

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

September 27, 2005

7:00 P.M.

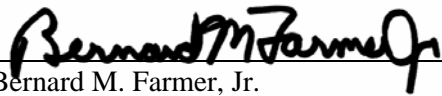
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MEMORANDUM

DATE: September 27, 2005
TO: The Board of Supervisors
FROM: Bernard M. Farmer, Jr., Capital Projects Administrator
SUBJECT: Easement, Dominion Virginia Power - Little Creek Park

In order to install the underground electrical service for the new rest room building under construction at the Little Creek Reservoir Park, Dominion Virginia Power has requested a 15-foot underground utility easement from the County. Attached is a sketch showing the location of the easement and the proposed easement document. Staff has reviewed the proposed easement and agrees with its location as indicated on the attached sketch. The majority of the route will be constructed using directional bores to limit the amount of disturbance.

Staff recommends adoption of the attached resolution authorizing the County Administrator to execute the documents necessary for granting an easement to Dominion Virginia Power for electrical power at the Little Creek Reservoir Park.


Bernard M. Farmer, Jr.

CONCUR:


Steven W. Hicks

BMF/gb
LtlCreekPark.mem

Attachments

RESOLUTION

EASEMENT, DOMINION VIRGINIA POWER -

LITTLE CREEK PARK

WHEREAS, James City County owns 37± acres commonly known as 180 Lake View Drive designated as Parcel No. (1-26) on James City County Real Estate Tax Map No. (21-1); and

WHEREAS, Dominion Virginia Power requires a 15-foot utility easement in order to provide electrical service to the Little Creek Reservoir Park rest room facility presently under construction; and

WHEREAS, the Board of Supervisors is of the opinion that it is in the public interest to convey a utility easement to Dominion Virginia Power.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the Right-of-Way Agreements and such other documents necessary to convey a utility easement to Dominion Virginia Power for the Little Creek Reservoir Park rest room facility.

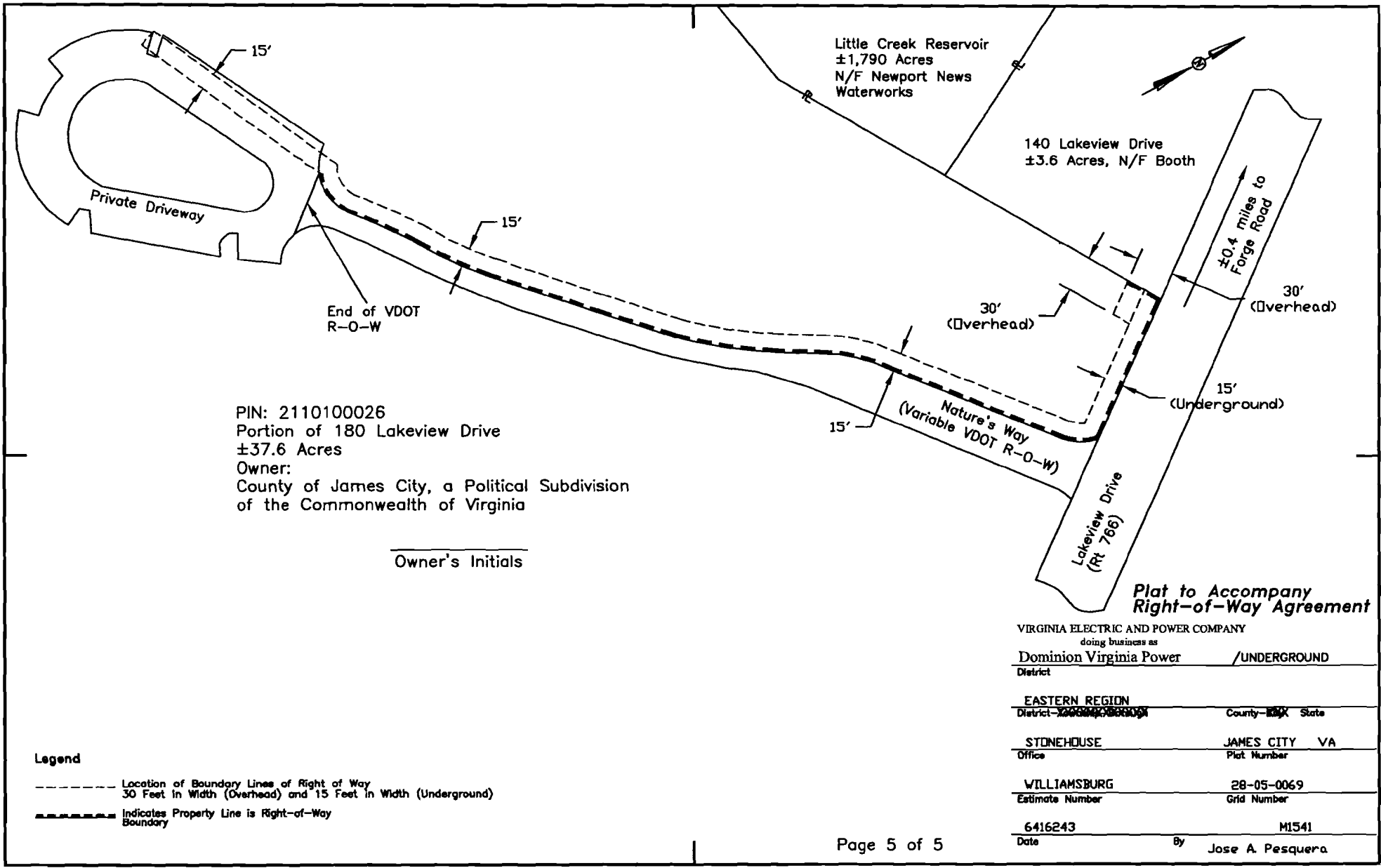
Michael J. Brown
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of September, 2005.

LtleCreekRestrmFac.res



Little Creek Reservoir
 ±1,790 Acres
 N/F Newport News
 Waterworks

140 Lakeview Drive
 ±3.6 Acres, N/F Booth

±0.4 miles to
 Forge Road

End of VDOT
 R-O-W

30'
 (Overhead)

30'
 (Overhead)

PIN: 2110100026
 Portion of 180 Lakeview Drive
 ±37.6 Acres
 Owner:
 County of James City, a Political Subdivision
 of the Commonwealth of Virginia

15'
 Nature's Way
 (Variable VDOT R-O-W)

15'
 (Underground)

Lakeview Drive
 (Rt 766)

Owner's Initials

**Plat to Accompany
 Right-of-Way Agreement**

VIRGINIA ELECTRIC AND POWER COMPANY doing business as	
Dominion Virginia Power	/UNDERGROUND
District	
EASTERN REGION	
District - 2000400000	County - ISX State
STONEHOUSE	JAMES CITY VA
Office	Plot Number
WILLIAMSBURG	28-05-0069
Estimate Number	Grid Number
6416243	M1541
Date	By Jose A. Pesquera

Legend

- Location of Boundary Lines of Right of Way
 30 Feet in Width (Overhead) and 15 Feet in Width (Underground)
- Indicates Property Line is Right-of-Way
 Boundary

MEMORANDUM

DATE: September 27, 2005
TO: The Board of Supervisors
FROM: Wayland N. Bass, County Engineer
SUBJECT: Developer/County/State Agreements for Inspection and Maintenance of an Extrinsic Structure - Greensprings West Golf Course Cart Tunnel Under Monticello Avenue

The Virginia Department of Transportation (VDOT) requires that the County assume responsibility for "Extrinsic Structures" crossing VDOT roads.

The County requires a corresponding agreement where by the developer assumes full responsibility for the golf course tunnel.

Staff recommends adoption of the attached resolution authorizing the County Administrator to execute these Agreements.

Wayland N. Bass

CONCUR:


John T. P. Horne

WNB/gs
tunnel.mem

Attachment

RESOLUTION

DEVELOPER/COUNTY/STATE AGREEMENTS FOR INSPECTION AND

MAINTENANCE OF AN EXTRINSIC STRUCTURE - GREENSPRINGS WEST GOLF COURSE

CART TUNNEL UNDER MONTICELLO AVENUE

WHEREAS, the Virginia Department of Transportation requires that the County be responsible for inspection and maintenance of the Greensprings West Golf Course tunnel under Monticello Avenue; and

WHEREAS, the County requires a corresponding agreement with the developer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute all required documents on behalf of the County.

Michael J. Brown
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of September, 2005.

tunnel.res

MEMORANDUM

DATE: September 27, 2005

TO: The Board of Supervisors

FROM: Doug Powell, Acting Community Services Manager
Leo P. Rogers, County Attorney

SUBJECT: Budget Appropriation and Amended Lease and Purchase Capital Agreement with the Colonial Williamsburg Foundation in Support of Jamestown 2007

Attached for your consideration is a resolution authorizing the County Administrator to execute a Budget Appropriation and Amended Lease and Purchase Capital Agreement and budget appropriation for the procurement of seven additional natural gas buses for the Colonial Williamsburg Foundation (CWF) in support of Jamestown 2007.

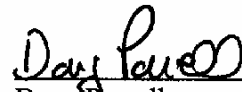
This procurement by James City County resulted from a \$1,904,000 congressional earmark obtained through our Jamestown 2007 partners and the assistance of Senator John W. Warner. The earmark provides 80 percent of project cost with the additional 20 percent shared by CWF and the Virginia Department of Rail and Public Transportation.

The Board of Supervisors approved the original Lease Purchase Agreement for nine natural gas buses through a previous congressional earmark on June 24, 2003. This amended Agreement continues the relationship between Williamsburg Area Transport (WAT), CWF, and James City County for purchasing natural gas buses for public transportation supporting Jamestown 2007 with WAT acting as the pass-through fiscal agency with oversight responsibility in accordance to Federal Transit Administration (FTA) regulations.

CWF, WAT, and County staffs have reviewed the amended Lease and Purchase Capital Agreement. Important provisions of this Agreement include:

- WAT will apply for the grant, purchase the buses, and lease them to CWF. CWF will provide all funds in excess of the Federal and State grants needed for the purchase of these buses.
- The term of the Lease is the useful life of these buses as identified by the FTA. After the Lease term expires, CWF has the option to assume ownership of the buses and WAT has the right to terminate the Lease upon default by CWF.
- CWF is responsible for maintaining the buses during the term of the Lease.
- Under the terms of the Master Agreement between WAT and the FTA, WAT is responsible for ensuring that CWF operates the buses according to Federal law. CWF is required to file a report of all information that the FTA requests from WAT. While leased to CWF, the buses will be part of WAT's transportation system.

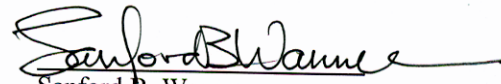
Staff recommends approval of the attached resolution authorizing the County Administrator to execute the Budget Appropriation and Amended Lease and Purchase Capital Agreement and budget appropriation on behalf of James City County.



Doug Powell

Leo P. Rogers

CONCUR:



Sanford B. Wanner

DP/LPR/gs
CWFl easeagr.mem

Attachments

RESOLUTION

**BUDGET APPROPRIATION AND AMENDED LEASE AND
PURCHASE CAPITAL AGREEMENT WITH THE
COLONIAL WILLIAMSBURG FOUNDATION IN SUPPORT OF JAMESTOWN 2007**

WHEREAS, James City County has available congressional earmark revenues of \$1,904,000 to purchase seven natural gas buses; and

WHEREAS, these Federal funds must be directed to an existing recipient of Federal funds; and

WHEREAS, Williamsburg Area Transport will serve as a pass-through entity to receive the grant, purchase these buses, and lease them to the Colonial Williamsburg Foundation; and

WHEREAS, James City County will act as the administrative, fiscal, and purchasing agent for the project; and

WHEREAS, the Colonial Williamsburg Foundation, with the assistance of the Virginia Department of Rail and Public Transportation, will fund the cost to purchase the buses; and

WHEREAS, the Colonial Williamsburg Foundation is committed to operating and maintaining these buses according to Federal laws; and

WHEREAS, these buses are critical for efforts to continue public transportation and support needs for Jamestown 2007.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorize the County Administrator to execute the amended lease and purchase option agreement with the CWF for seven natural gas buses.

Michael J. Brown
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of September, 2005.

CWFleaseagr.res

MEMORANDUM

DATE: September 27, 2005
TO: The Board of Supervisors
FROM: William C. Porter, Jr., Assistant County Administrator
SUBJECT: Rescind Declaration of Local Emergency – Hurricane Ophelia

The Board of Supervisors initiated a Declaration of Local Emergency to prepare for the County's response to activities and requirements associated with Hurricane Ophelia. This action was approved by the Board of Supervisors at its regular meeting on Tuesday, September 13, 2005.

It is necessary to for the Board of Supervisors to rescind the declaration.

Staff recommends approval of the attached resolution.

William C. Porter, Jr.

WCP/tlc
RecinEmer.mem

Attachment

RESOLUTION

RESCIND DECLARATION OF LOCAL EMERGENCY - HURRICANE OPHELIA

WHEREAS, the Board of Supervisors of James City County, Virginia, declared a local state of emergency for Hurricane Ophelia on September 13, 2005; and

WHEREAS, the County has now completed its missions related to the Hurricane.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a local emergency no longer exists and the declaration is hereby rescinded.

Michael J. Brown
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of September, 2005.

RecinEmer.res

M E M O R A N D U M

DATE: September 27, 2005
TO: The Board of Supervisors
FROM: Matthew D. Arcieri, Senior Planner
SUBJECT: Case No. S-91-04. Marywood Subdivision

Mr. Alvin P. Anderson of Kaufman and Canoles on behalf of Centex Homes has submitted an appeal to the decision of the James City County Planning Commission pursuant to Section 19-8 of the James City County Code. On July 11, 2005, the Planning Commission denied the above-referenced case, which seeks to subdivide a 115.27-acre parcel into 114 single-family lots. The property in question is located adjacent to the Kingswood and Druid Hills neighborhoods with access off John Tyler Highway, Hickory Sign Post Road, Oxford Road, and Spring Road and is further identified at Parcel No. (1-47) on James City County Real Estate Tax Map No. (47-2). The parcel is zoned R-1, Limited Residential.

Staff has provided the approved minutes of the Development Review Committee (DRC) and the original staff report provided to the DRC on this case, which includes the original staff recommendation of approval and all agency comments.

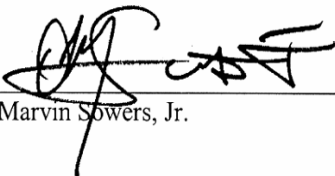
At its July 11 meeting, the Planning Commission voted to deny approval based on its opinion that the proposal did not properly minimize environmental impacts and created traffic conditions on the internal streets (Spring Road and Oxford Road) and at the intersections of Spring Road and Oxford Road with Jamestown Road, which would be harmful to the safety, health, and general welfare of the public.

The Commission considers these issues vital to its consideration of the request and, to date, the applicant has not submitted redesigned plans that would further reduce environmental impacts and further reduce and redistribute traffic impacts on internal streets and the intersections of Oxford Road and Spring Road with Jamestown Road.

The applicant has, however, had numerous conversations with staff and an individual member of the Planning Commission as to potential changes to the plan that would address the Commission's stated concerns and appears willing to implement such changes. Accordingly, there are reasonable and legitimate grounds for the Board to uphold the Planning Commission's denial of Case No. S-91-04.

Matthew D. Arcieri

CONCUR:



O. Marvin Sowers, Jr.

MDA/gb
S-91-04.mem

Attachments:

1. Letter from Marvin Sowers to Jason Grimes dated July 15, 2005
2. Approved minutes of the July 6, 2005, Development Review Committee
3. Approved minutes of the July 11, 2005, Planning Commission
4. Staff report for the July 6, 2005, Development Review Committee meeting

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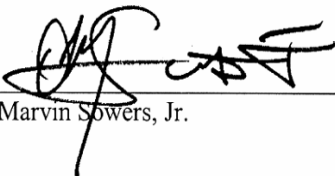
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Matthew D. Arcieri

CONCUR:

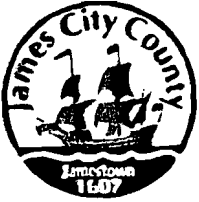


O. Marvin Sowers, Jr.

MDA/gb
S-91-04.mem

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DEVELOPMENT MANAGEMENT

101-A MOUNTS BAY ROAD, P.O. BOX 8784, WILLIAMSBURG, VIRGINIA 23187-8784
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environ@james-city.va.us

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planning@james-city.va.us

COUNTY ENGINEER
(757) 253-6678

INTEGRATED PEST MANAGEMENT
(757) 259-4116

July 15, 2005

Mr. Jason Grimes
AES Consulting Engineers
5248 Olde Towne Road
Suite 1
Williamsburg, VA 23188

RE: S-91-04, Marywood

Dear Mr. Grimes:

This letter is to confirm that on July 11, 2005, the James City County Planning Commission did not approve the above referenced case. The Commission determined that the proposal did not properly minimize environmental impacts and created traffic conditions on the internal streets (Spring Road and Oxford Road) and at the intersections of Spring Road and Oxford Road with Jamestown Road which would be harmful to the safety, health and general welfare of the public. In accordance with James City County Code Section 19-23, the applicant may redesign the plan to further reduce environmental impacts and further reduce and distribute traffic impacts on internal streets and the intersections of Oxford Road and Spring Road with Jamestown Road. This redesign may be submitted to the Development Review Committee for reconsideration of preliminary approval.

