purpose of constructing a pool, patio, pavilion, and retaining walls; 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-23-0175, 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 \$3,000 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plan equaling three planting units (three canopy trees, six understory trees, and nine shrubs); and
3. This exception request approval will become null and void if construction has not begun by January 10, 2025; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 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 10th day of January, 2024.

CBPA23-175_160JBrowngApp-res

RESOLUTION

CASE NO. CBPA-23-0175. 160 JOHN BROWNING

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard (the “Applicants”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property located at 160 John Browning and further identified as James City County Real Estate Tax Map Parcel No. 5130400014, as set forth in the application CBPA-23-0175 for the purpose of constructing a pool, patio, pavilion, and retaining walls; 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-23-0175.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of January, 2024.

CBPA23-175_160JBrowngDny-res



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-23-0175
160 John Browning
Construction of pool, patio,
pavilion,, retaining walls

December 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. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, for encroachments into the Resource Protection Area buffer for the construction of a pool, patio, pavilion, and retaining walls. The project is located at 160 John Browning, JCC Tax Map Parcel No. 5130400014.

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, January 10, 2024, 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

Case Number: CBPA-23-0175

PIN	Last Name	Address Line 1	City	State
5130400015	ABRAHAM, CRAIG & DOROTHEA	161 JOHN BROWNING	WILLIAMSBURG	VA
5130100007	ESCALANTE KINGSMILL RESORT LLC	2930 BLEDSOE ST STE 124	FORT WORTH	TX
5130400001C	KINGSMILL COMMUNITY SERVICES ASSOCIATION	PO BOX 348	WILLIAMSBURG	VA
5130300110	MAGNUSON, SCOTT &	141 ROFFINGHAMS WAY	WILLIAMSBURG	VA
	Mr. Micah Miller Easton Outdoors	550 Wythe Creek Road	Poquoson	VA
5130400013	NEWENS, LELAND F TRUSTEE	156 JOHN BROWNING	WILLIAMSBURG	VA
5130400014	REDDY, SHAUN MICHAEL & BALLARD,	160 JOHN BROWNING	WILLIAMSBURG	VA
5130300111	STEFFENS, RODNEY C TRUSTEE	140 ROFFINGHAMS WAY	WILLIAMSBURG	VA
5130400016	WOJCIECHOWSKI, CASEY A & MORGAN E	6 BARRELL FACTORY CT	POQUOSON	VA

Zip Code
23185-8928
76107-2942
23187-0348
23185-8915
23662
23185-8928
23185-8928
23185-8915
23662-2155



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, JANUARY 10, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0160: Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, has applied for a Chesapeake Bay Exception for the installation of a mobile home on property located at 8810 Pocahontas Trl Unit: 59, JCC Real Estate Tax Map Parcel No. 5920100003.

CBPA-23-0165: Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, has applied for a Chesapeake Bay Exception for the expansion of a deck on property located at 4209 Cliffside Drive, JCC Real Estate Tax Map Parcel No. 2341200015.

CBPA-23-0171: Mr. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, has applied for a Chesapeake Bay Exception for the construction of a retaining wall on property located at 131 George Sandys, JCC Real Estate Tax Map Parcel No. 5820200030.

CBPA-23-0172: Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, has applied for a Chesapeake Bay Exception for the construction of a walkway, patio, and retaining wall on property located at 109 Thorpes Parish, JCC Real Estate Tax Map Parcel No. 5030300014.

CBPA-23-0174: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

CBPA-23-0175: Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, has applied for a Chesapeake Bay Exception for the construction of a pool, patio, pavilion, and retaining walls on property located at 160 John Browning, JCC Real Estate Tax Map Parcel No. 5130400014.

CBPA-23-0183: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

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.

MEMORANDUM

DATE: January 10, 2024
TO: The Chesapeake Bay Board
FROM: Robin Benedict, Watershed Planner
SUBJECT: Chesapeake Bay Exception No. CBPA-23-0174. 275 Old Stage Road

Mr. Mark Boyd, Kimley-Horn and Associates, Inc., has requested a deferral of this application for exception to the Chesapeake Bay Preservation Ordinance while the site plan is finalized for the project. Staff concurs with this request.

RB/ap
CBPA23-174_OStgDef-mem



General Services
107 Tewning Road
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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-23-0174
275 Old Stage Rd
Construction of building

December 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 Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, for encroachments into the Resource Protection Area buffer for the construction of a building. The project is located at 275 Old Stage Rd, JCC Tax Map Parcel No. 0440100013.

