AGENDA

JAMES CITY COUNTY CHESAPEAKE BAY BOARD

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

April 8, 2026

5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from the March 11, 2026, Regular Meeting

D. PUBLIC COMMENT

E. PUBLIC HEARING(S)

1. CBPA-26-0019: 168 The Maine
2. CBPA-26-0001: 5505 S Mallard Run
3. CBPA-26-0021: 139 Kingspoint Drive

F. BOARD CONSIDERATION(S)

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
March 11, 2026
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for March 11, 2026, was called to order.

The responsibility of this Board is to carry out locally the Commonwealth's 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
Leslie Bowie, Vice Chair
Michael O'Brien
Scott Maye
Mark McElroy, Alternate

Board Members Absent:
None.

Other Staff Present:
Toni Small, Director, Stormwater and Resource Protection
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection
Emily Grojean, Watershed Planner, Stormwater and Resource Protection
Amanda Frazier, Watershed Planner, Stormwater and Resource Protection
Andrew Dean, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes from February 11, 2026, Regular Meeting

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

   The minutes were approved on a voice vote.

D. PUBLIC COMMENT

None.

E. PUBLIC HEARINGS

1. CBPA-26-0014: 900 Kingsmill Road

   A motion to Approve with Conditions was made by Mr. McElroy, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Bowie, Maye, McElroy, O'Brien, Roadley

Ms. Amanda Frazier, Watershed Planner, presented the exception request submitted by Mr. Robert Thompson, William & Mary Club Rowing, on behalf of Escalante Kingsmill Resort, LLC, for encroachments into the Resource Protection Area (RPA) for the installation of two sheds. The property was further identified as James City County Real Estate Tax Map Parcel No. 5040100002C. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley opened the Public Hearing.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

2. CBPA-26-0004: 4455 Pleasant View Drive

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

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Michael Powell and Ms. Sharon Powell, for encroachments into the RPA for the extension of an attached deck. The property was further identified as James City County Real Estate Tax Map Parcel No. 3741400013. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley asked whether there were any other similarly oriented decks that had been extended into the RPA.

Staff stated that there did not appear to be any other decks extending into the RPA.

Ms. Bowie asked if staff recommended what stabilization material should be installed under the deck.

Staff stated there was not a specified material recommended and it would be left up to the applicant to choose the stabilization materials.

Mr. Roadley opened the Public Hearing.

A. Mr. Michael Powell and Ms. Sharon Powell, 4455 Pleasant View Drive property owners, stated they will leave a 1-foot buffer on each side of the deck to ensure the deck is within property lines. Applicants stated that as little disturbance as possible will take place to the soil underneath the deck and ensure they will take care of the gutters and stormwater systems to ensure drainage is properly routed. The applicants also stated there are not any other decks that have been extended on their specific side of townhomes, but others have been extended in other areas nearby. The applicants also submitted a letter of support from an adjacent property owner with a background in environmental planning.

The Board discussed the pros and cons of the plan.

Mr. Roadley cautioned the applicants to contact staff about permanent stabilization of the soil under the deck to avoid future erosion issues.

Mr. Roadley closed the Public Hearing.

3. CBPA-26-0008: 10200 Sycamore Landing Road

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

Ms. Amanda Frazier, Watershed Planner, presented the exception request submitted by Ms. Karen Hall, Meadowspring Consulting, PLLC, on behalf of Mr. Robert and Ms. Kristal Meeker, for encroachments into the RPA for the construction of a retaining wall. The property was further identified as James City County Real Estate Tax Map Parcel No. 0720300008A. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. O'Brien asked if the existing retaining wall was going to remain.

Mr. Roadley asked staff to clarify if the existing soil would be replaced or removed.

Staff deferred to the applicants on both questions.

Mr. Roadley asked if the alignment of the boards would be horizontal or driven.

Staff deferred to the applicants.

Mr. Roadley opened the Public Hearing.

A. Ms. Karen Hall, Meadowspring Consulting, PLLC, answered that the fill being removed would not be replaced and that the existing retaining wall would remain in place to avoid disturbing the other side of the existing wall that was failing.

Mr. Roadley asked if vegetation would be planted in that area.

A. Ms. Hall stated that she proposed riprap on the downslope side of the new proposed wall to facilitate drainage flowing through and that the horizontal boards would be driven further down into the soil.

Mr. Roadley asked if a surface drain was enough to keep the hydraulic head from impacting the wall.

A. Ms. Hall confirmed the chosen drainage method would be better than alternatives.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

4. CBPA-26-0012: 110 Archers Hope Drive

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

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Mitchell Foos, The King's Garden, on behalf of Mr. Donald Pratt Jr. and Ms. Geraldine Pratt, for encroachments into the RPA for the construction of two retaining walls, stairs, and a walkway. The property was further identified as James City County Real Estate Tax Map Parcel No. 4930280004. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley opened the Public Hearing.

A. Mr. Mitchell Foos, owner of The King's Garden, and Ms. Sarah Lamb, designer of The King's Garden, stated that the hillside was eroding due to open soil. Retention walls were proposed to decrease the slope and mitigate erosion and to create a safe pathway down to the dock. Boulders would be installed onto the hillside in addition to mitigation plantings.

Mr. Roadley asked if any mulch would be applied in addition to the stepping stones.

A. Mr. Foos stated that the highest and lowest sections would contain sod, and the middle section would contain mulch.

Mr. Maye asked what the elevation of the retaining wall was.

A. Mr. Foos stated less than 3 feet in height on the top wall and less than 2.5 feet in height on the bottom wall.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

5. CBPA-26-0011: 3080 North Riverside Drive

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

Ms. Amanda Frazier, Watershed Planner, presented the exception request submitted by Ms. Kimberly Grimes, for encroachments into the RPA for the construction of an inground pool. The property was further identified as James City County Real Estate Tax Map Parcel No. 1910200025. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley opened the Public Hearing.

The Board discussed the pros and cons of the plan.

A. Mr. Scott and Ms, Kim Grimes, 3080 North Riverside Drive, stated that the water quality of the river deters them from swimming in the Chickahominy River. Old septic tanks in the neighborhood were another reason they were unable to swim in the river in June and July. The applicants noted that a neighbor received Board approval under CBPA-19-0038 for a larger inground pool on a smaller lot that was prone to flooding. A vinyl bulkhead had been installed in early 2025, and any runoff would be captured by that structure. The applicants stated that the water table was rising in the Yarmouth Creek that the bulkhead was higher than land by design.

Mr. Roadley asked what materials would be used around the pool deck.

A. The applicants stated they were exploring other materials that were less impervious, such as pavers.

Mr. Maye asked if the applicants would be willing to increase the amount of planting units proposed.

Staff approached the Board and recommended the applicants amend their application to include three planting units and request the surety amount to be increased.

A. The applicants agreed to increase their proposed planting units from two to three and agreed to an increased surety deposit.

Mr. Roadley closed the Public Hearing.

6. CBPA-26-0013: 119 Rosemount

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

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Mr. James Warren, for encroachments into the RPA for the construction of a single-family dwelling and patio. The property was further identified as James City County Real Estate Tax Map Parcel No. 3720200141. 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.

