

Wetlands/CBPA Board
Development and Permits & Planning Departments
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MARKED AGENDA

Chesapeake Wetlands/CBPA Board

JULY 15, 2009 – 6:00 PM

Human Resources Training Room

- A. Call to Order: Chairman Lane
- B. Roll Call: Allbritton and Foster absent
- C. Approval of Minutes: [JUNE 17, 2009](#) Board Meeting APPROVED (7-0, Katchmark/Midgette)
- D. Wetlands Applications:
 - 1. [W-08-53](#)

PROJECT/LOCATION: Craney Island Eastward Expansion Republic Restoration Plan

APPLICANT/AGENT: US Army Corps of Engineers / Virginia Port Authority / Malcolm Pirnie, Inc.

PROPOSAL: Modification to original permit for dredging and/or filling small portions of intertidal vegetated and non-vegetated wetlands at three locations between Money Point and the Allied Terminals facility (VMRC # 08-1641)

SUBDIVISION: Southern Branch

WATERSHED: Southern Branch of the Elizabeth River

PORTIONS OF TAX MAP SECTION/PARCELS: 1490000000010, 1500000000050, 1500000000030, 1500000000020, 1500000000010, 1510000000010, 1440000000030

CONTINUED to the August `19, 2009 meeting. (5-2, Greene/Midgette; Lane and Katchmark opposed) [STAFF REPORT](#)

2. [W-09-29](#)
PROJECT/LOCATION: Poindexter Street
APPLICANT/AGENCY: Figg Bridge Developers LLC / Bay Environmental, Inc.
PROPOSAL: Impacts associated with construction of the South Norfolk Jordan Bridge, a two-lane, fixed span, high-rise bridge (VMRC # 09-0797)
SUBDIVISION: Poindexter Street
WATERSHED: Southern Branch of the Elizabeth River, Chesapeake Bay
[TAX MAP SECTION/PARCEL:](#) 1320000000030
- [APPROVED](#) for a period of four (4) years with the following stipulations:** (4-3, Greene/Hinch; Lane, Katchmark and Midgette opposed)
1. **Applicant must compensate for the shade impacts of 104 square feet.**
 2. **Compensation options in order of preference are:**
 - a. **In kind on site at 1:1 ratio of square foot impacts (mitigation plan approval by staff required).**
 - b. **In kind off site at 1:1 ratio of square foot impacts (mitigation plan approval by staff required).**
 - c. **Payment of credits in Tidal Mitigation Bank for 104 square feet of impact.**
 - d. **In the event that the tidal mitigation bank is not available for credits, the tidal applicant shall pay an in lieu fee to the Wetlands Restoration Fund (or some other wetlands fund found appropriate by staff), at the same rate and amount as the current rate for credits in the tidal mitigation bank.**
 3. **Work may not commence until compensation credits have been verified and permit issued.**
3. [W-09-30](#)
PROJECT/LOCATION: 5300 Bainbridge Boulevard
APPLICANT/AGENCY: Higgerson-Buchanan, Inc. / Waterway Surveys & Engineering, Ltd.
PROPOSAL: Install approximately 390' sheet pile bulkhead with associated fill (VMRC # 09-0861)
SUBDIVISION/LOT #: Par 8-A Corr Sub Higgerson-Buchanan Inc 26.00 AC
WATERSHED: Southern Branch of the Elizabeth River
[TAX MAP SECTION/PARCEL:](#) 0350000000700

APPROVED for a period of three (3) years with the following stipulations: (7-0, Hinch/Midgett)

1. The applicant must submit a restoration plan showing a 2:1 compensation for tidal impacts of 2700 SF.
2. The applicant must provide a Real Estate Instrument for proposed wetland mitigation of 2700 SF and restoration of the riparian buffer.
3. The restoration plan shall include a 3-year monitoring plan.
4. Monitoring reports must be submitted to the Wetlands/CBPA Board staff annually at 12-month increments after installation.
5. The restoration plan must be approved by the Wetlands/CBPA Board staff prior to issuance of a Wetlands permit.
6. The mitigation must be established prior to completion of the proposed project.