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, January 10, 2024, 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

Case Number: CBPA-23-0174

PIN	Last Name	Address Line 1	City	State
1120100006	HAMILTON RENTAL LLC	4596 BLACK RAIL CT	PROVIDENCE FORGE	VA
1120100009	HORNSBY ENTERPRISES, INC	P O BOX 421	WILLIAMSBURG	VA
530100002	HORNSBY INVESTMENT CO LP	4732 LONGHILL RD ~STE 1101	WILLIAMSBURG	VA
1120100004	HUGHES, JACK & HELEN	137 LEISURE RD	TOANO	VA
1120100001	JAMES CITY COUNTY	PO BOX 8784	WILLIAMSBURG	VA
1120100010A	KING, SUN T	210 OLD STAGE RD	TOANO	VA
1110200009	LANNING, BENJAMIN G & GREENE, AMANDA M	291 TOWN POINTE WAY	NEWPORT NEWS	VA
430100017	LI HAZELWOOD FARMS VA INVESTOR LP	401 FRANKLIN ST ~STE 2555	HOUSTON	TX
1120100008	MCCREA, RONDA S TRUSTEE	PO BOX 333	RECTORTOWN	VA
440100020	MCDONALDS CORPORATION	PO BOX 182571	COLUMBUS	OH
	Mr. Mark Boyd Kimley-Horn	2035 Maywill Street, Suite 200	Richmond	VA
1120100007	OSMAN, DAVID G TRUSTEE & LUNDBERG,	8904 THOMAS HIGGS CT	TOANO	VA
1120100002	PAUL, ROBERT H	7440 STURGEON POINT RD	PROVIDENCE FORGE	VA
1110100003	RASH, JOHN W SR	2708 MEADOW LAKE DR	TOANO	VA
1120100005	RUTHERFORD, ROBIN C	14651 DEES RD	ELK CREEK	MO
1110200007	TYRER, DAVID D & CAROL D	102 SHADY BLUFF PT	WILLIAMSBURG	VA
0430400011B	WHEELER, GEORGE L & S DIANE W	219 SKILLMAN DR	TOANO	VA

Case Number: CBPA-23-0174

Zip Code
23140-3733
23187-0421
23188-1584
23168-9402
23187-8784
23168-9410
23601-3832
77002-1569
20140-0333
43218-2571
23230-30
23168-9453
23140-2722
23168-9430
65464-9616
23188-2236
23168-8933



PUBLIC HEARING NOTICE

THE CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, JANUARY 10, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0160: Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, has applied for a Chesapeake Bay Exception for the installation of a mobile home on property located at 8810 Pocahontas Trl Unit: 59, JCC Real Estate Tax Map Parcel No. 5920100003.

CBPA-23-0165: Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, has applied for a Chesapeake Bay Exception for the expansion of a deck on property located at 4209 Cliffside Drive, JCC Real Estate Tax Map Parcel No. 2341200015.

CBPA-23-0171: Mr. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, has applied for a Chesapeake Bay Exception for the construction of a retaining wall on property located at 131 George Sandys, JCC Real Estate Tax Map Parcel No. 5820200030.

CBPA-23-0172: Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, has applied for a Chesapeake Bay Exception for the construction of a walkway, patio, and retaining wall on property located at 109 Thorpes Parish, JCC Real Estate Tax Map Parcel No. 5030300014.

CBPA-23-0174: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

CBPA-23-0175: Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, has applied for a Chesapeake Bay Exception for the construction of a pool, patio, pavilion, and retaining walls on property located at 160 John Browning, JCC Real Estate Tax Map Parcel No. 5130400014.

CBPA-23-0183: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

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.

**CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-23-0183. 275 Old Stage Road
Staff Report for the January 10, 2024, 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: LI Hazelwood Farms VA Investor, LP

Agent: Mr. Mark Boyd, Kimley-Horn and Associates, Inc.

Location: 275 Old Stage Road

Parcel Identification No.: 0440100013

Parcel: Hazelwood

Lot Size: 193.75 acres

Area of Lot in Resource Protection Area (RPA): 50 acres (26%)

Watershed: Diascund Creek (JL27)

Floodplain: None

Proposed Activity: Grading associated with the construction of a building (Building 6)

Impervious Cover: 0 square feet

RPA Encroachment: 5,333 square feet, total RPA impacts

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

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Mark Boyd, Kimley-Horn and Associates, Inc., has applied for a Chesapeake Bay Exception on behalf of LI Hazelwood Farms VA Investor, LP, for encroachments into the RPA buffer for the grading associated with the construction of a building (Building 6) located at 275 Old Stage Road within the Diascund Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 0440100013. The parcel was platted in 2016, after the changes to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 193.75 acres, of which 26% is located within the RPA. The RPA delineation was completed by Kerr Environmental Services Corporation and confirmed by James City County staff in October 2015. The revised delineation was completed by Wetland Studies and Solutions, Inc., and was confirmed by staff in August 2023. The applicant is proposing to construct a building in association with the Lovett Commerce Center construction. Impacts to the RPA will be caused by the associated grading for the building's construction. Total impacts to the RPA associated with this proposal equate to 5,333 square feet of impacts to the RPA. Required mitigation for this amount of impervious impacts is the recordation of a Deed of Natural Open Space for an area twice the size of the impacted RPA (10,666 square feet).