A. Mr. Chase Grogg, Landtech Resources, Inc., 205 Bulifants Boulevard, Suite E, stated that developing this parcel posed a challenge as 98% of the property was located the (RPA). The layout presented to the Board represented the minimum necessary to afford relief while still allowing the reasonable use of the property as a single-family home. Preliminary approval had been granted by Ford's Colony. The impacts were unavoidable given the lot conditions. The drainage systems were described in detail including how those systems would connect to the neighborhood drainage infrastructure.

Mr. McElroy requested visual clarification of the layout of the drainage features to be installed.

A. Mr. Chase Grogg presented the site plan and pointed out the drainage features on the plan.

Mr. Maye asked for the square footage of the proposed residence.

A. Mr. Chase Grogg stated the residence was described as over 1500 square feet not including the garage, and was smaller than other nearby properties.

Mr. Maye asked if any oak trees existed in the Wetlands.

A. Mr. Grogg noted existing oak trees were shown in the Wetlands on the site plan, and the back half of the lot was planned to remain vegetated.

Ms. Bowie asked if there were any concerns about existing trees on the existing fence line.

A. The applicant stated 12-foot oak tree would remain and some others on the property line would be limbed down (pruned).

Mr. Roadley opened the Public Hearing.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

F. BOARD CONSIDERATION(S)

1. Next Board Meeting is April 8, 2026.

2. Ms. Amanda Frazier, Watershed Planner, noted that this was her last meeting as a staff member of James City County and stated that she was moving to Warrenton, VA and would be working for Fauquier County. The Board members thanked Ms. Frazier for her service.

G. MATTERS OF SPECIAL PRIVILEGE

None.

H. ADJOURNMENT

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

The meeting adjourned at 6:23 p.m.

CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-26-0019. 198 The Maine
Staff Report for the April 8, 2026, 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. Daniel Walz and Ms. Amy Richwine
Agent:	None
Location:	198 The Maine
Parcel Identification No.:	4540200057
Parcel:	Lot 57, Section 2, First Colony
Lot Size:	0.895 acres
Area of Lot in Resource Protection Area (RPA):	0.32 acres (32%)
Watershed:	James River (JL30)
Floodplain:	Zone VE - Base flood elevation
Proposed Activity:	Construction of a fire pit, patio, and walkway
Impervious Cover:	942 square feet, new impervious cover
RPA Encroachment:	638 square feet, total impacts to the 100-foot landward RPA 304 square feet, total impacts to the 50-foot seaward RPA 942 square feet, total impacts to the RPA buffer
Staff Contact:	Emily Grojean, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Daniel Walz and Ms. Amy Richwine have applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a fire pit, patio, and walkway located at 198 The Maine within the First Colony subdivision and the James River watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 4540200057. The parcel was platted in 1964, prior to the adoption of the Chesapeake Bay Preservation Act in 1990.

The total lot size of this property is 0.895 acres, of which 32% is located within the RPA. The Applicants are proposing to construct a fire pit, patio, and walkway. Total impacts to the RPA associated with this proposal equate to 638 square feet to the 100-foot landward RPA, 304 square feet to the 50-foot seaward buffer, and 942 square feet of impervious impacts to the overall RPA. Required mitigation for this amount of impervious impacts equals two and one-half planting units (two canopy trees, four understory trees, and 12 shrubs). The Applicants have submitted a mitigation plan exceeding this by at least one and one-half units.

STAFF EVALUATION

Staff has evaluated the application and exception request for the construction of a fire pit, patio, and walkway. 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 firepit and patio are 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 four planting units (42 shrubs) prior to the start of work; and

3. This exception request approval will become null and void if construction has not begun by April 8, 2027; and

4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than February 25, 2027, six weeks prior to the expiration date.

EG/ap
CBPA26-19_198TheMaine

Attachments:
1. Resolution to Approve
2. Resolution to Deny
3. Site Plan

R E S O L U T I O N

CASE NO. CBPA-26-0019. 198 THE MAINE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Daniel Walz and Ms. Amy Richwine (the "Applicants") have applied to the Chesapeake Bay Board of James City County (the "Board") on April 8, 2026, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property located at 198 The Maine (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 4540200057, as set forth in the application CBPA-26-0019 for the purpose of the construction of a fire pit, patio, and walkway; 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, and consideration of the evidence presented, including but not limited to, the staff memoranda, presentation, and public comments, 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-26-0019, 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 four planting units (42 shrubs) prior to the start of work; and

3. This exception request approval will become null and void if construction has not begun by April 8, 2027; and

4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than February 25, 2027, six weeks prior to the expiration date.

_____
Charles Roadley
Chair, Chesapeake Bay Board

_____
Emily Grojean
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 8th day of April, 2026.

CBPA26-19_198TheMaineApp-res

R E S O L U T I O N

CASE NO. CBPA-26-0019. 198 THE MAINE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Daniel Walz and Ms. Amy Richwine (the "Applicants") have applied to the Chesapeake Bay Board of James City County (the "Board") on April 8, 2026, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property located at 198 The Maine (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 4540200057, as set forth in the application CBPA-26-0019 for the purpose of the construction of a fire pit, patio, and walkway; 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-26-0019.

_____	_____
Charles Roadley	Emily Grojean
Chair, Chesapeake Bay Board	Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 8th day of April, 2026.

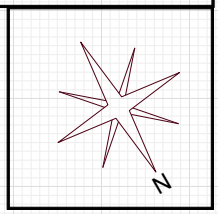
CBPA26-19_198TheMainDny-res

Client: Walz and Richwine
168 The Maine, WBG

Version: 5
2/17/26

Plan: Primary Plan including VCAP Projects

0 30



Wax Myrtle (5)

Winged Sumac (3)

JAMES RIVER

Existing
Rip Rap

NATURAL AREA

NATURAL AREA

RPA 100'

Existing Trees
(not to scale)

Fill in with native plants/ seeds
as needed where there are gaps

Firepit in 10' W circle
(crushed gravel, permeable
paver, tbd)

Mixed Perennials (10-25)

Switchgrass and Little Bluestem (7-12)

Existing wood pile
between the 2 trees

Bird bath!

Low-Gro Sumac (10-15)

Rain Garden #1
210 sf
2 Downspouts

Leave the Crapemyrtle

Fill in with native seeds, lyre leaf
sage and columbine plugs

Native Pollinator Bed (remove Vinca)

Downspout
buried
outlets into
woods

RG #2 at the Sump Pump
55 sf
1 Downspout

Gravel Path
50' x 4'

Existing stumps
(leave and carve out for planters)

Existing turf

DECK
EXTENDED

EX.
DECK

Bordeaux Yaupon Holly (20)

EX.
SCREENED
PORCH

Bluestone stepping
stones -70 ft path,
about 50 stones

AC

Tiarella, Ferns,
Jacobs Ladder (15)

Spreading Yew (5)

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
757-253-6670

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-26-0019
168 The Maine
Construction of fire pit, patio,, walkway

March 19, 2026

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. Daniel Walz, on behalf of Mr. Daniel Walz and Mrs. Amy Richwine, for encroachments into the Resource Protection Area buffer for the construction of a fire pit, patio, and walkway. The project is located at 168 The Maine, JCC Tax Map Parcel No. 4540200057.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 8, 2026, 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,

