A G E N D A JAMES CITY COUNTY BOARD OF SUPERVISORS REGULAR MEETING

County Government Center Board Room 101 Mounts Bay Road, Williamsburg, VA 23185 October 10, 2017 5:00 PM

- A. CALL TO ORDER
- B. ROLL CALL
- C. MOMENT OF SILENCE
- D. PLEDGE OF ALLEGIANCE
 - 1. Pledge Leader Alastair Smith, a 4th grade student at James River Elementary and a resident of the Roberts District
- E. PUBLIC COMMENT
- F. PRESENTATIONS
 - 1. Clean County Commission Annual Update
 - 2. Annual Report Presentation

G. CONSENT CALENDAR

- 1. Minutes Adoption
- 2. Appointment of Jennifer Hall as a James City County Animal Control Officer
- 3. Dedication of the Streets in the Forest Heights Subdivision
- 4. Dedication of a Street in Phase 7-A of the Greensprings West Subdivision
- 5. Dedication of a Street in Section 3 and 6 of Phase 8 of the New Town Subdivision
- 6. Dedication of a Street in Section 2 and 4 of Block 10 of the New Town Subdivision
- 7. Virginia Department of Transportation Project No. UPC 112111. Route 630, Peach Street Paving Project and amending the FY18-23 Six Year Secondary Plan
- 8. Contract Award- Replacement Fire Tanker and Dive Rescue Vehicle- \$768,071

H. PUBLIC HEARING(S)

- SUP-0016-2016, 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath
- 2. SUP-0028-2016, Solar Electrical Generation Facility at Norge

I. BOARD CONSIDERATION(S)

- 1. FY2017 School Year-End Spending Plan Appropriation \$584,088
- 2. Regulation of Congregate Living Homes
- J. BOARD REQUESTS AND DIRECTIVES
- K. REPORTS OF THE COUNTY ADMINISTRATOR

L. CLOSED SESSION

- 1. Consideration of a personnel matter, the appointment of individual(s) to the Peninsula Airport Commission (PAC) pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia
- 2. Consideration of a personnel matter, the appointment of individual(s) to fill a vacancy on the Planning Commission, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

M. ADJOURNMENT

1. Adjourn until 4 pm on October 24, 2017 for the Work Session

AGENDA ITEM NO. D.1.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Pledge Leader - Alastair Smith, a 4th grade student at James River Elementary

and a resident of the Roberts District

REVIEWERS:

Department Reviewer Action Date

Economic Development Fellows, Teresa Approved 10/9/2017 - 2:00 PM

Authority 1 tellows, 16

AGENDA ITEM NO. F.1.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Dawn Oleksy, Environmental Coordinator

SUBJECT: Clean County Commission Annual Update

ATTACHMENTS:

 $\begin{array}{ccc} \textbf{Description} & \textbf{Type} \\ \textbf{D} & \textbf{Report} & \textbf{Exhibit} \end{array}$

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:58 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 11:18 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 1:55 PM
Publication Management	Burcham, Nan	Approved	10/3/2017 - 2:00 PM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 2:43 PM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 3:00 PM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 3:09 PM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 3:10 PM

James City Clean County Commission FY17 Report Summary

- Commissioners: Chair- Peg Boarman; Current Members: Charles Loundermon, Marc Meiring, Betty Peterson, Alexa Provost and Kevin Radcliffe. Commissioners whose terms expired this year: Robert Marin, Andy Netzel and Kensett Teller.
- II. Fall 2016 Good Neighbor Environment Grants: Projects included a community shade tree project, community park improvements, a wildflower meadow and butterfly garden, sustainable entryway landscaping, and beautification of common areas with sustainable plants and erosion control measures.
 - 1. Berkeley's Green
 - 2. Braemar Creek
 - 3. Chickahominy Community Improvement Organization
 - 4. Colonial Heritage
 - 5. Elmwood
 - 6. Fairway Villas
 - 7. Fernbrook
 - 8. Page Landing
 - 9. Seasons Trace
 - 10. Stonehouse
- III. 3nd Annual Litter & Recycling Expo at Warhill Sports Complex in November 2016
 - 1. Highlights: Cub Scout Pack 103 volunteers educated visitors on park recycling and a litter cleanup was conducted by the James City Jaguar Football Team.
 - 2. Exhibitors:
 - Leave No Trace
 - JCC Stormwater
 - Keep America Beautiful: America Recycles Day
 - VPPSA
 - JCC Law Enforcement
 - JCC Civic Engagement
 - JCC Parks & Recreation
 - WJCC Public Schools
- IV. Community Education and Outreach Events
 - 1. Collaboration with WJCC Schools
 - James River, Norge, Stonehouse & Blayton Elementary Schools; Berkeley Middle School; Warhill & Lafayette High Schools
 - Commissioners shared their recommendations regarding WJCC school recycling during public comment at school board meetings
 - 2. Regional askHRgreen.org events
 - 3. Hampton Roads Home Show
 - 4. William & Mary "Meet the Greens" Committee on Sustainability Event
 - 5. Virginia Recycling Assocation Conference

James City Clean County Commission FY17 Report Summary

- 6. Williamsburg Area Garden Clubs Arbor Day Event
- 7. James City County Ruritans presentation

V. Quarterly Clean Business Forum

- 1. 2015 3rd Quarter Five Brothers Pancake & Steak House
- 2. 2015 4th Quarter A&J Plumbing
- 3. 2016 1st Quarter Star Express Convenience Center in Toano
- 4. 2016 2nd Quarter Williamsburg Winery

VI. Adopt A Spot Program

- 1. JCC Ruritans on Centerville Road
- 2. Five Forks Ruritans at Jamestown Beach Event Park
- 3. Anheuser Busch at the Capital Trail
- 4. Ball Metal on Endeavor Drive in Grove
- 5. Williamsburg Plantation on Longhill Road
- 6. Boy Scout Troop 414 at the Croaker Road Commuter Parking Lot
- 7. Warhill Cheerleading Program at Warhill Sports Complex

VII. County-Wide Spring Cleanup

- 1. 25 cleanup sites
- 2. 229 volunteers
- 3. 8.5 tons of roadside litter
- 4. 172 tires
- 5. Will Barnes Day Volunteer Appreciation Picnic

VIII. DEQ Litter Grant Reporting

- 1. 2627 volunteer hours = \$64,335 in-kind services
- 2. 8 group presentations / 1250 total attendance
- 3. 8 staffed displays / 2000 total attendance
- 4. 4 unstaffed displays
- 5. Materials distributed: coloring books, litterbags, pencils, stickers, pocket ashtrays, pens, snack clips, letter openers, recycling tattoos, fans
- 6. Communication: brochures, emails, Facebook postings, newsletters, newspapers, PSA radio/TV, twitter, website
- 7. 34 total cleanup events / 800 volunteers / 400 cubic yards of litter
- 8. 200 cubic yards collected from Jolly Pond Rd by probationers

IX. Keep James City County Beautiful

- 1. Litter Index of 50 stretches of JCC roadways with the most litter observed in the Stonehouse District
- 2. 20 page Environmental Resource & Inventory Report
- 3. Formal Affiliation May 1, 2017
- 4. Quarterly Community Meetings
- 5. Volunteer recruitment campaign
- 6. 3 Program Campaigns (Litter, Recycling, Beautification)

AGENDA ITEM NO. F.2.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Bryan J. Hill, County Administrator

SUBJECT: Annual Report Presentation

REVIEWERS:

Department Reviewer Action Date

Board Secretary Fellows, Teresa Approved 10/5/2017 - 9:08 AM

AGENDA ITEM NO. G.1.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Minutes Adoption

Staff is in the process of auditing the minute books. Therefore, the following minutes have been included for adoption:

- September 12, 2017 BOS Regular Meeting
- December 13, 2016 Work Session
- November 22, 2016 Work Session
- May 10, 2016 BOS Meeting

ATTACHMENTS:

	Description	Type
ם	091217BOS-mins	Minutes
ם	121316BOSWork	Minutes
ם	112216BOS Work	Minutes
D	051016BOS-mins	Minutes

REVIEWERS:

Department Reviewer Action Date

Board Secretary Fellows, Teresa Approved 10/3/2017 - 1:53 PM

M I N U T E S JAMES CITY COUNTY BOARD OF SUPERVISORS REGULAR MEETING

County Government Center Board Room 101 Mounts Bay Road, Williamsburg, VA 23185 September 12, 2017 5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District Michael J. Hipple, Powhatan District P. Sue Sadler, Stonehouse District John J. McGlennon, Roberts District Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator Adam R. Kinsman, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Brian Smith, Jr., a student at Laurel Lane Elementary and a resident of the Roberts District

E. PUBLIC COMMENT

- 1. Mr. Frank Polster, 420 Hempstead Road, addressed the Board in regard to the Contract Award in the amount of \$487,767 to River Works, Inc., for the Jamestown Road Stream Restoration.
- 2. Ms. Laura Coleman, 107 Gladys Drive, addressed the Board in regard to Indigo Park and group homes.
- 3. Ms. Barbara Henry, 141 Devon Road, addressed the Board in regard to an online checkbook register.
- 4. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to an online checkbook register, grass cutting for medians, stream restoration project, Board of Supervisors meeting times, water withdrawal permit and opioids in the County.
- 5. Mr. Tinsley Goad, 118 Ferncliff Drive, addressed the Board in regard to Indigo Park and group homes.

F. PRESENTATIONS

1. VDOT Quarterly Update

Mr. Rossie Carroll, Virginia Department of Transportation (VDOT) Residency Administrator, gave an overview of maintenance accomplishments from June 1-August 31 as well as the current status of VDOT projects and traffic studies.

Ms. Larson commented on speed concerns on Jamestown Road, Lake Drive and Neck-O-Land Road. She further commented that she and Mr. Carroll had been corresponding regarding these issues and inquired if Mr. Carroll would let her know when those issues were implemented.

Mr. Carroll stated yes.

Mr. Hipple inquired about a traffic light on Jolly Pond and Centerville Roads and road curve signage on Jolly Pond Road near Blayton Elementary and Hornsby Middle Schools.

Mr. Carroll stated he would have a traffic engineer look into these issues.

Ms. Sadler expressed her gratitude to Mr. Carroll for looking into a concern from a citizen residing in her district.

Mr. McGlennon inquired about the road work status for Lake Powell Pointe and asked if an adjustment was made on the Brookwood project. He further inquired if there will be notification of any public meetings regarding the Pocahontas Trail project.

Mr. Carroll stated yes.

Mr. Onizuk expressed kudos for the flashing yellow arrows on traffic signals in his district. He mentioned traffic congestion on Route 199, Route 5 and Jamestown Road weekdays during the 4-6 p.m. traffic commute.

Mr. Carroll stated that VDOT is working on trying to synchronize the lights in the sections from Brookwood Drive, Route 31 and Route 5. He noted that they are hopeful in getting fiber in those areas and linking them all together which would help traffic flow.

Mr. McGlennon noted an earlier remark made by Mr. Carroll referencing the ferry and referenced in the Agenda:

• Item No. 13. Resolution of Support - Naming of the New Jamestown Ferry Boat listed under the Consent Calendar on the Agenda.

Mr. Carroll stated that in regards to the Resolution, the Commonwealth Transportation Board asked for the verbiage on the Resolution to be revised to say "Supports and Recommends Powhatan as the Name for the New Ferry."

Mr. Onizuk thanked Mr. Carroll for the VDOT quarterly update.

G. CONSENT CALENDAR

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Mr. Onizuk recommended Pulling from the Consent Calendar:

• Item No. 12. Lifesaving Recognition - Chickahominy Riverfront Park Pool

A motion to Pull Item No.12 was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Mr. McGlennon stated that he would move the remainder of the Consent Calendar, assuming that the resolution had the correct language for:

 Item No. 13. Resolution of Support - Naming of New Jamestown Ferry Boat

Mr. Onizuk replied yes and referenced a printed copy.

1. Minutes Adoption

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

2. Authorization for Four Police Officer Overhire Positions

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

3. Colonial Community Corrections Appropriation - \$8,175

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

4. Grant Award - Commonwealth Attorney - Virginia Domestic Violence Victim Fund - \$57,008

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

5. Grant Award - Department of Motor Vehicles - Speed Enforcement - \$19,250

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

6. Grant Award - Department of Motor Vehicles - Occupant Protection - \$5,390

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

7. Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$30,190

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

8. Grant Award – Virginia Community Impact Grant – \$20,000

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

9. Grant Award - Grove Community Garden - \$2,500

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

10. Grant Award- FY 2018 Radiological Emergency Preparedness - \$30,000

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

11. Jamestown Road Stream Restoration Contract Award - \$487,767

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

12. Lifesaving Recognition - Chickahominy Riverfront Park Pool

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

13. Resolution of Support - Naming of New Jamestown Ferry Boat

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Mr. Onizuk referenced:

• Item No. 12. Lifesaving Recognition - Chickahominy Riverfront Park Pool

Mr. Onizuk introduced Mr. John Carnifax, Director of Parks and Recreation.

Mr. Carnifax stated that annually there are approximately three million visitors to James City County parks, with approximately 90,000 visiting the two outdoor pools this year. He recognized three employees: Ms. Nancy Ellis, Parks Administrator, Ms. Michelle Lightfoot, Parks Operations Coordinator and Mr. Josh Bew, Parks Supervisor and thanked them for the jobs they do so well.

Together, Mr. Onizuk and Mr. Carnifax presented Recognition Awards to Seasonal Lifeguards: Mr. Zachary Clevinger, Mr. Sam VanTasel and Ms. Trisha Patten.

Mr. Carnifax recognized the parents of Mr. Clevinger, Mr. VanTasel and Ms. Patten for their guidance and support.

Mr. Carnifax explained that these individuals saved the life of a five-year-old child that was submerged and had lost consciousness in the Chickahominy Riverfront Park swimming pool. He stated that Mr. Clevinger began Cardiopulmonary Resuscitation (CPR), while Mr. VanTasel and Ms. Patten assisted with rescue breathing before the EMT staff arrived. He noted that the child was transported to the hospital where everything checked out well, making it a successful rescue.

The Board gave a standing ovation.

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

H. PUBLIC HEARING(S)

1. Ordinance to Amend Sec. 13-29 Recovery of Expenses for Emergency Response

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Mr. Max Hlavin, Assistant County Attorney, stated that this Ordinance changes the reference amount from \$250 to \$350 that the County can collect in restitution in the instance of conviction of certain crimes.

Mr. Onizuk opened the Public Hearing. As no one wished to speak, Mr. Onizuk closed the Public Hearing.

2. Jamestown Beach Restrictive Covenant

A motion to Approve was made by Ruth Larson, the motion result was Passed. AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Mr. Hlavin explained this Resolution would approve a restrictive covenant along a portion of the Jamestown Beach property and further explained that this is part and parcel of the improvements that were made to Jamestown Beach. He stated that the grant included a provision that the properties be kept in public recreation use unless otherwise approved. He further stated that this would allow the County to record a Declaration of Covenant on the property in order to fully effectuate the grant funding.

Mr. Onizuk opened the Public Hearing. As there were no registered speakers, Mr. Onizuk closed the Public Hearing.

3. SUP-0004-2017, McClure Family Subdivision

A motion to Approve was made by Sue Sadler, the motion result was Passed. AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Mr. Alex Baruch, Planner, stated that Mr. Anderson Bradshaw has applied on behalf of Ms. Phyllis McClure for a Special Use Permit to allow a family subdivision at 9437 Diascund Reservoir Road which is zoned A-1, General Agricultural and is designated Rural Lands on the Comprehensive Plan as stated in the memorandum included in the Agenda Packet.

Mr. McGlennon inquired as to the length of time the applicant has owned the property.

Mr. Baruch replied over eight years.

Mr. Onizuk opened the Public Hearing.

1. Mr. Bradshaw (applicant's representative), 8620 Merry Oaks Lane, addressed the Board in regards to McClure family subdivision Public Hearing No. 3.

Mr. Onizuk asked if there were any questions for Mr. Bradshaw.

As there were no questions, Mr. Onizuk closed the Public Hearing.

4. ZO-0009-2016, Zoning Ordinance Amendments to the Mixed Use District

A motion to Approve was made by Michael Hipple, the motion result was Passed. AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Ms. Ellen Cook, Principal Planner, stated that updates to the Zoning Ordinance provide additional flexibility to the Mixed Use District as part of the Planning Division's 2015-2016 work program as stated in the memorandum included in the Agenda Packet.

Mr. McGlennon inquired about the Planning Commission approval of this item in October 2016 and it just now coming before the Board.

Ms. Cook replied that direction to bring this item before the Board was recently received from the May 2017 work session.

Mr. Onizuk inquired about what happened before that time.

Mr. McGlennon inquired if this was one of those cases that had other issues to be reconsidered or resolved before it could come forward.

Mr. Paul Holt, Director of Community Development and Planning, explained the circumstances regarding this issue.

General discussion ensued regarding this subject.

Ms. Larson stated that in instances such as this one, it would be helpful moving forward to have a visual for citizens to review. She apologized to the Board for forgetting to copy everyone on an email earlier in the day regarding "the why and who had been asking for this type of thing" and was told that it was Toano and the Merrimac Trail area.

Mr. Hill stated that he will take the blame for that because he was busy and did not forward the email after the response.

Mr. Onizuk welcomed Mr. John Haldeman, Planning Commission representative.

Mr. Haldeman stated that the Planning Commission met on October 5, 2016, and voted unanimously to recommend this zoning commitment for the Board of Supervisor's consideration. He further stated that previously the Policy Committee met on this matter in three separate meetings; April, July and August 2016, and voted 4-0 to pass it along to the Planning Commission.

General discussion ensued regarding this matter.

Mr. Onizuk opened the Public Hearing.

1. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to mixed use ordinance.

Mr. Onizuk closed the Public Hearing.

Mr. McGlennon stated that it would have been useful to have a more informal consideration of these items through a work session.

5. SUP-0026-2016, Forest Glen Section 5

A motion to Approve was made by Michael Hipple, the motion result was Passed. AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

A video was presented referencing SUP-0026-2016, Forest Glen, Section 5.

Ms. Savannah Pietrowski, Planner II, stated that consideration of this application was deferred from the June 13, 2017, Board of Supervisors meeting. She further stated that since that time any proposed changes were referenced in the memorandum included in the Agenda Packet.

Mr. McGlennon inquired about the proposal from the developer on stormwater.

Ms. Pietrowski stated that they are agreeing to pay for the construction of the facility and arrange maintenance that would be transferred over to the homeowners association (HOA). She further stated that they are also providing some upfront costs.

Mr. Hipple inquired about the acreage.

Ms. Pietrowski replied that it would serve approximately 23 acres.

Mr. Hipple inquired if the County would be taking over this Best Management Practice (BMP) forever.

Ms. Pietrowski responded yes.

Ms. Fran Geissler, Director of Stormwater, stated that currently there are over 800 BMPs in the County, most being privately owned; however, County staff maintains 114 BMPs.

General discussion ensued regarding the number of BMPs that serve County facilities, various maintenance costs, typical sizes, net fiscal impact to the County and proposed price points for the majority of the houses.

Mr. Haldeman gave a summary of discussion and findings of the Planning Commission regarding SUP-0026-2016, Forest Glen, Section 5.

Mr. Onizuk opened the Public Hearing.

- 1. Mr. Elliott York, Applicant, 103 Springtrace Lane, Newport News, VA, addressed the Board in regard to SUP-0026-2016, Forest Glen, Section 5.
- 2. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to SUP-0026-2016, Forest Glen, Section 5.
- 3. Mr. Joe Swanenburg, 3026 The Point Drive, addressed the Board in regard

- to SUP-0026-2016, Forest Glen, Section 5.
- 4. Pastor Robert Whitehead, 3991 Longhill Road, addressed the Board in regard to affordable housing in James City County, SUP-0026-2016, Forest Glen, Section 5.

Mr. Onizuk closed the Public Hearing.

General discussion and questions ensued for the applicant, Mr. Hlavin, Mr. Kinsman and Ms. Geissler regarding SUP-0026-2016, Forest Glen, Section 5.

Mr. Hlavin stated that there has been discussion between Mr. York, Stormwater Division and the Attorneys Office and commented that the County has a number of other situations where the County has proportionate maintenance obligations. He discussed various legalities should the Board approve this legislatively and noted that there is no County commitment unless the Board approves it.

Ms. Larson inquired about HOA fees and the commitment from the HOA.

Ms. Geissler replied approximately \$2,500 annually and approximately \$40,000 to \$80,000 every 20 years.

Mr. Hill noted that in reference to Ms. Larson's question, the cost to the homeowner would be approximately \$90 annually for a 20-year period based on the \$80,000 figure.

Mr. Kinsman noted that any time the County takes over a BMP it is getting some perpetual liability that has to be maintained in perpetuity. He further noted that in this case it is half the cost as long as the HOA has funds to provide the other half.

Mr. Hipple stated his concerns regarding the BMP half cost, perpetuity and debt. He discussed qualities he likes and dislikes regarding SUP-0026-2016, Forest Glen, Section 5. He mentioned the possibility of a deferral to the November 14, 2017 meeting, allowing time to discuss County obligations.

Ms. Larson stated her concerns of putting together a Task Force for affordable housing, affordability, density, debt and stated that she would have trouble supporting this project.

Ms. Sadler stated that the change in density helps make it affordable and she will be supporting this tonight. She further stated that she feels more affordable housing is important.

Mr. McGlennon stated his concern of the County being asked to significantly add density to this project. He noted that what the County gets in return is predominately affordable and work force housing. He referenced the Virginia Tech study that was previously done and regarded housing in the price range of \$250,000-\$400,000 already existing in the County. He discussed issues he could envision coming up in the future with this situation. He further discussed his concern that giving this approval would be relying heavily on the representations of the developer who may find that this project is not within their means and could be transferred to someone who might have the same constraints, restrictions or objections. He further stated that he would not support this tonight.

Mr. Onizuk noted cost benefit analysis; what would this cost the County and what would be the benefit. He inquired if this project would be based on the Housing Opportunity Policy.

Mr. Holt stated yes, the way the cluster ordinance is set up it requires the developer to meet the Housing Opportunity Policy that is currently in place.

Discussion ensued regarding definitions of Housing Opportunity Policies and Work Force Housing Policies.

Mr. Onizuk noted the impact of drainage and stormwater. He commented that new homes would be good for neighborhood property values. He noted concerns with the BMP cost and all the "what ifs" of the issue. He stated that it is what the County has asked for and there is a demand for homes in this price range and that it does provide in-fill development. He further stated that he could support this tonight.

I. BOARD CONSIDERATION(S)

 Virginia Department of Transportation Revenue Sharing Program - Fiscal Years 2019 -2020

A motion to Approve w/ Conditions was made by Kevin Onizuk, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Conditions for this item: to include the two Resolutions, Attachment No. 1 and Attachment No. 2

Ms. Tammy Rosario, Principal Planner, discussed the Virginia Department of Transportation (VDOT) FY 19-20 Revenue Sharing Program that Virginia localities have been invited to participate in and which is included in the Agenda Packet.

Mr. McGlennon inquired if, in both of these instances, we are trying to take advantage of other work that is being done to improve our infrastructure most notably in terms of drainage and stormwater management.

Ms. Rosario replied yes.

