

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
December 11, 2024
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for December 11, 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:

Charles Roadley, Chair
Larry Waltrip
Michael O'Brien, Vice Chair
Scott Maye
Leslie Bowie

Board Members Absent:

None

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection
Emily Grojean, Watershed Planner, Stormwater and Resource Protection
Amanda Frazier, Watershed Planner, Stormwater and Resource Protection
Andrew Dean, Assistant County Attorney, County Attorney's Office

C. MINUTES

1. Minutes from the November 14, 2024, Regular Meeting

A motion to Approve the minutes was made by Ms Bowie.

The minutes were approved on a voice vote.

D. PUBLIC COMMENT

None.

E. PUBLIC HEARING(S)

1. CBPA-24-0122 : 19 Windjammer Court

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

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

Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Lance Frost, Country Village Mobile Home Park, on behalf of Mr. Darel Crumpler, for encroachments into the Resource Protection Area (RPA) for the installation of a shed. The property is further identified as James City County Real Estate Tax Map Parcel No. 5920100001. 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 asked what planting units would have been required.

Ms. Grojean stated that it would have been half a planting unit but because the request was after-the-fact, the amount was doubled.

Mr. Roadley opened the Public Hearing.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

2. CBPA-24-0160 : 136 Freshwater Bay

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

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

Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Walk Wright Construction, LLC, for encroachments into the RPA for the construction of a single-family dwelling with an attached deck. The property is further identified as James City County Real Estate Tax Map Parcel No. 3131500024. 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. Chase Grogg, Landtech Resources, Inc., 205 Bulifants Boulevard, Suite E, Williamsburg, stated the minimum first floor square footage requirement for single-family dwellings in the Eaglescliffe section of Ford's Colony was 3,000 square feet. The proposed building would have a 2,415 square-foot first floor, prompting a request for a variance. Mr. Grogg explained that other houses in the same section are below the minimum square footage, so there was precedence for the variance. Mr. Grogg further explained the actions taken to mitigate the impact on the RPA as much as possible.

B. Mr. Edwin Barnhart, 128 Freshwater Bay, Williamsburg, stated his concerns regarding tree clearing.

A. Mr. Grogg stated that Ford's Colony would also review any clearing, but the area of concern would have to be graded to maximize drainage.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

3. CBPA-24-0153 : 105 Murcar

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

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

Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Amanda Frazier, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Mr. Brian D. and Ms. Mary O. Knapp, for encroachments into the RPA for the construction of a deck. The property is further identified as James City County Real Estate Tax Map Parcel No. 3710800079. 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. Chase Grogg, Landtech Resources, Inc., 205 Bulifants Boulevard, Suite E, Williamsburg, explained how the construction of the deck affected the building.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

4. CBPA-24-0128 : 4376 Landfall Drive

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

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

Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Gregory Griffin and Ms. Karin Rhodes for encroachments into the RPA for the construction of a patio and walkway. The property is further identified as James City County Real Estate Tax Map Parcel No. 4732400035. 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. Gregory Griffin, 4376 Landfall Drive, Williamsburg, explained the circumstances relating to the construction.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

5. CBPA-24-0152 : 223 Sherwood Forest

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

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

Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Amanda Frazier, Watershed Planner, presented the exception request submitted by Mr. Larry J. Stroup and Ms. Melissa G. Stroup for encroachments into the RPA for the construction of a shed. The property is further identified as James City County Real Estate Tax Map Parcel No. 1730200011. 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.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

6. CBPA-24-0163 : 223 St. Cuthbert

A motion to Approve w/ Conditions was made by Mr. O'Brien, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Mr. Peter and Ms. Barbara Douglas, for encroachments into the RPA for the construction of a single-family dwelling with an attached deck. The property is further identified as James City County Real Estate Tax Map Parcel No. 3721000049. 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. Chase Grogg, LandTech Resources, Inc., 205 Bulifants Boulevard, Suite E, Williamsburg, related the efforts taken to mitigate the impact on the RPA as much as possible.

Mr. O'Brien asked for calculations used to determine the square footage.

A. Mr. Grogg stated the plan was re-evaluated based on the correct square footage.

Mr. Maye requested confirmation regarding the drainage into the Best Management Practices.

