

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

April 22, 2003

7:00 P.M.

Page

A. ROLL CALL

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE - M. Stephens Davis, a home-school student

D. PRESENTATIONS

- 1. James City County Volunteer Appreciation Week - April 27-May 3, 2003

E. PUBLIC COMMENT

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I. PUBLIC COMMENT

J. REPORTS OF THE COUNTY ADMINISTRATOR

K. BOARD REQUESTS AND DIRECTIVES

L. CLOSED SESSION

- 1. Consideration of the Appointment of Individuals to County Boards and/or Commissions, Pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. Colonial Group Home Commission
 - b. Social Services Advisory Board
- 2. Consideration of a Parcel of Property for Public Use, Pursuant to Section 2.2-3711 (A) (3) of the Code of Virginia

M. ADJOURNMENT

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF MARCH, 2003, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jay T. Harrison, Sr., Chairman, Berkeley District
Bruce C. Goodson, Vice Chairman, Roberts District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. BOARD DISCUSSIONS

1. PRIDE (Protecting Resources in Delicate Environments)

Mr. John T. P. Horne, Manager of Development Management, provided the Board with a brief overview of the PRIDE program to protect delicate environments through educational programs and introduced Lisa Meddin, Watershed Education Coordinator.

Ms. Meddin provided the Board with an overview of the educational program called PRIDE (Protecting Resources in Delicate Environments) including the PRIDE projects, components of PRIDE, events, and recognition of two neighborhoods for its PRIDE designation.

Mr. Goodson inquired about the durability of the coconut fiber logs used.

Mr. Scott Thomas, Senior Engineer, stated the logs last about six years and that by then the stream bank is stabilized.

Mr. Horne stated that the program is also a tool for the County to minimize its cost to maintain the BMPs.

Mr. Thomas and Mr. Mike Woolson, Watershed Planner, provided the Board with an overview of the PRIDE web site and the online BMP ratings of the County's neighborhoods.

Mr. McGlennon inquired about the portion of older BMP structures listed in the County's BMPs.

Mr. Thomas stated that approximately 25 percent are older BMPs.

Mr. Harrison inquired about the status of staff's inspection of the BMPs.

Mr. Thomas stated that inspections are almost completed and that the website will assist neighborhoods to find the tools needed to maintain its BMPs and resources to get help in maintaining the structures.

Mr. Harrison complimented staff in its efforts to develop this program.

2. Stormwater Issues

Mr. John T. P. Horne, Manager of Development Management, introduced the topics of stormwater issues regarding the revisions to the Chesapeake Bay Preservation Ordinance, Chapter 23 of the County Code, and the establishment of a Stormwater Task Group.

a. Chesapeake Bay Preservation Ordinance

Mr. Darryl E. Cook, Environmental Director, provided the Board with an overview of the status of the revisions to the Chesapeake Bay Preservation Ordinance and the changes to the Ordinance.

Mr. Brown stated that there seems to be confusion regarding the perennial flow and inquired if clarification of “site-specific” would be provided by the Chesapeake Bay Local Assistance Board (CBLAB).

Mr. Cook stated that guidance is expected.

The Board and staff held a discussion regarding the benefits of a site-specific inspection of a perennial flow basis for the determination of the RPA, definition of the site-specific inspection, user-friendly language in the protocol, concern regarding the proposal of a 10- or 25-foot setbacks from the RPA, removal of real estate taxes from the plot portion of a lot in the RPA, legality of the setbacks, and the grandfather provision in the Ordinance, and consideration of a Chesapeake Bay Board.

b. Stormwater Task Group

Mr. Scott Thomas, Senior Engineer, provided the Board with an overview of the establishment and makeup of a Stormwater Task Group.

The Board and staff held a discussion regarding the proposed special Stormwater Criteria Task Group, and issues that might arise from landowners of small parcels vs. large parcel landowners.

C. RECESS

At 6:00 p.m. Mr. Harrison and the Board broke for supper.

Sanford B. Wanner
Clerk to the Board

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF MARCH, 2003, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jay T. Harrison, Sr., Chairman, Berkeley District
Bruce C. Goodson, Vice Chairman, Roberts District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. MOMENT OF SILENCE

Mr. Harrison recognized Wilford Kale, Planning Commission member, in the audience.

Mr. Harrison requested the Board and citizens observe a moment of silence.

C. PLEDGE OF ALLEGIANCE

Anthony Green, a fourth-grade student at James River Elementary School, led the Board and citizens in the Pledge of Allegiance.

D. PRESENTATION

1. Family P.A.R.T.Y. (Promoting Alcohol Responsibility Through You) Day – April 5, 2003

Ms. Erika Cohane provided the Board with an overview of the events for the Family P.A.R.T.Y. (Promoting Alcohol Responsibility Through You) Day on April 5, 2003, at the Williamsburg Outlet Mall and invited citizens to attend.

E. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, posed two items to the Board. One regarding the County's financial status and the other on telephone bills. Mr. Oyer also stated that the town meetings held by Delegates Hamilton and Norment were beneficial and encouraged citizens to voice concerns to them.

F. HIGHWAY MATTERS

Mr. Steven Hicks, Resident Engineer, Virginia Department of Transportation (VDOT), commented on the VDOT's employees' diligence in repairing approximately 2,000 potholes on the primary and Interstate roads, advised citizens of the Work Zone Safety Awareness Week beginning on April 6, and stated that the Route 199 east access ramp to I-64 will be repaved during the Jamestown Corridor improvements.

Mr. Harrison requested the deteriorating condition of the main entryway into Governor's Land be addressed.

Mr. Kennedy requested enforcement information regarding the removal of independently posted signs along roadways.

Mr. Kennedy requested authorization for designated County staff to remove such signs from the roadways.

Mr. Hicks stated that posting signs in VDOT right-of-ways is a code violation and that he would step up enforcement.

G. CONSENT CALENDAR

Mr. Kennedy made a motion to adopt the items on the Consent Calendar.

On a roll call, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

1. Minutes -

a. February 11, 2003, Regular Meeting

b. March 11, 2003, Regular Meeting

2. Family P.A.R.T.Y. (Promoting Alcohol Responsibility Through You) Day – April 5, 2003

RESOLUTION

FAMILY PROMOTING ALCOHOL RESPONSIBILITY THROUGH YOU DAY

WHEREAS, about 7.9 million Americans between ages 12-20 consume five or more drinks on the same occasion; and

WHEREAS, people who begin drinking before age 15 are four times more likely to develop alcoholism than those who begin at 21; and

WHEREAS, locally approximately 64 percent of 6th graders, 39 percent of 8th graders, 43 percent of 9th graders, and 31 percent of 12th graders have chosen to abstain from the use of alcohol; and

WHEREAS, increased alcohol awareness and knowledge of community resources can lead to prevention and early intervention of alcohol abuse; and

WHEREAS, community involvement has been shown to decrease illegal alcohol use and other drug activity.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby proclaim April 5, 2003, as Family Promoting Alcohol Responsibility Through You (P.A.R.T.Y.) Day in James City County and calls upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, and schools in James City County to support efforts that will prevent underage drinking throughout our community.

3. Extrinsic Structure Agreements for Governor's Land at Two Rivers Subdivision – Golf Cart Tunnel

RESOLUTION

EXTRINSIC STRUCTURE AGREEMENTS FOR

GOVERNOR'S LAND AT TWO RIVERS SUBDIVISION - GOLF CART TUNNEL

WHEREAS, an agreement is required to address the legal requirement of the Virginia Department of Transportation (VDOT) to accept the maintenance responsibility for one extrinsic structure, specifically a golf cart path tunnel under a secondary road, in the Governor's Land at Two Rivers subdivision; and

WHEREAS, in order to induce the County to enter into an inspection and maintenance agreement with VDOT, the Two Rivers Club at Governor's Land ("Club"), the owner of the property served by the extrinsic structure, is willing to enter into an agreement with the County to assume any maintenance liability the County may have for the extrinsic structure; and

WHEREAS, the agreement with the Club protects the interest of the County concerning liability for the extrinsic structure.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute an agreement on behalf of the County with the Club for the inspection and maintenance of an extrinsic structure, specifically a golf cart path tunnel, in the Governor's Land at Two Rivers subdivision.

BE IT FURTHER RESOLVED that the County Administrator is hereby authorized and directed to enter into an agreement on behalf of the County with the Virginia Department of Transportation for the inspection and maintenance of an extrinsic structure, a golf cart path tunnel, in the Governor's Land at Two Rivers subdivision.

4. Dedication of Streets in St. George's Hundred-Section 6; and Governor's Land – Founder's Hill, Wythe Hamlet, and Nathaniel's Green

RESOLUTION

DEDICATION OF STREETS IN SAINT GEORGE'S HUNDRED - SECTION 6

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

RESOLUTION

DEDICATION OF STREETS IN GOVERNOR'S LAND -

FOUNDER'S HILL, WYTHE HAMLET, AND NATHANIEL'S GREEN

WHEREAS, the streets described on the attached Additions Forms SR-5A's, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on March 11, 2003, for the crossing of one extrinsic structure, which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Forms SR-5A's to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

5. 2004 Primary Road Priorities

RESOLUTION

2004 PRIMARY ROAD PRIORITIES

WHEREAS, the James City County Board of Supervisors believes that a safe, efficient, and adequate transportation network is vital to the future of the County, the region, and State; and

WHEREAS, the James City County Comprehensive Plan and/or regional and state transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement to traffic in the Williamsburg-James City County area; and

WHEREAS, there exists a pressing need to implement the projects below in order to relieve traffic congestion which impedes the actions of emergency vehicles and personnel, causes inconvenience and delays, and contributes the major source of air pollution to the area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following list comprises the highest priority primary highway projects in James City County:

- On schedule completion of the widening of the existing sections of Route 199 to four lanes;
- On schedule completion of the Route 199/Route 31 intersection improvements, with adequate pedestrian facilities;
- Funding for design and construction of Route 60 relocation with priority given to the section between Route 60 at a point east of Blow Flats Road in the County to the Fort Eustis Interchange;
- Funding for landscaping along the Route 199 corridor; and

- Proceeding with the next phases of preliminary design and environmental study for the Capital to Capital Bikeway project consistent with a resolution adopted by the Board of Supervisors on November 10, 1998.

6. Budget Amendment – Emergency Medical Services

RESOLUTION

BUDGET AMENDMENT - EMERGENCY MEDICAL SERVICES

WHEREAS, the Commonwealth of Virginia Office of Emergency Medical Services has approved a Rescue Squad Assistance Grant providing \$7,540 to the Fire Department for Emergency Alert Radio Pagers; and

WHEREAS, local matching funds of \$7,540 are available in the Emergency Medical Services budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendment to the Special Project/Grants Fund:

Revenue:

Department of Emergency Management	<u>\$7,540</u>
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Expenditures:

Emergency Medical Services	<u>\$7,540</u>
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7. FY 04 State Aid Matching Public Transportation Application

RESOLUTION

FY 04 STATE AID MATCHING PUBLIC TRANSPORTATION APPLICATION

WHEREAS, the Commonwealth of Virginia has made funds available for public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit Company's operations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized to execute and file the application to the Virginia Department of Rail and Public Transportation, Commonwealth of Virginia, for a grant of State public transportation matching assistance under Section 58.1-638.A.4 of the Code of Virginia. The amount requested for State assistance is \$232,000 to assist in eligible expenses. The County Administrator shall be authorized to accept grant funds awarded and to furnish the Virginia Department of Rail and Public Transportation documents and other information as may be required for processing this grant request.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia Program and that James City County may be subject to audit by the Virginia Department of Rail and Public Transportation and by the State Auditor of Public Accounts.

H. PUBLIC HEARING

1. Case No. SUP-3-03. JCSA Route 5 Water Main Extension Amendment

Mr. Christopher Johnson, Senior Planner, stated that Larry Foster, General Manager of the James City Service Authority, has applied for a special use permit to change the limits of clearing for a portion of the water main extension and change the location of approximately 350 linear feet of 16-inch potable water main from the north side of Route 5 to the south side of Route 5 on approximately 20.66 acres, zoned R-8, Rural Residential, at 3123 Ironbound Road, further identified as Parcel Nos. (1-34) and (1-38) on James City County Real Estate Tax Map No. (46-2).

Staff found the proposal, with conditions, to be consistent with surrounding zoning and development and consistent with the Comprehensive Plan.

The Planning Commission, at its meeting on March 3, 2003, recommended approval of the application by a vote of 7 to 0.

Staff recommended the Board approve the application with conditions.

Mr. Harrison opened the Public Hearing.

1. Mr. Larry Foster, applicant, requested the Board approve the application and stated that he would answer questions from the Board.

As no one else wished to speak to this matter, Mr. Harrison closed the Public Hearing.

Mr. Kennedy made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

CASE NO. SUP-3-03. JAMES CITY SERVICE AUTHORITY

ROUTE 5 WATER MAIN EXTENSION AMENDMENT

WHEREAS, the Board of Supervisors of James City County has adopted, by Ordinance, specific land uses that shall be subjected to a special use permit process; and

WHEREAS, water facilities (public and private), including transmission mains, are specially permitted uses in the R-8 Zoning District; and

WHEREAS, Mr. Larry Foster, General Manager of the James City Service Authority, has applied for a special use permit to amend the conditions of Case No. SUP-22-01 to change the limits of

clearing for a portion of the water main extension and change the location of approximately 350 linear feet of 16-inch potable water main from the north side of Route 5 to the south side of Route 5; and

WHEREAS, the properties are located at 3123 Ironbound Road and 4321 John Tyler Highway, zoned R-8, Rural Residential District, and further identified as Parcel Nos. (1-34) and (1-38) on James City County Real Estate Tax Map No. (46-2); and

WHEREAS, the Planning Commission of James City County, following its public hearing on March 3, 2003, voted 7 to 0 to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-3-03 as described herein with the following conditions:

1. Construction. Start of Construction on the Groundwater Treatment Facility, as defined in the Zoning Ordinance, shall commence within 36 months of approval of this special use permit, or the permit shall become void.
2. Compliance. Construction, operation, and maintenance of the Groundwater Treatment Facility, water transmission main, production wells, and concentrate discharge main shall comply with all local, State, and Federal requirements.
3. Permits. All permits and easements shall be acquired prior to the commencement of construction for the water transmission main and concentrate discharge main.
4. Erosion and Sediment Control. The project shall comply with all Virginia erosion and sediment control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook as amended.
5. Development Plan. Development and land clearing of the site shall be generally in accordance with the "Preliminary Plan, Brackish Groundwater Desalinization Facility" prepared by AES Consulting Engineers, March 19, 2002, with such accessory structures and minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
6. Spill Containment. Prior to the issuance of a Certificate of Occupancy, a spill containment plan which addresses the chemical handling and storage areas shall be submitted to the Environmental Director and Fire Department for their review and approval.
7. Archaeology. Prior to the issuance of a land disturbing permit for this project, an archaeological survey shall be conducted for the project area for the water treatment facility and along the recommended alignment for the concentrate discharge main in accordance with the adopted Board of Supervisors policy. The results shall be submitted to the Director of Planning for review and approval.
8. Lighting. All exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, prior to final site plan approval, a lighting plan shall be submitted to, and approved by, the Planning Director or his designee which indicates no glare outside the property lines. "Glare" shall be defined as more than 0.1 footcandle at

the property line or any direct view of the lighting source from the adjoining residential properties.