Mr. Hipple inquired if the Dominion Energy powerlines could be buried.

Ms. Rosario replied there could be conversations, but typically revenue sharing funds cannot be used for underground and utilities.

General discussion ensued regarding getting powerlines underground.

J. BOARD REQUESTS AND DIRECTIVES

Ms. Larson stated that a citizen reached out to her regarding a possible flood insurance increase in the Jamestown 1607 neighborhood. She referenced the September 11, 2017, podcast of the Cathy Lewis Show which noted the importance of having Elevation Certification updated and encouraged citizens to watch.

Mr. Hipple referenced a situation where he was in another county and someone was having difficulty obtaining a permit and commented to the clerk that she does not have these difficulties in James City County. He expressed kudos to James City County staff for raising the bar and attending to citizens.

Ms. Sadler stated that she was honored to participate in the 9-11 Remembrance Ceremony held at Station 1 and thanked Scout Pack 414 for doing an amazing job every year putting the ceremony together. She extended condolences to the entire family of Mr. Tom Chestnutt for his recent passing.

Mr. McGlennon stated that he recently attended the funeral services for James City County's first Police Chief Robert Key. He also commented that he attended a ribbon cutting for JuiceFix Juicery located in New Town. He mentioned that in regards to mowing in the County it is important to recognize the good job being done by staff and noted we cannot fill in all the gaps the General Assembly is leaving and that we need to focus attention on the core responsibilities of our County government.

Mr. Onizuk stated the County is wrapping up a hopefully successful summer tourist season and further stated that he is looking forward to hearing the final tourism numbers. He noted that we work as a Chamber Tourism Alliance with our partner communities and gave kudos to County staff for other economic drivers, business opportunities and the people working to make sure we have a balance of both.

Mr. Hipple stated that this year's Shrimp Feast had the largest attendance with 2,300 members. He gave a shout-out to the Kiwanis and all that they do for the community.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill referenced his monthly County Administrator's Report and stated that Wednesday, September 13, 2017, at 6:30 p.m. will be the Neighborhood Forum with guest speaker Ms. Sara Ruch, Emergency Management Deputy Coordinator. He invited the Board and local community to attend Anheuser-Busch Brewery as it will be having open taste testing on Saturday, September 16, 2017. He stated that tours at the facility will be held from 10 a.m.-6 p.m., with the Clydesdales showing from 10:30 a.m.-1:30 p.m. He mentioned that Virginia Housing Development Authority will be hosting First Time Homebuyer classes September

26, 28 and November 14 and 16, 2017, at the Law Enforcement Center from 6-9 p.m., if interested contact Ms. Amy Driscoll, Housing Specialist II, at 259-5340. He commented that the final Jamestown Jams Concert will be held October 6, 2017, with music from 6:30-8 p.m. performed by the Lone Rangers.

At approximately 7:50 p.m., Mr. Onizuk recessed the Board of Supervisors in order to conduct the James City Service Authority Board of Directors meeting.

At approximately 8:01 p.m., Mr. Onizuk reconvened the Board of Supervisors.

L. CLOSED SESSION

A motion to Certify the Closed Session was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Closed Session Certification

At approximately 8:02 p.m., the Board entered into Closed Session

At approximately 8:32 p.m., the Board re-entered Open Session.

 Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia -Chesapeake Bay Board and Wetlands Board

A motion to Approve was made by Ruth Larson, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

The Board recommended reappointment of Mr. David Gussman for a new term to expire on September 12, 2022.

2. Williamsburg/James City County Community Action Agency Board Reappointments

The Board recommended the reappointment of Ms. Diane Finney and Lt. Jeff Hicklin, County staff members, to new five-year appointments that would expire on September 25, 2022; and Dr. Cathy Richardson and Ms. Amanda Wheeler, to be reappointed to a new five-year terms that would expire on September 25, 2022.

3. Clean County Commission Reappointment

The Board recommended the reappointment of Mr. Marcus Meiring to the Clean County Commission for a new term expiring on September 12, 2020.

4. Williamsburg Regional Library Board Appointment

The Board recommended the reappointment of Ms. Nicole Trifone to the Williamsburg Regional Library Board for a new term to begin October 1, 2017, and expiring on September 30, 2021.

5. Economic Development Authority Appointment

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Approval of Item Nos. 2, 3, 4 and 5.

The Board recommended the reappointment of Ms. Robin Bledsoe to the Economic Development Authority to fill a vacated term that expires May 31, 2021.

M. ADJOURNMENT

1. Adjourn until 4 p.m. on September 26, 2017, for the Work Session

A motion to Adjourn was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At 8:33 p.m., Mr. Onizuk adjourned the Board.

Bryan J. Hill, County Administrator

M I N U T E S JAMES CITY COUNTY BOARD OF SUPERVISORS WORK SESSION

County Government Center Board Room 101 Mounts Bay Road, Williamsburg, VA 23185 December 13, 2016 4:00 PM

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Vice Chairman, Roberts District Ruth M. Larson, Berkeley District Kevin D. Onizuk, Jamestown District P. Sue Sadler, Stonehouse District - Absent Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator

C. BOARD DISCUSSIONS

1. Overview of Election Process - Dianna Moorman, General Registrar

Mr. Hill introduced Ms. Dianna Moorman, General Registrar.

Ms. Moorman addressed the Board with an overview of the Registrar's office, detailing the amount of new unique voter registrations in contrast to the number of total applications received over the past 11 months. She described the elections conducted over the last year including turnouts of each, special situations that had to be handled and the amount of work required by staff and volunteers. She acknowledged the collaboration between the County and the Registrar's office and expressed her gratitude for the willingness of everyone to go above and beyond to help. She reported on the building renovation at Palmer Lane and commented on how helpful it is to now have everything under one roof. In conclusion, she detailed the significant need for upgrading the voting machines in FY 2019.

General discussion ensued regarding upgrading the voting machines.

Mr. McGlennon thanked Ms. Moorman for her work and acknowledged the challenges the Registrar's office has faced over the past year. He inquired if the votes that come in through the Central Absentee precinct are allocated to the precinct where the voter is registered.

Ms. Moorman indicated that they are not.

Mr. McGlennon shared his concern that since absentee votes are not allocated to the precincts the voters are registered in, the actual numbers of votes for the

precincts is not measurable. He asked if any localities count absentee votes with the precincts voters are registered in.

Ms. Moorman pointed out that the Registrar's office does that with mail ballots and in-person voters and offered to provideMr. McGlennon with a breakdown of it.

Ms. Larson wondered if there had been any attempts at voter fraud on Election Day.

Ms. Moorman answered that she was not notified of anything within the precincts. However, a lady contacted her with information of a gentleman who had registered with her address even though he had never lived there. Ms. Moorman turned this over immediately to the Commonwealth Attorney and called the County Police. Additionally, there were a couple of incidents where voters gave personal information including their Social Security number to third-party voter drives on Duke of Gloucester Street and at the train station. Later, these people were not able to get in touch with the person they had given their information to, so they contacted the Registrar's office and it was turned over to the Commonwealth Attorney.

- 2. Constitutional Officers Overview of Operations
 - Mr. Hill introduced Mr. Nate Green, Commonwealth Attorney.

Mr. Green addressed the Board with an overview of the Commonwealth Attorney's Office including the amount of staff, types and numbers of cases and funding.

Mr. Onizuk asked if statistics are available to show the amount of James City County cases versus City of Williamsburg cases as well as funding percentages of the County versus City. In particular, he wondered if the funding is mirrored between the City and County.

Mr. Green explained that the funding is an agreed upon amount and currently the City contributes 17%. Although he could not give an exact breakdown of caseload percentages, Mr. Green cited that there are 100 uniformed law enforcement officers in the County compared to 50 uniformed law enforcement officers in the City, which equates to one attorney for every 22 officers. It is Mr. Green's hope that in the future, with better data and case management systems, he will be able to provide more exact numbers on where cases originate.

Mr. McGlennon congratulated the professionalism of the Commonwealth Attorney's office as well as its appropriate level of compassion.

Mr. Hipple noted that the City of Williamsburg has 50 officers for 9.2 square miles while the County has 100 officers for 172 square miles and remarked on the amazing ratio per square mile the County has.

Mr. Green acknowledged this and commented on the number of people

in the County compared to the City on a daily basis. He stated that in his experience there is usually more City officers on duty at any given hour than County officers.

Mr. Green concluded by presenting the Commonwealth Attorney's office schedule for the next two months.

Ms. Larson asked Mr. Hill how often the funding agreement is negotiated with the City of Williamsburg.

Mr. Hill and Mr. Onizuk replied that it has not been adjusted in a long while.

• Mr. Hill introduced Ms. Mona Foley, Clerk of Circuit Court.

Ms. Foley addressed the Board with an overview of the office of the Clerk of Circuit Court. She explained that the office touches the lives of citizens daily and it is all about helping the people and getting money for the locality. She then discussed the four departments of the office and the responsibilities of each. She described the need for an additional employee in the Land Records Department, discussed the Technology Trust Fund, Secure Remote Access fees and went over a handout showing revenue that does not have to be sent to the state and goes back to the locality. She concluded by talking about the need for an additional Deputy Clerk and the cost.

Mr. Onizuk asked if it is allowable to use some of the excess funds for interim temporary staff.

Ms. Foley responded that she is only allowed to hire someone for back-standing and reported that there is already a part-time person in this role.

Mr. Hipple pointed out that the money the office of the Clerk of Circuit Court has been able to save and turn back to the County is almost enough and will be more than enough by February to fund the extra position.

Ms. Foley also revealed that she is hoping to get more money into the locality next year than what is going to the state.

Mr. Hipple stated that it is great that Ms. Foley has been able to figure this out and save money not only for some of the projects that have been done, but also enough to be able to bring another employee into the office to help out and make it faster and easier for citizens.

Ms. Larson indicated that she had no idea what was involved in the office of the Clerk of Circuit Court and stated that the time-consuming part of what happens is tremendous. She commended Ms. Foley for finding things that should have been taken advantage of in the past and thanked her for taking the time to show her around the office.

• Mr. Hill introduced Sheriff Bob Deeds and Deputy Chief Dave Hardin.

Sheriff Deeds addressed the Board with an overview of what his office does. The primary duty is to provide courthouse and courtroom security. Secondarily, the office is responsible for the service of court papers. In addition, the office assists in transporting people under temporary detention orders (TDO) to mental health facilities for evaluation and then in transporting them from one facility to another, which could be across the state.

Sheriff Deeds turned the presentation over to Deputy Chief Hardin, who gave an overview of staff and the responsibilities of each.

Mr. Hipple inquired if there is a Standards of Operation manual in the courthouse.

Deputy Chief Hardin replied that there is and then highlighted a handout that included the results of three security assessments.

Mr. Hipple asked if there is any way that the Civil Process papers can be served electronically.

Deputy Chief Hardin answered that this is not allowed per Virginia Code and that the only way for this to be changed is through the judges and legislature.

General discussion ensued regarding the cost of transporting TDOs and where funding comes from for this as well as in general for the Sheriff's office.

 Mr. Hill introduced Mr. Richard Bradshaw, Commissioner of the Revenue, who thanked the Board for the excellent remodeling job of his building and then gave an overview of the history and operation of the Commissioner of the Revenue's office.

Ms. Larson asked how the office is keeping up with things like Uber.

Mr. Bradshaw replied that it is one of the most trying items his office deals with, but even more difficult is trying to get a handle on Airbnb businesses, which are almost impossible to track. He indicated this is a major concern across the state.

 Ms. Jenni Tomes, Treasurer, addressed the Board with an overview of the responsibilities of the Treasurer's office, current operation and future efficiency and needs.

Mr. McGlennon commented on the effect of the new Convenience Fee on credit card payments and asked if there is another way people can make payments more conveniently.

Ms. Tomes pointed out that the new third party vendor will offer mobile payments and text reminders.

D. CLOSED SESSION

None.

E. ADJOURNMENT

1. Adjourn until Regular Meeting at 6:30 pm

A motion to Adjourn was made by Ruth Larson and the motion result was Passed

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1 Ayes: Hipple, Larson, McGlennon, Onizuk

Absent: Sadler

At approximately 5:57 p.m., Mr. Hipple adjourned the Board.

Bryan J. Hill, County Administrator

M I N U T E S JAMES CITY COUNTY BOARD OF SUPERVISORS WORK SESSION

County Government Center Board Room 101 Mounts Bay Road, Williamsburg, VA 23185 November 22, 2016 4:00 PM

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Vice Chairman, Roberts District Ruth M. Larson, Berkeley District Kevin D. Onizuk, Jamestown District P. Sue Sadler, Stonehouse District Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator Adam R. Kinsman, County Attorney

C. BOARD DISCUSSIONS

1. HRMFFA Discussion - Ret. Admiral Quigley, Executive Director

Mr. Hipple welcomed Admiral Quigley.

Mr. Hill noted Legislation Delegation Day and recognized the significance of Admiral Quigley speaking to the Board regarding federal legislation that is coming forward.

Admiral Quigley stated that the HRMFFA legislative priorities are federal in nature by design and are different than those prepared by the municipalities for the General Assembly; however, there is similarity wherever possible. He stated that a draft was assembled for the December 2016 quarterly meeting; whereas, at that time the 2017 Federal Legislation priorities will be reviewed. He provided the Board with a handout included in the Agenda Packet and titled Hampton Roads Military and Federal Facilities Alliance Legislative Priorities for 2016, noting highlighted areas particularly relevant to the County. Admiral Quigley gave an overview of the following:

- · BRAC
- · Military Construction
- · Army Force Structure Reductions
- · Air National Guard Cyber Unit
- · CYBERCOM Persistent Training Environment
- · Center for Global challenges at the College of William & Mary
- Enhancement of East Coast Ranges for Regional Exercises and

Training Opportunities

- · Remotely Piloted Aircraft Wing Opportunity
- · Cyber Wing "Vigilance Command" Opportunity
- · NASA Langley
- · New Aviation Horizons Ion Collider Project at Jefferson Lab in Newport News, Virginia
- · UASI Grant Funding for the Region
- · Army Corp of Engineers Civil Works

Admiral Quigley discussed the process of the HRMFFA Board in regards to the above issues and noted that the James City County Board of Supervisors has seen both the General Assembly and the Congress levels constancy of purpose and unanimity of efforts.

Mr. McGlennon inquired about prioritization.

Admiral Quigley stated that HRMFFA buckets the issues in areas of effort; whereas, they are listed in the priority order within the committee and subcommittee. He further stated that all members get exposed to all of the issues, but they have the greatest effect when there are subcommittee hearings and markups. He noted that if a subcommittee makes a decision and moves it forward to the full committee, the full house and the full senate that there is a greater chance of obtaining the goal.

Ms. Sadler expressed her gratitude for the work of the HRMFFA.

Mr. Hipple asked if there were any other questions. As there were no other questions, Mr. Hipple expressed his gratitude to Admiral Quigley.

2. Legislative Agenda Review

A motion to Approve was made by Michael Hipple and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Ms. Larson suggested that next year the Board have a meeting specifically for Legislative Agenda Review to discuss direction on items of concern.

Mr. Kinsman gave an overview of the Draft 2017 Legislative Program and Resolution included in the Agenda Packet.

Ms. Larson inquired if this was the time to reemphasize that this should be a decision to be made on the local level.

Mr. Kinsman referred to the Draft 2017 Legislative Program, "Part I. Legislation to be Introduced on Behalf of the County" and discussed:

• Item No. 1-2. "James City County Request that the General Assembly Not Preempt Local Fire Code or Zoning Regulation in any Proposed Airbnb Legislation."

Mr. Kinsman noted that one version of the proposed legislation preempted all zoning regulations.

Mr. McGlennon inquired if it also preempted covenants.

Mr. Kinsman responded yes.

Mr. Onizuk stated that the Chamber of Alliance Legislative Agenda has addressed and advocated for reasonableness in their Airbnb issue.

Ms. Larson commented that she is hopeful that neighborhoods are paying attention and talking to their legislators.

Mr. Kinsman commented on the number of group home applications that have emerged in the County. He further referenced the Draft 2017 Legislative Program, "Part I. Legislation to be Introduced on Behalf of the County" and discussion ensued regarding:

- · Item No. 1-3. "Amend Section 15.2-2291 of the Virginia Code to Allow Local Governments to Retain Local Zoning Control over the Placement of Group Homes;"
- · Item No. 1-4. "Amend Section 37.2-408(B) of the Virginia Code to Require the Regulations of the Board of Behavioral Health and Developmental Services to give Localities Written Notice that a Proposed Group Home is to be Located in that Locality;" and
- · Item No. 1-5. "Amend Section 37.2-408(B) of the Virginia Code to Require Exclusion of Certain Individuals from Group Homes Situated within 2,500 feet of a Primary or Secondary School."

Discussion led by Mr. Kinsman ensued regarding the Draft 2017 Legislative Program, "Part II. Position/Legislation Supported by the County."

Mr. Kinsman noted that the content is a carryover from last year with the exception of:

· Item No. 2-1. "Establish a Study Group Comprised of Private and Government Practitioners and Developers to Determine how the Conditional Zoning Laws may be Further Revised."

Ms. Sadler inquired about any pros or cons regarding:

• Item No. 2-10. "Tax Equity Between Cities and Counties."

Ms. Sadler further inquired about the payment of roads due to taxing.

Mr. Kinsman addressed several differences between cities and counties.

Ms. Larson expressed concern for the Sheriff's Office and Circuit Court noting their increase in workload and number of inmates and strongly emphasized:

• Item No. 2-14. "No New State Mandates and Eliminate or Adequately Fund Existing State Mandates."

Discussion ensued regarding Item No. 2-14.

Ms. Sadler referenced:

· Item No. 2-15. "Legislative Programs of the Virginia Municipal League, the Virginia Association of Counties and the Virginia Coalition of High Growth Communities."

Discussion ensued regarding Item No. 2-15.

Ms. Sadler stated that she did not approve of Item No. 2-15.

A motion to Pull Item No. 2-15 was made by Mr. Hipple, the motion result Failed.

AYES: 1 NAYS: 4 ABSTAIN: 0 ABSENT: 0

Ayes: Sadler

Nays: Onizuk, Larson, McGlennon, Hipple

The Board took a break at approximately 4:42 p.m.

The Board reconvened at approximately 4:45 p.m.

3. Discussion with State Legislators

Mr. Kinsman thanked the State Legislators for attending the meeting. He reviewed and discussed the Draft 2017 Legislative Program, "Part I. Legislation to be Introduced on Behalf of the County" that is included in the Agenda Packet. He noted that if there were any questions that he or any Board member would be happy to answer them.

The Honorable Tommy Norment, Member of the Virginia Senate, referenced group homes and inquired if they are driven or preempted by state legislation.

Mr. McGlennon stated his understanding was that as long as regulations are things that would apply to any citizen it would be okay and commented to be careful about what was being addressed, noting it can be a real challenge.

Senator Norment agreed.

Mr. Kinsman remarked that this is particularly a concern at a public hearing. Mr. McGlennon commented that it would be very helpful to provide information to citizens about the existence of group homes and the presence or absence of problems associated with a facility.

Discussion between Senator Norment; the Honorable Montgomery Mason, Member-Elect, Virginia Senate; the Honorable Michael Mullin, Virginia House of Delegates; Mr. Hill; Mr. Kinsman and the Board ensued regarding group homes, unfunded mandates and zoning regulations in the County.

Ms. Larson stated that she recently attended the Virginia Association of Counties conference where the issue of tax equity between cities and counties was discussed and wondered if there had been any discussion on this topic.

Mr. Onizuk commented on promised funding cuts resulting in unfair burden placed on all localities.

Senator Norment stated that he understood. He discussed a budget reduction plan initiated by the Governor and commented that in December the Governor will present his budget amendments to the House Appropriations Committee and the Senate Finance Committee with work on the budget commencing in January 2017.

Discussion ensued regarding pressures that trickle down from state level to local government.

Ms. Larson inquired about the tax equity issue between cities and counties.

Mr. McGlennon inquired about listing James City County as referenced in:

· Item No. 1-1. "Include James City County as one of the Localities that may Regulate Inoperative Motor Vehicles Pursuant to Virginia Code § 15.2-905."

Senator Norment stated that we will get it on there.

The Board members expressed their gratitude to everyone for meeting with them.

The Board went into Recess at approximately 5:26 p.m.

The Board reconvened at approximately 5:31 p.m

D. CLOSED SESSION

1. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition/lease of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia

A motion to Enter a Closed Session was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At approximately 5:31 p.m., the Board entered into Closed Session.

At approximately 6:02 p.m., the Board re-entered Open Session.

2. Closed Session Certification

A motion to Certify the Closed Session was made by John McGlennon and

the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

E. ADJOURNMENT

1. Adjourn until Regular Meeting

A motion to Adjourn was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At approximately 6:03 p.m., Mr. McGlennon adjourned the Board.

M I N U T E S JAMES CITY COUNTY BOARD OF SUPERVISORS REGULAR MEETING

County Government Center Board Room 101 Mounts Bay Road, Williamsburg, VA 23185 May 10, 2016 6:30 PM

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Vice Chairman, Roberts District Ruth M. Larson, Berkeley District Kevin D. Onizuk, Jamestown District P. Sue Sadler, Stonehouse District Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator Adam R. Kinsman, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader – Sam Tighe, a 4th-grade student at Clara Byrd Baker Elementary School and resident of the Berkeley District.

E. PUBLIC COMMENT - Until 7 p.m.

- 1. Mr. Joseph Swanenburg, 3026 The Pointe Drive, Lanexa, addressed the Board with concerns regarding Cranston's Mill Pond Road as well as the Williamsburg-James City County School Board.
- 2. Ms. Bambi Walters, 5112 Shoreline Court, addressed the Board with concerns about the need for increased communication between the County and the Williamsburg-James City County School Board and asked that the Liaison Committee, which Mr. Hipple talked about during the April 26 Board of Supervisors meeting, stay involved.
- 3. Mr. Stacy Graves, 8996 Richmond Road, addressed the Board in support of the Neighborhood Basketball League (NBL).
- 4. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board regarding the Sustainable Long-Term Water Supply goal of the Strategic Plan and his concern that nothing has been said about the Primary Service Area and its impact on the water situation going forward. He also remarked on the Budget Work Session and congratulated the County on its AAA

credit rating. He concluded by expressing concern on the amount of money spent on the Forest Heights Neighborhood improvement project and advised that in the future projects should focus on achieving the initial objective.

- 5. Mr. Tyrone Johnson, 234 Longhill Road, addressed the Board in support of the NBL.
- 6. Ms. April Taylor, 5404 Horan Court, addressed the Board in support of the NBL.
- 7. Mr. General Xo, 127 Banneker Drive, York County, addressed the Board in support of the NBL.
- 8. Ms. Reba Bolden, 6717 Greenfield Lane, Gloucester, Executive Director of the Williamsburg-James City County Community Action Agency, addressed the Board in support of the NBL.

F. PRESENTATIONS

1. Virginia Department of Transportation (VDOT) Quarterly Update

Mr. Rossie Carroll, Williamsburg Residency Administrator for VDOT, addressed the Board with a quarterly update.

Mr. Scott Smizik, VDOT Project Manager, addressed the Board with an overview of the Hampton Roads Crossing Study.