In accordance with James City County Code Section 19-8, the subdivider may also appeal this decision to the James City County Board of Supervisors. This appeal must be filed in writing with Mr. Sanford B. Wanner, Clerk to the James City County Board of Supervisors, within 30 days of disapproval or the decision shall be final and unappealable.

If you have any questions, please contact me at (757) 253-6685.

Sincerely,



U. Marvin Sowers, Jr., AICP
Planning Director

cc: Matthew Arcieri
Allen Murphy
John Horne
Leo Rogers
Sanford Wanner

AT A REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE BUILDING C CONFERENCE ROOM AT 4:00 P.M. ON THE 6th DAY OF JULY, TWO THOUSAND FIVE.

ROLL CALL

Mr. Jack Fraley, Chair
Ms. Ingrid Blanton
Mr. Don Hunt
Mr. Wilford Kale

ALSO PRESENT

Mr. Mathew Arcieri, Senior Planner
Mr. Bill Caine, Civil Engineer
Mr. Darryl Cook, Environmental Director
Ms. Karen Drake, Senior Planner
Mr. John Horne, Development Manager
Mr. Allen Murphy, Principal Planner
Mr. Scott Thomas, Civil Engineer
Mr. Leo Rogers, County Attorney

MINUTES

Following a motion by Mr. Kale, the DRC approved, as amended, the minutes from the June 1, 2005 meeting by a unanimous voice vote.

PUBLIC COMMENT

Mr. Fraley gave an overview of the purpose of the DRC and its responsibilities. He described the public input process and noted the public comment periods for the respective cases on the agenda provided throughout the meeting as noted on the agenda. Mr. Fraley opened the meeting to public comment at 4:15PM.

Mr. Jack Kirkland made comments regarding the inconsistency between the reported timing of the eagle's departure and the actual documented timing, related to the Kingsmill-Spencer's Grant proposal.

There being no further speakers, Mr. Fraley then closed the meeting to public comment.

CASE NO. C-007-03. NEW TOWN PARKING

Ms. Karen Drake presented the staff report detailing the quarterly update and annual review of the shared parking arrangement for Section 2 & 4 of New Town

that to date had reduced the number of required parking spaces by approximately 300. Ms. Drake introduced Mr. Larry Salzman of New Town Associates who commented that the shared parking concept was working as businesses began to open in New Town, with the real test of the shared parking occurring with the movie theater grand opening. Mr. Salzman noted that New Town Associates was making changes to address minor parking conflicts arising in the field, especially between residents and retailers, and creating reserved time limit parking spaces for banks. Mr. Salzman noted that New Town Associates was considering parking decks as a possibility for Block 9 depending on the type of development as well as the location of bicycle racks. Mr. Salzman confirmed for Mr. Kale that if parking became a problem in a particular block there was adequate space for a parking deck to be constructed if needed. Ms. Blanton commended the reduction in the parking spaces that reduced environmental impacts and the planned bicycle racks. Mr. Fraley commended the overall parking methodology. Mr. Hunt, seconded by Ms. Blanton, made a motion to approve the New Town Section 2&4 quarterly shared parking report for Blocks 2, 3, 4, 5, 6, 7 & 8 and the New Town Section 2&4 Annual shared parking review with the addition that bicycle rack information be incorporated into the quarterly reports, construction of parking decks remain a viable solution and that shared parking be considered as well in New Town Section 3&6. The proposal was approved by a 4-0 voice vote.

CASE NO. S-53-05. KINGSMILL-SPENCER'S GRANT

Mr. Arcieri presented the staff report. Ms. Blanton asked for explanation of the hardship warranting a cul-de-sac waiver. Mr. Arcieri responded that the waiver would enable circumvention of impacts to steep slopes and open space. Mr. Kale asked for clarifications on setback and buffer requirements. Ms. Blanton asked if the eagle situated in the proposed subdivision had left its nest. Mr. Arcieri responded that the issue was in the jurisdiction of the State Department of Game & Inland Fisheries but that the Environmental division would not issue land disturbing permits until the issue was resolved. Discussion ensued regarding the exact timing of the eagle's departure and applicable documentation provided by the State.

PUBLIC COMMENT

A letter was presented that confirmed abandonment and satisfaction of the post-abandonment time requirement necessary for ensuing development. Mr. Kirkland, resident, claimed that Busch Gardens and the State had a contract specifying the appropriate time period for development following abandonment, and that there was no proof of waiver of contract. The applicant, Mr. Voliva, stated that he had documentation from the state on the bird starting in 1993 when it arrived, until 2002 when it left. He added that Kingsmill would uphold its reputation for exceeding open space and buffering requirements with its new proposal. Mr. Brian Watts, Director of Conservation at William and Mary, stated that State guidelines require a 330 ft. buffer around active nests and that

Kingsmill had thus far been cooperative in protecting nests. He continued, noting that State and Federal guidelines imposed the same required lag period between abandonment and destruction of the site. He stated that he spoke to the State and the Fish & Wildlife office, and neither were party to direct agreement between Busch and these agencies.

Mr. Kale questioned the origin of the letter. Mr. Watts responded that the letter was issued in error. Mr. Hunt asked if the two year time period was enough. Discussion followed about the scientific purpose of guidelines related to spontaneous relocation rates. Mr. William Cain of the Environmental Division stated that he had a letter stating that the three year post-abandonment period was met, but that he would check the validity. He recommended approval. Mr. Kirkland stated that he recommended deferral. Mr. Fraley asked for Mr. Voliva's response. Mr. Voliva stated that he would withdraw if the letter was deemed inaccurate. Mr. Fraley reiterated that land disturbing permits would not be issued until the issue was resolved. Mr. Kale stated that deferral would be advantageous. Mr. Arcieri stated that he concurred with Mr. Cain's comments and recommended approval. The DRC recommended preliminary approval subject to agency comments, approval of the cul-de-sac waiver, and approval of the sidewalk waiver by a vote of 3-1, with Mr. Kale dissenting.

DRC RECOMMENDATIONS

There being no further discussions, the DRC made their recommendations as noted above for each case.

PUBLIC COMMENT (Marywood)

Mr. Fraley opened the public hearing at 5:10 pm. Ms. Shereen Hughes, resident of Holly Brook voiced her concerns regarding the Marywood proposal citing three major issues. For traffic impacts, she stated that over a quarter of the year, traffic is increased due to pool traffic. Additionally, she noted that internal roads were used as greenways due to the absence of a bike path on Jamestown Road and that the roads in fact appeared as bike paths on the Bike Beats website. For buffer concerns, she stated that the border between Marywood and West Kingswood was being used as a service road instead of the nature trail/buffer originally proposed. She claimed that the service authority requested it be widened to 25 feet, and referenced County comments that the buffer would be reduced. For environmental concerns, she stated that the report did not accurately reflect the true amount of acreage impacted. She added that the entire plan was not viable unless the Department of Environmental Quality and the Army Corps. of Engineers approved it. She stated that she was concerned about impacts on surrounding waterways and noted that she did not see any reason for approval until they got a permit for BMP #1. Lastly, she requested that environmental impacts on property owners be recognized.

Mr. Fraley thanked Ms. Hughes and noted that DEQ and Army Corp. of Engineers

review was independent of DRC, and not considered in the Committee's review. Mr. Charles Resner of 118 Spring Road stated that when initial zoning was issued, the County would not have envisioned a slash and burn approach to cutting trees. He noted that there would be no guarantee from the builder that anything would be preserved and that a clear cutting approach was eminent. He then stated that this was not feasible when the zoning designation was first applied because of lack of proper equipment. Mr. Resner finally recommended that the DRC take more care in analyzing the functionality of current zoning designations and address inadequate buffers specific to the proposal at hand.

Mr. Tony Opperman, an employee of VDOT and resident of 108 Spring Road stated he would speak out as a resident of Spring Road and was not representing VDOT. He stated that Virginia State Law gives the County authority to locate roads that will become part of the secondary road system. He then noted that VDOT could exercise passive authority and accept Centex's proposal or take affirmative authority and recommend a reconfiguration to spread out traffic distribution, the latter being in the best interest of citizens. He recommended equal access points, with exclusive access on Route 5 and reiterated that James City County needed to push for reconfiguration of roads that would eventually become public roads.

Mr. Opperman continued, citing several reasons why Route 31 was a poor choice including: 1) level of service B being better than C or D, which Route 5 could accommodate; 2) sight distance in question of Spring Road, with only 485 feet of sight distance, as opposed to the required 600 feet; 3) dramatic vertical profile of Route 31, especially at Spring Road; 4) no shoulders or room for correction; 5) bicycle and pedestrian safety issues; 6) 1000 additional trips on Jamestown; 7) 28-105% increase in turning movements. Mr. Opperman concluded that if the DRC ignored statistics in making its decision, the decision would be shortsighted.

Mr. Jones, resident of Kingswood, stated that there were lots of near misses at the corner of Jamestown and Spring Road, and emphasized the difficulty in turning left and right onto Spring Road from Jamestown. He noted that four and five cars at a time would be stacked in waiting to turn onto Spring Road and that there was no traffic control study that addressed the problem. He stated that his driveway was often blocked on Spring Road from other traffic and that additional traffic would be disastrous.

Ms. Anne Mauring of 107 West Kingswood affirmed that there were 5 houses behind the previously mentioned gravel road that had been left out of the decision. She asked for confirmation that the gravel road had been converted to an access street to the pump station and noted that Ms. Dudley was 19 feet from the property line looking out directly across from the access road. Ms. Mauring asked if the road would become a recreation or maintenance access. She then stated that she would like to see the buffer increased and reminded the committee that structures should be located a minimum of 60 feet from the centerline of the street. She concluded that the burden should be shared by Centex.

Ms. Laura Viancour, resident of 209 Oxford Road stated that the corner of Jamestown

and Oxford did not suffer similar visibility issues to Spring Road but that she was concerned about increased traffic when the ferry lets out. She stated that she estimated increased traffic impact for the Jamestown/Oxford intersection if the proposal would be approved.

Mike, resident at 115 Spring Road questioned whether the proposed development could be detrimental to the floodplain.

CASE NO. S-91-04. MARYWOOD SUBDIVISION

Mr. Fraley asked Mr. Arcieri to give the staff report. Mr. Arcieri read the staff report and noted changes. He noted that the minimum requirement of VDOT to achieve visibility at the corner in question was 390 feet. He concluded that staff recommended preliminary approval subject to agency comments. Mr. Kale asked why access to Route 5 and Hickory Signpost Road wasn't considered. VDOT staff referenced scenario two in the staff report. Mr. Kale asked if the Chesapeake Bay Board had been consulted. Mr. Scott Thomas, Environmental Division, stated that comments were outstanding at that point. Mrs. Blanton noted that there were still areas present with greater than 25% slopes not shown on the conservation plan and referenced lots 64, 66, 67, and 73. Mrs. Blanton then asked about item 9C and voiced concerns over drainage. Mr. Thomas responded that the applicant offered a grading plan forecast independent of submittal requirements and clarified that development plans reflected grading for roads, utilities, and necessary improvements for subdivision. He stated that lot-to-lot issues would be made apparent when the final grading plan exhibit was submitted.

Mrs. Blanton inquired about the clearing of the corridor, and asked if vegetation would be clear cut. Mr. Thomas responded that development plans must show clearing limits for utilities, drainage, etc. He added that comments on the Erosion and Sediment Control plan reflected outstanding issues. Mrs. Blanton inquired about controls to minimize clear-cutting. Mr. Thomas relayed that clear-cuts would be minimized to the greatest extent possible, as reflected in steep slope impact statistics and other associated statistics. Mrs. Blanton referenced Page 6, item 23F and inquired about the number of lots that would direct flow onto other lots in the master grading plan, specifically asking about the issue of lot-to-lot drainage. Mr. Thomas responded that the grading exhibit brought out drainage issues but that they were directly reviewed when single family building permits were reviewed. Mr. Kale asked who would be building the homes. A representative of Centex replied that they would be building all the homes.

Mr. Bennett introduced himself and legal counsel of Kaufman and Canoles. He stated that three years ago the proposed Marywood property was viewed as developable property. He stated that there were several objectives set at the meeting including: 1) setting aside parcels for buffers and open space; 2) ensuring few points of entry into the development; 3) not allowing through access via Oxford from Jamestown to Route 5; 4) possibly incorporating an emergency access to fire; 5) ensuring treatment of off-site storm water runoff; and 6) guaranteeing that no access to Route 5 be made.

Mr. Bennett next listed objectives met: 1) DRW did additional studies for traffic at Jamestown and Route 5; 2) effect of downstream drainage toward Lake Powell closely studied; 3) separation from RPA buffer was accounted for. Mr. Bennett noted that in the end, once all issues were considered, they were left with a lemon. He stated to the Committee that once all impacts were mitigated, the current proposal materialized into what was being presented. Mr. Bennett offered Marywood's comparison to Druid Hills, citing lot size and noting that Marywood was very similar except that it set aside open space.

Mr. Bennett stated he would address the concerns shared by several adjacent property owners. He ensured that they worked hard to generate compliance on significant issues. He stated that the service road/buffer was going to be access to the lift station and had been there for decades. He confirmed that the access road would not be paved or widened; rather the easement would be widened to 25 feet. Mr. Kale asked if the applicant was prepared to do a physical berm between the North part of the access road and the Marywood property. Mr. Bennett replied that this was addressed by meandering of roadway. Mr. Kale asked who made the decision not to consider access on Route 5 rather than Jamestown. Mr. Bennett replied that VDOT's expectation at the conceptual stage was that the original six objectives were reasonable criteria for the development plan. Mr. Kale stated that a road was cut 20 years ago connecting Jamestown with Route 5, but that the Board of Supervisors blocked the through road. He added that VDOT had approved that road, and cut it, and that it had since grown up. Mr. Bennett stated that the current project team did not participate in the earlier initial discussions.

Mr. Fraley remarked that nobody at VDOT indicated that this access should not be placed through to Route 5. Mr. Bennett stated that the plan represented criteria set in place years ago that VDOT concurred with at the time. Mr. Fraley stated that he had not seen the proposal he asked for. Mr. Kale asked for clarification that none of the present team participated in the original development pre-hearing. Mr. Bennett noted that the meeting that took place was not a pre-hearing, but rather a semi-formal discussion with VDOT, the Army Corps. of Engineers, the Environmental Division, and Planning. Mr. Kale asked if notes were taken. Mr. Bennett stated he had a note about connectivity to Route 5. Mr. Kale asked who participated from Planning staff. Mr. Arcieri stated that he had, and that VDOT staff concurred with the criteria established. Mr. Arcieri stated that there was no possibility for exclusive access in staff's mind and that staff had considered many options for a Route 5 access.

Mr. Kale remarked that this was an infill project and by nature demanded better attention because such projects have to fit in with everything around it. He proposed access to Route 5 with a cul-de-sac and stated that the current project did not bring anything to the table. He stated that the minimums were being viewed as acceptable. He added that the proposal was like Druid Hills except that topography was terrible. He continued stating that the proposal was not a fruit salad, and that this was what you get when you combine all lots in an area that would not take lots. Mr. Kale added that the proposal was not going to mesh. He stated that the project did not account for any sensitivity, and that issues of environment and traffic were alarming. He added that the applicant made no

sacrifices of greenspace or trails. He concluded that comparisons to Ford's Colony and Kingsmill were unfair, but that the submitted proposal was not the best project it could be.

Mr. Bennett stated that the agreed upon criteria were met, that BMP compliance was met, and that the proposal accomplished leaving a large expanse of open space. He added that the project had met obligations by code and policy as a developable plan. He noted that there were probably 60 ways to develop it. Mrs. Blanton asked if traffic studies were conducted for the internal roads. Mr. Dexter Williams of VDOT responded that internal studies were not conducted and that focus was kept on external roads. He stated that no performance criteria approached the issue of walking on the roads, and that there was no threshold that this project would violate. Lastly, he added that the traffic study was done to suit VDOT, and that access to Route 5 feasibility was approached at a VDOT meeting and the causeway was shot down.

