

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building D
September 8, 2021
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for September 8, 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
Halle Dunn
William Apperson
Charles Roadley
Larry Waltrip

Board Members Absent:

None

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

C. MINUTES

1. Minutes from August 11, 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. CBPA 21-0128: 155 Wareham's Point

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Kyle Polk, The Structures Group, Inc. on behalf of Kingsmill Community Services Association for encroachments into the Resource Protected Area (RPA) buffer for the construction of a retaining wall located at 155 Wareham's Point, within Wareham's Point Subdivision, Kingsmill on the James and the Skiffes Creek watershed. The property is further identified as James City County Tax Map Parcel No. 5041900001B. The retaining wall is to be behind 164 and 166 Wareham's Point. 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. Kyle Polk, The Structures Group, Inc., outlined the project for the Board.

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

Mr. Dunn made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21-0128 at 155 Wareham's Point.

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

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

AYES: Gussman, Dunn, Apperson, Roadley, Waltrip

NAYS: None

ABSENT: None

2. CBPA 21-0079: 6015 Richmond Road

Mr. Gussman announced the applicant had withdrawn their request

Mr. Gussman closed the Public Hearing, which had been previously opened at the August 11, 2021 Board meeting.

E. BOARD CONSIDERATIONS

1. Emergency Permit for temporary repairs at 5030 River Drive.

Mr. Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection presented the emergency exception request submitted by Gary McSherry on September 8, 2021 to the Chesapeake Bay Board of James City County, to use the RPA on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 093030006 and further identified as 5030 River Drive as set forth in the application CBPA 21-0144 for the purpose of temporarily stabilizing a slope.

A. Mr. Gary McSherry, was available to answer questions from the Board.

Mr. Roadley made a motion to Adopt the resolution for Chesapeake Bay Board Case No. CBPA 21-0144 at 5030 River Drive.

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

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

AYES: Gussman, Dunn, Apperson, Roadley, Waltrip

NAYS: None

ABSENT: None

F. MATTERS OF SPECIAL PRIVILEGE

1. Appeal for a violation at 5032 River Drive deferred to the October 13, 2021 meeting.

Mr. Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection requested the appeal be deferred to the October 13, 2021 meeting, for the RPA on a parcel of property identified as James City County Parcel No. 093030007 and further identified as 5032 River Drive.

Mr. Dunn inquired of the timeframe for repairs as required by James City County.

Mr. Roadley made a motion of Deferral for the Appeal of Chesapeake Bay Board Case No. CBPA 21-0144 at 5032 River Drive

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

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

AYES: Gussman, Dunn, Apperson, Roadley, Waltrip

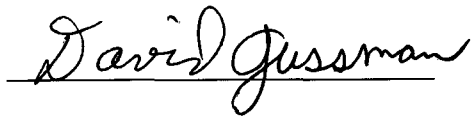
NAYS: None

ABSENT: None

G. ADJOURNMENT

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

The meeting adjourned at 6:35 p.m.

A handwritten signature in cursive script that reads "David Gussman". The signature is written above a horizontal line.

David Gussman
Chair, Chesapeake Bay Board

A handwritten signature in cursive script that reads "Michael Woolson". The signature is written above a horizontal line.

Michael Woolson
Secretary to the Board