

YORK COUNTY CHESAPEAKE BAY BOARD

Minutes of April 28, 2021

A meeting of the York County Chesapeake Bay Board was held on Wednesday, April 28, 2021, 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, and five Board members 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
Jerry Patterson
Paul Brindza
Richard Wheat
Brad Berrane
Julius Johnson

Staff Present:

Kent Henkel, Environmental Specialist II
Barrett Nicks, Environmental Specialist I
Jennifer Wilson, Administrative Assistant III
Justin Atkins, Assistant County Attorney

Board Members Participating Remotely

Jack Jordan- 103 Nansemond Turn

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 March 24, 2021 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 2021-053 for Jason Henderson at 502 Meherrin Run:**
Request to construct a shed in the RPA buffer along wetlands connected to a perennial stream that drains into Brick Kiln 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 commented that they understood Running Man would not be allowing sheds in front of fence line which would be outside the RPA. Board inquired what shed would be sitting on.

The Chair opened the public hearing.

Jason Henderson participating via Zoom from 502 Meherrin Run stated the shed would be sitting on posts.

The public hearing was closed.

The Board was in agreement that they had no problems with this application and all concurred that it was a reasonable application and not a large shed

A motion was made by Mr. Berrane to adopt Resolution 21-053 as submitted.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Paul Brindza	Yes
Julius Johnson	Yes
Jack Jordan	Yes
Richard Wheat	Yes
Bradley Berrane	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 2021-057 for Ryan Albertson -Modern Exteriors By Design, (Applicant) and Brenden Allen, (Property Owner) at 221 Bethune Drive:**
Request to construct a deck in the RPA Buffer along wetlands that drains into Whiteman Swamp.

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 about the original land disturbance when home was built and original mitigation. Original mitigation will be replaced when deck is constructed since it is in the same area as the deck will be built. No additional mitigation is necessary since more mitigation was done on the original land disturbance. It was noted that the bushes could probably be transplanted instead of replaced. Board inquired what would be under deck because they were concerned about erosion. They would like to suggest filter cloth with some kind of stone overlay.

The Chair opened the public hearing.

Brenden Allen participating via Zoom from 221 Bethune Dr. stated that he will be hiring a landscaper – gardener to take care of moving mitigation and treatment under deck. He is open to filter cloth and stone.

The public hearing was closed.

The Board discussed the fact that the neighbors have decks. They agree that the filter cloth and stone overlay would be good for erosion prevention and needs to be a condition of the application.

A motion was made by Mr. Woolson to adopt Resolution 21-057 with the condition of filter cloth being laid under decking with an overlay of stone of homeowners choice.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Paul Brindza	Yes
Bradley Berrane	Yes
Julius Johnson	Yes
Jack Jordan	Yes
Richard Wheat	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 2021-058 for Robert & Lisa Tulloss at 103 Sylvia Drive:**
Request to construct a pool and pool decking in the 100-foot Resource Protection Area (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 about drainage from downspouts and purpose of gravel.

The Chair opened the public hearing.

Robert Tullos of 103 Sylvia Drive came forward. He stated that the original thought was for the gravel was to help with water for downspouts, but it had been suggested to them to bring concrete up to house and direct water from downspouts to water garden.

Board inquired about amount of concrete and he stated that 3-feet had been the minimum suggested by all pool companies he had spoken to. He will be adding more mitigation than County is asking.

The public hearing was closed.

The Board discussed the pool size and stated it was more than reasonable and the amount mitigation was good. They like the idea of moving the footprint of the project up 2 feet and not having gravel at all.

A motion was made by Mr. Wheat to adopt Resolution 20-058 with the condition to remove gravel and move footprint of project 2-feet closer to house.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Paul Brindza	Yes
Julius Johnson	Yes
Jack Jordan	Yes
Richard Wheat	Yes
Bradley Berrane	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

NEW BUSINESS

There will be a May meeting

OLD BUSINESS

- 21-026 816 B Railway Rd: Application has been withdrawn

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 6:58 pm.



Michael Woolson, Chair *vice chair*

5/20/21

Date