Ms. Larson brought up an inquiry she received from a citizen regarding having a blinking yellow light left-hand turn onto Eagle Way from Route 5.

Mr. Carroll reported that these permissive left blinking yellow lights have been placed in a few strategic places. Regionally, intersections have been studied and a priority list has been compiled. There are about 20-25 intersections on the Peninsula on this list, which Mr. Carroll offered to provide to Ms. Larson.

Mr. McGlennon asked when the 2016 Plant Mix Application is going to start.

Mr. Carroll responded that he has two contracts that are starting this week; one on Route 631 in Chickahominy and the other at Governor's Land.

Mr. McGlennon inquired about the results of the traffic study at Rolling Woods Drive and Lake Powell Road.

Mr. Carroll reported that the recommendation from the study is that a T-intersection sign with a 25 mph advisory placard be installed just prior to the intersection on the northbound approach on Lake Powell Road. A work-order has been submitted for this, but it has not been installed yet.

Mr. Onizuk stated that the residents of the Jamestown District and everyone who travels Monticello Avenue and News Road are super excited about that project wrapping up. Once that is completed, he recommended monitoring St. Bede Catholic Church's traffic, especially on Sundays, to see how the new traffic patterns affect its ingress and egress.

Ms. Larson asked when the flashing light will be installed on Route 5 where the rumble strips were removed.

Mr. Carroll responded that he does not have a date of when it will be installed, but offered to let Ms. Larson know when he is given a date that this has been scheduled.

Ms. Larson reported that there is a concern about the speed limit on Ironbound Road in front of Mid-County Park and asked about the study that was done in 2012 and when it will be looked at again.

Mr. Carroll responded that once the construction in that area is completed a new study will be done.

Ms. Sadler asked if the potholes in the area of Rochambeau Drive and Wilderness Lane have been repaired.

Mr. Carroll answered that he was not sure.

Mr. Hill indicated they would be going out again to review the area soon.

Ms. Sadler pointed out that there is a massive, messy root ball in the median in front of Farm Fresh in Norge and requested that it be cleaned up. She asked about the results of the March 7 speed study that was done in Toano.

Mr. Carroll reported that the study was to look at the Resolution and the speeds going northbound and southbound, which did not match up, so some adjustments were made to make sure what is in the Resolution is what is out there.

At approximately 7:44 p.m., Mr. Hipple recessed the Board in order to conduct the James City Service Authority Board of Directors meeting.

At approximately 7:48 p.m., Mr. Hipple reconvened the Board of Supervisors.

G. CONSENT CALENDAR

1. Minutes Adoption - September 22, 2015 Joint Work Session, November 24, 2015 Work Session, and April 22, 2016 Joint Meeting with City of Williamsburg and WJCC School Board

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

2. Resolution Appointing Mr. Jason E. Purse as Deputy County Clerk

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

3. Appropriation-Clerk's Excess Fees - \$5,000

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

4. Grant Appropriation - Clerk of the Circuit Court - \$5,980

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

5. James River Elementary School Stream Restoration and Bioretention - Contract Award, \$397,183

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

6. Conveyance of Utility Easements to James City Service Authority and Virginia Department of Transportation - Jamestown Beach - Berkeley District

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

7. Brook Haven Drainage and Water Quality Improvements - Contract Award, \$200,946 - Jamestown District

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

8. Contract Award - Neighbors Drive Neighborhood Improvements - \$494,116 - Powhatan District

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Hipple

Nays: Sadler

Ms. Sadler asked that this item be pulled from the Consent Calendar. She expressed her opposition to this project because of what it started as and then morphed into.

Mr. McGlennon pointed out that Community Development Grants have been used to improve the housing quality in the area as well.

Mr. Vaughn Poller, Housing and Community Development Administrator, addressed the Board with an explanation that awarding of the contract for paving Neighbors Drive is the last part of the project and it was within the initial appropriation that the Board approved.

Ms. Sadler asked how much the County has paid for the project overall from the beginning.

Mr. Poller replied with a description of the project components and then listed out funding amounts with a total amount spent of \$6,037,953.

H. PUBLIC HEARING(S)

1. Proposed FY 17-22 Secondary Six Year Plan

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Ms. Tammy Rosario, Principal Planner, addressed the Board with an overview of the materials in the Agenda Packet.

Mr. Hipple asked Mr. Tim O'Connor, Chairman of the Planning Commission, for a report on the Commission's review.

Mr. O'Connor stated that the Planning Commission did not review this for the Public Hearing.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

As there were no registered speakers, Mr. Hipple closed the Public Hearing.

Mr. McGlennon commented that the Plan does not represent much change as a reflection of the fact that the County does not have many funds available to address some of the many needs for transportation infrastructure.

2. SUP-0005-2016. Tiki Tree Service Contractor's Office and Storage - Stonehouse District

A motion to Deny was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Mr. Jose Ribeiro, Senior Planner II, presented the Board with a video describing the application as detailed in the Agenda Packet.

Mr. Hipple asked the Planning Commission representative, Mr. O'Connor, for an update on the Commission's review and vote.

Mr. O'Connor addressed the Board with an overview of the April 6, 2016, Planning Commission meeting, referring to the meeting minutes included in the Agenda Packet. He reported that the Commission voted in favor of this application 3-2.

Ms. Sadler inquired what some of the reasons were for the dissenting votes.

Mr. O'Connor answered that concerns included the narrowness of the property, the condition of Mount Laurel Road and in general the contractor use versus agricultural use.

As there were no other questions for staff, Mr. Hipple opened the Public Hearing.

- 1. Mr. Timothy Soderholm, Applicant, 6293 Centerville Road, addressed the Board with details regarding his application.
- 2. Mr. Joe Swanenburg, 3026 The Pointe Drive, addressed the Board with concerns regarding the Special Use Permit (SUP).
- 3. Mr. Ron St. Onge, 4166 Mount Laurel Road, addressed the Board in opposition to the SUP.
- 4. Ms. Susan St. Onge, 4166 Mount Laurel Road, addressed the Board in opposition to the SUP.
- 5. Mr. Bob Sulouff, 4188 Mount Laurel Road, addressed the Board in opposition to the SUP.
- 6. Mr. Rob Davis, 4006 Mount Laurel Road, addressed the Board in opposition to the SUP.
- 7. Ms. Cay Davis, 4006 Mount Laurel Road, addressed the Board in opposition to the SUP.
- 8. Ms. Peggy Boarman, 17 Settlers Lane, addressed the Board in opposition to the SUP.

- 9. Ms. Cynthia Winn, representing Mr. James A. Johnson, 4300 Ware Creek Road, addressed the Board in opposition to the SUP.
- 10. Mr. James Baxter Berryhill, 4100 Mount Laurel Road, addressed the Board in opposition to the SUP.
- 11. Mr. Warren L. Raines, 4002 Mount Laurel Road, addressed the Board in opposition to the SUP.
- 12. Mr. Channing M. Hall, III, 133 Indian Springs Road, addressed the Board in opposition to the SUP.

As there were no other registered speakers, Mr. Hipple closed the Public Hearing.

Ms. Sadler asked Mr. Ribeiro several questions regarding the proximity of the nearest home to the property, whether clearing had been done without permit, and if so, had any trees been removed.

Mr. Ribeiro reported that he did not have an exact measurement of the nearest home and that there has been clearing inside the Resource Protection Area (RPA) without permit, but his understanding is that only underbrush and Mountain Laurels have been cleared.

Ms. Sadler commented that based on photographs provided by registered speakers during the Public Hearing she can only assume that trees have been taken down.

Mr. Ribeiro reported on his conversation with the staff of Engineering and Resource Protection (ERP), who acknowledged that Mr. Soderholm did talk with ERP staff about cleaning up debris and dead materials on his property but outside the RPA.

Ms. Sadler remarked that she had spoken with Mr. Hall regarding some of the issues the neighbors have and she has traveled down Mount Laurel Road and it is pretty narrow. She noted that she has heard from some of the residents there that they like it being a nice little country road and do not want it widened. She explained that although she welcomes new businesses in the community, she is not in support of this SUP based on the road safety issues and likelihood of noise issues the business would create.

Mr. McGlennon commented that the proposal indicates there will be a residence on the property, but asked if this is a requirement in the SUP conditions.

Mr. Ribeiro replied that it is not.

Mr. McGlennon asked if there is any limitation on the number of employees that could eventually work from the site.

Mr. Ribeiro answered not by the SUP conditions.

Mr. McGlennon asked if the calculation of five trips in the morning and five trips in the evening included trips to and from the site by employees.

Mr. Ribeiro replied that he believed the calculation only included the trips of vehicles associated with the business.

Mr. McGlennon noted that there is no limitation on the specific number of vehicles that can be kept at the location.

Mr. Ribeiro confirmed this.

Mr. McGlennon reported that he has spoken with Mr. Hall as well as some of the property owners and recently visited the area and found that he had to pull his standard size vehicle over twice to let cars of similar size pass. He stated that he does not find the proposal to be compatible with surrounding zoning, which is primarily agricultural, and development, which is certainly not as commercial as this activity would be, and commented that he will be opposing the application as it does not appear to be the right use for this particular property.

Ms. Larson noted that she appreciates the videos that have been accompanying proposals. She thanked the applicant and residents for coming out. She expressed concern about road safety and whether this is a good fit with the property. Further, she commented that she is concerned about taking something that has not been a good neighbor previously and knowingly making it not a good neighbor someplace else.

Mr. Onizuk queried the location of a structure on the overhead picture that appears to be overlapping the property line and whether it is still present.

Mr. Ribeiro commented that he believes the structure is still there, but he cannot remember specifically what it is.

Mr. Onizuk inquired if the reports from citizens about complaints and prior zoning enforcement issues could be confirmed by staff.

Mr. Ribeiro responded that there have been two formal zoning violations and six or seven complaints that were submitted to Zoning. He explained that when complaints are received, staff goes to the site and talks with the owner and lets them know ways of mitigating the situation.

Mr. Onizuk asked if the violations have been resolved and whether the applicant is currently compliant.

Mr. Ribeiro replied that the applicant is currently not compliant.

Mr. Jason Purse, Assistant County Administrator and former Zoning Administrator, addressed the Board with an explanation of the first complaint received regarding the business and how it was resolved.

Mr. Onizuk reported that he has met with Mr. Hall and received many phone calls and emails from citizens. He added that an SUP is a special privilege

and in getting something special he would think an applicant would have proven themselves in the past to be a good neighbor. Further, he remarked that there does not appear to be any reasonable expectation of compliance with the conditions of the SUP given the applicant's history, and for that reason, he would not be supporting the SUP.

3. **Z-0003-2016.** Tewning Road Proffer Amendment - Jamestown District

A motion to Approve was made by Kevin Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Ms. Savannah Pietrowski, Planner I, addressed the Board with an overview of the materials included in the Agenda Packet.

Mr. O'Connor addressed the Board as the Planning Commission representative. He reported that from a Planning Commission perspective there is nothing to add. This is a permitted use in M-1 and the Commission feels it is a good use of the property.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

- 1. Mr. Peter Walker, Applicant, 113 Patrick Henry Drive, addressed the Board with details regarding his application.
- 2. Ms. Lori Kaisand, 128 North Turnberry, addressed the Board in support of the application.
- 3. Mr. Cliff Gauthier, 15 Forest Hill Drive, addressed the Board in support of the application.

As there were no other registered speakers present, Mr. Hipple closed the Public Hearing.

Mr. Onizuk reported that he finds it to be a compatible use for the area and he is in support of the application.

Mr. McGlennon commented that this seems to be an excellent use of an appropriate parcel of land and he is glad to support it.

4. Z-0004-2016/MP-0001-2016. New Town Proffer and Master Plan Amendment - Jamestown District

A motion to Postpone was made by Kevin Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Mr. Paul Holt, Director of Planning, addressed the Board, stating that the applicant has requested a postponement of this case until the June 14 Board

meeting. The Public Hearing for the case has been advertised and, therefore, must be opened, but staff concurs with the request from the applicant.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

As there were no registered speakers, Mr. Hipple stated the Public Hearing would be left open until after the postponement.

I. BOARD CONSIDERATION(S)

1. Resolution in Support of Joint Land Use Study

A motion to Approve was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Ms. Ellen Cook, Senior Planner II, addressed the Board with an overview of the memorandum included in the Agenda Packet.

Mr. Jay Sweat, Department of Defense Office of Economic Adjustment, addressed the Board, introducing himself as the project manager for the proposed project.

Mr. McGlennon asked how long the project is likely to last.

Mr. Sweat answered that anywhere from 12 to 24 months is typical from start to end.

Mr. McGlennon asked if marketing for land in a joint use land study continues while the study is underway.

Mr. Sweat replied that he did not have an answer to that at this time.

Mr. Onizuk asked how a joint land use study helps cities, counties and military installations live harmoniously and how can the study help us work better with our military partners to ensure that we can all live together and all be successful together.

Mr. Sweat replied that it is a planning tool that provides an opportunity for a third party expert to come in to look at the region as a whole and get input from all the communities involved and move forward as planning continues for the local jurisdiction.

Mr. Onizuk inquired what types of recommendations would come from the study.

Mr. Sweat answered that there could be recommendations for land purchase.

2. **FY2017 Budget Adoption**

A motion to Approve was made by Kevin Onizuk and the motion result was

Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Ms. Suzanne Mellen, Director of Financial and Management Services, addressed the Board with an overview of the memorandum included in the Agenda Packet.

Mr. McGlennon asked if there is a contingency available if the Board decides at some point to restore funding for the Neighborhood Basketball League.

Ms. Mellen responded that included in the budget is a contingency fund to cover unforeseen things that come up through the year.

Mr. McGlennon stated that based on citizen comments, he would like to get more information about the benefit of the Neighborhood Basketball League in considering funding for the coming year.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon reported that he had the opportunity to speak at the annual convention of Virginia Women's Clubs and enjoyed the hospitality tremendously. He also attended the Cinco de Mayo Economic Development party, a joint effort of Williamsburg, James City County and York County, and plans to attend the ribbon cutting for the new road to the airport.

Ms. Larson reported that she looks forward to attending the Fire Department Awards and the James City County Police Awards next week.

Mr. Onizuk thanked staff and citizens for work and input into the budget. He commented on the budget, particularly the issue of the Lafayette Auxiliary Gym, and remarked that in the future, review of facility and capacity needs of all schools should be done to fully identify and prioritize projects. He noted that the County, City and School Board have committed to reestablishing the Liaison Committee in order to work together and be more communicative to do a better job of responsible fiscal planning.

Ms. Sadler reported on her participation in the National Day of Prayer and that she is looking forward to the upcoming School Liaison Committee meeting. She thanked everyone involved in the budget process and commented that she is hopeful in the future the County can identify ways to reduce spending to bring some tax relief to citizens.

Ms. Larson interjected that she is also thankful of staff's professionalism during the budget process and helping her get familiarized with the budget. She also hopes that in the future the Board and staff can work together to realize some efficiencies in the budget while continuing to support the quality of life that citizens enjoy in James City County. She commented that she looks forward to the results of the Joint Land Use Study as she feels it is imperative that the County works with the military to find solutions on how best to move forward for the health of our community and the nation.

Mr. Hipple commented on the teamwork of the Board and also expressed his appreciation of the County staff.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill announced that James City County Social Services will host a Prevention Expo on May 20, which will feature information for senior citizens on housing, healthcare, long-term care planning, power of attorney, medical directives, home health agencies and avoiding financial exploitation.

Mr. Hill reported that Good for You Zone will be held at Chickahominy Riverfront Park on May 21, which will explore why being healthy can lead to loads of fun.

Mr. Hill stated that the upcoming Neighborhood Forum will feature constitutional officers.

Mr. Hill thanked Ms. Mellen and the entire team of James City County on the work done on the budget. He also thanked the Board of Supervisors for going to each and every budget meeting. He commented that the County continuously wants to ensure an open and transparent government. He thanked Mr. Kinsman, County Attorney, for his contributions as Assistant County Administrator last year.

L. PUBLIC COMMENT

1. Ms. Linda Wallace-Cody, 3085 Friendship Drive, thanked Ms. Sadler, Mr. Hipple and Mr. Hill for attending the Chickahominy Banquet and then addressed the Board in support of NBL.

M. CLOSED SESSION

None.

N. ADJOURNMENT

1. Adjourn until 4 p.m. on May 24, 2016, for the Work Session.

A motion to Adjourn was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

At approximately 10 p.m., Mr. Hipple adjourned the Board.

AGENDA ITEM NO. G.2.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Appointment of Jennifer Hall as a James City County Animal Control Officer

ATTACHMENTS:

Description Type

Memo Cover Memo
Resolution Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	9/6/2017 - 4:45 PM
Publication Management	Burcham, Nan	Approved	9/6/2017 - 4:51 PM
Legal Review	Kinsman, Adam	Approved	9/6/2017 - 4:52 PM
Board Secretary	Fellows, Teresa	Approved	9/26/2017 - 8:39 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 9:21 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:57 AM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Appointment of Animal Control Officer

Attached for your consideration is a resolution appointing Ms. Jennifer Hall as Animal Control Officer for James City County. Board appointment is necessary in order for Ms. Hall to enforce State and County animal laws.

Staff recommends adoption of the attached resolution.

EP/nb ACntrlOffrAppt-mem

Attachment

RESOLUTION

APPOINTMENT OF ANIMAL CONTROL OFFICER

- WHEREAS, the Board of Supervisors of James City County is authorized to appoint Animal Control Officers; and
- WHEREAS, the Animal Control Officers are vested with the authority to enforce the animal laws in the County pursuant to Virginia Code Sections 3.2-6555, et. seq., and James City County Code Section 3-2.
- NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that Ms. Jennifer Hall is hereby appointed Animal Control Officer for James City County, Virginia.

	Kevin D. Onizuk				
	Chairman, Board of Supervisors				
	VOTES				
ATTEST:		<u>AYE</u>	<u>NAY</u>	ABSTAIN	
	MCGLENNON				
	SADLER				
Bryan J. Hill	HIPPLE LARSON				
Clerk to the Board	ONIZUK				
	ONZOK				

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

ACntrlOffrAppt-res

AGENDA ITEM NO. G.3.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of the Streets in the Forest Heights Subdivision

ATTACHMENTS:

	Description	Type
ם	Memo	Cover Memo
D	Resolution	Resolution
ם	Map	Exhibit
ם	AM4.3	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Geissler, Fran	Approved	9/21/2017 - 3:28 PM
Development Management	Holt, Paul	Approved	9/22/2017 - 8:13 AM
Publication Management	Burcham, Nan	Approved	9/22/2017 - 8:16 AM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 10:01 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:58 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 11:17 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 1:56 PM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of the Streets in the Forest Heights Subdivision

Attached is a resolution requesting acceptance of the streets in the Forest Heights Subdivision, which are proposed as public right-of-ways into the secondary system of state highways. The streets proposed for acceptance are Forest Heights Road and Benefit Lane and are shown in red on the attached map. The streets have been inspected and approved by representatives of the Virginia Department of Transportation (VDOT) as meeting the minimum requirements for secondary roadways.

VDOT's Secondary Street Acceptance Requirements (SSAR), effective March 2009 and updated December 2011, outline processes on how streets are designed, constructed and officially accepted for maintenance as part of the secondary system of state highways. Upon the satisfactory completion of construction of streets, VDOT advises and coordinates with the local governing body of the street's readiness for acceptance through the use of VDOT's Form AM-4.3. As part of the initial acceptance process, the County Board of Supervisors must request, by resolution, that VDOT accept the street for maintenance as part of the secondary system of state highways. Administrative procedures outlined in SSAR/24VAC30-92-70 lists criteria for street acceptance and what information is required on the local resolution. Once the resolution is approved, the signed Form AM-4.3 and the resolution are then returned to VDOT. VDOT then officially notifies the locality of the street's acceptance into the secondary system of state highways and the effective date of such action. This notification serves as the start of VDOT maintenance responsibility. As part of the process, the County will hold an appropriate amount of subdivision or public improvement surety for the roadway, as required by local ordinances, until the acceptance process is complete. Also, within 30 days of the local governing body's request (resolution), VDOT requires a maintenance surety to be posted by the developer to guarantee performance of the street for one year from the date of acceptance.

Staff recommends the adoption of the attached resolution.

FCG/gt ForestHtsStDed-mem

Attachments

RESOLUTION

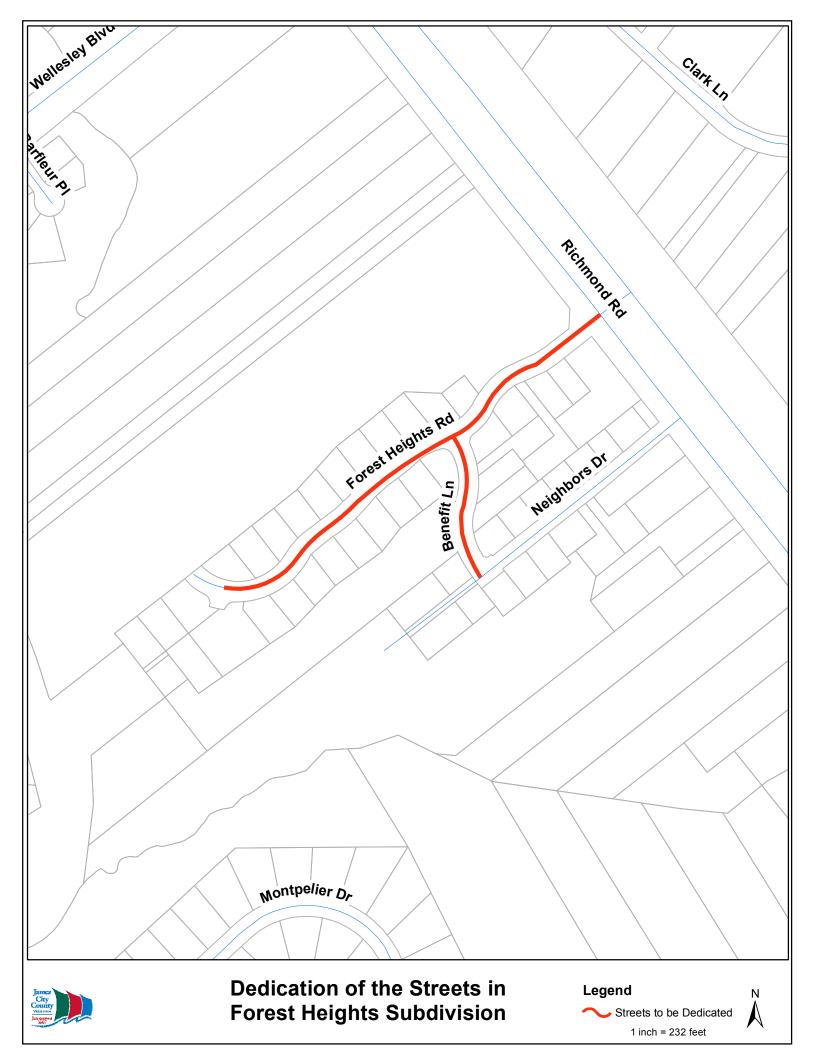
DEDICATION OF THE STREETS IN THE FOREST HEIGHTS SUBDIVISION

- WHEREAS, the streets described on the attached Virginia Department of Transportation (VDOT) Form AM-4.3 for the Forest Heights Subdivision, fully incorporated herein by reference, are shown on plats recorded in the office of the James City County Clerk of the Circuit Court; and
- WHEREAS, the Residency Administrator for VDOT advised the Board that the streets meet the Secondary Street Acceptance Requirements (SSAR) of VDOT; and
- WHEREAS, the County and VDOT entered into an agreement on July 1, 1994, for comprehensive stormwater detention, which applies to this request for addition.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests VDOT to add the streets described in the attached VDOT Form AM-4.3 for the Forest Heights Subdivision to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia and VDOT's SSAR.
- BE IT FURTHER RESOLVED that the Board of Supervisors guarantees clear and unrestricted right-ofways as described and any necessary easements for cuts, fills and drainage.
- BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Residency Administrator for VDOT.