9. Architecture. Prior to final site plan approval, architectural elevations, building materials, and colors shall be submitted to the Director of Planning for review and approval for all structures on the site. The intent of this condition is to ensure that all future buildings on the site are uniform and compatible in terms of design, materials and colors, have a residential appearance, and are designed for minimal visual impact.
10. Landscaping. Any accessory structures on the site, such as storage tanks and production well structures, shall be screened with enhanced landscaping or constructed with materials and colors matching the treatment facility. Enhanced landscaping shall be defined as either 133 percent of evergreen trees required by the Zoning Ordinance or 125 percent of general planting required by the Zoning Ordinance as determined by the Planning Director.
11. Utilities. The water main shall be located within the limits of clearing for the access driveway to the site from John Tyler Highway, the existing JCSA easement or within VDOT right-of-way.
12. Route 5 Buffer. A 250-foot undisturbed wooded buffer shall be maintained along John Tyler Highway with the exception of the clearing necessary for the driveway providing access to the site and any portion of the existing JCSA utility easement along John Tyler Highway. The driveway shall be curved in such a way to minimize views of the site from John Tyler Highway to the greatest extent possible, as determined by the Planning Director.
13. Chanco's Grant Buffer. A 300-foot undisturbed wooded buffer shall be maintained along the southern property line of the treatment facility site adjacent to the Chanco's Grant subdivision with the exception of the clearing necessary for the construction of the concentrate discharge main and greenway trail.
14. Greenway Trail. The applicant shall construct a greenway trail to the specifications of the James City County Division of Parks and Recreation over the areas of construction for the concentrate discharge main between the treatment facility site and the directional drill location north of Jamestown Road. The final alignment of the concentrate discharge main and greenway trail shall generally be as shown on the plan "Brackish Groundwater Desalinization Facility, SUP Pipeline," dated May 21, 2002, prepared by Buchart Horn, Inc., and Skipper Engineering Associates, PC. The final location for both the concentrate discharge main and greenway trail shall be subject to the approval of the Planning Director.
15. Community Character. The applicant shall avoid removing trees, bushes, and shrubs along the water main and concentrate discharge main corridors along Route 5, 4-H Club Road, and Jamestown Road. Trees, bushes, and shrubs damaged during construction shall be replaced with a tree, bush, or shrub of equal type as approved by the Planning Director.
16. Dust and Siltation Control. For water main or concentrate main construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on adjacent property. It is intended that the present and future results of the proposed water transmission main and concentrate

discharge main do not create adverse effects on the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.

- 17. Access. Vehicular access to residences within the effected right-of-ways shall be maintained at all times.
- 18. Construction Time. All construction activity for the concentrate discharge main and the water main extension adjacent to existing residential development shall occur between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
- 19. Vehicle and Equipment Storage. Construction vehicles and equipment shall not be parked or stored along Route 5, 4-H Club Road, or Jamestown Road between the hours of 5:00 p.m. and 8:00 a.m.
- 20. Severability. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

2. Amended Articles of Incorporation for the James City Service Authority and 50-year Extension of Corporate Term

Mr. Frank M. Morton, III, County Attorney, presented a resolution to amend and update the Articles of Incorporation for the James City Service Authority (JCSA) that was drawn up in 1969.

Mr. Harrison opened the Public Hearing.

As no one wished to speak to this matter, Mr. Harrison closed the Public Hearing.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

AMENDED ARTICLES OF INCORPORATION FOR JAMES CITY SERVICE AUTHORITY

AND 50-YEAR EXTENSION OF CORPORATE TERM

WHEREAS, the James City County Board of Supervisors created the James City Service Authority by resolution adopted on June 30, 1969; and

WHEREAS, the State Corporation Commission issued a certificate of incorporation to the James City Service Authority dated July 9, 1969; and

WHEREAS, the James City County Board of Supervisors amended the Articles of Incorporation by resolution adopted on August 12, 1980, in order expand the area in which the James City Service Authority may operate; and

WHEREAS, James City Service Authority’s recorded Articles of Incorporation do not provide for the term for each member of its Board of Directors to run coterminously with the term of the appointing member of the Board of Supervisors; and

WHEREAS, the James City Service Authority’s recorded Articles of Incorporation do not provide for a street address for a principal office; and

WHEREAS, the Board of Supervisors desires to extend the corporate life of the James City Service Authority for 50 years as provided in Virginia Code Section 15.2-5114; and

WHEREAS, a public hearing to consider a change to the James City Service Authority’s Articles of Incorporation was held by the Board of Supervisors on March 25, 2003, more than thirty days after a descriptive notice of the proposed action was published in The Daily Press and The Virginia Gazette, newspapers of general circulation in James City County, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the creation of the James City Service Authority is hereby reaffirmed and that the Articles of Incorporation of the James City Service Authority shall be amended and restated as follows:

ARTICLES OF INCORPORATION OF THE
JAMES CITY SERVICE AUTHORITY

Pursuant to the authority of the Virginia Water and Waste Authorities Act (Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended) the Board of Supervisors of James City County, Virginia adopted a Resolution on March 25, 2003, reaffirming the creation of an authority which shall be a public body corporate and politic.

Article 1. The authority is formed under the Virginia Water and Waste Authorities Act, as amended, and its name shall be:

“JAMES CITY SERVICE AUTHORITY”

and the address of its principal office shall be 101-E Mounts Bay Road, Williamsburg, Virginia.

Article 2. The name of the incorporating political subdivision is:

COUNTY OF JAMES CITY, VIRGINIA

Article 3. The purpose of the James City Service authority is to carry out any such projects in all areas of James City County, Virginia, as are or may hereafter be authorized by the Code of Virginia, 1950, as amended. Given the ongoing projects and services currently performed by the James City Service Authority and the engineering studies and estimates needed for proposed and potential projects, it is not practicable to set forth herein preliminary estimates of capital costs and initial rates for such proposed and potential projects.

Article 4. The following citizens of James City County, Virginia, are hereby appointed as members of the Board of Directors of the James City Service Authority, each of whom shall continue in office for the term expiring after the period set opposite his name and until his successor shall be duly qualified:

<u>Name</u>	<u>Address</u>	<u>Electoral District</u>	<u>Expiration of Initial Term</u>
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Michael J. Brown	160 Devon Road	Powhatan	12/31/05
John J. McGlennon	2817 Mockingbird Lane	Jamestown	12/31/05
Bruce C. Goodson	318 Littletown Quarter	Roberts	12/31/03
Jay T. Harrison, Sr.	4821 John Tyler Highway	Berkeley	12/31/03
James G. Kennedy	7681 Thacher Drive	Stonehouse	12/31/03

The successor for each member shall be the duly elected or appointed member of the James City County Board of Supervisors for the respective electoral district and the term for each member shall run coterminously with the term of the elected or appointed member of the James City County Board of Supervisors for the respective electoral district. Each member of the Board of Directors shall serve for such compensation as may be set from time to time by the James City County Board of Supervisors and shall be reimbursed for such expenses necessarily incurred in the performance of his duties.

Article 5. The registered agent for the James City Service Authority shall be the duly appointed County Attorney for James City County, Virginia.

BE IT FURTHER RESOLVED, by the Board of Supervisors of James City County, Virginia, that in accordance with Virginia Code Section 15.2-5114 the term of the James City Service Authority is hereby extended for a period of fifty (50) years from the date of this resolution.

BE IT FURTHER RESOLVED, by the Board of Supervisors of James City County, Virginia, that Jay T. Harrison, Sr., Chairman of the Board of Supervisors, is hereby authorized and directed to execute the Articles of Incorporation for the James City Service Authority, in substantially the form set forth in this Resolution and the official seal of the County of James City, Virginia, shall be affixed thereto and that the Articles of Incorporation be attested to by Sanford B. Wanner, Clerk to the Board, and said officers are hereby authorized, empowered, and directed to do all things necessary and appropriate, including the execution of additional documents, to amend the Articles of Incorporation and reaffirm the creation of the James City Service Authority pursuant to the Virginia Water and Waste Authorities Act.

BE IT FURTHER RESOLVED, by the Board of Supervisors of James City County, Virginia, that the changes to the amended Articles of Incorporation for the James City Service Authority shall be effective immediately and all prior actions of the James City Service Authority Board of Directors are hereby ratified and confirmed.

I. BOARD CONSIDERATIONS

1. PDR Program – Offer to Sell a Conservation Easement:

- a. 2511 and 2611 Forge Road
- b. 9038 Diascund Road

Mr. Michael H. Drewry, Administrator of the Purchase of Development Rights Program (PDR), stated that Lyle G. Hall, Jr. and Maria Hall Temple have accepted the conservation easement appraisal value and agreed upon terms of a conservation easement on approximately 123 acres of their property located at 2511 and 2611 Forge Road, further identified as Parcel Nos. (1-9) and (1-10) on James City County Real Estate Tax Map No. (11-4). The PDR Committee and staff recommend approval of the resolution accepting the offer by Lyle G. Hall, Jr. and Maria Hall Temple.

Mr. Drewry also stated that Mr. Randall C. Davis has accepted the conservation easement appraisal value and agreed upon terms of a conservation easement on approximately 18.9 acres of his property located at 8038 Diascund Road, further identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (9-2). The PDR Committee and staff recommend approval of the resolution accepting the offer by Mr. Randall C. Davis.

Members of the Board thanked property owners for their participation in the PDR Program, and thanked the members of the PDR Committee and Mr. Drewry for their work.

Mr. Kennedy made a motion to adopt the resolutions.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

PDR PROGRAM - OFFER TO SELL A CONSERVATION EASEMENT

2511 AND 2611 FORGE ROAD

WHEREAS, the County has received an offer to sell a conservation easement under the Purchase of Development Rights (PDR) Program from the owners of the property known as 2511 and 2611 Forge Road, Tax Parcel Nos. (11-4)(1-9) and (11-4)(1-10); and

WHEREAS, the owners offered to sell a conservation easement on the property for a purchase price of Five Hundred Seventy-Six Thousand and 00/100 Dollars (\$576,000.00), subject to the conditions set forth in the proposed deed of easement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the offer to sell a conservation easement described above, or as modified by the County Attorney, and authorizes the County Administrator to execute all documents necessary for completing the acquisition.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the PDR Administrator to send a copy of this resolution to the owners of the property identified herein.

RESOLUTION

PDR PROGRAM - OFFER TO SELL A CONSERVATION EASEMENT

9038 DIASCUND ROAD

WHEREAS, the County has received an offer to sell a conservation easement under the Purchase of Development Rights (PDR) Program from the owner of the property known as 9038 Diascund Road, Tax Parcel No. (9-2)(1-9); and

WHEREAS, the owner offered to sell a conservation easement on the property for a purchase price of Seventy-Six Thousand and 00/100 Dollars (\$76,000.00), subject to the conditions set forth in the proposed deed of easement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the offer to sell a conservation easement described above, or as modified by the County Attorney, and authorizes the County Administrator to execute all documents necessary for completing the acquisition.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the PDR Administrator to send a copy of this resolution to the owner of the property identified herein.

2. **Change to Military Leave Policy – Chapter 5 of the *Personnel Policies and Procedures Manual***

Ms. Carol M. Luckam, Human Resource Manager, presented a resolution to revise Section 5.4 E.5, Military Leave, of the James City County Personnel Policies and Procedures Manual to implement the Board's desire to provide a military pay differential to County employees who are involuntarily called to active duty, and to provide them with leave upon their return.

The Board and staff held a discussion regarding the notification of affected employees of this benefit available to them, estimated number of employees that may utilize this benefit, and the range of fiscal impact of this revision.

Mr. Kennedy made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

CHANGE TO MILITARY LEAVE POLICY - CHAPTER FIVE OF THE PERSONNEL

POLICIES AND PROCEDURES MANUAL

WHEREAS, reserve members of the uniformed services are being called up for active duty for an extended period of time; and

WHEREAS, many such reserve members and their families may be experiencing a reduction in income through lower military pay while defending the United States of America; and

WHEREAS, the Board of Supervisors does not believe that our employees who are members of the reserve components called to active duty with the armed forces and their families should sacrifice a salary reduction while defending our country.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the attached revision to Section 5.4 E.5, Military Leave, of the James City County Personnel Policies and Procedures Manual. Without a resolution to extend it, the policy shall cease on June 30, 2004.

Effective date: July 1, 2002.

J. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, commented on the County's Military Leave Policy and stated that Congress is going to address benefits for those called to active duty.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended that at the conclusion of the Board's agenda, the Board adjourn until 7 p.m. on April 8.

Mr. Wanner recommended that the Board recess while the James City Service Authority Board of Directors held a brief meeting, and then the Board should reconvene into Open Session to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia to consider the acquisition of a parcel of property for public use.

L. BOARD REQUESTS AND DIRECTIVES

Mr. Harrison invited the members of the Board to meet on March 27 with the Mayor of the City of Williamsburg, the York County Chair, the James City County Chair, and members of the Regional Issues Committee regarding the corridor entryway beautification, and stated that the City had offered to pay for a consultant to come in to review regional practices and offer suggestions on ways to protect the entryway corridors.

Mr. McGlennon stated that the Jamestown Corridor Contractors met regarding the Jamestown Road and Route 199 intersection to resolve the pedestrian problem at the intersection and a proposal was drafted in the form of a letter to VDOT to eliminate the free-flow, right-hand turn lanes at the intersection as well as the 7-Eleven structure to permit a modified free-flow, right-hand, turn lane and incorporate a landscaped pedestrian island in the intersection.

Mr. McGlennon stated that the City of Williamsburg has found the proposal to be acceptable and requested the Board endorse the proposal and authorize the letter to be forwarded to VDOT.

The Board held a brief discussion regarding the proposal's benefits to pedestrians.

The Board, by consensus, agreed for the letter to be forwarded to VDOT.

Mr. McGlennon recognized the passing of Ms. Evelyn Curd who was a longtime standing member of the County's Cable Television Advisory Board.

At 7:45 p.m., Mr. Harrison recessed the Board for a James City Service Authority meeting.

Mr. Harrison reconvened the Board into Open Session at 7:48 p.m.

Mr. McGlennon made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia to consider the acquisition of a parcel of property for public use.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

Mr. Harrison convened the Board into Closed Session at 7:48 p.m.

At 7:52 p.m. Mr. Harrison reconvened the Board into Open Session.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and, (ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(3) to consider the acquisition of a parcel of property for public use.

M. ADJOURNMENT

Mr. Goodson made a motion to adjourn.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

At 7:52 p.m. Mr. Harrison adjourned the Board until 7 p.m. on April 8, 2003.

Sanford B. Wanner
Clerk to the Board

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AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF APRIL, 2003, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jay T. Harrison, Sr., Chairman, Berkeley District
Bruce C. Goodson, Vice Chairman, Roberts District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. MOMENT OF SILENCE

Mr. Harrison requested the Board and citizens observe a moment of silence.

C. PLEDGE OF ALLEGIANCE

Sidney Davis, a freshman at Lafayette High School, led the Board and citizens in the Pledge of Allegiance.

D. PUBLIC COMMENTS

1. Mr. Richard Bradshaw, James City County's Commissioner of the Revenue, reminded citizens, businesses, and manufacturers of upcoming tax filing deadlines; deadlines for citizens to apply for the Tax Relief program; and offered the assistance of the Commissioner of the Revenue's Office staff in preparing the State tax forms.

2. Mr. Jim Turner, 205 St. Georges Boulevard, stated concern regarding his inability to obtain a County Business License for a mobile food service and requested the Board's assistance in getting one.

3. Mr. Ed Oyer, 139 Indian Circle, complimented the coordinators of the Rally for America that was held on April 5 at the William & Mary Hall; stated concern regarding the relative comparative spending of the Williamsburg-James City County Schools; and indicated that the school structure was administratively top heavy.