Emily Grojean

Emily Grojean
Chesapeake Bay Board Secretary
757-253-6789
Emily.Grojean@jamescitycountyva.gov

Adjacent Property Owner Mailing List for Case Number: CBPA-26-0019

PIN	Last Name	Address Line 1	City	State
4540200125	HARLEY, JASON A & TAHAMTAN, KATIE M	165 THE MAINE	WILLIAMSBURG	VA
4540200124	HEIDT, DEBORAH T	167 THE MAINE	WILLIAMSBURG	VA
4540200058	JONES, FRANCES TRUSTEE	5700 WILLIAMSBURG LANDING DR ~APT 131	WILLIAMSBURG	VA
4540200056	MACGILLIVRAY, RODERICK P TRUSTEE &	166 THE MAINE	WILLIAMSBURG	VA
4540200126	MARKLE, RAYMOND & HAYES, AMANDA	163 THE MAINE	WILLIAMSBURG	VA
4540200055	MOORE, JEFFREY D & ANNE C	164 THE MAINE	WILLIAMSBURG	VA
4540200057	RICHWINE, AMY SUSAN & WALZ, DANIEL JUDE	168 THE MAINE	WILLIAMSBURG	VA

Adjacent Property Owner Mailing List for Case Number: CBPA-26-0019

Zip Code
23185-1439
23185-1439
23185-8077
23185-1423
23185-1439
23185-8407
23185-1423

PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, APRIL 8, 2026 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-26-0001: Mr. Joseph Scott, SalTerra Solutions, LLC, on behalf of Mr. Steven Barone, Chickahominy Haven Marina, has applied for a Wetlands Permit for the installation of wet slips, replacement of piers, and the installation of revetments and sills with sand nourishment on property located at 4125 S Riverside Drive, JCC Real Estate Tax Map Parcel No. 1910900012A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-26-0001: Mr. Michael and Ms. Eileen Roselli, have applied for a Chesapeake Bay Exception for the after-the-fact patio and deck rebuild on property located at 5505 S Mallard Run, JCC Tax Map Parcel No. 3140600032.

CBPA-26-0019: Mr. Daniel Walz and Ms. Amy Richwine, have applied for a Chesapeake Bay Exception for the construction of a fire pit, patio, and walkway on property located at 168 The Maine, JCC Tax Map Parcel No. 4540200057.

CBPA-26-0021: Ms. Erin Martin, Crossroad Custom Builders, Inc., on behalf of Mr. Carl Martin, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling and deck on property located at 139 Kingspoint Drive, JCC Tax Map Parcel No. 4910240023.

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 Mounts Bay Road, Building E, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – March 25, 2026 and April 1, 2026
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-26-0001. 5505 South Mallard Run
Staff Report for the April 8, 2026, 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. Michael and Ms. Eileen Roselli
Agent:	None
Location:	5505 South Mallard Run
Parcel Identification No.:	3140600032
Parcel:	Lot 32, Section 1, Warhill
Lot Size:	0.716 acres
Area of Lot in Resource Protection Area (RPA):	0.54 acres (75%)
Watershed:	Powhatan Creek (JL31)
Floodplain:	Zone AE - Base flood elevation feet
Proposed Activity:	After-the-fact construction of a deck, patio, and fire pit
Impervious Cover:	612 square feet, new impervious cover
RPA Encroachment:	612 square feet, impacts to the landward 100-foot RPA 612 square feet, total impacts to RPA
Staff Contact:	Emily Grojean, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Mr. Michael and Ms. Eileen Roselli have applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the after-the-fact construction of a deck, patio, and fire pit located at 5505 South Mallard Run within the Mallard Hill subdivision and the Powhatan Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 3140600032. The parcel was platted in 1991, prior to the revisions to the Chesapeake Bay Preservation Ordinance in 2004.

The total lot size of this property is 0.716 acres, of which 75% is located within the RPA. The Applicants have replaced and expanded a previously existing 162-square-foot deck and installed a patio and fire pit. Total impacts to the RPA associated with this proposal equate to 612 square feet within the landward 100-foot RPA buffer. Required mitigation for this amount of impervious impacts equals one and one-half planting units (one canopy tree, two understory trees, and nine shrubs). Due to this proposal being after-the-fact, mitigation requirements are doubled, therefore, three planting units (three canopy trees, six understory trees, and nine shrubs) are required. The Applicant has submitted a mitigation plan equaling three mitigation planting units (12 understory trees and nine shrubs); this meets the County's mitigation requirements.

STAFF EVALUATION

Staff has evaluated the application and exception request for the after-the-fact construction of a deck, patio, and fire pit. 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, patio, and fire pit 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. 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 (12 understory trees and nine shrubs); and

3. This exception request approval will become null and void if construction has not begun by April 8, 2027; and

4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than February 25, 2027, six weeks prior to the expiration date.

EG/ap
CBPA26-1_5055SMallRn

Attachments:
1. Resolution to Approve
2. Resolution to Deny
3. Site Plan

R E S O L U T I O N

CASE NO. CBPA-26-0001. 5055 SOUTH MALLARD RUN

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Michael and Ms. Eileen Roselli (the "Applicants"), has applied to the Chesapeake Bay Board of James City County (the "Board") on April 8, 2026, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property located at 5505 South Mallard Run (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 3140600032, as set forth in the application CBPA-26-0001 for the purpose of the after-the-fact construction of a deck, patio, and fire pit; 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, and consideration of the evidence presented, including but not limited to, the staff memoranda, presentation, and public comments, 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-26-0001, 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 (12 understory trees and nine shrubs); and

3. This exception request approval will become null and void if construction has not begun by April 8, 2027; and

4. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than February 25, 2027, six weeks prior to the expiration date.

_____
Charles Roadley
Chair, Chesapeake Bay Board

_____
Emily Grojean
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 8th day of April, 2026.

CBPA26-1_5055SMallRnApp-res

R E S O L U T I O N

CASE NO. CBPA-26-0001. 5055 SOUTH MALLARD RUN

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. Michael and Ms. Eileen Roselli (the "Applicants"), has applied to the Chesapeake Bay Board of James City County (the "Board") on April 8, 2026, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property located at 5505 South Mallard Run (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 3140600032, as set forth in the application CBPA-26-0001 for the purpose of the after-the-fact construction of a deck, patio, and fire pit; 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-26-0001.

_____	_____
Charles Roadley	Emily Grojean
Chair, Chesapeake Bay Board	Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 8th day of April, 2026.

CBPA26-1_5055SMallRnDny-res

RESERVED NATURAL AREA

N 33° 13' 15" W 45.45'

S 17° 82' 12" W 98.17'

WILLIAMSBURG / JAMES CITY CO SCHOOL BOARD

"NOT TO SCALE"

"NOT TO SCALE"

IRF

New 4" stamp concrete patio

LOT 32

31,228 ± SQ.FT.
0.717 ± ACRES

298.04'

301.10'

IRF

N 88° 25' 40" E

S 88° 25' 40" W

LOT 33

LOT 31

10' DRAINAGE & UTILITY EASEMENT

GAS CHIMNEY

WOOD DECK

CONC.