Mrs. Blanton stated that this assumes that all traffic would ingress/egress on Route 5. Mr. Williams stated that VDOT parties responded that this proposal was out of the question. He added that Hickory Sign Post Road was one of the more narrow roads in the County and the worst candidate for accommodating additional traffic. He stated that there was not much difference in alternatives that could meet environmental standards and that which was presented. Mr. Bennett added that it was the intent of the developers to preserve 15 acres of open space toward Hickory Sign Post Road. Mr. Kale remarked that with the existing configuration, you could take out 30 existing lots and place them toward Route 5 to be accessed from Route 5, and added that it would not take much to change the current proposal. Mr. Bennett responded that the connectivity to Route 5 analysis was completed and that based on the alignment of Route 5, there were major design challenges in accessing the subdivision from Route 5.

Mr. Fraley recommended that the applicant approach the traffic issues in reverse order, asking the question, "If I want to mitigate traffic to Spring and Oxford Road how would this look if based from Route 5." He added that traffic was already bad in the area, and that he was troubled by using Oxford and Spring as major arteries into the subdivision, notwithstanding issues once you drive into it. He stated that he could not in good conscience accommodate a plan with those kind of conditions. He requested that the applicant start with how access would work, and not start with getting 114 lots and move backward. He encouraged the applicant to begin working to accommodate a plan with Route 5 access. Mr. Bennett noted that Mr. Opperman wanted a determination of Virginia State Code Section 33-129. Mr. Leo Rogers stated that this code section dated back to the Bird Road Act. He explained that right-of-way was dedicated to a locality and that the code section did not speak to access points, and was misinterpreted to be referencing something different.

Mr. Bennett stated that both sight and stopping distance were adequate and met minimum requirements. He then spoke to the queuing of cars making left hand turns. He added that the client wanted a contiguous subdivision with interconnected streets, not separate access points. He continued by stating that this allowed for more control and that the

drawings represented an honest abiding plan of James City County Code. He then remarked that VDOT, Environmental, and Planning expertise was relied upon.

Mr. Alvin Anderson introduced himself and stated that it was a privilege to appear. He reminded the committee of their oath to abide by the County rule book and he suggested that the Marywood submission met the requirements of that rule book. He asked how a DRC determines if a proposal meets or exceeds requirements of laws that such committee is supposed to uphold. Mr. Anderson advised that the DRC look to Planning, Environmental, and VDOT staff in making a decision on a plan. He clarified that he was not suggesting that public comments be ignored but was suggesting that expert opinions be given appropriate weight. He advised that if the rulebook did not provide adequate protection to the public, then the rulebook be changed in Comprehensive Plan update and zoning ordinance amendment. He added that it was not fair to hold one person to a different standard than another and stated that Centex was committed to doing everything that the Zoning Ordinance required. He asked the DRC if the Environmental Division, Planning Division, and VDOT staff was wrong in this case. He then posed two questions to the Zoning Administrator: 1) were plans consistent with James City County codes, rules, and regulations and 2) was the applicant entitled to preliminary approval of plans at this juncture.

Mr. Allen Murphy, Zoning Administrator, stated that zoning minimums were met, and that criteria set forth in the subdivision ordinance were met. Ms. Blanton asked how well Mr. Murphy felt the proposal addressed mixed use, pedestrian, and interconnectivity goals in the Comprehensive Plan. Mr. Fraley read Comprehensive Plan goals and objectives specific to Mrs. Blanton's question verbatim. Mr. Murphy responded that the Comprehensive Plan objectives were most appropriately applied in the review of a Special Use Permit or Rezoning application. He added that the proposal met the basic requirements of the zoning and subdivision ordinance. He stated that the subdivision ordinance specified that the DRC make a recommendation that the Planning Commission then take action on.

Mr. Bennett stated that staff was provided a 10-13 page memo with an attached grading exhibit to be incorporated into the full design of plans. He noted that prior to the submittal of exhibits and additional information, Kaufman and Canoles worked to adjust everything so it was consistent across the board. Mr. Fraley asked for comments from VDOT engineer Bradley Weidenhammer. Mr. Weidenhammer reiterated comments made about the preliminary meeting by Mr. Bennett, and stated that a Route 5 access was always assumed to be a cut-through. He noted that impacts to the Route 5 Community Character Corridor were discussed and at the time determined that Route 5 access should be discouraged. Mr. Pauley stated that it was not an issue of access on either 31 or 5, but that the determination was to not allow an access on both (permitting a cut-through.) He then stated that three possibilities were approached:

- 1) full access on Route 31; 2) partial access on Route 5, or 3) full cut-through between Route 5 and 31.

Mr. Fraley noted that the property fronted on Route 5, not 31, and that it made sense to accommodate an access to John Tyler.

Mr. Pauley clarified VDOT's role in reviewing proposals noting that they do not direct localities where secondary roads have to be placed. Mr. Kale asked when the three options stated by Mr. Pauley were presented. Mr. Williams stated that the study revealed that other options took a little traffic off and did not change much. He added that it did not limit access points and added an access point on historic Route 5. Mr. Kale questioned which access point was better, Spring Road or Route 5 and stated that the applicant was asking for two entrances on one road. Mr. Williams referenced a section of 86 lots and responded that Spring would be in worst shape if Oxford was not used. Mr. Kale countered that three makes more sense than two.

Mr. Bennett noted that they had modeled external runoff into tributaries leading into Lake Powell. A citizen remarked that all should be aware that the dam stays in flux all times of the year. Mr. Fraley opened the hearing for public comment.

PUBLIC COMMENT (Marywood)

Ms. Shereen Hughes reminded the DRC that if a plan had an impact on public safety of citizens on roads and traffic, it could be denied. She then noted that environmental impact was also a significant point, and that the DRC had a right to deny. Ms. Hughes pointed out that there was great expertise in the community as well, and that additional information presented was given from an expert's perspective. She added that every person involved in preliminary approval misinterpreted environmental statistics, and did not realize the stream from BMP #1 was perennial. She stated that a three-pod approach was presented to VDOT, the Environmental Division, and the Army Corps. Of Engineers and that some BMP's would have to be eliminated from a seven pod approach. Ms. Hughes continued, noting that the alternative to evenly define the burden between communities was not reviewed or considered by the applicant. She stated that the Army Corp. wanted confirmation that all impact would be avoided to maximum potential.

Mr. Jim Waldeck stated that he felt Mr. Fraley and Mr. Kale's comments were on track, and reiterated that the County should not settle for mediocrity. He stated that the applicant ignored neighbor's meetings and that what was presented was not the best plan. He concluded that the plan did not meet criteria in the James City County Code that would make it compatible.

Mr. Tony Opperman stated that the applicant's only objective was getting 114 lots on 114 acres. He presented pictures of traffic during swim meets to the DRC.

Ms. Kim Lee of 111 Braddock Road stated that there was a lack of information and a lack of process, and was bothered that someone could tell the DRC what their job was. She explained that she viewed this as a form of intimidation and requested deferral until the proposal was well thought out.

Ms. Gale Pin of 107 Braddock Road stated that she realized that lawyers and developers had to stick to their guns professionally, but may have private opinions. She agreed that

the proposal was one of minimums. She stated that she noticed obfuscation, the ability to answer questions using passive voice to divert questions. She added that the DRC was there to add human form and brain to the mix and ask if it was what was best for the community. She restated that the project became a lemon and was glad Mr. Bennett admitted that. She continued, stating that as the process progressed, integration was avoided. She addressed the applicant, stating that their job was to champion this housing project, noting that the one finally submitted was not in the citizens' best interest, but rather Centex's. She added that she hoped progress and process would work in the future.

Ms. Yancy McCann questioned why Centex hired legal counsel to push the project down the County's throat and added that when you dot I's and cross T's you may overlook what's right. She stated that outside experts cannot decide what is good for residents who live there.

Ms. Elizabeth Rhodes of 7770 Golinea Road state that she was concerned with possible impacts the development would have on the North side of the development.

Mr. Fraley closed the public hearing for comment.

Mr. Kale noted the difficulty of developing the parcel proposed for development. He stated that if they clear-cut the applicant claimed that runoff would not be increased into the lake, and he could not possibly swallow that assessment. He reiterated his concerns about traffic, noting that it was bad in 1976. He added that it was never safe to walk along Jamestown or Spring Road and that experts have not satisfied him with minimums. He stated that it was possible for some homes to be built back there, and that they were not giving this project any more scrutiny than other projects that do not pass the test. He explained that every time a project like this arises with major public outcry they get a better project. He concluded that the developer was unable to answer in every aspect, all issues.

Ms. Blanton stated that the role of the DRC was to pose an independent judgement of issues before them, and that the environmental issues were an area of primary concern.

Mr. Hunt explained that they were presented with a plan, and it was not the directive of the Commission to direct the applicant with how they want to come forward with the property.

Mr. Fraley stated that he was not against developing the property, and would gladly support a proposal with low environmental impact, smart design, and creativity. He stated he would support a proposal that was acceptable. He stated that if they were meeting the ordinance, they were acceptable, but that there were safety concerns connected with traffic. He added that there were VDOT issues regarding safety and non-compliant roads. He concluded that he found the proposal unacceptable.

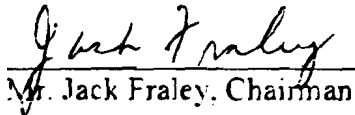
DRC RECOMMENDATIONS

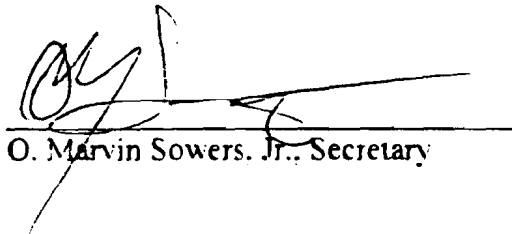
There being no further discussions, the DRC made their recommendations on the Marywood Subdivision case.

Mr. Kale made a motion to recommend disapproval of preliminary approval of the plan. The motion was seconded by Mrs. Blanton. The motion carried 3-1 with Mr. Hunt dissenting.

ADJOURNMENT

There being no further business, the July 6, 2005, Development Review Committee meeting adjourned at 7: 31 P.M.


Mr. Jack Fraley, Chairman


O. Marvin Sowers, Jr., Secretary

**APPROVED MINUTES OF THE JULY 11, 2005 MEETING
OF THE PLANNING COMMISSION**

DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. Fraley presented the report. The DRC considered three cases at its July 6th meeting.

The DRC unanimously recommend preliminary approval, subject to agency comments of the July 2005 quarterly update for shared parking in New Town, Section 2&4. Blocks 2,3,4,5,6,7, 8 & 10 as well as continuation of quarterly parking update presentations to the DRC. The Committee also recommend preliminary approval, subject to agency comments, of S-53-05 Kingsmill- Spencer's Grant, of the cul-de-sac waiver, and approval of the sidewalk waiver by a vote of 3-1.

Lastly, the DRC recommended disapproval of case S-91-04 Marywood proposal by a voice vote of 3-1. The DRC determined that the proposal did not properly minimize environmental impacts and created a traffic situation harmful to the safety, health and general welfare of the public.

Ms. Jones motioned to approve the report.

Mr. Kale seconded the motion.

In a unanimous voice vote the report was approved (5-0) (Hunt and Billups absent)

SUMMARY FACTS

Applicant: Jason Grimes, AES Consulting Engineers
Land Owner: Centex Homes
Proposed Use: Approval of 114 lots
Location: Property adjacent Kingswood and Druid Hills neighborhoods
Tax Map/Parcel No.: (47-2)(1-47)
Primary Service Area: Inside
Parcel Size: 115.27 acres
Existing Zoning: R-1, Limited Residential
Comprehensive Plan: Low Density Residential
Reason for DRC Review: The development proposes more than 50 lots
Staff Contact: Mathew Arcieri Phone: 253-6685

STAFF RECOMMENDATION

Staff recommends preliminary approval subject to agency comments.

Environmental Issues

As part of its original review, the Environmental Division had recommended disapproval of the plan for five reasons:

- In accordance with Section 23-5 of the Chesapeake Bay ordinance, impacts to steep slope areas due to proposed site work and utilities were excessive for the project and it had not been demonstrated that these impacts have been minimized in an acceptable fashion.
- Impacts to RPA and RPA buffer areas were excessive for the project and had not been minimized in an acceptable fashion in accordance with the Chesapeake Bay ordinance
- In accordance with Section 23-10 and 19-32 of the Chesapeake Bay and subdivision ordinances, the Environmental Inventory for the project did not appear to depict all areas of 25 percent slopes or steeper making it difficult to determine if adequate buildable area exists.
- In accordance with Section 19-32 of the subdivision ordinance, lot-to-lot drainage concerns previously commented on had not been resolved in an acceptable fashion.
- The dam breach analyses as presented for the proposed dual 48-inch culverts at Oxford Road Station was performed using a "sunny-day" breach method.

The applicant has submitted revised plans which address the issues mentioned above. Specifically:

- It was adequately demonstrated that steep slope impacts were reduced in a satisfactory manner from 2.33 acres to 1.88 acres. This results in a reduction of 0.45 acres of steep slope impact. This was mainly due to site plan reduction strategies and the revised location for dry pond BMP # 2.
- It was adequately demonstrated that RPA and RPA buffer impacts were reduced in a satisfactory manner from 4.54 acres total (3.72 acres for RPA buffer; 0.82 acres for RPA) previously to 3.93 acres (3.20 acres for RPA buffer; 0.73 acres for RPA). This results in a reduction of 0.52 acres of RPA buffer impact and 0.09 acres of direct RPA impact respectively. This was mainly due to overall site plan reduction strategies, especially concentrated at the two major road/wetland crossings at Oxford Road and Braddock Road, and due to the revised location of dry pond BMP # 2. Dry pond BMP # 2 was moved upland out of perennial stream and RPA/RPA buffer area.
- Based on detailed survey and lot sketch information as provided by the plan preparer, there are no additional steep slope areas (25 percent or steeper) on the lots as previously identified.
- A master clearing and grading plan exhibit has demonstrated that the lot-to-lot drainage issues as previously raised could be solved during a block grading scenario or during the single-family building application process and did not need to be addressed at the plan of development level.
- The revised dam breach analyses demonstrates that the pipe culvert sizes as proposed at the two crossings on Oxford Road are satisfactory to keep flood elevations below proposed home locations.

It should be noted that although these five items are now considered addressed by the Environmental Division, many technical issues still remain for the project. These issues must be adequately resolved before a land-disturbing permit and final subdivision plan approval can be granted. Also, the project is subject to administrative and Chesapeake Bay Board review for impacts associated with the RPA and RPA buffer. This includes review of the revised WQIA (water quality impact assessment) which is currently under staff review. Chesapeake Bay Board items will be subject to public hearing.

Road Improvements

As part of this plan submittal, the applicant has proposed improvements to the Oxford and Spring Road intersections. At both intersections slopes will be regraded to improve site distance. At Spring Road, four feet of pavement will be added bringing the width of Spring Road at the intersection to 24 feet. 250 feet of Spring Road will be resurfaced.

Traffic Study

As part of their initial comments on this case VDOT requested that a traffic study be submitted for the proposed development. This study was submitted to VDOT on May 6, 2005. The study examined three scenarios:

Alternative 1 – All 114 lots accessing Jamestown Road via Oxford and Spring Roads

Alternative 2 – Separate access to Route 5 (John Tyler Highway) for 29 lots currently accessing Jamestown Road via Oxford Road.

Alternative 3 – An Oxford Road connection between Jamestown Road and John Tyler Highway.

VDOT's comments on this plan conclude that neither of the two alternatives considered represents a better proposal than Alternative 1. Therefore the current proposal with access onto Jamestown Road via Oxford Road and Spring Road is acceptable.

Based on the traffic study, staff believes that the plan as proposed represents the best possible access solution for the Marywood subdivision. Under all scenarios thru/left movements on Jamestown Road operate at a level of service (LOS) A. Diverting 29 lots onto John Tyler Highway reduces delay at the Oxford/Jamestown Road intersection by 1.2 seconds in the AM and 2.7 seconds in the PM. The level of service at this intersection is a LOS C in the AM and LOS D in the PM under all scenarios.