E. CONSENT CALENDAR

Mr. McGlennon made a motion to adopt the items on the Consent Calendar.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

1. Minutes – February 25, 2003, Regular Meeting
2. Resolution Authorizing Mutual Air Agreement for Hampton Roads metropolitan Medical Response System (MMRS) and Designation of a MMRS

RESOLUTION

AUTHORIZING MUTUAL AID AGREEMENT FOR HAMPTON ROADS

METROPOLITAN MEDICAL RESPONSE SYSTEM (MMRS) AND

DESIGNATION OF A MMRS COUNTY STRIKE TEAM

WHEREAS, the Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; and the Counties of Gloucester, Isle of Wight, James City, Surry, and York; and the Town of Smithfield (“Hampton Roads Localities”) wish to augment their emergency response resources in times of mass casualty, disaster, or terrorism events; and

WHEREAS, through the Hampton Roads Regional Planning District Commission, the Hampton Roads Localities developed a plan to deal with fire, terrorism, use of weapons of mass destruction, disasters, and other similar events; and

WHEREAS, the Hampton Roads Localities desire to enter into the Hampton Roads Metropolitan Medical Response System Mutual Aid Agreement to pool their resources and provide mutual aid and cooperation with regard to emergency response to mass casualty, disaster, or terrorism events; and

WHEREAS, the Hampton Roads Localities wished to enter into the Hampton Roads Metropolitan Medical Response System Strike Team Response Agreement which identifies the chain of command during any incident requiring assistance under the Mutual Aid Agreement and identifies the responsibilities and liabilities of the requesting and responding localities in the event assistance is needed; and

WHEREAS, the Board of Supervisors of James City County, Virginia, believes that the County should designate staff to serve as a strike team to respond to incidents which may occur under the Hampton Roads Metropolitan Medical Response System Mutual Aid Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute the Hampton Roads Metropolitan Medical Response Mutual Aid Agreement and the Hampton Roads Metropolitan Medical Response System Strike Team Response Agreement.

BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized and directed to appoint appropriate staff to a strike team which may respond as needed under the Hampton Roads Metropolitan Medical Response Mutual Aid Agreement.

3. Child Abuse Prevention Month - April

RESOLUTION

CHILD ABUSE PREVENTION MONTH- APRIL

WHEREAS, child abuse and neglect is a serious problem in Virginia and throughout the nation; and

WHEREAS, the prevention of child abuse is crucial to the preservation of the health and well-being of Virginia's families and can be accomplished by providing support and information to families as well as through increased community awareness.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby proclaim April as Child Abuse Prevention Month in James City County.

4. Grant-in-Aid Awards

RESOLUTION

GRANT-IN-AID AWARDS

WHEREAS, the Grant-in-Aid Program is designed to help nonprofit organizations acquire parks and recreation equipment for community use; and

WHEREAS, two organizations, to include the Colonial Capital Basketball Club and Ironbound Square Neighborhood Association, have applied for funds for supported recreation projects.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the matching grant awards to the abovementioned organizations.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following expenditures:

EXPENDITURES:

Grant-in-Aid Account (0130220900)

Colonial Capital Basketball Club	\$ 15,000.00
Ironbound Square Neighborhood Association	<u>150.00</u>
	<u>\$ 15,150.00</u>

5. Chesapeake Bay Preservation Ordinance Violation – Civil Charge – Lee Land Holdings, LLC

RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION -

CIVIL CHARGE - LEE LAND HOLDINGS, LLC

WHEREAS, Lee Land Holdings, LLC, is the owner of a certain parcel of land, commonly known as 6417 Conservancy Road, designated as Parcel No. (3-5) on James City County Real Estate Tax Map No. (49-3); hereinafter referred to as the (“Property”); and

WHEREAS, on or about January 6, 2003, understory vegetation consisting of 200 trees and shrubs were removed from the Resource Protection Area on the Property; and

WHEREAS, Lee Land Holdings, LLC, agreed to a Restoration Plan to replant 305 trees and shrubs, on the Property in order to remedy the violation under the County’s Chesapeake Bay Preservation Ordinance and Lee Land Holdings, LLC, has provided surety to the County to guarantee the completion of the restoration for the Resource Protection Area on the Property; and

WHEREAS, Lee Land Holdings, LLC, has agreed to pay \$6,000 to the County as a civil charge under the County’s Chesapeake Bay Preservation Ordinance; and

WHEREAS, the James City County Board of Supervisors is willing to accept the restoration of the impacted areas and the civil charge in full settlement of the Chesapeake Bay Preservation Ordinance violation, in accordance with Sections 23-10 and 23-18 of the Code of the County of James City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$6,000 civil charge from Lee Land Holdings, LLC, as full settlement of the Chesapeake Bay Preservation Ordinance Violation.

6. Support for the King William Reservoir Project

RESOLUTION

SUPPORT FOR THE KING WILLIAM RESERVOIR PROJECT

WHEREAS, the City of Newport News has submitted an application to the Virginia Marine Resource Commission for a permit to withdraw water from the Mattaponi River to provide water to the King William Reservoir; and

WHEREAS, the King William Reservoir has been identified, after the evaluation of over 35 alternative projects, as the most feasible option for meeting the long-term water needs of the citizens and businesses located on the Virginia Peninsula; and

WHEREAS, the Virginia Marine Resource Commission will conduct a public hearing on the application for a permit to withdraw water from the Mattaponi on April 22, 2003.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, expresses its support of the King William Reservoir Project and encourages the Virginia Marine Resources Commission to issue the permit to withdraw water from the Mattaponi River to support the King William Reservoir Project.

F. PUBLIC HEARINGS

1. Case No. SUP-10-03. Leighton-Herrmann Family Subdivision

Mr. Matthew D. Arcieri, Planner, stated that Michael Leighton-Herrmann applied for a special use permit for a family subdivision of approximately 10.8 acres zoned A-1, General Agricultural, at 217 Skillman Drive, further identified as Parcel No. (4-11) on James City County Real Estate Tax Map No. (4-3).

Staff found the proposal to be consistent with the surrounding zoning and development, and recommended approval of the application with conditions.

The Board and staff held discussions regarding the County's policy stand on subdivisions outside the Primary Service Area (PSA) on lots of one acre and sale limitations on lots in a family subdivision.

Mr. Kennedy requested the Board hold the Public Hearing open and defer the case.

Mr. Harrison opened the Public Hearing.

1. Michael Leighton-Herrmann, Applicant, stated that he purchased the land in January after reviewing the zoning and his ability to subdivide the parcel as a family subdivision once purchased. Mr. Leighton-Herrmann stated that traffic counts on Skillman Drive would not increase as the children receiving the lots already reside on-site.

The Board expressed its interest in preserving the character of the neighborhood and expressed concern about setting a precedent for small parcel subdivisions.

Mr. Leighton-Herrmann stated that he would be willing to add a condition to the application addressing the amount of time the land has to remain in his children's name before it could be sold.

2. Mr. Barry Trott, 145 Skillman Drive, stated concerns regarding the proposed plan with regard to the traffic impacts on Skillman Drive and the decrease in resulting lot sizes.

3. Ms. Lynn Trott, 145 Skillman Drive, read a letter to the Board on behalf of Patricia Rock, 122 Skillman Drive, requesting denial of the application.

4. Ms. Kathleen Kennedy, 9405 Barnes Road, stated opposition to the proposal as the owner of Lot 13 in Skillman Estates and stated that the approval of the application will change the character of the community.

5. Ms. Denise Fleischmann, 158 Skillman Drive, stated that a precedent will be set if the Board approves this application.

As no one else wished to speak, Mr. Harrison continued the Public Hearing until May 13, 2003.

Ms. Suzanne Mellen, Director of Budget and Accounting, without objection from the Board, requested that the Board concurrently hold the Public Hearings for the next four items on the Board's agenda.

2. FY 2004 County Budget

- a. Case No. ZO-2-03/SO-1-03. Zoning and Subdivision Fee Changes
- b. Ordinance Amendment – Chapter 4, Building Regulations, to Increase Certain Fees
- c. Ordinance Amendment – Chapter 8, Erosion and Sediment Control, to Increase Certain Fees and to Add a \$25.00 Fee for Single-Family Dwellings

Ms. Suzanne Mellen, Director of Budget and Accounting, provided the Board with an overview on the proposed FY 2004 Budget, Zoning and Subdivision fee changes, ordinance changes, and the County's fiscal goals for FY 2004.

Mr. Harrison opened the Public Hearing.

1. Ms. Sally Dafashy, teacher at Norge Elementary School, requested the Board fully fund the proposed School Budget and not reduce the funding for student support specialists.

2. Ms. Kim Hundley, 108 Mattaponi Trail, representing the Williamsburg-James City Educational Association (WJCEA) requested the Board fund teacher salaries through fully funding the School's Budget.

3. Mr. Brian Noyes, District Manager for the Colonial Soil & Water Conservation District, requested financial support from the Board to continue watershed and conservation efforts in the face of funding shortfalls from the Commonwealth.

4. Ms. Vicki Martin, 4808 Palmer Court, requested support from the Board for the renovation of facilities at James Blair Middle School through fully funding the School's Budget.

5. Ms. Joyle Douglas, 2304 Westgate Circle, requested the Board support student programming and air conditioning renovations in the James Blair Middle School gym through fully funding the School's Budget.

6. Mr. Tony Dion, 102 Fairmont Drive, congratulated the Board for continuing the funding of programs, maintaining a stable tax rate, and withstanding the Williamsburg-James City County School funding demands; and recommended the removal of fully funded day care centers from the high schools and suggested that the schools are administratively top heavy.

7. Ms. Cindy Favret, 166 Devon Road, requested the Board support Special Education programs by fully funding the School's Budget.

8. Mr. Ed Oyer, 139 Indian Circle, stated concerns about some of the figures mentioned in the proposed Budget including salaries, debt service, tax rates, and fees; requested the Board seek shared service partnerships with the Schools and the Library to eliminate duplication of services; and requested the Board extend the fence at Country Village.

9. Mr. Albert Beck, 8251 Wrenfield Drive, recommended the Board increase the cigarette tax rate to close the budget gaps.

Mr. Harrison stated that the General Assembly did not approve or give the County power to impose a cigarette tax rate, and that the funds not expended as a result of shared services with the Schools could be turned around into funding for the proposed School budget.

As no one else wished to speak to these items, Mr. Harrison closed the Public Hearing and deferred action to April 22, 2003.

At 8:25 p.m. Mr. Harrison recessed the Board for a break.

At 8:33 p.m. Mr. Harrison reconvened the Board.

3. Case No. SUP-4-03. Hankins Farm Water and Sewer Extension

Mr. David Anderson, Planner, stated that Mr. Vernon M. Geddy, III, has applied on behalf of Howard B. Hankins and Hankins Land Trust to extend approximately 3,740 feet of water main and 3,490 feet of sewer force main to serve the Hankins Farm property consisting of approximately 511.5 acres zoned M-1, Limited Business/Industrial District, R-5, Multifamily Residential District, and A-1, General Agricultural District.

The proposed water main would extend from the southwest intersection of Croaker Road and Rochambeau Drive, cut perpendicularly across Croaker Road, cut diagonally across Rochambeau Drive, extend approximately 2,400 feet east along the north side of Rochambeau Drive, cross through a residential lot, and cross Cloverleaf Lane, Interstate 64, and Fenton Mill Road to Hankins Farm property. The proposed sewer force main would extend from the northeast intersection of Croaker Road and Rochambeau Drive, cut diagonally across Rochambeau Drive, extend approximately 2,400 feet east along the south side of Rochambeau Drive, cut perpendicularly across Rochambeau Drive, and follow the alignment of the water main as described above.

The proposed water main and sewer force main would be dedicated to, and operated by, the James City Service Authority (JCSA), to serve the Hankins Farm Property.

Mr. McGlennon inquired about the Board's role in the development of the property if the application is approved.

Mr. Anderson stated that non-by-right development of the property would require Board approval.

Mr. Harrison opened the Public Hearing.

1. Mr. Vernon M. Geddy, III, applicant, provided background information regarding the proposal and requested approval of the application.

Mr. McGlennon requested verification that this proposal is to bring service to the site and later the internal infrastructure would be built.

Mr. Geddy confirmed Mr. McGlennon's statement.

2. Mr. Ed Oyer, 139 Indian Circle, inquired if the proposal will open up the PSA along Rochambeau Drive.

Mr. Anderson stated that only existing dwellings along Rochambeau Drive would be able to have one connection to the mains for service.

As no one else wished to speak to this matter, Mr. Harrison closed the Public Hearing.

Mr. Goodson made a motion to adopt the resolution.

The Board held a brief discussion regarding the revision to the PSA and that the land and users are bound by the Master Plan.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

HANKINS FARM WATER AND SEWER EXTENSION (SUP-4-03)

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance, specific land uses that shall be subjected to a special use permit (SUP) process; and

WHEREAS, Mr. Vernon Geddy, III, has applied on behalf of Howard B. Hankins and Hankins Land Trust for a special use permit to allow for the extension of water and sewer service to the Hankins Farm property; and

WHEREAS, the property is located on land zoned M-1, Limited Business/Industrial District, R-5, Multifamily Residential District, and A-1, General Agricultural District, and can be further identified as Parcel Nos. (1-39), (1-40) and (1-40A) on James City County Real Estate Tax Map No. (14-3) and Parcel Nos. (1-18) and (1-19) on James City County Real Estate Tax Map No. (14-4); and

WHEREAS, the Planning Commission, following its public hearing on March 3, 2003, recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-4-03 as described herein with the following conditions:

1. Construction, operation, and maintenance of the proposed force main and water main shall comply with Local, State, and Federal requirements.
2. The project shall comply with all Virginia erosion and sediment control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook as amended.
3. All required permits and easement shall be acquired prior to the commencement of construction.
4. Adequate dust and siltation measures shall be taken to prevent adverse effects on adjacent property.
5. Vehicular access to all residences along the affected right-of-ways shall be maintained at all times.
6. All construction activity on the water and sewer extensions shall occur between 7 a.m. and 5 p.m., Monday through Friday.
7. If construction has not commenced on this project within a period of 36 months from the date of issuance of this permit, it shall become void. Construction shall be defined as the clearing, grading, and excavation of trenches necessary for the construction of the force main and water main.
8. No connections shall be made to the water main which would serve any property located

outside the Primary Service Area (PSA) except for connections to existing structures located on property outside the PSA adjacent to the proposed mains. In addition, for each platted lot recorded in the James City County Circuit Court Clerk's Office as of April 8, 2003, that is vacant, outside the PSA and adjacent to the main, one connection shall be permitted with no larger than a 3/4-inch service line and 3/4-inch water meter.

9. No connections shall be made to the force main which would serve any property located outside the PSA except for connections to existing structures located on property outside the PSA adjacent to the proposed mains. In addition, for each platted lot recorded in the James City County Circuit Court Clerk's Office as of April 8, 2003, that is vacant, outside the PSA and adjacent to the main, one connection shall be permitted with no larger than a 1 1/4-inch service line.
10. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

4. Abandonment of a Portion of Old Ironbound Road Right-of-Way

Mr. O. Marvin Sowers, Jr., Planning Director, requested the Board hold a Public Hearing regarding this abandonment and then defer the item until the Virginia Department of Transportation (VDOT) brings the item back before the Board for consideration.

Mr. Sowers stated that VDOT requested that the County abandon a portion of the right-of-way for old Ironbound Road in front of Mount Pleasant Church at 4002 Ironbound Road.

Mr. Harrison opened the Public Hearing.

1. Mr. Eric Fenley, 153 Brookhaven Drive, representing Mt. Pleasant Church stated concern that the 30-foot easement for a bike path would leave room for only 25 parking spaces and requested the Board's assistance in working out a different layout for the path to allow for adequate parking on the site. He also was concerned that the landscaping requirements would hide the Church.

Mr. Morton provided Mr. Fenley with Leo Rogers' contact information to work out the issues while the item is deferred.

