

CHESAPEAKE BAY EXCEPTION REVIEW COMMITTEE

Meeting Minutes

October 3, 2012

Committee

Present: Anne Kanter, David Schnare, Gloria Bannister, Howard Green, Stephen Kirby, Frank Crandall, Grant Sitta, Brian Loo, James Chesley

Absent: Mary Cortina

Staff: Betsy Smith, Durga Kharel, Jerry Stonefield, Shahab Baig, Sharad Regmi, Thakur Dhakal, Vivian Bui, Susy Stasulis

Attendees: Bradley Smith, Amy Smith, Robert Weinig, Haynes Grayson, John McDonough

Ms. Kanter, Chairman, called the meeting to order at 2:03 pm with 9 of the current committee members present. Following was the order of business:

I. Public Hearing – Hallowing Point River Estates Section 1, Lot 23

Discussion of Approval Conditions 24785-WRPA-002-1

-No formal procedure on this – open discussion ensues - Resource Protection Area Encroachment Exception #24785-WRPA-002-1, 1711 North Albemarle Street, Tax Map 031-4-09-0000-C2 in the Dranesville District.

Mr. Haynes – Represents applicant/client – After approval of resolution, approval letter (9/21) indicated that approval of CBPO Exception by EOC in no way obviates the need to continue to comply with the BMP Requirements or PFM.

Haynes has outlined the BMP's as an exception of the requirements of the ordinance. Haynes appealed to Board of Supervisors – asks that resolution is approved.

Ms. Smith – Not a technical issue, asked County Attorney to get involved. Recommendation from Staff is to defer to closed meeting to discuss the matters presented by applicant.

Motion for Consultation of Legal Counsel regarding specific legal procedure for prior discussion – Virginia State Code 2.2-371187 for above referenced WRPA.

Motion unanimously approved.

Encroachment Exception Request #15084-WRPA-003-1 and Water Quality Impact Assessment #15084-WQ-001-1, 1629 Courtland Road. Application for exception to replace a wooden pool deck with a concrete deck in Resource Protection Area (RPA) under Chesapeake Bay Preservation Ordinance (CBPO) Section 118-6-8(b) at 1629 Courtland Road, Alexandria, Virginia – Tax Map #102-2-05-04-0013, Mount Vernon District

Mr. Dhakal – Minor grading, installation of retaining walls, concrete deck in 1993 RPA. Principle dwelling was built in 1964 and pool added in 1971. Stream bank at rear of property – RPA was designated in 1993. In May 2012, applicant submitted RPA Exception Request – CBPO-68A – exception to remove wooden pool deck with concrete deck in RPA. It is the recommendation of the county staff that all the applicable criteria has been met and staff recommends approval based on conditions set in approval.

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Brad Smith/Amy Smith – Home Owners – Asking for approval of above referenced Exception Requests.

Questions on Condition #7 – Pool water shall not be drained directly into RPA.

Thakur Dhakal – Clarification of routing of water through stormwater facilities as opposed to sheet flow through grass surface.

*Motion to approve 'Encroachment Exception Request #15084-WRPA-003-1 and Water Quality Impact Assessment #15084-WQ-001-1, 1629 Courtland Road'
Motion was seconded*

Motion unanimously approved.

Resource Protection Area Exception #3276-WRPA-002-1 and Water Quality Impact Assessment #3276-WQ-002-1 – 8747 Brook Road, lot 16A. Application for an exception to encroach within a Resource Protection Area (RPA) to construct portions of a dwelling and supporting facilities into a Resource Protection Area (RPA) under Chesapeake Bay Preservation Ordinance (CBPO) Section 118-6-9 at 8747 Brook Road, Mclean, Virginia, Tax Map #020-3-03-0016-A, Dranesville District.

Mr. Regmi – Site introduction – General RPA exception request – In March 2012 applicant submitted exception request under loss of buildable area CBPO-118-54. Lot was created with recordation of record plat in 1995. Encroachment does not qualify for loss of buildable area. Staff disapproved on April 26, 2012 due to re-subdivision in 1995. Applicant has applied and resubmitted under CBPO-118-69 – in accordance to this section, general exception may be granted 118-66 and 118-69 – applicants have proposed buffer of 10,000 square feet to compensate for proposed disturbance in RPA.

Ms. Strobel – owner's representative – introduction of party members in support – brief introduction as to show that applicant and owners want to live and build "dream" home capable of supporting several extended family can stay. Brief review of why submission originally was disapproved. Proposed improvements do not exceed 18% impervious area, buffer proposed and will effectively remove phosphorous and improve water quality by treating off-site areas. Applicants purchased property in good faith. Applicants have followed appropriate procedures and asks for favorable consideration of request.

Mr. Regmi – It is the opinion of staff that all requirements have been met and staff recommends approval.

Discussion on Septic Fields –

Ms. Atkinson – Land Design Consultants – Review of design and intent of septic fields and limits. Review of health department footprints for septic fields. Both active field and reserve field. An operation and maintenance plan was questioned – a maintenance contract will be contracted on a regular basis.

Discussion of Plants in Vegetated Buffer –

Ms. Atkinson - Conservation Deposit will be posted and will not be returned for at least a year, plants are guaranteed to be alive for at least a year and take root.

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Discussion as to extent of home and redevelopment – home vastly larger, and more impervious area, buildable area than any other comparable home in the area. What is reasonable buildable area for this lot? Is this proposed structure reasonable, is it necessary? Ms. Strobel – Discussion as to why such a large home is needed. Discussion of improvements as opposed to reducing square footage. Design proposal meets criteria, not in favor of reducing house footprint. Conversation ensued regarding impervious footprint and proposed mitigation techniques.

*-Amendment that includes addition of condition to include pervious paving on driveway approximately 60’ from guest house and in court yard area between the two structures.
-Likewise, there shall be a rain garden and/or infiltration trench area between Brook road and trench basins that can handle runoff from Brook Road.*

*Mr. Crandall- Motion to approve 'Resource Protection Area Exception #3276-WRPA-002-1 and Water Quality Impact Assessment #3276-WQ-002-1 – 8747 Brook Road, lot 16A' per the modifications of committee.
-Motion was seconded.*

Motion unanimously approved per the amendments.

The public hearing was closed at 3:44 p.m.

II. Approval of Previous Meeting Minutes

Approval of meeting minutes as corrected.

III. Nominating Committee for Election of Officer

IV. Upcoming Cases

none

V. Next Meeting

tbd

A motion to adjourn the meeting was made by the Chair and seconded.
The meeting was adjourned at 4:02 p.m.

VI. Attachments

Agenda