Approach	ALTERNATIVE 1	ALTERNATIVE 2	ALTERNATIVE 3
Jamestown Rd. NB At Spring Road Through/Left	AM - A (7.8) PM - A (8.8)	AM - A (7.8) PM - A (8.8)	AM - A (7.8) PM - A (8.8)
Jamestown Road NB At Oxford Road Through/Left	AM - A (7.9) PM - A (9.2)	AM - A (7.9) PM - A (9.2)	AM - A (7.9) PM - A (9.1)
John Tyler Hwy SB At Marywood Entrance Left-Turn lane	N/A	AM - A (8.3) PM - A (8.3)	AM - A (8.4) PM - A (8.6)
Oxford Road EB At Jamestown Road Left/Right	AM - C (23.0) PM - D (31.4)	AM - C (21.8) PM - D (28.7)	AM - C (18.7) PM - D (26.6)
Spring Road EB At Jamestown Road Left/Right	AM - C (17.0) PM - C (20.1)	AM - C (17.0) PM - C (20.1)	AM - C (15.9) PM - C (19.3)
Marywood Entrance WB At John Tyler Hwy Left/Right	N/A	AM - B (11.9) PM - B (12.9)	AM - B (13.0) PM - C (20.7)

Notation: Peak Hour - LOS (Delay)

Source: These values are compiled from the Traffic Impact Studies performed by Dexter Williams dated April 1, 2005, April 2, 2005, and April 20, 2005.

Given the minimal difference in LOS and delay, staff does not believe that shifting 29 lots onto John Tyler will have an appreciable affect on conditions on Oxford, Spring or Jamestown Road. Staff and VDOT continue to not support access onto John Tyler Highway. Such an access point will severely impact the Community Character Corridor by eliminating portions of the existing tree canopy to construct a left turn lane and creates another potential traffic conflict on a road already categorized as severely congested on the HRPDC's 2026 Transportation Plan.

VDOT minimum required sight distance for the intersections of Oxford and Spring Road with Jamestown Road is 390 feet. With the proposed intersection improvements, sight distance is 485 feet or greater in all directions. Staff has also asked VDOT to review sight distances for queued vehicles on Jamestown Road waiting to make a left turn onto Spring and Oxford. VDOT's analysis indicates that there is adequate sight distance for five queued vehicles. Based on the traffic study, the likelihood of five vehicles stacking on Jamestown Road based on the current LOS and delays provided in the traffic study is very low.


Matthew D. Arcieri

Attachments:

1. Plan (separate)
2. Agency Comments
3. Email from Bradley Weidenhammer to Matthew Arcieri dated June 28, 2005
4. Letter from Bradley Weidenhammer to Jack Fraley dated June 28, 2005
5. Citizen Comments

AGENCY COMMENTS

VDOT:

1. Please see the attached comments.

Environmental:

1. Please see the attached comments.

JCSA:

1. Please see the attached comments.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
WILLIAMSBURG RESIDENCY
4451 IRONBOUND ROAD
WILLIAMSBURG, VA 23188



JAMES W. BREWER
RESIDENCY ADMINISTRATOR
TEL (757) 253-4632
FAX (757) 253-5148

PHILIP SHUCET
COMMISSIONER

June 15, 2005

Matthew Arcieri
James City County Planning
Post Office Box 8784
Williamsburg, Virginia 23187

Ref: Marywood Subdivision – Traffic Impact Analysis
County Plan Number S-091-04
James City County

Dear Mr. Arcieri,


We have completed our review of the Traffic Impact Analysis that analyzed the traffic access alternatives for the above referenced proposed development, and offer the following comments:

- ◆ We concur with the submitted traffic impact analysis in that the surrounding roadway network will operate with an acceptable level of service (LOS) with this proposed development.
- ◆ Upon review of the alternatives provided within the submitted traffic impact study, no substantial difference in delay experienced was found in any one option. Therefore, each alternative is acceptable.
- ◆ Under the three alternatives presented, there is no appreciable difference in the LOS of the through movements on Jamestown Road (Route 31) or John Tyler Highway (Route 5) in the AM or PM peak hours.
 - The analyses for the Jamestown Road intersections assume one through lane in each direction with no turn lane improvements. Both directions maintain a LOS A in both peak hours under all three alternatives.
 - The analyses for the John Tyler Highway intersection assume one through lane in each direction as well as a left-turn lane for southbound traffic into the proposed development. The through movements experience no delay, and the left turn operates at a LOS A in the AM and PM peak hours under all three alternatives.

- ◆ Under the three alternatives presented, there is no appreciable difference in the LOS of the approaches (Spring Road and Oxford Road) onto Jamestown Road in the AM or PM peak hours.
- ◆ Under the two alternatives presented that provide access onto John Tyler Highway, the approach to John Tyler Highway is shown to operate at an acceptable LOS in the AM and PM peak hours.
- ◆ Jamestown Road and John Tyler Highway are both posted as 35 MPH facilities. The minimum required intersection sight distance for this speed per VDOT's *Minimum Standards of Entrances to State Highways* is 390-feet. With the intersection improvements proposed to Spring Road and Oxford Road, intersection sight distances in all directions will be 485-feet and greater, as shown on the site plan. The conceptualized John Tyler Highway intersection will have intersection sight distances in excess of 600-feet in both directions, per the narrative included in the traffic study.
- ◆ A factor in computing a roadway segment's overall capacity and LOS is the number of access points. It is VDOT's general preference that additional access points be minimized.
- ◆ Technical Document Appendix C of the *Hampton Roads 2026 Regional Transportation Plan*, published in June 2004 by the Hampton Roads Planning District Commission, provides estimates of average weekday traffic volumes and congestion levels in the year 2026 for over 1,300 road segments in the region. The 2026 traffic forecast for the subject segment of Jamestown Road is 9,000 vehicles with congestion classified as below moderate. The 2026 forecast for the subject section of John Tyler Highway is 17,000 vehicles with congestion classified as severe.
- ◆ Several issues presented in the narrative portions of the submitted traffic study, such as setback requirements, variances, easements, public opposition, etc., require County consideration and were not considered by VDOT in reviewing the submitted alternatives.
- ◆ VDOT will assist the County in providing additional signage, as appropriate, along existing roads that may provide access to the proposed development.

Should you have questions please contact me at 253-4832.

Sincerely,


Bradley A. Weidenhammer, EIT
Transportation Engineer



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
WILLIAMSBURG RESIDENCY
4451 IRONBOUND ROAD
WILLIAMSBURG, VIRGINIA 23188



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JAMES W. BREWER
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TEL (757) 253-4832
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May 19, 2005

Matthew Arcieri
James City County Planning
Post Office Box 8784
Williamsburg, Virginia 23187

Ref: Marywood Subdivision
County Plan Number S-091-04
James City County

Dear Mr. Arcieri,

We have completed our review of the above referenced subdivision plan and offer the following comments:

- 1) The submitted Traffic Impact Study is currently under review in Hampton Roads District Traffic Engineering. The results of this review will be provided under separate cover.
- 2) The horizontal grade line elevation at SS #2-22 exceeds the ground elevation. Review and revise as necessary.
- 3) The VDOT standard drop inlets DI-3C and DI-3CC have a 6-foot minimum slot length. Review SS #2-5, SS #2-21, SS #2-22, and SS #5-5; revise calculations as necessary.
- 4) Drainage structures greater than 8-feet in depth require the double letter series of drop inlets. Revise SS #1-2, SS #1-3, SS #1-4, and SS #1-5 to reflect this.
- 5) The erosion control stone at the outlet end of storm sewers shall be VDOT Std. EC-1, Class 1, D=24".
- 6) A standard safety slab (SL-1) shall be used on all manholes and drop inlets with heights greater than 12-feet. Review SS #2-4, SS #2-13, SS #2-15, SS #2-18, SS #3-8, SS #3-9, SS #3-10, SS #5-1, and SS #5-2. Also provide a detail on the plans.

WE KEEP VIRGINIA MOVING

- 7) It should be noted on the plans that the typical pavement sections provided on the plans should be used for bidding purposes only. Soil borehole and test reports must be submitted as outlined in Note 12 of the VDOT General Notes. This will indicate the present soil types and condition under the proposed roads, the groundwater elevation, and any need for possible soil treatment, undercut, geotextile fabric, drainage, etc. The final approval of a typical section will be based on this information.
- 8) It should be noted on the plans that all pipes 36" in diameter and greater will require location specific bedding designs. The approved thickness of the bedding material must be designed taking into account the type of soil, groundwater elevation, pipe size, and invert elevations. The consulting engineers may contact Hampton Roads District Materials if any assistance is needed in the bedding designs.
- 9) Note on the plans that backfill located within existing or proposed right of way must use VDOT Select Material, Type II, Minimum CBR 20.
- 10) Provide on the plans details for all standard items located within the right-of-way, to include DI-4FF, EW-2S, GR-2, SL-1, PB-1, etc.
- 11) Additional right-of-way shall be dedicated on Oxford Road from approximate Stations 16+00 to 17+50 for maintenance of the proposed fill slopes. The dedicated right-of-way should extend 10' beyond the toe of the slope.
- 12) Additional right-of-way shall be dedicated on Oxford Road around Station 13+00 RT for maintenance of the outfall pipe. The dedicated right-of-way must include all embankment to the pipe, and extend 10' beyond all VDOT maintained items.
- 13) The Department will only consider accepting the subdivision streets adjoining the proposed dam located on Braddock Road at approximate Station 22+50 if all of the provisions set forth in VDOT's Subdivision Street Requirements (24 VAC 30-91-10) are satisfied. The key items that must be addressed are agreements with the County, design review, right-of-way requirements, alternative access, and permits. A copy of the current "County-State Agreement for Maintenance of a Road Over a Dam" has been included for your reference. Additional information regarding the use of dams in subdivisions can be found in the VDOT Drainage Manual, Section 14.3.5 and Appendix 14D-1.

When the above comments have been addressed, please submit two sets of revised plans to this office for further review. Also, attach a letter noting what action was taken to correct the above comments and any revisions that may impact the right-of-way.

Marywood Subdivision
May 19, 2005
Page Three

Should you have questions please contact me at 253-4832.

Sincerely.

A handwritten signature in black ink, appearing to read 'B. A. W.', with a long horizontal flourish extending to the right.

Bradley A. Weidenhammer, EIT
Transportation Engineer

ENVIRONMENTAL DIVISION REVIEW COMMENTS
MARYWOOD SUBDIVISION
COUNTY PLAN NO. S-91-04
June 2, 2005

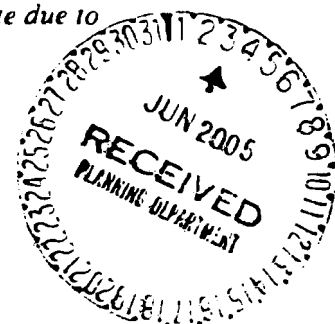
WAC/SJT/DEL

General:

1. Wetlands. A Land-Disturbing permit cannot be issued for the project until proper evidence is submitted that applicable wetland permits have been secured.
2. Dam Permit. Evidence of a construction permit from the Virginia Soil and Water Conservation Board will be required for BMP # 1 prior to final approval of the plan of development by the Environmental Division, unless the impounding structure is specifically excluded from the regulations. *(Note: A Land-Disturbing permit may not be issued for the project until approval of the project concept is verified from the DCR Division of Dam Safety.)*
3. Streetlights. Responses to previous comment # 3 are acknowledged. It appears the streetlight that was added to Oxford Court, Sta. 21+00 should be situated at the outer radius of the road, between Lots 111 and 112, rather than on the inside radius at Lot 101.
4. Interim Certification. The location of BMP # 2 (Sediment Basin # 1) was reconfigured since the last plan submission. As this facility will now serve as a temporary sediment basin (Sediment Basin # 1), it will be subject to interim certification requirements. Similar to that for BMP # 1, ensure appropriate notes are provided on the plan to ensure this activity is performed.
5. Geotechnical. A geotechnical report (GET Solutions: WM04-194G, dated February 25, 2005) was provided for the project to address previous comment # 5. The report needs revised accordingly to reflect plan changes associated with BMP # 2/Temporary Sediment Basin # 1. The report still assumes that the BMP is situated further downstream and the sediment basin is situated upstream. Both are now situated at the upstream location and the design has changed.

Chesapeake Bay Preservation:

6. Resource Protection Areas. Be advised that though the proposed BMP requires substantial grading near the headwaters of the perennial stream, the elevation of the perennial stream origin, the normal water surface elevation of the facility is not being proposed above the elevation of the current elevation corresponding to the origin of the perennial stream; therefore, should groundwater be found to discharge into the BMP above the normal pool of the pond after it is installed, and pursuant to the definitions under section 23-3 of the James City County code for both water Bodies with Perennial Flow and Resource protection areas, a 100' buffer will be imposed from the normal pool elevation within the BMP.
7. This project will require a WQIA and administrative and/or Chesapeake Bay Board review and approval for impacts to RPA and RPA buffer areas. Previous assigned WQIA number was 010-04. *(Note: Although response to previous comment # 10 is acknowledged, it should be noted that not incorporating the requested items from the previous WQIA review into the plan at this time may create undue burden in the need to revise the plan of development at a later date due to conditions that may be placed on the Chesapeake Bay Exception approval.)*



8. Steep Slopes. Additional information was provided to address previous comment # 8 as it pertained to steep slopes. Two outstanding comment remains on this issue. First, previous comment # 8a requested additional information for the area around BMP # 1 and BMP # 2. No additional information was provided for these locations on the 11 x 17 inset maps to confirm if additional steep slope areas (and impacts) exist. Second, pursuant to previous comment # 8d there are still areas present which have 25 % slopes present on lots, which abut RPA buffer, that are not shown in conservation easement. These lots include: Lots 64, 66, 67 and 73. Correct the preliminary plat, plans and mass grading/drainage plan accordingly.

9. Avoidance and Minimization Memo. At the request of Division staff and pursuant to one of several reasons for not granting preliminary approval previously, the plan preparer prepared an "Avoidance and Minimization Memorandum" dated March 7, 2005. The purpose of this memorandum was to quantify and supply information to show how steep slope and RPA/RPA buffer impacts were minimized, reduced and avoided during the course of the project. A subsequent meeting was held between Division staff and the applicant/plan preparer on March 22, 2005 to review the memo and for Division staff to give guidance/direction on select issues. The memorandum was revised by the plan preparer dated April 1, 2005 and various changes incorporated into this revised plan set. The following comments pertain to the revised memorandum dated April 1, 2005:
 - 9a. Provide mention of the March 22nd meeting between the plan preparer, applicant and County Environmental Division staff.

 - 9b. The last item under "BMP # 2 Impacts" on page 7 is based on the previous design. There is no mention of the basin being moved upstream to it's current location (concurrent with the location of temporary sediment basin # 1) and resulting impacts to steep slope areas. It can also be mentioned that RPA and perennial stream impacts were avoided by moving the proposed BMP upstream.

 - 9c. The master lot clearing and grading plan as provided to address lot-to-lot drainage concerns is incomplete in many aspects. See stormwater management/drainage comments below for a complete explanation.

10. Steep Slopes. Previously our Division acknowledged receipt of a request to impact steep slopes dated September 22, 2004. This letter must be revised and resubmitted as steep slope impact quantities have changed and impacts at BMP # 2 are now different than before.

Erosion & Sediment Control Plan:

11. Phase I E&S. The following comments pertain to the Phase I erosion and sediment control plan as presented on Sheets 10, 11, 12 and 13. Comments, in general, are in a south to north direction.
 - 11a. Sediment Basins. Although not required, it may be easier and less confusing to provide consistency between BMP and Sediment Basin call-outs. Currently BMP # 1 is Sediment Basin # 2 and BMP # 2 is Sediment Basin # 1. Perhaps BMP # 1 should be TSB # 1 and BMP # 2 should be TSB # 2.

 - 11b. Sediment Trap # 1. Revise the configuration of diversions associated with temporary sediment trap # 1 (Sheet 10) so that they discharge into the trap. Currently the diversions are shown with outfalls below top of berm.

- 11c. Diversions. Pursuant to previous comment # 11c, the diversions across the sewer right-of-way should be labeled as right-of-way diversions (RWD). Diversion dikes and right-of-way diversions are two different measures used for separate distinct purposes. The same is also true for the diversion proposed along the sewer to the east of BMP # 1/TSB # 2.
- 11d. Sediment Trap # 2. Revise grading associated with temporary sediment trap # 2 on Sheet 10, to reflect top of berm at El. 48 rather than just peaking at El. 48. This may affect the limits of clearing and grading in that area.
- 11e. Concrete Channel. Outlet protection or other energy dissipation measures are required at the outfall end of the concrete-lined stormwater conveyance channel which conveys drainage from existing Kingswood subdivision into BMP # 1. The OP must be installed when the channel lining is installed (ie. Phase 1, final, etc.)
- 11f. Sediment Basin # 2. The schematic for TSB # 2 shows a 72-inch riser and a 48-inch CMP barrel. Combined with the configuration of the principle flow control structure for BMP # 1, it is a bit unclear if the temporary riser/barrel will connect to the permanent riser/barrel or if the temporary riser/barrel will be a separate system, independent of the permanent riser/barrel. Provide clarification.
- 11g. Sediment Trap # 7. Based on the current plan, access for land-disturbing at the end of Oxford Court will need to ford through the wet/dry storage area of temporary sediment trap # 7. The trap must be reconfigured to avoid this situation or provisions for proper access across the trap must be made (ie. CRS, temporary culvert/road fill, etc.).
- 12. Culvert. The note added to plan Sheet 25 to address previous comment # 17 should go on to say that "otherwise replacement is necessary". If the existing culvert is found to be in deteriorated condition, it should be replaced.
- 13. Dewatering. Provide general notes on the erosion and sediment control plan or sequence of construction to ensure that any necessary dewatering operations necessary during the land-disturbing phase are conducted in accordance with Minimum Standard & Spec. 3.26 of the VESCH.

