

**JAMES CITY COUNTY CHESAPEAKE BAY BOARD  
MINUTES**

**Wednesday December 11, 2013**

**A. ROLL CALL**

**ABSENT**

David Gussman  
William Apperson  
John Hughes  
Charles Roadley  
Larry Waltrip

**OTHERS PRESENT**

County Staff (Staff)

**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. MINUTES**

The November 11, 2013 Board Meeting minutes were approved as written.

**C. PUBLIC HEARINGS**

**1. CBE-14-022: Trickey/Delightful Gardens – 1592 Harbor Rd**

Michael Woolson Senior Watershed Planner presented this case for an exception request submitted by Don Newsome with Delightful Gardens on behalf of the owner, Mr. David Trickey, for encroachment into the Resource Protection Area (RPA) and Conservation Easement on his property at 1592 Harbor Road in the Governor's Land subdivision, Parcel 4310200022. The exception request was for approximately 216 square feet of encroachment into the seaward RPA buffer for construction of a deck or patio. Mr. Woolson described the current conditions and the proposed improvements and mitigation. Staff determined impact to be slight and recommended approval of the exception request with conditions outlined in the Resolution to Grant the Exception.

Mr. Waltrip asked if the Chesapeake Bay Board had previously approved similar encroachments in this area.

Mr. Gussman asked if the extent of clearing on these properties around the marina would be allowed today.

Mr. Woolson believed there had been similar cases and specified case CBE-13-031 from earlier in the year. He noted there had been RPA violations on several properties in this area. He responded to Mr. Gussman's question that stormwater would be addressed differently today than it was in the early and mid-90s.

Mr. Roadley asked the County's position on the encroachment into the conservation easement.

Mr. Woolson stated that based on the proposed impervious cover and because the proposed mitigation exceeded the required minimum, staff was comfortable with the requested encroachment into the conservation easement.

Mr. Gussman opened the public hearing.

A. Don Newsome of Delightful Gardens stated the applicant was leaning towards a hardscape patio instead of a deck and said there was a hardscape paver patio on the property next door. He described the majority of the turf as being a ground cover of mondo grasses that did not require the same maintenance as turf grass.

Mr. Gussman closed the public hearing as no one else wished to speak.

Mr. Waltrip asked if granting this exception request would set precedence for future cases in the area.

Mr. Woolson stated that each case should be considered on its own merits.

Mr. Gussman asked if staff felt the proposed landscape plantings would significantly reduce the runoff from the current conditions on the lot.

Mr. Woolson stated the proposed plantings at both the top and bottom of the slope would reduce the runoff.

Mr. Hughes made a motion to adopt the resolution to grant the exception for Chesapeake Bay Board case CBE-14-022 at 1592 Harbor Road, Parcel 4310200022.

Motion was approved by a 5-0 vote.

**RESOLUTION**  
**GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 4310200022**

WHEREAS, Mr. Don Newsom of Delightful Gardens, on behalf of Mr. David Trickey, (the “Applicant”) has appeared before the Chesapeake Bay Board of James City County (the “Board”) on December 11, 2013 to request an exception to the use of the Resource Protection Area (the “RPA”) on a parcel of property identified as JCC RE Tax Parcel No. 4310200022 and further identified as 1592 Harbor Road in the Governor’s Land at Two Rivers subdivision (the “Property”) as set forth in the application CBE-14-022 for the purpose of installing a deck or patio; and

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

NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

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

- 1) The Applicant must obtain all other necessary federal, state and local permits as required for the project.
- 2) The County must receive the Applicants written copy of approvals from the Governor's Land Foundation prior to starting construction.
- 3) The Applicant shall follow the County's Pervious Paver Block System Guidelines for installation of the walkway paver system.
- 4) Surety of \$1,000 will be required in a form acceptable to the County Attorney's office to guarantee the mitigation plantings.
- 5) The Applicant shall implement the Turf Love (or similar nutrient management plan) program for the remaining turf in the RPA and give a copy of all recommendations to the County.
- 6) This exception request approval shall become null and void if construction has not begun by December 11, 2014.
- 7) Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.