Mr. Brown requested staff's position if the trail did not circle the entire lot.

Mr. McGlennon stated that he invited Mr. Fenley to attend tonight and stated that Mr. Fenley could speak with staff and VDOT for site alternatives.

Mr. Harrison left the Public Hearing open deferred the item indefinitely.

Mr. Morton stated that staff would also re-advertise the Public Hearing when VDOT was prepared to come back for action by the Board.

4. Conveyance of Utility Easement to Dominion Virginia Power – Chickahominy Riverfront Park

Mr. Morton stated that Mr. David W. Otey, Jr., has requested the County convey a 15-foot utility easement to Dominion Virginia Power to serve approximately 9.98 acres owned by Peggy Scholley and Luke Beckerdite off Route 5.

Mr. Morton recommended the Board adopt the resolution authorizing the County Administrator to

execute the Right-of-Way agreement conveying the 15-foot utility easement, following the Public Hearing.

Mr. Harrison opened the Public Hearing.

As no one wished to speak to this matter, Mr. Harrison closed the Public Hearing.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

CONVEYANCE OF UTILITY EASEMENT TO DOMINION VIRGINIA POWER -

CHICKAHOMINY RIVERFRONT PARK

WHEREAS, James City County owns 140.5± acres commonly known as the Chickahominy Riverfront Park (the “Park”) and designated as Parcel No. 3430100002 on James City County Real Estate Tax Map; and

WHEREAS, Peggy Scholley and Luke Beckerdite, husband and wife, are the owners of a parcel consisting of 9.98± acres adjacent to a portion of the easterly property line of the Park; and

WHEREAS, the owners of the 9.98± parcel are desirous of constructing a dwelling on said parcel and are in need of electrical service; and

WHEREAS, a fifty-foot (50') easement for ingress and egress currently exists and the fifteen-foot (15') utility easement will lie within the existing easement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute the Right-of-Way Agreement and such other documents necessary to convey the above-described utility easement to Dominion Virginia Power.

5. Temporary Classroom Trailers –
 - a. Case No. SUP-5-03. Jamestown High School
 - b. Case No. SUP-6-03. Lafayette High School
 - c. Case No. SUP-7-03. Clara Byrd Baker Elementary School
 - d. Case No. SUP-8-03. Stonehouse Elementary School

Mr. Christopher Johnson, Senior Planner, without objection from the Board, requested that the Board concurrently hold the Public Hearings for the four Special Use Permit cases

Mr. Christopher Johnson, Senior Planner, stated that Michael E. Thornton applied on behalf of the Williamsburg-James City County Public Schools for four special use permits to allow the placement of two new temporary classroom trailers at Lafayette High School and Jamestown High School, and one new temporary classroom trailer at Clara Byrd Baker Elementary School and Stonehouse Elementary School in accordance with Section 24-109 of the Zoning Ordinance.

Staff found the proposal consistent with surrounding zoning and development and consistent with the Comprehensive plan.

Staff recommended the Board approve the applications with conditions.

Mr. Harrison opened the Public Hearing.

1. Mr. Michael E. Thornton, applicant, requested the Board approve the special use permit applications.

The Board and Mr. Thornton discussed the deadline for approval of the applications in order to have the trailers in place for the next school year, the program and enrollment capacity needs that are driving the requests for temporary trailers at the schools, the opportunity to address the program and enrollment capacity issues with the School Board during the Budget Work Session to be held on April 16, and discussed alternative placements for programs such as preschool and day care that are being housed at the schools.

Mr. Harrison requested that the Preschool Task Force and stakeholders come for a meeting with the Board at a Work Session to look at preschool program locations.

Mr. Harrison closed the Public Hearing and, with Board consensus, deferred action on these applications until April 22.

Mr. Brown requested that the cases be presented in bulk by the staff on April 22, but that the Board consider each application individually.

G. PUBLIC COMMENT

1. Mr. Jim Turner, 205 St. Georges Boulevard, restated his concern regarding his inability to obtain a County Business License and requested the Board's assistance in getting one.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended the Board recess for a James City Service Authority Board of Directors meeting and then reconvened to go into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia to consider the appointment of individuals to County Boards and/or Commissions, and pursuant to Section 2.2-3711(A)(3) of the Code of Virginia to consider the acquisition of a parcel of property for public use.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson requested staff research the mobile food service issue for the purpose of amending the Ordinance to permit mobile food services as part of a zoning request.

Mr. McGlennon requested a schedule for the Budget Work Session on April 10.

Mr. Wanner stated that depending upon the length of discussions by the Board, staff anticipates the Board will be able to review the proposed revenues, compensation, and the majority of operating departments on April 10.

Mr. Harrison requested that at the April 16 Budget Work Session, the topic of shared services be visited.

Mr. Harrison recessed the Board at 9:28 p.m.

Mr. Harrison reconvened the Board at 9:32 p.m.

J. CLOSED SESSION

Mr. Goodson made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia to consider the appointment of individuals to County Boards and/or Commissions and pursuant to Section 2.2-3711(A)(3) of the Code of Virginia to consider the acquisition of a parcel of property for public use.

(0). On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY:

Mr. Harrison adjourned the Board into Closed Session at 9:32 p.m.

Mr. Harrison reconvened the Board into Open Session at 10:00 p.m.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

(0). On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY:

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and, (ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motions, Section 2.2-3711(A)(1), to consider personnel matters, the appointment of individuals to County boards and/or commissions; and Section 2.2-3711(A)(3), to consider the acquisition of a parcel of property for public use.

Mr. McGlennon made a motion to appoint Richard Locke to an unexpired term on the Cable Television Advisory Committee; term to expire on September 1, 2005, and to recommend Marvin D. Rhodes for a five-year term on the Board of Zoning Appeals.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

J. RECESS

At 10:01 p.m. Mr. Harrison recessed the Board until 7 p.m. on April 10, 2003.

Sanford B. Wanner
Clerk to the Board

040803bs.min

MEMORANDUM

DATE: April 22, 2003
TO: The Board of Supervisors
FROM: Carol A. Schenk, Human Resource Specialist I
SUBJECT: James City County Volunteer Appreciation Week – April 27–May 3, 2003

April 27-May 3, 2003, has been designated as National Volunteer Appreciation Week. Staff requests that the Board of Supervisors declare that same week as Volunteer Appreciation Week in James City County.

The theme this year is “Celebrate Volunteers - the Spirit of America.” From mentoring youth to assisting the elderly, from preserving the environment to protecting our citizens, from helping out in busy offices to organizing community events, our volunteers have certainly demonstrated that spirit.

During 2002 more than 400 people volunteered their time and talents to the County. Together, they contributed more than 69,526 hours of service which represents a value of \$1,149,960.

Staff recommends adoption of the attached resolution, designating April 27–May 3, 2003, as Volunteer Appreciation Week.

Carol A. Schenk

CONCUR:

Carol M. Luckam

CAS/gb
volweek.mem

Attachment

RESOLUTION

JAMES CITY COUNTY VOLUNTEER APPRECIATION WEEK - APRIL 27–MAY 3, 2003

WHEREAS, April 27-May 3, 2003, has been designated as National Volunteer Appreciation Week; and

WHEREAS, volunteers enhance our quality of life, promote community involvement, generate civic pride, preserve our environment, and support our families; and

WHEREAS, volunteers work in partnership with James City County staff and in 2002 contributed 69,526 hours valued at \$1,149,960; and

WHEREAS, the citizens of James City County are deserving of recognition for their commitment and hard work to make a real difference in the lives of their fellow citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it hereby designates the week of April 27–May 3, 2003, as Volunteer Appreciation Week and calls its significance to all of our citizens.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

volweek.res

MEMORANDUM

DATE: April 22, 2003
TO: The Board of Supervisors
FROM: Needham S. Cheely, III, Director of Parks and Recreation
SUBJECT: Chesapeake Bay Restoration Fund Grant

James City County's Division of Parks and Recreation has been awarded a \$5,040 Chesapeake Bay Restoration Fund Grant from the Commonwealth of Virginia's Division of Legislative Services.

The purpose of the matching grant is to assist with the cost of offering a special three-day environmental education program at every Total Rec Camp site for children to study the Chesapeake Bay Watershed and its importance to the community. The three-day experience is modeled after the existing week-long Camp Marine Marshals that may be space and cost prohibitive for many area children. As part of the experience, children will visit Chippokes State Park, conduct water quality testing, and go to the Virginia Marine Science Museum.

Staff recommends approval of the attached resolution to accept the \$5,040 grant for the special marine camp and to appropriate the funds as described in the attached resolution.

Needham S. Cheely, III, CPRP

CONCUR:

Anthony Conyers, Jr.

NSC/gs
chesgrant.mem

Attachment

RESOLUTION

CHESAPEAKE BAY RESTORATION FUND GRANT

WHEREAS, the Chesapeake Bay Restoration Fund, which is funded through the sale of Chesapeake Bay license plates, has made funds available for the restoration and education of the Bay; and

WHEREAS, funds are needed to provide an enriching and SOL-based environmental component to the Division's Total Rec Camp Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$5,040 grant awarded by the Chesapeake Bay Restoration Fund to help with the additions to the summer camp program.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Grant/Special Project Fund:

Revenues:

From the Commonwealth	<u>\$5,040</u>
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Expenditures:

Chesapeake Bay Restoration Grant	<u>\$5,040</u>
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Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

chesgrant.res

M E M O R A N D U M

DATE: April 22, 2003
TO: The Board of Supervisors
FROM: Anthony Conyers, Jr., Manager of Community Services
SUBJECT: Mental Health Month

The Colonial Services Board requests that the Board of Supervisors proclaim May as Mental Health Month. Staff recommends approval of the attached resolution.

Anthony Conyers, Jr.

AC/gb
mentalmon.mem

Attachment

RESOLUTION

MENTAL HEALTH MONTH

WHEREAS, mental illness will strike one in four Americans in a given year without regard to age, gender, race, ethnicity, religion, or economic status; and

WHEREAS, one in five children suffers from a diagnosable mental illness, emotional, or behavioral disorder, and one in ten has a serious disorder, which, if left untreated, can lead to school failure, substance abuse, and even suicide; and

WHEREAS, the causes of brain disorder are not fully understood, but the illnesses are treatable and recovery is possible if those affected receive effective treatment, advocacy, and support; and

WHEREAS, the Colonial Services Board, serving the citizens of James City County, celebrates National Mental Health Month each year in May to raise awareness of mental health, mental illness, and discrimination against people with mental illness; and

WHEREAS, community treatment is an individual's best hope to develop his or her potential.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby proclaim the month of May 2003 as Mental Health Month.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

mentalmon.res

**SPECIAL USE PERMIT- 5-03, 6-03, 7-03, 8-03. Temporary Classroom Trailers
Staff Report for April 22, 2003, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Board of Supervisors:

Building C Board Room; County Government Complex
April 8, 2003, 7:00 p.m. (Deferred)
April 22, 2003, 7:00 p.m.

SUMMARY FACTS

Applicant:

Michael E. Thornton, on behalf of Williamsburg-James City County Public Schools

Proposed Use:

Placement of two new temporary classroom trailers at Lafayette High School and Jamestown High School; Placement of one new temporary classroom trailer at Clara Byrd Baker Elementary School and Stonehouse Elementary School

Location:

Jamestown High School,
3751 John Tyler Highway; Berkeley District
Lafayette High School
4460 Longhill Road; Powhatan District
Clara Byrd Baker Elementary School
3131 Ironbound Road; Berkeley District
Stonehouse Elementary School
3651 Rochambeau Drive; Stonehouse District

Tax Map and Parcel Nos.:

Jamestown High School	(46-1)(1-2D)
Lafayette High School	(32-3)(1-1)
Clara Byrd Baker Elementary School	(47-1)(1-58)
Stonehouse Elementary School	(13-1)(1-20)

Parcel Size:

Jamestown High School
R-1, Limited Residential; 80 acres
Lafayette High School
R-2, General Residential; 50 acres
Clara Byrd Baker Elementary School
R-8, Rural Residential; 23 acres
Stonehouse Elementary School
A-1, General Agricultural; 26 acres

Staff Contact:

Christopher Johnson - Phone: 253-6685

STAFF RECOMMENDATION:

These applications were deferred at the April 8, 2003, Board of Supervisors public hearing. Staff finds these proposals consistent with surrounding zoning and development and consistent with the Comprehensive Plan. Staff recommends the Board approve these proposals with the condition listed in the attached resolution.

Project Description

Mr. Michael Thornton, on behalf of the Williamsburg-James City County Public Schools, has applied for special use permits to allow the placement of temporary classroom trailers at Jamestown High School, Lafayette High School, Clara Byrd Baker Elementary School, and Stonehouse Elementary School. Section 24-109 of the Zoning Ordinance requires the issuance of a special use permit (SUP) by the Board of Supervisors for temporary classroom trailers accessory to an existing school. The requests for each of the four schools are detailed below.

Jamestown High School

Jamestown High School currently has two temporary classroom trailers (four classrooms) located west of the main school building. The attached summary chart shows that the SUP for one existing trailer is valid until July 1, 2004, and the other is valid until July 1, 2006. The School Board is requesting two new classroom trailers (four classrooms) to accommodate the growth in the student population at the high school. Additionally, the strings program will be added as a course offering at Jamestown, which will require classroom space. Information submitted with the application states that an analysis of existing space indicates maximum utilization of classroom space at the present time.

Lafayette High School

Lafayette High School currently has three temporary classroom trailers (six classrooms) located west of the main school building. The attached summary chart shows that the SUP for two existing trailers is valid until July 1, 2004, and the other is valid until July 1, 2006. The School Board is requesting two new classroom trailers (four classrooms) to accommodate the growth in the student population at the high school. Additionally, it will be necessary to accommodate two existing classrooms that are presently being temporarily housed in non-instructional spaces. Information submitted with the application states that an analysis of existing space indicates maximum utilization of classroom space at the present time.

Clara Byrd Baker Elementary School

Clara Byrd Baker Elementary School currently has one temporary classroom trailer (one classroom) located between the main school building and the basketball courts. The attached summary chart shows that the SUP for the existing trailer is valid until July 1, 2004. The School Board is requesting one new temporary classroom trailer (one classroom with bathroom). Due to the increase in student population this year, the existing temporary classroom trailer designated for the strings and band programs is being used as a regular classroom, which dictates the need to provide appropriate classroom space for the strings and band programs. Information submitted with the application states that an analysis of existing space indicates maximum utilization of classroom space at the present time.

Stonehouse Elementary School

Stonehouse Elementary School does not currently have any temporary classroom trailers. The School Board is requesting one new temporary classroom trailer (one classroom with bathroom). The addition of a new preschool class at Stonehouse will require the relocation of an existing classroom. Information submitted with the application states that an analysis of existing space indicates maximum utilization of classroom space at the present time.

Public Utilities

Each of the school sites lie within the Primary Service Area (PSA). Public water and sewer serve the area surrounding each of the schools and the schools themselves.

Comprehensive Plan

The Comprehensive Plan designates Jamestown High School, Lafayette High School, and Clara Byrd Baker Elementary School as Federal, State, and County Land. Stonehouse Elementary School is designated as Low-Density Residential. The majority of land surrounding these school sites is designated as Low-Density

Residential. Examples of acceptable land uses in areas designated as Low-Density Residential include single-family homes, recreation areas, community oriented public facilities, very limited commercial development, churches, and schools. Staff finds the proposed use to be consistent with the Comprehensive Plan as they are accessory to a recommended land use.