	Kevin D. Oniz Chairman, Bo		pervisors	
ATTEST:		VOTE AYE	-	ABSTAIN
	MCGLENNON			
	SADLER HIPPLE			
Bryan J. Hill Clerk to the Board	LARSON ONIZUK			

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

ForestHtsStDed-res



In the County of James City

By resolution of the governing body adopted October 10, 2017

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision Forest Heights Neighborhood

Type Change to the Secondary System of State Highways:

Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

Street Name and/or Route Number

▲ Benefit Lane, State Route Number 1043

Old Route Number: 0

• From: Forest Heights Road (Route 1042)

To: Neighbors Drive (Route 1044), a distance of: 0.06 miles.

Recordation Reference: Inst. #160003088

Right of Way width (feet) = 50

Street Name and/or Route Number

♦ Forest Heights Road, State Route Number 1042

Old Route Number: 0

• From: Benefit Lane (Route1043)

To: "Y" Turn around, a distance of: 0.14 miles.

Recordation Reference: Inst. #160003088

Right of Way width (feet) = 50

Street Name and/or Route Number

♦ Forest Heights Road, State Route Number 1042

Old Route Number: 0

• From: Richmond Road (Route 60)

To: Benefit Lane (Route 1043), a distance of: 0.08 miles.

Recordation Reference: Inst. #160003088

Right of Way width (feet) = 50

AGENDA ITEM NO. G.4.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of a Street in Phase 7-A of the Greensprings West Subdivision

ATTACHMENTS:

	Description	Type
ם	Memo	Cover Memo
D	Resolution	Resolution
D	Map	Exhibit
ם	AM-4.3	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Geissler, Fran	Approved	9/21/2017 - 3:32 PM
Development Management	Holt, Paul	Approved	9/22/2017 - 8:12 AM
Publication Management	Burcham, Nan	Approved	9/22/2017 - 8:17 AM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 10:00 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:58 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 11:18 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 1:56 PM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of a Street in Phase 7-A of the Greensprings West Subdivision

Attached is a resolution requesting acceptance of a street in Phase 7-A of the Greensprings West Subdivision which is proposed as a public right-of-way into the secondary system of state highways. The street proposed for acceptance is the continuation of Thorngate Drive and is shown in red on the attached map. The street has been inspected and approved by representatives of the Virginia Department of Transportation (VDOT) as meeting the minimum requirements for secondary roadways.

VDOT's Secondary Street Acceptance Requirements (SSAR), effective March 2009 and updated December 2011, outline processes on how streets are designed, constructed and officially accepted for maintenance as part of the secondary system of state highways. Upon the satisfactory completion of construction of streets, VDOT advises and coordinates with the local governing body of the street's readiness for acceptance through the use of VDOT's Form AM-4.3. As part of the initial acceptance process, the County Board of Supervisors must request, by resolution, that VDOT accept the street for maintenance as part of the secondary system of state highways. Administrative procedures outlined in SSAR/24VAC30-92-70 lists criteria for street acceptance and what information is required on the local resolution. Once the resolution is approved, the signed Form AM-4.3 and the resolution are then returned to VDOT. VDOT then officially notifies the locality of the street's acceptance into the secondary system of state highways and the effective date of such action. This notification serves as the start of VDOT maintenance responsibility. As part of the process, the County will hold an appropriate amount of subdivision or public improvement surety for the roadway, as required by local ordinances, until the acceptance process is complete. Also, within 30 days of the local governing body's request (resolution), VDOT requires a maintenance surety to be posted by the developer to guarantee performance of the street for one year from the date of acceptance.

Staff recommends the adoption of the attached resolution.

FCG/gt GrnspW7AStDed-mem

Attachments

RESOLUTION

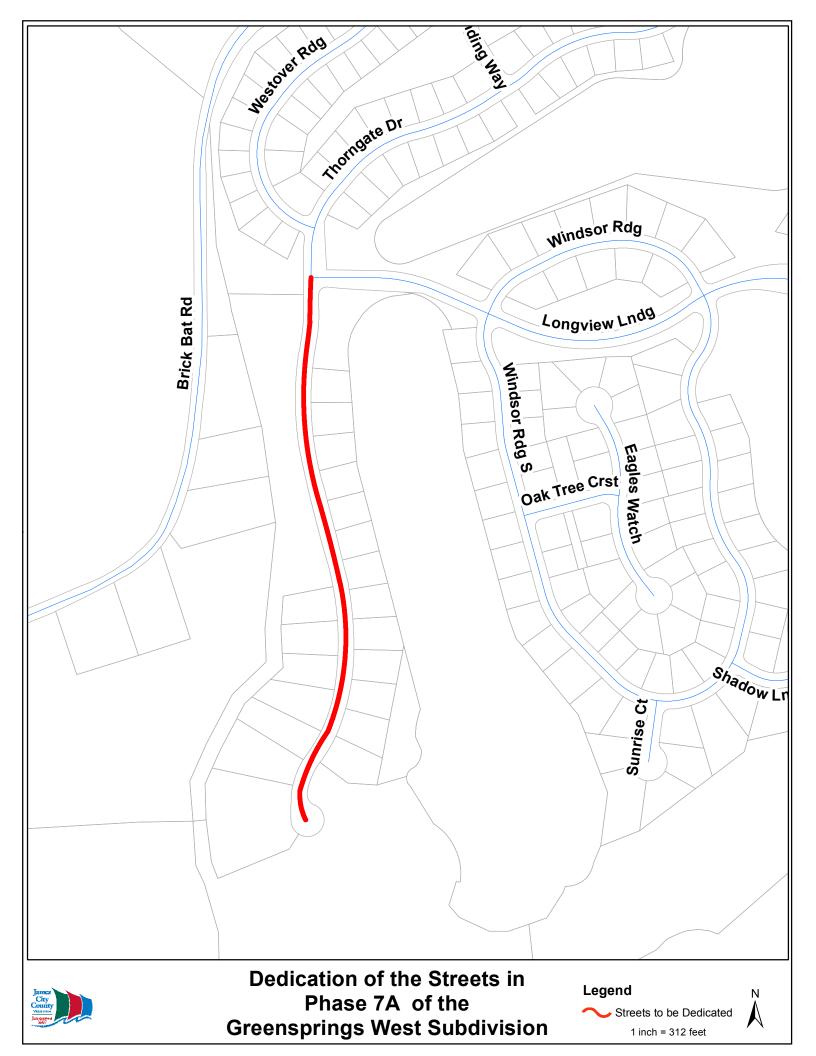
DEDICATION OF A STREET IN PHASE 7-A OF THE GREENSPRINGS WEST SUBDIVISION

- WHEREAS, the street described on the attached Virginia Department of Transportation (VDOT) Form AM-4.3 for Phase 7-A of the Greensprings West Subdivision, fully incorporated herein by reference, is shown on plats recorded in the office of the James City County Clerk of the Circuit Court; and
- WHEREAS, the Residency Administrator for VDOT advised the Board that the streets meet the Secondary Street Acceptance Requirements (SSAR) of VDOT; and
- WHEREAS, the County and VDOT entered into an agreement on July 1, 1994, for comprehensive stormwater detention, which applies to this request for addition.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests VDOT to add the streets described in the attached VDOT Form AM-4.3 for Phase 7-A of the Greensprings West Subdivision to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia and VDOT's SSAR.
- BE IT FURTHER RESOLVED that the Board of Supervisors guarantees clear and unrestricted right-ofways as described and any necessary easements for cuts, fills and drainage.
- BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Residency Administrator for VDOT.

	Kevin D. Onizuk Chairman, Board of Supervisors				
A MONTO COM	VOTES				
ATTEST:		<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	
	MCGLENNON				
	SADLER HIPPLE				
Bryan J. Hill	LARSON				
Clerk to the Board	ONIZUK				

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

GrnspW7AStDed-res



In the County of James City

By resolution of the governing body adopted October 10, 2017

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision Greensprings West Phase 7-A

Type Change to the Secondary System of State Highways:

Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

Street Name and/or Route Number

♦ Thorngate Drive, State Route Number 1268

Old Route Number: 0

• From: Longview Landing Route 1262

To: Temporary Cul de sac, a distance of: 0.35 miles.

Recordation Reference: Inst. #170004196

Right of Way width (feet) = 50

Date of Resolution: October 10, 2017 Page 1 of 1

AGENDA ITEM NO. G.5.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of a Street in Section 3 and 6 of Phase 8 of the New Town

Subdivision

ATTACHMENTS:

	Description	Type
ם	Memo	Cover Memo
ם	Resolution	Resolution
ם	Map	Exhibit
ם	AM-4.3	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Geissler, Fran	Approved	9/21/2017 - 3:34 PM
Development Management	Holt, Paul	Approved	9/22/2017 - 8:12 AM
Publication Management	Burcham, Nan	Approved	9/22/2017 - 8:18 AM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 10:00 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:58 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 11:18 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 1:56 PM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of a Street in Section 3 and 6 of Phase 8 of the New Town Subdivision

Attached is a resolution requesting acceptance of a street in Section 3 and 6 of Phase 8 of the New Town Subdivision which is proposed as a public right-of-way into the secondary system of state highways. The street proposed for acceptance is the continuation of Discovery Park Boulevard and is shown in red on the attached map. The initial segments of Discovery Park Boulevard were accepted into the secondary system of state highways in 2015. The street has been inspected and approved by representatives of the Virginia Department of Transportation (VDOT) as meeting the minimum requirements for secondary roadways.

VDOT's Secondary Street Acceptance Requirements (SSAR), effective March 2009 and updated December 2011, outline processes on how streets are designed, constructed and officially accepted for maintenance as part of the secondary system of state highways. Upon the satisfactory completion of construction of streets, VDOT advises and coordinates with the local governing body of the street's readiness for acceptance through the use of VDOT's Form AM-4.3. As part of the initial acceptance process, the County Board of Supervisors must request, by resolution, that VDOT accept the street for maintenance as part of the secondary system of state highways. Administrative procedures outlined in the SSAR/24VAC30-92-70 lists criteria for street acceptance and what information is required on the local resolution. Once the resolution is approved, the signed Form AM-4.3 and the resolution are then returned to VDOT. VDOT then officially notifies the locality of the street's acceptance into the secondary system of state highways and the effective date of such action. This notification serves as the start of VDOT maintenance responsibility. As part of the process, the County will hold an appropriate amount of subdivision or public improvement surety for the roadway, as required by local ordinances, until the acceptance process is complete. Also, within 30 days of the local governing body's request (resolution), VDOT requires a maintenance surety to be posted by the developer to guarantee performance of the street for one year from the date of acceptance.

Staff recommends the adoption of the attached resolution.

FCG/nb NTSec3&6Ph8StDed-mem

Attachments

RESOLUTION

DEDICATION OF A STREET IN SECTION 3 AND 6 OF PHASE 8 OF

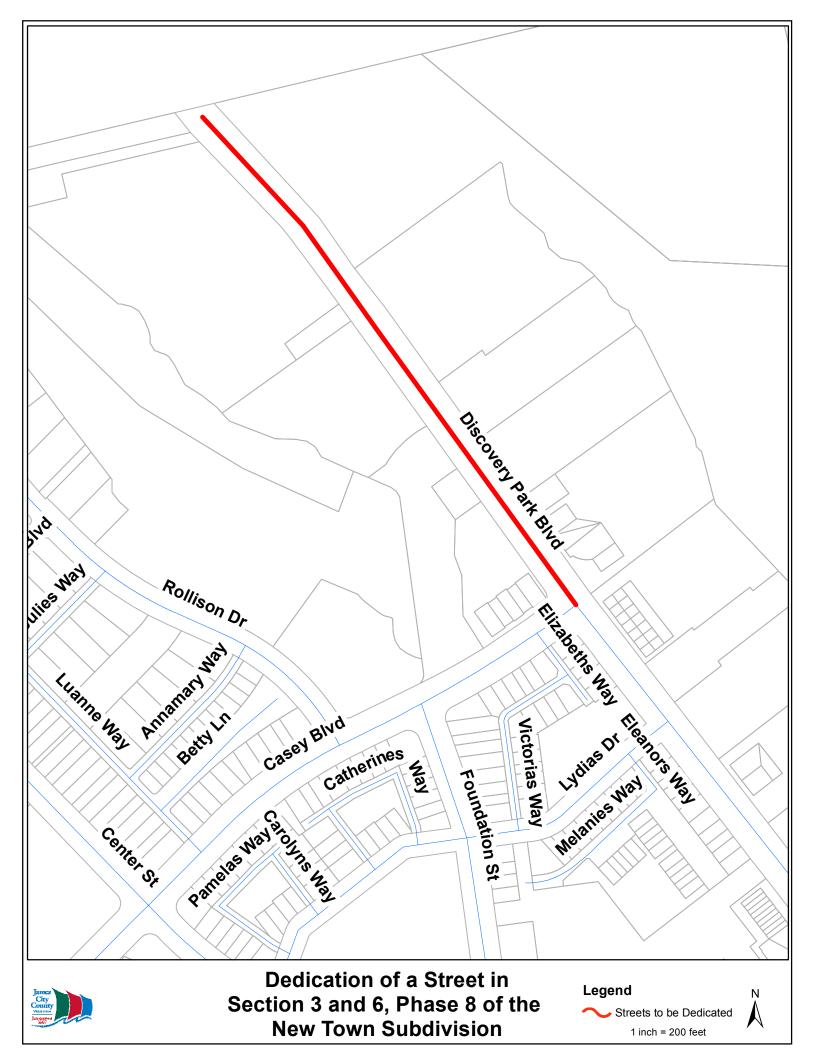
THE NEW TOWN SUBDIVISION

- WHEREAS, the street described on the attached Virginia Department of Transportation (VDOT) AM-4.3 for Phase 8 of Section 3 and 6 of the New Town Subdivision, fully incorporated herein by reference, is shown on plats recorded in the office of the James City County Clerk of the Circuit Court; and
- WHEREAS, the Residency Administrator for VDOT advised the Board that the streets meet the requirements established by the Subdivision Street Acceptance Requirements (SSAR) of VDOT; and
- WHEREAS, the County and VDOT entered into an agreement on July 1, 1994, for comprehensive stormwater detention which applies to this request for addition.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests VDOT to add the street described in the attached VDOT Form AM-4.3 for Phase 8 of Section 3 and 6 of the New Town Subdivision to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia and VDOTs SSAR.
- BE IT FURTHER RESOLVED the Board guarantees clear and unrestricted right-of-ways, as described and any necessary easements for cuts, fills and drainage.
- BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Residency Administrator for VDOT.

Kevin D. Oniz	zuk			
Chairman, Bo	ard of Su	pervisors		
VOTES				
	<u>AYE</u>	<u>NAY</u>	ABSTAIN	
MCGLENNON				
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	Chairman, Bo MCGLENNON SADLER HIPPLE LARSON	VOTE AYE MCGLENNON SADLER HIPPLE LARSON	Chairman, Board of Supervisors VOTES AYE NAY MCGLENNON	

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

NTSec3&6Ph8SDed-res



In the County of James City

By resolution of the governing body adopted October 10, 2017

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee	Signed (County Official):	

Report of Changes in the Secondary System of State Highways

Project/Subdivision New Town Section 3 and 6, Phase 8

Type Change to the Secondary System of State Highways:

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Addition

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

Street Name and/or Route Number

▲ Discovery Park Boulevard, State Route Number 1833

Old Route Number: 0

From: Casey Boulevard (Route 1837)

To: Temporary Turnaround, a distance of: 0.23 miles.

Recordation Reference: Inst. No. 140005288

Right of Way width (feet) = 74

VDOT Form AM-4.3 (4/20/2007) Maintenance Division

Date of Resolution: Page 1 of 2

Date of Resolution: Page 1 of 2

AGENDA ITEM NO. G.6.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of a Street in Section 2 and 4 of Block 10 of the New Town

Subdivision

ATTACHMENTS:

	Description	Type
ם	Memo	Cover Memo
ם	Resolution	Resolution
ם	Map	Exhibit
ם	AM-4.3	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Geissler, Fran	Approved	9/21/2017 - 3:39 PM
Development Management	Holt, Paul	Approved	9/22/2017 - 8:11 AM
Publication Management	Burcham, Nan	Approved	9/22/2017 - 8:18 AM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 10:01 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:58 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 11:18 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 1:56 PM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Frances C. Geissler, Director of Stormwater and Resource Protection

SUBJECT: Dedication of a Street in Section 2 and 4 of Block 10 of the New Town Subdivision

Attached is a resolution requesting acceptance of a street in Section 2 and 4, Block 10 of the New Town Subdivision which is proposed as a public right-of-way into the secondary system of state highways. The street proposed for acceptance is the continuation of Lydias Drive and is shown in red on the attached map. Prior segments of Lydias Drive were accepted into the secondary system of state highways in 2015. The street has been inspected and approved by representatives of the Virginia Department of Transportation (VDOT) as meeting the minimum requirements for secondary roadways.

VDOT's Secondary Street Acceptance Requirements (SSAR), effective March 2009 and updated December 2011, outline processes on how streets are designed, constructed and officially accepted for maintenance as part of the secondary system of state highways. Upon the satisfactory completion of construction of streets, VDOT advises and coordinates with the local governing body of the street's readiness for acceptance through the use of VDOT's Form AM-4.3. As part of the initial acceptance process, the County Board of Supervisors must request, by resolution, that VDOT accept the street for maintenance as part of the secondary system of state highways. Administrative procedures outlined in the SSAR/24VAC30-92-70 lists criteria for street acceptance and what information is required on the local resolution. Once the resolution is approved, the signed Form AM-4.3 and the resolution are then returned to VDOT. VDOT then officially notifies the locality of the street's acceptance into the secondary system of state highways and the effective date of such action. This notification serves as the start of VDOT maintenance responsibility. As part of the process, the County will hold an appropriate amount of subdivision or public improvement surety for the roadway, as required by local ordinances, until the acceptance process is complete. Also, within 30 days of the local governing body's request (resolution), VDOT requires a maintenance surety to be posted by the developer to guarantee performance of the street for one year from the date of acceptance.

Staff recommends the adoption of the attached resolution.

FCG/nb NTSec2&4Blk10SDed-mem

Attachments

RESOLUTION

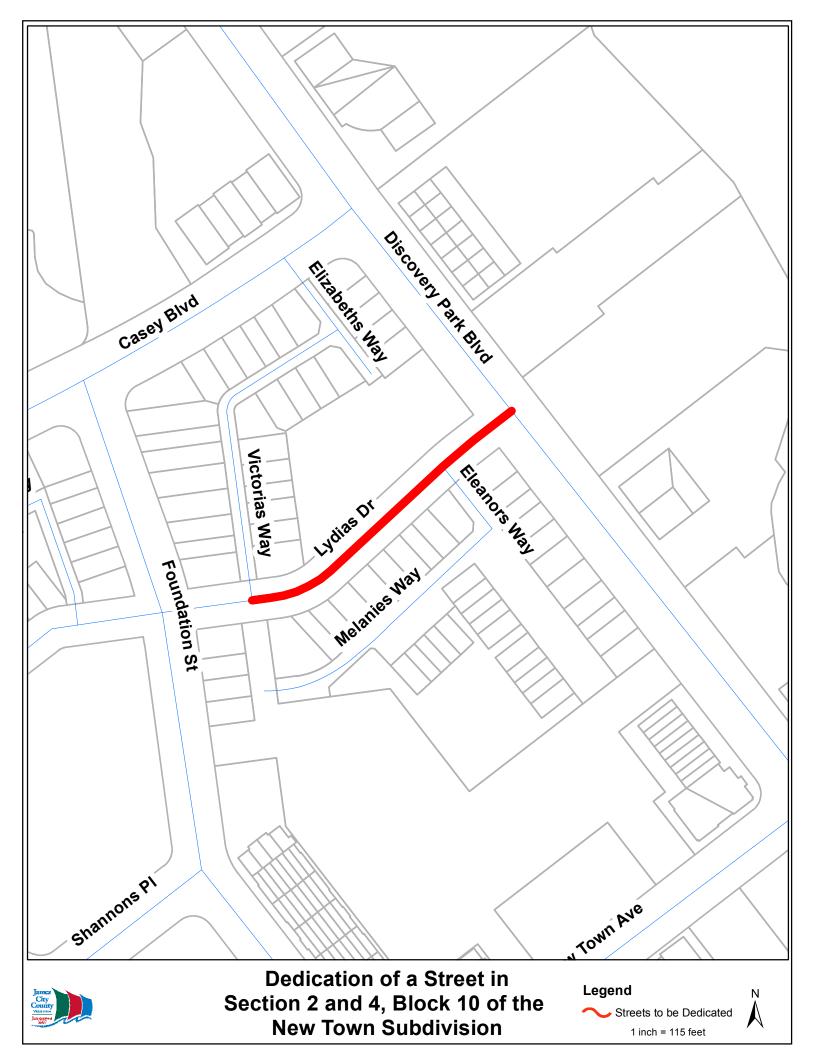
DEDICATION OF A STREET IN SECTION 2 AND 4 OF BLOCK 10 OF

THE NEW TOWN SUBDIVISION

- WHEREAS, the street described on the attached Virginia Department of Transportation (VDOT) Form AM-4.3 for Section 2 and 4 of Block 10 of the New Town Subdivision, fully incorporated herein by reference, is shown on plats recorded in the office of the James City County Clerk of the Circuit Court; and
- WHEREAS, the Residency Administrator for VDOT advised the Board that the streets meet the requirements established by the Secondary Street Acceptance Requirements (SSAR) of VDOT; and
- WHEREAS, the County and VDOT entered into an agreement on July 1, 1994, for comprehensive stormwater detention which applies to this request for addition.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests VDOT to add the street described in the attached VDOT Form AM-4.3 for Section 2 and 4 of Block 10 of the New Town Subdivision to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia and VDOTs SSAR.
- BE IT FURTHER RESOLVED that the Board of Supervisors guarantees clear and unrestricted right-ofways, as described and any necessary easements for cuts, fills and drainage.
- BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Residency Administrator for VDOT.

Kevin D. Onizuk			
Chairman, Board of Supervisors			
VOTES			
	<u>AYE</u>	<u>NAY</u>	ABSTAIN
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Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.



In the County of James City

By resolution of the governing body adopted October 10, 2017

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision New Town Section 2 and 4, Block 10

Type Change to the Secondary System of State Highways:

Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

Street Name and/or Route Number

▲ Lydias Drive, State Route Number 1835

Old Route Number: 0

• From: Discovery Park Boulevard (Route 1833)

To: Lydias Drive (Route 1835), a distance of: 0.07 miles.