## **2. CBE-14-045: Seaworld Parks & Entertainment/VHB – Busch Gardens Italy Section**

Michael Woolson Senior Watershed Planner presented this case for an exception request submitted by Piotr Swietuchowski of Vanasse Hangen Brustlin, Inc. (VHB) on behalf of SeaWorld Entertainment, for encroachment into the Resource Protection Area (RPA) in the Italy Section of the Busch Gardens amusement park, Parcel 5140100009. The exception request was for approximately 1,580 square feet of encroachment into the landward RPA buffer for installation of an at-grade concrete deck and associated perimeter wall. Mr. Woolson described the current conditions of the site and the proposed construction and mitigation. Staff determined impact to be moderate and recommended approval of the exception request with the conditions outlined in the Resolution to Grant the Exception.

Mr. Apperson asked if all runoff would be directed to the existing BMP.

Mr. Roadley asked if the capacity of the existing BMP was sufficient.

Scott J. Thomas, Director of County Engineering and Resource Protection Division, stated the existing Rhine River BMP had more than adequate capacity to cover this small expansion.

Mr. Hughes asked if Staff was okay with the applicant not saving any of the specimen trees.

Mr. Woolson and Mr. Apperson both agreed the existing beech trees would not survive the construction of the deck.

Mr. Gussman opened the public hearing.

**A.** Jonathan Smith, Project Engineer for Busch Gardens stated he was available for questions from the Board but differed to the Mr. Swietuchowski with VHB.

Mr. Apperson asked if there was any treatment of water leaving the Rhine River to the James River and if there was water flowing through all the time. Mr. Roadley asked if the water quality was regularly monitored and Mr. Gussman asked if it ever required dredging.

**B.** Peter Swietuchowski with VHB said there were no additional BMPs between the Rhine River and the James River and due to its size the Rhine River held the runoff for a longer time during major storm events and

very little flowed through during times of drought. He stated that although he was not aware of regular water quality monitoring, it was recently determined that the Rhine River provided about 14 times more water quality storage than is required for the entire park. He stated that permits were being obtained for some maintenance dredging in the upper portion at the beginning of next year.

Mr. Gussman closed the public hearing as no one else wished to speak.

Mr. Apperson made a motion to adopt the resolution to grant the exception for Chesapeake Bay Board case CBE-14-045 for Busch Gardens Italy Section, Parcel 5140100009.

Motion was approved by a 5-0 vote

**RESOLUTION**  
**GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 5140100009**

WHEREAS, Vanasse Hangen Brustlin, Inc. on behalf of SeaWorld Parks & Entertainment, Busch Gardens Williamsburg, (the "Applicant") has appeared before the Chesapeake Bay Board of James City County (the "Board") on December 11, 2013 to request an exception to the use of the Resource Protection Area (the "RPA") on a parcel of property identified as JCC RE Tax Parcel No. 5140100009 and further identified as 1 Busch Gardens Boulevard (the "Property") as set forth in the application CBE-14-045 for the purpose of constructing an at-grade concrete deck and associated perimeter wall; and

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

NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
  - 1) The applicant must obtain all other necessary federal, state, and local permits as required for the project.
  - 2) Surety of \$2,000 will be required in a form acceptable to the County Attorney's office.
  - 3) This exception request approval shall become null and void if construction has not begun by December 11, 2014
  - 4) Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.

### **3. CBE-14-047: Carter – 4123 S. Riverside**

Michael Woolson Senior Watershed Planner presented this case for an exception request submitted by Wayne and Sharon Carter, for encroachment into the Resource Protection Area (RPA) on their property at 4123 S. Riverside Drive in the Chickahominy Haven subdivision, Parcel 1910900011. The exception request was for approximately 400 square feet of encroachment into the landward RPA buffer for installation of a covered porch. Because the structure was proposed in the FEMA floodplain, Staff recommended it be constructed two feet above the base flood elevation and a revised Flood Elevation Certificate be prepared. He described the current conditions of the site, the proposed structure and the required mitigation. Staff determined impacts to be moderate and recommended approval of the exception request with the conditions outlined in the Resolution to Grant the Exception.

Mr. Roadley and Mr. Waltrip asked for clarification on the base flood elevation.

