



STAFFORD COUNTY CHESAPEAKE BAY BOARD
NOVEMBER 21, 2022 MEETING PACKAGE



STAFFORD COUNTY CHESAPEAKE BAY BOARD

Agenda

Monday, November 21, 2022 at 6:00 pm
Board Chambers of the George L. Gordon, Jr. Government
Center

- A. Call to Order
- B. Roll Call of Members
- C. Determination of a Quorum
- D. Approval of Meeting Minutes – July 25, 2022
- E. New Business

Public Hearing - 22154690; Chesapeake Bay Special Exception CBB22-01 – Mr. Mark Schirching, applicant, is requesting a special exception under Sec. 27B-14 of the Stafford County Chesapeake Bay Preservation Area Ordinance from the requirements of Sec. 27B-7 "Development Conditions" and Sec. 27B-11 "Nonconforming uses and noncomplying structures" in order to construct an inground pool and associated infrastructure within the Critical Resource Protection Area (CRPA) on TMP 43W-24.

- F. Old Business
- G. Chairman's Report
- H. Staff Report
- I. Adjournment

ROLL CALL



STAFFORD COUNTY CHESAPEAKE BAY BOARD

Roll Call

Monday, November 21, 2022 at 6:00 pm
Board Chambers of the George L. Gordon, Jr. Government
Center

CTO: _____ p.m.

<u>Members:</u>	Present	Absent
Anthony Pineau	_____	_____
Dan Adams	_____	_____
Jim Riutta	_____	_____
Mary Rust	_____	_____
Robert Hayden	_____	_____
Sue Henderson	_____	_____
Benjamin Rudasill	_____	_____

<u>Staff:</u>	Present
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Joe Fiorello	_____
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John Saunders	_____
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Emily Torrey	_____
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_____	_____
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_____	_____
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_____	_____
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_____	_____
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Adjourn: _____ p.m.

CHESAPEAKE BAY BOARD
JULY 25, 2022 MEETING MINUTES



STAFFORD COUNTY CHESAPEAKE BAY BOARD

Meeting Minutes

Monday, July 25, 2022 at 6:00 pm
ABC Conference Room of the George L. Gordon, Jr. Government
Center

A. Call to Order

The meeting was called to order at 6:14 pm by Mr. Pineau.

B. Roll Call

Members Present: Anthony Pineau, Ben Rudasill, Dan Adams, Mary
Rust, Sue Henderson, Robert Hayden

Members Absent: Jim Riutta

Staff Present: John Saunders, Joe Fiorello, Emily Torrey

C. Determination of a Quorum

A quorum was established with 6 of the 7 members present.

D. Election of Officers

➤ Election of Chairman

Mary Rust nominated Sue Henderson for Chairman, which was seconded by Anthony Pineau. Ms. Henderson was elected as Chairman with a total of 6 votes.

➤ Election of Vice-Chairman

Sue Henderson nominated Mary Rust for Vice-Chairman, which was seconded by Anthony Pineau. Ms. Rust was elected as Vice-Chairman with a total of 6 votes.

E. Approval of Meeting Minutes

➤ November 15, 2021

Ms. Henderson made a motion to approve the minutes from November 15, 2021. The motion passed 6-0.

F. Public Hearings

There were no presentations by members of the public.



G. Old Business

None

H. New Business

None

I. Chairman's Report

None

J. Staff Report

Emily Torrey gave an update on the progress of the new Chesapeake Bay webpage. The webpage is actually several webpages that will link to each other. It will provide shoreline property owners with information on shorelines, floodplains and other information on the development and protection of their property. There will be a separate FAQ page. Mr. Saunders added that they hope to create a page that is easy to navigate, intuitive and tailored to waterfront property owners. There will be links to VMRC resources, general floodplain information, access to ArcGIS and other environmental topics to be considered (wetlands, Chesapeake Bay, etc.). Currently, there is an abundance of information that they are working to pare down. The information that they hope to include will be distributed to the board for review (currently in Word format). They are looking for suggestions on making the page a little more manageable and less intimidating for those coming to the page for the first time. The Community Engagement department will take the information provided and create the page. The process is relatively quick once the information is provided to Community Engagement. Mr. Saunders estimates 4-6 weeks to have the page created. The goal is to provide the best information available while welcoming citizens to reach out with any further questions.

K. Adjournment

With no further business to discuss the Chesapeake Bay Board meeting adjourned at 6:27 pm.

NEW BUISNESS
SCHIRCHING POOL SPECIAL EXCEPTION



MEMORANDUM TO: Stafford County Chesapeake Bay Board

FROM: Joseph Fiorello
Environmental Planner

SUBJECT: **AP# 21154690; Special Exception Application; CBB22-01; Mr.
Mark Schirching Pool**

1. Vicinity Map
2. Aerial Imagery
3. Historical Imagery
4. Approved Site Grading Plan
5. Application
6. Site Photos
7. Proposed Resolutions

The project involves the proposed installation of an inground pool which will impact approximately 300 sq. ft. of Chesapeake Bay Resource Protection Area (CRPA) buffer.

The property is located at 435 Connelly Drive (TM#: 43W-24) in the new development of “Estates at Monroe Place” within the Falmouth-Hartwood Election District. The house was built in 2022. An aerial photograph from 2017 shows that the CRPA area proposed for impact was farm field prior to site development and was void of woody vegetation.

Mr. Schirching proposes to install a 16 ft. X 36 ft. pool in his backyard. The pool will be installed approximately 10 feet from the house.



The installation of the pool will impact approximately 300 sq. ft. of Chesapeake Bay Resource Protection Area buffer (CRPA). As mentioned above, the CRPA has been void of woody vegetation before the property was developed. To mitigate for the 300 sq. ft. of CRPA impacts, Mr. Schirching proposes to plant 12 trees; 8 - dogwood understory trees; 2 – Oak canopy trees; and 2 – Maple canopy trees.

ALTERNATIVES:

The following alternatives are available to the Board:

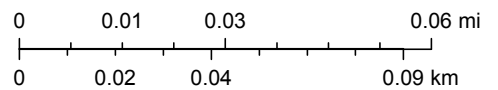
1. Adopt proposed Resolution CBB22-1 which approves the request for an extension and modification with the previously approved conditions.
2. Adopt proposed Resolution CBB22-2 which denies the request.
3. Take no action at this time.

RECOMMENDATION:

Staff recommends the approval of CBB22-1 which approves the installation of the pool and the planting of 6 understory trees and 4 canopy trees to mitigate the 300 sq. ft. of impacts to the CRPA located on-site. Staff believes the installation of the pool, mitigated by the proposed plantings, will not be detrimental to water quality.

ATTACHMENT 1
VICINTIY MAP

1:2,257



- | | | |
|-----------------------|---------------------|----------------------|
| Enable OnBase Search | VA Primary | Easements |
| Quantico Roads | US Route (Business) | Contours 10' - South |
| Secondary Minor | US Route | Contours 2' - South |
| Secondary | Interstate Ramps | Contours 10' - Mid |
| Secondary Major | Interstate | Contours 2' - Mid |
| VA Primary (Business) | Parcels | Contours 10' - North |

Stafford County GIS Office, VITA, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

