

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
101 Mounts Bay Road, Williamsburg, Virginia 23188
July 14, 2021
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for July 14, 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
William Apperson
Charles Roadley
Larry Waltrip
Michael O'Brien

Board Members Absent:

David Gussman

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 June 9, 2021 Regular Meeting

A motion to Approve the minutes was made by Mr. Dunn.

The minutes were approved on a voice vote.

D. PUBLIC HEARINGS

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

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Ms. Susan Maida for encroachments into the Resource Protection Area (RPA) buffer for the construction of a retaining wall located at 101 Abigail Lane, within Tazewell's Hundred Phase 2, Kingsmill Subdivision and the College Creek watershed. This case was deferred from the

June 9, 2021 meeting. The property is further identified as James City County Tax Map Parcel No. 5030400082. 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 previously opened the Public Hearing at the June 9, 2021 meeting.

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

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA-21-0064 at 101 Abigail Lane.

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

AYES: Dunn, Apperson, Roadley, Waltrip, O'Brien

NAYS: None

ABSENT: Gussman

2. Case No. CBPA 21-0083 : 114 Constance Avenue

The Applicant requested that the case be deferred until the August 11, 2021, meeting.

Mr. Dunn opened the Public Hearing.

3. Case No. CBPA 21-0087 : 10007 Sycamore Landing Road

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Harold Breeden for encroachments into the RPA buffer for the addition of fill material located at 10007 Sycamore Landing Road within the Stephens Tract No. 2 Subdivision and the Ware Creek watershed. The property is further identified as James City County Tax Map Parcel No. 0720400011. 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. Apperson inquired if Stormwater and Resource Protection staff managed the Erosion and Sediment and Control Plan.

Mr. Long affirmatively replied and added that staff would review that plan along with the Land Disturbing Permit and ensure if this plan were to be approved, that the appropriate erosion and sediment control measures were in place.

Mr. Roadley stated that staff does not have a well-defined site plan. He stated it would be nice to see a site plan that would show where the plantings were going to go so once the permit is issued and the work undertaken, the end result could be matched up to what was approved by the Board.

Mr. Long stated that staff could obtain that and share with the Board as well.

Mr. Dunn opened the Public Hearing.

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

Mr. Roadley stated that he would be willing to approve if staff would be provided the mitigation plans so the Board can judge compliance.

Mr. Waltrip and Mr. Dunn concurred.

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA-21-0087 at 10007 Sycamore Landing Road subject to the condition that the applicant submit a mitigation plan acceptable to staff.

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

AYES: Dunn, Apperson, Roadley, Waltrip, O'Brien

NAYS: None

ABSENT: Gussman

4. Case No. CBPA 21-0075 : 10006 Sycamore Landing Road

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Daniel Winall, Waters Edge Construction on behalf of Mr. David Lambey and Mrs. Kim Lambey, for encroachments into the RPA buffer for bank grading located at 10006 Sycamore Landing Road within the York River and Ware Creek watersheds. The property is further identified as James City County Tax Map Parcel No. 0720100002. 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 of provision in the Chesapeake Bay Ordinance for shoreline projects that have already been duly authorized.

Mr. Long replied, he was not aware of one but that could be looked into.

Mr. Dunn opened the Public Hearing.

A. Mr. Daniel Winall, Waters Edge Construction, outlined the project for the Board.

Mr. Dunn closed the Public Hearing.

Mr. Apperson made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA-21- 0075 at 10006 Sycamore Landing Road.

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

AYES: Dunn, Apperson, Roadley, Waltrip, O'Brien

NAYS: None

ABSENT: Gussman

E. BOARD CONSIDERATIONS

Wetlands and Chesapeake Bay Board Meetings will be held in Building D for August 11, 2021.

F. MATTERS OF SPECIAL PRIVILEGE

None.

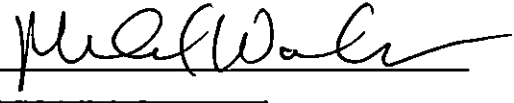
G. ADJOURNMENT

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

The meeting adjourned at 5:50 p.m.



David Gussman
Chair, Chesapeake Bay Board



Michael Woolson
Secretary to the Board