

Chesapeake Bay Preservation Area Board

Public Hearing Minutes – May 19, 2021 City Council Chambers – 6:00 P.M.

Call to Order: Chairman Bruce Weckworth called the Chesapeake Bay Preservation Area (CBPA) Board meeting of May 19, 2021, to order at 6:00 p.m. in City Council Chambers.

Roll Call:

PRESENT

Bruce Weckworth, Chair
Kimberly Koelsch, Vice Chair
Kaite James, Member
John Klesch, Member
Jillian Sunderland, Member
Victoria Thomas, Member
Karen Toida, Member
Rick Underhill, Alternate Member

EXCUSED

Chris Wilson, Alternate Member

PLANNING DEPARTMENT STAFF PRESENT

Ethan Hoar, CBPA Planner
Gilbert Bostwick, AICP, Current Planning Administrator
Lewis Martinez, CBPA Recording Secretary

CITY ATTORNEY STAFF PRESENT

Meredith Jacobi, Assistant City Attorney

APPROVAL OF MINUTES:

The April 21, 2021, CBPA Board minutes were presented into the record for CBPA Board action.

CBPA BOARD ACTION:

Minutes for the April 21, 2021 CBPA Board were APPROVED by unanimous consent.

CBPA APPLICATION:

1. **PLN-CBPA-2021-015**

PROJECT/LOCATION: 1708 Rockwood Drive

APPLICANT: Stephen Alexander Homes

AGENT: Jakob Klein, P.E.

PROPOSAL: In accordance with Section 26-528, of the Chesapeake City Code, the applicant seeks an **EXCEPTION** to Section 26-522 to re-subdivide two (2) parcels that do not meet the minimum square footage requirements outside the 100-foot Resource Protection Area buffer.

SUBDIVISION/LOT #: Park View / Lot 5 and Lot 6

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP PARCEL: 0344002003400 and 0344002003410

CBPA BOARD ACTION:

The CBPA Board APPROVED THE EXCEPTION requested in PLN-CBPA-2021-015 as submitted for a period of two years.

Staff Presentation:

Mr. Hoar presented the application to the Board, along with the CBPA Review Committee's findings and recommendations. Pictures of the site at 1708 Rockwood Drive were presented. The Board was informed that the applicant is seeking an approval to re-subdivide two (2) parcels that do not meet the minimum square footage requirements outside the 100-foot Resource Protection Area buffer. The CBPA Review Committee reviewed this application on April 20, 2021, and recommended approval of the application as submitted. The lot was recorded in 1953.

Proponent:

Jakob Klein, 830 Greenbrier Circle, Suite 110, Chesapeake, Virginia, Applicant. Mr. Klein stated the application is being submitted so the frontage of the properties will be toward Kaywood Lane. He stated that the subdivision will result in less impervious area on the lots, which after development, will be more beneficial to the Chesapeake Bay than having two lots encroaching the buffer.

Board Discussion:

Mr. Klesch requested clarification on the parcel address used on the application.

Mr. Hoar stated that the applicant used one address for the application, however, there are two separate addresses for the properties.

Mr. Klesch questioned if there was an open application for a building permit.

Mr. Hoar stated there is currently an incomplete application for the property, and the application has not yet been fully submitted.

Ms. Toida questioned if the property owners are not granted the subdivision, could they build on the property without coming to the board since the properties were recorded in 1953.

Mr. Hoar stated that without a fully submitted site plan he could not say that the application would have to come before the board. However, if the plans were not seaward encroachments, the application would only have to go before the CBPA Review Committee for approval.

Vice Chairman Koelsch questioned if the subdivision is granted, would the applicant have to come back before the board for site plan approval, or would the Review Committee be able to approve the application.

Mr. Hoar stated that property 5A is hindered by the buffer, however, it is zoned residential so creative designs would be needed for approval. He stated any new developments would have to be heard when a new application is submitted and brought before the board.

Ms. Toida questioned if the applicant would have to seek approval to remove the trees on the property in order to build on the property.

Mr. Hoar stated that during the Review Committee process the site plan showing what trees are to be removed would be heard at that time. He stated that it is expected that some trees would have to be removed in order to build on the property, but that would have to be discussed when a new application to build on the property is submitted.

CBPA BOARD VOTE:

Ms. Thomas moved to **APPROVE PLN-CBPA-2021-015** based on the findings contained in the Chesapeake Bay Preservation Act Review Committee staff report. Ms. James seconded the motion. The motion was carried by a vote of 5 – 2; Sunderland and Toida opposed, Wilson excused.

OTHER BUSINESS:

- **Closed Session 6:38 P.M. – 6:40 P.M.**
- **Closed Session 6:41 P.M. – 7:03 P.M.**

ADJOURNMENT:

With no further business, the meeting was adjourned at 7:07 P.M.

Sincerely,

Lewis Martinez,
Recording Secretary

LM/eh