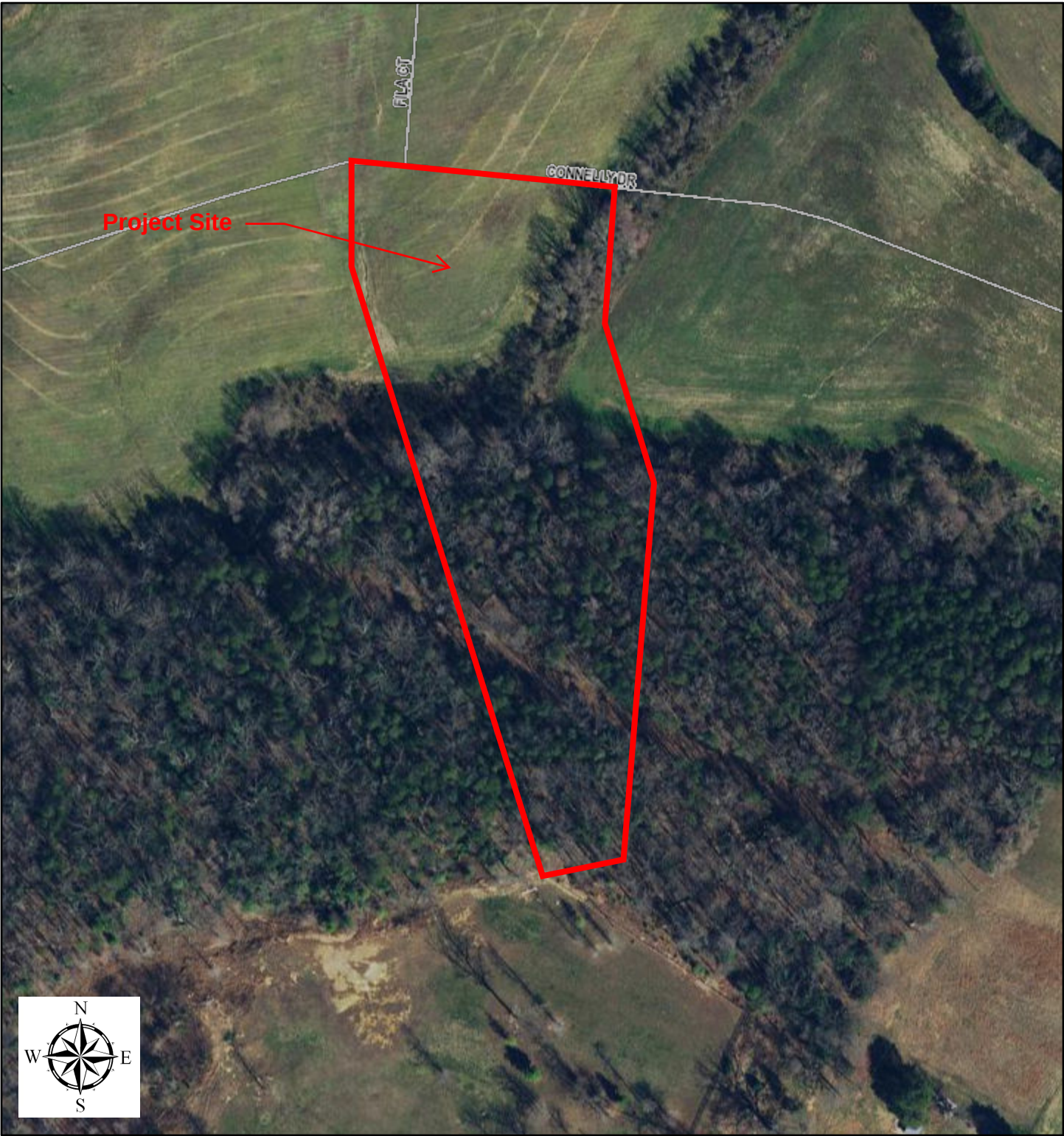
ATTACHMENT 2
2022 AERIAL IMAGERY

Proposed Schirching Inground Pool
TM: 43W-24



ATTACHMENT 3
HISTORICAL 2017 AERIAL IMAGERY

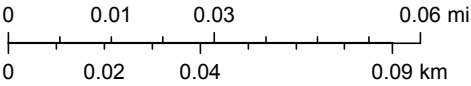
Proposed Schirching Inground Pool
2017 Historical Imagery (TM 43W-24)



10/3/2022, 3:47:19 PM

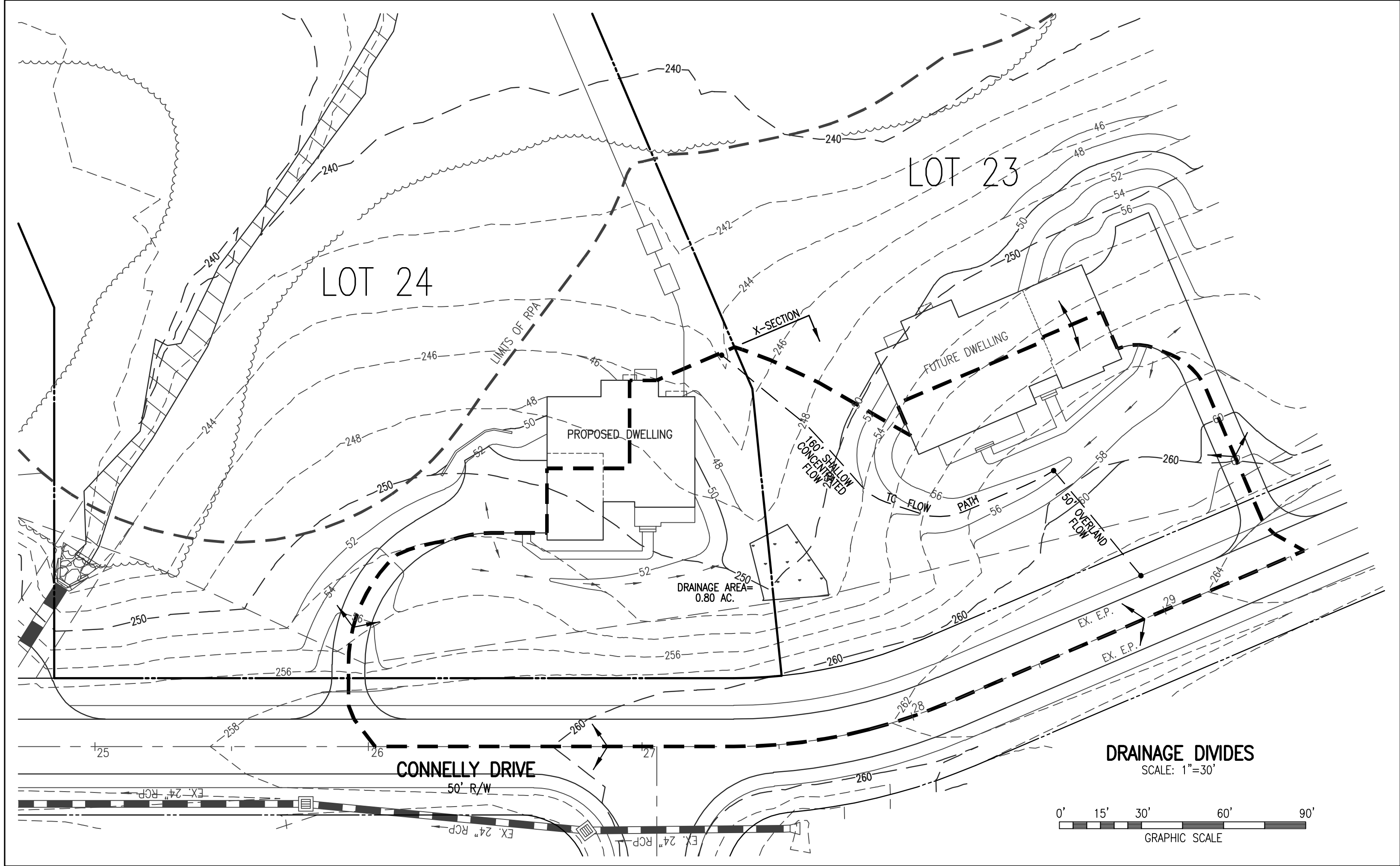
1:2,257

- | | |
|-----------------------|---------------------|
| Quantico Roads | VA Primary |
| Secondary Minor | US Route (Business) |
| Secondary | US Route |
| Secondary Major | Interstate Ramps |
| VA Primary (Business) | Interstate |



Virginia Geographic Information Network (VGIN), Stafford County GIS Office,
VITA, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

ATTACHMENT 4
APPROVED LOT GRADING PLAN



DRAINAGE COMPUTATIONS

THESE COMPUTATIONS ARE PROVIDED TO ILLUSTRATE THE 100 YR. WATER SURFACE ELEVATION IN THE DRAINAGE SWALE ADJACENT TO THE BASEMENT WALKOUT.

DRAINAGE AREA = 34,716 S.F. = 0.80 AC.

C_w = IMP. AREA 8,605 S.F. @ C=0.90 = 7,745
EX. SHLDR. 1,607 S.F. @ C=0.70 = 1,125
OPEN SPACE 24,504 S.F. @ C=0.30 = 7,351
TOTAL = 16,221

C_w = 16,221/34,716 = 0.47

TC - OVERLAND FLOW
L = 50', S = 15.0%, C = 0.30
TC = 5.56 MIN.

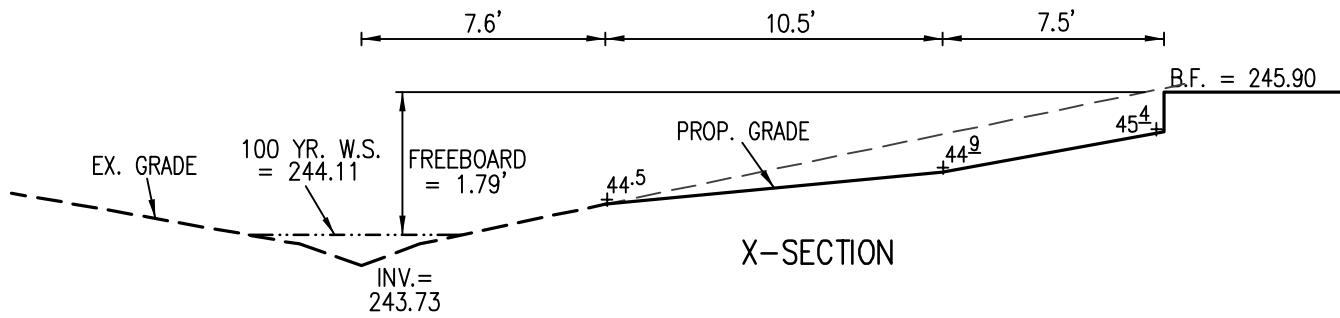
SHALLOW CONCENTRATED FLOW
L = 145', H = 12'
TC = 1.02 MIN.

TC = 5.56+1.02 = 6.58 MIN.

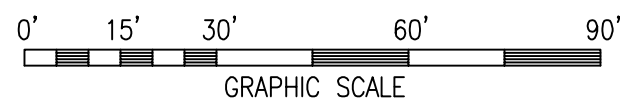
I₁₀₀ = 30.46/(6.58+4.50)^{0.54} = 8.31

Q₁₀₀ = (0.47)(8.31)(0.80) = 3.12 CFS

n = 0.030
SLOPE = 4.4%
X-SECT. AREA = 1.074 S.F.
W.P. = 6.628'
VEL. = 3.09 FPS
d₁₀₀ = 0.38'
INV. = 243.73
100 YR. W.S. = 244.11

