

CHESAPEAKE BAY PRESERVATION ORDINANCE

Exception Process Guidance & Application

For CBPEC Activities in the Resource Protection Area (RPA)

Property owners interested in working in the Resource Protection Area (RPA) may be required to request a buffer reduction through the Exception process. The following are general guidelines and are not intended to represent every possible activity within the RPA. Please contact the Department of Environmental Programs for specific inquiries at 804-693-1217, or stop by the office, 6489 Main Street, Gloucester, or visit our website <https://gloucesterva.gov/environmental-programs>.

Exception Process (Preservation & Erosion Commission), defined in Sec. 5.5-14; for variance to requirements for Sec. 5.5-7B and 5.5-9C, requiring Public Hearing: \$275.00 application fee. Meetings held the 2nd Wednesday of each month, application deadline the last working day of the month. Applications available online or in the Department of Environmental Programs.

1. New construction on an undeveloped, non-conforming lot (existing before October 15, 1991) with buildable area outside of the Resource Protection Area.
2. Construction of, additions to, accessory structures (garages, pools, sheds, pads, impervious area, grade alteration, etc.).
3. Construction of, additions to, principal structures within the seaward 50' of RPA (between 0' -50').
4. Reviews, waiver appeals, and violation.

A Water Quality Impact Assessment is required for review of ALL activity in the RPA (Sec. 5.5-11).

EXCEPTION APPLICATION

CBPEC 25-18# 25060328

An application for Exception is required for new, non-water-dependent development, redevelopment, and construction within 50' of the Resource Protection Area (RPA). A Water Quality Impact Assessment is required for review of ALL activity in the RPA.

APPLICANT/AGENT INFORMATION:

Name: Martha W. Rhodes Phone: 804-832-2222
Mailing Address: PO Box 517
City/State/Zip: Gloucester, VA 23061
Email: martha@vims.edu

PROPERTY OWNER INFORMATION:

Name: Martha W. Rhodes Living Trust Phone: 804-832-2222
Mailing Address: PO Box 517
City/State/Zip: Gloucester, VA 23061
Email: martha@vims.edu

PROPERTY INFORMATION: *LOT recorded 1982

Tax Map or RPC: 33-28/18844 E911 Street Address: 7305 Griffin Road
Date Lot Recorded: 1990 (deed recorded) Nearest Water Body: Back Creek
Distance to Feature: 50' building permit approved Sq Ft. of Encroachment: 484

DETAILS OF REQUEST: Replace deteriorated wooden deck with pervious pavers, same foot print, no trees or shrubs to be removed

DIRECTIONS TO THE PROPERTY: Rt. 14 from Gloucester Courthouse, turn right onto Ware Neck Rd. (Rt. 623), in 2 miles turn left onto Griffin Rd., in less than 1 mile turn right onto nonpaved lane

PRIVACY ACT STATEMENT: Information provided in the Chesapeake Bay application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by Department of Environmental Quality, Virginia Marine Resource Commission, U.S. Army Corps of Engineers, Chesapeake Bay process, and/or Local Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit. In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Martha W. Rhodes

Printed Name

Martha W. Rhodes

Signature

June 27, 2025

Date

FOR GRANTING EXCEPTION

(Sec. 5.5-14)

Required by Code — please provide any input as to how your project complies.

1. Requirements shall be minimum necessary to afford relief.

yes

2. Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality.

yes

3. Granting waiver will not confer applicant any special privileges that are denied to other property owners subject to its provisions and are similarly situated.

yes

4. Waiver is in harmony with purpose and intent of Ordinance and not of substantial detriment to water quality.

yes

5. Waiver not based on self-imposed/created conditions or circumstances.

yes

6. Other findings, as appropriate and required by Gloucester County.

yes

Please use additional sheets if necessary for completing the questions above.

