

YORK COUNTY CHESAPEAKE BAY BOARD
Minutes of February 27, 2019

At a meeting of the York County Chesapeake Bay Board held on Wednesday, February 27, 2019, at 6:00 p.m. in the Multi-Purpose Room in the Public Works Administration Building, located at 105 Service Drive, Yorktown, Virginia, those present were:

Board Members Present:

Brian Almond, Chair
Michael Woolson, Vice Chair
Paul Brindza
Richard Wheat
Stephen Farthing
Martin Cardwell
John Tinneney
Bradley Berrane

Staff Present:

Justin Atkins, Assistant County Attorney
Joseph Brogan, Stormwater Programs Manager
Anna Drake, Stormwater Engineer II
Kent Henkel, Environmental Specialist II
Amy Green, Engineer II

The meeting was called to order at 6:04 p.m. by the Chair, Brian Almond

PUBLIC COMMENT PERIOD

The Chair opened the Chesapeake Bay Board's public comment period; no one came forward; the public comment period was closed.

APPROVAL OF THE MINUTES

The December 2018 minutes were approved by consensus.

Note: PowerPoint slides were shown throughout the public hearing.

Brian Almond recused himself from the Board for the first exception since he was the applicant and Michael Woolson acted as Chair.

CHESAPEAKE BAY EXCEPTIONS/APPEALS

- **Exception 2019-018 for Brian Almond at 1009 Bay Tree Beach Road:** Request to construct a house, deck and driveway in the 100-foot Resource Protection Area buffer along the Chesapeake Bay.

Kent Henkel, presented the application, plans, and photographs.

The Acting Chair opened the public hearing and Brian Almond, of 1007 Bay Tree Beach Road, came forward to present his application to the Board. The Board members asked about the mitigation location, RPA location, and where the site was draining.

The Board deliberated on the application and discussed the location of the existing impervious cover versus the proposed impervious cover and the size of the house. The applicant was asked

if he was taking credit for the existing impervious area. Mr. Almond stated no, he wanted the application to be considered on its own merits.

The Board deferred to the County Attorney as to whether the credits for the existing impervious area would be available for future use by the applicant.

The public hearing was closed.

Mr. Farthing made a motion to approve the application with the understanding that staff would optimize the placement of the mitigation to intercept runoff.

The motion was approved on the following roll call:

Paul Brindza	Yes
Richard Wheat	Yes
Stephen Farthing	Yes
Martin Cardwell	Yes
John Tinneney	Yes
Bradley Berrane	Yes
Michael Woolson, Vice Chair	Yes

Michael Woolson stepped down as Chair and Brian Almond was the Chair for the remainder of the meeting.

- **Exception 2019-022 for Che Torry at 110 Creek Terrace:** Request to construct a house, pool, patio, sidewalk and driveway in the 100-foot Resource Protection Area buffer along Lambs Creek.

Kent Henkel, presented the application, plans, and photographs. A protest letter was read into the record.

Che Torry of 209 East Wedgewood Drive in Yorktown, came forward to speak in behalf of his application. He stated he wanted to buy the property and build a house and pool for his family.

Beverly Olsen, of Olsen Fine Homebuilding, also came up and addressed the Board in support of the application.

The public hearing was closed.

The Board deliberated on the application and discussed whether a pool was the minimum necessary. Mr. Tinneney suggested the applicant reduce the concrete around the pool to 3-feet. Mr. Woolson and Mr. Farthing stated that pools were not the minimum necessary. Mr. Wheat and Mr. Almond thought pools were no different than a shed or patio in the RPA. Mr. Almond suggested the applicant use pavers to reduce the impervious area.

Mr. Almond made a motion to approve the application with the following conditions; the driveway be constructed of permeable pavers, the size of the pool be reduced to 16' X 32', the patio on the north and west side of the pool be no larger than three feet in width, the patio around the pool be constructed of permeable pavers and full mitigation be installed.

The motion was approved on the following roll call:

Paul Brindza	Yes
Richard Wheat	Yes
Stephen Farthing	No
Martin Cardwell	No
John Tinneney	Yes
Michael Woolson, Vice Chair	No
Brian Almond, Chair	Yes

NEW BUSINESS

Staff informed the Board that Jerry Patterson was appointed as a new alternate member.

OLD BUSINESS

None

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 8:10 pm.



Brian Almond, Chair

5/6/19

Date