32.9'

27.3'

TWO STORY FRAME DWELLING

GAS METER

PARKING & TURNING AREA

38.0'

16.8'±

22.8'

4.6'

4.2'

BSL

CONCRETE WALK

WATER METERS

37.9'±

CTV. PHONE PEDESTALS

IRF

IRF

S 01° 34' 20" E 100.00'

15" RCP

CONCRETE DITCH

RPA per County GIS

112'± TO ℄ EXTENDED OF BEAVER RUN EAST

SOUTH MALLARD RUN

50' R/W

OOD CERTIFICATION:
PROVEMENTS SHOWN HEREON APPEAR TO BE
FLOOD ZONE "X" (AREAS OUTSIDE OF THE
YEAR FLOOD PLAIN), AS SHOWN ON
MUNITY PANEL # 510 201 0035B WHICH
PREPARED BY THE FEDERAL EMERGENCY
AGEMENT AGENCY; SAID PANEL HAS AN
ECTIVE DATE OF FEBRUARY 6, 1991.

NOTE:
UNLESS SHOWN, ALL UTILITIES ARE UNDERGROUND.

ADDRESS:
5505 S. MALLARD RUN

REFERENCES:
PB 32, P. 52 & 53

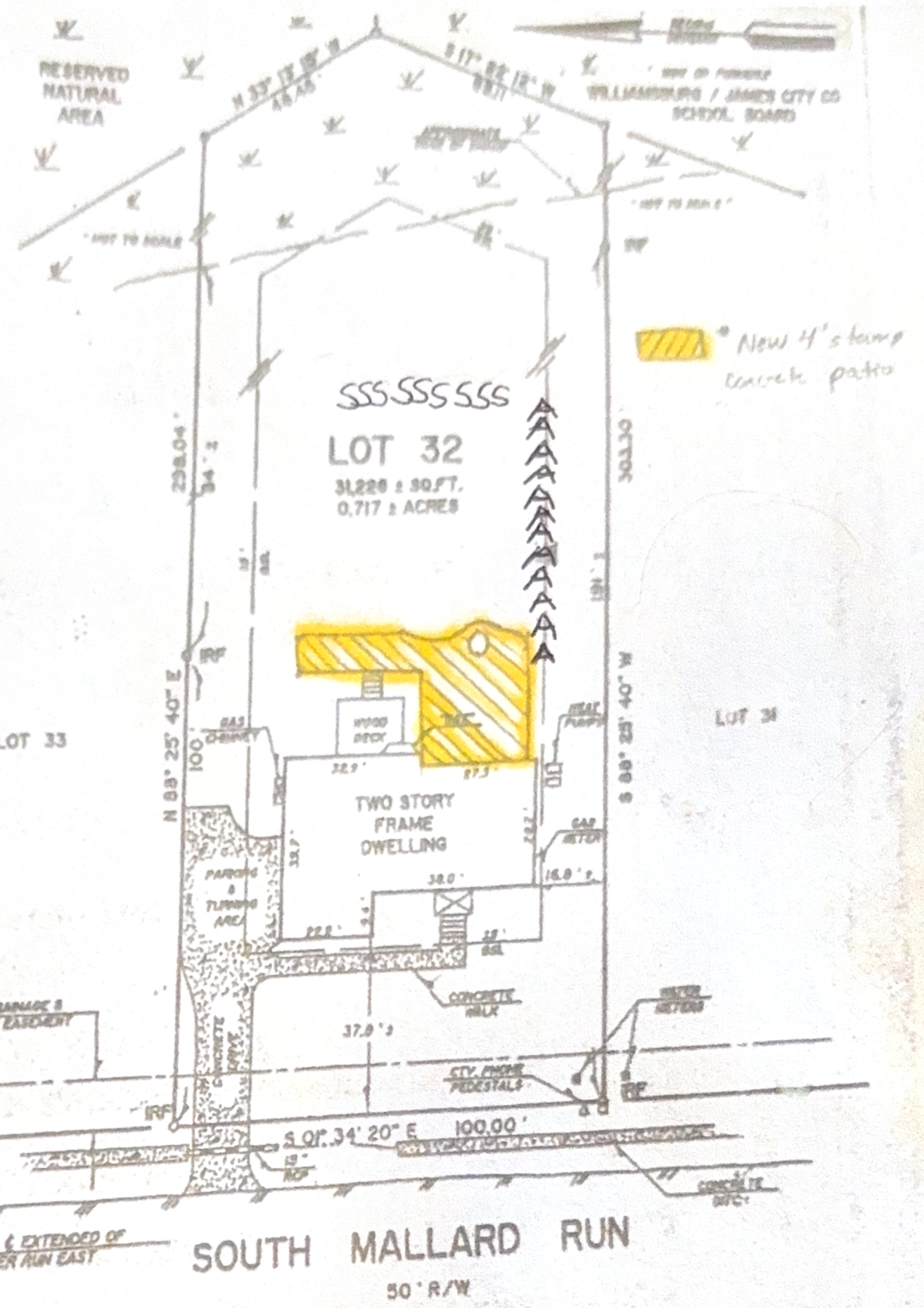
IPF = IRON PIPE FOUND
IPS = IRON PIPE SET
IRS = IRON ROD SET
IRF = IRON ROD FOUND
BSL = BLDG. SETBK. LINE

DATE: JUNE 26, 1998
SCALE: 1" = 30'

COMMONWEALTH OF VIRGINIA
6/26/98
ROGER D. SPEARMAN
CERTIFICATE No.
0914428
LAND SURVEYOR

PHYSICAL SURVEY
OF PROPERTY TO BE CONVEYED TO
FRANK PERI, JR. & STEPHANIE T. PERI
BEING
LOT 32, SECTION 1, MARTELL
LOCATED
JAMES CITY COUNTY VIRGINIA
SPEARMAN & ASSOCIATES, P.C.
SURVEYORS AND PLANNERS
[illegible] — WILLIAMSBURG, VA

A = Arborvitae 12
S = Shrub 9



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PREPARED BY THE FEDERAL EMERGENCY
AGEMENT AGENCY. SAID PANEL HAS AN
ECTIVE DATE OF FEBRUARY 6, 1991.

NOTE:
UNLESS SHOWN, ALL UTILITIES
ARE UNDERGROUND.