Stormwater Management / Drainage:

- 14. Narrative. Paragraph 4 under the "stormwater management/Best Management Practices" section of the stormwater management narrative (page 2) needs to indicate that proposed onsite BMPs are designed to meet current County stream channel protection criteria which is 24 hour detention of the postdevelopment 1-year, 24 hour storm. The same is also true in the conclusion on page 3 of the narrative.
- 15. BMP Worksheet. Overall, responses and revisions to the BMP Point Display map and the BMP worksheet appear to address previous comment # 19. However, one small comment remains. The sum of drainage areas (onsite and offsite) for BMP # 1 on the BMP worksheet and the overall drainage plan Sheet 5 show the drainage area to BMP # 1 as 62.39 acres. However, Hydraflow hydrograph No. 1 (Area 3 to wet pond) shows 59.22 acres. Adjust pond hydraulics or the drainage map/worksheet accordingly to be consistent. *(Note: Even with the lower drainage area*

for BMP # 1, it would appear that 10 BMP points are achieved for the site based on the current configuration. Structural BMPs would achieve a total of 5.13 points and NOS would achieve 5.06 for a total of 10.19 BMP points.)

16. Lot-to-Lot Drainage. Response to previous comment # 45 is noted; however, the comment is not considered fully resolved. Based on the 1 inch = 50 ft. scale master (lot) grading and drainage plan, it would appear that there are still lot-to-lot drainage issues at the following locations: Lots 38 and 40 to Lot 41; Lot 49 to Lot 48; and Lot 82 to Lot 81. These areas are of a serious enough concern that we feel cannot be left to be resolved at the SF plan stage or by use of "global" 5 ft. perimeter HOA drainage easements.
17. BMP # 1. The following comments pertain to the revised plan for BMP # 1.
 - 18a. The width of the aquatic bench proposed at BMP # 1 does not meet minimum requirements of the County BMP manual. Minimum width is 15 feet.
 - 18b. Pursuant to the response to previous comment # 22c, a paved flume was provided in the back of BMP # 1. Computations in the design report show that flow depth in the channel at 0.96 feet for the 10-year storm. As the channel is only 1 ft. deep as constructed and due to the neighborhood "interconnectivity" issue as previously raised, it is preferred that this channel have freeboard as outlined in Item 3.1 of the *James City County Environmental Division, Stormwater Drainage Conveyance Systems, General Design and Construction Guidelines*. Provide a channel design with adequate freeboard (0.5 feet preferred; minimum 0.25 feet). Also, as previously stated, an energy dissipater is required at the end of the channel as design velocity for the 2-year storm event is shown at 23.41 feet per second. (Refer to Item 6.2 of the *Stormwater Drainage Conveyance Systems, General Design and Construction Guidelines*).
 - 18c. Response to previous comment # 22e is acknowledged. Our Division will not require an intermediate slope bench and will concur with the response that a 3H:1V slope is not considered a "drop-off" for this specific review case, if a row of shrubbery landscaping is provided along the north side and just parallel to the nature trail. This row of shrubbery landscaping would be on the slope just off the trail and would serve as further separation between the trail, the existing subdivision and BMP # 1.
 - 18d. Similar to previous comment # 19i, should this BMP not be able to be implemented as proposed, serious concern would exist about the ability for the site to achieve 10-BMP points under its current layout and configuration. Please keep us informed on the progress of wetland permitting through the USACOE and DEQ and if this BMP is not able to be implemented as previously and currently presented.
19. BMP # 2. The following comments pertain to BMP # 2, a dry extended detention basin, which has a revised location since the last plan submission. The BMP was moved approximately 450 feet upstream to avoid sensitive steep slope, RPA buffer and perennial stream areas.
 - 19a. It appears proposed Lots 51 and 53 will be subject to the pond buffer/setback.
 - 19b. Computations in the design report show a 3-inch low flow orifice at El. 40; however, construction plan Sheet 30 shows a 4-inch orifice.

- 19c. Final routings for BMP # 2 (dry pond) for the 1-, 2-, 10- and 100-year postdevelopment design storm event could not be found in the design report.
20. BMPs. Provide drawdown calculations to clearly demonstrate that volumes for the postdevelopment 1-year, 24 hour storm achieve 24 hour detention through the 6-inch orifice for BMP # 1 and the 4-inch orifice for BMP # 2. Based on hydrograph summaries in the design report, inflow volume for BMP # 1 (wet pond) is 248,914 cubic feet and 42,021 cubic feet for BMP # 2.
21. MS-19. Previous comment # 24 does not appear to be adequately addressed. Although channel adequacy computations were provided in the design report for analyses Sections A, B, C, and D, our Division specifically requested to know if the channel sections as analyzed were based on field survey information. Based on information in the design report, the computational section depth (height) does not appear to represent the low flow base channel (channel bed and bank) conditions as observed in the field but rather a full section including overbank areas. Although postdevelopment discharges at select location may meet pre-development discharges, it is unclear if actual channel adequacy determinations were based on applying determined flows to select surveyed channel locations and if applicable channel segments are adequate for erosion resistance and capacity for the 2-year design storm event.
22. Storm Drainage System. The following comments pertain to design computation and construction plan information for the onsite storm drainage piping system.
- 22a. Pipe construction information is not labeled for the 24-inch pipe segment between storm drainage structure SS # 2-3 and SS # 2-2.
- 22b. Construction plan Sheet 14 shows an 18-inch pipe segment between storm drainage structures SS # 3-3 and SS # 3-2; however, the design computations shows a 15-inch pipe. Plans and computations should be consistent with information.
- 22c. Pipe slope does not match between the computations and design plan Sheet 24 for the 15-inch pipe segment between storm drainage structure SS # 3-5 and SS # 3-4.
- 22d. Rim elevation information in the design report does not match the construction plan for storm drainage structures SS # 3-4A, SS # 3-3B and SS # 3-3A.
23. Master Clearing and Grading Plan. A 4-sheet, 1 inch = 50 ft. scale master clearing and grading plan exhibit was provided as a response to previous comment # 21 (lot-to-lot drainage issues) and to provide our Division with a visual aid as to the future anticipated extent of single family home clearing and drainage patterns. The following comments pertain to the master clearing and grading plan exhibit:
- 23a. The exhibit plan needs to show no further encroachment into RPA buffer beyond that shown on the plan of development. Revise the SF limits of clearing shown at Lots 48, 64, 87, 90, 102 and 104. Any encroachments into RPA buffer as a result of single-family construction would require the single-family applicant to pursue appropriate administrative and/or Chesapeake Bay Board waivers or exemptions.
- 23b. Work shown would require erosion and sediment control measures in accordance with the single-family building permit process.

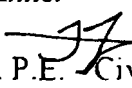
- 23c. The master lot clearing and grading plans shows additional steep-slope impacts beyond that depicted on the plan of development at Lot 86. Appropriate approvals will be necessary from the Environmental Division during the single-family building permit application process.
- 23d. As discussed at previous meetings, it is encouraged that any block (ie. multi-lot) grading or erosion and sediment control plan as developed for single-family construction be submitted for advance review and approval by the Environmental Division before applicable, individual single-family building permit applications are submitted for review. It is the intent of the Division to ensure block grading/drainage plans are consistent with the master clearing and grading plan exhibit as provided in this submittal, before individual single-family plans are reviewed. In that manner, the single-families would then need to be consistent with approved block grading and drainage plans and will aid to expedited the review process and ensure consistency with the overall plan of development.
- 23e. Lots 12, 57 and 58 have no clearing limits.
- 23f. The "Master Grading plan" provided with the latest submittal may resolve many issues associated with Lot-to-Lot drainage (per previous comment # 21); however, it does now reveal additional concerns as to how the site will be controlled during land disturbing operations have been created. The intent of requesting a master grading plan was to promote drainage in a positive manner toward adequate discharge locations and away from single family residences while minimizing the impacts to steep slopes and other environmentally sensitive areas. Under the current plan, it appears that grading in some areas may cause erosion by concentrating drainage upland of steep slopes. Further, it appears that several lots are proposed for clearing but are not proposed to be graded. For example, only 14 Lots were required for drainage improvements relating to Lot-to-Lot drainage; however, 60 lots are proposed for clearing. Of these 60 Lots, only 37 are proposed to be re-graded. Additionally, the grading plan, as proposed, does not entirely address the lot-to-Lot drainage issues, but in some instances exacerbates it. For example, Lots 46, 47, 48, 49, 62, 63, 64, 65, 66, 67, 69 and 70 will direct stormwater more readily toward the adjacent units. Please review the proposed master grading plan for these issues and revise to prevent stormwater from being directed toward single family dwelling areas and the concentration of runoff onto steep slopes. (*Technically, Minimum Standard # 19 would apply to the onsite channels proposed at Lots 46/47, at Lots 63/64 and at Lot 8). Concentrated drainage from swale or channel outfalls cannot be directed onto slopes with no natural receiving channel.*)
- 23g. It should be clear that land-disturbing (clearing & grading) associated with the master (lot) clearing and grading plan exhibit will not authorized under the land-disturbing permit for S-91-04.
24. Geotechnical. In response to previous comment # 26, a geotechnical report (GET Solutions: WM04-194G, dated February 25, 2005) was provided for the project. The following comments pertain to the geotechnical report as it relates to the development plan.
- 24a. The geotechnical report assumes to be basing recommendations for BMP # 2 based on it's previous location. Revise the report and recommendations accordingly.

- 24b. It is unclear if checkmark item # 4 in Section 4.7 (Engineering BMP Evaluation) on page 14 of the report pertains to wet pond BMP # 1. If it does, it is unclear if BMP # 1 requires a liner.
- 24c. Ensure Notes # 4 and # 5 in the "General Notes for Construction of Stormwater Basins" on plan Sheet 30 are consistent with recommendations as offered on pages 14 and 15 of the geotechnical report. There appears to be some discrepancies in soil classifications for the dam cores and keys.
- 24d. Notes # 2 and # 3 of the "General Notes for Construction of Stormwater Basins" on Sheet 30 reference the need for an onsite geotechnical engineer to inspect and observe work. As the geotechnical investigation performed is clear and specific about implementation measures for dam fills as it relates to settlement and stability, ensure that the onsite geotechnical engineer has fully reviewed the geotechnical report and considers its recommendation during the scope of onsite services. Add language to the notes as appropriate to reference the geotechnical report and link it to the onsite geotechnical engineer.
- 23e. The design plan or geotechnical report needs to specifically address or provide recommendations for seepage control methods for the dam at BMP # 1 (wet pond at Braddock Road). Due to the size and sensitivity of this dam as a road, dam construction should at a minimum follow Minimum Standards & Specs. 3.01 and 3.02 of the Virginia Stormwater Management Handbook. Use of anti-seep collars in this specific application may not be
24. **Dambreak Analyses.** In response to previous comment # 25, a revised dam breach analyses report was provided (WEG: # 2311; May 17, 2005). The following comments pertain to the revised dam breach analyses.
- 24a. On Page 11 of Section 5.2 "BMP MC 039 (LaFontaine BMP)" of the report, the narrative indicates a breach flow of 452 cfs; however, the summary information in Figure 5-3 indicates 425 cfs. Clarify which breach flow was used to set the water surface elevation at 55.87 ft. MSL and the minimum finished floor elevation at 57.0 ft. MSL for the area upland of the dual 48-inch culvert system at Oxford Road Sta. 16+50.
- 24b. For the dam breach analyses from MC 038 (Riverside) to the single 48-inch culvert at Oxford Road Sta. 12+50, the computed water surface elevation at the upland side of the culvert was at 50.93 ft. MSL. This would appear to make the existing plat lot at Lot 22 Section A Druid Hills (4720700022; 221 Oxford Road) virtually unbuildable. It is advisable that this information be passed on to the current owner of that lot.
- 24c. The conclusion on page 16 of the report indicates that based on "existing structures and potential building area" that there are no restrictions to proposed Marywood lots upland of the first crossing (Oxford Road Sta. 12+50) and only one lot (proposed Lot 104) could be affected upland of the second crossing (Oxford Road Sta. 16+50). The preliminary and final plat for the subdivision should indicate minimum Finished Floor Elevation wherever the dam breach elevation crosses onto the subject lots. This would appear to affect Lot 87 (minimum required finished floor at 52 ft. MSL) and Lots 96, 97, 98, 99, 102, 103, 104 (minimum required finished floor elevation at 57 ft. MSL).



MEMORANDUM



Date: May 13, 2005
To: Mathew Arcieri, Planner
From: Timothy O. Fortune, P.E.  Civil Engineer
Subject: S-091-04. Marywood Subdivision (Construction Plans)

James City Service Authority has reviewed these plans for general compliance with the JCSA Standards and Specifications, Water Distribution and Sanitary Sewer Systems and have the following comments for the above project you forwarded on April 12, 2005. Quality control and back checking of the plans and calculations for discrepancies, errors, omissions, and conflicts is the sole responsibility of the professional engineer and/or surveyor who has signed, sealed, and dated the plans and calculations. It is the responsibility of the engineer or surveyor to ensure the plans and calculations comply with all governing regulations, standards, and specifications. Before the JCSA can approve these plans for general compliance with the JCSA Standards and Specifications, the following comments must be addressed. We may have additional comments when a revised plan incorporating these comments is submitted.

General Comments:

1. Per previous comment, the site plan will not receive JCSA final approval until approval has been received from the Department of Environmental Quality.
2. Indicate R/W widths on all plan sheets.

Sheet 4:

1. It appears that San MH #1-8 and #1-9 are incorrectly labeled as Drop MH's. Per the profiles, MH #1-4 is the only structure identified as a drop manhole. Verify and revise labeling accordingly.

Sheet 6:

1. Per previous comment, it appears the easement shown on Lot 49/50 (labeled as Lot 39/40 on previous submittal) is incorrectly labeled as a drainage easement. Verify and revise accordingly.
2. Remove the 30' JCSA Utility Easement label near Lot 62 as no easements are proposed in this area.

Sheet 8:

1. Lot 11/12: The 30' JCSA Utility Easement shall be clearly separated from the Variable Width Drainage Easement. This shall be accomplished by extending the easements across one another (i.e. JCSA Utility Easement shall extend to the R/W line). Revise accordingly.

Sheet 9:

1. Per previous comment, remove the Natural Open Space Easement hatch from the existing JCSA Utility Easement across Lot 87.
2. Oxford Road Sta 12+70 (+/-): Clearly label and hatch the JCSA sewer line easement area to be extinguished within the R/W.
3. Show and label the existing JCSA Utility easement along the LS 4-3 gravity sewer located south of Oxford Road. Remove the Natural Open Space Easement hatch from the easement area.
4. Oxford Road Sta 13+00 RT: Label the proposed JCSA Utility Easement.
5. Clearly indicate the Owner of the 16' Permanent Easement shown north of Oxford Road.
6. Lot 105/106: Extend the proposed JCSA Utility Easement to the property line/existing JCSA Utility Easement on the La Fontaine property.
7. Label the existing JCSA Utility Easement along the La Fontaine property line.

Sheet 12:

1. The Applicant shall clarify if the 15" RCP for ST #4 will be removed after Phase 1 work is complete. Clearly state this on the plan and/or sequence of construction. If the culvert is to remain, show and label accordingly on the profiles. Appropriate clearances shall be maintained with proposed JCSA utilities.

Sheet 18:

1. Show sewer connections to Lots 48/49 as perpendicular to the main.
2. Label the JCSA Easement shown on Lot 49/50.
3. Remove water and sanitary sewer services provided to BMP #2.
4. It is recommended the Applicant verify if Lot 57 sanitary sewer lateral will conflict with the storm sewer system when extended at the same slope.
5. Sheet 18 matchline does not match into Sheet 19. Verify and revise accordingly.
6. Revise easement label between San MH #1-3 to #1-4 to reflect a "JCSA Utility Easement", not a drainage easement.
7. Per the profile, it appears MH #1-1 rim elevation will extend above finished grade approximately 2-feet within the VDOT R/W. Clarify why this is required and if acceptable to VDOT.
8. HRPDC/JCSA Detail Reference Table
 - a. It is not clear where JCSA detail S16.0 is used for this project. If not used, remove reference from the table. Revise table accordingly on all plan sheets.