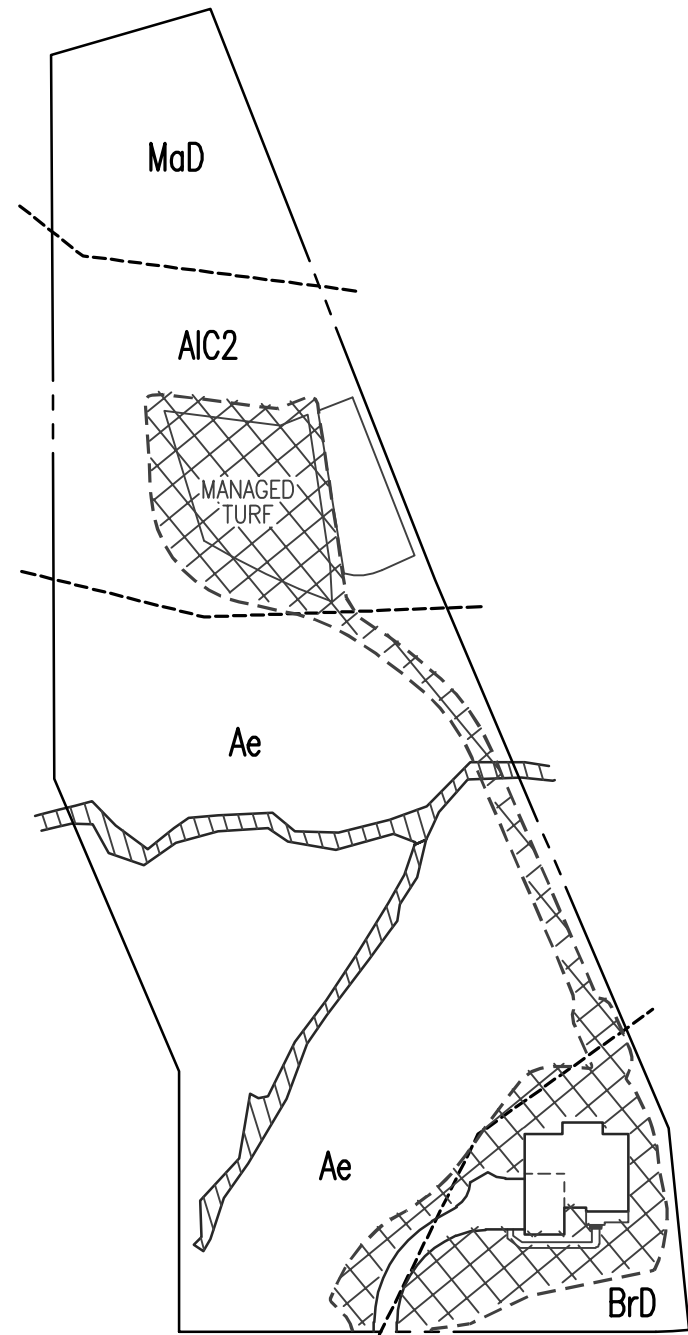


DRAINAGE DIVIDES
SCALE: 1"=30'



SOILS/PROPOSED LAND COVER TABULATION							
MAP SYMBOL	SOIL NAME	HYDROLOGIC SOIL GROUP	IMPERVIOUS AREA (S.F.)	AREA (AC.)	MANAGED TURF (S.F.)	(AC.)	FOREST/OPEN SPACE (S.F.) (AC.)
AIC2	APPLING FINE SANDY LOAM	B	0	0	9,523	0.2186	20,487 0.4703
MoD	MANOR SILT LOAM	B	0	0	0	0	13,739 0.3154
	TOTAL	B	0	0	9,523	0.2186	34,226 0.7857
BrD	BREMO LOAM	C	4,101	0.0941	8,513	0.1954	3,520 0.0808
	TOTAL	C	4,101	0.0941	8,513	0.1954	3,520 0.0808
Ae	ALLUVIAL LAND, WET	D	560	0.0129	5,134	0.1179	70,043 1.6080
	TOTAL	D	560	0.0129	5,134	0.1179	70,043 1.6080

NOTE: SOILS MAP AND HSG INFORMATION TAKEN FROM THE CONSTRUCTION PLANS FOR THE ESTATES AT MONROE PLACE AND THE STAFFORD COUNTY STORMWATER MANAGEMENT DESIGN MANUAL.



CONNELLY DRIVE
SOILS MAP
SCALE: 1"=100'

DEQ NOTES

- THE CONSTRUCTION ACTIVITY PROPOSED WITH THIS PLAN CONSISTS OF THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE. THE CONSTRUCTION ACTIVITY IS PART OF A LARGER COMMON PLAN OF DEVELOPMENT AND DISTURBS LESS THAN ONE ACRE.
- DISTURBED AREA = 28,450 S.F. = 0.65 ACRES
- STORMWATER MANAGEMENT FOR THIS SITE WAS ADDRESSED AS SHOWN ON THE APPROVED CONSTRUCTION PLANS FOR THE ESTATES AT MONROE PLACE, A/P 18152487, FOR THE ROAD CONSTRUCTION ONLY AND DID NOT INCLUDE ANY LOT IMPROVEMENTS PER THE DRAINAGE DIVIDES ON SHEET 23 OF 34 OF THE PLANS.
- A POLLUTION PREVENTION PLAN (P2) HAS BEEN DEVELOPED FOR THIS PROJECT. A COPY OF THE P2 PLAN HAS BEEN SUBMITTED TO STAFFORD COUNTY.
- THE CONSTRUCTION ACTIVITY OPERATOR IDENTIFIED IN THE SWPPP SHALL BE RESPONSIBLE FOR IMPLEMENTING THE SWPPP. THE OPERATOR SHALL HAVE A COPY OF THE SWPPP AVAILABLE IN A CENTRAL LOCATION ON-SITE FOR USE BY THOSE IDENTIFIED AS HAVING RESPONSIBILITIES UNDER THE SWPPP WHENEVER THEY ARE ON THE CONSTRUCTION SITE.
- THE VIRGINIA RUNOFF REDUCTION METHOD WORKSHEET INDICATES THE TARGET PHOSPHOROUS LOAD REDUCTION HAS BEEN EXCEEDED FOR THIS SITE WITH THE SITE DESIGN PROPOSED ON THIS PLAN. A COPY OF THAT WORKSHEET IS SHOWN ON THIS PLAN.
- TO SATISFY THE REQUIREMENTS OF PART IIB, SECTION 9VAC25-870-66.D OF THE VSMP REGULATIONS, GRADING OF THE DISTURBED AREA PROPOSED WITH THIS PLAN HAS BEEN DESIGNED SO THAT RUNOFF FROM ROOFTOPS, IMPERVIOUS AREAS AND LAWNS WILL BE DIRECTED AS SHEET FLOW TO UNDISTURBED NATURALLY VEGETATED AREAS OF THE SITE.
- PER THE DEQ RRM SPREADSHEET, FOREST/OPEN SPACE MUST BE PROTECTED IN ACCORDANCE WITH THE VIRGINIA RRM METHOD. IN THE EVENT THAT LIMITS OF CLEARING AND/OR LAND COVER ARE CHANGED, THE OWNER IS RESPONSIBLE TO ENSURE THAT THE NEW LIMITS ARE COMPLIANT TO DEQ REGULATIONS
- HYDROLOGIC UNIT CODE (HUC): RA45

DEQ Virginia Runoff Reduction Method New Development Compliance Spreadsheet - Version 3.0

BMP Design Specifications List: 2011 Stds & Specs

Site Summary

Total Rainfall = 43 inches

Site Land Cover Summary

	A soils	B Soils	C Soils	D Soils	Totals	% of Total
Forest/Open (acres)	0.00	0.79	0.08	1.61	2.47	79
Managed Turf (acres)	0.00	0.22	0.20	0.12	0.53	17
Impervious Cover (acres)	0.00	0.00	0.09	0.01	0.11	3
					3.11	100

Site Tv and Land Cover Nutrient Loads

Site Rv	0.10
Treatment Volume (ft ³)	1,180
TP Load (lb/yr)	0.74
TN Load (lb/yr)	5.30

Total TP Load Reduction Required (lb/yr) -0.54 ** TP LOAD REDUCTION NOT REQUIRED

Site Compliance Summary

Total Runoff Volume Reduction (ft ³)	0
Total TP Load Reduction Achieved (lb/yr)	0.00
Total TN Load Reduction Achieved (lb/yr)	0.00
Remaining Post Development TP Load (lb/yr)	0.74
Remaining TP Load Reduction (lb/yr) Required	0.00 ** TARGET TP REDUCTION EXCEEDED BY 0.54 LB/YEAR **



LOT GRADING PLAN

LOT 24

THE ESTATES AT MONROE PLACE

FALMOUTH-HARTWOOD MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

SCALE: 1"=30' DATE: JULY 20, 2021
REV. DATE: SEPTEMBER 22, 2021

Remy G. DuCote
LAND SURVEYOR
5503 RAINWOOD DRIVE
FREDERICKSBURG, VIRGINIA 22407
(540) 841-4900

FILE: MONROE PLACE LOT 24 SHEET 2 OF 2

ATTACHMENT 5
APPLICATION



STAFFORD COUNTY
DEPARTMENT OF PLANNING AND ZONING

1300 Courthouse Road, Stafford VA 22554

Phone: 540-658-8668 Fax: 540-658-6824

www.staffordcountyva.gov

**CHESAPEAKE BAY BOARD
SPECIAL EXCEPTION
APPLICATION PACKET**

- The following items are included within this packet:
 1. Pre-Application Conference Sheet
 2. Chesapeake Bay Board Application Question and Answers
 3. Stafford County Code Section 27B-14
 4. Application
 5. Owners Consent Form
 6. Water Quality Impact Assessment Form & Stafford County Code Section 27B-10
- Please be advised that applicants are required to schedule a pre-application meeting with the Environmental Planning staff prior to submitting their application. The applicant would then need to schedule a second meeting to officially submit their application. *Failure to comply with the application requirements, including providing all of the required information, may result in the matter being delayed until such time as all requirements have been fulfilled.* Appointments may be scheduled by calling the office of Planning and Zoning at 540-658-8668.
- If an application is withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant.

Fees are as follows: *Individual Residential \$600.00 per Special exception*
Other \$1,375.00 per Special exception

A 2.75% technology fee will be assessed and collected on the total fees.
- The Chesapeake Bay Board meets the third Monday of every month. Due to required public notice, complete applications must be received by the third Monday one month prior to the scheduled meeting.



