

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, VA 23185
September 26, 2018
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for September 26, 2018, 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:

David Gussman, Chair
William Apperson, Vice Chair
Larry Waltrip
John Hughes
Charles Roadley

Board Members Absent: None

County Staff Present:

Michael Woolson, Secretary to the Board, Senior Watershed Planner, Stormwater and Resource Protection
Frances Geissler, Director, Stormwater and Resource Protection
Liz Parman, Assistant County Attorney
Trevor Long, Watershed Planner, Stormwater and Resource Protection
Janice Petty, Assistant, Stormwater and Resource Protection

C. MINUTES

1. Minutes from the August 8, 2018 regular meeting

The minutes from the August 8, 2018, regular meeting were approved as written. Mr. Gussman made the motion to accept the minutes.

D. PUBLIC HEARINGS

1. CBPA 18-0129 : 343 Neck-O-Land Road

Mr. Jeff Davis has applied for a Chesapeake Bay Exception for encroachments into the Resource Protection Area (RPA) buffer for the construction of a shed on the property located at 343 Neck-O-Land Road being within the Powhatan Creek watershed. The property is

further identified as James City County Tax Map Parcel No. 4730100055. Staff has reviewed the Sensitive Area Activity application and exception request and has determined impacts associated with the proposal to be minor for the proposed development. Staff recommends approval of the application with conditions.

The Board deliberated on the pros and cons of this application.

Mr. Gussman opened the Public Hearing.

Mr. Gussman closed the Public Hearing, as no one wished to speak.

Mr. Hughes made a motion to grant the application for Chesapeake Bay Board Case No. CBPA-18-0129 at 343 Neck-O-Land Road.

The motion was approved: 5-0

Ayes: Roadley, Waltrip, Gussman, Hughes, Apperson

Nays: None

Absent: None

2. CBPA 18-0131 : 113 Wareham's Point

Miley and Jean Walker have applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for construction of a retaining wall on the property located at 113 Wareham's Point in the Wareham's Point subdivision and the Skiffes Creek watershed. The property is further identified as James City County Tax Map Parcel No. 5041900113. Staff has reviewed the Sensitive Area Activity application and exception request and has determined impacts associated with the proposal to be minor for the proposed development. Staff recommends approval of the application with conditions.

The Board deliberated on the pros and cons of this application.

Mr. Gussman opened the Public Hearing.

A. Mrs. Jean Walker addressed the Board and responded to questions.

Mr. Gussman asked if there was already a lot of erosion behind the house.

Mrs. Walker affirmatively replied.

B. Mr. Don Newsom of Delightful Gardens Landscape Company, Williamsburg, Virginia, addressed the Board and responded to questions.

Mr. Gussman closed the Public Hearing, as no one else wished to speak.

Mr. Hughes made a motion to grant the application for Chesapeake Bay Board Case No. CBPA-18-0131 at 113 Wareham's Point.

The motion was approved: 5-0

Ayes: Roadley, Waltrip, Gussman, Hughes, Apperson

Nays: None

Absent: None

3. CBPA 18-0149 : 213 Southpoint Drive

Mr. Michael Matthews of The Structures Group, on behalf of Ms. Meredith Robertson, has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of retaining walls on the property located at 213 Southpoint Drive within the Kingspoint subdivision and the College Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4930270014. Staff has reviewed the application and exception request and has determined impacts associated with the proposal to be minor for the proposed development. Staff recommends approval of the application with conditions.

The Board deliberated on the pros and cons of this application.

Mr. Gussman questioned if the retaining walls interfere with the existing steps.

Mr. Woolson explained that the retaining wall would be built around the steps or the steps rebuilt. Mr. Woolson deferred to Mr. Matthews for the layout dynamics.

Mr. Hughes inquired if any trees were to be removed.

Mr. Woolson negatively replied, but deferred definitive answer to Mr. Matthews.

Mr. Gussman opened the Public Hearing.