Recordation Reference: Inst.#070015322

Right of Way width (feet) = 50

Date of Resolution: October 10, 2017 Page 1 of 1

AGENDA ITEM NO. G.7.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Virginia Department of Transportation Project No. UPC 112111. Route 630,

Peach Street Paving Project and amending the FY18-23 Six Year Secondary

Plan

ATTACHMENTS:

	Description	Type	
ם	Cover memo	Cover Memo	
D	Resolution	Resolution	
D	Location Map	Backup Material	

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	9/22/2017 - 3:45 PM
Publication Management	Burcham, Nan	Approved	9/22/2017 - 3:50 PM
Legal Review	Kinsman, Adam	Approved	9/25/2017 - 11:48 AM
Board Secretary	Fellows, Teresa	Approved	9/26/2017 - 8:42 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 9:22 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:59 AM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Virginia Department of Transportation Project No. UPC 112111. Route 630, Peach Street

Paving Project and amending the FY18-23 Six Year Secondary Plan.

As noted by the Virginia Department of Transportation (VDOT), the Rural Rustic Road concept, first enacted by the 2002 Session of the General Assembly of Virginia, is a practical approach to paving Virginia's low volume unpaved roads. It ensures that VDOT practices environmental and financial stewardship while providing basic paved access to more of Virginia's rural countryside. The 2003 Session of the General Assembly amended the legislation to provide that this method be considered as a first alternative for improving all unpaved roads in the future.

Fundamentally, the Rural Rustic Road concept is the paving of an existing unpaved road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders, and usually the new hard-surfaced road is on the same horizontal and vertical alignment as the prior gravel impervious area. Furthermore, a focal point of the program is on leaving trees, vegetation, side slopes and open drainage abutting the roadway undisturbed to the maximum extent possible.

Below are several criteria by which a candidate road is evaluated to determine its eligibility for hard surfacing under the Rural Rustic Road Program. The road:

- Must be an unpaved road already within the State Secondary System.
- Must carry no more than 1,500 vehicles per day.
- Must be used predominately for local traffic.
- Must have minimal anticipated traffic growth.

VDOT has identified Peach Street as the one road in the County currently that it believes meets these criteria. Another criteria of this program is that the designated street must be listed within the localities Six Year Secondary Plan (SSYP). Since Peach Street is not currently listed in the adopted SSYP for James City County, the attached resolution would also amend the SSYP to include Peach Street. VDOT considers this type of work to be necessary maintenance and has estimated the work will cost \$164,371. Staff and VDOT have worked together to identify six-year secondary funding that could be used to complete this project.

Recommendation

Staff recommends the Board of Supervisors adopt the attached resolution.

PDH/gt PeachStPaving-mem

Attachments:

- 1. Resolution
- 2. Location Map

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION PROJECT NO. UPC 112111.

ROUTE 630, PEACH STREET PAVING PROJECT AND AMENDING THE FY18-23 SIX YEAR SECONDARY PLAN

- WHEREAS, Section 33.2-332 of the Code of Virginia permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and
- WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and
- WHEREAS, the Board desires to consider whether Peach Street, Route 630, as shown on the staff report map should be designated a Rural Rustic Road; and
- WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and
- WHEREAS, the Board believes this road should be so designated due to its qualifying characteristics; and
- WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.
- BE IT FURTHER RESOLVED that the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes and rural rustic character along the road in their current state.
- BE IT FURTHER RESOLVED that the Board hereby adds Project UPC112111, Route 630 Peach Street Paving Project to its FY18-23 Six Year Secondary Plan.
- BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

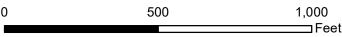
	Kevin D. Onizuk			
	Chairman, Board of Supervisors			
	VOTES			
ATTEST:		<u>AYE</u>	<u>NAY</u>	ABSTAIN
	MCGLENNON			
	SADLER			
D I II'II	HIPPLE			
Bryan J. Hill	LARSON			
Clerk to the Board	ONIZUK			
Adopted by the Board of Supervis October, 2017.	ors of James City Cou	anty, Virg	ginia, this	s 10th day of
PeachStPaving-res				

Peach Street Improvements





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AGENDA ITEM NO. G.8.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Contract Award- Replacement Fire Tanker and Dive Rescue Vehicle- \$768,071

ATTACHMENTS:

Description Type

Memorandum Cover Memo
Resolution Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	9/25/2017 - 11:32 AM
Publication Management	Burcham, Nan	Approved	9/25/2017 - 11:34 AM
Legal Review	Kinsman, Adam	Approved	9/25/2017 - 11:49 AM
Board Secretary	Mellen, Sue	Approved	10/3/2017 - 8:27 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 9:22 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:58 AM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Contract Award - Replacement Fire Tanker and Dive Rescue Vehicle - \$768,071

The FY 2018 Capital Improvements Program (CIP) budget includes funds for the purchase of one replacement fire tanker, as well as the purchase of a replacement dive rescue vehicle.

The Fire Department, Fleet and Purchasing staff examined different options and determined the most efficient procurement method for this purchase is to use a cooperative purchasing contract issued by the Houston-Galveston Area Council (HGAC) to Atlantic Emergency Solutions for both vehicles. The HGAC contract contains wording allowing other localities to purchase from the contract. By participating in the cooperative procurement action, staff believes the County will increase efficiency, reduce administrative expenses and benefit from an accelerated delivery process.

Fire Department technical staff researched the design, construction and field performance of multiple makes and models of units, and determined the Pierce/Freightliner Dryside Tanker and the Pierce Dive Rescue Vehicle to be best suited for the department's needs. Fire Department staff were able to negotiate a price of \$796,968 with Atlantic Emergency Solutions for both vehicles. The vendor offers a prepayment discount of \$28,897, as well as a multiple-unit discount of \$4,000, bringing the discounted total contract price to \$768,071. The total contract price is also under the approved Capital Improvements Project budget.

The new tanker is intended for Fire Station 1 and will replace a unit that is currently 20 years old and has had increasing maintenance demands. The replacement tanker will also be equipped with more modern safety features and comply with updated National Fire Protection Association standards for fire tankers.

The new dive rescue vehicle will be assigned to the James City County Dive Rescue Team and will replace a repurposed food delivery vehicle that has been in service with the Fire Department for over 20 years. The new dive vehicle will allow rescue personnel the ability to change into their dive gear on the incident scene, as well as a mobile platform in order to refill air cylinders.

Staff believes that using the cooperative purchasing agreement along with the prepayment system offered by the vendor are consistent with the County's strategic goal of fiscally efficient government. The replacement tanker and dive vehicle will also provide some of the latest technology and features currently available in the fire apparatus market and reinforces the County's commitment to providing exceptional public services to the citizens and visitors.

Staff recommends adoption of the attached resolution authorizing contract award with prepayment option to Atlantic Emergency Solutions in the amount of \$768,071 for a Pierce/Freightliner Dryside Tanker and a Pierce Dive Rescue Vehicle to Atlantic Emergency Solutions.

RTA/nb CA-Tanker-DiveVeh-mem

Attachment

RESOLUTION

CONTRACT AWARD - REPLACEMENT FIRE TANKER AND

DIVE RESCUE VEHICLE - \$768,071

WHEREAS, funds are available in the FY 2018 Capital Improvements Fund (CIP) budget for the purchase of a replacement fire tanker and a replacement dive rescue vehicle; and
WHEREAS, cooperative procurement action is authorized by Chapter 1, Section 5, of the James City County Purchasing Policy and the Virginia Public Procurement Act, and the Houston-Galveston Area Council issued a cooperative purchasing contract to Atlantic Emergency Solutions as a result of a competitive sealed Invitation for Bid; and
WHEREAS, Fire Department, Fleet and Purchasing staff determined the contract specifications meet the County's performance requirements for a fire tanker and a dive rescue vehicle and negotiated a price of \$796,968 with Atlantic Emergency Solutions for a Pierce/Freightliner Dryside Tanker and a Pierce Dive Rescue vehicle; and
WHEREAS, Atlantic Emergency Solutions has offered a discount of \$28,897 in exchange for a 90% prepayment of the contract, as well as a multiple unit discount of \$4,000 bringing the discounted total price to \$768,071.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with Atlantic Emergency Solutions for a Pierce/Freightliner Dryside Tanker and a Pierce Dive Rescue vehicle in the amount of \$768,071.

	Kevin D. Oniz	zuk		
	Chairman, Boa	ard of Sup	pervisors	
		VOTE	S	
ATTEST:		<u>AYE</u>	<u>NAY</u>	ABSTAIN
	MCGLENNON			
	SADLER			
Bryan J. Hill	HIPPLE			
Clerk to the Board	LARSON			
Cicik to the Bould	ONIZUK		-	

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

CA-Tanker-DiveVeh-res

AGENDA ITEM NO. H.1.

ITEM SUMMARY

DATE: 10/10/2017

TO: Board of Supervisors

FROM: Alex Baruch, Planner

SUBJECT: SUP-0016-2016, 7-Eleven Convenience Store with Gas Pumps and Drive-

Through Restaurant at Quarterpath

ATTACHMENTS:

	Description	Type
D	Staff Report	Staff Report
D	Resolution	Resolution
D	Location Map	Backup Material
D	Master Plan Exhibit	Backup Material
۵	Draft Minutes, September 6, 2017, Planning Commission Meeting	Backup Material
۵	Community Impact Study and Elevations	Backup Material
D	Traffic Study	Backup Material
۵	SUP-21-91, Pocahontas Trail 7- Eleven Gas Pump Addition	Backup Material
ם	Mixed Use 2035 Comprehensive Plan Route 60/143/199 Interchanges Land Use Description	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	9/22/2017 - 4:05 PM
Development Management	Holt, Paul	Approved	9/22/2017 - 4:05 PM
Publication Management	Burcham, Nan	Approved	9/22/2017 - 4:11 PM
Legal Review	Kinsman, Adam	Approved	9/25/2017 - 11:48 AM
Board Secretary	Fellows, Teresa	Approved	9/26/2017 - 8:42 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 9:22 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:59 AM

SPECIAL USE PERMIT-0016-2016. 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath

Staff Report for the October 10 2017, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicant: Mr. Mark Richardson, Timmons Group

Land Owner: Southland Corporation and Quarterpath

Williamsburg, LLC.

Proposal: To construct a +/- 2,940-square-foot

convenience store with gas pumps and a +/- 4,000-square-foot drive-through restaurant. This request will also amend, supersede and replace previously approved

SUP-21-1991.

Locations: 3000 Battery Boulevard, 7327, 7337 and

7341 Pocahontas Trail

Tax Map/Parcel Nos.: 5020100075A, 5020100030,

5020100030A and 5020700004B

Project Acreage: +/- 3.77 acres

Zoning: B-1, General Business

Comprehensive Plan: Mixed Use

Primary Service Area: Inside

Staff Contact: Alex Baruch, Planner

PUBLIC HEARING DATES

Planning Commission: September 6, 2017, 7:00 p.m. Board of Supervisors: October 10, 2017, 5:00 p.m.

FACTORS FAVORABLE

- 1. With the proposed conditions, staff finds the proposal compatible with surrounding zoning and development.
- 2. With the proposed conditions, the proposal is consistent with the recommendations of the Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."
- 3. The proposal would bring the existing use into conformance with the Zoning Ordinance.

FACTORS UNFAVORABLE

With the attached Special Use Permit (SUP) conditions, staff finds no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7-0 to recommend approval of this application to the Board of Supervisors.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

None.

Staff Report for the October 10 2017, Board of Supervisors Public Hearing

PROJECT DESCRIPTION

- The applicant is requesting an SUP to construct a +/- 2,940-square-foot convenience store with gas pumps and a +/- 4,000-square-foot drive-through restaurant. The proposal includes 18 parking spaces to serve the convenience store and 42 parking spaces for the restaurant.
- An SUP is required for convenience stores with gas pumps in B-1. Drive-through restaurants are a permitted use in B-1. However, the traffic generation of the site exceeds 100 peak hour trips; therefore, requiring a commercial SUP per Section 24-11 of the Zoning Ordinance.
- This request will also amend, supersede and replace previously approved SUP-21-1991, which permitted the addition of gas pumps and canopy to the convenience store.

PLANNING AND ZONING HISTORY

The parcel that contains the existing 7-Eleven currently has an SUP (SUP-21-91) for the addition of gas pumps and a canopy to the current convenience store site. The convenience store commercial use does not have an SUP, which is currently required because the convenience store use is a specially permitted use in the B-1 zoning district and also a requirement under the 24-11 commercial SUP section of the Ordinance. Quarterpath, LLC owns the adjacent parcels which have historically been wooded and are currently undeveloped.

SURROUNDING ZONING AND DEVELOPMENT

• Properties on either side of this parcel are zoned B-1, General Business, while property across the street is zoned R-2, General

Residential. The property to the rear is in the City of Williamsburg and is zoned ED Conditional, Economic Development with Conditions.

• The subject property is partially developed and partially undeveloped. It fronts onto Pocahontas Trail and Battery Boulevard, which is maintained by the City of Williamsburg.

COMPREHENSIVE PLAN

The property is designated Mixed Use on the 2035 Comprehensive Plan Land Use Map. The Mixed Use area in the Comprehensive Plan called Routes 60/143/199 Interchanges describes principle uses that include commercial and office development with moderate density residential as a secondary use.

The Comprehensive Plan states that future development should be integrated with and complement the design guidelines and layout of development planned in the City of Williamsburg including uses, architecture, landscaping, historic resources and pedestrian amenities; many of which have been addressed in the proposed SUP Conditions.

The applicant has submitted information in the Community Impact Statement showing the intended materials and colors for the development. Should the SUP be approved, staff is proposing Condition Nos. 11 and 12 to ensure that further architectural detailing for the building and gas canopy be provided at the site plan stage.

PUBLIC IMPACTS

- 1. Anticipated Impact on Public Facilities and Services:
 - *Streets:* A traffic study was completed for this proposal, which recommends the installation of only one entrance/exit off

Staff Report for the October 10 2017, Board of Supervisors Public Hearing

Pocahontas Trail until a traffic light is warranted. At the time it is warranted the existing entrance will become an entrance only and an additional egress only point can be built. A landscaped median along the center of Pocahontas Trail will also need to be installed or guaranteed before the first Certificate of Occupancy. Conditions are proposed for the completion of these improvements (Condition No. 11).

- The Pedestrian Accommodations Master Plan shows a sidewalk along the frontage of Pocahontas Trail and the Regional Bikeway Map requires a bicycle lane in the road along Pocahontas Trail. The bicycle lane was installed as a part of the Quarterpath development. Condition No. 10 guarantees that the bicycle lane is installed properly and for the entire length of the proposed development before the issuance of a Certificate of Occupancy. Condition No. 10 also states that at minimum a sidewalk shall be constructed along the frontage of Pocahontas Trail. If the applicant would like to install a multi-use path in lieu of a sidewalk, it shall be consistent with other multi-use paths in the Quarterpath at Williamsburg development.
- Internal pedestrian accommodations between the two sites will need to be provided as shown on the Master Plan as stated in Condition No. 9.
- School/Fire/Utilities: No impacts anticipated for schools. The
 closest fire station in James City County to the property is Fire
 Station 2, located at 8421 Pocahontas Trail, just over 2.4 miles
 southeast of this project site. The site is served by Newport
 News Waterworks for water and James City Service Authority
 for sewer.

- 2. Environmental/Cultural/Historical: No impacts anticipated. Engineering and Resource Protection requested SUP Conditions related to stormwater management and a spill prevention control and countermeasures plan (Condition Nos. 7 and 8). There is a Resource Protection Area at the rear of the parcels located at 7327 and 7341 Pocahontas Trail and 3000 Battery Boulevard. No development is proposed within this area.
- 3. <u>Cultural/Historic</u>: A Phase I Archaeological Study has been included as an SUP Condition and will be reviewed before land disturbance (Condition No. 3).
- 4. Anticipated Impact on Nearby and Surrounding Properties:
 - As described above, the properties are surrounded by business zoning. The residentially zoned properties are further away across the railroad and Merrimac Trail.
 - Many of the potential impacts are being mitigated through SUP Conditions such as lighting, noise, screening of site features and architectural review.

PROPOSED SUP CONDITIONS

 Proposed conditions are provided in the attached Resolution (Attachment No. 1).

SPECIAL USE PERMIT-0016-2016. 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath

Staff Report for the October 10 2017, Board of Supervisors Public Hearing

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding development and consistent with the recommendations of the Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way" and Zoning Ordinance. Staff recommends the Board of Supervisors approve this application, subject to the attached conditions.

AB/gt SUP16-16PocTr7-11

Attachments:

- 1. Resolution
- 2. Location Map
- 3. Master Plan Exhibit
- 4. Draft Minutes, Sept. 6, 2017, Planning Commission Meeting
- 5. Community Impact Study and Elevations
- 6. Traffic Study
- 7. SUP-21-91, Pocahontas Trail 7-Eleven Gas Pump Addition
- 8. Mixed Use 2035 Comprehensive Plan Route 60/143/199 Interchanges Land Use Description

RESOLUTION

CASE NO. SUP-0016-2016. 7-ELEVEN CONVENIENCE STORE WITH GAS PUMPS

AND DRIVE-THROUGH RESTAURANT AT QUARTERPATH

- WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board") has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, Southland Corporation and Quarterpath Williamsburg, LLC (the "Owners") own property located at 7327, 7337, 7341 Pocahontas Trail and 3000 Battery Boulevard, further identified as James City County Real Estate Tax Map Parcel Nos. 5020100030, 5020100030A, 5020700004B and 5020100075A, respectively (together, the "Property"); and
- WHEREAS, on behalf of the Owners, Mr. Mark Richardson of Timmons Group (the "Applicant") has applied for an SUP to allow a convenience store with gas pumps and a drive-through restaurant, as shown on the exhibit titled "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017; and
- WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0016-2016; and
- WHEREAS, the Planning Commission, following its public hearing on September 6, 2017, recommended approval of the application by a vote of 7-0.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-0016-2016 as described herein with the following conditions:
 - 1. <u>Master Plan</u>: This Special Use Permit ("SUP") shall apply to that certain properties located at 3000 Battery Boulevard and 7327, 7337 and 7341 Pocahontas Trail, which are further identified as James City County Real Estate Tax Map Parcel Nos. 5020100075A, 5020100030, 5020100030A, and 5020700004B, respectively (the "Property"). The SUP shall be valid for a convenience store of up to 2,940 square feet that sells and dispenses fuel (the "Convenience Store"), and a drive-through fast food restaurant of up to 4,000 square feet (the "Restaurant"). All final development plans shall be consistent with the Master Plan entitled, "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017 (the "Master Plan") as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
 - 2. <u>Gas Pumps</u>: There shall be no more than six fueling islands on the Property as shown on the Master Plan.

- 3. Archaeological Study: A Phase I historic and archaeological study for the Property shall be submitted to the Director of Planning, or his designee, for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, II and III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the Property and the clearing, grading or construction activities thereon.
- 4. <u>Phasing of Improvements Between the Different Principal Uses</u>: Prior to the issuance of any site plan approvals for the Restaurant, all shared improvements (including but not limited to all entrance improvements to/from Pocahontas Trail and Battery Boulevard, shared parking, shared stormwater management features and internal circulation improvements) shall be constructed and completed. Should development of the Restaurant precede development of the Convenience Store, the Director of Planning may approve an alternative phasing plan to ensure compliance and consistency with the Master Plan.
- 5. <u>Phasing of the Convenience Store and Gas Pumps</u>: Redevelopment of the gas pump canopy (the "Canopy") and gas pumps in a manner consistent with the Master Plan and these conditions shall occur prior to the issuance of any Certificate of Occupancy for the Convenience Store. The intent of this condition is to ensure that the existing gas pumps and existing canopy are not left in their existing location and condition.
- 6. <u>Existing Fueling Islands</u>: Prior to the issuance of a Certificate of Occupancy for the Convenience Store, all unused gasoline and diesel pumps, canopies and underground fuel tanks shall be removed from the Property.
- 7. <u>Spill Prevention, Control and Countermeasures (SPCC) Plan</u>: Prior to the issuance of a Land Disturbing Permit, an SPCC Plan shall be reviewed and approved by the Director of Stormwater and Resource Protection.
- 8. <u>Stormwater Management</u>: Unless otherwise approved by the Director of Stormwater and Resource Protection, development of the Property shall comply with the City of Williamsburg-approved *Stormwater Management Master Plan* (revised January 28, 2013) and *Best Management Practices Land Bay Design Guidelines* (January 7, 2013) reports for Quarterpath at Williamsburg.

- 9. <u>Internal Pedestrian Accommodations</u>: The owner of each property shall provide internal pedestrian connections to include, but not limited to, wherever sidewalk enters the parking area or crosses any entrance to the Property or drive-through lane and shall provide safe connections from the existing Williamsburg Area Transit Authority (WATA) bus stop. The connections shall be clearly delineated by use of a different color of pavement, brick pavers or some other method determined to be acceptable by the Director of Planning.
- 10. <u>Pedestrian and Bicycle Accommodations</u>: In accordance with the Regional Bikeway Map, a bike lane shall be provided along the Property's Pocahontas Trail frontage. In accordance with the adopted Pedestrian Accommodations Master Plan, a sidewalk shall be provided along the Property's Pocahontas Trail frontage. In lieu of a sidewalk, the Owners shall have the option of installing a multi-use trail to be consistent with other multi-use trails that may be a part of the larger Quarterpath at Williamsburg master plan; however, should the Owners elect to install a multi-use trail, a bike lane must still be provided. Pedestrian and bike accommodations shall be installed or bonded prior to the issuance of a Certificate of Occupancy for any building on the Property.
- 11. <u>Traffic Improvements</u>: Until a traffic signal is operational at the intersection of Pocahontas Trail and Battery Boulevard (the "Intersection"), access to the Property shall be limited to one ingress/egress entrance on Pocahontas Trail and one ingress/egress entrance on Battery Boulevard, as more specifically shown on the Master Plan. "Operational" is defined as electrified and controlling the movement of traffic at the Intersection. At such time that a traffic signal at the Intersection is operational, a second egress-only exit may be constructed on Pocahontas Trail, as more specifically shown on the Master Plan. Prior to the first Certificate of Occupancy for the Property, a raised landscape median on Pocahontas Trail across the Pocahontas Trail frontage of the Property as shown on the Master Plan shall be constructed or guaranteed by the owners of the Property in a manner acceptable to the County Attorney. The design of the raised landscape median shall be shown on the initial site plan. If the traffic light is not warranted within ten years from approval of this SUP, the raised landscape median referenced above shall not be required.
- 12. <u>Architectural Review</u>: Prior to issuance of a Building Permit for each structure shown on the Master Plan (specifically including the Canopy), the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design for such structure. Exterior building materials and colors for all structures shall be generally consistent with the drawing entitled "Riverside Doctors' Hospital Williamsburg Exterior Mock-up 03-09-2012" as contained within the Community Impact Statement. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission. Samples of such building materials and colors shall be approved by the Director of Planning prior to final site plan approval.
- 13. <u>Architectural Review Gas Pump Canopy</u>: The architecture of the Canopy, including any columns, shall match the design and exterior building materials of the Convenience Store. The Canopy shall have a maximum height of 15 feet measured from the finished grade to the underside of the Canopy. No more than two signs shall be allowed on the Canopy. The Canopy shall not include gas pricing signs.