STAFFORD COUNTY
DEPARTMENT OF PLANNING AND ZONING
1300 Courthouse Road, Stafford VA 22554
Phone: 540-658-8668 Fax: 540-658-6824
www.staffordcountyva.gov

Pre-Application Conference – Checklist (to be completed by staff)

Pre-application conference date:

Owner and/or applicant:

Application for: *Special Exception* COMMERCIAL ☐ RESIDENTIAL ☒

The following information must be submitted with the completed application and fee:

Completed Application

Owner's Consent form (*Provide if applicant is not the owner of the property.*)

Site Plans(including wetlands and CRPA buffer)

A Major Water Quality Impact Assessment

Other:

Applications must be completed and returned no later than Oct. 1, 2022 in order to be heard at the meeting scheduled for Nov 21, 2022. Meetings are held at 7:00 p.m. in the Board of Supervisor's Chambers and you or a representative must be present.

NOTE: This form must be submitted with the completed application, affidavit, all of the above and fee of \$ 600⁰⁰.

Joseph Stivalo 9/6/2022
Staff Member Signature



County of Stafford

Department of Planning and Zoning
1300 Courthouse Rd
PO Box 339
Stafford, VA 22555-0339
Phone (540) 658-8668
Fax: (540) 658-6824
Metro (703) 690-8222

Application Receipt

Printed On 09/22/22

AP# 22154690 THE ESTATES AT MONROE PLACE CBBSPEXCEP

Parcel Location -43W-----24

Owner

Applicant

435 CONNELLY DR
FREDERICKSBURG, VA 22406-5376

Phone:
Email: MRS416@YAHOO.COM

Fees	CBB Special Exception Base	3262*100-0000-313.03-80	\$600.00
			\$600.00

Comments

PAID

SEP 22 2022

Paid By

Signature

Date

Date



CHESAPEAKE BAY PRESERVATION AREA ORDINANCE

Sec. 27B-14. - Special exceptions.

- (a) The board shall be comprised of all of the members of the county's wetlands board.
- (b) A request for a special exception to the requirements of [section 27B-7](#) and subsection [27B-8\(b\)](#) of this chapter shall be made in writing to the board. The request shall identify the impacts of the proposed exception on water quality and on lands within the CRPA through the performance of a water quality impact assessment which complies with the provisions of [section 27B-10](#) of this chapter.
- (c) No later than sixty (60) days after receipt of a complete special exception request, the board shall hold a public hearing on the request. The board shall hold a public hearing in accordance with Code of Virginia § 15.2-2204, except that only one hearing shall be required. The board shall cause notice of the hearing to be published at least once a week for two (2) weeks prior to such hearing in a newspaper of general circulation in this county. When giving any notice to the owner(s), their agent(s), or the occupant(s) of abutting property and property immediately across the street or road from the property affected, the notice shall be given by first-class mail to the last known address as shown on the current real estate tax assessment book or records. The board shall mail these notices not less than twenty (20) days prior to the date set for the hearing.
- (d) The board shall review the request for a special exception and the water quality impact assessment. The board may grant the special exception, with such conditions and safeguards as deemed necessary to further the purpose and intent of this chapter, if the board finds:
 - (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
 - (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
 - (3) The special exception request is the minimum necessary to afford relief;
 - (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
 - (5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.
- (e) The board shall make its determination within thirty (30) days of the public hearing. If the board fails to act within that time, the application shall be deemed approved.
- (f) If the board denies the special exception, the board shall provide the applicant(s) with the board's written decision, including its rationale.

STAFFORD COUNTY
Department of Planning and Zoning



CHESAPEAKE BAY BOARD
SPECIAL EXCEPTION APPLICATION

RECEIVED BUT NOT OFFICIALLY SUBMITTED
DATE: _____ INITIALS: _____

OFFICIALLY SUBMITTED

DATE: _____ INITIALS: _____

TYPE OF APPLICATION

INDIVIDUAL RESIDENTIAL ☒ **OTHER** ☐

22154690

APPLICATION NUMBER

APPLICANT INFORMATION

Mark R. Schirching /Jessica L. Schirching

NAME

435 Connelly Drive

STREET ADDRESS

Fredericksburg

VA

22406

CITY

STATE

ZIP

7165724312

7165724312

PHONE

CELL

FAX

mrs416@yahoo.com

EMAIL

OWNER INFORMATION (If different from the Applicant)

Mark R. Schirching /Jessica L. Schirching

NAME

435 Connelly Drive

Fredericksburg

VA

22406

ADDRESS

CITY

STATE

ZIP

7165724312

7165724312

PHONE NUMBER

CELL

FAX NUMBER

mrs416@yahoo.com

EMAIL ADDRESS

PROPERTY INFORMATION

43W 24

24

3.1134

TAX MAP

SECTION

PARCEL/LOT#

LOT SIZE

The Estates at Monroe Place

SUBDIVISION

ZONING DISTRICT

EXISTING USE

PROPOSED USE

Falmouth-Hartwood

COMPREHENSIVE PLAN DESIGNATION

MAGISTERIAL DISTRICT

FOR OFFICE USE ONLY

APPLICATION APPROVED BY

DATE

RESOLUTION #

APPLICATION #

FEES PAID:

☐ YES

☐ NO

GENERAL INFORMATION

- ❖ What code section of the Chesapeake Bay Protection Area ordinance is the applicant seeking relief from as a result of a special exception?

Chapter 27B, Section 7 and 11 which pertains to accessory structure, pool

- ❖ Are there any special zoning conditions applicable to the property (including a conditional use permit, special exception, variance, development proffers, vesting determination)? ☐ Yes ☒ No

If yes, please specify _____

- ❖ Is the subject property located within a flood district? ☐ Yes ☒ No

If yes, please specify which one _____

- ❖ County Water & Sewer? ☐ Private Well & Septic? ☒

SPECIAL EXCEPTION JUSTIFICATION

Please provide a statement of justification for the requested special exception. Be aware that the Board must make the following five findings in order to approve a request for a special exception, as set forth in Section 27B-14(d):

- (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
- (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is the minimum necessary to afford relief;
- (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.

See attached letter.

AUTHORIZATION

- W. R. Schatz Jessica L. Schurching 9/5/2022
Owner/Applicant's Signature (Circle One) Date

- Page 9

Mark R. Schirching Jessica L. Schirching

435 Connelly Drive • Fredericksburg, VA 22406 • Phone: 716-572-4312
E-Mail: mrs416@yahoo.com

Date: September 9, 2022

Community Development Services Center
1300 Courthouse Road
Stafford, VA 22554

Dear Environmental Planner:

We would like to apply for a special exception to remove grass from the CRPA on our property, which is detailed on the application enclosed herein. The purpose for this special exception is to construct a backyard swimming pool. We would like a swimming pool in our yard because we have 5 children who immensely enjoy swimming both as a sport and as a recreational activity. Two of our children are certified lifeguards and swimming instructors. Our oldest daughter is a collegiate swimmer at Marymount University. We moved to Virginia from New York in part to enjoy the beautiful summer weather. We had a swimming pool in New York for over 10 years, and when we built our home in Virginia we planned to install a swimming pool as soon as possible. The back yard of our property is well suited for a swimming pool, as it is large, relatively flat and wide open. When Augustine Homes sold us our home, they indicated the CRPA was at the tree line approximately 80 feet from our home, when in fact the CRPA is only 19 feet from our home. The plat and proposed location of the pool is enclosed with this letter and special exception application.

Our proposed swimming pool will only encroach approximately 300 square feet into the CRPA, please see the enclosed renderings. The only vegetation to be removed is grass (Poaceae). No trees will be removed or disturbed to construct the pool. The grass will be removed by mechanical construction equipment to dig the pool, no herbicides will be utilized. A silt fence will be installed to prevent impacting surrounding vegetation. The grass will be removed when the construction of the pool commences, and last three to four weeks. At the conclusion of the construction of the pool, any areas surrounding the perimeter of the pool will be immediately graded and seeded for new grass. We propose the planting of 12 trees in the CRPA to mitigate any effects the removal of the 300 square feet of grass will have in the CRPA. The trees we plan to plant will consist of hardwood trees such as Dogwood (Cornus), maple (Acer), and Oak trees (Quercus), see attached rendering for approximately locations.

In closing, we are requesting a special exception to construct a swimming pool, which will encroach approximately 300 square feet into the CRPA on our property. To mitigate any potential effects this may have on the CRPA, we propose planting 12 trees in the CRPA. WE appreciate the time and thoughtfulness you have given to this application.

Sincerely,

Mark R. Schirching



Jessica L. Schirching





STAFFORD COUNTY DEPARTMENT OF PLANNING AND ZONING

WATER QUALITY IMPACT ASSESSMENT

A scaled site drawing, which shows the following, must be attached to this water quality impact assessment:

1. Location of the components of the RPA, including the 100-foot buffer area;
2. Location and nature of any proposed encroachment into the buffer area, including, type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; sewage disposal systems or reserve drainfield sites; and wells.
3. Type and location of proposed best management practices to mitigate the proposed encroachment;
4. Location of existing vegetation onsite, including the number, type of trees, caliper and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and
5. Type, size, and location of replacement vegetation.

Site Conditions (of site and adjacent lands):

Existing Topography: gently sloping Hydrology: residential storm water mgmt. plan
Soils Map Unit/Name: _____ % Slope: _____ Geology: _____
Fill Material (source and composition): N/A
Total Amount of Disturbed Area (ft²): 300 ft² Total Amount of Cleared Area (ft²): 0
Estimation of Pre and Post Development Pollutant Loads: 1st tp reduction exceeded by .54 lb/yr
Other: per res. building permit.
Const. of pool and mitigation through plantings is not expected to impact the target tp.