Recommendation

These applications were deferred at the April 8, 2003, Board of Supervisors public hearing. Staff finds the proposals to be consistent with surrounding zoning and development and consistent with the Comprehensive Plan. The applicant has requested a three-year time limit for the proposed trailers. Staff recommends the Board of Supervisors approve each of these proposals with the following condition:

1. This permit shall be valid until July 1, 2006.

Christopher Johnson

CONCUR:

O. Marvin Sowers, Jr.

sup-5-6-7-8-03_2.wpd
CJ/gb

Attachments:

1. Summary of Existing Trailers at Williamsburg-James City Public Schools
2. Site Map for Jamestown High School
3. Site Map for Lafayette High School
4. Site Map for Clara Byrd Baker Elementary School
5. Site Map for Stonehouse Elementary School
6. Resolutions

WJCC PUBLIC SCHOOLS TRAILERS AS OF 2002-2003

LOCATION	DIMENSIONS	SQ FOOTAGE	NUMBER OF UNITS	CLASS ROOMS PER UNIT	TOTAL NUMBER OF CLASSROOMS	SPECIAL USE PERMIT NUMBER	EXPIRATION DATE
<i>Lafayette</i>	24 X 60	1440	2	2	4	SUP-14-00	July 1, 2004
<i>Lafayette</i>	24 X 60	1440	1	2	2	SUP-5-02	July 1, 2006
TOTAL			3		6		
<i>Jamestown</i>	24 X 60	1440	1	2	2	SUP-13-00	July 1, 2004
<i>Jamestown</i>	24 X 60	1440	1	2	2	SUP-6-02	July 1, 2006
TOTAL			2		4		
<i>Toano</i>	24 X 66	1584	3	2	6	SUP-12-00	July 1, 2004
TOTAL			3		6		
<i>Clara Byrd Baker</i>	24 X 40	960	1	1	1	SUP-11-00	July 1, 2004
TOTAL			1		1		
<i>DJ Montague</i>	24 X 60	1440	1	1	1	SUP-9-02	July 1, 2006
TOTAL			1		1		

RESOLUTION

CASE NO. SUP-5-03. JAMESTOWN HIGH SCHOOL

TEMPORARY CLASSROOM TRAILERS

WHEREAS, all conditions for the consideration of this special use permit application have been met;
and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow two temporary classroom trailers at Jamestown High School on property owned and developed by the applicant located at 3751 John Tyler Highway and further identified as Parcel No. (1-2D) on James City County Real Estate Tax Map No. (46-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of a special use permit for the placement of temporary classroom trailers as described above and on the attached site location map with the following condition:

This permit shall be valid until July 1, 2006.

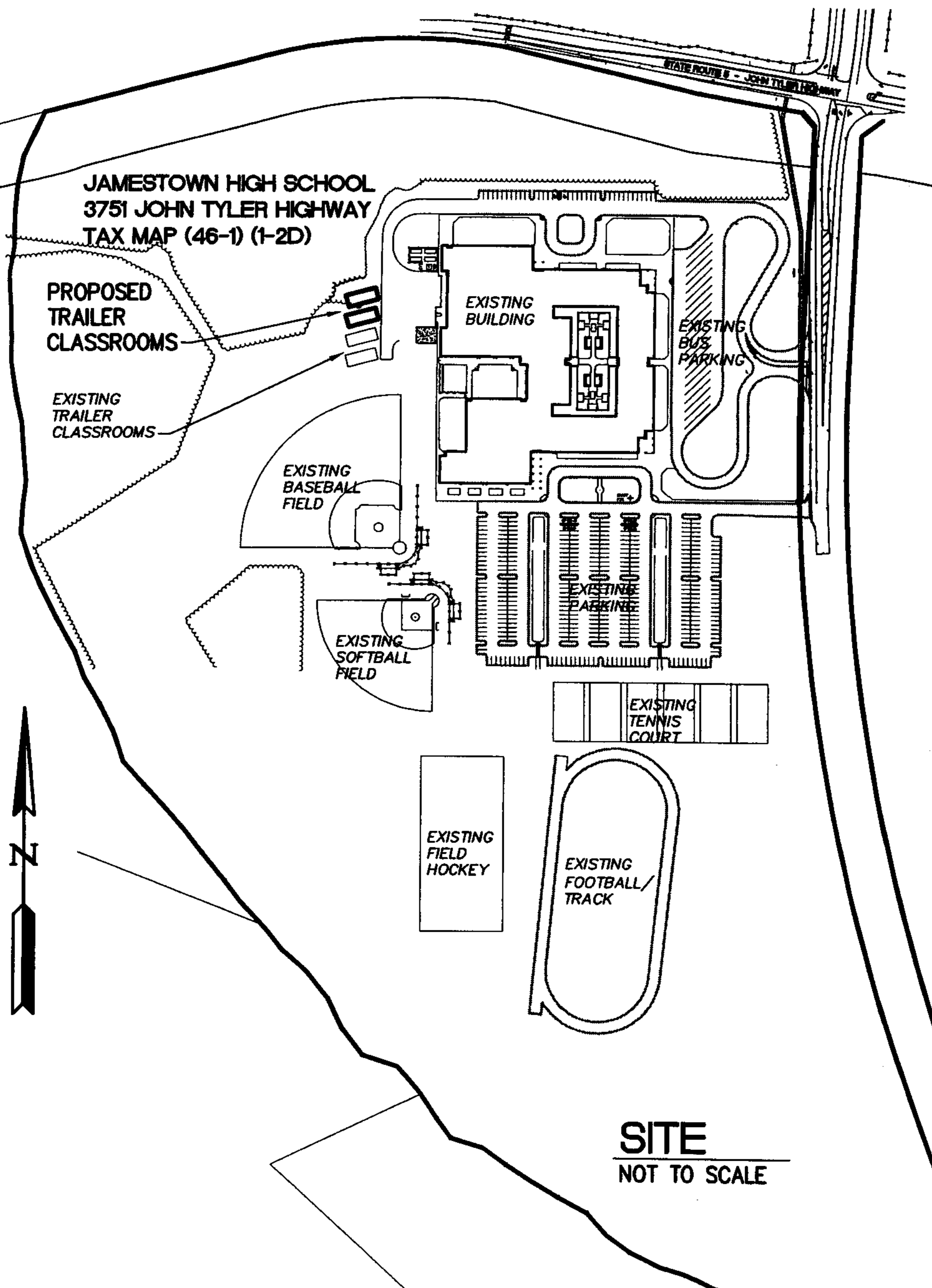
Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of
April, 2003.

sup-5-03.res



Consulting Engineers

Engineers, Surveyors, Planners

Williamsburg, Virginia

TRAILER CLASSROOM
JAMESTOWN HIGH SCHOOL
 WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS

RESOLUTION

CASE NO. SUP-6-03. LAFAYETTE HIGH SCHOOL

TEMPORARY CLASSROOM TRAILERS

WHEREAS, all conditions for the consideration of this special use permit application have been met;
and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow two temporary classroom trailers at Lafayette High School on property owned and developed by the applicant located at 4460 Longhill Road and further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (32-3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of a special use permit for the placement of temporary classroom trailers as described above and on the attached site location map with the following condition:

This permit shall be valid until July 1, 2006.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

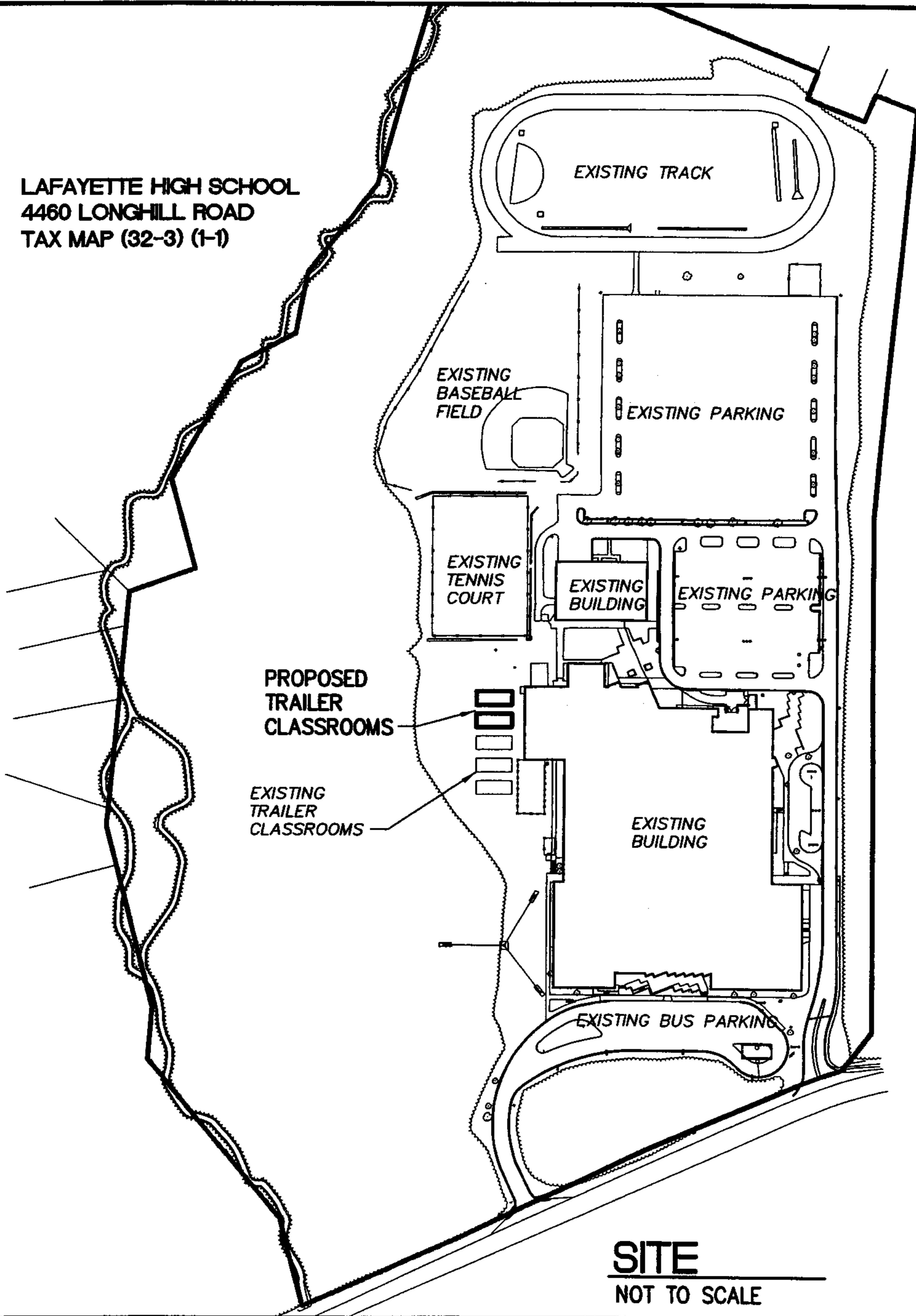
ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of
April, 2003.

sup-6-03.res

LAFAYETTE HIGH SCHOOL
4460 LONGHILL ROAD
TAX MAP (32-3) (1-1)



SITE
NOT TO SCALE

RESOLUTION

CASE NO. SUP-7-03. CLARA BYRD BAKER ELEMENTARY SCHOOL

TEMPORARY CLASSROOM TRAILER

WHEREAS, all conditions for the consideration of this special use permit application have been met;
and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow one temporary classroom trailer at Clara Byrd Baker Elementary School on property owned and developed by the applicant located at 3131 Ironbound Road and further identified as Parcel No. (1-58) on James City County Real Estate Tax Map No. (47-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of a special use permit for the placement of a temporary classroom trailer as described above and on the attached site location map with the following condition:

This permit shall be valid until July 1, 2006.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of
April, 2003.

sup-7-03.res

NEW 24'x 40'
TRAILER
CLASSROOM

EXISTING
BASKETBALL
COURT

EXISTING
TRAILER
CLASSROOM

EXISTING
TOP OF BANK

EXISTING
BUS
PARKING

EXISTING
SWING
AREA

EXISTING
BUILDING

EXISTING
PARKING



IRONBOUND RD.
RTE. 615 VARYING R/W

CLARA BYRD BAKER
ELEMENTARY SCHOOL
3131 IRONBOUND ROAD
TAX MAP (46-2)&(47-1)

SITE PLAN

NOT TO SCALE



Consulting Engineers

Engineers, Surveyors, Planners

Williamsburg, Virginia

TRAILER CLASSROOM
CLARA BYRD BAKER ELEMENTARY SCHOOL
WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS

RESOLUTION

CASE NO. SUP-8-03. STONEHOUSE ELEMENTARY SCHOOL

TEMPORARY CLASSROOM TRAILER

WHEREAS, all conditions for the consideration of this special use permit application have been met;
and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow one temporary classroom trailer at Stonehouse Elementary School on property owned and developed by the applicant located at 3651 Rochambeau Drive and further identified as Parcel No. (1-20) on James City County Real Estate Tax Map No. (13-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of a special use permits for the placement of a temporary classroom trailer as described above and on the attached site location map with the following condition:

This permit shall be valid until July 1, 2006.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

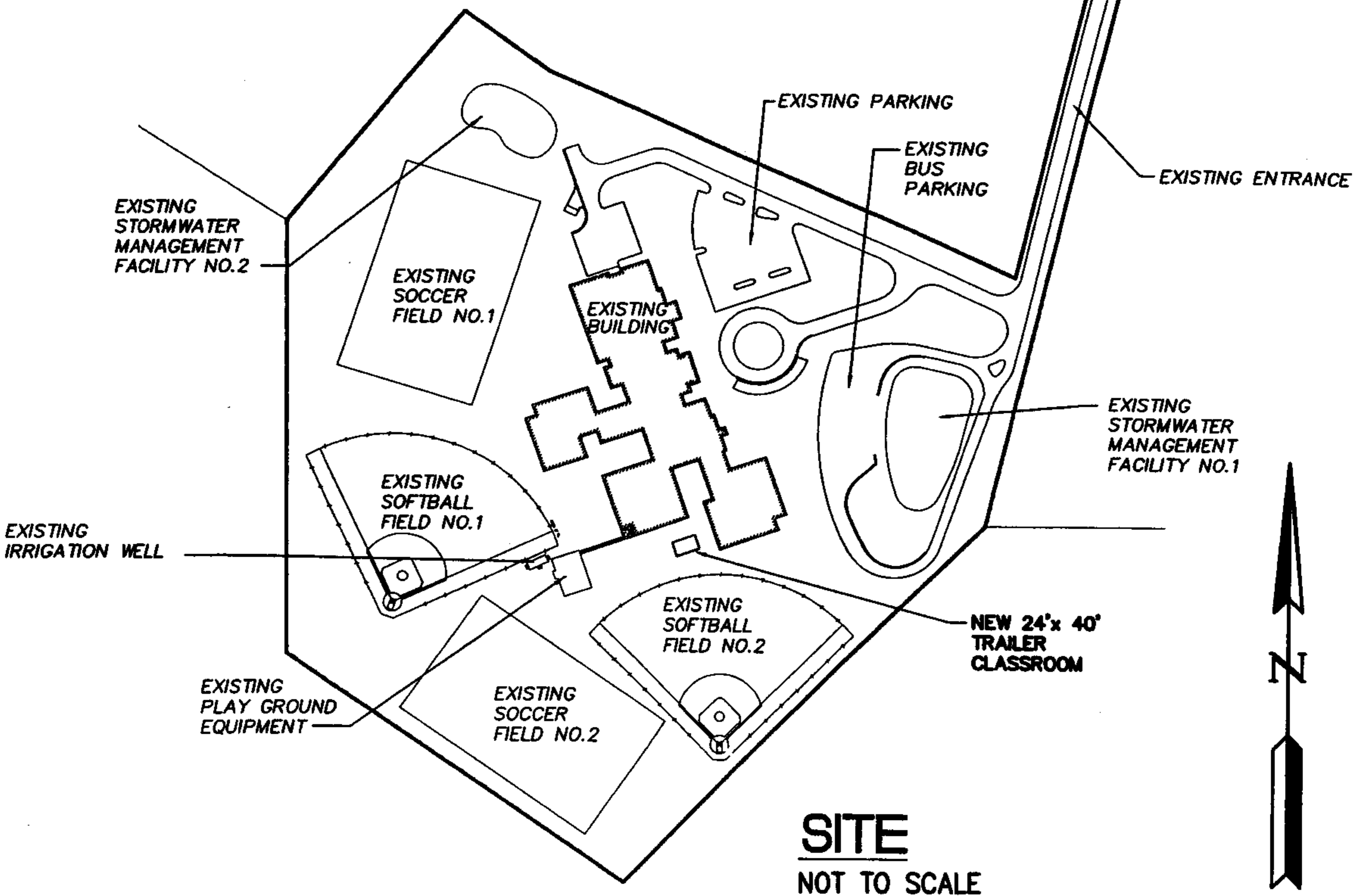
Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of
April, 2003.

sup-8-03.res

STATE ROUTE NO. 30
ROCHAMBEAU DRIVE
250' ROW
(STATE HIGHWAY PLAT BOOK 3, PAGE 39)

STATE ROUTE NO. 746
OLD STAGE ROAD

STONEHOUSE ELEMENTARY SCHOOL
3651 ROCHAMBEAU DRIVE
TAX MAP # (13-1)(1-20)



SITE
NOT TO SCALE



Consulting Engineers

Engineers, Surveyors, Planners

Williamsburg, Virginia

TRAILER CLASSROOM
STONEHOUSE ELEMENTARY SCHOOL
WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS

STONEHOUSE DISTRICT

JAMES CITY COUNTY VIRGINIA

MEMORANDUM

DATE: April 22, 2003
TO: The Board of Supervisors
FROM: Mathew D. Arcieri, Planner
SUBJECT: Case No. ZO-2-03/SO-1-03. Zoning and Subdivision Fee Changes

On March 11, 2003, the Board of Supervisors adopted an initiating resolution to consider making fee changes to the Zoning and Subdivision Ordinances.