- 14. <u>Screening of Site Features</u>: All dumpsters and ground-mounted HVAC and mechanical units shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan for the adjacent building and shall be reviewed and approved by the Director of Planning for consistency with this condition.
- 15. <u>Outside Display, Sale or Storage</u>: Unless otherwise stated in this condition, no outside display, sale or storage of merchandise shall be permitted at the Property. As used for this condition, the term "merchandise" shall include but not be limited to ice, soda, candy and/or snack machines. For the Convenience Store, only one outside vending machine and one outside ice chest shall be permitted and, if used, shall be situated against the exterior wall that faces the Restaurant and both shall be screened with building materials similar in type and color with the site architecture to minimize visual impacts from adjacent road rights-of-way. Final screening design shall be approved by the Director of Planning.
- 16. <u>Intercom and Speaker Noise</u>: All intercom and other speaker systems on the Property shall operate in such a manner that they shall not be audible from adjacent properties.
- 17. *Lighting:* There shall be no light trespass, defined as light intensity measured at 0.1 foot candle or higher extending beyond the boundaries of the Property or into the public right-of-way unless lighting the pedestrian accommodations. All lights, including any lighting on the Canopy, shall have recessed fixtures with no bulb, lens or globe extending below the casing or the Canopy ceiling. Light poles in the parking lot shall not exceed 20 feet in height. The lighting for the Property, to include the Canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval.
- 18. <u>WATA Facilities</u>: Any change or relocation of existing WATA facilities shall be subject to approval by the Director of Planning prior to final site plan approval.
- 19. <u>Signage</u>: All building face signage shall be externally illuminated or use back-lit or channeled lettered lighting as defined in Section 24-67 of the Zoning Ordinance. For any back-lit or channeled lettered signs the sign shall meet the criteria listed in Section 24-72 of the Zoning Ordinance, or successor section. In addition to any building face signage as permitted by the Zoning Ordinance, the Convenience Store and the Restaurant may each have one exterior freestanding sign. Freestanding signs shall be externally illuminated monument style signs not to exceed 8 feet in height and the base of the signs shall be brick or shall use materials similar in type and color with the site architecture.

20. Sustainable Design Initiatives:

a. Sustainable design initiatives shall be implemented during development of the Property as shown on the Master Plan to achieve the equivalent of 36 points from the Leadership in Energy and Environmental Design (LEED) for New Construction and Major Renovations (based on 2017 guidelines) (the "Credits"). Prerequisite items in the LEED 2017 guidelines shall not be required to be completed in addition to the Credits. In addition, documentation of the building energy performance shall be provided by a mechanical engineer to the Director of

- Planning before the Certificate of Occupancy for the initial building to demonstrate an improvement in efficiency of the building's thermal envelope, mechanical systems and electrical systems over code-required baseline performance.
- b. The strategies to achieve the Credits will be incorporated into the construction documents either as part of the design or as requirements for the contractor to substantiate during the course of construction. Compliance with the Credit requirements will be validated in a straightforward way through things like, but not limited to, review of contractor submittals, submission of design calculations and letters certifying that requirements have been met. This validation will be overseen by a LEED-accredited professional and approved by the Director of Planning or his designee with Credits related to the design of the project approved prior to issuance of the final site plan approval, and Credits related to the construction of the project approved prior to issuance any Certificate of Occupancy.
- 21. <u>Commencement for Convenience Store and Gas Pumps</u>: Construction on the Convenience Store and the Canopy shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.
- 22. <u>Commencement for Drive-Through Restaurant:</u> Construction on the Restaurant shall commence within 36 months from the date of approval of this SUP. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.
- 23. <u>Severance Clause:</u> This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

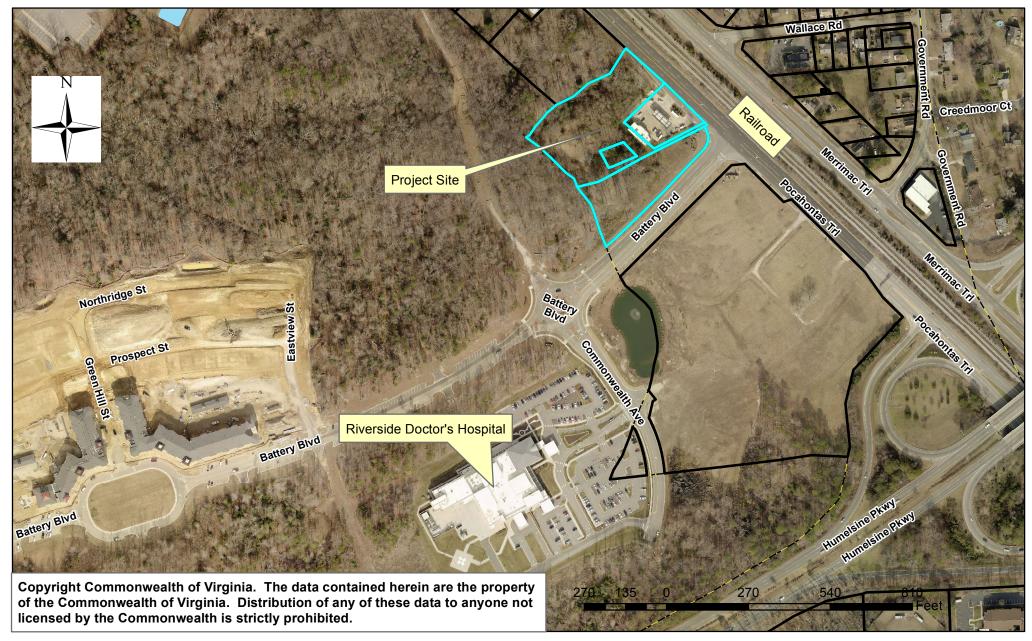
BE IT FURTHER RESOLVED that SUP-0016-2016 shall amend, replace and supersede SUP-21-1991, and SUP-21-1991 shall no longer have any force or effect.

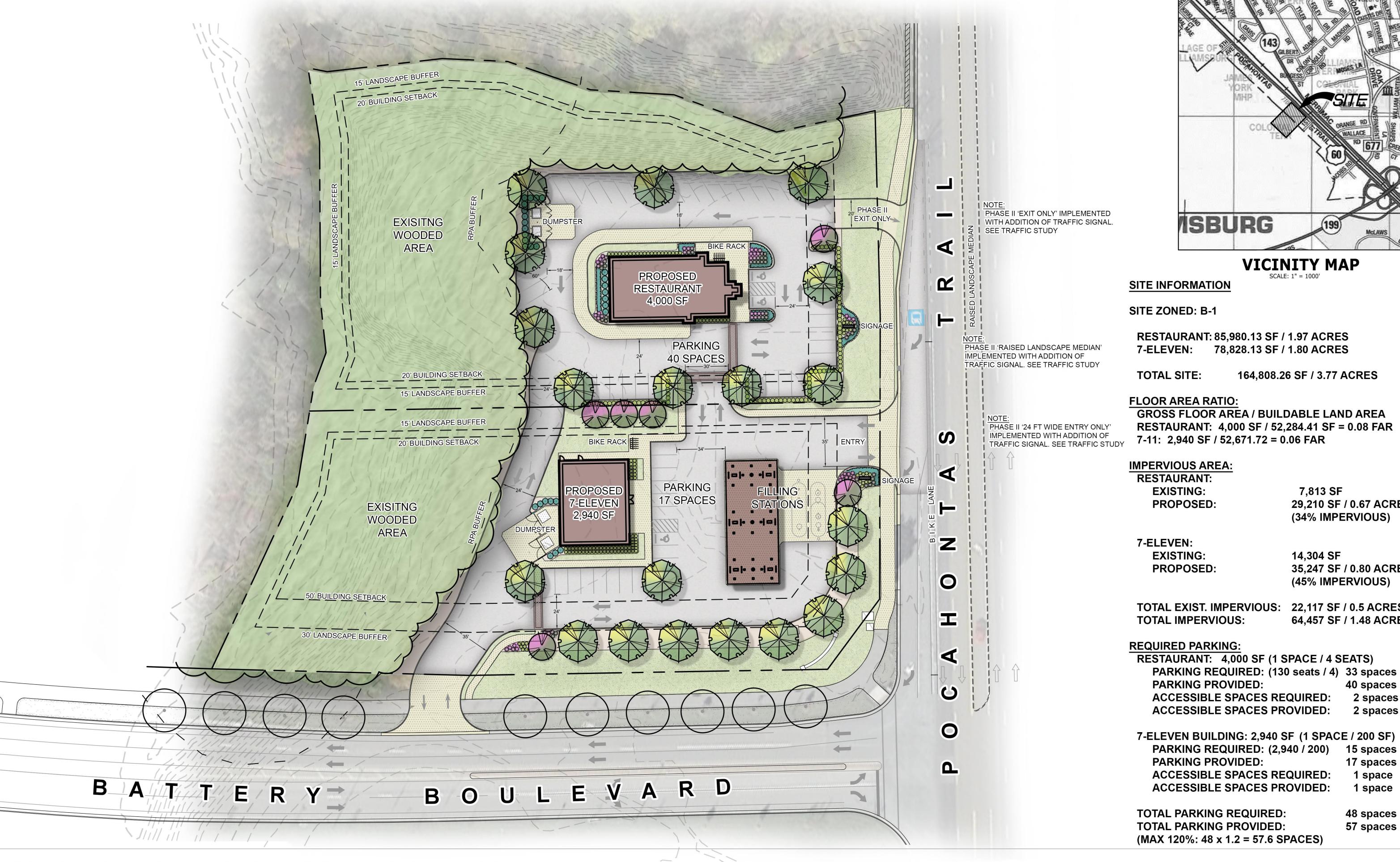
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	Chairman, Do	VOTE		
ATTEST:		<u>AYE</u>	<u>NAY</u>	ABSTAIN
	MCGLENNON			
	SADLER			
	HIPPLE			
Bryan J. Hill	LARSON			
Clerk to the Board	ONIZUK			

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

JCC-SUP-0016-2016 7-Eleven Convenience Store with Gas Pumps and Drive-Thru Restaurant at Quarterpath



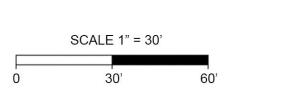


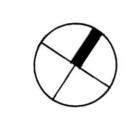


ISBURG VICINITY MAP SITE INFORMATION **RESTAURANT: 85,980.13 SF / 1.97 ACRES** 78,828.13 SF / 1.80 ACRES 164,808.26 SF / 3.77 ACRES **FLOOR AREA RATIO:** GROSS FLOOR AREA / BUILDABLE LAND AREA RESTAURANT: 4,000 SF / 52,284.41 SF = 0.08 FAR 7-11: 2,940 SF / 52,671.72 = 0.06 FAR **IMPERVIOUS AREA: EXISTING:** 7,813 SF PROPOSED: 29,210 SF / 0.67 ACRES (34% IMPERVIOUS) **EXISTING:** 14,304 SF PROPOSED: 35,247 SF / 0.80 ACRES (45% IMPERVIOUS) TOTAL EXIST. IMPERVIOUS: 22,117 SF / 0.5 ACRES **TOTAL IMPERVIOUS:** 64,457 SF / 1.48 ACRES

QUARTERPATH AT WILLIAMSBURG

7-11 CONVENIENCE STORE WITH GAS AND DRIVE-THRU RESTAURANT CONCEPTUAL MASTER PLAN - August 25, 2017







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DRAFT MINUTES OF THE SEPTEMBER 6, 2017 PLANNING COMMISSION

SUP-0016-2016, 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath

Mr. Alex Baruch, Planner, stated that Mr. Mark Richardson of Timmons Group has applied for an SUP to allow a convenience store with gas pumps and drive-through restaurant at 3000 Battery Boulevard, 7327, 7337 and 7341 Pocahontas Trail. Mr. Baruch stated that the parcels are zoned B-1, General Business and are designated Mixed Use on the 2035 Comprehensive Plan.

Mr. Baruch stated that a convenience store which sells and dispenses fuel is a specially permitted use in the B-1 Zoning District and a drive-through restaurant that generates over 100 peak-hour trips requires a commercial special use permit. Mr. Baruch stated that a traffic study was completed for this proposal, which recommends the installation of one entrance/exit off Pocahontas Trail until a traffic light is warranted. At the time it is warranted the existing entrance will become an entrance only and an additional egress only point can be built. A landscaped median along the center of Pocahontas Trail will also need to be installed or guaranteed before the first Certificate of Occupancy.

Mr. Baruch stated that Staff finds the proposal to be compatible with surrounding development and consistent with the 2035 Comprehensive Plan and Zoning Ordinance. Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions.

Mr. Krapf opened the floor for question from the Commission.

Hearing no questions Mr. Krapf disclosed that he had a discussion with Mr. Vernon Geddy about the proposal. Mr. Danny Schmidt and Mr. Heath Richardson stated that they also had a discussions with Mr. Geddy.

Mr. Krapf opened the public hearing.

Mr. Vernon Geddy stated agreement with the staff report and recommendation of approval to the Board of Supervisors. Mr. Geddy stated that he would be happy to answer any questions.

Mr. Krapf asked if any of the Commissioners had questions for the applicant.

Ms. Robin Bledsoe inquired about the parcels adjacent to the project site across Battery Blvd and what the potential development of that area would be in the future.

Ms. Molly Trant, Riverside Hospital, stated that there is no development plan in for that parcel but could be a commercial use such as small offices.

Ms. Bledsoe stated that she wanted to make sure it was not planned as residential as that would add to the traffic.

Ms. Trant stated that the residential lots were further back on Battery Blvd.

Mr. Jack Haldeman asked about Condition No. 6 which deals with the removal of gas pumps and if a soil sample will need to be taken to determine if any contamination or leakage has occurred.

Mr. Geddy stated that he was sure that was part of the process through the Stormwater and Resource Protection division for permission to construct and the applicant intends to follow their process.

Mr. Haldeman asked if one of the perennial streams was to be studied during a drier period and if that was done

Mr. Geddy stated that had not been completed at this time.

Ms. Bledsoe asked about the Sustainable Design Initiatives Special Use Permit Condition and identifying who the LEAD accredited official would be and if it was someone on staff or local.

Mr. Baruch stated that there is not anyone on County staff who is LEAD accredited however, it is typically someone who is brought in by the applicant as a part of the project and County staff verifies their findings.

Mr. Krapf stated that he wanted to commend the applicant on including Sustainable Design Initiatives for this project.

Seeing no additional speakers Mr. Krapf closed the public hearing and opened the floor to the Planning Commission members for discussion.

Ms. Bledsoe made a motion to recommend approval of the application.

On a roll call vote, the James City County Planning Commission voted on a motion to recommend approval of the above-referenced application, resulting in approval (7-0).

COMMUNITY IMPACT STUDY

Quarterpath, Williamsburg





Pocahontas Trail and Battery Boulevard

James City County, Virginia August 24th, 2017 JCC SUP-0016-2016



OVERVIEW

Southland Corporation currently owns and operates a store at 7337 Pocahontas Trail (Parcel ID 5020100030A). They desire to replace their existing store and are proposing a boundary line adjustment with Quarterpath of Williamsburg. Quarterpath of Williamsburg owns 7327 Pocahontas Trail (Parcel ID 5020100030), 7341 Pocahontas Trail (Parcel ID 5020700004B) and 3000 Battery Boulevard (Parcel ID 5020100075A). The future configuration of parcels will contain a new 7-Eleven and a drive thru restaurant. All parcels are currently zoned B-1 General Business and total 3.9 acres. The B1 designation requires a Special Use Permit when a drive thru restaurant will generate more than 100 peak hour trips and when a convenience store sells and dispenses fuel in accordance with Section 24-38.

The comprehensive plan identifies the properties as mixed use. The parcels size, shape, and environmental constraints preclude a mixed use development. The overall Quarterpath development is mixed use.



TRAFFIC IMPACT ANALYSIS

Ingress/egress is currently provided to the existing 7-Eleven by two curb cuts on Pocahontas Trail. The proposed condition will include one curb cut to a joint access for the 7-Eleven and restaurant site. Both parcels will maintain internal circulation with a shared access to Battery Boulevard. A traffic study was conducted by DRW Consultants, LLC. (Submitted separately)

WATER AND SEWER IMPACTS

The project site lies within the JCSA Primary Service Area (PSA). Water to the site is provided by means of a 16" waterline in Pocahontas Trail owned and operated by Newport News Waterworks. Wastewater is collected via a gravity sewer line in Pocahontas Trail owned and operated by JCSA. This site will utilize less than 15,500 gallons average daily flow, therefore an impact study was not conducted.

ENVIRONMENTAL CONSTRAINTS

An environmental constraints analysis was conducted by Stantec dated February 26th, 2016. (See appendix) The project site lies within the College Creek Watershed. The FEMA flood zone designation is X. Storm drainage currently travels first by sheet flow then via channel flow to Tutter's Neck Pond. Tutter's Neck Pond is the regional stormwater management facility for Quarterpath of Williamsburg.

PUBLIC FACILITIES

It is not anticipated that this project will increase the need for public facilities.

HISTORICAL AND ARCHAEOLOGICAL

This site is not identified as highly-sensitive on the James City County Archeological assessment. There are no known historical or archaeological elements at this site.

ENVIROMENTAL INVENTORY

An environmental inventory has been provided in the appendix.

FISCAL IMPACT ANALYSIS

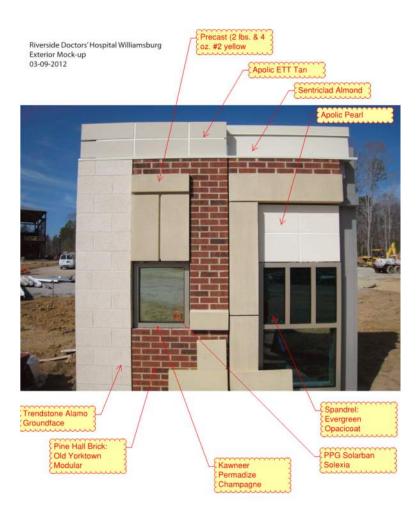
Not applicable.

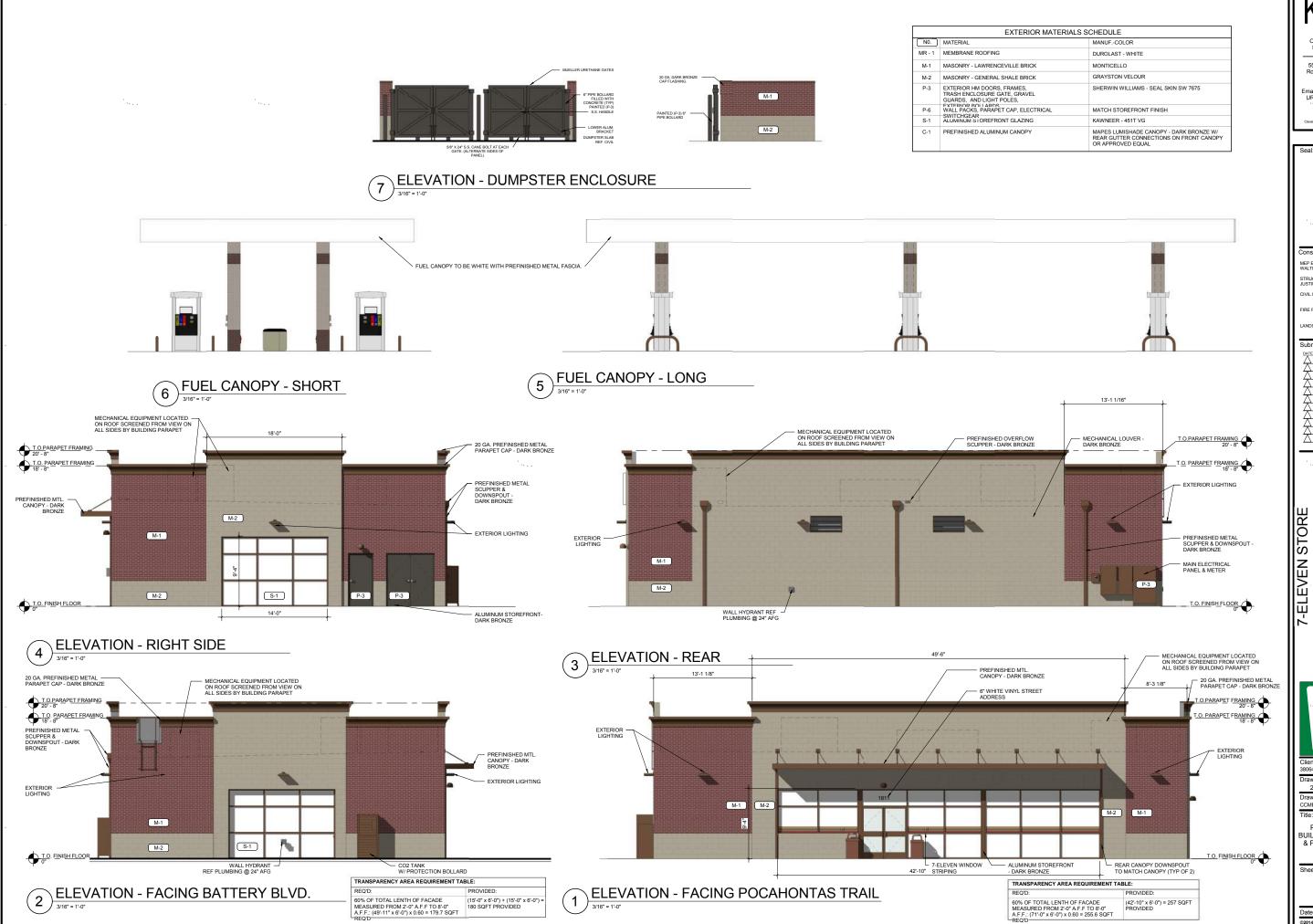
PARKS AND RECREATION

Not applicable.

7-Eleven Colors and Materials

A prototypical building will be used for the 7-Eleven. A color rendering of the materials has been provided in the appendix. The fast food restaurant has yet to be identified, but materials will be consistent with the Riverside Hospital building.





Owner Representation, Specialty Consulting, Asset Management

5500 West Walsh Lane Rogers, Arkansas 72758 Tel: 479-802-5505 Fax: 216-357-2796 Fax: 216-357-2796
Email: info@k2mdesign.com
URL: www.k2mdesign.com
Building Relationships
Based on Trust and
Results
Cieveland | Key West | Calcotte | Battimore |
Bencovide

Consultants

MEP ENGINEER: WALTER J. FITZGERALD STRUCTURAL ENGINEER JUSTIN BILLODEAU, P.E.