A. Mr. Grogg pointed to the site plan as to where the water would flow and efforts taken to minimize the impact to the wetlands.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

7. CBPA-24-0169 : 109 Brancaster

A motion to Approve w/ Conditions was made by Mr. Maye, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Mr. Darnell Lamont Covil and Ms. Hillary

Brown Covil, for encroachments into the RPA for the construction of a single-family dwelling and screened porch. The property is further identified as James City County Real Estate Tax Map Parcel No. 3810300033. 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. Chase Grogg, Landtech Resources, Inc., 205 Bulifants Boulevard, Suite E, Williamsburg, stated that the proposed plan had been heard previously by the Board. He further detailed the efforts taken to minimize the impact to the RPA as much as possible.

Mr. Waltrip asked Mr. Grogg whether there are non-RPA related building projects being undertaken.

Mr. Grogg related a few scenarios of building in less encumbered areas.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

8. CPBA-24-0108 : 112 Land End Drive

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

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

Ayes: Waltrip, O'Brien, Roadley

Nays: Maye, Bowie

Ms. Amanda Frazier, Watershed Planner, presented the exception request submitted by Mr. Ahmed Hassan, on behalf of Mr. Kenneth T. Brown, for encroachments into the RPA for the construction of a deck, pool, and outbuilding. The property is further identified as James City County Real Estate Tax Map Parcel No. 4730500067. 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 questioned the double charge for the mitigation.

Ms. Frazier confirmed that the entire mitigation was doubled.

Mr. Roadley questioned whether the rain garden was existing or proposed.

Ms. Frazier stated that one rain garden was being proposed and that the water feature was proposed to be turned into a rain garden.

Mr. Roadley opened the Public Hearing.

A. Mr. Ahmed Hassan, Naval Facilities Engineering Command, Norfolk, VA, confirmed that the unauthorized projects needed to be remediated and asked the Board to consider the proposed plan.

Mr. Roadley asked whether the proposed rain garden would function properly to treat water.

A. Mr. Hassan confirmed that the rain garden would function properly and detailed further remediation plans.

Mr. Waltrip asked Mr. Hassan if there was a deferral request or to vote on the plan.

A. Mr. Hassan confirmed he was requesting a vote.

Mr. O'Brien needed to know how the violations would be addressed.

A. Mr. Hassan stated the violations would be remediated as part of the plan.

Mr. Woolson, Section Chief, Resource Protection, explained the details of the plan to resolve the violations.

The Board discussed the pros and cons of the plan.

Mr. Roadley reiterated that the option before the Board was denial, deferral, or approval with conditions of the application.

Mr. Roadley closed the Public Hearing.

9. CBPA-24-0165 : 141 Macaulay Road

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

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

Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Amanda Frazier, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Olsen Fine Homebuilding, for encroachments into the RPA for the construction of two decks, a patio and a fire pit. The property is further identified as James City County Real Estate Tax Map Parcel No. 5030200136. 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 asked if there would be any erosion issues that would need to be mitigated.

Mr. Roadley opened the Public Hearing.

A. Mr. Chase Grogg, Landtech Resources, Inc., 205 Bulifants Boulevard, Suite E, Williamsburg, detailed actions taken to minimize the impact to the RPA as much as possible. Mr. Grogg explained that the Board had previously approved plans for the same property. Mr. Grogg answered Mr. Roadley's question regarding erosion mitigation which was posed to staff.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

10. CBPA-24-0164 : 16 Whittakers Mill Road

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

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

Ayes: Waltrip, O'Brien, Maye, Bowie, Roadley

Ms. Emily Grojean, Watershed Planner, presented the exception request submitted by Mr. Chase Grogg, Landtech Resources, Inc., on behalf of Ms. Diane Giordano, for encroachments

into the RPA for the construction of a deck. The property is further identified as James City County Real Estate Tax Map Parcel No. 5040300016. 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. Chase Grogg, Landtech Resources, Inc., 205 Bulifants Boulevard, Suite E, Williamsburg, detailed the actions taken to minimize the impact to the RPA as much as possible.

The Board discussed the pros and cons of the plan.

Mr. Roadley closed the Public Hearing.

F. BOARD CONSIDERATION(S)

1. Election of Officers for 2025

A motion was made by Mr. Maye to nominate Mr. Charles Roadley to Chair of the Chesapeake Bay Board for 2025.

The nomination was approved on a voice vote.

A motion was made by Mr. O'Brien to nominate Ms. Leslie Bowie to Vice Chair of the Chesapeake Bay Board for 2025.

The nomination was approved on a voice vote.

A motion was made by Mr. Roadley to nominate Mr. Michael Woolson to be Secretary of the Chesapeake Bay Board for 2025.

The nomination was approved on a voice vote.

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 6:52 p.m.



Leslie Bowie
Vice Chair, Chesapeake Bay Board



Michael Woolson
Secretary to the Board