

# **YORK COUNTY CHESAPEAKE BAY BOARD**

## **Minutes of June 24, 2020**

A meeting of the York County Chesapeake Bay Board was held on Wednesday, June 24, 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, Michael Woolson, and 3 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

### **Staff Present:**

Kent Henkel, Environmental Specialist II  
Barrett Nicks, Environmental Specialist I  
Jennifer Wilson, Administrative Assistant III

### **Board Members Participating Remotely**

John Tinneney-137 Cross Point Ct

### **Staff Participating Remotely**

Anna Drake, Stormwater Engineer II  
Justin Atkins, Assistant County Attorney

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 May 27, 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 2020-151 for Gary & Bonita Van Tassel at 102 York Point Drive:**

After the fact request for gravel installed in the RPA buffer along a man-made canal that drains to 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 river rock was considered gravel, staff responded that it was. There was discussion about the majority of houses in York Point having back yards in RPA due to size of lots.

The Chair opened the public hearing.

Gary Van Tassel of 102 York Point Drive came forward. Everything else in the yard has been permitted. He was not aware the river rock would be considered gravel. Natural gas has come into the area, so the gas tank in the yard will be removed and bushes will be planted in that space to assist with run off.

Board inquired if under story trees would be an issue being so close to dock. Mr. Van Tassel responded that it was a floating dock used to launch his kayak and would not interfere. Mitigation was already planned to assist with runoff issues.

The public hearing was closed.

The Board deliberated and understands that this is after the fact because of neighbor complaints, but mitigation plan is good and helps with run off.

A motion was made by Mr. Brindza to adopt Resolution 20-151 as submitted.

The motion was approved on the following roll call:

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

Mr. Woolson declared the Exception has been granted.

- **Exception 2020-153 for Nathan Kirby at 100 Tarpon Drive:** Request to construct a pool in the RPA buffer along a canal that drains to Chisman 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 about the dimensions, and if there would be a separate pump house. Staff answered questions about dimensions and applicant said pump would be placed on existing AC pad.

The Chair opened the Public Hearing.

Nathan Kirby of 100 Tarpon Drive came forward to state that he has an 11 year old daughter and that he often works from home. Pool would be great improvement for quality of life.

The public hearing was closed.

Board deliberated that the dimensions were reasonable to accommodate chairs and tables along the side, and that mitigation appeared to be a good plan as long as staff approves.

A motion was made by Mr. Brindza to adopt Resolution 20-153 as submitted.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Richard Wheat	Yes
John Tinneny	Yes
Paul Brindza	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 2020-154 for James and Jennifer Long at 108 Lookout Point:** Request to construct a concrete pad for a hot tub 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 Chair opened the Public Hearing.

Jennifer Long participated via Zoom from 108 Lookout Point. She stated it is a small area they have not been able to get anything to grow in. She has 3 children who love water and are mainly stuck at home due to Covid 19.

The Board inquired if everything including pump would be on concrete pad. Mrs. Long said everything except the electrical pole which would be under house and out of RPA.

The public hearing was closed.

Board deliberated that due to the size and construction of the decks, if Board required hot tub to be placed on deck, the deck would have to be totally reconstructed to be able to withstand the weight. They agree that this is a good use of this small space that is tucked out of the way.

A motion was made by Mr. Tinneny to adopt Resolution 20-154 as submitted.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Richard Wheat	Yes
John Tinneny	Yes
Paul Brindza	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 2020-155 for Michaels and Barbara Lewis at 112 Hollywood Blvd:** Request to construct a portion of a 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.

The Chair opened the Public Hearing.

Barbara Lewis of 112 Hollywood Blvd came forward. She stated this was the best location for the pool without disturbing trees and a sewer line being in the way. This is the only place to keep it mostly out of the RPA.

The public hearing was closed.

Board deliberated that this was the best location for the pool and minimized the impacts to the RPA.

A motion was made by Mr. Brindza to adopt Resolution 20-155 as submitted.

The motion was approved on the following roll call:

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

Mr. Woolson declared the Exception has been granted.

### **NEW BUSINESS**

- There will be a July meeting
- Introduction of new members:

Mr. Berrane and Mr. Patterson were appointed as full time members  
Mr. Edgerton was appointed as a full time member  
Mr. Johnson and Mr. Jordan were appointed as alternates.

### **OLD BUSINESS**

None

**ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 6:53pm.



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Michael Woolson, Chair



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Date