

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
April 10, 2024
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for April 10, 2024, 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:

Leslie Bowie
Charles Roadley, Chair
Larry Waltrip
Scott Maye

Board Members Absent:

Michael O'Brien, Vice Chair

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
Emily Grojean, Watershed Planner, Stormwater and Resource Protection
Andrew Dean, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes from the March 13, 2024, Regular Meeting

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

The minutes were approved on a voice vote.

D. PUBLIC COMMENT

None.

E. PUBLIC HEARING(S)

1. CBPA-23-0174 : 9400 Barnes Road

Ms. Robin Benedict, Watershed Planner, presented the request for deferral submitted by Mr. Mark Boyd, Kimley-Horn and Associates, Inc., on behalf of LI Hazelwood Farms VA Investor LP citing the need for further revision of the site plan. The exception request is for encroachments into the Resource Protection Area (RPA) for the construction of a building. The property is further identified as James City County Real Estate Tax Map Parcel No. 0430100017. Staff also recommended that the Public Hearing should be opened until the May 8, 2024, Regular Board Meeting and remain so as a matter of procedure.

Mr. Roadley opened the Public Hearing.

The Public Hearing would remain open until the May 8, 2024, Board meeting, at which time the case would be heard.

2. CBPA-24-0028 : 7224 Canal Street

A motion to Approve w/ Conditions was made by Mr. Maye, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Waltrip, Maye, Bowie, Roadley

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Darryl Flattum, on behalf of Mr. Ronald and Ms. Joyce Figg. The exception request is for encroachments into the RPA for the construction of a gazebo and gravel patio. The property is further identified as James City County Real Estate Tax Map Parcel No. 1910900038. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Mr. Roadley opened the Public Hearing.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

3. CBPA-24-0008 : 3820 Rochambeau Drive and 170 Sand Hill Road

A motion to Approve w/ Conditions was made by Mr. Maye, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Waltrip, Maye, Bowie, Roadley

Absent: O'Brien

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Jeff Huentelman, Land Planning Solutions, Inc., on behalf of MCP Stonehouse, LLC. c/o Mandrake Capital Partners, for encroachments into the RPA for the installation of a waterline and associated grading. The properties at 3820 Rochambeau Drive and 170 Sand Hill Road are further identified as James City County Real Estate Tax Map Parcel Nos. 1310100008A and 1310100019 respectively. 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 for the Board.

Mr. Roadley opened the Public Hearing.

A. Mr. Jeff Huentelman, Land Planning Solutions, Inc., 1403 Greenbrier Parkway, Suite 205, Chesapeake, Virginia presented himself for questions and confirmed that the information provided by Ms. Grojean regarding the route of the waterline was appropriate.

Mr. Roadley and Mr. Huentelman discussed the erosion and sediment issues in the Stonehouse area.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

4. CBPA-24 0017 : 196 The Maine

A motion to Approve w/Conditions was made by Ms. Bowie, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Waltrip, Maye, Bowie, Roadley

Absent: O'Brien

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Joseph Krallinger, The Structures Group, Inc., on behalf of Ms. Carolyn Hill and Ms. Camilla Buchanan, for encroachments into the RPA for the replacement of a retaining wall. The property is further identified as James City County Real Estate Tax Map Parcel No. 4540200071. 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. Roadley opened the Public Hearing.

A. Mr. Joseph Krallinger, The Structures Group, Inc., 1200 Old Colony Lane, presented himself for questions.

Mr. Roadley closed the Public Hearing.

5. CBPA 24 0030 : 136 John Wickham

A motion to Approve w/ Conditions was made by Mr. Maye, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Waltrip, Maye, Bowie, Roadley

Absent: O'Brien

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. David Soto, The Structures Group, Inc., on behalf of Mr. Scott and Ms. Janet Kruger, for encroachments into the RPA for the construction of a retaining wall. The property is further identified as James City County Real Estate Tax Map Parcel No. 5130200009. 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 for the Board.

Mr. Roadley open the Public Hearing.

A. Mr. Joseph Krallinger of The Structures Group, Inc., 1200 Old Colony Lane, answered Mr. Waltrip's question regarding drainage and post-construction conditions of the area.

Mr. Roadley closed the Public Hearing.

6. CBPA-23-0152 : 223 Oakmere Park

A motion to Approve w/ Conditions was made by Mr. Maye, the motion result was Passed.

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

Ayes: Waltrip, Maye, Bowie

Nays: Roadley

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Ryan Linnekin, Williams Landscape and Design, Inc., on behalf of Mr. Derek and Ms. Susan Smith, for encroachments into the RPA for the construction of a paver patio, deck, retaining wall, and fountain. The property is further identified as James City County Real Estate Tax Map Parcel No. 3233100041. 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 the details of the plan for the Board.

Mr. Roadley opened the Public Hearing.

A. Mr. Benny Zhang, Kaufmann & Canoles, P. C., 4801 Courthouse Street, Suite 300, presented the legal background of the property.

Mr. Roadley questioned Mr. Zhang regarding issues surrounding the plan.

B. Mr. Ryan Linnekin, Williams Landscape and Design, Inc., 1554 Penniman Road, presented the background of the original and subsequent site plans and approvals.

Mr. Roadley questioned Mr. Linnekin regarding drainage and Mr. Linnekin stated their solutions.

C. Mr. Derek Smith, 223 Oakmere Park, presented background of the transfer of the property from the previous owner.

D. Mr. James Bartolotta, 219 Oakmere Park, presented as a character witness for the applicant.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

7. CBPA-24-0031 : 113 Glasgow

A motion to Defer was made by Ms. Bowie, the motion result was Passed.

Ayes: 4 Nays: 0 Abstain: 0 Absent: 1

Ayes: Bowie, Maye, Roadley, Waltrip

Absent: O'Brien

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. John D. and Ms. Sheree A. Konstantinou, for encroachments into the RPA for the construction of a single-family dwelling. The property is further identified as James City County Real Estate Tax Map Parcel No. 3820200058. 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 for the Board.

Mr. Roadley opened the Public Hearing.

A. Mr. Chase Grogg, LandTech Resources, Inc., 205 Bulifants Boulevard, Suite E, presented the

details of the plan.

B. Mr. Leonard Heath Jr., 401 Skimino Landing Drive, presented concerns regarding the impact the plan would have on 115 Glasgow Drive and requested that the Board deny the application.

A. Mr. Grogg provided further details regarding drainage mitigation during construction.

Mr. Roadley voiced concern over no drainage agreement with Ford's Colony.

A. Mr. Grogg on behalf of Mr. John D. and Ms. Sheree A. Konstantinou requested a deferral until the next Board meeting on May 8, 2024 citing the need for further revision of the site plan.

F. BOARD CONSIDERATION(S)

Mr. Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection, introduced Mr. Mark McElroy, the new Chesapeake Bay Board and Wetlands Board alternate member.

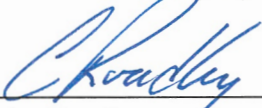
G. MATTERS OF SPECIAL PRIVILEGE

None.


H. ADJOURNMENT

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

The meeting adjourned at 6:47 p.m.



Charles Roadley
Chair, Chesapeake Bay Board



Robin Benedict
Secretary to the Board