E. CBPA Applications:

1. **CBPA-09-29**

PROJECT/LOCATION: 132 Waterfront Drive

APPLICANT/AGENCY: Edward and Sandra Lewis/ Horton & Dodd, PC

PROPOSAL: In accordance with Section 26-527 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION for an after-the-fact permit** to construct a 12.5' x 16.5' shed, within the 50-foot seaward portion of the 100-foot RPA buffer, on a pre-existing lot. Based on the extent of all proposed improvements, the overall net increase in impervious area will be 206 SF.

SUBDIVISION/LOT #: JJ Halstead Property, # 10

WATERSHED: Southern Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0461001000100

APPROVED with the following stipulations: (4-3, Midgett/Ottinger; Greene, Hinch, and Weeden opposed) **STAFF REPORT**

1. Twenty-three large canopy trees should be planted on the property, as indicated in the site plan proposed by the applicant and as specified in the attached City of Chesapeake Reforestation Guidelines, must as approved through the City Arborist. These trees should all be planted within 365 days of approval of the application. The "CBPA" stamped plan shall be turned in with or as the final site plan for review by the City Arborist prior to obtaining your building permit. Any questions regarding tree canopy calculations, tree species, or

vegetation options should be directed to the Assistant City Arborist, Roxanne Stonecypher, who can be reached at 382-6442.

2. The applicant shall apply for and receive a building permit for the shed and resolve all outstanding violations, if any, with all city departments.

2. [CBPA-09-31](#)

PROJECT/LOCATION: 210 Waters Road

APPLICANT/AGENCY: Girl Scout Council of Colonial Coast, Inc./Engineering Services, Inc.

PROPOSAL: In accordance with Section 26-527 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to construct an in ground pool, concrete surround, pathway, pool storage shed, and handicapped ramp, within the 50-foot landward and 50-foot seaward portions of the 100-foot RPA buffer, on a pre-existing lot. Based on the extent of all proposed improvements and removal of an existing shed (135 SF), the overall net increase in impervious area will be 3,488 SF. *(A request for a proffer change to allow an in-ground pool (R(C)-04-26 Rev 4/09) is on the July 21, 2009 City Council agenda.)*

SUBDIVISION/LOT #: Great Bridge Area/PG-BR

WATERSHED: Southern Branch of the Elizabeth River

[TAX MAP SECTION/PARCEL:](#) 0470000000024

CONTINUED to the August `19, 2009 meeting. (7-0, Greene/Midgette)
[STAFF REPORT](#)

3. [CBPA-09-35](#)

PROJECT/LOCATION: 2409 Gilmerton Road

APPLICANT: Fernheimer-Kight, LLC

PROPOSAL: In accordance with Section 26-527 of the Chesapeake City Code, the applicant is seeking an **EXCEPTION** to the lot size requirements of Section 26-522 (A)(1). The exception will not increase the amount of impervious area.

SUBDIVISION/LOT #: Fernheimer-Kight, # A

WATERSHED: Southern Branch of the Elizabeth River

[TAX MAP SECTION/PARCEL:](#) 0252011001160

[APPROVED.](#) (7-0, Greene/Hinch)

F. Other Business: [W-06-54](#) (VMRC #06-1754) Report. Deferred to the August meeting.

G. Adjournment: 8:15 PM

Copies of the aforementioned Wetlands applications, related maps and documents are available for public review in the office of the Department of Development and Permits,

second floor, in the City Hall building, and the CBPA applications are available for public review in the Planning Department, second floor, in the City Hall building, Chesapeake Civic Center during regular municipal hours. Copies of the applications and staff reports are available at the Chesapeake City Libraries. It is also available for viewing online at <http://cityofchesapeake.net/services/depart/planning/chesbaypreservation.html> through a link under **Chesapeake Wetlands/CBPA Public Hearing Agenda/Marked Agendas** on the Planning Department home page.

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 Wetlands/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 previous Chesapeake Wetlands/CBPA Board meetings may not appear on this agenda.

For information on Wetlands applications, please contact Roxanne Stonecypher, Assistant City Arborist, at 382-6442 and for CBPA applications please contact Brian Swets, Chairperson of the CBPA Review Committee, at 382-6176.