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September 24, 2020

Mr. & Mrs. Douglas Sutton
105 Sylvia Drive
Yorktown, Virginia 23693

RE: York County CBPA Exception 2020-302 for 105 Sylvia Drive
Request to construct a pool in the 100-foot Resource Protection Area (RPA) buffer.

Dear Mr. & Mrs. Sutton:

On September 17, 2020, you submitted an application to the Chesapeake Bay Board and a site plan. You are requesting to construct a portion of a pool in the 100-foot RPA buffer along the Poquoson River.

The County Ordinance provides for administrative encroachments into the RPA buffer down to fifty-feet to build a principle structure; accessory structures are not eligible for administrative encroachments. The pool cannot be approved administratively per Chapter 23.2-9 f (1) a. because accessory structures are not eligible for encroachments. Therefore, this exception request will be heard by the Chesapeake Bay Board.

Per Chapter 23.2 of the York County Code, a nonrefundable-filing fee of \$250.00 is required to cover the cost of advertising and processing your Chesapeake Bay request. **This fee was paid on September 17, 2020.**

Mitigation is required for all impervious area added in the RPA. The application lists the amount of new impervious area in the RPA to be approximately 800 square feet. Additionally the removal of one 36" diameter at breast height tree in the RPA will need to be mitigated. The applicant will work with staff to prepare a mitigation plan that meets or exceeds the requirements and have it submitted by October 5, 2020.

The next York County Chesapeake Bay Board public hearing is scheduled for 6:00 p.m. on Wednesday, October 28, 2020. The hearing will be held in the Multi-Purpose Room located in the Public Works Administration Building at 105 Service Drive, located off Goodwin Neck Road. Due to COVID-19 we ask that the number of people present in the Multi-Purpose Room is kept to a minimum. If you prefer you can participate remotely through Zoom.

Please stake the proposed pool location by October 8, 2020. The stakes must be sufficient in number for the Board and staff to be able to see the proposed development. The stakes must remain in place until the Chesapeake Bay Board meeting on October 28, 2020.

Sutton
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Please be advised that by submitting this application to the Chesapeake Bay Board the owner's consent to site visits to the subject property made by staff of the York County Department of Public Works and members of the York County Chesapeake Bay Board. The Board members may visit your site between October 8, 2020 and October 28, 2020.

If you have any questions, please contact me at 890-3762 as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Barrett Nicks".

Barrett Nicks
Environmental Specialist I

Copy to: Anna Drake, Stormwater Engineer II
Justin Atkins, Assistant County Attorney
Amy Green, Acting Stormwater Division Chief
Chesapeake Bay Board and File