STAFF EVALUATION

Staff has evaluated the application and exception request for the grading associated with the construction of a building (Building 6). This application meets the Ordinance conditions in Sections 23-11 and 23-14 and should be heard by the Board because the project is outside the scope of an administrative approval.

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 moderate for the proposed development. Should the Board find that the exception request meets all five conditions outlined above, staff recommends the following conditions be incorporated into the approval:

1. The Applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicant must record a Deed of Natural Open Space in the Williamsburg/James City County Courthouse for the additional 0.24 acres of Natural Open Space beyond that which is required to meet stormwater management compliance for the project, 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 January 10, 2026; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 2025, six weeks prior to the expiration date.

RB/ap
CBPA23-183_275OldStgRd

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. CBPA-23-0183. 275 OLD STAGE ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Mark Boyd, Kimley-Horn and Associates, Inc., on behalf of LI Hazelwood Farms VA Investor, LP (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, 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. 0440100013 and further identified as 275 Old Stage Road (the “Property”), as set forth in the application CBPA-23-0183 for the purpose of grading associated with the construction of a building; 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-23-0183, subject to the following conditions:

1. The Applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. The Applicant must record a Deed of Natural Open Space in the Williamsburg/James City County Courthouse for the additional 0.24 acres of Natural Open Space beyond that which is required to meet stormwater management compliance for the project, 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 January 10, 2026; and
4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than November 29, 2025, 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 10th day of January, 2024.

RESOLUTION

CASE NO. CBPA-23-0183. 275 OLD STAGE ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Mark Boyd, Kimley-Horn and Associates, Inc., on behalf of LI Hazelwood Farms VA Investor, LP (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, 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. 0440100013 and further identified as 275 Old Stage Road (the “Property”), as set forth in the application CBPA-23-0183 for the purpose of grading associated with the construction of a building; 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-23-0183.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of January, 2024.

CBPA23-183_275OldStgRdDny-res

Case Number: CBPA-23-0183

PIN	Last Name	Address Line 1	City	State
1120100006	HAMILTON RENTAL LLC	4596 BLACK RAIL CT	PROVIDENCE FORGE	VA
1120100009	HORNSBY ENTERPRISES, INC	P O BOX 421	WILLIAMSBURG	VA
530100002	HORNSBY INVESTMENT CO LP	4732 LONGHILL RD ~STE 1101	WILLIAMSBURG	VA
1120100004	HUGHES, JACK & HELEN	137 LEISURE RD	TOANO	VA
1120100001	JAMES CITY COUNTY	PO BOX 8784	WILLIAMSBURG	VA
1120100010A	KING, SUN T	210 OLD STAGE RD	TOANO	VA
1110200009	LANNING, BENJAMIN G & GREENE, AMANDA M	291 TOWN POINTE WAY	NEWPORT NEWS	VA
430100017	LI HAZELWOOD FARMS VA INVESTOR LP	401 FRANKLIN ST ~STE 2555	HOUSTON	TX
1120100008	MCCREA, RONDA S TRUSTEE	PO BOX 333	RECTORTOWN	VA
440100020	MCDONALDS CORPORATION	PO BOX 182571	COLUMBUS	OH
	Mr. Mark Boyd Kimley-Horn	2035 Maywill Street, Suite 200	Richmond	VA
1120100007	OSMAN, DAVID G TRUSTEE & LUNDBERG,	8904 THOMAS HIGGS CT	TOANO	VA
1120100002	PAUL, ROBERT H	7440 STURGEON POINT RD	PROVIDENCE FORGE	VA
1110100003	RASH, JOHN W SR	2708 MEADOW LAKE DR	TOANO	VA
1120100005	RUTHERFORD, ROBIN C	14651 DEES RD	ELK CREEK	MO
1110200007	TYRER, DAVID D & CAROL D	102 SHADY BLUFF PT	WILLIAMSBURG	VA
0430400011B	WHEELER, GEORGE L & S DIANE W	219 SKILLMAN DR	TOANO	VA

Case Number: CBPA-23-0183

Zip Code
23140-3733
23187-0421
23188-1584
23168-9402
23187-8784
23168-9410
23601-3832
77002-1569
20140-0333
43218-2571
23230-30
23168-9453
23140-2722
23168-9430
65464-9616
23188-2236
23168-8933



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-23-0183
275 Old Stage Rd
Construction of building

December 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 Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, for encroachments into the Resource Protection Area buffer for the construction of a building. The project is located at 275 Old Stage Rd, JCC Tax Map Parcel No. 0440100013.

