

MARKED AGENDA

Chesapeake Bay Preservation Area Board

PUBLIC HEARING – April 17, 2019

Human Resources Training Room – 6:00 PM

- A. Call to Order 6:00 P.M. by Chairman, Stephen Nowak
- B. Roll Call James/Klesch excused, Toida absent
- C. Approval of Minutes: March 20, 2019 Board Meeting
- D. CBPA Application:
 - 1. [PLN-CBPA-2019-007](#)
PROJECT/LOCATION: Surface parking and buffer restoration/1232 George Washington Highway North
APPLICANT/AGENT: Chris Falk, F & W Builders/Sam Baraki, Site Improvement Associates, Inc.
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** for the authorization to construct surface parking within the 50-foot landward and 50-foot seaward portions of the 100-foot Resource Protection Area (RPA) buffer and conduct buffer restoration activities associated with CBPA Violation V-18-07(v). A total of 15,500 SF of impervious area is proposed (13,480 SF within the RPA buffer).
SUBDIVISION/LOT #: PT GEO WASH HWY NASH TR ST JULIAN CRK 1.525AC
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0251001000780

The CBPA Board **GRANTED** (5 – 1, Wilson/Curling, Spaur oppose, James and Klesch excused, Toida absent) the exception for a period of two years with the following stipulation2:

- 1. **Provide the equivalent of 26 large canopy trees within the 100-foot RPA buffer to mitigate the impact of the new impervious area within the 100-foot RPA buffer. Healthy existing trees along the shoreline should be preserved. The 20 large canopy trees and 23 mulched shrubs depicted on the received site plan entitled “CBPA Restoration Plan” and dated October 31, 2018, should be planted as shown. Per City of Chesapeake Code Sec. 26-520(b)(3), the RPA landscaping requirement is a minimum**

fifty (50) percent tree canopy coverage, calculated in accordance with the CBPA Specifications Manual. See Appendix A of the Chesapeake Landscape Specifications Manual for recommended tree species

- 2. All proposed drive aisles and parking stalls shall be constructed exclusively of gravel, with the exception of designated handicapped parking stalls and loading space depicted on the received site plan.**
- 3. All reasonable efforts shall be made to preserve existing trees along property shoreline.**

E. CBPA Violation:

1. **CBPA Violation V-18-07(v)**

LOCATION: 1232 George Washington Highway North

OWNER: F & W Builders, Inc.

VIOLATION: Unauthorized clearing and grading within the 100-foot RPA buffer and RMA. Approximately 21,130 SF of unauthorized impacts within RPA buffer, and approximately 1,830 SF of unauthorized impacts within RMA.

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0251001000780

(Continued from March 20, 2019 CBPA Board Meeting)

The CBPA Board took the following action on the above referenced CBPA Violation:

- 1. The CBPA Board voted to accept PLN-CBPA-2019-007, as approved by the CBPA Board, as the restoration required for the site.**
- 2. The CBPA Board voted to impose a civil penalty of \$5,000.**

F. Other Business: None

G. Adjournment: 7:40 P.M.

These applications and related documents are available for public review in the Planning Department on the second floor in the City Hall building at the Chesapeake Civic Center between 8am and 5pm. They are also available for viewing online at http://www.cityofchesapeake.net/Assets/actions/Wetlands+and+Chesapeake+Bay+Preservation+Area+Board/2019/2019-04-17_agenda.pdf.

For information on CBPA applications, please contact John Harbin, Principal Planner, at 382-6176.

All interested parties will be afforded the opportunity to be heard or to present written statements at the public hearing. Those members of the public interested in attending the public hearing should be advised that, for reasons the Chesapeake CBPA Board deems appropriate, certain items on the agenda may be heard out of order and that it should not be assumed that the order listed above will be exactly followed during the public hearing. Also, due to advertising deadlines, items that have been continued from a previous Chesapeake CBPA Board meeting may not appear on this agenda.