Project #: _____



WATER QUALITY IMPACT ASSESSMENT

Required for all development/redevelopment in the Resource Protection Area; CBPO 5.5-1 1

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

- ☐ Location of the components of the RPA, including the 100' buffer area;
- ☐ 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 drain field sites, and wells;
- ☐ Type and location of proposed best management practices to mitigate the proposed encroachment;
- ☐ 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 modifications; and
- ☐ Type, size, and location of replacement vegetation.
- ☐ Setbacks in accordance with Zoning regulations.

✓ APPLICANT/AGENT INFORMATION:

Name: Martha W. Rhodes Phone: 804-832-2226
Mailing Address: PO Box 517
City/State/Zip: Gloucester, VA 23061
Email: martha@vims.edu

✓ PROPERTY OWNER INFORMATION:

Name: Martha W. Rhodes Living Trust Phone: 804-832-2226
Mailing Address: PO Box 517
City/State/Zip: Gloucester, VA 23061
Email: martha@vims.edu

PROPERTY INFORMATION:

leave blank

Tax Map or RPC: _____ E911 Street Address: _____

Date Lot Recorded: _____ Nearest Water Body: _____

Site Conditions (of site and adjacent lands):

Existing topography: _____

Hydrology: _____

Soils: _____

Geology: _____

Fill Materials (source and composition): _____

Total Amount of Disturbed area (sq ft): _____

Total Amount of Cleared Area (sq ft): _____

Existing Vegetation:

Total Amount of Underbrush Removed (sq ft): _____ Types: _____

Number of Healthy Trees Removed: _____ Types: _____

Number of Trees Limbed or Pruned: _____ Types: _____

Number of Dead/Dying/Diseased Trees Removed: _____ Types: _____

Proposed Vegetation Mitigation Measures:

Number of New Canopy Trees Proposed: _____ Types: _____

Number of New Understory Trees Proposed: _____ Types: _____

Number of New Shrubs Proposed: _____ Types: _____

Proposed Erosion & 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: _____

Wastewater (Septic) Element:

Attach legible, clean copy of Health Department approval information — to include calculations and dimensions.

Description of potential impacts of the proposed wastewater systems including and proposed mitigated measures for these impacts:

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CERTIFICATION: I am hereby applying for all permits typically issued by the DEA, VMRC, U.S. Army Corps of Engineers, Chesapeake Bay process, and/or local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing proposal to issue a permit and after permit issuance to determine compliance with the permit. In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

* Martha W. Rhodes	Martha W. Rhodes	June 27, 2025
Printed Name	Signature	Date

OFFICE USE ONLY

Project #: 25060328 Received by: Renee Fee Paid: \$275.00 Receipt #: _____

Date Received: 6/27/25 Reviewing Authority: CBPEC

Lot recordation date verified with Clerk's Office YES ☒ Date: 1982

Project Meets Zoning Setbacks: Yes ☒ No _____ Date Verified: 6/28/25

STAFF DECISION:

APPROVED: _____ (Approval is valid for 36 months from the date of approval)

CODE REFERENCE/COMMENTS:

DENIED: _____

****Please be advised, you may appeal the Staff decision, in writing, and apply for Exception to be heard in front of the Chesapeake Bay Preservation & Erosion Commission (new application and fees apply)**

CODE REFERENCE/COMMENTS:

Environmental Staff Signature

Date

.....

Mitigation plan required: ☐ YES ☐ NO _____ square foot minimum

Mitigation plan approved: _____ Entitled: _____ Dated: _____

Date mitigation completed: _____ Inspected by: _____

Amount of surety required: _____ Date surety released: _____

Date posted: _____ Receipt #: _____

Payor Name: _____ Phone #: _____

Payor Address: _____

STAFF ANALYSIS (OFFICE USE ONLY)

Staff responses to applicant information provided on reverse page

1.

2.

3.

4.

5.

6.

Reviewed by: _____ Date: _____

YORK RIVER OUTDOORS L.L.C.

