

The Chesapeake Bay Preservation Area Board
Planning Department
306 Cedar Road
PO Box 15225
Chesapeake, Virginia 23328
(757) 382-6176
FAX: (757) 382-6406

MINUTES

**Chesapeake Bay Preservation Area
Board**

July 19, 2017 – 6:00 PM

Human Resources Training Room

Call to Order: Chair Vickie Greene called the Chesapeake Bay Preservation Board meeting of July 19, 2017, to order at 6:00 p.m. in the Human Resources Training Room.

Roll Call:

PRESENT

Vickie Greene, Chair
Stephen F. Nowak, Vice-Chair
William Spaur, Member
Chris Wilson, Member
Rusty Barath, Member
John A. Sherman, Member

EXCUSED

John Klesch, Alternate Member
Katie James, Alternate Member

ABSENT

Henry Curling, Member

PLANNING DEPARTMENT STAFF PRESENT

Michael Anaya, CBPA Planner
Jennifer Joseph, CBPA Recording Secretary

CITY ATTORNEY STAFF PRESENT

Meredith Jacobi, Assistant City Attorney

APPROVAL OF MINUTES:

The June 21, 2017 CBPA Board minutes were presented into the record for Board action.

CBPA BOARD ACTION:

MINUTES for the June 21, 2017 CBPA Board were APPROVED by unanimous decision. (6 – 0, Nowak/Sherman, Curling absent)

CBPA BOARD VOTE:

Mr. Nowak moved that the **MINUTES** for the **June 21, 2017 Board meeting** be **APPROVED**. Mr. Sherman seconded the motion. The motion was carried by a vote of 6 - 0. Mr. Curling absent

CBPA APPLICATION:

1. **PLN-CBPA-2017-016**
PROJECT/LOCATION: New Single-Family Home/1904 McCoy Road
APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 4,000 SF of post-development impervious area is proposed (4,000 SF within RPA).
SUBDIVISION/LOT #: Lot 2 Block 9 Park View Section 2
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0344002004080

 2. **PLN-CBPA-2017-017**
PROJECT/LOCATION: New Single-Family Home/1906 McCoy Road
APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 3,880 SF of post-development impervious area is proposed (3,880 SF within RPA).
SUBDIVISION/LOT #: Lot 3 Block 9 Park View Section 2
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0344002004081
-

3. **PLN-CBPA-2017-018**

PROJECT/LOCATION: New Single-Family Home/1908 McCoy Road

APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering

PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 4,100 SF of post-development impervious area is proposed (4,100 SF within RPA).

SUBDIVISION/LOT #: Lot 4 Block 9 Park View Section 2

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0344002004082

4. **PLN-CBPA-2017-019**

PROJECT/LOCATION: New Single-Family Home/1910 McCoy Road

APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering

PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 4,800 SF of post-development impervious area is proposed (4,800 SF within RPA).

SUBDIVISION/LOT #: Lot 5 Block 9 Park View Section 2

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0344002004083

5. **PLN-CBPA-2017-020**

PROJECT/LOCATION: New Single-Family Home/1912 McCoy Road

APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering

PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 6,950 SF of post-development impervious area is proposed (6,950 SF within RPA).

SUBDIVISION/LOT #: Lot 6 Block 9 Park View Section 2

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0344002004084

6. **PLN-CBPA-2017-021**

PROJECT/LOCATION: New Single-Family Home/1916 McCoy Road

APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering

PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 4,570 SF of post-development impervious area is proposed (4,570 SF within RPA).