CIVIL ENGINEER:

FIRE PROTECTION ENGINEER

LANDSCAPE ARCHITECT

Submissions

7-ELEVEN STORE
7337 POCAHONTAS TRAIL
WILLIAMSBURG, VA 23185
VERTICAL CONSTRUCTION
1211 SOUTH WHITE CHAPEL
SOUTHLAKE, TX 76092

ELEVEN

Client Site/Store #:

Drawn By: CCMB Checked By RMF

REVIEW BOARD BUILDING, DUMPSTER & FUELING CANOPY

RB-E

7-Eleven LEED Checklist



LEED v4 for BD+C: New Construction and Major Renovation Project Checklist

Integrative Process

× ×

Project Name: Date:

		0 0 Location and Transportation	2
	Credit	LEED for Neighborhood Development Location	16
	Credit	Sensitive Land Protection	_
	Credit	High Priority Site	2
	Credit	Surrounding Density and Diverse Uses	2
	Credit	Access to Quality Transit	2
	Credit	Bicycle Facilities	-
	Credit	Reduced Parking Footprint	-
	Credit	Green Vehicles	_

0	0	0	Susta	0 0 Sustainable Sites	10
>			Prereq	Construction Activity Pollution Prevention	Required
			Credit	Site Assessment	-
•			Credit	Site Development - Protect or Restore Habitat	2
			Credit	Open Space	-
1			Credit	Rainwater Management	3
			Credit	Heat Island Reduction	2
			Credit	Light Pollution Reduction	~

0	0	0	Water	0 0 Water Efficiency	7
>			Prereq	Outdoor Water Use Reduction	Required
>			Prereq	Indoor Water Use Reduction	Required
>			Prereq	Building-Level Water Metering	Required
4			Credit	Outdoor Water Use Reduction	2
			Credit	Indoor Water Use Reduction Low flow plumbing fixtures	9
			Credit	Cooling Tower Water Use	2
			Credit	Water Metering	-

0	0	0	Energ	0 0 Energy and Atmosphere	33
>			Prereq	Fundamental Commissioning and Verification	Required
>			Prereq	Minimum Energy Performance	Required
>			Prereq	Building-Level Energy Metering	Required
>			Prereq	Fundamental Refrigerant Management	Required
1			Credit	Enhanced Commissioning	9
1			Credit	Optimize Energy Performance EMS system	18
			Credit	Advanced Energy Metering	_
			Credit	Demand Response	2
			Credit	Renewable Energy Production	က
			Credit	Enhanced Refrigerant Management	_
			Credit	Green Power and Carbon Offsets	0

0		0	Materia	0 0 Materials and Resources	13
>			Prereq	Storage and Collection of Recyclables	Required
>			Prereq	Construction and Demolition Waste Management Planning	Required
			Credit	Building Life-Cycle Impact Reduction	2
			Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	7
			Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	7
Į,			Credit	Building Product Disclosure and Optimization - Material Ingredients	2
			Credit	Construction and Demolition Waste Management Demo contractor recycles 90-100% of waste	waste 2
0	0	0	Indoor	0 Indoor Environmental Quality	16
>			Prereq	Minimum Indoor Air Quality Performance	Required
>			Prereq	Environmental Tobacco Smoke Control	Required
			Credit	Enhanced Indoor Air Quality Strategies	2
			Credit	Low-Emitting Materials	ო
			Credit	Construction Indoor Air Quality Management Plan	-
			Credit	Indoor Air Quality Assessment	2
			Credit	Thermal Comfort	-

0	0	0	Indoor	0 0 Indoor Environmental Quality	16
>			Prereq	Minimum Indoor Air Quality Performance	Required
>			Prereq	Environmental Tobacco Smoke Control	Required
			Credit	Enhanced Indoor Air Quality Strategies	2
			Credit	Low-Emitting Materials	က
			Credit	Construction Indoor Air Quality Management Plan	_
			Credit	Indoor Air Quality Assessment	2
,			Credit	Thermal Comfort	_
Y			Credit	Interior Lighting LED light fixtures	2
			Credit	Daylight Skylights	က
			Credit	Quality Views	_
			Credit	Acoustic Performance	-
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ossible Points:	Platinum: 80 to 110
	Gold: 60 to 79 points,
	, Silver: 50 to 59 points, G
TOTALS	Certified: 40 to 49 points,
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Environmental Constraints Analysis



Stantec Consulting Services Inc. 5209 Center Street, Williamsburg Virginia 23188-2680

February 26, 2016 File: 203400690

Attention: Ms. Molly Trant
Riverside Health System
Fountain Plaza One
701 Town Center Drive, Suite 1000
Newport News Virginia 23606-4286

Dear Ms. Trant:

Reference: Letter of Findings – Environmental Constraints Analysis

Quarterpath 7-11 Parcel, James City County, Virginia Latitude: 37°15′14.60″N Longitude: 76°40′01.47″W

This report presents the results of an environmental constraints analysis conducted by Stantec Consulting Services, Inc. (Stantec) on the above-referenced project. The approximate 4.46-acre site is located within the Tutters Neck Pond drainage basin in James City County, Virginia (Figure 1). The site is situated southwest of Route 60, northwest of Battery Boulevard, and can be accessed via Battery Boulevard (Figure 2). The purpose of the study was to determine on-site environmental constraints by conducting a detailed delineation of wetlands and other waters of the U.S. (WOUS), a resource protection area (RPA) determination, and a threatened and endangered species habitat assessment. Site visits were conducted on February 22nd and 23rd, 2016. The following describes Stantec's findings.

Delineation of Waters of the U.S.

Off-site Evaluation

Prior to conducting fieldwork, Stantec consulted the U.S. Geological Survey (USGS) 7.5-minute Topographical Quadrangle Map for Williamsburg, Virginia (1984), the National Wetlands Inventory Interactive Mapper (NWI), administered by the U.S. Fish and Wildlife Service (USFWS), and the Web Soil Survey, administered by the Natural Resources Conservation Service (NRCS). The USGS quad map shows a partially forested study area with moderately sloping terrain. An unmanned intermittent stream channel is depicted along the southwestern project limits generally flowing to the northwest. The NWI map (Appendix B) depicts forested wetlands within the northwestern portion of the property. Additionally, the soil survey indicates that the site is underlain primarily by Slagle fine sandy loam, Craven-Uchee complex, Emporia complex, and Johnston complex. Johnston is classified as hydric, Slagle and Emporia as predominantly non-hydric, and Craven-Uchee as non-hydric by NRCS in James City County, Virginia.



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Reference: Quarterpath 7-11 Parcel

On-site Evaluation

The WOUS delineation was conducted using the Routine Determination Method as outlined in the 1987 Corps of Engineers Wetland Delineation Manual and methods described in the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain (Version 2.0). Wetland flags were placed in the field by Stantec and sequentially numbered to provide an on-site record of the delineation. Jurisdictional features identified by Stantec include forested wetlands and non-vegetated stream channels. Wetland vegetation is typified by green ash (Fraxinus pennsylvanica), loblolly pine (Pinus taeda), sycamore (Platanus occidentalis), ironwood (Carpinus caroliniana), netted-chain fern (Woodwardia areolata), Nepalese browntop (Microstegium vimineum), and greenbrier (Smilax rotundifolia). Soils within the wetlands are typically very dark brown to grayish brown (10YR 2/2 to 2.5Y 5/2 in Munsell color notation), with redoximorphic features, a color and condition indicative of hydric soils. Indicators of hydrology include saturation within the upper 12 inches of the soil surface, water stained leaves, and oxidized rhizospheres on living roots. The attached Environmental Constraints Analysis Map (Figure 3) shows the GPS located limits of the WOUS. These limits have not been confirmed by the U.S. Army Corps of Engineers (Corps), and should be considered preliminary.

Resource Protection Area Determination

Methodology

Following the delineation of WOUS within the project boundaries, Stantec performed an RPA determination on the Quarterpath 7-11 Parcel. Pursuant to Section 23-8 of the Chesapeake Bay Preservation Ordinance of the James City County Code, site-specific field evaluations shall be used to determine the boundaries of RPA buffers. According to Section 23-10(2) the RPA buffer is defined as, "a 100-foot buffer area located adjacent to and landward of tidal wetlands, tidal shores, and non-tidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow (i.e., RPA wetlands), and along both sides of any water body with perennial flow." Therefore, Stantec applied the Perennial Stream Field Protocol developed by James City County (JCC), also known as the "JCC Method", to three reaches within the study limits in order to clarify the limits of RPA within the Quarterpath 7-11 Parcel project limits.

The JCC Method uses primary and secondary field indicators of hydrological, physical, and biological parameters to identify the break between perennial and intermittent stream channels and has also been tested and approved to identify breaks between intermittent and ephemeral streams in the Coastal Plain of Virginia. A point value of 18 is generally used as a threshold above which a stream is considered to retain attributes of a perennial system.



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Reference: Quarterpath 7-11 Parcel

A point value of 10 is generally accepted as the threshold above which a system is considered to retain attributes of an intermittent stream. For streams scoring between 10 and 18 points, the JCC Method assigns the perennial flow threshold of 14 points with a range of +/-2 points. Therefore, streams scoring 14 points or higher are generally assumed to be perennial and those below will be classified as intermittent. However, the threshold range recognizes that when the score is within 2 points of the threshold value, it is possible that the determination may not be made strictly on the threshold value. As such, a stream may be determined to be perennial with a score of 12 or intermittent with a score of 16 if a preponderance of the evidence and professional judgment indicate that is the appropriate determination.

In addition, pursuant to 9 VAC 10-20-10 et seq. and Section 23-10(2) of the James City County Code, non-tidal wetlands are considered RPA resources when such features are "...connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow." Stantec conducted ground reconnaissance along these features identified within the study limits and within 100-feet of the project limits to determine the extent to which wetland areas within the study limits are truly contiguous (i.e. not separated by upland berms or levees) and surficially connected to the conveyance features within the study limits or other known RPA features.

Field data collection was completed on February 22 and 23, 2016. According to the JCC Method, "It is necessary to discern stormwater inflow resulting from precipitation within the past 48 hours from groundwater inputs. [Therefore] flow observations should be taken at least 48 hours after the last rainfall." Weather data obtained from National Climatic Data Center station Williamsburg 0.9 NNW, VA US indicates 0.14" of rainfall was recorded in the 48 hours preceding fieldwork conducted on February 22, 2016. While the precipitation occurred within 48 hours within the site visit, it is not likely to have led to erroneous perennial stream scores because of the presence or absence of other indicators supporting the final determination. Reaches are defined based on geomorphology, hydrology, biology, or other arbitrary points (i.e. property lines) and data are collected along the entire designated reach length, and scores for physical and biological parameters are assigned.

Results

Based on the application of the JCC Method and conditions observed in the field, RPA resources and the associated RPA buffers identified within the Quarterpath 7-11 Parcel project area are consistent with the previous RPA determination conducted which was subsequently verified by James City County in August, 2007. Reaches 1 and 2 are perennial conveyances. The reaches are characterized by mostly moderate to strong indicators of geomorphology and hydrology. Conversely, Reach 3 is a non-perennial conveyance. The



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Reference: Quarterpath 7-11 Parcel

reach is characterized by mostly weak to moderate geomorphology and a lack of biological indicators associated with a perennial system. The location of the evaluated reaches and resulting RPA buffers are depicted on the attached Environmental Constraints Analysis Map.

Threatened and Endangered Species Habitat Review

Off-site Review

Prior to conducting fieldwork, a database search was conducted for the property on February 19, 2016 using the Information, Planning and Conservation System (IPaC) which is maintained by the U.S. Fish and Wildlife Service (FWS) and the Virginia Fish and Wildlife Information Service (VaFWIS) administered by the Virginia Department of Game and Inland Fisheries (VDGIF). The results of these on-line searches showed the federally threatened small whorled pogonia (*Isotria medeoloides*) and federally threatened northern long-eared bat (*Myotis septentrionalis*; NLEB) as potentially being within the project vicinity. However, further review of the VDGIF NLEB map does not depict any known occupied maternity roosts or known hibernaculum sites within the vicinity of the project area. It should be noted Stantec also reference the Center for Conservation Biology Eagle Nest data to determine the likely presence of a bald eagle (*Haliaeetus leucocophalus*) nest within the project area. No nests were reported. The following sections present a brief species description, the methodology utilized, and survey results.

Species Descriptions / Habitat Factors

Small Whorled Pogonia – SWP is a self-pollinating perennial orchid (Family: Orchidaceae), four to twelve inches in height, with a characteristic whorl of five to seven leaves at the summit of a singular, hollow, pale green stem with one or two pale yellowish-green irregular flowers (Mehrhoff 1983, Gleason and Cronquist 1991, Vitt and Campbell 1997). Morphologically similar species include large whorled pogonia (*Isotria verticillata*) and Indian cucumber (*Medeola virginiana*), the former distinguished from SWP by a reddish-purple stem and the latter by a wiry stem with cotton-like hairs (Ware 1991).

SWP occupies a very specific habitat type within its range. In particular, the species seems to require the following conditions: mature, mixed hardwood, upland forests; generally open understory conditions with minimal aggressive ground level species; generally level to moderately sloping land within shallow upland draws often of northerly or easterly exposure; scattered ground-level sunlight; and, acidic, sandy loam soils (Ware 1991, Gleason and Cronquist 1991, Weakley 2006). In addition, many professionals have noted a prevalence of decaying logs and a well-developed detritus layer on the forest floor. These attributes tend to



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Reference: Quarterpath 7-11 Parcel

be present with the species when found, although the exact mechanisms associated with each affinity are not understood (Ware 1991).

Certain indicator species, among others, may also be helpful in identifying SWP habitat, such as large whorled pogonia, strawberry bush (*Euonymus americanus*), tick trefoil (*Desmodium* spp.), and wintergreen (*Chimaphila maculata*). These species may be considered associates, and often occur near documented SWP colonies. It should be noted that the absence of one or even several of the above-referenced habitat criteria does not necessarily preclude the species from occurring on a particular site. A habitat determination should therefore be based upon the experience of a qualified professional.

Northern Long-eared Bat – NLEB is a medium-sized bat 3 to 3.7 inches in length but with a wingspan of 9 to 10 inches. As its name suggests, this bat is distinguished by its long ears, particularly as compared to other bats in its genus, Myotis, which are actually bats noted for their small ears (Myotis means mouse-eared). The northern long-eared bat is found across much of the eastern and north central United States and all Canadian provinces from the Atlantic coast west to the southern Northwest Territories and eastern British Columbia. The species' range includes 37 states. White-nose syndrome, a fungal disease known to affect bats, is currently the predominant threat to this bat, especially throughout the Northeast where the species has declined by up to 99 percent from pre-white-nose syndrome levels at many hibernation sites. Although the disease has not yet spread throughout the northern long-eared bat's entire range (white-nose syndrome is currently found in at least 25 of 37 states where the northern long-eared bat occurs), it continues to spread. Experts expect that where it spreads, it will have the same impact as seen in the Northeast.

Methodology

Following the review of the off-site reference materials, a habitat assessment was conducted on the Quarterpath 7-11 Parcel. Habitat survey methods typically included general reconnaissance within the study area using the nesting, breeding, and/or known habitat requirements for each of the above-mentioned target species to determine the location and extent of potential habitat.

It should be noted that the normal SWP vegetative cycle is late spring to mid-summer. Therefore, the FWS will only accept detailed survey data collected within a certain season (May 25-July 15 in James City County). Outside of this time frame, qualified survey contacts may conduct habitat surveys using the guidelines listed above to determine whether a particular site contains potential habitat for the species. Therefore, this habitat survey for the small whorled pogonia (SWP) was conducted by Scott Kupiec of Stantec, who is recognized as a SWP survey contact by the FWS. The purpose for this type of survey is to identify portions



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Reference: Quarterpath 7-11 Parcel

of the site that may require in-season detailed surveys for the species and to estimate the likelihood of SWP occurrence.

In addition, for the purposes of the NLEB, all forested portions were evaluated specifically for tree species with diameter at breast height (DBH) greater than 3 inches. Typically, semi-mature to mature forest communities with open to somewhat open understory are considered to provide appropriate habitat for NLEB.

Results

No suitable SWP habitat was found within the Quarterpath 7-11 Parcel project area. The majority of the project area consists of developed land or immature forest communities. The immature forest communities lack a stratified canopy, thick duff, and associates correlated with suitable SWP habitat, and contain significant historic disturbance associated with mound and debris fields. Furthermore, these areas contain dense understory and herbaceous layers. Also, non-tidal wetlands and streams identified during the wetland delineation are present within the project area, and these features are considered to provide unsuitable habitat conditions for SWP due to persistent inundation or seasonally high water tables. It should be noted a small portion of the site along the southwestern project limits falls within a more mature mixed-hardwood community. However, this part of the project area occurs along a steep slope with little or no duff and is unsuitable habitat for SWP.

Based on the evaluation of the forested areas within the study limits, NLEB habitat is likely present. However, review of the VDGIF NLEB habitat map does not depict any known occupied maternity roosts or known hibernaculum sites within the vicinity of the project area.

Conclusion

Stantec conducted an environmental constraints analysis on the Quarterpath 7-11 Parcel project including a delineation of WOUS, RPA determination, and threatened and endangered species habitat assessment. Based on a detailed delineation of WOUS, wetlands and non-vegetated stream channels are present within the Quarterpath 7-11 Parcel project area. Stantec recommends these findings be submitted to the Army Corps of Engineers to obtain a confirmation prior to any land disturbing activities.

Following the delineation of WOUS, three on-site reaches were scored using the JCC Method to determine perennial breaks and the resultant RPA buffer. Based on Stantec's findings Reaches 1 and 2 are perennial streams and should be included as RPA resources along with the associated connected and contiguous wetlands. Reach 3 is a non-perennial conveyance. However, it should be noted flowing water was observed in Reach 3 during the time of the study. While it is Stantec's opinion that this stream is non-perennial and should not



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Reference: Quarterpath 7-11 Parcel

be included as an RPA resource based on moderate to weak scores for geomorphology and an absence of biology associated with a perennial system, Stantec recommends the stream be rescored during a drier time of the year to verify these findings, and the results confirmed by James City County.

Finally, a threatened and endangered database review indicated the potential presence of SWP and NLEB potentially occurring within the project boundaries. Based on habitat review, no suitable habitat for SWP is present. However, potential habitat for NLEB is present. As such, time of year restrictions may be requested prior to any tree clearing, should it be required. Furthermore, if it is determined that state or federal permits are required for the project, formal consultation with USFWS may be recommended.

Please let me know if you have any questions regarding this correspondence.

