

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23185
May 12, 2021
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for May 12, 2021, 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:

Halle Dunn, Acting Chairperson
Charles Roadley
Larry Waltrip
David Gussman - Remote Access
Robert Lukens - Remote Access

A motion to allow the Remote Participation was made by Charles Roadley and approved on a voice vote.

Board Members Absent:

William Apperson

Other Staff Present:

Liz Parman, Assistant County Attorney
Trevor Long, Watershed Planner, Stormwater and Resource Protection
Janice Petty, Stormwater Assistant, Stormwater and Resource Protection

C. MINUTES

1. Minutes from April 14, 2021, Regular Meeting

A motion to Approve the minutes was made by Mr. Roadley. The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

1. Case No. CBPA-21-0060 : 4373 Landfall Drive

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Ricky Edgerton, Edgerton Contracting, Inc., on behalf of Mr. Jeff and Mrs. Elizabeth Hoer for encroachments into the (RPA) buffer for the construction of a single-family dwelling located at 4373 Landfall Drive, within the Landfall at Jamestown Subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4732400036. 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.

The Board deliberated the pros and cons of this application.

Mr. Dunn opened the Public Hearing.

Mr. Dunn closed the Public Hearing, as there were no speakers.

Mr. Roadley inquired if additional measures were proposed to treat runoff.

Mr. Long replied that no additional measures to treat the runoff had been submitted.

Mr. Roadley explained the Board's goal is to protect water quality and further explained the methods used to obtain that goal. He inquired if any BMPs were proposed, perhaps adjacent to the patio that might encourage infiltration of the runoff.

Mr. Dunn re-opened the Public Hearing.

A. Mr. Ricky Edgerton, Edgerton Contracting, Inc., outlined the project for the Board.

Mr. Roadley expressed the concern for future erosion water quality issues that may develop and asked if the soils on this property would be suitable for some type of infiltration BMPs.

A. Mr. Edgerton affirmatively replied. He explained that an infiltration trench could be installed.

Mr. Roadley stated he would appreciate if Mr. Edgerton could add some infiltration adjacent to the patio.

A. Mr. Edgerton affirmatively replied.

Mr. Dunn closed the Public Hearing, as there were no speakers.

Mr. Waltrip stated Edgerton Contracting, Inc. could install a ditch there with stone to filter the water runoff.

Mr. Dunn stated to add that as condition on the Resolution.

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA-21-0060 at 4373 Landfall Drive adding a provision requiring infiltration adjacent to the patio be approved by James City County staff.

A motion to Approve with Conditions was made by Mr. Roadley, the motion result was:

AYES: 5 NAYS: 0 ABSENT: 1

AYES: Dunn, Roadley, Waltrip, Gussman, Lukens

NAYS: None

ABSENT: Apperson

2. Case No. CBPA 21-0061 : 1560 Harbor Road

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. William and Mrs. Diane Donohue, for encroachments into the (RPA) buffer for the construction of a patio addition located at 1560 Harbor Road within The Governor's Land subdivision and the James River watershed. The property is further identified as James City County Tax Map Parcel No. 4310200014. 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.

The Board deliberated the pros and cons of this application.

Mr. Roadley inquired if the existing patio was within the conservation easement.

Mr. Long replied that it is partially was under the conservation easement.

Mr. Roadley stated his concerns and noted the need for some type of infiltration.

Mr. Dunn inquired if there was an infiltration trench on the other side of the existing patio.

Mr. Long replied that there was neither one in the plan or one existing currently on-site.

Mr. Dunn opened the Public Hearing.

Mr. Dunn closed the Public Hearing, as there were no speakers.

Mr. Roadley inquired if some type of landscaping was planned on the other side of that patio.

Mr. Long replied that the mitigation plantings were intended to be planted along the patio. In general, staff prefers mitigation to be placed, if possible, seaward of the proposed construction. If infiltration was requested, those plantings could be placed towards the harbor.

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA-21- 0061 at 1560 Harbor Road.

A motion to Approve with Conditions was made by Mr. Roadley, the motion result was:

AYES: 5 NAYS: 0 ABSENT:

AYES: Dunn, Roadley, Waltrip, Gussman, Lukens

NAYS: None

ABSENT: Apperson

3. Case No. CBPA-21-0059 : 185 Southport

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. Joe and Mrs. Lara Daas for encroachments into the (RPA) buffer for the construction of a single-family dwelling located at 185 Southport within the Ford's Colony Subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3811300034. 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.

The Board deliberated the pros and cons of this application.

Mr. Dunn opened the Public Hearing.

A. Mr. Chase Grogg, LandTech Resources, Inc., outlined the project for the Board.

Mr. Dunn closed the Public Hearing, as there were no additional speakers.

Mr. Waltrip made a motion to Adopt the resolution for Chesapeake Bay Board Case No.

CBPA- 21-0059 at 185 Southport.

A motion to Approve with Conditions was made by Mr. Waltrip, the motion result was:

AYES: 5 NAYS: 0 ABSENT: 1

AYES: Dunn, Roadley, Waltrip, Gussman, Lukens

NAYS: None

ABSENT: Apperson

E. BOARD CONSIDERATIONS

None

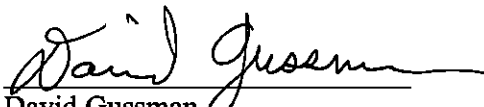
F. MATTERS OF SPECIAL PRIVILEGE

None

G. ADJOURNMENT

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

The meeting adjourned at 5:51 p.m.



David Gussman
Chairman, Chesapeake Bay Board



Michael Woolson
Secretary to the Board