ADDRESS:
5505 S. MALLARD RUN

COMMONWEALTH OF VIRGINIA
6/26/98
ROGER D. SPEARMAN
CERTIFICATE No
001443
LAND SURVEYOR

REFERENCES:
PB 32, P. 32 & 33

IPF = IRON PIPE FOUND
IPS = IRON PIPE SET
IRF = IRON ROD SET
IRF = IRON ROD FOUND
B.L. = BLDG. SETBK. LINE

DATE: JUNE 26, 1998
SCALE: 1" = 30'

PHYSICAL SURVEY
OF PROPERTY TO BE CONVEYED TO
FRANK PERI, JR. & STEPHANIE T. PERI
BEING
LOT 32, SECTION 1, MARTILL
LOCATED
JAMES CITY COUNTY VIRGINIA
SPEARMAN & ASSOCIATES, P.C.
SURVEYORS AND PLANNERS
BEER-A HOCHETOWN RD — WILLIAMSBURG VA

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
757-253-6670

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-26-0001
5505 S Mallard Run
After-the-fact patio, deck rebuild

March 19, 2026

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. Michael and Mrs. Eileen Roselli, on behalf of Mr. Michael and Mrs. Eileen Roselli, for encroachments into the Resource Protection Area buffer for the after-the-fact patio and deck rebuild. The project is located at 5505 S Mallard Run, JCC Tax Map Parcel No. 3140600032.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 8, 2026, 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,

Emily Grojean

Emily Grojean
Chesapeake Bay Board Secretary
757-253-6789
Emily.Grojean@jamescitycountyva.gov

Adjacent Property Owner Mailing List for Case Number: CBPA-26-0001

PIN	Last Name	Address Line 1	City	State	Zip Code
3120300034	GARRITY, DAVID P & MINYO	5500 N MALLARD RUN	WILLIAMSBURG	VA	23188-9415
3140600026	GLEISER, SAUL TRUSTEE &	5504 S MALLARD RUN	WILLIAMSBURG	VA	23188-9416
3140600025	JOHNSON, CHRISTOPHER T & MCCLUSKEY, AMY	4808 BEAVER RUN E	WILLIAMSBURG	VA	23188-9413
3140600027	LANEHART, JESSE I JR TRUSTEE &	5508 S MALLARD RUN	WILLIAMSBURG	VA	23188-9416
3140600001A	MALLARD HILL OWNERS ASSOCIATION	11835 FISHING POINT DR ~STE 101	NEWPORT NEWS	VA	23606-2584
3140600032	ROSELLI, MICHAEL P & EILEEN M	5505 S MALLARD RUN	WILLIAMSBURG	VA	23188-9416
3140600031	SLYFIELD, STEPHEN S & LINDA C	5509 S MALLARD RUN	WILLIAMSBURG	VA	23188-9416
3140600033	WALSH, GREGORY & GABLE	5501 S MALLARD RUN	WILLIAMSBURG	VA	23188-9416
3230100001	WILLIAMSBURG-JAMES CITY COUNTY	117 IRONBOUND RD	WILLIAMSBURG	VA	23185-2616

PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, APRIL 8, 2026 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-26-0001: Mr. Joseph Scott, SalTerra Solutions, LLC, on behalf of Mr. Steven Barone, Chickahominy Haven Marina, has applied for a Wetlands Permit for the installation of wet slips, replacement of piers, and the installation of revetments and sills with sand nourishment on property located at 4125 S Riverside Drive, JCC Real Estate Tax Map Parcel No. 1910900012A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-26-0001: Mr. Michael and Ms. Eileen Roselli, have applied for a Chesapeake Bay Exception for the after-the-fact patio and deck rebuild on property located at 5505 S Mallard Run, JCC Tax Map Parcel No. 3140600032.

CBPA-26-0019: Mr. Daniel Walz and Ms. Amy Richwine, have applied for a Chesapeake Bay Exception for the construction of a fire pit, patio, and walkway on property located at 168 The Maine, JCC Tax Map Parcel No. 4540200057.

CBPA-26-0021: Ms. Erin Martin, Crossroad Custom Builders, Inc., on behalf of Mr. Carl Martin, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling and deck on property located at 139 Kingspoint Drive, JCC Tax Map Parcel No. 4910240023.

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 Mounts Bay Road, Building E, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – March 25, 2026 and April 1, 2026
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W

CHESAPEAKE BAY BOARD EXCEPTION No. CBPA-26-0021. 139 Kingspoint Drive
Staff Report for the April 8, 2026, Chesapeake Bay Board Public Hearing

This staff report is prepared by the James City County Stormwater and Resource Protection to provide information to the Chesapeake Bay Board to assist them in making a recommendation on this assessment. It may be useful to members of the general public interested in this assessment.

EXISTING SITE DATA AND INFORMATION

Applicant:	Mr. Carl Martin
Agent:	Ms. Erin Martin, Crossroad Custom Builders, Inc.
Location:	139 Kingspoint Drive
Parcel Identification No.:	4910240023
Parcel:	Lot 23, Section 4, Kingspoint
Lot Size:	2.776 acres
Area of Lot in Resource Protection Area (RPA):	2.706 acres (97%)
Watershed:	College Creek (JL34)
Floodplain:	Zone AE - Base flood elevation feet
Proposed Activity:	Construction of a single-family dwelling and an attached deck
Impervious Cover:	3,927 square feet, new impervious impacts
RPA Encroachment:	3,927 square feet, impacts to the 100-foot landward RPA buffer 3,927 square feet, total impacts to the RPA buffer
Staff Contact:	Emily Grojean, Watershed Planner Phone: 253-6789

BRIEF SUMMARY AND DESCRIPTION OF ACTIVITIES

Ms. Erin Martin, Crossroad Custom Builders, has applied for a Chesapeake Bay Exception on behalf of Mr. Carl Martin for encroachments into the RPA buffer for the construction of a single-family dwelling and an attached deck located at 139 Kingspoint Drive within the Kingspoint subdivision and the College Creek watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 4910240023. The parcel was platted in 1967, prior to the adoption of the Chesapeake Bay Preservation Ordinance in 1990.

The total lot size of this property is 2.776 acres, of which 97% is located within the RPA. The Applicant is proposing to construct a single-family dwelling with an attached deck. Total impacts to the RPA associated with this proposal equate to 3,927 square feet of impervious impacts within the 100-foot landward RPA buffer. Required mitigation for this amount of impervious impacts equals 9 planting units (9 canopy trees, 18 understory trees, and 27 shrubs). The Applicant has submitted a mitigation plan equaling nine units (one canopy tree, six understory trees, and 83 shrubs); this meets the County's mitigation requirements.

STAFF EVALUATION

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

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

1. The Applicant must obtain all other necessary federal, state, and local permits as required for the project; and

2. The Applicant must submit an access easement deed and plat for 139 Kingspoint Drive covering the portion of the driveway on 142 Kingspoint Drive for the benefit of 139 Kingspoint Drive, prior to CO issuance; and

3. The Applicant must submit a surety of $6,750 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plan equaling nine units (one canopy tree, six understory trees, and 83 shrubs) prior to building permit issuance; and

4. The Applicant must record an affidavit at the Williamsburg/James City County Courthouse prior to the release of surety; and

5. This exception request approval will become null and void if construction has not begun by April 8, 2027; and

6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than February 25, 2027, six weeks prior to the expiration date.

EG/tm
CBPA26-21_139KingsptDr

Attachments:
1. Resolution to Approve
2. Resolution to Deny
3. Site Plan

R E S O L U T I O N

CASE NO. CBPA-26-0021. 139 KINGSPOINT DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Erin Martin, Crossroad Custom Builders, Inc., on behalf of Mr. Carl Martin (the "Applicant"), has applied to the Chesapeake Bay Board of James City County (the "Board") on April 8, 2026, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property located at 139 Kingspoint Drive (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 4910240023, as set forth in the application CBPA-26-0021 for the purpose of the construction of a single-family dwelling and an attached deck; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, and consideration of the evidence presented, including but not limited to, the staff memoranda, presentation, and public comments, 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-26-0021, 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 an access easement deed and plat for 139 Kingspoint Drive covering the portion of the driveway on 142 Kingspoint Drive for the benefit of 139 Kingspoint Drive prior to CO issuance; and
3. The Applicant must submit a surety of $6,750 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plan equaling nine units (one canopy trees, six understory trees, and 83 shrubs) prior to building permit issuance; and
4. The Applicant must record an affidavit at the Williamsburg/James City County Courthouse prior to the release of surety; and
5. This exception request approval will become null and void if construction has not begun by April 8, 2027; and
6. Written requests for an extension to an exception must be submitted to the Stormwater and Resource Protection Division no later than February 25, 2027, six weeks prior to the expiration date.