Existing Vegetation:

Total Underbrush / Grass Removed (ft²): 300 Types: grass
Number of Healthy Trees Removed: 0 Types: _____
Number of Trees Limbed or Pruned: 0 Types: _____
Number of Dead/Dying/Diseased Trees Removed: 0 Types: _____
Other: _____

Proposed Landscaping / Vegetation Mitigation Measures (App. D, CBLAD Buffer Modification Manual)

Number of New Canopy Trees Proposed: 12 Types: hardwoods
Number of New Understory Trees Proposed: _____ Types: _____
Number of New Shrubs Proposed: _____ Types: _____
Other: _____

Proposed Erosion and Sedimentation Control Practices:

- ☒ Silt Fencing ☐ Temporary Construction Entrance ☐ Straw Bale Barrier(s)
☐ Inlet Protection ☐ Temporary/Permanent Seeding Mulching
☐ Tree Protection ☐ Sediment Trap
☐ Other: _____

Proposed Best Management Practices:

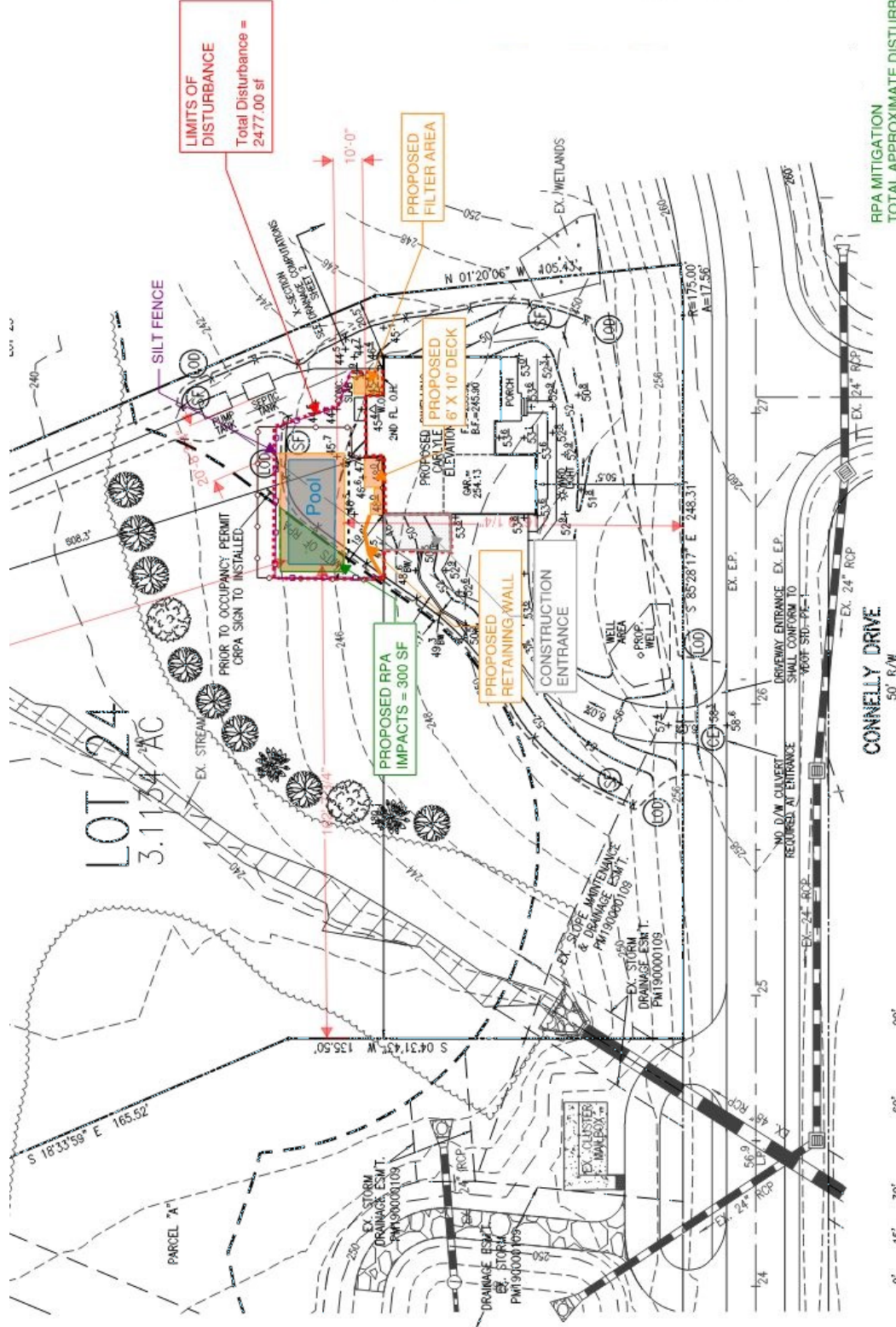
- ☐ Dry Well(s) ☐ Infiltration Trench(es) ☐ Vegetated Filter Strip(s) ☐ Grass Swale(s)
Other: _____
BMP design dimensions: _____

Wastewater (Septic) Element (if needed):

Attach legible, clean copy of Health Department Approval Information- to include calculations and dimensions.

Description of potential impacts of the proposed wastewater systems including any proposed mitigation measures for the impacts:

	Limits of Disturbance
	Proposed 2ft Contour
	Proposed Development
	Proposed Development
	Proposed Development
	Proposed Fence
	Silt Fence
	Oak Tree
	Dogwood Tree
	Maple Tree



HPA MITIGATION
TOTAL APPROXIMATE DISTURBED AREA = 300.00 SF

TOTAL PLANTING UNITS REQUIRED=

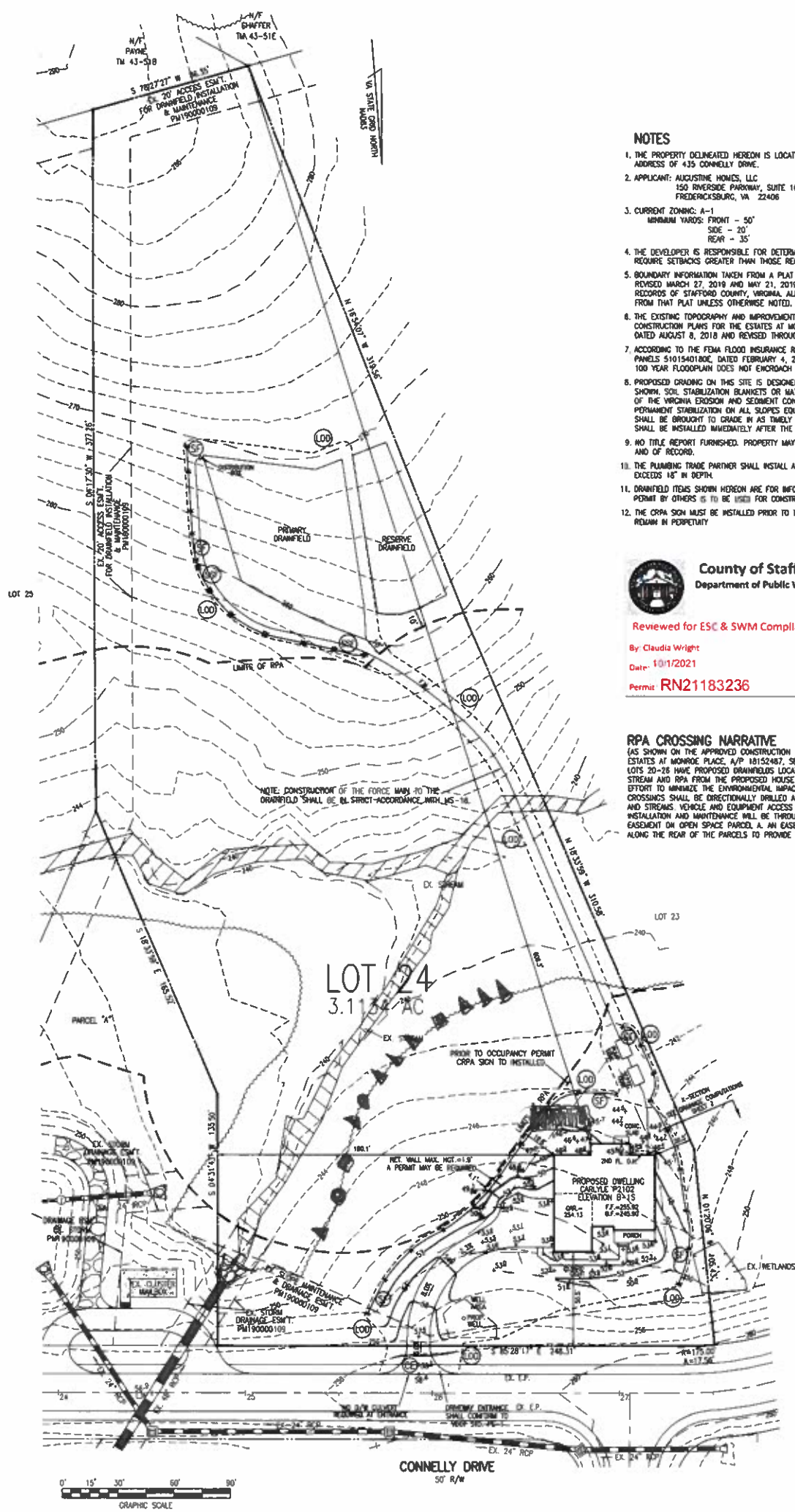
$$300.00 \text{ SE}^* (1 \text{ PLI}/400 \text{ SE OF DISTIBRANCE}) = 0.75 \text{ PLANTING UNITS}$$

