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July 2, 2020

Richard & Paula Wheat  
103 Tue Marsh Lane  
Yorktown, VA 23692

RE: York County CBPA Exception 2020-204 for 103 Tue Marsh Lane  
Request for an access path and fire pit in the 100-foot Resource Protection Area (RPA) buffer.

Dear Mr. & Mrs. Wheat:

On June 15, 2020, you submitted an application to the Chesapeake Bay Board, a site plan, and the \$250.00 application fee. You are requesting an access path and fire pit in the 100-foot RPA buffer along the Thorofare.

The County Ordinance provides for administrative encroachments into the RPA buffer down to fifty-feet to build a principle structure; accessory structures are not eligible for administrative encroachments. The access path and fire pit cannot be approved administratively per Chapter 23.2-9 f (1) a. because accessory structures are not eligible for encroachments. Therefore, this exception request will be heard by the Chesapeake Bay Board.

You are requesting approval of 605 square feet of impervious area (includes access path and fire pit) in the 100-foot RPA buffer. Mitigation is required for all impervious area added in the RPA. Using the Department of Conservation and Recreation Riparian Buffers Modification & Mitigation Guidance Manual Restoration / Establishment Table A (enclosed) the mitigation would be 1 canopy tree (or large evergreen), 2 understory trees (or large evergreens), 4 large shrubs and 5 small shrubs. See the Restoration / Establishment Table A for the size of trees and shrubs required at the time of planting. Submit a mitigation plan that meets or exceeds the requirements outlined above by July 9, 2020. Staff recommends planting the mitigation near the proposed access path and fire pit.

Staff recommends reducing the access path to four feet in width. The Board has not approved an access path that is wider than four feet.

The next York County Chesapeake Bay Board public hearing is scheduled for 6:00 p.m. on Wednesday, July 22, 2020. The hearing will be held in the Multi-Purpose Room located in the Public Works Administration Building at 105 Service Drive, located off Goodwin Neck Road. Due to COVID-19 we asked that the number of people present in the Multi-Purpose Room is kept to a minimum. If you prefer you can participate remotely through Zoom.

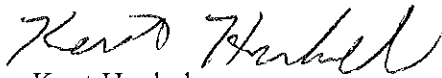
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**Please stake the proposed access path and fire pit location by July 9, 2020.** The stakes must be sufficient in number for the Board and staff to be able to see the proposed development. The stakes must remain in place until the Chesapeake Bay Board meeting on July 22, 2020.

Please be advised that by submitting this application to the Chesapeake Bay Board the owner's consent to site visits to the subject property made by staff of the York County Department of Public Works and members of the York County Chesapeake Bay Board. The Board members may visit your site between July 9, 2020 and July 22 2, 2020.

If you have any questions, please contact me at 890-3758 as soon as possible.

Sincerely,



Kent Henkel  
Environmental Specialist II

Copy to: Anna Drake, Stormwater Engineer II  
Justin Atkins, Assistant County Attorney  
Barrett Nicks, Engineering Specialist I  
Amy Green, Acting Stormwater Division Chief  
Chesapeake Bay Board and File