_____
Charles Roadley
Chair, Chesapeake Bay Board

_____
Emily Grojean
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 8th day of April, 2026.

R E S O L U T I O N

CASE NO. CBPA-26-0021. 139 KINGSPOINT DRIVE

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Ms. Erin Martin, Crossroad Custom Builders, Inc., on behalf of Mr. Carl Martin (the "Applicant"), has applied to the Chesapeake Bay Board of James City County (the "Board") on April 8, 2026, to request an exception to use the Resource Protection Area (the "RPA") on a parcel of property located at 139 Kingspoint Drive (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 4910240023, as set forth in the application CBPA-26-0021 for the purpose of the construction of a single-family dwelling and an attached deck; and

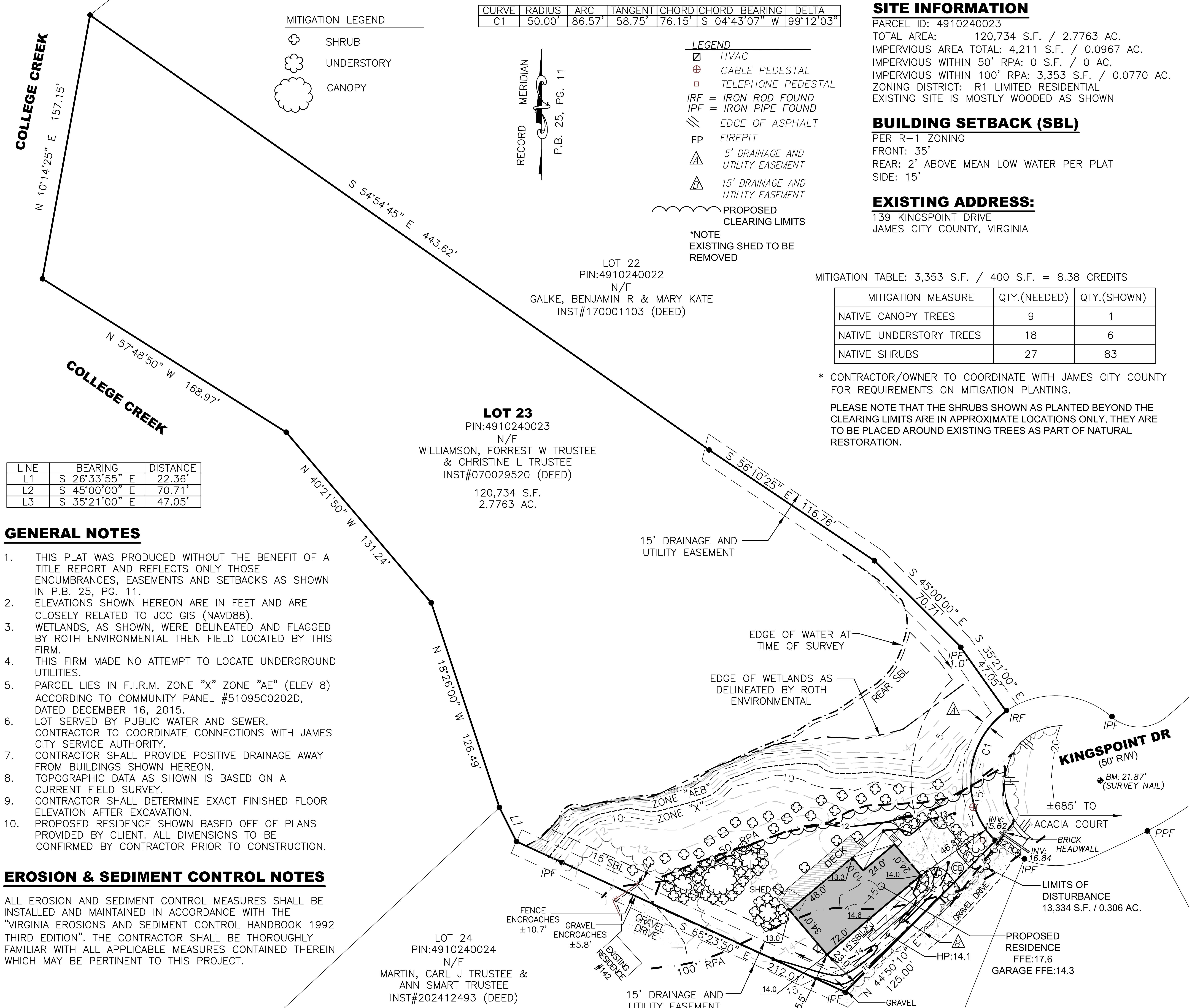
WHEREAS, the Board has heard the arguments presented and carefully considered all evidence entered into the record.

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, finds that the application does not meet all the requirements for an exception to the Chesapeake Bay Preservation Ordinance and therefore **DENIES** the exception request for Chesapeake Bay Board Case No. CBPA-26-0021.

_____	_____
Charles Roadley	Emily Grojean
Chair, Chesapeake Bay Board	Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 8th day of April, 2026.

CBPA26-21_139KingsptDrDny-res



MITIGATION LEGEND

- SHRUB
- UNDERSTORY
- CANOPY

CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING	DELTA
C1	50.00'	86.57'	58.75'	76.15'	S 04°43'07" W	99°12'03"

LEGEND

- HVAC
- CABLE PEDESTAL
- TELEPHONE PEDESTAL
- IRF = IRON ROD FOUND
- IPF = IRON PIPE FOUND
- EDGE OF ASPHALT
- FP FIREPIT
- A 5' DRAINAGE AND UTILITY EASEMENT
- B 15' DRAINAGE AND UTILITY EASEMENT
- PROPOSED CLEARING LIMITS

*NOTE
EXISTING SHED TO BE REMOVED

SITE INFORMATION

PARCEL ID: 4910240023
TOTAL AREA: 120,734 S.F. / 2.7763 AC.
IMPERVIOUS AREA TOTAL: 4,211 S.F. / 0.0967 AC.
IMPERVIOUS WITHIN 50' RPA: 0 S.F. / 0 AC.
IMPERVIOUS WITHIN 100' RPA: 3,353 S.F. / 0.0770 AC.
ZONING DISTRICT: R1 LIMITED RESIDENTIAL
EXISTING SITE IS MOSTLY WOODED AS SHOWN

BUILDING SETBACK (SBL)

PER R-1 ZONING
FRONT: 35'
REAR: 2' ABOVE MEAN LOW WATER PER PLAT
SIDE: 15'

EXISTING ADDRESS:

139 KINGSPOINT DRIVE
JAMES CITY COUNTY, VIRGINIA

MITIGATION TABLE: 3,353 S.F. / 400 S.F. = 8.38 CREDITS

MITIGATION MEASURE	QTY.(NEEDED)	QTY.(SHOWN)
NATIVE CANOPY TREES	9	1
NATIVE UNDERSTORY TREES	18	6
NATIVE SHRUBS	27	83

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

PLEASE NOTE THAT THE SHRUBS SHOWN AS PLANTED BEYOND THE CLEARING LIMITS ARE IN APPROXIMATE LOCATIONS ONLY. THEY ARE TO BE PLACED AROUND EXISTING TREES AS PART OF NATURAL RESTORATION.