300.00 SF * (1 PU/400 SF OF DISTURBANCE) = 0.75 PLANTING UNITS

TOTAL NUMBER OF CANOPY TREES REQUIRED = 1 CANOPY TREES

TOTAL NUMBER OF UNDERSTORY TREES REQUIRED = 2 UNDERSTORY TREES

Supporting Documents
Created by Applicant



NOTES

1. THE PROPERTY DELINEATED HEREON IS LOCATED ON 43W-24 AND HAS BEEN ASSIGNED THE ADDRESS OF 435 CONNELLY DRIVE.
2. APPLICANT: AUGUSTINE HOMES, LLC
150 RIVERSIDE PARKWAY, SUITE 101
FREDERICKSBURG, VA 22406
3. CURRENT ZONING: A-1
MINIMUM YARDS: FRONT - 50'
SIDE - 20'
REAR - 35'
4. THE DEVELOPER IS RESPONSIBLE FOR DETERMINING IF EXISTING COVENANTS AND RESTRICTIONS REQUIRE SETBACKS GREATER THAN THOSE REQUIRED BY THE ZONING ORDINANCE.
5. BOUNDARY INFORMATION TAKEN FROM A PLAT BY LEGACY ENGINEERING, DATED FEBRUARY 13, 2019, REVISED MARCH 27, 2019 AND MAY 21, 2019 AND RECORDED AT PM190000109 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA. ALL EXISTING EASEMENTS SHOWN HEREON WERE TAKEN FROM THAT PLAT UNLESS OTHERWISE NOTED.
6. THE EXISTING TOPOGRAPHY AND IMPROVEMENTS SHOWN HEREON WERE TAKEN FROM THE APPROVED CONSTRUCTION PLANS FOR THE ESTATES AT MONROE PLACE, A/P 18152487, BY LEGACY ENGINEERING, DATED AUGUST 8, 2018 AND REVISED THROUGH MARCH 25, 2019.
7. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR STAFFORD COUNTY, VIRGINIA, COMMUNITY PANELS 5101540180C, DATED FEBRUARY 4, 2005, THIS PROPERTY IS LOCATED IN ZONE X. THE 100 YEAR FLOODPLAIN DOES NOT ENDOURCH ONTO THIS SITE.
8. PROPOSED GRADING ON THIS SITE IS DESIGNED WITH SLOPES OF 3:1 OR FLATTER EXCEPT WHERE SHOWN. SOIL STABILIZATION BLANKETS OR MATING, IN ACCORDANCE WITH THE STD. & SPEC. 3.30 OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, SHALL BE INSTALLED TO PROVIDE PERMANENT STABILIZATION ON ALL SLOPES EQUAL TO OR GREATER THAN 3:1. THE PROPOSED SLOPE SHALL BE BROUGHT TO GRADE IN AS TIMELY A MANNER AS POSSIBLE AND THE BLANKET MATING SHALL BE INSTALLED IMMEDIATELY AFTER THE SLOPE IS BROUGHT TO FINAL GRADE.
9. NO TITLE REPORT FURNISHED. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS AND OF RECORD.
10. THE PLUMBING TRADE PARTNER SHALL INSTALL A LATERAL SEWER SLEEVE IF THE CONCRETE FOOTER EXCEEDS 18" IN DEPTH.
11. DRAINFIELD ITEMS SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY. THE APPROVED DRAINFIELD PERMIT BY OTHERS IS TO BE USED FOR CONSTRUCTION.
12. THE CRPA SIGN MUST BE INSTALLED PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT AND REMAIN IN PERPETUITY.



County of Stafford
Department of Public Works

Reviewed for ESC & SWM Compliance

By: Claudia Wright

Date: 10/17/2021

Permit: RN21183236

SOIL TESTING REQUIRED
FOR LIME AND FERTILIZER
SPECIFICATIONS.

RPA CROSSING NARRATIVE

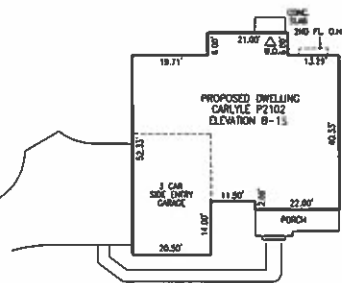
(AS SHOWN ON THE APPROVED CONSTRUCTION PLANS FOR THE ESTATES AT MONROE PLACE, A/P 18152487, SEE NOTE 6)
LOTS 20-28 HAVE PROPOSED DRAINFIELDS LOCATED ACROSS THE STREAM AND RPA FROM THE PROPOSED HOUSE LOCATIONS. IN AN EFFORT TO MINIMIZE THE ENVIRONMENTAL IMPACTS, THE PIPE CROSSINGS SHALL BE DIRECTIONALLY DRILLED ACROSS ALL WETLANDS AND STREAMS. VEHICLE AND EQUIPMENT ACCESS FOR DRAINFIELD INSTALLATION AND MAINTENANCE WILL BE THROUGH THE ACCESS EASEMENT ON OPEN SPACE PARCEL A. AN EASEMENT IS LOCATED ALONG THE REAR OF THE PARCELS TO PROVIDE ACCESS TO ALL LOTS.

SUBJECT TO FIELD
MODIFICATIONS BY
INSPECTOR.

LEGEND

- 280 --- EXISTING CONTOUR
- +77.4 --- EXISTING SPOT ELEVATION
- 80 --- PROPOSED CONTOUR
- +77.2 --- PROPOSED SPOT ELEVATION
- (CE) TEMPORARY CONSTRUCTION ENTRANCE
STD. & SPEC. 3.02
- (SF) SILT FENCE
STD. & SPEC. 3.05
- (SSF) SUPER SILT FENCE
- (LOO) LIMITS OF DISTURBANCE

NOTE: STD. & SPEC. NUMBERS REFER TO THE CURRENT EDITION OF THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK



HOUSE DETAIL

SCALE: 1"=20'

IMPERVIOUS SURFACE TABULATION	
OWELLING	2,527 S.F.
PORCH	138 S.F.
STEPS & S/W	194 S.F.
CONCRETE SLAB	32 S.F.
DRIVEWAY	1,770 S.F.
TOTAL	4,661 S.F.
IMPERVIOUS SURFACE RATIO	
SITE AREA = 3.1134 AC = 135,620 S.F.	
RATIO = 4,661/135,620 = 3.44%	