Mr. Woolson stated the base flood elevation is 7.5 ft mean sea level (MSL) in this part of the County and Staff was recommending the porch be constructed at 9.5 ft. MSL.

Mr. Gussman opened the public hearing.

**A.** Mr. Wayne Carter property owner stated the porch would be built on pillars and was agreeable to the required mitigation plantings. He added that he did not get water in the house during hurricane Isabel.

Mr. Gussman closed the public hearing as no one else wished to speak.

Mr. Waltrip made a motion to adopt the resolution to grant the exception for Chesapeake Bay Board case CBE-14-047 at 4123 S Riverside Drive, Parcel 1910900011.

Motion was approved by a 5-0 vote.

#### **RESOLUTION** **GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 1910900011**

WHEREAS, Mr. Wayne Carter, (the "Applicant") has appeared before the Chesapeake Bay Board of James City County (the "Board") on December 11, 2013 to request an exception to the use of the Resource Protection Area (the "RPA") on a parcel of property identified as JCC RE Tax Parcel No. 1910900011 and further identified as 4123 South Riverside Drive in the Chickahominy Haven subdivision (the "Property") as set forth in the application CBE-14-047 for the purpose of installing a covered porch; and

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

NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.

3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
  - 1) The Applicant must obtain all other necessary federal, state and local permits as required for the project.
  - 2) Surety of \$250 will be held in escrow by the Engineering and Resource Protection Division to guarantee the mitigation plantings and conditions #3 and #4 below.
  - 3) The Applicant shall build a new structure at an elevation of 9.5 ft MSL.
  - 4) The Applicant shall have a revised/updated Flood Elevation Certificate prepared and submitted to James City County.
  - 5) This exception request approval shall become null and void if construction has not begun by December 11, 2014.
  - 6) Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.

**4. CBE-14-051: Greenfield Partners/Kerr Environmental – Stonehouse Landbay 3**

Michael Woolson Senior Watershed Planner presented this case for an exception request submitted by Kerr Environmental on behalf of Greenfield Partners for encroachment into the Resource Protection Area (RPA) for the Stonehouse Land Bay 3 subdivision, County plan #S-0048-2008 on Fieldstone Parkway and Mill Pond Run in the Stonehouse District, Parcels: 0440100029, 0440200002, 0440100033 and 0530100017. The exception request was for approximately 24,004 square feet of permanent encroachment and 16,266 square feet of temporary encroachment into the RPA buffer for installation of a gravity sanitary sewer trunk line and permanent maintenance easement. Mr. Woolson described the current conditions and proposed impacts and advised the Board that they had previously granted this exception in 2009 but the construction was never started. He explained that nothing had changed from the 2009 exception request except changes to the mitigation requirements. Staff determined impact to be moderate and recommended approval of the exception request with conditions outlined in the Resolution to Grant the Exception.

Mr. Hughes stated that condition 8 requiring replacement of damages did not specify underground utilities.

Mr. Woolson stated the condition listed “All improvements” but could be modified to specify the underground utilities at the Board’s request.

Mr. Roadley asked if this condition was enforceable through the Board Resolution.

All Board members agreed the language “All improvements” was acceptable but advised Staff to seek guidance from the County Attorneys regarding the enforceability of this condition.

Mr. Gussman opened the public hearing.

**A.** Mr. Mike Randall, a resident of Stonehouse asked for an explanation on the change to the mitigation requirements and impacts. He also was concerned with the possible impacts to the irrigation system during construction and asked if ongoing repairs could be required.

Mr. Woolson explained the offsite mitigation was changed because in the years since the original exception was granted, the area had re-vegetated. He was not sure that the County could require ongoing replacement of irrigation lines.

The Board asked staff to relay the irrigation line concern to the applicant and to also seek legal guidance for enforcing such a condition.

Mr. Gussman closed the public hearing as no one else wished to speak.

Mr. Waltrip felt it was a good plan and the applicant had addressed the mitigation concerns.

Mr. Roadley made a motion to adopt the resolution to grant the exception for Chesapeake Bay Board case CBE-14-051 for the Stonehouse Land Bay 3 subdivision, Parcels: 0440100029, 0440200002, 0440100033 and 0530100017.