Licensed and Insured

Est. 2024

SERVICES AGREEMENT CONTRACT

This Services Agreement (this "Agreement") is entered into as of the 11th day of June, 2025, by York River Outdoors L.L.C., located at 7895 Small Stream Court, Gloucester, VA 23061 ("Service Provider") and Martha Rhodes located at 7305 Griffin Road, Gloucester, Va ("Buyer"). Each Service Provider and Buyer may be referred to in this Agreement individually as a "Party" and collectively as the "Parties."

1. Services. Service Provider agrees to provide, and Buyer agrees to purchase the following services for the specific projects described below:

Services Provided	Description of Services Provided	Price
Permeable pavers	We will begin by digging out an <u>approximately 22x22 area of 10 inches</u> . This will allow for 4in of #57 stone, 2 in of #8 stone, and 4 in of paver. We will then compact base materials to form a foundation for pavers. The pavers of choice will then be installed. To finish off we will install snap edge to secure border, gaps between pavers will be filled with #8stone and dirt work if needed.	\$13,500

*area actually
less because
not a "square"*

2. Purchase Price. Buyer will pay to Service Provider and for all obligations specified in this Agreement, if any, as the full and complete purchase price, the sum of \$13,500.

Granted material cost stay within price range of set price. If not then price adjustments may come within notice ahead of time to the buyer.

Unless otherwise stated, Service Provider shall be responsible for all taxes in connection with the purchase of Services in this Agreement.

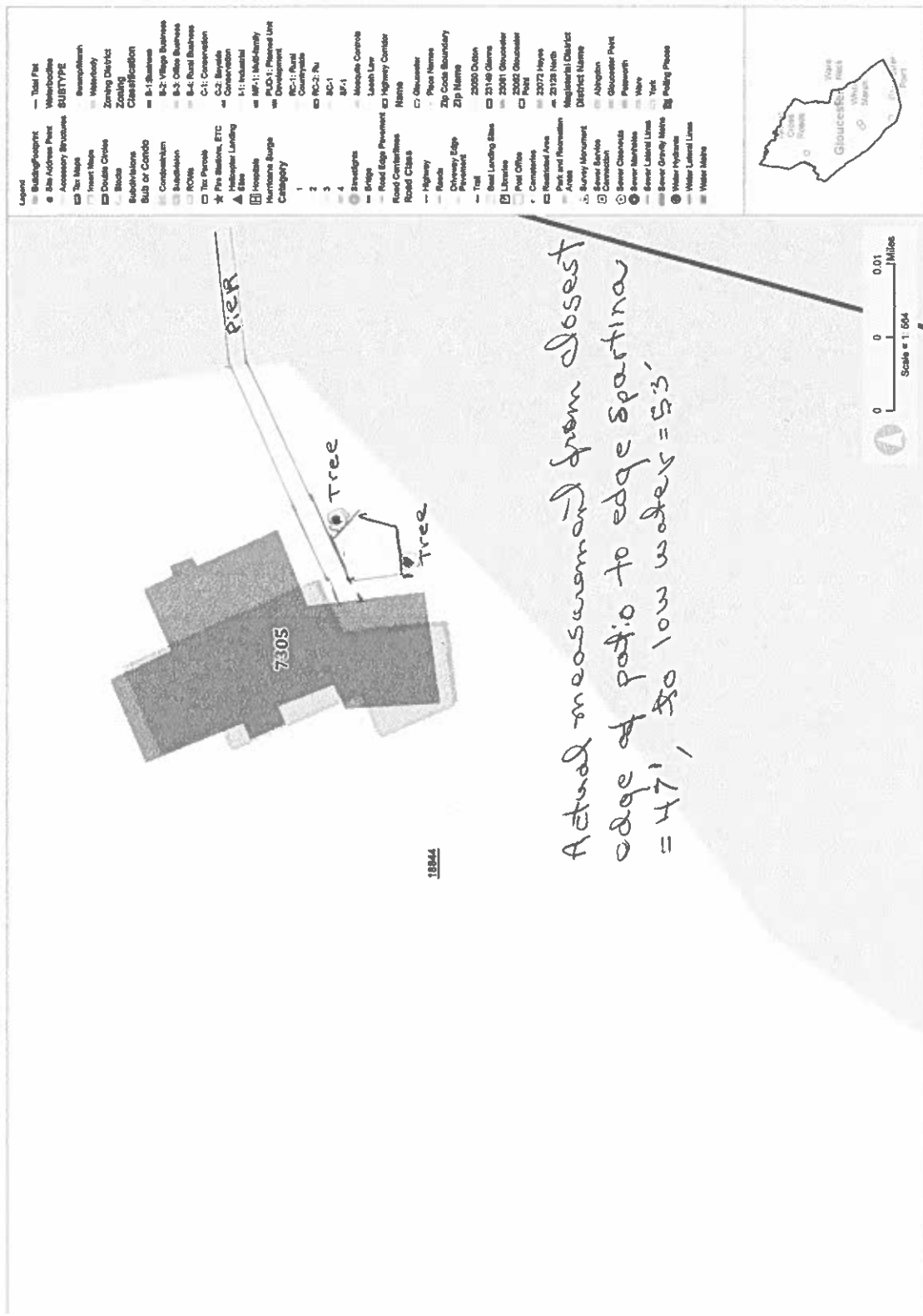
3. Payment. A payment of %40 of the finish cost will be needed prior to the date below for materials. Payment for the Services will be by cash or check according to the following schedule:

