

# **YORK COUNTY CHESAPEAKE BAY BOARD**

## **Minutes of March 23, 2022**

A meeting of the York County Chesapeake Bay Board was held on Wednesday, March 23, 2022, at 6:00 p.m. in the Multi-Purpose Room in the Public Works Administration Building, located at 105 Service Drive, Yorktown, Virginia. This meeting was done with staff, Michael Woolson, Chair, and four Board members present.

### **Board Members Present:**

Michael Woolson, Chair  
Paul Brindza  
Bradley Berrane  
Julius Johnson\*  
Jack Jordan\*

### **Staff Present:**

Kent Henkel, Engineering Specialist II  
Barrett Nicks, Engineering Specialist I  
Brenda Farmer, Administrative Technician  
Richard Hill, Assistant County Attorney

\*Alternate appointed to the Board for 3-23-22 meeting.

The meeting was called to order at 6:00 p.m. by the Chair, Michael Woolson

### **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**

A motion to approve the January 26, 2022 minutes was made by Mr. Berrane and they were approved by consensus.

*Note: PowerPoint slides were shown throughout the public hearing.*

### **CHESAPEAKE BAY EXCEPTIONS/APPEALS**

- **Exception 2022-029 for Adam Darland at 228 Bethune Drive:** Request to retain an unauthorized addition to a previously approved deck in the RPA buffer along an unnamed tributary connected to Whiteman Swamp.

Barrett Nicks, presented the application, the project history, photographs of the site and described what vegetative mitigation would be required should the Board approve the application.

The Chair opened the public hearing.

Adam Darland of 228 Bethune Drive, came forward. He stated that his backyard slopes directly into a ditch. Mr. Darland states that he built the deck for his late wife, who loved being outdoors. He wants to bring everything up to code, and make sure is it compliant.

The public hearing was closed.

Board appreciates Mr. Darland coming before the Board. They would like the mitigation component to be doubled for the after-the-fact violation, resulting in 12 shrubs being planted. Board inquired if the existing deck was built per building safety standards. Kent Henkel replied that Mr. Darland has applied for a building permit, and on the condition he is allowed to move forward with the deck, Building & Safety will make sure that the deck meets building code. Mr. Woolson asked Richard Hill, Assistant County Attorney, if the Board approved the application, could they condition the time frame for the demolition of the deck. Mr. Hill responded that he did not see why not.

A motion was made by Mr. Woolson to adopt Resolution 22-029B for the deck addition as shown on the site plan received February 8, 2022 with the condition double mitigation be installed; this project will have all final inspections done by September 23, 2022 (6 months); placement of mitigation to be determined by staff based on field conditions.

The motion was approved on the following roll call:

Jack Jordan	Yes
Julius Johnson	Yes
Bradley Berrane	Yes
Paul Brindza	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 2022-033 for Edgerton Contracting at 107 Misty Drive:** Request to revise previously approved exception. Changing to side loading garage. Increasing impervious area for additional driveway and relocating the house in the RPA buffer along Boathouse Creek.

Kent Henkel, presented the application, the project history, photographs of the site and described what vegetative mitigation would be required should the Board approve the application.

Board inquired if the house was the same. Kent replied that the only impervious change would be the driveway. The Board inquired if the driveway was gravel. It is concrete. Board inquired if Mr. Gray the APO that spoke at the last meeting was aware of the proposed change. Kent confirmed he had been notified and discussed the proposed changes with staff.

The Chair opened the public hearing.

Ricky Edgerton of 109 Kings Grant Rd, agent for the application came forward and explained that once they got the approval they had to go into engineering and with the new FEMA requirements the columns had to be designed a lot larger and there would not be enough room to get the vehicles under the house. By relocating the garage entrance they can get the cars under the dwelling. Board inquired as to the number of car garages being built. Mr. Edgerton replied it was just open space under the house on the ground level.

The public hearing was closed.

Board recognizes that the applicant must comply with FEMA regulations, as well as not wanting to put a lot of effort into design before know if you have an approval. Board would appreciate a conversation with the client to have pavers with corresponding reduction in mitigation.

A motion was made by Mr. Berrane to adopt Resolution 22-033B as shown on the development plan prepared by Campbell Land Surveying, Inc. dated February 18, 2022 with the condition if the driveway is converted partially or entirely to pavers, then an adjustment be made to the planting requirements.

The motion was approved on the following roll call:

Jack Jordan	Yes
Julius Johnson	Yes
Paul Brindza	Yes
Bradley Berrane	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

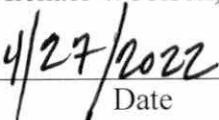
**NEW BUSINESS**

- There will not be an April Meeting.

**OLD BUSINESS**

**ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 6:41 pm.

  
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Michael Woolson, Chair  
  
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Date