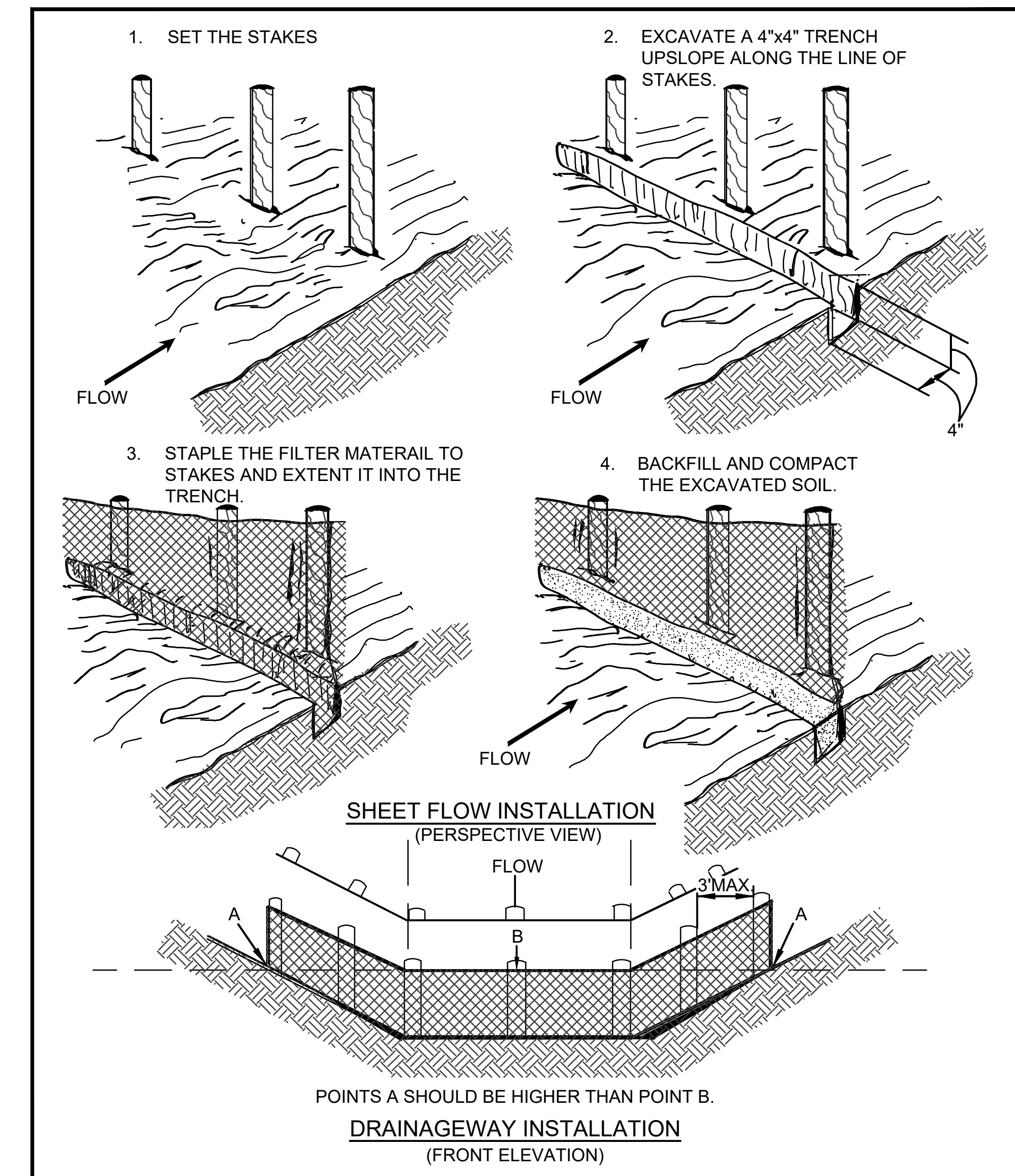
LINE	BEARING	DISTANCE
L1	S 26°33'55" E	22.36'
L2	S 45°00'00" E	70.71'
L3	S 35°21'00" E	47.05'

GENERAL NOTES

1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 25, PG. 11.
2. ELEVATIONS SHOWN HEREON ARE IN FEET AND ARE CLOSELY RELATED TO JCC GIS (NAVD88).
3. WETLANDS, AS SHOWN, WERE DELINEATED AND FLAGGED BY ROTH ENVIRONMENTAL THEN FIELD LOCATED BY THIS FIRM.
4. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
5. PARCEL LIES IN F.I.R.M. ZONE "X" ZONE "AE" (ELEV 8) ACCORDING TO COMMUNITY PANEL #51095C0202D, DATED DECEMBER 16, 2015.
6. LOT SERVED BY PUBLIC WATER AND SEWER. CONTRACTOR TO COORDINATE CONNECTIONS WITH JAMES CITY SERVICE AUTHORITY.
7. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS SHOWN HEREON.
8. TOPOGRAPHIC DATA AS SHOWN IS BASED ON A CURRENT FIELD SURVEY.
9. CONTRACTOR SHALL DETERMINE EXACT FINISHED FLOOR ELEVATION AFTER EXCAVATION.
10. PROPOSED RESIDENCE SHOWN BASED OFF OF PLANS PROVIDED BY CLIENT. ALL DIMENSIONS TO BE CONFIRMED BY CONTRACTOR PRIOR TO CONSTRUCTION.