SUBDIVISION/LOT #: Lot 7 Block 9 Park View Section 2

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0344002004130

7. **PLN-CBPA-2017-022**
PROJECT/LOCATION: New Single-Family Home/1918 McCoy Road
APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 5,930 SF of post-development impervious area is proposed (5,930 SF within RPA).
SUBDIVISION/LOT #: Lot 8 Block 9 Park View Section 2
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0344002004140
-

8. **PLN-CBPA-2017-023**
PROJECT/LOCATION: New Single-Family Home/1917 McCoy Road
APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 6,580 SF of post-development impervious area is proposed (6,580 SF within RPA).
SUBDIVISION/LOT #: Lot 9 Block 9 Park View Section 2
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0344002004150
-

9. **PLN-CBPA-2017-024**
PROJECT/LOCATION: New Single-Family Home/1913 McCoy Road
APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering
PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 7,100 SF of post-development impervious area is proposed (7,100 SF within RPA).
SUBDIVISION/LOT #: Lot 10 Block 9 Park View Section 2
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0344002004160
-

10. **PLN-CBPA-2017-025**

PROJECT/LOCATION: New Single-Family Home/1909 McCoy Road

APPLICANT/AGENT: Stephen Alexander Homes Two, LLC/ Pinnacle Group Engineering

PROPOSAL: In accordance with Section 26-528 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct a new single-family home within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer. A total of 4,100 SF of post-development impervious area is proposed (4,100 SF within RPA).

SUBDIVISION/LOT #: Lot 11 Block 9 Park View Section 2

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0344002004170

CBPA BOARD ACTION:

The CBPA Board CONTINUED all of the above-referenced applications to the September 20, 2017 CBPA Board Meeting. (6 – 0, Nowak/Sherman, Curling absent)

Staff Presentation:

Mr. Anaya gave a brief and general overview of the applications to the Board, along with an explanation of the CBPA Review Committee's split decisions. Neither the applicant nor the agent were present at the meeting. Mr. Anaya explained that shortly before this CBPA Board meeting, the agent contacted Mr. Anaya and explained that they thought the CBPA Board hearing for the above-referenced applications was scheduled for August 16, 2017 and they would not be present this evening. The agent also explained that they had submitted their Joint Permit Application (JPA), and would likely be asking for a continuance pending the review of the JPA. Mr. Anaya stated the timeline for review of their JPA is unknown.

Board Discussion:

Ms. Greene asked if the existing vegetation on the sites for the proposed development was a mix of pine and hardwood forestation in the area. Mr. Anaya confirmed that it was.

Ms. Greene asked whether the house on the corner of McCoy Road would be considered part of the proposed development. Mr. Anaya explained that it is an existing house and is not considered part of the proposed applications.

Ms. Greene asked if the subject lots were platted in the 1950's. Mr. Anaya stated that they were platted in 1953.

Ms. Greene asked if any of the lots lie outside of the 100-foot RPA buffer. Mr. Anaya responded that each of the subject lots lies entirely within the 100-foot RPA buffer.

Mr. Wilson asked what the status of the JPA is. Ms. Greene responded that they have not provided it.

Mr. Nowak asked if there was more land when the lots were originally platted in the 1950s. Ms. Jacobi stated according to the plat it appeared to have more land. Mr. Anaya stated that there likely has been some erosion and changes in the shoreline throughout the years.

Mr. Sherman asked if Chesapeake Bay Preservation Act affects the exception request. Ms. Jacobi stated the applicant purchased the land with knowledge of the requirement to comply with the CBPA Ordinance.

Ms. Greene provided a handout of a shoreline management decision tree prepared by the Virginia Institute of Marine Science (VIMS) and explained that VIMS is also working to map all Virginia shorelines along tributaries that lead into the Chesapeake Bay to determine the best shoreline management practices.

CBPA BOARD VOTE:

Mr. Nowak moved to **CONTINUE all of the above-referenced applications for 60 days** to the **September 20, 2017 CBPA Board meeting**. Mr. Sherman seconded the motion. The motion was carried by a vote of 6 – 0, Curling absent.

OTHER BUSINESS:

- CBPA Violation V-17-03; 1624 Burson Drive update, owner has completed the required restoration and is now in compliance.
- City filed injunction complaint with 2229 Branch Drive violation for the unauthorized impervious area and retaining wall.
- Mr. Meeks representative has reached out to the City to resolve the restoration plan.

ADJOURNMENT:

With no further business, the meeting was adjourned at 6:26 P.M.

Sincerely,

Jennifer Joseph,
Recording Secretary