RESPONSIBLE LAND DISTURBER

BENJAMIN CAMERON LOWENBACH 17041 01/12/2024
NAME CERTIFICATION EXPIRES



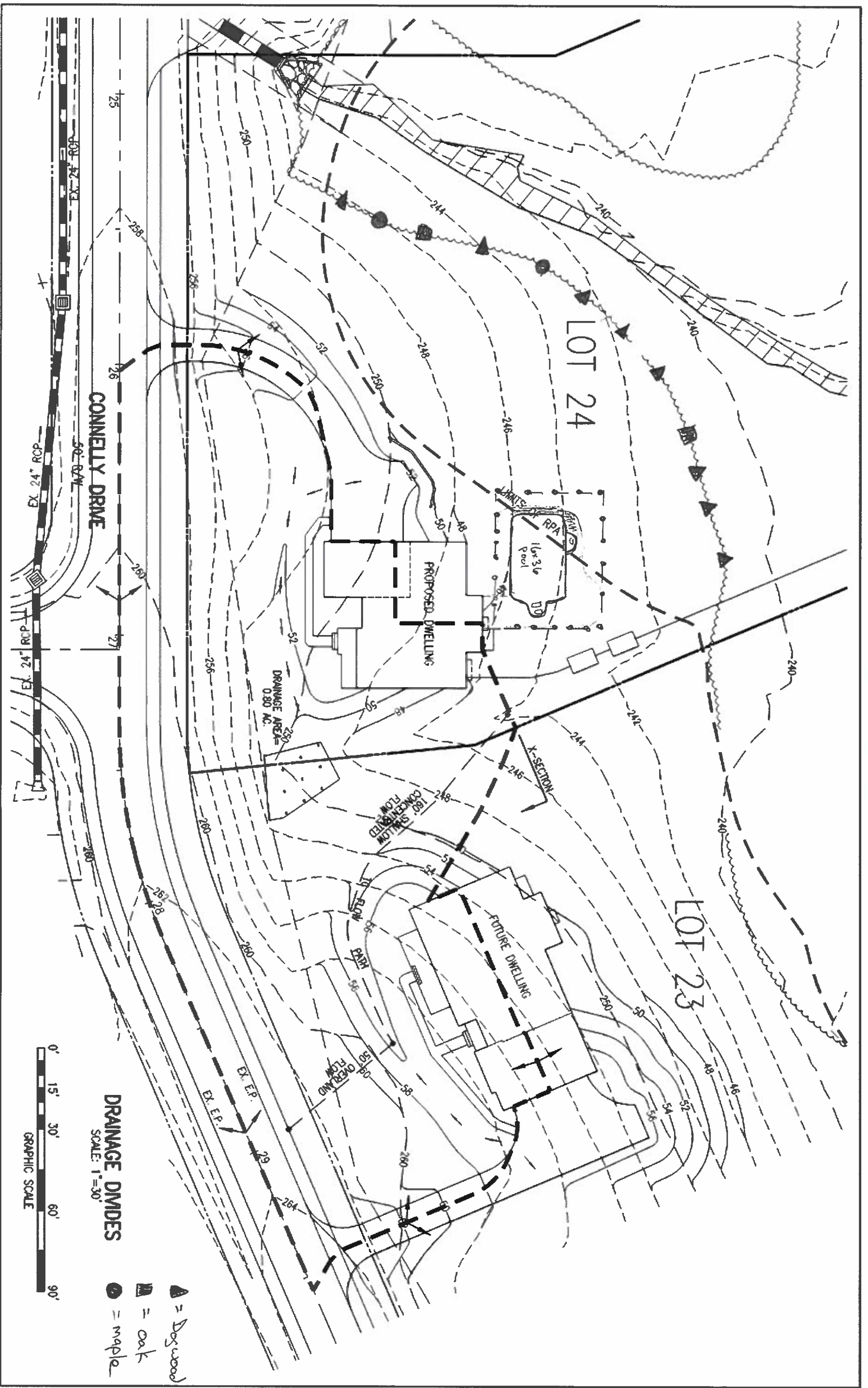
LOT GRADING PLAN

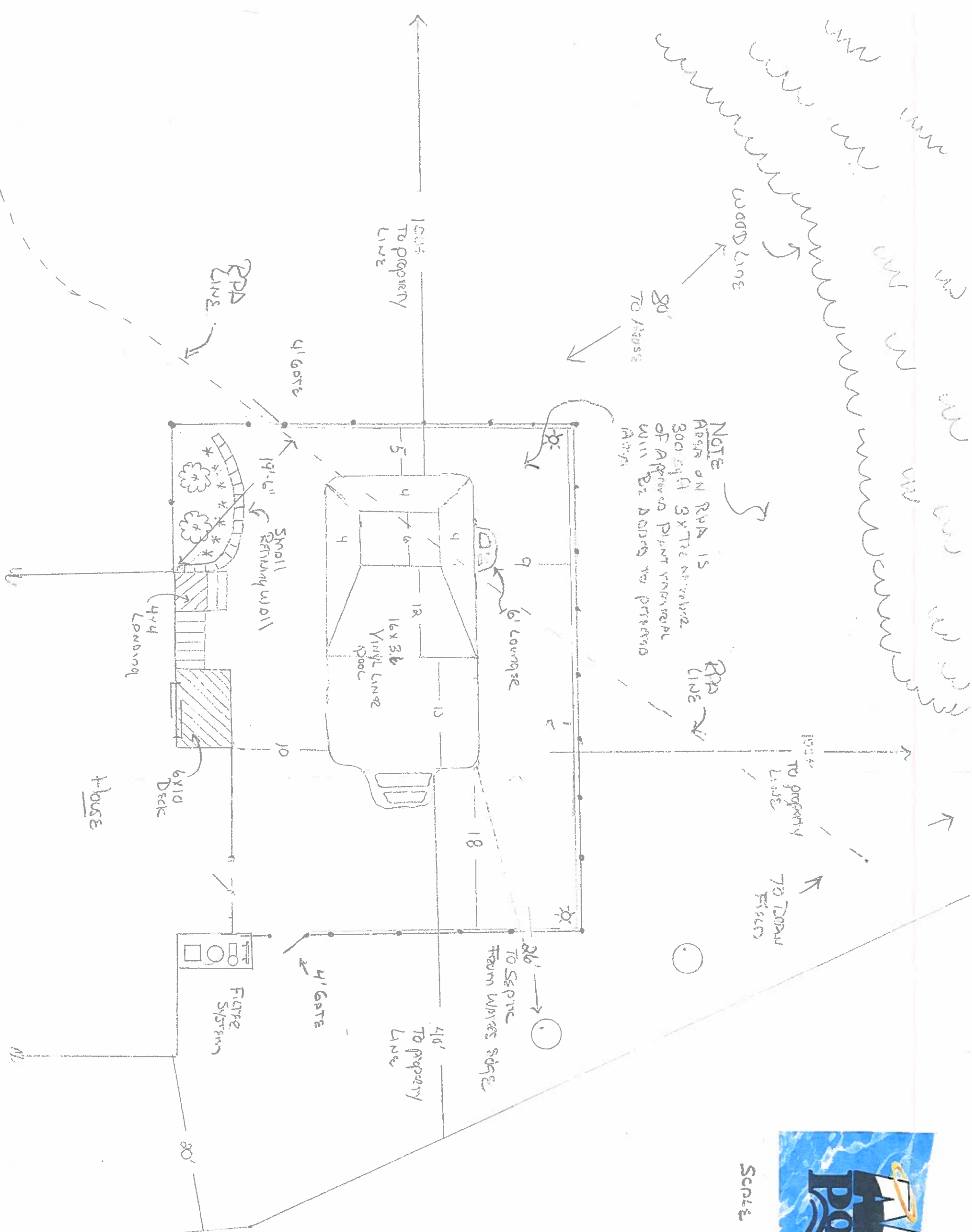
LOT 24
THE ESTATES AT MONROE PLACE
FALMOUTH-HARTWOOD MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

SCALE: 1"=30' DATE: JULY 20, 2021
REV. DATE: SEPTEMBER 22, 2021

Remy G. DuCote
LAND SURVEYOR
1553 RAHWOOD DRIVE
FREDERICKSBURG, VIRGINIA 22407
(540) 841-4900

FILE: MONROE PLACE LOT 24 SHEET 1 OF 2





ATTACHMENT 6
SITE PHOTOGRAPHS



ATTACHMENT 7
PROPOSED RESOLUTIONS

CHEAPEAKE BAY BOARD
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

SPECIAL EXCEPTION RESOLUTION

At a regular meeting of the Stafford County Chesapeake Bay Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 21st day of November, 2022:

MEMBERS:

Dan Adams
Anthony Pineau
Jim Riutta
Robert Hayden
Benjamin Rudasill
Mary Rust
Sue Henderson

VOTE:

On the motion of _____, seconded by _____, which carried by a vote of __ to __, the following was adopted:

A RESOLUTION WHICH APPROVES AN APPLICATION FOR A SPECIAL EXCEPTION PURSUANT COUNTY CODE SECTION 27B-14 ENTITLED "SPECIAL EXCEPTIONS" TO ALLOW DISTURBANCE OF A CRITICAL RESOURCE PROTECTION AREA (CRPA) ON TAX MAP PARCELS 43W-24, HARTWOOD ELECTION DISTRICT

WHEREAS, the Stafford County Chesapeake Bay Board received application 22154690 from Mr. Mark Schirching to allow a 300 square foot encroachment of a CRPA on Tax Map Parcel 43W-24 to construct an inground pool and associated infrastructure.; and

WHEREAS, the Stafford County Chesapeake Bay Board has authority under County Code Section 27B-14 to issue an exception for land disturbance activities in a CRPA; and

WHEREAS, Mr. Mark Schirching has applied for an exception to County Code Section 27B-7, entitled "Development conditions" and Section 27B-11 entitled "Nonconforming uses and noncomplying structures"; and

WHEREAS, the Stafford County Chesapeake Bay Board has given proper notice of a public hearing as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Chesapeake Bay Board after due consideration of the facts of the application and testimony at the public hearing finds the following;

- (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;

- (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is the minimum necessary to afford relief;
- (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions can be imposed which will prevent the special exception request from causing a degradation of water quality; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Chesapeake Bay Board on this the 21st day of November, 2022, that exceptions to County Code Section 27B-7, entitled "Development conditions", and Section 27B-11, entitled "Nonconforming uses and noncomplying structures", pursuant to application 22154690 be and it hereby is approved with the following conditions:

1. The limits of the CRPA buffer encroachments shall be as shown on the exhibits submitted with the Special Exception Application, Attachment 7 of the Staff Report dated November 21, 2022.
2. Mitigation for the encroachment into the CRPA must be consistent with the plantings proposed in the Special Exception Request.
3. A Land Disturbance Permit will be required if land disturbance is greater than 2,500 sq. ft.
4. A Building permit will be required for the construction of the pool having no greater than 300 sq. ft. of impact to the CRPA located on site.
5. Should design plans change, the applicant is required to contact Stafford County Environmental Staff.
6. The applicant shall contact Stafford County Environmental Planner for a post construction and vegetation planting site inspection. Thereafter, applicant is to contact Staff to conduct an annual site visit for 2 years. This monitoring is to verify the vegetation is still present and health.
7. The applicant is to ensure the required plantings survive and are in good health in perpetuity. If any of the plantings die they are to be replaced in kind.
8. This resolution, CBB-22-01 for the installation of an inground pool on Tax Map Parcel 43W-24 is valid for 1 year and will expire November 21, 2023.

Sue Henderson
Chesapeake Bay Board Chairman

CHEAPEAKE BAY BOARD
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

SPECIAL EXCEPTION RESOLUTION

At a regular meeting of the Stafford County Chesapeake Bay Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 21st day of November, 2022:

MEMBERS:

Dan Adams
Anthony Pineau
Jim Riutta
Robert Hayden
Benjamin Rudasill
Mary Rust
Sue Henderson

VOTE:

On the motion of ___, seconded by ___, which carried by a vote of ___ to ___, the following was adopted:

A RESOLUTION WHICH DENIES AN APPLICATION FOR A SPECIAL EXCEPTION PURSUANT COUNTY CODE SECTION 27B-14 ENTITLED "SPECIAL EXCEPTIONS" TO ALLOW DISTURBANCE OF A CRITICAL RESOURCE PROTECTION AREA (CRPA) ON TAX MAP PARCELS 43W-24, ELECTION DISTRICT

WHEREAS, the Stafford County Chesapeake Bay Board received application 22154690 from Mr. Mark Schirching to allow a 300 square foot encroachment of a CRPA on Tax Map Parcel 43W-24 to construct an inground pool and associated infrastructure.; and

WHEREAS, the Stafford County Chesapeake Bay Board has authority under County Code Section 27B-14 to issue an exception for land disturbance activities in a CRPA; and

WHEREAS, Mr. Mark Schirching has applied for an exception to County Code Section 27B-7, entitled "Development conditions" and Section 27B-11 entitled "Nonconforming uses and noncomplying structures"; and

WHEREAS, the Stafford County Chesapeake Bay Board has given proper notice of a public hearing as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Chesapeake Bay Board after due consideration of the facts of the application and testimony at the public hearing finds the following;

- (1) Granting the special exception will confer upon the applicant(s) special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
- (2) The special exception request is based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is not the minimum necessary to afford relief;
- (4) The special exception request will not be consistent with the purpose and intent of this chapter, injurious to the neighborhood or otherwise detrimental to the public welfare, and is of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions cannot be imposed which will prevent the special exception request from causing a degradation of water quality; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Chesapeake Bay Board on this the 21st day of November, 2022, that exceptions to County Code Section 27B-7, entitled "Development conditions", and Section 27B-11, entitled "Nonconforming uses and noncomplying structures", pursuant to application 22154690 be and it hereby is denied.