Motion was approved by a 5-0 vote.

**RESOLUTION**  
**GRANTING AN EXCEPTION ON JCC RE TAX PARCELS**  
**0440100029, 0440200002, 0440100033, and 0530100017**

WHEREAS, Kerr Environmental on behalf of Greenfield Partners, LLC, (the “Applicant”) has appeared before the Chesapeake Bay Board of James City County (the “Board”) on December 11, 2013 to request an exception to the use of the Resource Protection Area (the “RPA”) on parcels of property identified as JCC RE Tax Parcels 0440100029, 0440200002, 0440100033, 0530100017 and further identified as 9235, 9340 and 9315 Fieldstone Parkway and 9683 Mill Pont Run in the Stonehouse subdivision (the “Property”) as set forth in the application CBE-14-051 for the installation of a gravity sanitary sewer and permanent maintenance easement; and

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

NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
  - 1) The applicant must obtain all other necessary federal, state, and local permits as required for the project.

- 2) Full implementation of the approved plan of development, County Plan No S-0048-2008.
- 3) Replanting of the temporary construction easement (16,266 sqft).
- 4) Surety of \$5,000 will be required in a form acceptable to the County Attorney's office to guarantee the replanting.
- 5) Preserve 14,810 sqft of non-RPA in Land Bay 3. This area shall be placed within a conservation easement and dedicated to James City County.
- 6) Payment of \$8,734.70 into the County established Chesapeake Bay Mitigation Fund.
- 7) Signed letters of permission shall be submitted to the Engineering and Resource Protection Division for all offsite property owners affected by this proposal prior to work commencing. This includes 2J Investments and Stonehouse HOA.
- 8) All improvements on the Stonehouse HOA property that are damaged by the installation of the sanitary sewer line shall be replaced, including landscape materials, fencing and sidewalk/trail.
- 9) This exception request approval shall become null and void if construction has not begun by December 11, 2014.
- 10) Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.

#### **5. CBE-14-059: Nuzzo/Mid-Atlantic/Water's Edge – 7600 Uncle's Neck**

Michael Woolson Senior Watershed Planner presented this case for an exception request submitted by Richard and Myra Nuzzo, for encroachment into the Resource Protection Area (RPA) on their property at 7600 Uncle's Neck Road in the River's Bend at Uncle's Neck subdivision, Parcel 2010200025. The exception request was for approximately 3,000 square feet of encroachment into the RPA buffer for grading and bank stabilization. The project will eliminate a steep, eroding and unstable slope adjacent to the Chickahominy River. Mr. Woolson then described the current conditions and the proposed project and mitigation. He advised the Board that this project was adjacent to a revetment project approved by both the Wetlands and Chesapeake Bay Boards in 2010. Staff determined impacts to be severe for the proposed development and recommended that approval of the exception request require the conditions outlined in the Resolution to Grant the Exception.

Mr. Waltrip asked if this was a continuation of the project on the adjacent property.

Mr. Hughes stated a re-grading project on this lot was previously approved by this Board with the project on the adjacent property. The current proposal, submitted by the new owner, was for a 4 foot wide bench at the bottom toe of the slope instead of the riprap and was less invasive.

Mr. Woolson said that was generally correct and other than the riprap revetment it would tie into the adjacent property.

Mr. Gussman was concerned with the survivability of the proposed *spartina patens*. He also believed there might be impact from the wave action in this area.

Mr. Woolson stated the surety was required to guarantee survival of the mitigation plantings.

Mr. Gussman opened the public hearing.

**A.** Daniel Winall, Water's Edge Construction, contractor for the project stated the shoreline contained cypress knees that helped dissipate the wave energy and there was not a lot of scouring except what was caused by boat wake or a major storm event.

Mr. Waltrip asked what would be done with the excess material from grading the slope.

A. Mr. Winall stated most of it would be hauled off site but some would be used in the construction of the home but would not impact the RPA.

Mr. Roadley advised that a Joint Permit Application (JPA) would need to be submitted to the Virginia Marine Resource (VMRC) for the beach and dune impact.

Mr. Gussman closed the public hearing as no one else wished to speak.