- b. Since JCSA detail S18.0 has not yet been adopted by JCSA, add a note referencing the detail on Sheet 33. Revise accordingly on all plan sheets.
9. Required Joint Restraint Table: Clearly indicate Oxford Road and Braddock Road (north of Spring Road) as looped systems and requiring joint restraint on both sides of fittings. Revise all charts provided on the plans to indicate this requirement.

Sheet 19:

1. Label all proposed JCSA Utility Easements along the north side of Braddock Road.
2. Relocate San MH #1-16 such that it is at the quarter point of the Braddock Road around Sta 28+50.
3. Connect Lot 14 lateral directly to San MH #1-17. Provide lateral invert as part of the manhole description.
4. Braddock Road and Rembold Way Materials table: Length of 8-inch waterline shown contradicts the plan. Verify and revise each accordingly.

Sheet 20:

1. Lot 11 & 12: Relocate sanitary sewer cleanouts southward to provide at least 10-foot separation from the building setback lines.
2. San MH #2-2 to 2-1 pipe material contradicts the profile. Verify and revise accordingly.
3. Refer to Sheet 8, Comment # 1 above.
4. Relocate Lot 8 sanitary sewer lateral to Sta 18+02 (+/-) to eliminate a conflict with the proposed storm sewer system.
5. Relocate Lot 5 sanitary sewer cleanout to the R/W line. Provide a JCSA Utility Easement specific for the fire hydrant. Revise the "Variable Width Drainage and JCSA Utility Easement" to only a "Variable Width Drainage Easement".
6. Relocate Lot 4 water meter to Spring Road as a dual connection with Lot 3. This will eliminate an apparent conflict with the storm sewer system along Braddock Road.
7. Braddock Road Sta 10+29 LT and Sta 10+10 RT: The Applicant shall either provide thrust blocks on the proposed 90-degree elbows or indicate the length of existing main to be exposed and joint restraint applied.
8. Clarify why a 6-inch lateral is proposed to Lot 3. Unless capacity/velocity related, revise plan to show a 4-inch pipe. Pipe material shall be DIP.
9. Revise the force main location along Spring Road to be at the quarter point. Revise the force main layout at the Braddock Road/Spring Road intersection to use 45-degree bends east of San MH #2-6 in lieu of the 90-degree bend shown.

10. Show and label the existing force main along Spring Road up to the manhole connection. Clearly indicate the existing force main shall be removed, not abandoned in place.
11. Spring Road Sta 15+00 to Sta 16+80 (+/-): Clearly indicate requirements (i.e. saw cutting, pavement demolition, overlay areas, etc) for installing the waterline along existing Spring Road. What does the hatch shown indicate?
12. All existing water services along Spring Road shall be replaced with new services between the proposed water main and water meter. Revise notes on the plan accordingly.
13. The proposed waterline connection on Spring Road specifies a cut-in sleeve while the profile shows a tapping sleeve and valve. Which is correct?
14. Label the proposed 25' JCSA Utility Easement provided along the LS 4-3 access road. Clearly indicate the existing 15' easement as being extinguished.
15. Revise the CG-9A entrance such that an asphalt entrance is provided. Revise accordingly.
16. Revise the note provided near the Spring Road waterline connection to require removal of the 6-inch waterline, not abandonment. Also, revise the note such that it is clear that the contractor will make the connection (as written, it could be inferred that JCSA will perform this work which is not the case). Revise accordingly.
17. Provide the following notes on the plan which specify JCSA requirements for connection into the system:
 - a. The Engineer and Contractor shall have a coordination meeting with JCSA personnel at least 10 business days prior to the planned shutdown and provide a written schedule of work. The schedule shall be a detailed work plan including valve operation, installation procedures and testing processes. An anticipated timeline of the shut down shall also be provided by the Contractor. JCSA shall review the schedule and either approve it or schedule a meeting with the engineer and Contractor within 3 business days following receipt of the plan to work with the Contractor to satisfactorily modify it.
 - b. The proposed waterline shutdown shall not occur on a Monday, Friday or weekend.
 - c. The Contractor's JCSA contact for this work is Stuart Burcham at 592-1809. Contractor shall contact Mr. Burcham during normal business hours to schedule the coordination meeting and waterline shutdown.
 - d. Contractor shall excavate the points of connection and existing utility crossings to determine pipe materials and field conditions. This shall be included in the plan of the work.
 - e. It will be the responsibility of the Developer/Contractor to contact all residents 48 hours in advance whose service could be interrupted by the shutdown.

18. Spring Road Sta 12+83: Provide a JCSA Utility Easement around the proposed fire hydrant as it will extend beyond the proposed R/W (based on 7.5' min from F/C).
19. Revise the pump station shut down note as follows:
 - a. Include LS 3-7 as part of the note since this station will also be shut down during force-main tie-in.
 - b. Add the requirement for the bypass pumping plan to be submitted to the "...*design engineer and JCSA for approval...*".

Sheet 21:

1. Show and label the existing JCSA Utility easement along the LS 4-3 gravity sewer (behind existing Lots 1 & 2).
2. Label the JCSA Utility Easements located around San MH #5-5 and #5-6.
3. Sta 20+70: Relocate fire hydrant to the Lot 111/112 common property line.
4. Add a note requiring Lot 106 water meter to maintain a minimum separation of 18-inches with the proposed sidewalk. Revise the JCSA easement accordingly to accommodate this requirement and installation of the meter.
5. Indicate the existing 12-inch waterline easement width on the plan.
6. Refer to Sheet 9 Comment #6 above.
7. Sta 12+15 Oxford Road: Graphically show the fire hydrant as 7.5' from the face of curb. Provide a JCSA Utility Easement accordingly. Grade around the hydrant such that it is not located on the fill slope.

Sheet 26:

1. General Comment: Show all waterline reducers as eccentric reducers.
2. Marywood Drive Profile:
 - a. San MH #1-8: Provide invert out as part of the description.
 - b. The pipe slope noted between San MH #1-8 to 1-9 appears incorrect. Verify and revise accordingly.
 - c. Revise the force main saxophone to be inverted per the detail on Sheet 34. Revise the connection elevation, etc to reflect this detail and reference Sheet #34 as part of the description. A minimum cover of 3-feet shall be provided over the main.
3. Spring Road Profile:
 - a. It appears that 3-feet minimum cover is not maintained over the proposed waterline at the profiled high point. Verify and revise accordingly.
 - b. Lower Lot 3 sanitary sewer lateral such that it passes under the proposed waterline and maintains 18-inches vertical separation with the waterline and force main. This will permit the waterline profile to maintain 3-feet of cover throughout. Revise accordingly.

- c. Show and label a force main siphon prior to connection to the existing manhole.
 - d. Either provide the required force main joint restraint lengths on the profile or add a note requiring the force main to be restrained throughout.
4. Rembold Way Profile:
- a. Eliminate San MH #1-7. It appears that approximately 8-foot horizontal separation can still be maintained between the proposed water and sewer lines. Given the separation and depth of the sewer around 12-feet, this will meet JCSA's requirement and eliminate a potential source of I&I.
 - b. Verify computed depth of San MH #1-8.
 - c. San MH #1-6 rim elevation contradicts the plan. Verify and revise accordingly.

Sheet 27:

- 1. Sta 11+00 (+/-): It appears the sanitary sewer lateral to Lot #1 will not maintain 3-feet of cover. Verify and revise accordingly.
- 2. Clearly indicate fittings for the force main alignment with a "FM" label. Either provide the required force main joint restraint lengths on the profile or add a note requiring the force main to be restrained throughout.
- 3. Sta 15+40: Fire hydrant location contradicts the plan. Verify and revise accordingly.
- 4. Provide the DIP hatch convention for consistency among the plans. Coordinate pipe material labeling to be consistent between the plan and profile.
- 5. It appears the pipe deflection shown at Sta 25+25 (+/-) exceeds that permitted by HRPDC standards (1/2 of that permitted by the manufacturer). Verify and if necessary, provide the appropriate fittings for the vertical offset.
- 6. Sta 26+56: Fire hydrant location contradicts the plan. Verify and revise accordingly.
- 7. It appears that 18-inches vertical separation will not be maintained between the lateral serving Lot 56 at the storm sewer crossing. Verify and revise plan/profile accordingly.

Sheet 28:

- 1. San Sewer from Mary wood Drive:
 - a. Pipe material listed between San MH #1-3 to #1-2 contradicts the plan. Verify and revise accordingly.
 - b. Revise San MH #1-0 to be a "Proposed" Straddle MH (incorrectly labeled as existing).
 - c. Revise the note requiring the Contractor to locate the existing force main "...prior to installation of the *gravity sewer main*". not the force main.

2. San Sewer off of Braddock Road:
 - a. Provide the DIP hatch convention for consistency among the plans. Coordinate pipe material labeling to be consistent between the plan and profile.
 - b. Graphically show "EX MH" as existing.

Sheet 29:

1. Oxford Road Profile:
 - a. Verify the pipe slope/inverts between San MH #5-2 to 5-1. Revise accordingly.
 - b. Pipe slope between San MH #5-4 to 5-5 contradicts the plan. Verify and revise accordingly.
 - c. Revise Lot 100 sanitary sewer lateral such that 18-inches minimum vertical clearance is provided with the waterline crossing.
 - d. The Applicant shall verify if San MH #5-6 rim elevation is correct based on the proposed typical section and profile grade shown on the plan. Verify and revise accordingly.

Sheet 33:

1. Per note 5 of the Pipe Bridge Detail, the Applicant shall submit pipe bridge design calculations sealed by a Professional Engineer registered in VA for JCSA's record.

Sheet 34:

1. The JCSA General Notes for Grinder Pumps are no longer a part of the JCSA General Notes. It is the Applicant's discretion to use these notes, however references to JCSA shall be removed from the General Notes.
2. Grinder Pump Connection to Sewer Cleanout detail: Revise the detail to eliminate the ball valve and valve box. Graphically show the cleanout at the property line.

Sheet 36:

1. The Applicant shall clarify the vertical datum used for the plan views. Existing contouring and structure elevations shown are not reflective nor consistent with the project area.
2. Jamestown Road/Spring Road Improvements:
 - a. The existing waterline location and size shown along Spring Road are not reflective of JCSA as-builts (copy attached for your reference). The Applicant shall field verify and revise plan accordingly.
 - b. Show and label the existing force main and waterline along Jamestown Road.
 - c. The Applicant shall confirm that the proposed VDOT MH and storm sewer will not conflict with the existing waterlines and force main in this area. The Applicant shall have these utilities located as part of the design process, not during construction.
 - d. A new fire hydrant assembly shall be provided at the location indicated (existing fire hydrant not to be reused). If hydrant is to be located behind the ditchline as shown, the Applicant shall determine if a culvert is required per HRPDC detail WD_07.

3. Jamestown Road/Oxford Road Improvements:
 - a. Show and label the existing waterline along Jamestown Road. The Applicant shall field locate the line and determine if a minimum of 3-feet of cover will be maintained after ditch relocation.

Water Data Sheet:

1. Section 6: It appears that pipe lengths shown for 6 and 8-inch piping do not agree with plan lengths. Verify and revise accordingly.

Sanitary Sewer Systems Data Sheet:

1. Section 4: Revise to reflect the correct lift stations serving the project area (LS 3-6, 3-7 & 4-3).
2. Section 6:
 - a. 8-inch PVC and DIP pipe lengths noted appear not to match profiled lengths. Profiles indicate a total length (PVC & DIP) of 6514 lf. Verify and revise accordingly.
 - b. The 8-inch force main length appears not to match the plan. Verify and revise accordingly.
 - c. JCSA requires any sanitary sewer laterals 6-inch in size (i.e. dual laterals) to be included as part of the tabulation block. Provide accordingly.
3. Section 7: Verify the number of 48 and 60-inch manholes. JCSA totaled twenty four 48-inch MH's and nine 60-inch MH's. Verify and revise accordingly.

Water Distribution System Analysis:

1. Include fire flow tests as part of the model report.
2. Summary Worksheet: The Max Demand w/15% irrigation for node J-1 appears to be incorrect (should be 37.3 gpm). Revise worksheet and model scenarios accordingly.
3. Max Day Plus Fire Flow - Fire Flow Report: Description of # homes per node contradicts the Summary Worksheet. Verify which is correct and revise accordingly.
4. Detailed Report for Pump Definition - Oxford Road Hydrant: The Max Operating Head and Max Operating Discharge do not reflect the fire flow test data required to develop the 3-point curve (plotted point uses head for Q_{20} and max discharge for Q_{10}). Revise accordingly.
5. The Detailed Reservoir Reports for Braddock Road and Oxford appear to indicate no inflow/outflow from those analysis points. Please clarify if this is correct with appropriate explanation.
6. Provide a model scenario which applies a 1000 gpm fire flow at node J-8. It is recognized that the system will connect to the 12-inch waterline along La Fontaine, however an assessment needs to be made as far as system dynamics for the existing water system.

Please call me at 253-6836 if you have any questions or require any additional information.

Matthew Arcieri

From: Weidenhammer, Bradley A. [Bradley.Weidenhammer@VDOT.Virginia.gov]
Sent: Tuesday, June 28, 2005 12:29 PM
To: Matthew Arcieri
Cc: Marvin Sowers; Allen Murphy; John Horne; Brewer, Jim (Williamsburg)
Subject: RE: Comments - Marywood Traffic Study

Matt:

Responses to your questions based on the submitted traffic study:

1) Staff would like further analysis of vertical sight and stopping distance for queued vehicles on Jamestown Road at both Spring and Oxford Road. Will queued vehicles on Jamestown Road impact safety or level of service?

Response: The standard methodology for determining queue lengths was used in the study. In general, the level of service/delay will dictate the queue lengths, rather than the queue lengths dictating level of service/delay. The level of service determination methodology for northbound Jamestown Road through movements presented in the study do take into account queuing, therefore queued vehicles will have no further impact on the LOS over what is presented in the study.

The study shows that the 95th percentile queue lengths for the northbound Jamestown Road through movements will be less than 1 vehicle in each of the scenarios presented. The required intersection sight distance for a 35 MPH 2-lane facility based on VDOT's Minimum Standards of Entrances to State Highways is 390-feet. This requirement encompasses both horizontal and vertical components, and must be obtained both from the intersection as well as to the left-turn position at the entrance. The submitted site plans show that there will be 485-feet of sight distance from the Spring Road intersection and 500+ feet of sight distance at the Oxford Road intersection. Given the standard assumption that a queued vehicle takes up approximately 20-feet, there is adequate sight distance for a minimum of 5 queued vehicles based on the information presented. Further analysis is required to determine the implications of sight distance with queued vehicles, as each queued vehicle will represent a new point from which to measure the sight distance.

We also note that AASHTO's stopping sight distance requirements are less than VDOT's intersection sight distance requirements. Using a conservative design speed of 45MPH, the required stopping sight distance per AASHTO is approximately 360-feet.

2) Staff would like further clarification of the third bullet point:

When the letter states there is no "appreciable difference" in level of service, how does this translate into difference in actual level of service and delay at the three potential intersections.

Response: Please see the attached table with the compiled results from the analyses. This should aid in comparing the impacts (level of service and delay) of each alternative on each specific approach.

<Marywood Alternatives.doc>>

- In the statement on John Tyler Highway, at what level of service does the through movement operate at?

Response: Assuming construction of a southbound left-turn lane on John Tyler Highway, both the northbound and southbound through movements would experience no delay, thus operating at a LOS A.

3) On March 24, 2005 John McGlennon provided a letter to VDOT requesting a formal public hearing by VDOT to hear and address citizen concern. What was VDOT's final decision on this matter?

Response: I have recently provided you with a letter from James Brewer to Mr. McGlennon dated May 9, 2005 concerning this matter. Let me know if you would like additional copies.

Let me know if you have any further questions.

Bradley A. Weidenhammer, EIT
Transportation Engineer
Williamsburg Residency
4451 Ironbound Road
Williamsburg, VA 23188
757-253-4832

-----Original Message-----

From: Matthew Arcieri [mailto:MATTHEW.A@james-city.va.us]
Sent: Friday, June 17, 2005 8:54 AM
To: Weidenhammer, Bradley A.
Cc: Marvin Sowers; Allen Murphy; John Horne
Subject: RE: Comments - Marywood Traffic Study
Importance: High

Brad: We are in receipt of your June 15, 2005 letter on the Marywood Traffic Impact Analysis. At your earliest convenience, could you please provide us with the following additional information:

1) Staff would like further analysis of vertical sight and stopping distance for queued vehicles on Jamestown Road at both Spring and Oxford Road. Will queued vehicles on Jamestown Road impact safety or level of service?