- A. \$5,400 upon the date set of August 4, 2025 for this Agreement.
(two weeks before start of the project) August 18, 2025 (Start Date)
- B. \$8,100 upon the completion of the services. August 22, 2025 (Estimated End date)

*if paying with check and you need to mail it in please send it to:

7895 Small Stream Ct, Gloucester, VA 23061

Business Contract (Rev. 133F082)



Our County assumes no responsibility or liability for, or in connection with, the accuracy, reliability or use of the information provided herein.

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Hand-drawn diagram of a rectangular area, possibly a tree canopy or a plot. The dimensions are labeled as 22' (width) and 22' (height). The area is labeled "Tree" at the top and bottom. A dashed line indicates a diagonal measurement.

Pier

$$0.01 \text{ mi} = 528'$$

- Access Road
 Accessory Structures
 Tax Maps
 Insert Maps
 Double Circles
 Blocks
 Subdivisions
 Sub of Condo
 Condominium
 Subdivision
 ROWs
 Tax Parcels
 Fire Stations, ETC
 Helicopter Landing Sites
 Hospitals
 Hurricane Surge Category
1
2
3
4
 Streetlights
 Bridge
 Road Edge Pavement
 Road Centerlines
 Road Class
 Highway
 Roads
 Driveway Edge Pavement
 Trail
 Boat Landing Sites
 Libraries
 Post Office
 Cemeteries
 Restricted Area
 Park and Recreation Areas
 Survey Monument
 Sewer Service Connection
 Sewer Cleanouts
 Sewer Manholes
 Sewer Lateral Lines
 Sewer Gravity Main
 Water Hydrants
 Water Lateral Lines
 Water Mains
 Watermains
 SUBTYPE
 Swamp/Marsh
 Waterbody
 Zoning District
 Zoning Classification
 B-1: Business
 B-2: Village Business
 B-3: Office Business
 B-4: Rural Business
 C-1: Conservation
 C-2: Bayside Conservation
 I-1: Industrial
 MF-1: Multi-family
 PUD-1: Planned Unit Development
 RC-1: Rural Countryside
 RC-2: Ru
 SC-1
 SP-1
 Mosquito Controls
 Leash Law
 Highway Corridor
 Name
 Gloucester
 Place Names
 Zip Code Boundary
 Zip Name
23060 Dutton
 23149 Glenna
 23061 Gloucester
 23062 Gloucester Point
 23072 Hayes
 23126 North
 Magisterial District Name
 Abingdon
 Gloucester Point
 Petersburg
 Ware
 York
 Polling Places



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ability of use of the information provided here