A. Mr. Michael Matthews of The Structures Group addressed the Board and responded to questions.

Mr. Gussman closed the Public Hearing, as no one else wished to speak.

Mr. Waltrip made a motion to grant the application for Chesapeake Bay Board Case No. CBPA-18-0149 at 213 Southpoint Drive.

The motion was approved: 5-0

Ayes: Roadley, Waltrip, Gussman, Hughes, Apperson

Nays: None

Absent: None

4. CBPA 18-0126 : 3936 Vass Lane

Mr. John Hyland has applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a workshop. The project is located on the property known as 3936 Vass Lane in the Vass Meadows Subdivision located in the Mill Creek Watershed. The property is further identified as James City County Tax Map Parcel No. 3842100009. Staff has determined that the impacts with this proposal to be minor for the proposed development. Staff recommends approval with conditions.

The Board deliberated on the pros and cons of this application.

Mr. Gussman opened the Public Hearing.

A. Mr. John Hyland addressed the Board and responded to questions.

Mr. Roadley asked if the workshop would have shingles on the roof and gutters added. He asked if Mr. Hyland had given any thought as to how he would direct the rain water when it comes out of the gutters. Mr. Roadley suggested adding some type of infiltration as we're

trying to minimize sheet flow and the potential for erosion.

Mr. Gussman closed the Public Hearing, as no one else wished to speak.

Mr. Hughes made a motion to grant the application for Chesapeake Bay Board Case No. CBPA-18-0126 at 3936 Vass Lane.

The motion was approved: 5-0

Ayes: Roadley, Waltrip, Gussman, Hughes, Apperson

Nays: None

Absent: None

5. CBPA 18-0134 : 500 Thompson Lane

Ross and Amy Thompson have applied for a Chesapeake Bay Exception for encroachments into the RPA buffer for the construction of a new single-family dwelling, garage, patio, two decks, retaining wall and barn tack room addition. The project is located on the property known as 500 Thompson Lane in the Gordon Creek Watershed. The property is further identified as James City County Tax Map Parcel No. 3610100005. Staff has also determined that the impacts with this proposal to be moderate for the proposed development. Staff recommends approval with conditions.

The Board deliberated on the pros and cons of this application.

Mr. Gussman opened the Public Hearing.

A. Ross and Amy Thompson addressed the Board and responded to questions.

Mr. Gussman asked if the impact numbers provided were net numbers.

Mr. Woolson responded that there is a net increase of impervious cover.

Amy Thompson explained she took the calculations and that they were net.

Mr. Apperson asked if they managed the pond for algae.

Ross Thompson replied that he has treated the pond two or three times every year that they have owned it for algae and that they have installed an extensive aeration system.

B. Tom Hitchens of 350 Thompson Lane provided recommendations for the Thompson's as good stewards of the pond and property.

Mr. Gussman closed the Public Hearing, as no one else wished to speak.

Mr. Gussman questioned Mr. Woolson as to the drainage that goes into Warburton Pond.

Mr. Woolson replied that the drainage is significant. It drains part of Centerville Road and Matoaka Elementary School.

Mr. Apperson made a motion to grant the application for Chesapeake Bay Board Case No. CBPA-18-0134 at 500 Thompson Lane.

The motion was approved: 5-0

Ayes: Roadley, Waltrip, Gussman, Hughes, Apperson
Nays: None
Absent: None

E. BOARD CONSIDERATIONS

None

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Waltrip announced that the James River Association would like to do a presentation of its workshops and programs it provides to the school system at an upcoming Board meeting.

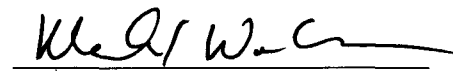
Mr. Trevor Long provided information on James RiverFest to be held on Saturday, September 29, 2018 from 10 a.m. to 2 p.m. at Jamestown Beach Event Park, 2205 Jamestown Road.

G. ADJOURNMENT

The meeting was adjourned at 6:15 p.m.



David Gussman
Chesapeake Bay Board Chair



Michael Woolson
Secretary to the Board