Mr. Roadley stated that although this type of project impacted the RPA, it reduced the nutrient load into the Bay by stopping the shoreline erosion.

Mr. Hughes made a motion to adopt the resolution to grant the exception for Chesapeake Bay Board case CBE-14-052 at 7600 Uncle's Neck Road, Parcel 2010200025.

Motion was approved by a 5-0 vote.

**RESOLUTION**  
**GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 2010200025**

WHEREAS, Mr. Daniel Winall of Water's Edge Construction on behalf of Richard and Myra Nuzzo, (the "Applicants") appeared before the Chesapeake Bay Board of James City County (the "Board") on December 11, 2013 to request an exception to the use of the Resource Protection Area (the "RPA") on a parcel of property identified as JCC RE Tax Parcel No. 2010200025 and further identified as 7600 Uncle's Neck Road in the Uncle's Neck subdivision (the "Property") as set forth in the application CBE-14-052 for the purpose of stabilizing a severely eroding bank; and

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

NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
  - 1) The Applicants must obtain all other necessary federal, state and local permits as required for the project.
  - 2) Surety of \$5,000 will be required in a form acceptable to the County Attorney's office to guarantee planting mitigation.

- 3) A land disturbing permit and Virginia Stormwater Management Permit (VSMP) are required and proof of the VSMP permit must be submitted to the Engineering and Resource Protection Division prior to construction.
- 4) A pre-construction meeting shall be held on-site with the contractor prior to construction.
- 5) This exception request approval shall become null and void if construction has not begun by December 11, 2014.
- 6) Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than six weeks prior to the expiration date.

**6. CBE-14-059: Hartney/Olson Fine Home Building – 160 Broadmoor**

Michael Woolson Senior Watershed Planner presented this case for an exception request submitted by Ardis and James Hartney, for encroachment into the Resource Protection Area (RPA) on their property at 160 Broadmoor in the Ford's Colony subdivision, Parcel 3720700057. The exception request was for approximately 150 square feet of encroachment into the RPA buffer for the construction of retaining walls. A previous exception for the home, patio and one retaining wall was approved by the Chesapeake Bay Board in November of 2012. The house and patio were constructed. This exception was for constructing the previously approved retaining wall further into the seaward RPA buffer and installing two smaller walls in the landward buffer. The mitigation requirements were adjusted requiring an additional planting unit. Staff determined impact to be slight and recommended approval of the exception request with conditions outlined in the Resolution to Grant the Exception.

Mr. Roadley asked for clarification on the change in location of the proposed larger retaining wall and how it changed the mitigation plan for the original approval.

Mr. Woolson displayed the original and current plans for comparison.

Mr. Gussman opened the public hearing.

Mr. Waltrip asked the height of the proposed wall.

A. Mr. Aaron Williams, Williams Landscape and Design responded that the height of the wall would be 30 inches. He stated the objective for moving the wall was to reduce erosion and added that the wall would be constructed in an area that was already cleared.

Mr. Gussman closed the public hearing as no one else wished to speak.

Mr. Waltrip stated that moving the wall made a more desirable and usable yard.

Mr. Roadley commented that the original approval required replanting in the area of the RPA that was now going to contain a turf yard.

Mr. Waltrip made a motion to adopt the resolution to grant the exception for Chesapeake Bay Board case CBE-14-059 at 160 Broadmoor, Parcel 3720700057.

The motion was approved by a 4-1 vote: Aye (Waltrip, Apperson, Hughes, Gussman)  
Nay (Roadley)

**D. BOARD CONSIDERATIONS - None**

**E. MATTERS OF SPECIAL PRIVILEGE**

Mr. Scott Thomas, Director of Engineering and Resource Protection, reminded the Board that the next meeting would be held on Thursday January 9, 2014. He also stated that Staff would be suggesting some dates for a Work Session to discuss various topics including the Beach and Dune Ordinance.

**F. ADJOURNMENT**

The meeting adjourned at 8:45 p.m.



Handwritten signature of David Gussman in cursive script.

David Gussman  
Chesapeake Bay Board Chair



Handwritten signature of Melanie Davis in cursive script.

Melanie Davis  
Secretary to the Board