Sue Henderson
Chesapeake Bay Board Chairman

JPF:et/js

**SCHIRCHING POWER POINT
PRESENTATION**



Chesapeake Bay Board

November 21, 2022

Stafford County Government

Agenda

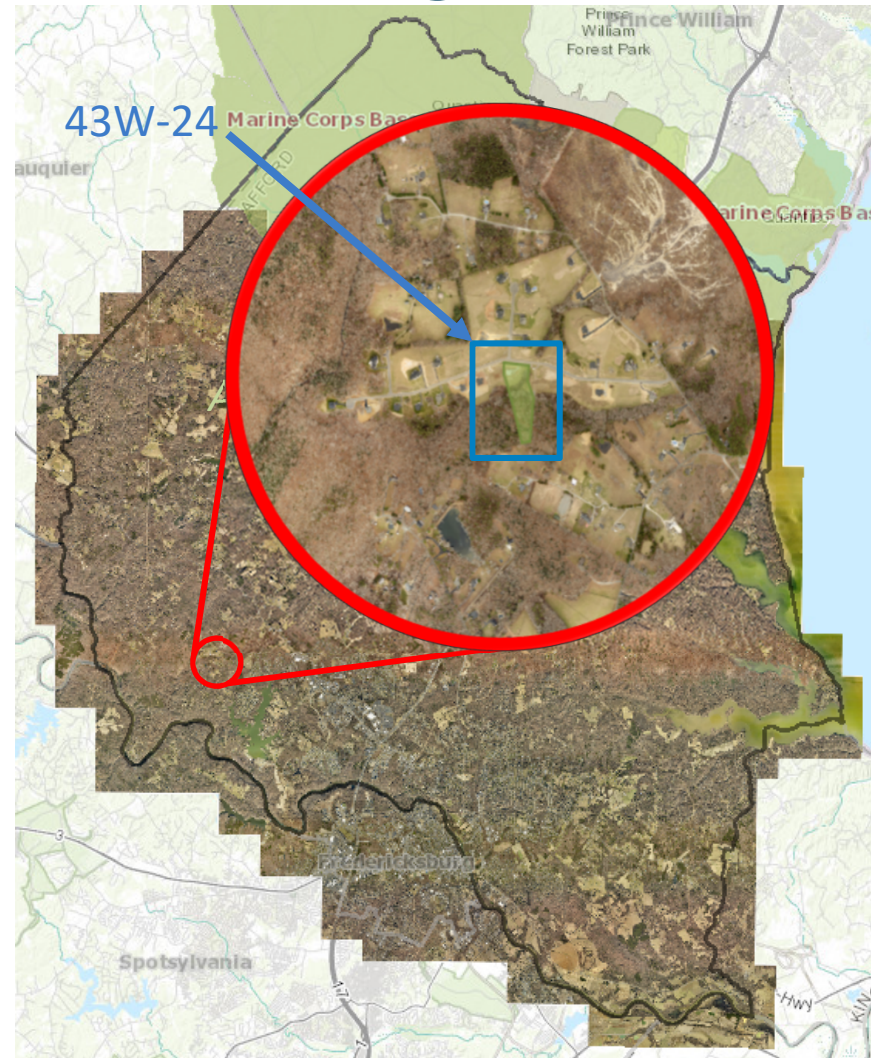
- Call to Order
- Roll Call
- Determination of a Quorum
- Approval of Meeting Minutes
 - July 25, 2022
- Public Hearing
- CBB22-01 – AP22154690 – Schirching Pool
 - Application to Impact 300 sq. ft. of CRPA for an inground pool

Chapter 27B: Section 27B-14 – Special Exceptions

- (a) In deciding whether to grant, grant in modified form or deny a special exception application, the board shall review the request for a special exception and the water quality impact assessment. The board may grant the special exception, with such conditions and safeguards as deemed necessary to further the purpose and intent of this chapter, if the board finds:
- 1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
 - 2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
 - 3) The special exception request is the minimum necessary to afford relief;
 - 4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
 - 5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.
- (b) If the board denies the special exception, the board shall provide the applicant(s) with the board's written decision, including its rationale.

CBB22-01 - 22154690 – Schirching Pool

- Description:
 - A request to impact 300 sq. ft. of CRPA for the installation of an inground pool
- Tax Map Parcel No:
 - 43W-24
- Election District:
 - Hartwood



Background

- Current Condition:
 - The site is a 3.11 acre lot with a newly built residence in The Estates at Monroe Place. The proposed placement of the inground pool is limited due to available space outside of the CRPA. The CRPA is currently grass and has been in that condition since before 2017; before the subdivision was developed.
- Proposed Condition:
 - Install a 16 ft. X 36 ft. inground pool, fence, and pool apron within the CRPA.
 - Installation of 12 trees to mitigate the loss of 300 sq. ft.
 - 2 Oaks Trees
 - 2 Maple Trees
 - 8 Dogwood Trees
- Mr. Schirching is requesting the Board consider the planting of 12 trees, at a ratio approximately 3 times greater than required, as compensation for the loss of 300 SF of CRPA.

Location Map – 435 Connelly Dr.



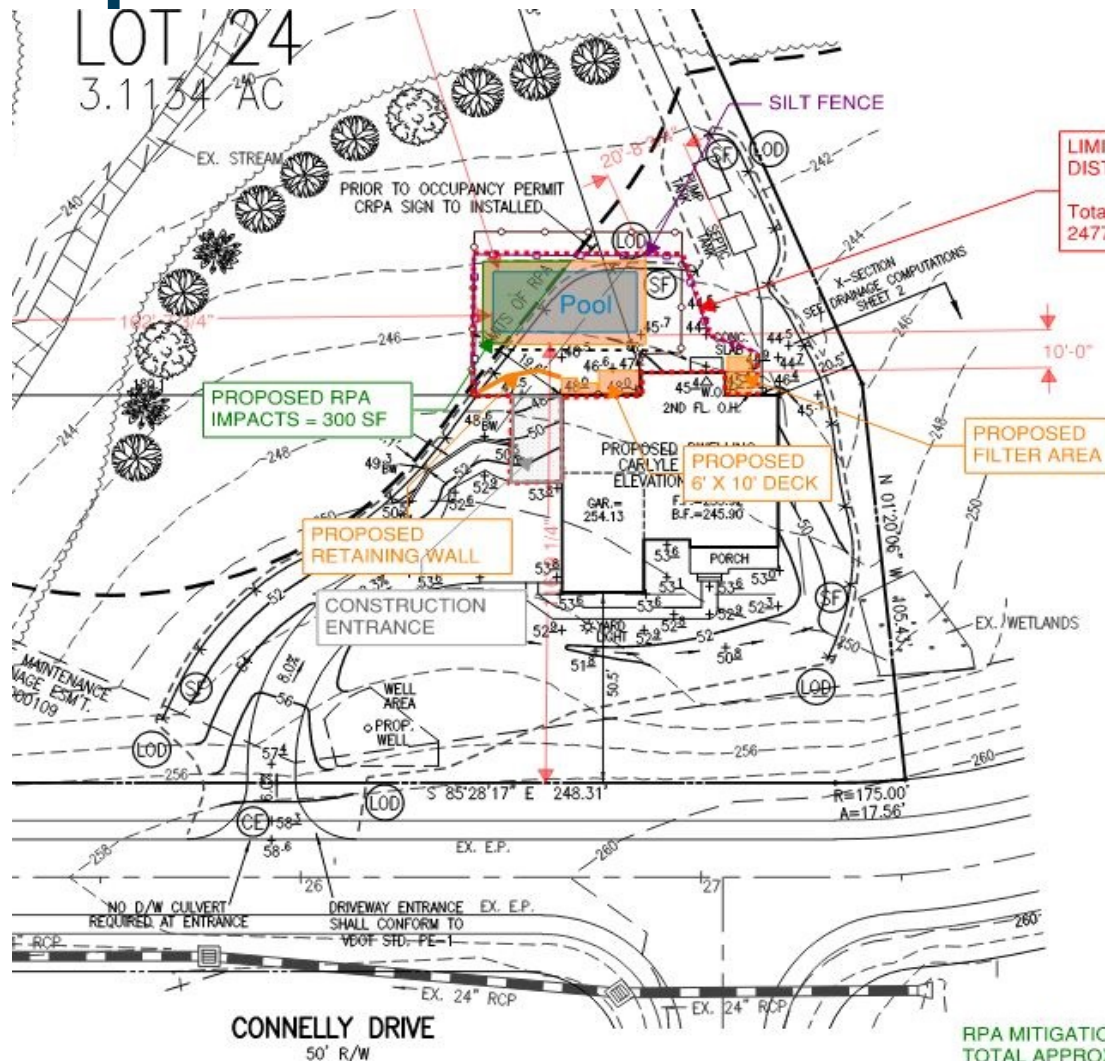
Current Conditions



Current Conditions



Proposed Conditions



Legend

- Limits of Disturbance
- Proposed 2ft Contour
- Proposed Development
- Proposed Development
- Proposed Development
- Proposed Fence
- Silt Fence
- Oak Tree
- Dogwood Tree
- Maple Tree

RPA MITIGATION
 TOTAL APPROXIMATE DISTURBED AREA = 300.00 SF
 TOTAL PLANTING UNITS REQUIRED =
 $300.00 \text{ SF} \times (1 \text{ PU}/400 \text{ SF OF DISTURBANCE}) = 0.75 \text{ PLANTING UNITS}$
 TOTAL NUMBER OF CANOPY TREES REQUIRED = 1 CANOPY TREES
 TOTAL NUMBER OF UNDERSTORY TREES REQUIRED = 2 UNDERSTORY TREES
 TOTAL NUMBER OF SHRUBS REQUIRED = 3 SHRUBS

Staff Observations

- Proposed CRPA impacts are the minimum necessary to afford relief to install the pool. *[Chapter 27B: Section 27-14 (d) (3)]*
- No trees will be removed from the CRPA.
- Mitigation planting plan exceeds requirements.

OLD BUISNESS: NONE

CHAIRMAN'S REPORT:

STAFF REPORT: NONE

ADJOURNMENT