EROSION & SEDIMENT CONTROL NOTES

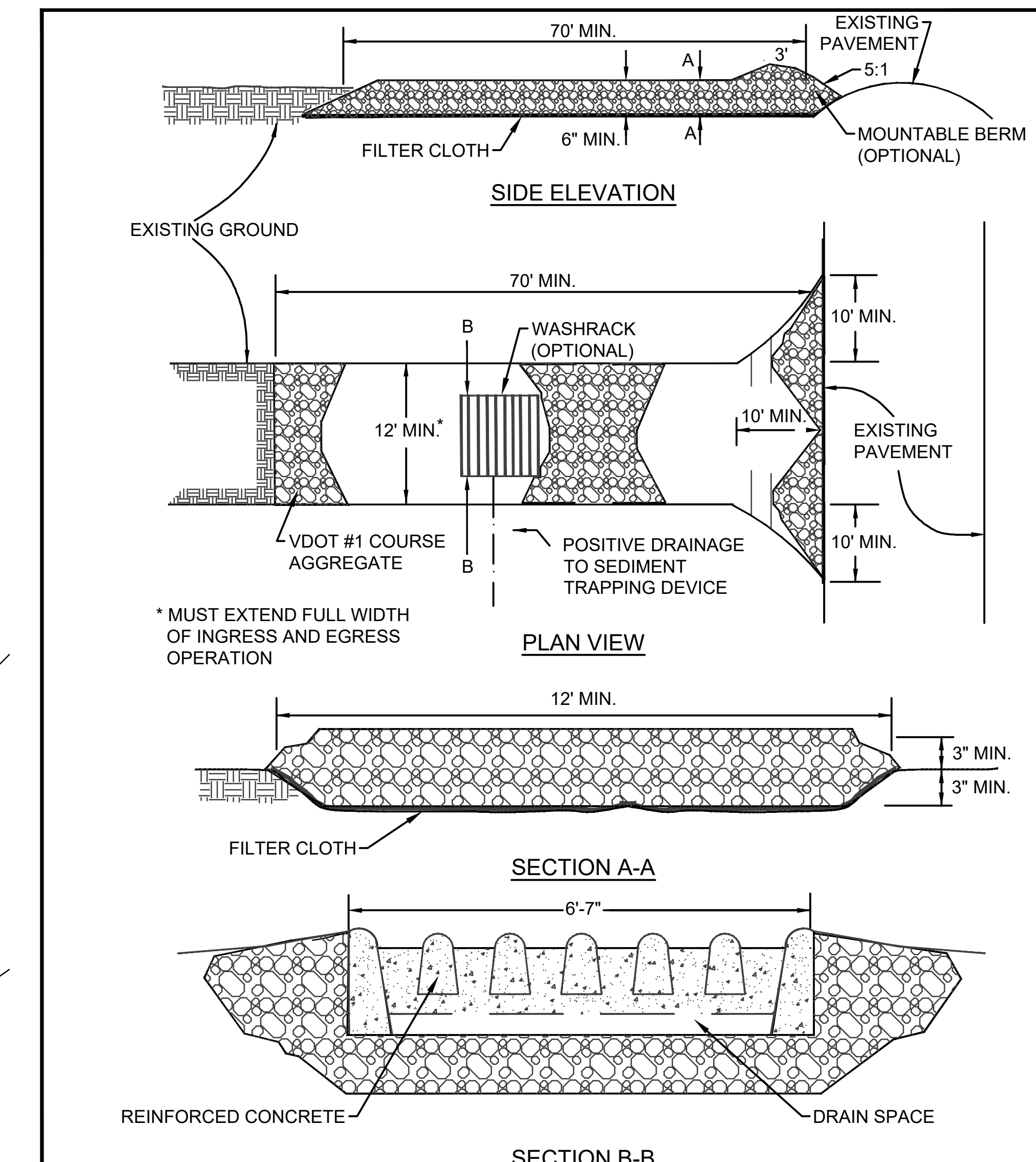
ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE "VIRGINIA EROSIONS AND SEDIMENT CONTROL HANDBOOK 1992 THIRD EDITION". THE CONTRACTOR SHALL BE THOROUGHLY FAMILIAR WITH ALL APPLICABLE MEASURES CONTAINED THEREIN WHICH MAY BE PERTINENT TO THIS PROJECT.



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

CONSTRUCTION OF SILT FENCE WITHOUT WIRE SUPPORT

v1.1 SOURCE: ADAPTED FROM STRAW & FAB. BARRIERS, SHERWOOD & WYANT — C-PCM-04-2B



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

STONE CONSTRUCTION ENTRANCE

v1.1 SOURCE: VA. DSWC, MD ESC STDS — C-SCM-03-1

40 0 40 80 120
Scale: 1" = 40'

COMMONWEALTH OF VIRGINIA
W. CHASE GROGG
Lic. No. 3645
04/03/2026
LAND SURVEYOR

DATE: 02/25/2026
DRAWN BY: AEQ
PROJECT No. 24-478
FILE NAME: 24-478.DWG
REFERENCES:
P.B. 25 PG. 11

PLOT PLAN OF
LOT 23, SECTION 4
KINGSPOINT
FOR
CROSSROAD CUSTOM BUILDERS

JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	4/3/2026	REVISED PER COUNTY COMMENTS

LANDTECH RESOURCES, INC
Engineering & Land Surveying Consultants
205-E Bulifants Boulevard - Williamsburg, VA 23188
Ph: (757) 565-1677 Fax: (757) 565-0782
web: landtechresources.com

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
757-253-6670

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-26-0021
139 Kingspoint Dr
Construction of single-family dwelling, deck

March 19, 2026

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. Erin Martin, Crossroad Custom Builders, on behalf of Mr. Carl Martin, for encroachments into the Resource Protection Area buffer for the construction of a single-family dwelling and deck. The project is located at 139 Kingspoint Dr, JCC Tax Map Parcel No. 4910240023.

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

The Chesapeake Bay Board will hold an advertised public hearing on **Wednesday, April 8, 2026, 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,

Emily Grojean

Emily Grojean
Chesapeake Bay Board Secretary
757-253-6789
Emily.Grojean@jamescitycountyva.gov

Adjacent Property Owner Mailing List for Case Number: CBPA-26-0021

PIN	Last Name	Address Line 1	City	State	Zip Code
4910240022	GALKE, BENJAMIN R & MARY KATE	137 KINGSPOINT DR	WILLIAMSBURG	VA	23185-4453
4910100007	KINGSPOINT CLUB INC	PO BOX 365	WILLIAMSBURG	VA	23187-0365
4910240024	MARTIN, CARL J TRUSTEE &	142 KINGSPOINT DR	WILLIAMSBURG	VA	23185-4453
4910240026	MEADOWS, MARK K & GEMMA C	138 KINGSPOINT DR	WILLIAMSBURG	VA	23185-4458
4910240025	MOUNTJOY, CATHERINE & JONES, PATRICK	140 KINGSPOINT DR	WILLIAMSBURG	VA	23185-4458
	Ms. Erin Martin, Crossroad Custom Builders	P.O. Box 5671	Williamsburg	VA	23188-88

PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, APRIL 8, 2026 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-26-0001: Mr. Joseph Scott, SalTerra Solutions, LLC, on behalf of Mr. Steven Barone, Chickahominy Haven Marina, has applied for a Wetlands Permit for the installation of wet slips, replacement of piers, and the installation of revetments and sills with sand nourishment on property located at 4125 S Riverside Drive, JCC Real Estate Tax Map Parcel No. 1910900012A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-26-0001: Mr. Michael and Ms. Eileen Roselli, have applied for a Chesapeake Bay Exception for the after-the-fact patio and deck rebuild on property located at 5505 S Mallard Run, JCC Tax Map Parcel No. 3140600032.

CBPA-26-0019: Mr. Daniel Walz and Ms. Amy Richwine, have applied for a Chesapeake Bay Exception for the construction of a fire pit, patio, and walkway on property located at 168 The Maine, JCC Tax Map Parcel No. 4540200057.

CBPA-26-0021: Ms. Erin Martin, Crossroad Custom Builders, Inc., on behalf of Mr. Carl Martin, has applied for a Chesapeake Bay Exception for the construction of a single-family dwelling and deck on property located at 139 Kingspoint Drive, JCC Tax Map Parcel No. 4910240023.

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 Mounts Bay Road, Building E, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – March 25, 2026 and April 1, 2026
ACCOUNT NO. CU00015112
VIRGINIA GAZETTE
1/8 PAGE, VERTICAL, B/W