Fees were last reviewed in 1998. At that time, a detailed study of actual costs was prepared. While most fees were increased, they still fell well short of recovering all actual costs. Since then there has been a steady increase in costs and staff time associated with review of all case types. In addition, fees have not kept pace with inflation, the cost of advertising public hearing cases through the newspapers, and direct mailings to affected adjacent property owners.

In preparing this proposal, staff surveyed eleven local governments: Albemarle, Chesterfield, Fauquier, Hampton, Hanover, Henrico, Newport News, Richmond, Stafford, Williamsburg, and York. Staff's recommended increases are based on a general comparison with these jurisdictions and will bring fees in line with some of the high-growth communities in the Commonwealth. Even with these proposed increases, the Division will still recoup less than 50 percent of the County's actual cost.

On April 7, 2003, the Planning Commission voted 7-0 to recommend approval of the fee increases. At the Board of Supervisors' April 8, 2003, meeting, this case was deferred until April 22, 2003, for further discussion during the Budget Work Sessions. The Ordinances reflect changes made at the last Budget Work Session leaving the fee for the Board of Zoning Appeals and the application for administrative variance at the current rate.

Staff recommends approval of the attached Ordinances.

Matthew D. Arcieri

CONCUR:

O. Marvin Sowers, Jr.

MDA/adw
zo203so103.mem

Attachment:

1. Revised Ordinances

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 24-7, ADMINISTRATIVE FEES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Section 24-7, Administrative fees.

Chapter 24. Zoning

Article I. In General

Sec. 24-7. Administrative fees.

Fees shall be charged at the time of application to offset the cost of making inspections, issuing permits, advertising notices and other expenses incident to the administration of this chapter or to the filing or processing of any appeal or amendment thereto. The following fees shall be charged and collected at the time of application:

<u>Procedure</u>	<u>Fee</u>
(1) Rezoningings	\$800.00 \$1,200.00 plus \$40.00 \$50.00 per acre, not to exceed \$15,000.00
(2) Applications for special use permits:	
a. Generally (General special use permits processed with a rezoning shall pay a rezoning fee only)	\$600.00 \$1,000.00 plus \$20.00 \$30.00 per acre, not to exceed \$5,000.00
b. Manufactured home on an individual lot.	100.00
c. Family subdivision under section 24-214.	100.00
d. Amendment to a special use permit	200.00 400.00
e. Wireless communications facilities under division 6	1,500.00

(3) Master plan review:

- a. Initial review of any Residential Cluster, Mixed Use or a PUD with less than 400 acres (PUD's with 400 acres or more shall pay a rezoning fee only) 200.00
- b. Revision of approved plan:
 - 1. Residential Cluster 75.00
 - 2. R-4, PUD, Mixed Use 150.00

(4) Site Plan Review:

a. Administrative review:

- 1. Residential structures or improvements, ~~\$300.00~~ *\$600.00*, plus \$60.00 per residential unit.
- 2. Nonresidential structures or improvements, ~~\$300.00~~ *\$600.00*, plus \$0.024 per sq. ft. of building area.
- 3. Mixed Use structures or improvements, ~~\$300.00~~ *\$600.00*, plus \$60.00 per residential unit plus \$0.024 per sq. ft. of nonresidential building area.

b. Planning commission review:

- 1. Residential structures or improvements, ~~\$900.00~~ *\$1,800.00*, plus \$60.00 per residential unit.
- 2. Nonresidential structures or improvements, ~~\$900.00~~ *\$1,800.00*, plus \$0.024 per sq. ft. of building area.
- 3. Mixed Use structures or improvements, ~~\$900.00~~ *\$1,800.00*, plus \$60.00 per residential unit plus \$0.024 per sq. ft. of nonresidential building area.

c. Amendment to an approved plan:

- 1. Residential structures or improvements, \$100.00, plus \$10.00 per residential unit.
- 2. Nonresidential structures or improvements, \$100.00, plus \$0.004 per sq. ft. of building area.
- 3. Mixed Use structures or improvements, \$100.00, plus \$10.00 per residential unit plus \$0.004 per sq. ft. of nonresidential building area.
- 4. Residential or nonresidential structures or improvements where the number of dwelling units or area of building area, pavement, or open space is not changed more than 15 percent, \$100.00.

d. Zoning administrator and fire department review only, \$20.00.

(5) Sign permits, ~~\$4.00~~ *\$5.00* per square foot of gross sign area.

(6) Appeals to the board of zoning appeals, \$250.00

(7) Application for a height limitation waiver to the board of supervisors, \$200.00

(8) Application for administrative variance, \$100.00

Ordinance to Amend and Reordain
Chapter 24. Zoning
Page 3

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

sect24admin.ord

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, GENERAL PROVISIONS, SECTION 19-15, FEES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Section 19-15, Fees.

Chapter 19. Subdivisions

Article I. General Provisions

Sec. 19-15. Fees.

Fees shall be charged to offset the cost of reviewing plats and plans, making inspections and other expenses incident to the administration of this chapter. The following fees shall be charged and collected as provided below:

- (1) *General plan review.* There shall be a fee for the examination of every plan reviewed by the agent or commission. For all subdivisions that do not require public improvements, the fee for a major or minor subdivision shall be ~~\$105.00~~*\$200.00* per plan plus ~~\$60.00~~*\$70.00* per lot for each lot over two lots in the subdivision plat. For all subdivisions that require public improvements, the fee for a major or minor subdivision shall be ~~\$135.00~~*\$250.00* per plan plus ~~\$60.00~~*\$70.00* per lot for each lot over two lots in the subdivision plat. The fee for townhouse or condominium subdivisions which have undergone site plan review shall be \$50.00. The fee shall be submitted to the agent at the time of filing the plat for review. Any check shall be payable to the James City County treasurer.

- (2) *Inspection fee for water and sewer lines.* There shall be a fee for the inspection by the service authority of public water and sewer system installations. Such fee shall be \$1.43 per foot for every foot of sewer main or water main constructed and shall be submitted at the time of filing an application for a land disturbance permit.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

19-15fees.ord

MEMORANDUM

DATE: April 22, 2003
TO: The Board of Supervisors
FROM: Douglas H. Murrow, Director of Code Compliance
SUBJECT: Ordinance Amendment - Chapter 4, Building Regulations, to Increase Certain Fees

Attached for consideration are changes to Section 4-8 of the James City County Code pertaining to Permit and Inspection Fees. The noted changes are due to increased costs in Code Compliance, the need for additional plan review resources, and to bring the County in-line with comparable jurisdictions. The Ordinance amendments are as follows:

- A. (1) a, e, g.; (2) a.; (3) a, c, d, e.; (4) a, b, c, g.; and (5) b. The minimum fees for all permitted work will be increased from \$25.00 to \$35.00.
- B. (2) Plumbing fixture installation, building drain/sewage disposal connection, and sewer/manhole/roof drain installation, the fee will be increased from \$4.00 to \$7.00. The installation of the water distribution system in each building will increase from \$4.00 to \$15.00.
- C. (3) b. Increases of \$5.00 to \$15.00 in the fee schedule for electrical service, based on the rated size of the service panels in amperes, for both single phase and three phase.
- D. (4) e, f. An increase in the fee schedule of \$10.00 for L.P.G. tanks/piping and \$5.00 for flammable liquid tanks/piping, based on the capacity in gallons.
- E. (7) Certificate of Occupancy inspection fees will increase from \$25.00 to \$35.00.
- F. (8) Fee for inspection of the installation of mobile homes will be increased from \$40.00 to \$50.00.
- G. (9) Reinspection fees will increase from \$25.00 to \$35.00.

Staff recommends adoption of the proposed Ordinance amendments.

Douglas H. Murrow

CONCUR:

John T. P. Horne

DHMJTPH/gs
sect4-8amend.mem

Attachment

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 4, BUILDING REGULATIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, VIRGINIA UNIFORM STATEWIDE BUILDING CODE; DIVISION 2, PERMIT AND INSPECTION FEES, SECTION 4-8, GENERALLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 4, Building Regulations, is hereby amended and reordained by amending Section 4-8, Generally.

Chapter 4. Building Regulations

Article I. Virginia Uniform Statewide Building Code

Division 2. Permit and inspection fees

Sec. 4-8. Generally.

Permit and inspection fees are hereby established in accordance with the provisions of the Virginia Uniform Statewide Building Code, as follows:

(1) Building Permits:

- a. The minimum fee for any building permit shall be ~~\$25.00~~ **\$35.00**.
- b. For the construction of any building or addition thereto where the floor area is increased, and for the installation or erection of any industrialized building unit, the fee shall be based on the floor area to be constructed as computed from exterior building dimensions at each floor. Any residential building, any unenclosed carport, porch or stoop, when built in conjunction with and at the same time as the dwelling, shall be excluded from the square footage computation. The fee shall be \$0.11 per square foot.

- c. For the construction of a garage, barn, pole shed or similar structure, when not constructed at the time of and under the permit of the main dwelling, the fee shall be \$0.10 per square foot of the exterior dimensions of the building.
- d. For the alteration or repair of any building or structure, or for the construction or erection of piers, bulkheads, exterior walls or fences, towers, swimming pools or other structures or things, the fee shall be at the rate of one percent of the current value of all service, labor and materials.
- e. For the demolition or razing of any building or structure having a floor area greater than 200 square feet the fee shall be ~~\$25.00~~ **\$35.00**.

No fee shall be charged for a permit to raze a building with a floor area of 200 square feet or less.

- f. For the erection, placement or removal of a building or structure, in part or in whole from one location to another, or into or out of the county or to a new location within the same lot or parcel of land, the fee shall be at the rate of \$0.08 per square foot of the gross floor area.
- g. For construction not covered by any of the above, the permit fee shall be assessed and collected at the rate of one percent of the retail value or current market value of the work being done; provided, that the minimum permit fee shall be ~~\$25.00~~ **\$35.00**.

A BUILDING PERMIT FEE SHALL BE DOUBLE FOR ANY CONSTRUCTION THAT HAS COMMENCED BEFORE A PERMIT IS OBTAINED

(2) *Plumbing Permits:*

- a. The minimum fee for any plumbing permit shall be ~~\$25.00~~ *\$35.00*.
- b. For the installation of each plumbing fixture or appliance, the fee shall be ~~\$4.00~~ *\$7.00*.
- c. For the installation of the water distribution system in each building, the fee shall be ~~\$4.00~~ *\$15.00*.
- d. For the connection of any building drain to a public or private sanitary sewage disposal system, the fee shall be ~~\$4.00~~ *\$7.00*.
- e. For each sewer (sanitary or storm), manhole (sanitary or storm), roof drain or other similar device, the fee shall be ~~\$4.00~~ *\$7.00*.

(3) *Electrical Permits:*

- a. The minimum fee for any electrical permit shall be ~~\$25.00~~ *\$35.00*.
- b. For the installation of each electrical service system in new construction, the fee shall be determined from the rated size of the service panels in amperes as follows:

	<u>Single Phase</u>	<u>Three Phase</u>
0-60 amps	\$25.00 <i>\$35.00</i>	\$25.00 <i>\$35.00</i>
61-100 amps	25.00 <i>35.00</i>	30.00 <i>40.00</i>
101-150 amps	30.00 <i>45.00</i>	35.00 <i>50.00</i>
151-200 amps	35.00 <i>50.00</i>	40.00 <i>55.00</i>

Over 200 amps, plus
~~\$10.00~~ *\$15.00* for each additional
 50 amps or fraction thereof
 over 200 amps ~~35.00~~*50.00* ~~40.00~~*55.00*

- c. For the installation of a temporary service, or the reconnection of a mobile home, the fee shall be ~~\$25.00~~*\$35.00*.
- d. For increasing the size of the electrical service to any building structure, or mobile home, the fee shall be ~~\$25.00~~*\$35.00* for service up to and including 200 amperes; or ~~\$25.00~~*\$35.00* plus ~~\$10.00~~ *\$15.00* for each 50 amperes or fraction thereof over 200 amperes. For relocation of any existing service for which the size is not increased, the fee shall be ~~\$25.00~~*\$35.00*. No additional fee shall be charged for outlets when the size of the service is increased.
- e. For the addition to any existing electrical installation, the fee shall be based on the number of outlets to be installed at the following rates:

1-100 outlets ~~\$25.00~~*\$35.00*
 Over 100 outlets, plus ~~\$0.10~~*.20* for each outlet over 100 ~~25.00~~*35.00*

(4) *Mechanical and Gas Permits:*

- a. The minimum fee for any mechanical or gas permit shall be ~~\$25.00~~*\$35.00*.
- b. Basic permit fee:
 - 1. First \$1,000.00 value ~~25.00~~*\$35.00*
 - 2. Over \$1,000.00 value, plus \$5.00 per \$1,000.00 or fraction thereof ~~25.00~~*\$35.00*

- c. For the replacement, repair or alteration of mechanical systems or equipment in existing buildings, structures or additions thereto:

- 1. First \$1,000.00 value ~~25.00~~**\$35.00**
- 2. Over \$1,000.00 value, plus \$5.00 per \$1,000.00 or fraction thereof ~~25.00~~**\$35.00**

EXCEPTIONS: Domestic cooking equipment and space heaters in dwelling units are exempt from mechanical permit fees. Inspections of this equipment are required.

- d. Fuel piping permit fee: 0.005 x \$1,000.00 of valuation or fraction thereof. Note: Fee applies when permit is issued for fuel piping work only.