2) Staff would like further clarification of the third bullet point:

- When the letter states there is no "appreciable difference" in level of service, how does this translate into difference in actual level of service and delay at the three potential intersections.

- In the statement on John Tyler Highway, at what level of service does the through movement operate at?

On March 24, 2005 John McGlennon provided a letter to VDOT requesting a formal public hearing by VDOT to hear and address citizen concern. What was VDOT's final decision on this matter?

Thank you in advance for all your work on this project. I look forward to your response.

-Matt

Marywood Subdivision Access Alternative Comparisons

Alternative 1 - Current access plan

Alternative 2 - Separate access to Route 5 for 29 North Lots

Alternative 3 - Oxford Road connection between Route 31 and Route 5

Approach	ALTERNATIVE 1	ALTERNATIVE 2	ALTERNATIVE 3
Jamestown Rd. NB At Spring Road Through/Left	AM - A (7.8) PM - A (8.8)	AM - A (7.8) PM - A (8.8)	AM - A (7.8) PM - A (8.8)
Jamestown Road NB At Oxford Road Through/Left	AM - A (7.9) PM - A (9.2)	AM - A (7.9) PM - A (9.2)	AM - A (7.9) PM - A (9.1)
John Tyler Hwy SB At Marywood Entrance Left-Turn lane	N/A	AM - A (8.3) PM - A (8.3)	AM - A (8.4) PM - A (8.6)
Oxford Road EB At Jamestown Road Left/Right	AM - C (23.0) PM - D (31.4)	AM - C (21.8) PM - D (28.7)	AM - C (18.7) PM - D (26.6)
Spring Road EB At Jamestown Road Left/Right	AM - C (17.0) PM - C (20.1)	AM - C (17.0) PM - C (20.1)	AM - C (15.9) PM - C (19.3)
Marywood Entrance WB At John Tyler Hwy Left/Right	N/A	AM - B (11.9) PM - B (12.9)	AM - B (13.0) PM - C (20.7)

Notation: Peak Hour - LOS (Delay)

These values are compiled from the Traffic Impact Studies performed by Dexter Williams dated April 1, 2005, April 2, 2005, and April 20, 2005.

File



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
WILLIAMSBURG RESIDENCY
4451 IRONBOUND ROAD
WILLIAMSBURG, VIRGINIA 23188

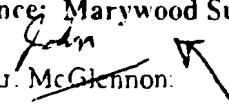
PHILIP SHUCET
COMMISSIONER

JAMES W. BREWER
RESIDENCY ADMINISTRATOR
TEL (757) 253-4832
FAX (757) 253-5148

May 9, 2005

Mr. John J. McGlennon
Board of Supervisors
Jamestown District
Post Office Box 8784
Williamsburg, Virginia 23187

Reference: Marywood Subdivision

Dear Mr. McGlennon: 

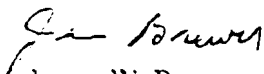
This is in reference to your letter received in this office on April 27, 2005, requesting the residency solicit public input, including a possible hearing, prior to the issuance any land use, construction, or access permits.

As we discussed by telephone, this subdivision is not an issue that the Virginia Department of Transportation would become involved, as far as a public hearing is concerned. It is the responsibility of the local government to control land development activity and establishes new streets, the relocation of existing streets and the criteria governing the development of such streets.

VDOT only establishes the minimum standards that must be satisfied for a new subdivision; streets to be considered for maintenance by the Department as part of the Secondary System. When VDOT reviews a set of construction plans, we only make recommendations to the county as to what we feel is a minimum standard for a road.

We received the Traffic Impact Study on May 6, 2005 from the developer, which shows the traffic impact of this subdivision. Once we have had the opportunity to review this data we will submit our findings to the county. In the meantime, should you have additional questions or recommendations concerning this matter, please give me a call at 253-4832.

Sincerely,



James W. Brewer
Residency Administrator

cc: Mr. Dennis Heuer, P.E.
Mr. C. M. Clarke



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
WILLIAMSBURG RESIDENCY
4451 IRONBOUND ROAD
WILLIAMSBURG, VA 23188

JAMES W. BREWER
RESIDENCY ADMINISTRATOR
TEL (757) 253-4832
FAX (757) 253-5148

PHILIP SHUCET
COMMISSIONER

June 28, 2005

Mr. Jack Fraley, Chairman
JCC Development Review Committee
Post Office Box 8784
Williamsburg, Virginia 23187

Ref: VDOT Review of Marywood Traffic Study

Dear Mr. Fraley:

At the Development Review Committee (DRC) meeting on January 12, 2005, the DRC asked for the status of VDOT's review of the Marywood Subdivision. We stated that VDOT continues to recommend to the County that a traffic study be submitted for the development. It is my understanding that one of the reasons for the deferral of this case was for the applicant to provide a traffic study to VDOT for review. After review, VDOT would then provide comments to the County staff.

Since the January 12, 2005 DRC meeting, the following has occurred:

1. VDOT met with the applicant, their consultants, and County staff on March 21, 2005 to determine the scope of work for the traffic study.
2. The traffic study was submitted to the VDOT Williamsburg Residency on May 6, 2005, and forwarded to Hampton Roads District Traffic Engineering for review.
3. District and Residency personnel reviewed the traffic study, and comments were provided to County staff on June 15, 2005.

In brief, VDOT found that each of the three alternatives presented for subdivision access is acceptable, and that there was not any appreciable difference in traffic delay and level of service between the three alternatives. The full text of our findings can be obtained from County staff. Should you have any questions please contact me at 253-4832.

Sincerely,

James W. Brewer
Residency Administrator

Matthew Arcieri

From: Tony Opperman [aopperman@cox.net]
Sent: Wednesday, May 25, 2005 8:59 PM
To: John J. McGlennon
Cc: SSHues@aol.com; Waldeckj@aol.com; haislip@verizon.net; anne@mooring.com; Matthew Arcieri; jlfraley@cox.net; John Horne; david.steele@vdot.virginia.gov; jim.brewer@vdot.virginia.gov
Subject: Comments on Marywood Traffic Study

John -

I wish to take this opportunity to offer some comments on the Marywood traffic study prepared by Centex Homes, AES, and DRW Consultants. First of all I wish to thank Matt Arcieri of the county's planning staff for providing a copy of the study to Shereen Hues promptly after it was initially received by VDOT.

Here are my major observations:

1. Level of Service (LOS) B is fundamentally better than LOS C or D.

The study reaches a conclusion that a connection to Route 5, if only for 29 of the 115 proposed homes, "is less desirable" than connections to Jamestown Road by Spring and Oxford Roads. Yet the study factually indicates that the LOS for Spring and Oxford will be C and D, respectively, a contradictory conclusion. The facts that support a LOS B for a Route 5 connection logically can only support a conclusion that Route 5 is the better place to put traffic from Marywood, at least in part and perhaps in whole (see below). In addition, the actual traffic counts conducted for Route 5 conclusively demonstrate that both AM and PM existing peak-hour turning movement volumes are worse along Jamestown Road than on Route 5 (April 2, 2005 Memo, Exhibits A1 and A2). This fact further undermines any remaining rationale for the overall conclusion that Route 5 is somehow "less desirable" for Marywood traffic.

2. The existing safety deficiency at the intersection of Jamestown and Spring Roads caused by poor sight distance was not considered.

Exhibits D and E in DRW's April 1, 2005 memo show that there will be peak-hour increases in turning motions at Spring and Jamestown Roads by 28% (AM, northbound from Spring), 105% (PM, westbound from Jamestown south), and 39% (PM, westbound from Jamestown north). This disproportionately large increase will exacerbate the hazardous condition caused by poor sight distance along Jamestown Road at Spring and will be made worse by disproportionate increases in turning motions at the same peak hour at Oxford. While traffic models may still consider this situation to be LOS C, models cannot completely replicate actual on-the-ground conditions which already are hazardous, especially when travelling north on Jamestown Road only to unexpectedly encounter a vehicle trying to make a left-hand turn on Spring (the same location that will be impacted by a 105% increase in turning PM turning actions).

3. The additional impact of construction vehicles using residential streets and interfering with 2007 traffic flow was not considered.

Residential traffic is not all that will be generated by the construction of Marywood. Over the next couple of years a considerable flow of construction traffic, including a significant proportion of large vehicles, will be using Spring, Oxford, and Jamestown Roads. None of those vehicles are reflected in the traffic study nor in the subsequent LOS conclusions. The estimated LOS of C and D for Spring and Oxford proposed by the study will likely be far worse during a lengthy construction period that will extend into the 2007 celebration period when use of Jamestown Road will be higher than normal.

4. The traffic counts made for the AM peak hour at Jamestown Road (April 1, 2005 memo, Exhibit A1) may be skewed low.

Those counts were made on March 29, 2005. That day coincided with the week-long spring break for the Williamsburg-James City County School system, a period in which schools were closed, parents took off work, and there were fewer vehicle trips made. This traffic count needs to be re-done to be considered valid.

5. The option for an exclusive Route 5 entrance for all of Marywood was not considered.

There are no empirical facts presented concerning the traffic ramifications of an exclusive Route 5 entrance for all of Marywood. If the projected LOS for 29 homes is B, what would be the LOS for all 115? As noted above, LOS B is still demonstrably better than C or D. I have no doubt that an exclusive Route 5 entrance for all of Marywood would 1) cost more, 2) have engineering challenges, and 3) cause greater traffic impacts to Route 5 (perhaps resulting in a LOS C comparable to that of Jamestown Road). What's needed are facts, and this study should not be considered complete or acceptable until those facts are provided. The current plans prepared by AES depict minimal improvements to the width and turning radii for Spring Road at its intersection with Jamestown Road, an inadequate concession that further emphasizes the need for a factual analysis of putting all of the traffic onto Route 5.

6. Most of the points made by Marc Bennett and Jason Grimes in their April 15, 2005 memo to Dexter Williams actually reflect that Route 5 is a better place to put Marywood traffic than Jamestown Road.

Specifically: 1) there are at least as many residential entrances on Jamestown Road as Route 5; 2) both roads have the same speed limit; 3) Route 5 actually has a wider ROW width than Jamestown Road; 4) Route 5 has better sight distance than Jamestown Road - especially at Spring Road; 5) a buffer width reduction to allow Marywood traffic on Route 5 may be a fair exchange; 6) the stated concern about the Colonial Pipeline is speculation, not fact; 7) there are at least as many "undesirable" design elements for connections to Jamestown Road, especially involving safety and sight distance; 8) Jamestown Road is also a Community Character Corridor; 9) more current residents will be impacted by Marywood traffic in existing neighborhoods than any number along Route 5; and 10) perceived citizen opposition is not relevant in a factual analysis of traffic impacts (also see below).

7. Important decisions by public agencies deserve real opportunities for public involvement.

The argument repeated in the traffic study that there will not "be any less objection with this (Rt. 5) road connection that the residents of Kingswood have provided" is irrelevant to a factual analysis of traffic impacts. At best, such a statement is speculative since the project sponsors have not sought public involvement nor has VDOT consented to involvement of the public in transportation decision-making. At worst, it reflects a condescending attitude from Centex that opposition from existing neighborhoods is somehow less important than the imagined opposition from other citizens. It certainly reflects the ongoing deficiency in fostering real public involvement in decisions by public agencies over the use and operation of public highways. The best way to correct this is to allow all members of the public to have a formal opportunity to express their views. If VDOT won't do it, then James City County should take the lead on behalf of its citizens.

That said, I do appreciate your continued willingness to listen to the views of your constituents and to work on behalf of our interests. I look forward to attending the DRC meeting on June 1.

Tony Opperman

D

Matthew Arcieri

From: Tony Opperman [aopperman@cox.net]
Sent: Thursday, June 30, 2005 9:26 PM
To: John J. McGlennon
Cc: Joe McClain; SSHues@aol.com; Waldeckj@aol.com; haislipjr@verizon.net; anne@mooring.com; jlfraley@cox.net; Matthew Arcieri; John Horne; bradley.weidenhammer@vdot.virginia.gov
Subject: Marywood Traffic, County Authority

John -

You are probably aware by now that VDOT has reviewed the CENTEX traffic study and has stated that any of the alternatives presented are acceptable to them. By finding all of the alternatives acceptable - even resulting in a level-of-service (LOS) D rating at Oxford and Jamestown - VDOT has shifted all of the decision-making responsibility for Marywood traffic back on James City County. While I find VDOT's broad-scale acceptance disappointing, the fact remains that state law gives counties - not VDOT - the authority to make decisions concerning the location of roads in their jurisdictions. Specifically, Section 33.1-229 of the *Code of Virginia* gives local government the responsibility "for the establishment of new roads in their respective counties, which shall, upon such establishment, become parts of the secondary system of state highways within such counties" (*Code of Virginia* 33.1-229). James City County has all of the authority it needs to direct CENTEX where to locate the roads for its project, subject to VDOT's permit to connect with the secondary system (and it appears they will approve just about anything).

I have attached a copy of VDOT's letter for your convenience. Of particular importance is the fact that the 2026 traffic projections cited by VDOT (from the Hampton Roads Planning District Commission (HRPDC)) are not consistent with the projections by the County. The HRPDC document can be found at <http://www.hrpdc.org/transport/reports/2026TechDocappend.pdf> (page 76, I think) while the county's projections are located at http://www.jccecogov.com/pdf/planning/fy2004pdfs/T1_RoadProjections.pdf. While the HRPDC projects 2026 volumes of 9,000 and 17,000 vehicles per day for Jamestown Road and John Tyler Highway, respectively, the county's projections are almost completely the opposite, 25,000 and 12,000 vehicles per day, respectfully. Traffic projections this contradictory undermine both the validity of the CENTEX analysis as well as VDOT's acceptance of it. This essential contradiction, along with sight-distance safety concerns that are dismissed with no practical on-the-ground analysis and minimal mitigation by CENTEX, demonstrates that traffic impacts are neither understood nor resolved. CENTEX needs to start over.

With the July 6 DRC meeting upon us, I believe that its time for the County to take a clear, unequivocal stance on the traffic impacts Marywood will cause. As I note above, the County has the legal authority to force CENTEX to locate the roads in a manner that will reduce traffic impacts to existing neighborhoods. CENTEX may choose to ignore County requests if they plan to have Marywood serviced by a private roadway network and without the state-supported maintenance of roads in the secondary system.

Here is what I ask the County to do:

1. Exercise its authority under Section 33.1-229 of the *Code of Virginia* and affirmatively direct CENTEX to reconfigure the location of the roads in their proposed development. That reconfiguration effort should

- a) consider exclusive access to Marywood from Route 5, and
- b) consider a three-pod layout with unconnected access to Route 5, Hickory Signpost Road, and Jamestown Road, and
- c) absolutely no cut-through access between Route 5 and Jamestown Road.

2. Direct CENTEX to substantially revise their traffic analysis to include consideration of the layout alternatives defined above.

I'm sure that CENTEX won't be happy with such requests and will make much threatening noise. However, the County has the legal authority to make such requests justified by the County's responsibility to look out for the interests of its citizens who will otherwise be disproportionately impacted by the present proposal. The County can and must affirmatively direct CENTEX with regard to roadways and not simply be the passive recipient of what the company happens to be offering.

As you know, I do not oppose the concept that the Yancy tract can be developed. In saying that I must also point out that I'm speaking only for myself. I do, however, oppose the unimaginative design that's on the table and the disproportionate impact that it will have on long-established neighborhoods. CENTEX, or some other developer, can do much better. It's time for the County to stand-up and use the legal authority it has to ask for something better.

Thanks for your help

Tony Opperman
565-1121

P.S. Coincidentally, the Kingswood pool will be having one of its swim meets on July 6 after the DRC meeting. The traffic on Spring Road from a swim meet, combined with Marywood traffic, would create gridlock along Spring Road and further exacerbate the problems that Marywood will cause at Spring and Jamestown.

Matthew Arcieri

From: APIAtlantic@aol.com
Sent: Wednesday, July 06, 2005 2:49 PM
To: Planning
Cc: drc@james-city.va.us
Subject: proposed Marywood development re Meeting Wed. July 6, 2005 at 4 pm

Wednesday, July 6, 2005

Dear Sirs and Madams:

We strongly oppose and recommend denial of Marywood because of traffic and environmental concerns and already overburdened streets.

Should this unwanted proposed development happen, it needs to be a development within itself blocking its traffic from the use of Spring and Oxford Roads and have and use its own outlet road to and from Rt. 199, which is feasible (drawings and plans and alternatives have been shown and/or provided).

Based on the overwhelming opposition to this proposed development and the adverse and devastating impact it will have, we urge you, the JCC Planning Committee and DRC Board NOT to permit the developer/builder to develop this property by any means. This is your opportunity to enforce and use the power and authority empowered you to STOP this action.

