

**MINUTES**  
**JAMES CITY COUNTY CHESAPEAKE BAY BOARD**  
**REGULAR MEETING**  
**County Government Center, Building F**  
**101 Mounts Bay Road, Williamsburg, Virginia 23188**  
**June 9, 2021**  
**5:00 PM**

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**A. CALL TO ORDER**

The Chesapeake Bay Board meeting for June 9, 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:**

David Gussman, Chairman  
William Apperson  
Larry Waltrip  
Michael O'Brien

**Board Members Absent:**

Charles Roadley  
Halle Dunn

**Other Staff Present:**

Toni Small, Director, Stormwater and Resource Protection  
Liz Parman, Assistant County Attorney  
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection  
Trevor Long, Watershed Planner, Stormwater and Resource Protection  
Robin Benedict, Watershed Planner, Stormwater and Resource Protection  
Janice Petty, Stormwater Assistant, Stormwater and Resource Protection

**C. MINUTES**

1. Minutes from May 12, 2021, Regular Meeting

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

**D. PUBLIC HEARINGS**

1. Case No. CBPA 21-0064 : 101 Abigail Lane

The Applicant requested that the case be deferred until the July 14, 2021, meeting.

2. Case No. CBPA 21-0065 : 111 Cove Road

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Joseph and Mrs. Katherine Dvorak, for encroachments into the Resource Protection Area (RPA) buffer for the construction of a patio and steps located at 111 Cove Road within The Kingspoint subdivision and the College Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4910240009. 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. Gussman opened the Public Hearing.

A. Mr. Joseph Dvorak, outlined the project for the Board.

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

Mr. Apperson made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21- 0065 at 111 Cove Road.

A motion to Approve with Conditions was made by Mr. Apperson, the motion result was:  
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 2  
AYES: Gussman, Apperson, Waltrip, O'Brien  
NAYS: None  
ABSENT: Roadley, Dunn

3. Case No. CBPA 21-0073 : 205 St. Cuthbert

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Ms. Autumn Hauser, Williams Landscape and Design, Inc., on behalf of Mr. James Mullins for encroachments into the RPA buffer for the construction of a patio and walkway located at 205 St. Cuthbert within the Ford's Colony Subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 3721000053. 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. Gussman inquired about the lake being a Best Management Practice (BMP).

Mr. Long affirmatively replied.

Mr. Gussman inquired of the composition of the walkways.

Mr. Long replied that there are two walkways with this plan. One pathway comes around the side of the house and will be made of pavers. The walkway extending down to the firepit and seating area will be composed of gravel.

Mr. Gussman opened the Public Hearing.

A. Mr. James Mullins, owner, outlined the project for the Board.

B. Mr. Aaron Williams, Williams Landscape and Design, Inc., was available to answer questions from the Board.

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

Mr. O'Brien made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21-0073 at 205 St. Cuthbert.

A motion to Approve with Conditions was made by Mr. O'Brien, the motion result was:

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 2

AYES: Gussman, Apperson, Waltrip, O'Brien

NAYS: None

ABSENT: Roadley, Dunn

4. Case No. CBPA 21-0072 : 1909 North Fowlers Close

Mr. Michael Woolson, Resource Protection Section Chief, presented the exception request submitted by Ms. Autumn Hauser, Williams Landscape and Design, Inc., on behalf of Ms. Kristen Elder and Mr. Kent Saunders for encroachments into the RPA buffer for the construction and installation of a pool and patio located at 1909 North Fowlers Close within the Fowler's Lake at The Governor's Land Subdivision and the Gordon Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4320400015. 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. Gussman opened the Public Hearing.

A. Mr. Aaron Williams, Williams Landscape and Design, Inc., outlined the project for the Board.

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

Mr. Waltrip made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21-0072 at 1909 North Fowlers Close.

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

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 2

AYES: Gussman, Apperson, Waltrip, O'Brien

NAYS: None

ABSENT: Roadley, Dunn

5. Case No. CBPA 21-0067 : 1796 Cypress Isle

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Ms. Autumn Hauser, Williams Landscape and Design, Inc., on behalf of Ms. Brenda Snow for encroachments into the RPA buffer for the construction of a landing located at 1796 Cypress Isle within The Governors Land subdivision and the Powhatan Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4321400006. 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. Gussman opened the Public Hearing.

A. Mr. Aaron Williams, Williams Landscape and Design, Inc., outlined the project for the Board. Permeable pavers will be used for the pathway.

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

Mr. Apperson made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21-0067 at 1796 Cypress Isle.

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

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 2

AYES: Gussman, Apperson, Waltrip, O'Brien

NAYS: None

ABSENT: Roadley, Dunn

**E. BOARD CONSIDERATIONS**


Mr. Woolson noted the upcoming Wetlands and Chesapeake Bay Board Meetings on July 14, 2021.


**F. MATTERS OF SPECIAL PRIVILEGE**

1. Remote participation policy.
2. Thank you to Mr. Mitchell Anderson for technical assistance for remote participation.
3. Thank you to Mr. Trevor Long for his excellent job conducting the May 12, 2021 Board meeting.

**G. ADJOURNMENT**

A motion to Adjourn was made by Mr. Gussman and approved on a voice vote.  
The meeting adjourned at 6:49 p.m.

  
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Halle Dunn  
Vice Chair, Chesapeake Bay Board

  
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Michael Woolson  
Secretary to the Board