- e. L.P.G. (i.e. butane, propane, etc.) tanks and associated piping permit fee (total water capacity in gallons):

- 0-500 ~~25.00~~**\$35.00**
- 501-2,000 ~~30.00~~**40.00**
- Over 2,000, plus \$1.00 per 10,000 gallons ~~30.00~~**40.00**

- f. Tanks and associated piping for flammable liquids permit fee (capacity in gallons):

- 0-10,000 ~~15.00~~**\$20.00**
- 10,001-20,000 ~~20.00~~**25.00**
- 20,001-50,000 ~~25.00~~**30.00**
- Over 50,000, plus \$5.00 per 25,000 gallons or fraction thereof ~~25.00~~**30.00**

- g. For the removal of storage tanks, the minimum fee shall be ~~\$25.00~~**\$35.00**.

- h. For fire suppression systems, the permit fee shall be (includes standpipes):

- 1. New construction: Same as basic fee in subsection ((b)(1)) above.

2. All others: Same as basic fee in subsection ((b)(1)) above.
 - i. Elevators, dumbwaiters, moving stairways, moving walks, manlifts or special hoisting and conveying equipment permit fee:
 1. New construction: Same as basic fee in subsection (b)(1) above.
 2. All others: Same as basic fee in subsection (b)(1) above.
 - j. Permit reissuance fee: Permits becoming invalid, as specified by the Code, may be reissued up to a period of five years and charged a fee of ~~\$10.00~~ *15.00* for each six-month period.
- (5) *Elevator Inspections:*
- a. The fee for a semiannual elevator inspection shall be \$35.00.
 - b. Reinspection: When an inspector is required to make a reinspection of an elevator for the convenience of the owner of the elevator or because the elevator fails to pass the inspection, there shall be a ~~\$25.00~~ *35.00* reinspection fee. Such reinspection fee shall be paid at the office of building inspections prior to the reinspection.
- (6) *Plan Review Fee:*
- a. The fee for the review of building plans shall be \$10.00 for each 1,000 square feet of floor space, or part thereof, reviewed. Such review fee shall be paid at the office of building inspections prior to the plan review or at the discretion of the building official, at the time of permit issuance.
 - b. Revised plans: There shall be no fee for the review of revised building plans unless such plans are substantially different than the original plans and necessitate the issuance of additional review comments. Such revised plans shall be subject to an additional fee equal to the fee provided for in subsection (a) above.

(7) *Certificate of Occupancy Inspection:*

- a. The fee for an inspection for a certificate of occupancy shall be ~~\$25.00~~ **35.00**.
- b. No certificate of occupancy shall be issued until all inspection fees have been paid.

(8) *Mobile Home Installation Fee:*

- a. The fee for the inspection of the installation of a mobile home shall be ~~\$40.00~~ **50.00**.
- b. The fee for the inspection of the mobile home installation shall supersede any fee otherwise required for the inspection for an electrical or plumbing permit for that mobile home.

(9) *Reinspection:* When any building, electrical, mechanical or plumbing inspector is required to make a reinspection of work or a mobile home for the convenience of the contractor, subcontractor or mobile home owner because of incomplete, inadequate or improper work or installation, or because the inspector could not obtain reasonable access to the work or mobile home to be inspected, there shall be a ~~\$25.00~~ **35.00** reinspection fee for each reinspection, except as otherwise provided herein. Such reinspection fee shall be paid at the office of building inspections prior to the reinspection.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

sec4-8_2.ord

MEMORANDUM

DATE: April 22, 2003
TO: The Board of Supervisors
FROM: Darryl E. Cook, Environmental Director
SUBJECT: Erosion and Sediment Control Ordinance Amendment

The James City County Erosion and Sediment Control Ordinance is proposed for amendment in Section 8-5, Permits, fees, bonding, etc. The amendment proposes increasing the fee schedule for residential subdivision projects from \$25 per lot to \$50 per lot. Fees for other land-disturbing activities, including site plans, would increase from the current level of \$300 per acre for the first 15 acres plus \$200 per acre for each additional acre over 15 to \$600 per acre for the first 15 acres and \$400 per acre for each additional acre over 15. It is also proposed to charge a new fee of \$25 per application for single-family building permits.

The increase in fees will make the County more consistent with other jurisdictions and also more fully recover administrative costs associated with the program. The revenue can also partially fund additional staff costs.

Staff recommends adoption of the attached ordinance.

Darryl E. Cook

CONCUR:

John T. P. Horne

DEC/gb
erosionamend_2.mem

Attachment

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, EROSION AND SEDIMENT CONTROL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 8-5, PERMITS, FEES, BONDING, ETC.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 8, Erosion and Sediment Control, is hereby amended and reordained by amending Section 8-5, Permits, fees, bonding, etc.

Chapter 8. Erosion and Sediment Control

Sec. 8-5. Permits, fees, bonding, etc.

(a) Agencies authorized under any other law to issue grading, building, or other permits for activities involving land-disturbing activities may not issue any such permit unless the applicant submits with his application an approved erosion and sediment control plan and certification that the plan will be followed.

(b) No person may engage in any land-disturbing activity until he has acquired a land-disturbing permit, unless the proposed land-disturbing activity is specifically exempt from the provisions of this chapter, and has paid the fees and posted the required bond.

(c) Fees. The following administrative fee shall be paid to the county ~~at the time of submission of the erosion and sediment control plan:~~

(1) Residential subdivisions shall pay ~~\$25.00~~*50.00* per lot *at the time of submission of the erosion and sediment control plan;*

(2) ~~All~~ *Site plans and* other land-disturbing activities shall pay ~~\$300.00~~*600.00* per acre of disturbance for the first 15 acres plus ~~\$200.00~~*400.00* per acre for each additional acre over 15 *at the time of submission of the erosion and sediment control plan; and*

(3) A \$25.00 fee shall be required for each single-family residential structure at the time of submission of the building permit application.

(d) No land-disturbing permit shall be issued until the applicant submits with his application an approved erosion and sediment control plan and certification that the plan will be followed.

(e) Performance surety. All applicants for permits shall provide to the county a performance bond, cash escrow, or an irrevocable letter of credit, any combination thereof, or other legal arrangements as is acceptable to the county attorney, to ensure that measures could be taken by the county at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of him as a result of his land-disturbing activity.

The amount of the performance surety shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs and inflation which shall not exceed twenty-five percent of the cost of the conservation action. Should it be necessary for the county to take such conservation action, the county may collect from the applicant any costs in excess of the amount of the surety held.

Within 60 days of adequate stabilization, as determined by the environmental division, in any project or section of a project, such performance surety, or the unexpended or unobligated portion thereof shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section.

(f) Any land-disturbing permit shall contain a right of entry to allow the manager or his designees access to the property until a final inspection determines that the land is adequately stabilized.

(g) These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

(h) Any approved erosion and sediment control plan shall become null and void one year after the date of issuance of the land-disturbing permit, and no further work subject to this chapter shall be allowed unless and until an additional or updated erosion and sediment control plan has been submitted and approved in accordance with the provisions of this chapter or unless all requirements of the approved control plan have been completed in less than one year in accord with such plan and verified by the on-site inspection by the manager.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

MEMORANDUM

DATE: April 22, 2003
TO: The Board of Supervisors
FROM: Suzanne R. Mellen, Director of Budget and Accounting
SUBJECT: Appropriation Resolution - FY 2004 Budget

Presented for your consideration is the Appropriation Resolution for the FY 2004 Budget. The resolution reflects the County Administrator's Proposed Budget and the changes made by the Board at its last budget work session. A reconciliation from the County Administrator's Proposed budget to the Appropriation Resolution for FY 2004 is attached.

Staff recommends approval of the attached resolution.

Suzanne R. Mellen

SRM/tlc
bdgtapp03.mem

Attachments

RESOLUTION

RESOLUTION OF APPROPRIATION

WHEREAS, the County Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 2003, and ending June 30, 2004, and a five-year Capital Improvements Program; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein for the fiscal year beginning July 1, 2003, and ending June 30, 2004, and to set tax rates on real estate, tangible personal property, and machinery and tools, to provide certain revenue in support of those appropriations.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that:

1. The following amounts are hereby appropriated in the FY 2003-2004 General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND REVENUES

	<u>FY 2004</u>
General Property Taxes	\$ 68,751,836
Other Local Taxes	15,077,500
Licenses, Permits and Fees	6,736,750
Fines and Forfeitures	220,000
Revenue from Use of Money and Property	535,000
Revenue from the Commonwealth	18,990,236
Revenue from the Federal Government	14,000
Charges for Current Services	3,115,343
Miscellaneous Revenues	<u>69,820</u>
TOTAL REVENUES	<u>\$113,510,485</u>

GENERAL FUND EXPENDITURES

	<u>FY 2004</u>
Administrative	\$ 1,155,711
Elections	260,387
Human Resource	1,274,722
Financial Administration	3,214,440
Public Works	3,812,543
Information Resource Management	1,717,336
Development Management	3,619,326
Judicial	2,391,453
Public Safety	14,014,983

Community Services	5,165,919
Contributions - Other	1,929,039
Library and Arts Center	3,637,976
Health Services	1,106,907
Regional Jail	1,266,373
Nondepartmental	3,571,802
WJCC Schools	52,558,723
Contribution - School Debt Service	9,765,500
Contribution - Capital Projects Fund	1,190,000
Contributions - Other Funds	<u>1,857,345</u>
TOTAL EXPENDITURES	<u>\$113,510,485</u>

The appropriation for education includes \$52,540,273 as a local contribution to the Williamsburg-James City County Schools operations.

2. That the tax rates be set for the amounts shown below and revenues appropriated in the following classifications:

TAX RATES

Real Estate on each \$100 assessed value	\$0.87
Tangible Personal Property on each \$100 assessed value	\$4.00
Machinery and tools on each \$100 assessed value	\$4.00
Transportation Improvement District Real Estate on each \$100 assessed value Budget	\$0.00

CAPITAL PROJECTS BUDGET

General Fund

Fund Balance	\$1,178,076
Contribution to Capital Projects Budget	\$1,178,076

Capital Projects Fund

Revenues and Other Fund Sources:

Estimated Prior Year General Fund Balance	\$1,178,076
Contribution - General Fund	1,190,000
Proffers	100,000
Grants:	
VA Recreation Trails Fund	150,000
Land/Water Conservation	125,000
State Ambulance Grants	<u>60,000</u>
	<u>\$2,803,076</u>

Expenditures:

Community Development	\$1,035,000
Parks and Recreation	740,000
Community Services	849,076
Public Safety	<u>179,000</u>
	<u>\$2,803,076</u>

DEBT SERVICE BUDGET

From General Fund - Schools	\$ 8,605,000
From General Fund - Other	1,753,000
State School Literary Fund	162,000
2-Cent Real Estate Tax Investment	<u>1,160,000</u>
Total Debt Service Fund Revenues	<u>\$11,680,000</u>
Current Year Expenditures	\$10,654,851
To Fund Balance - Capital Reserve	<u>1,025,149</u>
Debt Service Fund Disbursements	<u>\$11,680,000</u>

VIRGINIA PUBLIC ASSISTANCE FUND

Revenues:

From the Federal Government/Commonwealth	\$ 3,450,297
From the General Fund	1,257,441
Comprehensive Services Act	174,050
Revenue Maximization	256,170
Other	<u>325,652</u>
Total Virginia Public Assistance Fund Revenues	<u>\$ 5,463,610</u>

Expenditures:

Administration and Assistance	\$ 5,267,246
Revenue Maximization	<u>196,364</u>
Total Virginia Public Assistance Fund Expenditures	<u>\$ 5,463,610</u>

COMMUNITY DEVELOPMENT FUND

Revenues:

General Fund	\$ 433,741
Grants	1,491,584
Generated Program Income	75,000
Fund Balance	<u>310,000</u>

Total Community Development Fund Revenues & Fund Balance	<u>\$ 2,310,325</u>
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Expenditures:

Administration and Programs	<u>\$ 2,310,325</u>
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Total Community Development Fund Expenditures	<u>\$ 2,310,325</u>
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SPECIAL PROJECTS/GRANTS FUND

Revenues:

Colonial Drug Task Force	\$ 27,000
Transfer from CIP Road Access	114,650
Transfer from General Fund	8,934
Revenues from the Commonwealth	<u>388,350</u>

\$ 538,934

Expenditures:

Colonial Drug Task Force	\$ 27,000
Litter Control Grant	8,700
Records Processing Grant	13,000
James River Industrial Road Access Grant	454,500
Victim of Crimes Grant	<u>35,734</u>

\$ 538,934

3. The County Administrator be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in this Resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
4. The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors. There will be a salary increase based on either the employee's salary or the midpoint of the pay range

with variable increases based on performance and funded at an average of 3.5 percent, granted to employees in FY 2004.

5. The County Administrator be authorized to transfer funds to and from the Personnel Contingency account and divisional personnel line items in order to capture turnover savings at a divisional level.
6. All outstanding encumbrances in all County funds at June 30, 2003, shall be an amendment to the FY 2004 budget, and appropriated to the FY 2004 budget to the same department and account for which they were encumbered in the previous year.
7. The County Administrator be authorized to make expenditures from the Donation Trust Fund for the specified reasons for which the fund was established. In no case shall the expenditure exceed the available balance in the fund as verified by the Treasurer.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

bdgtapp04.res

CHANGES FROM RECOMMENDED TO ADOPTED FY 2004 BUDGET

FY 2004

GENERAL FUND

Revenues:

General Fund Revenue as Proposed:	\$113,498,385
Rolling Stock Tax	15,000
Planning and Zoning Fees	<u>(2,900)</u>
	<u>\$113,510,485</u>

Expenditures:

General Fund Expenditures Proposed:	\$113,498,385
Outside Agency Contributions - HRPDC	(8,037)
Emergency Communications	(23,650)
Sheriff	1,965
Cooperative Extension	15,400
Nondepartmental	<u>26,422</u>
	<u>\$113,510,485</u>

MEMORANDUM

DATE: April 22, 2003

TO: The Board of Supervisors

FROM: Larry M. Foster, General Manager, James City Service Authority

SUBJECT: To Authorize the Acquisition, by Voluntary Conveyance or Condemnation, of a Certain Easements Across 1321 Jamestown Road, James City County, Virginia, Owned by Sarah H. Armistead, Trustee, and Letitia Hanson, for Public Purposes, To Wit: Easements Related to a Public Water Supply System

As the Board is aware, staff has been in discussions with the owners of the property and their agent for an extended period of time. With the removal of the trail, we are still cautiously optimistic that the matter might be resolved without the necessity of condemnation. However, the time line for the acquisition of the easement is critical, and in order to assure that the discharge line will be in place in order to dispose of the by-product of the Groundwater Treatment Facility the easement must be acquired in the very near future.

The waterline begins at the treatment facility, crosses this property, and travels to Jamestown Road just east of the Jamestown 1607 neighborhood. It then follows Jamestown Road to the James River adjacent to the Jamestown/Surry Ferry.

Staff recommends approval of the attached resolution authorizing the County to pursue the easement's acquisition of the property through its right of condemnation.

