



**NEW KENT COUNTY  
WETLANDS/BEACHES & CHESAPEAKE BAY BOARD MEETING  
THURSDAY, JULY 12, 2017 AT 6:00 PM  
COUNTY ADMINISTRATION BUILDING BOARD ROOM  
MINUTES**

A MEETING OF THE NEW KENT COUNTY CHESAPEAKE BAY PRESERVATION BOARD WAS HELD ON THE 12<sup>TH</sup> DAY OF JULY IN THE YEAR TWO THOUSAND SEVENTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

**IN RE: ROLL CALL**

Attendance:

Mr. Julian Ward	Present
Ms. Jean Street	Absent
Mr. Lyle Gleason	Present
Mr. John Bragg	Present
Mr. Wakie Howard	Absent
Ms. Sarah Richardson	Absent <i>Arrived at 6:08PM</i>

Also present:

Mr. Justin Stauder, Environmental Programs Manager  
Mrs. Connie Bennett, Professional Engineer  
Mrs. Gail Carey, Administrative Assistant, Environmental Department  
Mr. Jamie Hudson, PWS, PWD, Wetland Consulting, LLC., CBPA 007-17

The meeting was called to order at 6:00 PM and a quorum was established.

**IN RE: DECLARATION OF POLICY FROM THE LAWS OF VIRGINIA**

Chairman Bragg read the declaration of policy from the laws of Virginia relating to the Marine Resources of Virginia and the New Kent County Code relating to Chesapeake Bay regulations.

**IN RE: APPROVAL OF MINUTES**

A motion was made by Mr. Ward and seconded by Mr. Gleason to approve the May 4, 2017 minutes. The Board members were polled and the motion was passed.

**IN RE: NEW BUSINESS CBPA 007-17**

Application **CBPA 007-17**: Mrs. Bennett presented her staff report on application CBPA 007-17, submitted by Criss Cross Properties, for an exception to regrade bank and tree removal to stabilize erosion in the 100 ft. RPA buffer, at Tax Map Parcel#24-35A, GPIN#L20-3287-4013. The lot was created prior to 1989 and the grading is in the seaward 50 ft. portion of the RPA. A mitigation plan in the form of a WQIA has been submitted for the RPA buffer based on the established rates set forth in the Buffer Mitigation Manual published by DEQ for every 400 square feet of disturbance, mitigation to include shrubs equal to amount required for one (1) canopy tree, two (2) understory or evergreens and three (3) shrubs. Mrs. Bennett also provided pictures from various views of the property of the area to be graded and including tree removal.

Mr. Ward inquired if the ground was natural from the run-off.

Mrs. Bennett replied that the area was a small area and she was uncertain if the trees were previously removed, however, it was the area that trees would be removed according to the application. Mrs. Bennett showed photographs, provided by Mr. Hudson, consultant for the applicant, and mentioned that there was justification for the removal of the trees.

Mrs. Bennett added that the applicant noted the erosion is occurring along the banks and is proposing regrading of the slope. Regrading of the slope will require removal of trees which will fall under the Chesapeake Bay requirements. The parcel is located at 9007 Cumberland Road, Tax Map 24-35A and is zoned A-1. The repairs are located in the seaward 50 ft. of the RPA – requiring approval by the Chesapeake Bay Board. The site plan submitted provides for mitigation. Mrs. Bennett mentioned the Staff Recommendations noted after a site visit the proposed gradings were necessary.

Mr. Bragg then offered Mr. Hudson the opportunity to discuss the application.

Mr. Hudson noted the proposed slope would be a 4:1 – very low-grade slope. Mr. Hudson mentioned what he proposes is to come from above 1.5 times the mean tidal range in order to grade back in a flat area five (5) to ten (10) feet depending on the width. The goal is to plant the shrubs in the same manner as mentioned in the DCR manual and install a nontidal living shoreline so that it will hopefully keep normal tidal fluctuation from degrading the bank. The long-term goal is to have stability so that normal high tides will not continue to erode the bank.

Mr. Hudson confirmed that jute net fabric of some sort will be utilized and stapled. Also, shrubs will be planted as soon as possible to assist with stabilization.

Mr. Bragg opened the Public Hearing at 6:22PM. Since there were not questions or comments, the Public Hearing was closed at 6:22PM.

Mr. Gleason commended Mr. Hudson and his company on an excellent report.

Ms. Richardson made the motion, which was seconded by Mr. Gleason, to approve application CBPA 007-17. The Board members were polled and the motion was passed.

**IN RE: ADJOURNMENT**

A motion to adjourn the meeting was made at 6:28 PM by Mr. Bragg and all were in favor.

Respectfully submitted,

Gail Carey, Recording Secretary