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, January 10, 2024, 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, JANUARY 10, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-23-0160: Ms. Linda Krohn, American Community Management, on behalf of Heritage Community, LLC, has applied for a Chesapeake Bay Exception for the installation of a mobile home on property located at 8810 Pocahontas Trl Unit: 59, JCC Real Estate Tax Map Parcel No. 5920100003.

CBPA-23-0165: Mr. Andrew Ross, AF Ross, LLC, on behalf of Mr. Douglas and Ms. Susan Miller, has applied for a Chesapeake Bay Exception for the expansion of a deck on property located at 4209 Cliffside Drive, JCC Real Estate Tax Map Parcel No. 2341200015.

CBPA-23-0171: Mr. Joseph Krallinger, The Structures Group, on behalf of Ms. Tammy Short, has applied for a Chesapeake Bay Exception for the construction of a retaining wall on property located at 131 George Sandys, JCC Real Estate Tax Map Parcel No. 5820200030.

CBPA-23-0172: Mr. Joseph Krallinger, The Structures Group, on behalf of Mr. Ken & Ms. Christy Tankersly, has applied for a Chesapeake Bay Exception for the construction of a walkway, patio, and retaining wall on property located at 109 Thorpes Parish, JCC Real Estate Tax Map Parcel No. 5030300014.

CBPA-23-0174: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

CBPA-23-0175: Mr. Micah Miller, Easton Outdoors, on behalf of Mr. Shaun Reddy and Mr. Glenn Ballard, has applied for a Chesapeake Bay Exception for the construction of a pool, patio, pavilion, and retaining walls on property located at 160 John Browning, JCC Real Estate Tax Map Parcel No. 5130400014.

CBPA-23-0183: Mr. Mark Boyd, Kimley-Horn, on behalf of LI Hazelwood Farms VA Investor LP, has applied for a Chesapeake Bay Exception for the construction of a building on property located at 275 Old Stage Rd, JCC Real Estate Tax Map Parcel No. 0440100013.

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.

MEMORANDUM

DATE: January 10, 2024
TO: The Chesapeake Bay Board
FROM: Robin Benedict, Watershed Planner
SUBJECT: Chesapeake Bay Board Exception No. CBPA-22-0120. 108 Murcar

Mr. Daniel McCormick is requesting a one-year extension to CBPA-22-0120, originally granted on January 11, 2023. Staff concurs with this request, with the stipulation that all permit conditions, except for the expiration date, be reauthorized and that the new date of expiration be January 11, 2025.

RB/ap
CBPA22-120_108MrCrExt-mem

Attachment

RESOLUTION

CASE NO. CBPA-22-0120. 108 MURCAR

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. Daniel McCormick (the “Applicant”), has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, 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. 3710800077 and further identified as 108 Murcar (the “Property”), as set forth in the application CBPA-22-0120, for the purpose of constructing of a single-family dwelling; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application meets all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **APPROVES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0120, 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 11 planting units to the Stormwater and Resource Protection Division prior to project start; and
3. The Applicant must install chain link fence adjacent to the wetlands prior to the commencement of construction and maintain it through the duration of construction; and
4. The Applicant must submit an affidavit to be recorded in the Williamsburg/James City County Courthouse prior to the issuance of a building permit; and
5. The Applicant must submit a surety of \$5,500 in a form acceptable to the James City County Attorney’s Office to guarantee the mitigation plantings; and
6. This exception request approval will become null and void if construction has not begun by January 11, 2025; and
7. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than November 30, 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 10th day of January, 2024.

CBPA22-120_108MrcrApp-res

RESOLUTION

CASE NO. CBPA-22-0120. 108 MURCAR

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. Daniel McCormick (the “Applicant”) has applied to the Chesapeake Bay Board of James City County (the “Board”) on January 10, 2024, 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. 3710800077 and further identified as 108 Murcar (the “Property”), as set forth in the application CBPA-22-0120, for the purpose of constructing a single-family dwelling; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-22-0120.

Charles Roadley
Chair, Chesapeake Bay Board

Robin Benedict
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 10th day of January, 2024.

CBPA22-120_108MrcrDny-res