Larry M. Foster

CONCUR:

Frank M. Morton, III

LMF/FMM/gs
jmstwnrdease.mem

Attachments

A RESOLUTION TO AUTHORIZE THE ACQUISITION, BY
VOLUNTARY CONVEYANCE OR CONDEMNATION, OF CERTAIN
EASEMENTS ACROSS PROPERTY AT 1321 JAMESTOWN ROAD,
JAMES CITY COUNTY, VIRGINIA, OWNED BY SARAH H. ARMISTEAD,
TRUSTEE, AND LETITIA HANSON, FOR PUBLIC PURPOSES,
TO WIT: EASEMENTS RELATED TO A PUBLIC WATER SUPPLY SYSTEM

WHEREAS, the James City Service Authority is constructing a desalinization plant which will require a concentrate discharge line; and

WHEREAS, the concentrate discharge line needs to cross certain real property commonly known as 1321 Jamestown Road and designated as Parcel No. (1-24) on James City County Real Estate Tax Map No. (46-2) (the "Property"); and

WHEREAS, in the opinion of the Board of Supervisors of James City County, Virginia, a public necessity exists for the acquisition of easements across the Property for the installation, operation, maintenance and/or removal of an underground liquid transmission pipeline and utility services related to a public water supply system, for public purposes and for the preservation of the health, safety, peace, good order, comfort, convenience, morals, and welfare of James City County, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The acquisition of the hereinafter described property for water supply system purposes is declared to be a public necessity and to constitute an authorized public undertaking pursuant to §25-232.01, Code of Virginia (1950), as amended and it is further declared that the acquisition and use of such property by the County will constitute a public use as defined by § 15.2-1900, Code of Virginia (1950), as amended.
2. The County elects to use the procedures set forth in §§ 33.1-119 through 33.1-132, as authorized by §15.2-1904A, Code of Virginia (1950), as amended.
3. A public necessity exists that the County enter upon and take the hereinafter described property for the purposes described herein above prior to or during the condemnation proceedings and the County declares its intent to so enter and take the property under those powers granted the Commonwealth Transportation

Commissioner pursuant to §§ 33.1-119 through 33.1-132, Code of Virginia (1950), as amended.

4. The County Attorney and/or the law firm of Randolph, Boyd, Cherry and Vaughan be and they are hereby authorized and directed to acquire by voluntary acquisition or, if necessary, by condemnation in the manner provided by Title 25, Code of Virginia (1950), as amended, and by Article 7 (§ 33.1-89 *et seq.*), Code of Virginia (1950), as amended, the hereinafter described property.

5. The names of the present owners of the property to be acquired are:

Sarah H. Armistead, Trustee with the Power of Sale Under the Will of Robert T. Armistead and Letitia Hanson.

6. A substantial description of the property is:

(1) a 20'-wide easement in perpetuity for the installation, operation, maintenance and/or removal of an underground liquid transmission pipeline and related utility services, and (2) two adjacent 10'-wide temporary construction easements to provide access to the permanent easement area during construction that will expire upon completion of construction, (3) two adjacent 40'-wide temporary construction easements to provide construction staging of equipment during construction that will expire upon completion of construction over, upon, across, and under the following described property, to-wit:

All those certain pieces or portions of land lying and situate in Berkeley Magisterial District, James City County, Virginia, shown and designated as "20' PERMANENT UTILITY EASEMENT FOR THE EXCLUSIVE USE OF J.C.S.A." and "10' TEMP. CONSTRUCTION EASEMENTS" and "40' TEMP. CONST. ESMTS." on that certain plat entitled "PLAT OF EASEMENT FOR CONVEYANCE TO JAMES CITY SERVICE AUTHORITY FROM THE ROSA ARMISTEAD ESTATE" dated January 9, 2003 and revised April 16, 2003, prepared by AES Consulting Engineers, of Williamsburg, Virginia; said plat being attached hereto, to be recorded simultaneously herewith for a more complete description of the easements herein conveyed.

The Grantors shall retain the right to place one or more roads, constructed to meet or exceed applicable Virginia Department of Transportation standards, across the easements granted herein, provided that the top of any pipeline placed by the Grantee therein remains at least 36 inches below the surface of any such road and further provided that any such road shall cross the easement at an approximate right angle (90°).

7. Just compensation is estimated to be \$6,700.00 based upon an appraisal.
8. No condemnation proceedings shall be commenced until the preconditions of § 15.2-1903(A), Code of Virginia (1950), as amended, have been met.
9. In the event any of the property described in Paragraph 6 of this resolution has been conveyed, the County Attorney and/or the law firm of Randolph, Boyd, Cherry and Vaughan are authorized and directed to institute proceedings against the successors in title.
10. That an emergency is declared to exist and this resolution shall be effect from the date of its passage.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2003.

jmstwnrdease.res

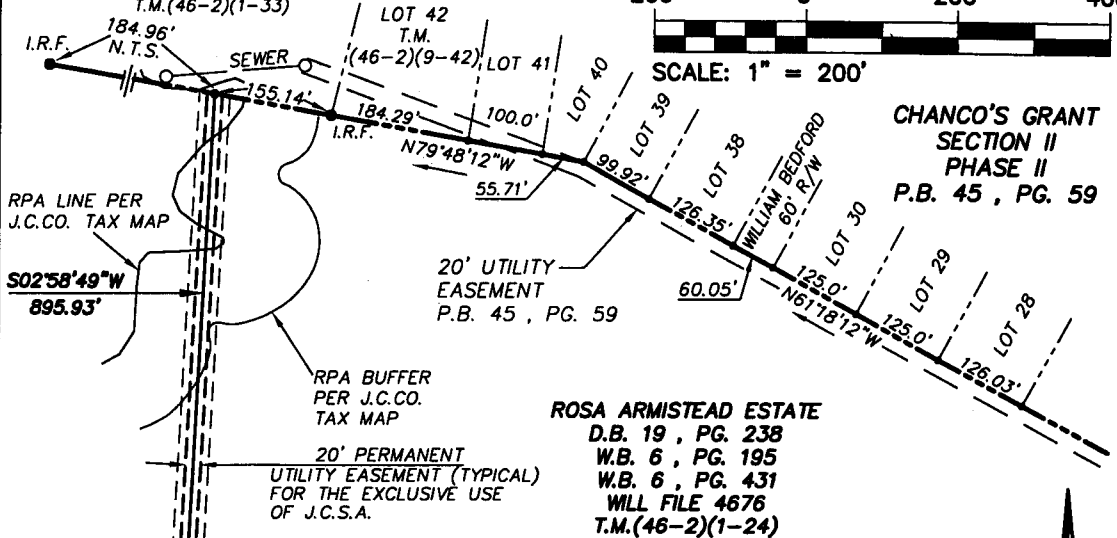
COUNTY OF JAMES CITY
 INSTR. #010007170
 P.B. 44, PG. 41
 T.M.(46-2)(1-33)

GRAPHIC SCALE



SCALE: 1" = 200'

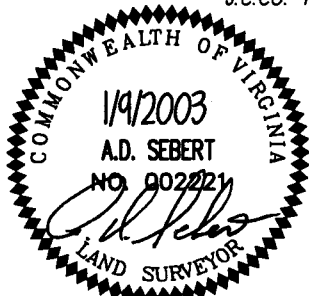
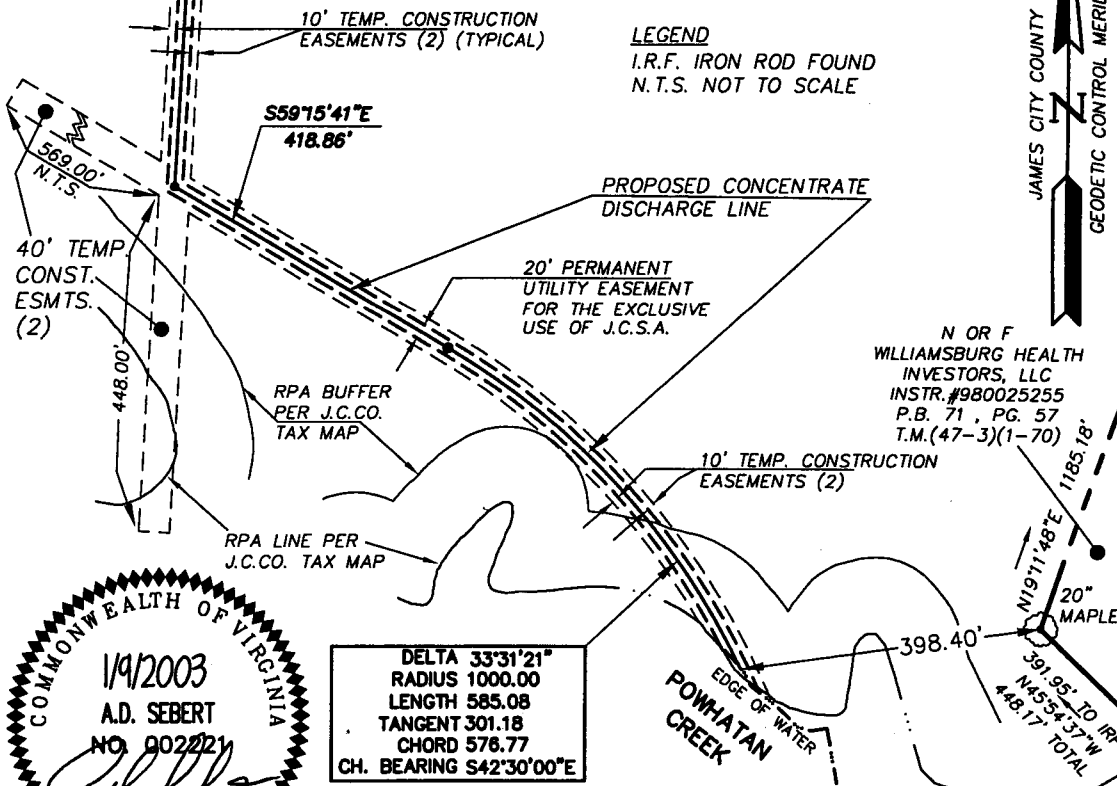
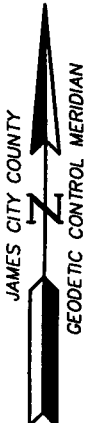
CHANCO'S GRANT
 SECTION II
 PHASE II
 P.B. 45, PG. 59



ROSA ARMISTEAD ESTATE
 D.B. 19, PG. 238
 W.B. 6, PG. 195
 W.B. 6, PG. 431
 WILL FILE 4676
 T.M.(46-2)(1-24)

LEGEND

I.R.F. IRON ROD FOUND
 N.T.S. NOT TO SCALE



DELTA 33°31'21"
 RADIUS 1000.00
 LENGTH 585.08
 TANGENT 301.18
 CHORD 576.77
 CH. BEARING S42°30'00"E

NOTE:
 MEAN LOW WATER OF
 POWHATAN CREEK IS
 PROPERTY LINE.

AREAS:
 PERMANENT UTILITY ESMT.=37,971 S.F.(0.872 AC.)
 WESTERLY CONST. ESMT.=58,389 S.F.(1.340 AC)
 EASTERLY CONST. ESMT.=19,346 S.F.(0.444 AC)

N OR F
 JAMES CITY CO.
 D.B. 671, P. 71
 T.M.(47-3)(1-1)

04.16.03-07:11 9166 ARMISTEAD3.DWG

ES Consulting Engineers
 Engineers, Surveyors, Planners

5248 Olde Towne Road, Suite 1
 Williamsburg, Virginia 23188
 Ph. (757)-253-0040, Fax (757)-220-8994

PLAT OF EASEMENT
 FOR CONVEYANCE TO JAMES CITY COUNTY
 FROM THE ROSA ARMISTEAD ESTATE
 JAMES CITY COUNTY

BERKELEY DISTRICT

VIRGINIA

Scale: 1"=200'

Ref: NOTED

82

Date: 1/09/2003

Job No: 9166

REVISED 1/22/2003 REVISED 3/20/2003 REVISED 4/16/2003

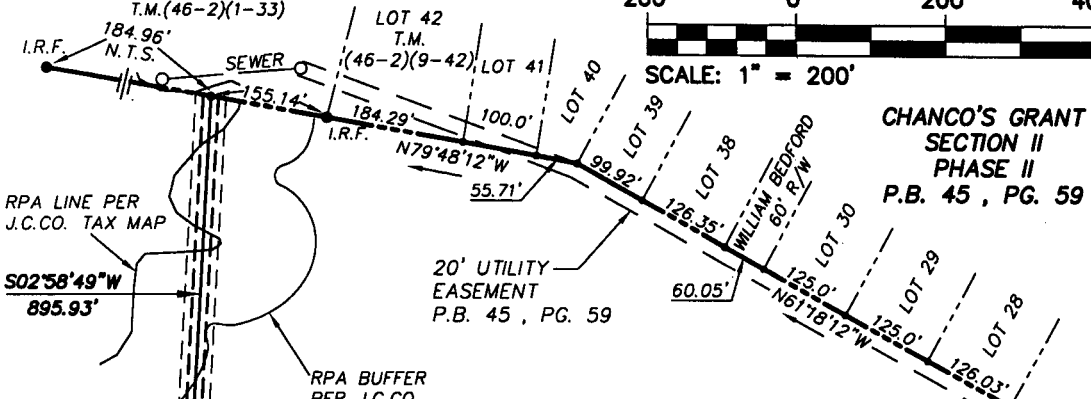
COUNTY OF JAMES CITY
 INSTR. #010007170
 P.B. 44 , PG. 41
 T.M.(46-2)(1-33)

GRAPHIC SCALE



SCALE: 1" = 200'

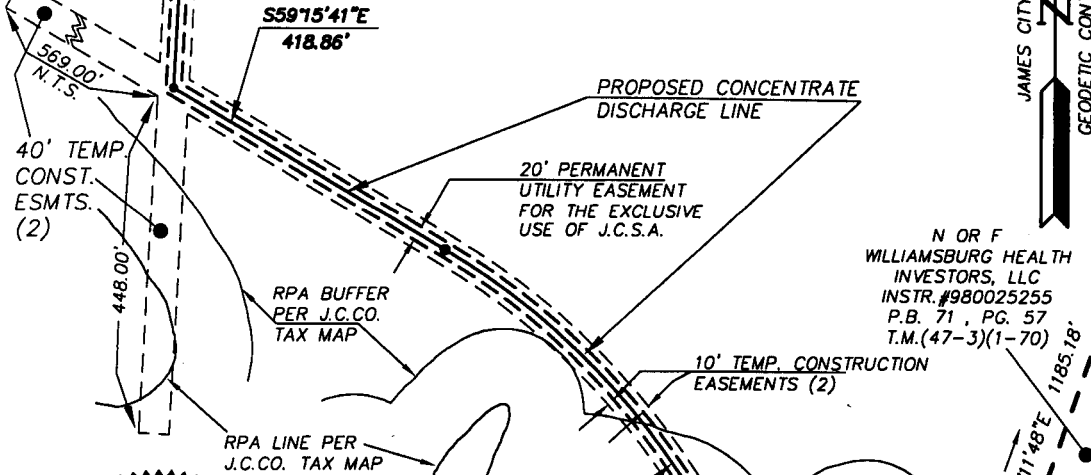
CHANCO'S GRANT
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 P.B. 45 , PG. 59



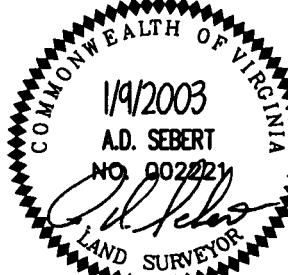
ROSA ARMISTEAD ESTATE
 D.B. 19 , PG. 238
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 W.B. 6 , PG. 431
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 T.M.(46-2)(1-24)

LEGEND

I.R.F. IRON ROD FOUND
 N.T.S. NOT TO SCALE



N OR F
 WILLIAMSBURG HEALTH
 INVESTORS, LLC
 INSTR. #980025255
 P.B. 71 , PG. 57
 T.M.(47-3)(1-70)



DELTA 33°31'21"
 RADIUS 1000.00
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 JAMES CITY CO.
 D.B. 671 , P. 71
 T.M.(47-3)(1-1)

JAMESTOWN RD.
 ROUTE #31

04.16.03-07:11 9166 ARMISTEAD3.DWG

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 Engineers, Surveyors, Planners

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REVISED 1/22/2003 REVISED 3/20/2003 REVISED 4/16/2003