

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

Chesapeake Wetlands/CBPA Board

SEPTEMBER 16, 2009 – 6:00 PM

Human Resources Training Room

- A. Call to Order: 6:00 PM by Chairman Lane
- B. Roll Call: 7 members present, (Katchmark, Ottinger absent)
- C. Approval of Minutes: **AUGUST 19, 2009 Board Meeting APPROVED** (7-0; Allbritton/Weeden)
- D. CBPA Application:
 - 1. **CBPA-09-41**
PROJECT/LOCATION: 3205 Jean Court
APPLICANT/OWNER: MSH Homes, Inc./William D. & Sherly L. Almy
PROPOSAL: In accordance with Section 26-527, of the Chesapeake City Code, the applicant seeks an **EXCEPTION** to construct a 24' x 30' garage and 10' x 100' driveway within the 50-foot landward portion of the 100-foot RPA buffer. The total proposed impervious area will be 1,770 SF (970 SF in RPA).
SUBDIVISION/LOT #: Robert Orton, #B
WATERSHED: Southern Branch of the Elizabeth River
TAX MAP SECTION/PARCEL: 0330000002620

APPROVED with the following stipulations: (7-0, Foster/Midgette)
 - 1. **One large canopy tree (1 LCT) shall be planted within the Resource Protection Area (RPA) buffer.**
 - 2. **Any trees that must be removed during the construction process must be replaced at a 2:1 ratio.**

E. CBPA Violation:

1. **CBPA(V)-08-05**

PROJECT/LOCATION: 4232 Quailshire Court

APPELLANT: Dwayne Wesley

SHOW CAUSE HEARING: In accordance with Section 26-528 of the Chesapeake City Code, to determine the validity of the installation of an approximately 12'x14' structure within the Resource Protection Area (RPA).

SUBDIVISION/LOT #: Quailshire Estates, #33

WATERSHED: Goose Creek, Western Branch of the Elizabeth River

TAX MAP SECTION/PARCEL: 0231010000330

The following **ACTIONS** were taken regarding **CBPA(V)-08-05:**
staff report

1. **A VIOLATION did occur.** (7-0, Greene/Hinch)
2. **Appellant granted 120 days to obtain all the necessary permits for the gazebo to remain at the current location and plant within the Chesapeake Bay Preservation Area/ Resource Protection Area (CBPA/RPA), one small canopy tree (1 SCT), minimum size 6' to 8' tall or move the gazebo out of the CBPA/RPA.** (6 – 1, Midgette/Foster, Weeden opposed)
3. **A civil charge of \$300, in accordance with the Wetlands/CBPA Civil Charge Matrix, was waived subject to the applicant obtaining all the necessary permits to keep the gazebo at the current location.** (4-3, Foster/Midgette, Hinch, Weeden, Greene opposed)
4. **If appellant does not agree to the above orders, refer the CBPA Violation (CBPA(V)-08-05) to Circuit Court.**

F. Other Business:

1. **W-06-54**

PROJECT/LOCATION: City of Chesapeake

PERMITTEE: Columbia Gas Transmission Corporation

PROPOSAL: Waiver of the second and third year of monitoring requirements in the restoration terms of the permit to repair and/or replace underground pipelines of the two designated tidal wetlands crossings in the City of Chesapeake, during 2006 (VMRC # 06-1754)

SUBDIVISION: VEPCO Street, Yacht Drive

WATERSHED: Southern Branch of the Elizabeth River

Application **W-06-54** is **COMPLETE** with no additional monitoring required. **staff report**

G. Adjournment: 7:00 PM

This application and related documents are available for public review in the Planning Department, on the second floor in the City Hall building at the between 8am and 5pm. They are also available for viewing online at http://cityofchesapeake.net/services/depart/planning/actions_cbpa/wetland_cbpa_current_agenda.pdf. All interested parties will be afforded the opportunity to be heard or to present a written statement at the public hearing.

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.