

YORK COUNTY CHESAPEAKE BAY BOARD

Minutes of September 28, 2022

A meeting of the York County Chesapeake Bay Board was held on Wednesday, September 28, 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 performed with staff, Michael Woolson, Chair, and six Board members present.

Board Members Present:

Michael Woolson-Chair
Jerry Patterson
Richard Wheat
Ricky Edgerton
Joseph Colvin
Jack Jordan
Paul Brindza

Staff Present:

Kent Henkel, Engineering Specialist III
Barrett Nicks, Engineering Specialist I
Brenda Farmer, Administrative Technician
Richard Hill, 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 August 24, 2022 minutes was made by Mr. Edgerton and they were approved by consensus.

Note: PowerPoint slides were shown throughout the public hearing.

CHESAPEAKE BAY EXCEPTIONS/APPEALS

- **Exception 22-130 for Brian Ulsh at 107 Bonito Drive:** Request to install a portion of deck, gazebo, greenhouse, and elevated free-standing deck/or treehouse in the 100-foot Resource Protection Area (RPA) buffer along a man-made canal off of Chisman Creek.

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. Barrett explained the applicant has proposed mitigation based on the new impervious area that meets the State recommendation. Board inquired about the green deck area crossing the property line into another lot and being able to approve something that crosses the boundary line. Barrett explains that he does have an authorization from the HOA allowing Mr. Ulsh to install the improvement and maintain his own seawall

The Chair opened the public hearing.

Brian Ulsh of 107 Bonito Drive came forward. He explained that he will end up planting more mitigation than what is required.

The public hearing was closed.

A motion was made by Mr. Wheat to adopt Resolution 22-130B as shown on the plan received on August 25, 2022. Mr. Woolson amended the motion to include the flowing condition.

- Approval be independent of any Home Owners Association action.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Ricky Edgerton	Yes
Joseph Colvin	Yes
Paul Brindza	Yes
Jack Jordan	Yes
Richard Wheat	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 22-133 for Gloria Allen and Helen Yancer at 209 Shirley Road:** After-the-fact request to retain gravel and a carport installed in the 100-foot Resource Protection Area (RPA) buffer along Back 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.

Helen Yancer of 209 Shirley Road came forward. Ms. Yancer explained that the carport was located closer to the house for easier access for her Mother.

The public hearing was closed.

A motion was made by Mr. Woolson to adopt Resolution 22-133B as shown on the development plan received July 18, 2022 with the following conditions.

- The carport be moved to a maximum of 20-feet from the edge of the existing concrete driveway.
- Any gravel that remains at the seaward at the end of the carport after it is relocated must be removed and that area must be restored.
- Final mitigation doubled based on the final impact numbers.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Paul Brindza	Yes
Joseph Colvin	Yes
Richard Wheat	Yes
Jack Jordan	Yes
Ricky Edgerton	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the Exception has been granted.

- **Exception 22-154 for R. Scot Peeke at 400 Laurel Acres:** Request to construct a detached garage with landing, living space on 2nd floor in the 100-foot RPA buffer along Wormley Creek.

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. Barrett, on behalf of the applicant, requested to have the application tabled until the December 7, 2022 meeting. The applicant needs additional time to complete the plan for his request.

A motion was made by Mr. Woolson to table application 22-154 until the Board meeting on December 7, 2022 at 6 pm in the multi-purpose room of Public Works located at 105 Service Dr.

The motion was approved on the following roll call:

Jerry Patterson	Yes
Richard Wheat	Yes
Joseph Colvin	Yes
Paul Brindza	Yes
Jack Jordan	Yes
Ricky Edgerton	Yes
Michael Woolson, Chair	Yes

Mr. Woolson declared the application has been tabled until December 7, 2022 at 6 pm in the multi-purpose room of Public Works located at 105 Service Dr.


NEW BUSINESS

There is not an October Meeting.

OLD BUSINESS

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 7:05 pm.



Michael Woolson, Chair

12/7/22

Date