

YORK COUNTY CHESAPEAKE BAY BOARD

Minutes of April 22, 2020

A meeting of the York County Chesapeake Bay Board was held on Wednesday, April 22, 2020, 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 and Michael Woolson present and the remaining members of the Board participating remotely through Zoom due to Covid-19. Those present were:

Board Members Present:

Michael Woolson, Chair

Staff Present:

Kent Henkel, Environmental Specialist II
Anna Drake, Stormwater Engineer II
Jennifer Wilson, Administrative Assistant II

Board Members Participating Remotely

Jerry Patterson- 116 Galaxy Way
Richard Wheat -103 Tue Marsh Ln
John Tinneney-137 Cross Point Ct
Paul Brindza- 107 Brian Rd
Bradley Berrane- 1102 Dandy Loop Rd

Staff Participating Remotely

Justin Atkins, Assistant County Attorney (Zoom)

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 22, 2020 minutes was made by Mr. Brindza and were approved by consensus.

Note: PowerPoint slides were shown throughout the public hearing.

CHESAPEAKE BAY EXCEPTIONS/APPEALS

- **Exception 2020- 024 for Greg Weiss at 812 Ship Point Rd:** Request to construct a portion of a deck and pool in the RPA buffer along the Poquoson River.

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 pool would be above ground and was informed it was.

The Chair opened the public hearing.

Tony Orban of River Pools and Spas, and Ryan Smith of Dream Pools came forward. Tony explained the pool would be fiberglass above ground with gravel pad underneath. Ryan explained the location of footers and showed deck and pool height in relation to existing deck/ porch on house.

Laura Weiss the homeowner of 812 Ship Point Road came forward. She explained that the reasoning for the location of the pool, is of course the extension of the deck is aesthetically pleasing, however; the main reason is the placement makes it easy to see the children in the pool from many windows in the home.

The Board deliberated and concur with the staff proposal of all mitigation being placed in the RPA and agreed that the safety of the children should be main concern and agree with the placement. It was determined that the pump system for the pool would be placed outside of the RPA.

The public hearing was closed.

A motion was made by Mr. Wheat to adopt Resolution 20-024 as submitted with the vegetation to be planted in the RPA per staff approval

The motion was approved on the following roll call:

Jerry Patterson	Yes
John Tinneney	Yes
Paul Brindza	Yes
Bradley Berrane	Yes
Richard Wheat	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 2020-053 for Michael and Laura O'Connor at 1013 Wormley Creek Drive:** Request to construct a retaining wall, patios, walkways and dry creek beds in the RPA buffer along Wormley 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. The Board inquired what the pathway would be constructed of. The pathway would be pavers, and the picture of the permeable pavement was shown. Mr. Wheat pointed out areas he noticed on his site visit where the erosion was so bad the drainage pipes were exposed. Board inquired if a bulkhead was included in this project, which it is not. Staff told Board that in 2011 an exception was granted to pave a gravel driveway and a BMP was required at that time. The BMP is still functioning.

The Chair opened the Public Hearing.

Mike Turkovich of Berkeley Design, came forward to address drainage issues, water and access to property. Pipes generally buried 6"-10" down are currently exposed as Mr. Wheat mentioned, the pavers are permeable, and the retaining wall will be put in place to hold dirt and help maintain trees. Board inquired about the dimensions of the fire pit, which was to be a 12 foot diameter with a 54" diameter fire pit.

Michael O'Connor of 1013 Wormley Creek Drive, participating remotely, wanted to thank the Board for hearing application and emphasize the need for erosion control. They have spent the last 10 years trying different solutions for erosion control. They have finally sought professional assistance to locate all of the specific features where the most serious erosion control problems are occurring.

The public hearing was closed.

Board deliberated about need for fire pit, and the loss of total permeable area. They would prefer more grass, however Mr. Turkovich stated that grass would not stay established and would have to be continuously replanted. Mr. Tinneney inquired about width of pathways. Mr. Henkel proposed the condition that they should not be any wider than 4-feet except where joined with other pathways. It was asked of Mr. Turkovich if green space with plantings could be put in place of fire pit, and if dry creek beds were actually needed in that area. Mr. Turkovich agreed planting could be placed in that space, however; he requested that some dry creek bed to remain due to the way the water flows through the channel where the fire pit is located on the drawings and dumps out where the dock is.

A motion was made by Mr. Woolson to adopt Resolution 20-053 as submitted with the following conditions:

- Elimination of fire pit
- Linear walkways not to exceed 4 foot maximum width
- Dry creek beds in vicinity of the fire pit not to exceed 200 square feet, shape and location to be determined in field

The motion was approved on the following roll call:

Jerry Patterson	Yes
Richard Wheat	Yes
John Tinneney	Yes
Paul Brindza	Yes
Bradley Berrane	Yes
Michael Woolson, Chair	Yes

NEW BUSINESS

- There will be a May meeting

OLD BUSINESS

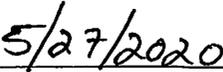
None

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 7:20 pm.



Michael Woolson, Chair



Date