Do not permit, allow, or grant developers/builders (who care nothing about lands or its people) to invade and ravage the land for their own gain and then are gone leaving nothing but irreversible damage, to dictate to and demand of you.

Respectfully submitted,
The Maglieri Family
106 Spring Road, Williamsburg, VA 23185

Matthew Arcieri

From: Norman Neal [nneal2@msn.com]
Sent: Wednesday, July 06, 2005 3:02 PM
To: geogilleds@aol.com; maryjones@cox.net; wkale@mrc.state.va.us; blanton3@cox.net; hp911@msn.com; John Horne; Matthew Arcieri; jlfraley@cox.net; jmmcci@wm.edu; John J. McGlennon
Cc: anne@mooring.com; nneal2@msn.com
Subject: Support for comments by Anne Mooring about proposed Marywood Development

Dear Madams and Sirs:

I have lived in my home for the past 26 years. I have enjoyed the quality of life made possible by the lot size and the wooded nature of our neighborhood. I have always been able to walk the streets without sidewalks and feel safe due to the low traffic flows. After all these years I now find that this proposed development will change all this dramatically.

I fully support the comments of Anne Mooring sent to you on July 4th. As you can expect because of my location (102 Regency Court), I am very troubled by the lack of a buffer between my property and this new development. The type development is so different that this buffer is critical. I oppose making the JCOSA Access Road part of Marywood's nature trail. This would make my property unusable on the North end where I currently enjoy picnics and family gatherings. I support a minimum 60 foot buffer from the center of the access road. Please relocate the nature trail to Marywood's property from the existing access road.

Respectfully submitted,
F. Norman Neal

102 Regency Court
253-0254
nneal@verizon.net

Christy Parrish

From: Richard Dunn [rdeditions@widomaker.com]
Sent: Wednesday, July 06, 2005 1:37 PM
To: Donald C. Hunt; Jack Fraley; John J. McGlennon; Planning
Subject: Marywood hearing

Gentlemen, Though I will be unable to attend today's hearing, please use your efforts to prevent the deterioration of our neighborhoods through greedy developers, and please listen to the residents who will be present.

Thank you.
Richard Dunn
100 Oxford Circle [Druid Hills]

Matthew Arcieri

From: SSHues@aol.com
Sent: Sunday, July 03, 2005 8:45 AM
To: John J. McGlennon; aopperman@cox.net
Cc: jmmcccl@wm.edu; Waldeckj@aol.com; haislipjr@verizon.net; anne@mooring.com; jffraley@cox.net; Matthew Arcieri; John Horne; bradley.weidenhammer@vdot.virginia.gov; hp11911@msn.com; Blanton3@cox.net; wkale@mrc.state.va.us; Michael Brown; Jay Harrison; Bruce Goodson; Andy Bradshaw; maryjones@cox.net; GeoBillEDS@aol.com
Subject: Re: Marywood Traffic, County Authority

Dear John,

Our community and I am in full agreement with you. The proposed increase in traffic onto Jamestown Road from Marywood will have a detrimental impact on all county citizens that use the road on a daily basis.

It is apparent to our community (Kingswood, Hollybrook, and Druid Hills) that other development alternatives are available and should be considered before settling with the current, less than desirable, plan.

There are, of course, environmental implications with the 3-pod approach; however, there are environmental implications with any approach that tries to pack 114 (or 115) houses onto an environmentally sensitive tract of land. To date, Centex (and its consultants) has not demonstrated that the environmental impact of the 3-pod approach will be greater than the current plan. In my mind, the environment cannot be used as the defining factor to eliminate this alternative and the current traffic impact analysis as well as VDOT's comments do not eliminate the alternative, either.

Like Tony Opperman, I do not begrudge a landowners right to develop the Yancy tract; however, I do begrudge the negative impact that the proposed development will have on the environment and safety and quality of life on our neighborhood as well as the JCC community at large.

I intend to address my environmental concerns with the Chesapeake Bay Board, Virginia DEQ and the US Army Corp of Engineers. I appeal to you, as well as all the Board of Supervisors, Planning Division, and Planning Commission, to not settle with the existing proposed road configurations for Marywood.

Like Tony Opperman, I ask the County to:

1. Exercise its authority under Section 33-1-229 of the *Code of Virginia* and affirmatively direct CENTEX to reconfigure the location of the roads in their proposed development. That reconfiguration effort should:

- a) consider exclusive access to Marywood from Route 5, and
- b) consider a three-pod layout with unconnected access to Route 5, Hickory Signpost Road, and Jamestown Road, and
- c) absolutely no cut-through access between Route 5 and Jamestown Road.

2. Direct CENTEX to substantially revise their traffic analysis to include consideration of the layout alternatives defined above.

Sincerely,

Shereen Hughes
 103 Holly Road
 Williamsburg, VA 23185
 757-258-9250

Matthew Arcieri

From: Robert Stermer [robstermer@cox.net]

Sent: Sunday, July 03, 2005 11:03 AM

To: Matthew Arcieri

Subject: MARYWOOD

Dear Sir/Madam,

As a participant in the DRC meeting on July 6th, we ask you to please exercise your mandate under Section 33.1-229 of the Code of Virginia and direct CENTEX to redesign the Marywood development. The new plan should include the following road reconfigurations:

1. no cut-through access between Route 5 and Jamestown Road
2. exclusive access to Marywood from Route 5
3. a three-pod layout of the development with unconnected access to Route 5, Hickory Signpost Road, and Jamestown Road.

Furthermore, a traffic analysis should be included in any new layout alternatives that are considered.

Thank you.

Robert and Amanda Stermer

Matthew Arcieri

From: Carl Gerhold [carlbeth@cox.net]
Sent: Monday, July 04, 2005 3:16 PM
To: Matthew Arcieri
Subject: Marywood Development

Dear Mr. Arcieri,

I urge you to consider the impact that the added traffic from the Marywood development will have on Kingswood, Druid Hills, and Hollybrook neighborhoods.

Jamestown Road is clogged now with traffic and there are no plans to improve traffic flow in the area of Oxford or Spring Roads, the points of entry to this new development. The addition of cars sufficient for 115 families will make a bad situation intolerable. The extra traffic will make it much more difficult to get onto Jamestown Road during high traffic periods. There is no clear line of sight for traffic trying to get onto Jamestown Road from Oxford or Spring. The added cars will only increase the probability of an accident when a car pulls into oncoming traffic. In addition, these added cars on Spring and Oxford Roads will greatly compromise the safety of pedestrians, since there are no sidewalks.

Another contractor began clearing the land in January for construction of 5 houses off Braddock Road in Druid Hills. When the contractor moved his heavy equipment in, it broke a water main running under Braddock Road. The main was repaired, but a large hole was left in the road that was not repaired until last month. If the equipment necessary to build 5 houses can cause this sort of damage, what will be the impact on the local streets when trucks and equipment necessary to clear the land and build 115 houses descend on our neighborhood? The contractor will not be responsible for fixing the damage, so we the taxpayers will have to bear the cost of repairs. And the residents of Kingswood, Druid Hills, and Hollybrook will have to endure the inconvenience and the hazards due to the destruction of the roads in the neighborhood.

This development is bad for the existing community and it is bad for James City County. However, if it is necessary that the development go forward, I ask you to require CENTEX to develop an acceptable traffic plan. This would be either to make an exclusive entrance from Route 1 with no connection to Oxford or Spring Roads; or, if the Oxford and Spring Road entrances are retained, to make a third entrance from Route 5 with no connection to Oxford or Spring Roads.

Thank you for your attention and I look forward to seeing you at the Development Review Committee meeting on Wednesday, July 6.

Carl H. Gerhold
106 Anthony Wayne Road

Matthew Arcieri

From: anne mooring [anne@mooring.com]
Sent: Tuesday, July 05, 2005 7:35 AM
To: anne mooring; GeoBillEDS@aol.com; maryjones@cox.net; wkale@mrc.state.va.us; Blanton3@cox.net; hp1911@msn.com; John Horne; Matthew Arcieri; jlfraley@cox.net; jmmcccl@wm.edu; John J. McGlennon
Cc: Waldeckj@aol.com; Tony Opperman; Joe McClain; SSHues@aol.com
Subject: Re: Comments on Marywood Development for July 6 meeting

Dear Madams and Sirs,

My original memo contained a math error. I stated that Centex/AES would need to reduce the number of houses from 114 to 99 to protect RPA areas. They would only need to reduce the number of houses to 109. I have highlighted the error in red in the re-issued memo below. Note that with housing prices (not costs) climbing at 15% per year, Centex will still reap a healthy profit even with the reduced number of houses.

My regards,
 Anne Mooring

----- Original Message -----

From: anne mooring
To: GeoBillEDS@aol.com ; maryjones@cox.net ; wkale@mrc.state.va.us ; Blanton5@cox.net ; hp1911@msn.com ; jphorne@james-city.va.us ; MATTHEWA@james-city.va.us ; jlfraley@cox.net ; jmmcccl@wm.edu ; JJMCGLI@james-city.va.us
Cc: Waldeckj@aol.com ; Tony Opperman ; Joe McClain ; SSHues@aol.com
Sent: Monday, July 04, 2005 6:59 PM
Subject: Comments on Marywood Development for July 6 meeting

Dear Madam's and Sirs,

I have reviewed the JCC Staff Report and attachments for the July 6 meeting which Matt Arcieri kindly supplied. In addition, I have reviewed the April 6 plans submitted by AES/Centex.

Issues:

Only Centex/AES selected Marywood entrance scenarios have been investigated. VDOT only makes recommendations that the proposals meet minimum requirements. County staff has the authority to optimize the entrance possibilities for the community. Could county staff use this authority to the community's benefit, instead relying on developer funded traffic studies. There is a three pod development scenario with no Jamestown/Rt 5 cut through that has not been considered.

The Marywood development is still impacting environmentally sensitive lands. The new plan reduces steep slope impact from 2.33 acres to 1.88 acres. Why are 1.88 acres still being impacted? The Resource Protection Area (RPA) and RPA buffer impacts were reduced from 4.54 acres total to 3.93 acres. Why are 3.93 acres still being impacted? The environmental impact can be reduced by combining some of the lots along Braddock Road, shortening Braddock Road roughly 50 feet, and pulling the property lines off the heavily sloped and RPA buffer regions. If the county depends on individual property owners to understand and respect that they cannot build on up to two-thirds of their property, there will be violations. The small fines exacted for individual property owners violating environmental rules are similar to a luxury tax (Re David Tuffee's violation of Cheesepeake Bay Preservation Ordinance with a \$1,500 fine--June 28 agenda). Lots 60 and 61 at the end of Braddock Road are particularly bothersome--the properties should be combined or the road shortened. Other questionable lots in order of decreasing impact include 69 (combine with 68), 99 (combine with 98), 64 and 63 (should be combined with 62 and 65). The following lots should have their back property lines pulled away from the RPA buffer: 47-51 and 57, 58, 72-74, and 81, 95-98, 100-105. These steps can be taken with AES/Centex reducing the number of houses from 114 to 109. This is not an undue financial hardship.

The master lot clearing and grading plan is incomplete per JCC Environmental Review Comments of 6/2/05. Why will preliminary approval be granted with incomplete plans?

The five houses backing up to the access street to the pump station behind West Kingswood will have minimal buffer between their houses and the new development. The access street will be asphalt instead of gravel and will count as part of the 35 foot buffer between their property line and the Marywood subdivision. In addition, James City County Service Authority has requested that the access buffer be increased from 15 to 25 feet. According to the residents, this access street is used after every heavy rain. If the drive is paved, it may be used by other vehicles to access the BMP #1 pond. Given this information, the access drive should be classified as a street and the buffer should be increased from 35 feet to 60 feet from the access street's centerpoint (Sec 24-236). At the very least, the paved access street should not be located on the Kingswood resident's side of the perimeter buffer—but equally positioned between the existing neighborhood and Marywood. The AES/Centex plans should also reflect this is a paved road rather than showing it as a nature path. Note that shifting the back property lines of the Marywood development could be accommodated by consolidating the seven properties (lots 5-11) to six properties.

The owners of 221 Oxford Road will not be able to build on their 0.5 acre lot after this development. County staff merely advises that the current owner should be told. It is not mandated. Has the owner been notified and compensated (Grogan Corp, 809 Main St. Suite 200, Newport News, VA 23605)

A huge amount of earth will need to be moved to construct BMP #1. Where is all this dirt going to go and how?

On the plus side, the Marywood development does include nature trails that will link the pool to Marywood and the new end of Oxford drive to the La Fontaine condominiums—more biking and walking possibilities. However, Spring Road will become less pedestrian and bike friendly due to increased traffic. What about a sidewalk?

Regards,
Anne Mooring
229-1438

Matthew Arcieri

From: Bonnie Shelton [bkshelton@cox.net]

Sent: Tuesday, July 05, 2005 9:23 AM

To: Development Management; geobilleds@aol.com; jlfraley@cox.net; hpf1911@msn.com; iblanton@cwf.net; wkale@mrc.state.va.us; maryjones@cox.net; Matthew Arcieri; John Horne; Development Management; geobilleds@aol.com; jlfraley@cox.net; hpf1911@msn.com; iblanton@cwf.net; wkale@mrc.state.va.us; maryjones@cox.net; Matthew Arcieri; John Horne

Subject: Re: Marywood

- Please use your power under the Virginia code 33.1-229 to eliminate or minimize the negative impact that Marywood Development will have on the adjoining neighborhoods and our environment. We live in an older neighborhood with narrow streets and no sidewalks. Many of our residents walk these narrow streets daily. Please consider the negative impact on our quality of life.
Thank you for your consideration.

Bonnie S. Shelton
223 Kingswood Drive
Williamsburg, VA 23185-3222
bkshelton@cox.net



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MEMORANDUM

DATE: September 27, 2005
TO: The Board of Supervisors
FROM: John E. McDonald, Manager of Financial and Management Services
SUBJECT: Budget Amendments

Under provisions of the State Code any budget amendment exceeding \$500,000 can be adopted only after a public hearing. The appropriate public hearing has been advertised to amend the operating and capital budgets by an amount not to exceed \$3,500,000.

One source of funds for this adjustment is an estimated \$2,500,000 undesignated fund balance as of June 30, 2005. The audit and accrual adjustments have been made and a final figure of \$2,454,283 has been identified as undesignated. A report illustrating the major sources of these undesignated funds is included in the Board's reading file.

The second source of funding is an increase in borrowing for the Stonehouse Elementary School addition. This frees-up cash previously budgeted for the project to be reallocated. To provide a total of up to \$3.5 million – that figure would be \$1,045,717.

The attached resolution authorizes the transfer of \$2,979,220, less than \$3.5 million advertised, to address the needs of two capital projects:

High School Construction Budget - \$2,479,220. Combined with the \$3,520,780 approved on September 13, the total mid-year increase for the construction budget of the new high school grows to \$6 million. How the \$6 million fits in the funding total for the high school project is shown as an attachment prepared by the Schools.

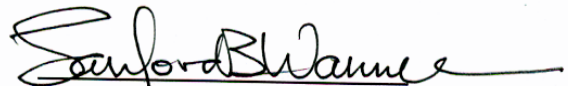
Community Building - \$500,000. Combined with \$1 million previous dedicated from the Jamestown 2007 Fund, the total appropriation will equal the project budget of \$1.5 million.

After deducting the undesignated fund balance an additional \$524,937 would need to be borrowed for the Stonehouse Elementary School addition – if existing budget estimates prove reliable. The Board may be asked to approve additional borrowing authority when project construction bids are received.

Staff recommends approval of the attached resolution.

John E. McDonald

CONCUR:


Sanford B. Wanner

Attachment

RESOLUTION

BUDGET AMENDMENTS

WHEREAS, the James City County Board of Supervisors has been requested to increase the funding for the new community building; and

WHEREAS, the Board of Supervisors has identified a need for an additional \$6,000,000 in County funds for the third high school; and

WHEREAS, appropriating the undesignated June 30, 2005, fund balance and the possibility of increasing the amount borrowed for the Stonehouse Elementary School addition are two options to generate the needed additional funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the following budget amendments for FY 2006 and appropriates these sums, as follows:

OPERATING REVENUES

Undesignated Fund Balance	add	\$ 2,454,283
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OPERATING EXPENDITURES/TRANSFERS

Transfer to Capital Projects	add	2,454,283
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CAPITAL PROJECT REVENUES

Bond Proceeds	add	524,937
Transfer from Operating Budget	add	2,454,283

CAPITAL PROJECT EXPENDITURES

Third High School	add	2,479,220
Community Building	add	500,000

Michael J. Brown
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of September, 2005.