

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
January 11, 2023
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for January 11, 2023 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:

Charles Roadley, Chair
Halle Dunn
Michael O'Brien
Leslie Bowie, Alternate

Board Members Absent:

Scott Maye, Vice Chair
Larry Waltrip

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection
Robin Benedict, Watershed Planner, Stormwater and Resource Protection
Trevor Long, Watershed Planner, Stormwater and Resource Protection
Joshua Everard, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes for December 14, 2022 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. CBPA-22-0151 : 3011 Willow Spring Court
A motion to Approve w/ Conditions was made by Halle Dunn, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 2
Ayes: Bowie, Dunn, O'Brien, Roadley
Absent: Maye, Waltrip
Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Carl Story, Williamsburg Landing, Inc., on behalf of

Williamsburg Landing, Inc., for encroachments into the Resource Protection Area (RPA) buffer for the replacement and expansion of a deck. The property is further identified as James City County Parcel No. 4820100002. 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.

Staff clarified details of the plan, including that the applicant did not indicate intent to install a layer of gravel under the proposed deck.

Mr. Roadley opened the Public Hearing.

A. Mr. Carl Story, Williamsburg Landing, Inc, 5700 Williamsburg Landing Drive, explained the intent for the proposed deck expansion and clarified that a layer of gravel will be installed under the deck.

Mr. Roadley closed the Public Hearing.

2. CBPA-22-0119 : 9101 Six Mount Zion Road

A motion to Approve w/ Conditions was made by Michael O'Brien, the motion result was Passed.

AYES: 3 NAYS: 1 ABSTAIN: 0 ABSENT: 2

Ayes: Bowie, O'Brien, Roadley

Nays: Dunn

Absent: Maye, Waltrip

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Jeff Huentelman, Land Planning Solutions, on behalf of MCP Stonehouse, LLC c/o Mandrake Capital Partners, for encroachments into the RPA buffer for the site grading associated with the development of Stonehouse Tract 10A. The property is further identified as James City County Parcel No. 0540100002. 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.

Staff clarified details of the plan including information about the revegetation of the site and explanation of intent for the proposed site grading.

Mr. Roadley opened the Public Hearing.

A. Mr. Jeff Huentelman, Land Planning Solutions, 1403 Greenbrier Parkway, Chesapeake, Virginia, offered further details about the plan, especially as it relates to concurrent development by MCP Stonehouse in an abutting parcel. Mr. Huentelman also clarified the area of land that will remain undeveloped and recorded as natural open space at the site. In response to inquiries from the Board, Mr. Huentelman also offered explanation of details included on a map of the site that are not directly involved with the plan.

Mr. Roadley closed the Public Hearing.

Mr. Dunn expressed concern that, as the report from staff indicated, encroaching into the RPA is not the only option available to the applicant for them to complete the proposed development.

The Board continued discussion of the pros and cons of the request.

3. CBPA-22-0154 : 130 Jameswood

A motion to Approve w/ Conditions was made by Halle Dunn, the motion result was Passed.

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

Ayes: Bowie, Dunn, O'Brien, Roadley

Absent: Maye, Waltrip

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Daniel Gasink, for encroachments into the RPA for the construction of a patio and installation of a hot tub. The property is further identified as James City County Parcel No. 4510400082. 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.

Mr. Dunn opened the Public Hearing.

A. Mr. Daniel Gasink, 130 Jameswood, offered further details of the history of the project, including that he had called the James City County permit office to inquire about patio and hot tub installation requirements prior to installation, and that the project did not disturb any existing vegetation.

Mr. Dunn closed the Public Hearing.

The Board discussed the pros and cons of the request.

4. CBPA-22-0120 : 108 Murcar

A motion to Approve w/ Conditions was made by Michael O'Brien, the motion result was Passed.

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

Ayes: Bowie, Dunn, O'Brien, Roadley

Absent: Maye, Waltrip

Ms. Robin Benedict/Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. Daniel McCormick, for encroachments into the RPA buffer for the construction of a single-family dwelling. The property is further identified as James City County Parcel No. 3710800077. 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.

Staff clarified details of the plan, including description of the wetlands at the site and of the nearby stormwater Best Management Practices (BMP) facility.

Mr. Dunn opened the Public Hearing.

A. Mr. Chase Grogg, LandTech Resources, Inc., 205 Bulifants Boulevard, Suite E, offered further details of the plan, including explanation of the location of the proposed house and driveway and the expected drainage path at the site.

Mr. Dunn closed the Public Hearing.

Staff clarified for the Board that had the lot been platted after 2004, instead of in 2000 when it was, the plat would have included an area of RPA buffer.

Mr. Roadley clarified his inquiry about the lot's platting by expressing that more detailed delineation of the wetlands in the area near the site would have yielded a more precise and accurate RPA buffer delineation.

The Board continued to deliberate the pros and cons of the request.

Mr. Roadley reopened the Public Hearing.

A. Mr. Grogg clarified the intent for the proposed infiltration trench's location.

Mr. Dunn closed the Public Hearing.

Mr. O'Brien concurred with the plan's details as the most optimal for the site conditions.

Mr. Roadley expressed concern at the plan's dissonance with the intent of the Chesapeake Bay Preservation Act while also recognizing that there will not be active detriment to water quality.

E. BOARD CONSIDERATIONS

None.

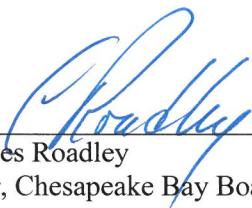
F. MATTERS OF SPECIAL PRIVILEGE

None.

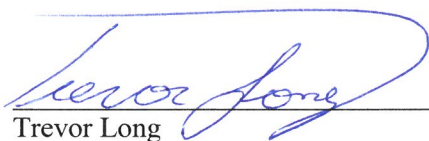
G. ADJOURNMENT

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

The meeting adjourned at 6:26p.m.



Charles Roadley
Chair, Chesapeake Bay Board



Trevor Long
Secretary to the Board