Regards,

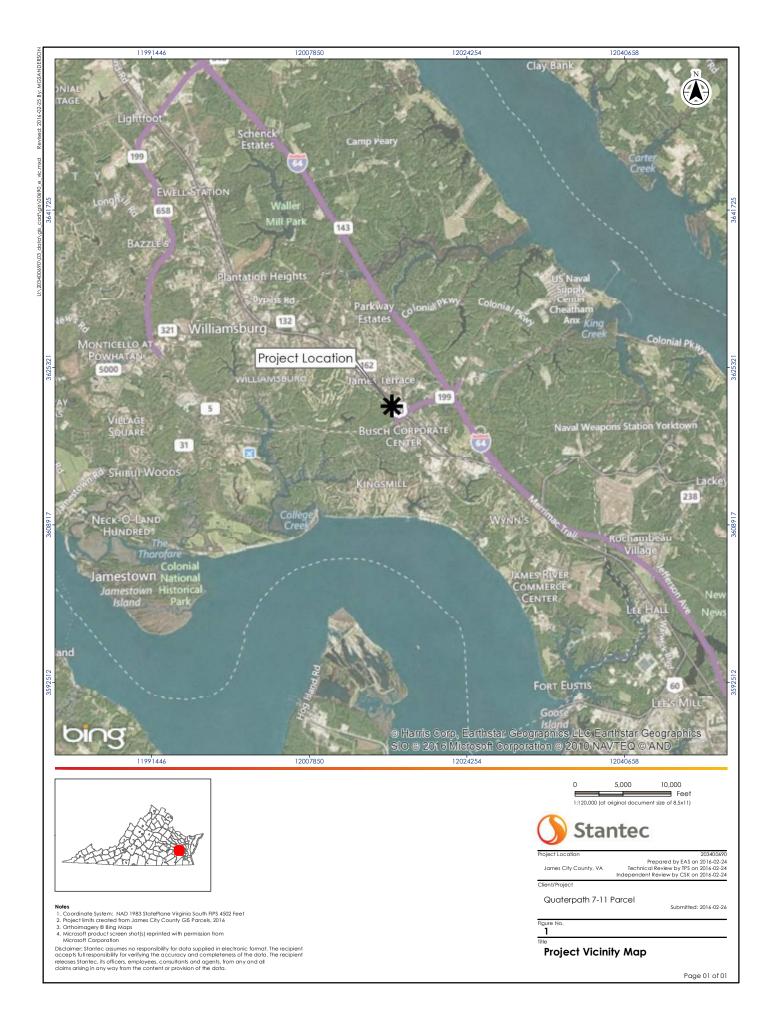
Stantec Consulting Services

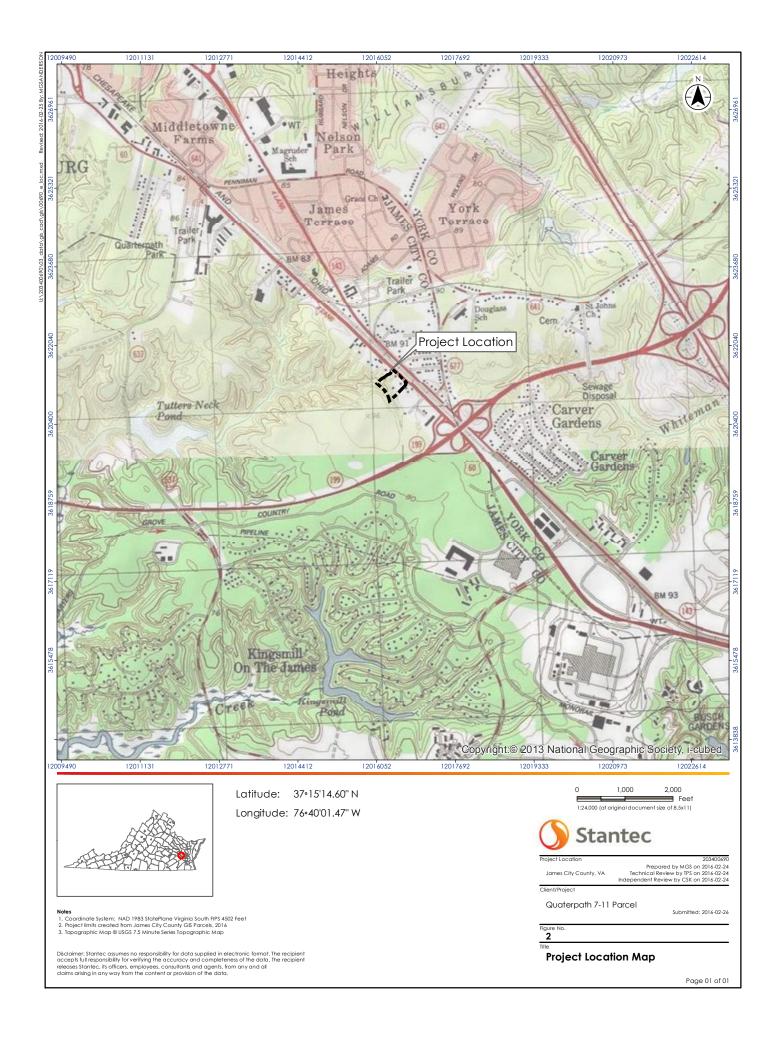
Scott Kupiec, PWD Senior Ecologist

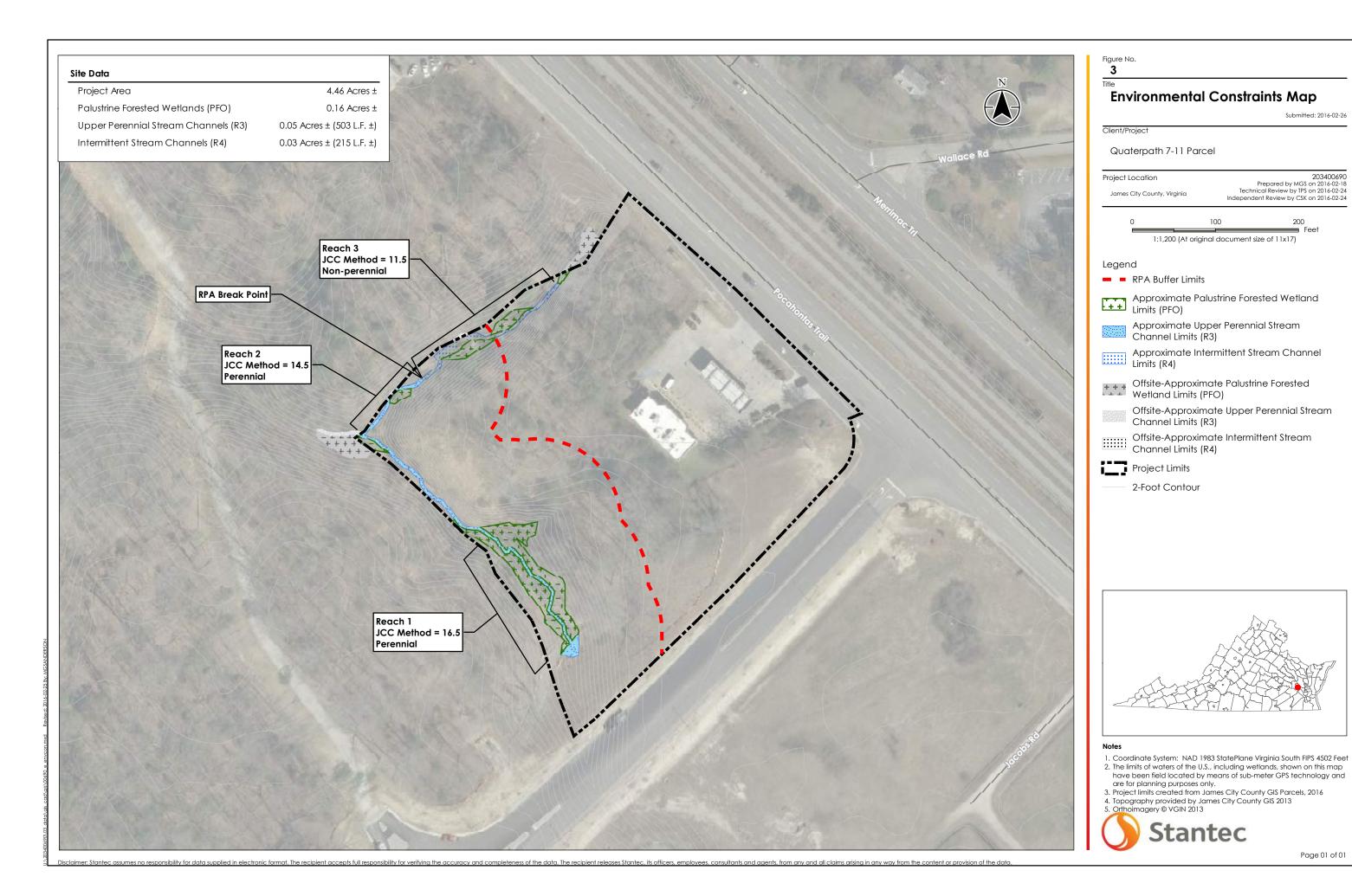
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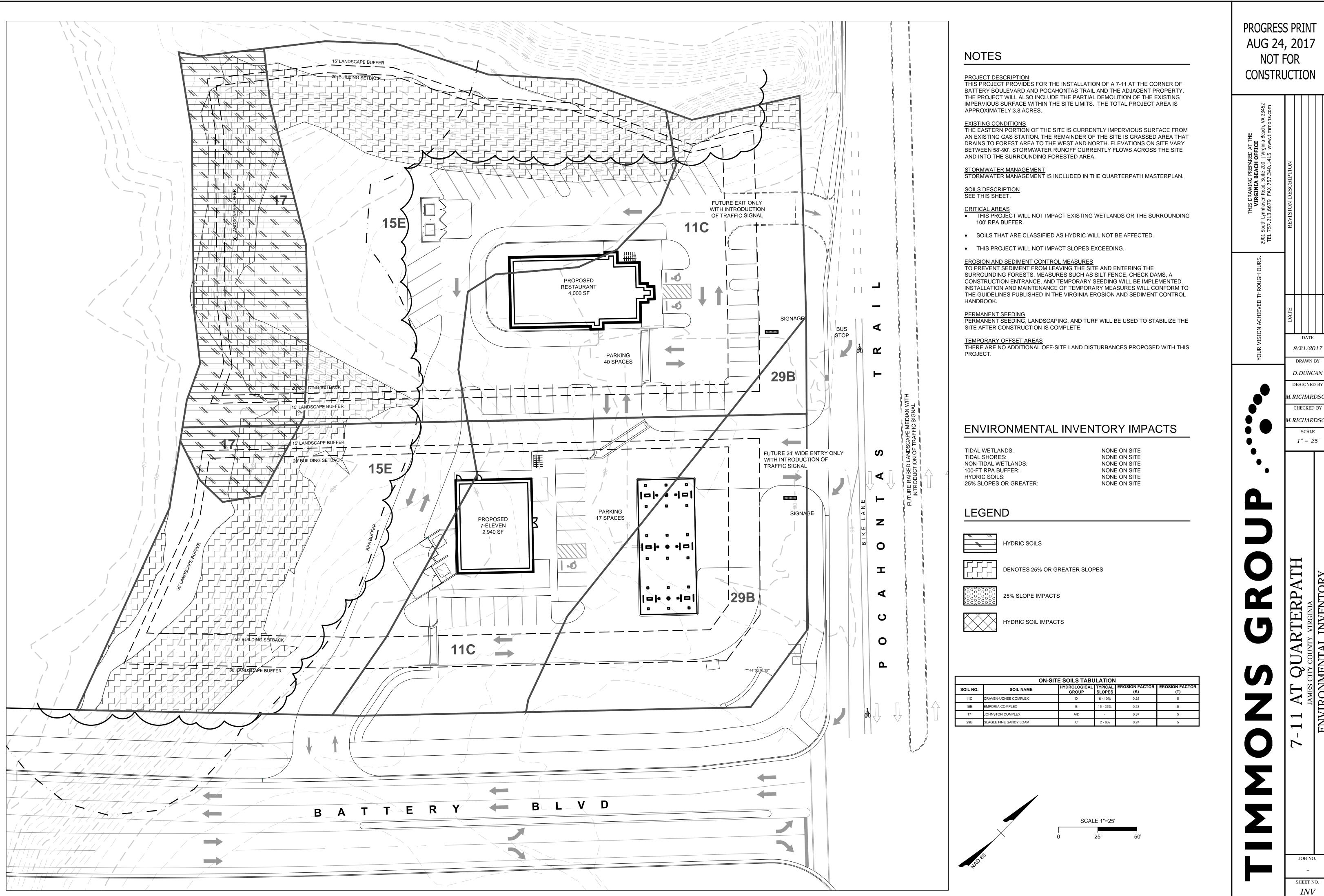
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Environmental Inventory



AUG 24, 2017 NOT FOR CONSTRUCTION

DATE 8/21/2017 DRAWN BY

DESIGNED BY M.RICHARDSON CHECKED BY .RICHARDSO

1'' = 25'

JOB NO.

SHEET NO.



JAMES CITY COUNTY, VIRGINIA

Por: Quarterpath At Williamsburg

By:
DRW Consultants, LLC
Midlothian, VA

March 13, 2017

August 17, 2017 Edited Version



JAMES CITY COUNTY, VIRGINIA

Por: Quarterpath At Williamsburg

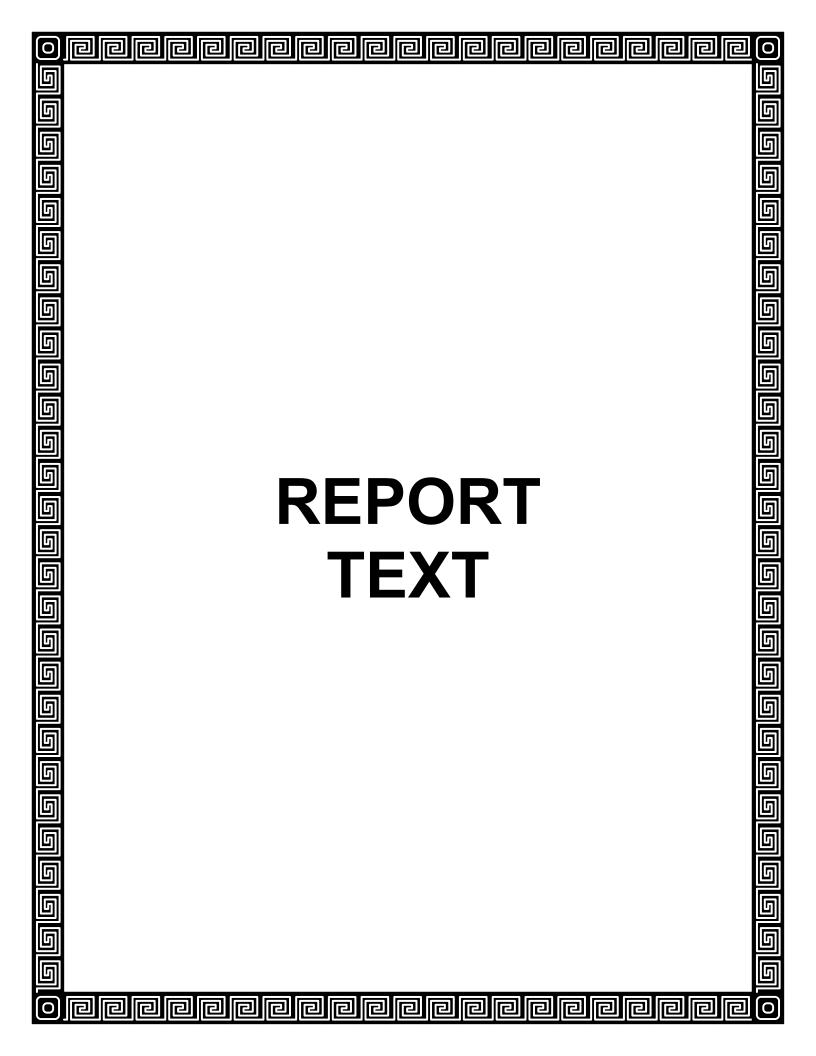
By:
DRW Consultants, LLC
Midlothian, VA

March 13, 2017



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INTRODUCTION AND SCOPE

Quarterpath At Williamsburg (QAW) has filed a Special Use Permit (SUP) for redevelopment of the northwest corner of Rt. 60 Pocahontas Trail and Battery Boulevard. (Note: In this report Rt. 60 is north/south orientation; Battery Boulevard is east/west orientation). The upper section of Exhibit 1 shows the site location in the VDOT Hampton Roads District. The lower section of Exhibit 1 shows the area around the site in James City County.

The SUP area consists of three undeveloped parcels of land owned by QAW and a fourth parcel of land with an existing 7-Eleven (7-11) convenience store with gas (2,560 sq. ft. store with 6 vehicle fueling positions). The existing 7-Eleven and SUP property development property boundary is shown on Exhibit 2a. The existing 7-11 has two entrances on Rt. 60. The south entrance is located 149 feet from Battery Boulevard. The north entrance is located 89 feet from the south entrance (all measurements centerline to centerline).

The proposed SUP is shown on Exhibit 2b. Redevelopment of the site includes the following:

- 1. 2,940 sq. ft. 7-11 convenience store with 12 vehicle fueling positions.
- 2. 4,000 sq. ft. fast food with drive through
- 3. Rt. 60 entrance located 229 feet from Battery Boulevard (centerline to centerline).
- 4. A 70 foot full with right turn lane with 79 foot taper at the Rt. 60 entrance.
- 5. Battery Boulevard entrance located 306 feet from Rt. 60 (corner clearance curb to curb).
- 6. Construction of a shared use path across the property frontage
- 7. A sidewalk connection between the shared use path and the existing sidewalk north of the property.

This traffic study has been prepared to document existing and future traffic conditions with the SUP approval. The following existing intersections were identified for traffic counts and analysis as follows:

- 1. Rt. 60 Pocahontas Trail/Battery Boulevard
- 2. Rt. 60 Pocahontas Trail/South Entrance
- 3. Rt. 60 Pocahontas Trail/North Entrance

All three intersections are stop sign controlled on the eastbound approaches. It should be noted that the eastern boundary of Rt. 60 Pocahontas Trail is a railroad so that there is no access on the east side of Rt. 60 Pocahontas Trail in the vicinity of this property.

The workscope includes AM and PM peak hour traffic analysis at the existing three

intersections cited above and at the Battery Boulevard/Battery Entrance for the following scenarios:

- Existing traffic
- 2024 without the SUP
- 2024 with the SUP

ACCESS MANAGEMENT REGULATION (AMR) SPACING CRITERIA AND SITE ACCESS

Rt. 60 Pocahontas Trail is a Principal Arterial in VDOT's functional classification system. Pocahontas Trail is a divided median (flush median with northbound left turn lane) highway posted 45 mph. The existing South and North Entrances are full access: left turns permitted in and out. The AMR Minimum Spacing for full access is 565 feet from any other entrance on a principal arterial 35 to 45 mph (minimum spacing criteria are measured from centerline to centerline).

Exhibit 2a shows an aerial view of the existing 7-Eleven site on Pocahontas Trail. There are two full access entrances with entrance spacings of 149 feet (Battery Boulevard to South Entrance) and 89 feet (South Entrance to North Entrance). These entrance spacings are 26% and 16% of required 565 foot spacing (see Exhibit 2a).

Exhibit 2b shows the proposed SUP development plan prepared by The Blakeway Corporation. The single Rt. 60 entrance is located approximately where the existing North Entrance is located. Rt. 60 entrance spacing of 229 feet is 40% of required 565 foot spacing. The proposed entrance will require an exception to Access Management Regulation spacing standards. The Rt. 60 entrance includes a 70 foot full width right turn lane and a 79 foot taper.

Exhibit 2c shows Phase 2 Access for the site when the intersection of Rt. 60/Battery Boulevard is signalized. The Phase 1 full access intersection is converted to right turn in only. A right turn out entrance is added at the northern end of the site.

Exhibit 2d also shows the application of VDOT's Figure 4-3 Elements Of The Functional Area Of Intersection on southbound Pocahontas Trail at Battery Boulevard (in green) as follows:

- L1: perception-reaction time (PRT): 2.5 sec. X 66 feet per second (fps). (Note: Speed Limit 45 mph = 66 fps).
- L2: lateral movement and deceleration: 1.8 meter/sec² = 5.9 fps² per AASHTO Green Book 9.7.2. 66 fps deceleration to 30.3 fps calculated in L3.
- L3: to stop. $2.0 \text{ meter/sec}^2 = 6.56 \text{ fps}^2$. 30.3 fps to stop in 70 feet available.
- L4: Storage: 100 feet per App. F Fig. 3-1.

Battery Boulevard is four lane road posted 30 mph. It has a divided median approximately 260 feet long beginning at Rt. 60. Battery Boulevard is not identified on VDOT Functional Classification Maps. By default, it is a local street under VDOT AMR criteria. As shown on Exhibit 2b, the Battery Boulevard entrance has 306 feet of corner clearance from Pocahontas Trail. This is in excess of the AMR minimum of 225 feet. Even as a collector street, 360 feet centerline to centerline spacing meets AMR full access entrance spacing of 225 feet for 30 mph streets. The proposed entrance is outside of the divided median.

EXISTING TRAFFIC CONDITIONS

Intersection turning movement traffic counts were conducted at the three Rt. 60 Pocahontas Trail intersections by Peggy Malone & Assc. from 7 to 9 AM and from 4 to 6 PM on Wednesday, October 12, 2016. These counts are tabulated on the Appendix Exhibit A, B and C series. Counts without balance are shown on Appendix Exhibit D.

Exhibit 3 shows 2016 AM and PM peak hour traffic (counts with balance) on the study area road network diagram.

Synchro 9 has been used to calculate intersection levels of service. Synchro coding for turn lane dimensions on Pocahontas Trail is explained as follows:

1. Battery Boulevard

- a. Northbound left turn lane coded continuous because of long, unimpeded center lane approach
- b. Eastbound lanes coded continuous because of two lane approach
- c. Southbound right turn coded continuous back to South Entrance.

2. South Entrance

- a. Northbound left turn lane coded 50 foot left turn storage with 25 foot taper
- b. Eastbound coded single lane
- c. Southbound right turn coded three through/right turn shared. The southbound right turn lane at Battery Boulevard extends back to North Entrance.

3. North Entrance

- a. Northbound left turn lane coded 25 foot left turn storage with 15 foot taper
- b. Eastbound coded single lane
- c. Southbound right turn coded three 10 foot storage length with 170 taper to reflect actual taper on southbound approach. The southbound right turn lane at Battery Boulevard extends back to North Entrance.

The following reports are included in the technical appendix:

- 1. For unsignalized intersections, HCM 2010 reports are used for LOS results and HCM2010 queuing results. See Appendix Exhibits J1 and J2 for the AM and PM peak hours, respectively.
- 2. SimTraffic Queuing & Blocking results are shown in Appendix Exhibits K1 and K2 series for the AM and PM peak hours, respectively.

The following table shows existing peak hour intersection levels of service and queuing results at Rt. 60 Pocahontas Trail/Battery Boulevard:

	TABLE 1-1 Rt. 60 Pocahontas Trail/Battery Boulevard											
Traffic LOS And Seconds Delay By Lane Group 95th Percentile Queues By Lane Group									roup			
	Al	М	PI	М	Storage	HCS :	2010	SimTraf	fic Q&B			
Overall	Α	1.5	Α	1.4	Length	AM	PM	AM	PM			
NBL	Α	8.0	Α	8.5		3	5	31	37			
SBT								6	7			
EBL	В	13.2	С	20.2		5	10	36	53			
EBR	Α	9.4	В	10.2		5	5	44	39			

There is LOS C or better on the Battery Boulevard eastbound approach with queues of 53 feet or less. On the northbound left turn, there is LOS A with queues of 37 feet or less. SimTraffic is showing southbound through queue of 7 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Pocahontas Trail/South Entrance:

	TABLE 1-2 Rt. 60 Pocahontas Trail/South Entrance											
Traffic L	OS And Se	conds De	lay By Lan	e Group	95th	95th Percentile Queues By Lane Group						
	Al	М	IA	М	Storage	HCS :	2010	SimTraf	fic Q&B			
Overall	Α	1.3	Α	0.7	Length	AM	PM	AM	PM			
NBL	Α	9.2	В	10.4	50	3	3	25	29			
NBT								6	13			
SBT/R								4	8			
EBL/R	В	10.4	В	11.9		5	8	50	40			

There is LOS B on the South Entrance eastbound approach with queues of 50 feet or less. On the northbound left turn, there is LOS A/B with queues of 29 feet or less. SimTraffic is showing northbound through queue of 13 feet or less and southbound through/right queue of 8 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Pocahontas Trail/North Entrance:

	-	TABLE 1	-3 Rt. 60	Pocaho	ntas Trai	I/North	Entrance	<u>)</u>			
Traffic l	OS And Se	conds De	lay By Lan	e Group	95th	Percentil	e Queues	By Lane G	roup		
	А	М	PI	М	Storage	HCS 2	2010	SimTraf	fic Q&B		
Overall	Α	0.6	Α	0.6	Length	AM	PM	AM	PM		
NBL	Α	7.9	Α	8.4	25	0	3	21	31		
NBT								25	35		
SBR									4		
EBL/R	В	10.1	В	11.6		3	5	46	41		

There is LOS B on the North Entrance eastbound approach with queues of 46 feet or less. On the northbound left turn, there is LOS A with queues of 31 feet or less. SimTraffic is showing northbound through queue of 35 feet or less and southbound right queue of 4 feet or less.

2024 BACKGROUND TRAFFIC

There are two components of the 2024 background traffic forecast: 1) growth rate applied to existing traffic counts, and 2) site traffic forecast for approved but unbuilt condominiums and townhouses in QAW.

Exhibit 4a shows VDOT daily traffic counts (2011 through 2015) and linear regression analysis trend for Rt. 60 Pocahontas Trail from Williamsburg corporate limits to Rt. 199. Rt. 60 Pocahontas Trail shows a slightly increasing trend: 1.10 growth factor (10% growth) over the next eight years.

Exhibit 4b shows statewide vehicle miles travelled since 1975. Current rates of overall traffic growth are negligible. All statewide traffic peaked in 2007-08 with no net increase since.

A 1.10 growth factor is applied to 2016 counts at Rt. 60 Pocahontas Trail/Battery Boulevard to produce the growth factor component of 2024 background traffic for the SUP development (2018 completion plus six years).

For the townhouse and condominium units in QAW, there are 115 townhouses and 42 condominiums with site plan approval that were not yet occupied at the time of the counts. Table 5 on Exhibit 6 shows trip generation for the townhouse/condominiums using <u>Trip Generation Manual</u>, 9th Edition (TGM9), published by the Institute of Transportation Engineers (ITE). Townhouses and condominiums are grouped as one land use in TGM9. TGM9 and VDOT protocols recommend using the equation values for trip generation.

QAW currently has two points of access via Battery Boulevard: 1) Rt. 60 Pocahontas Trail on the east included in this study, and 2) Quarterpath Road and Rt. 199 on the west. QAW developers have advised that traffic to Quarterpath Road/Rt. 199 is at least half of traffic distribution. 35% of condominium/townhouse is assigned to Quarterpath Road/Rt. 199 on the west in Table 6 on Exhibit 6. 65% of condominium/townhouse traffic is assigned to Rt. 60 Pocahontas Trail with the north/south split based on existing traffic count splits.

This 2024 background traffic forecast is shown on Exhibit 5 and includes the 1.10 growth factor and 65% condominium/townhouse assignments at Rt. 60 Pocahontas Trail/Battery Boulevard. Traffic increases on Rt. 60 Pocahontas Trail are balanced through the South and North Entrances.

For 2024 background traffic analysis reports, see Technical Appendix as follows:

- 1. For unsignalized intersections, HCM 2010 reports are used for LOS results and HCM2010 queuing results. See Appendix Exhibits J3 and J4 for the AM and PM peak hours, respectively.
- 2. SimTraffic Queuing & Blocking results are shown in Appendix Exhibits K3 and K4 series for the AM and PM peak hours, respectively.

The following table shows existing peak hour intersection levels of service and queuing

results at Rt. 60 Pocahontas Trail/Battery Boulevard:

	TABLE 2-1 Rt. 60 Pocahontas Trail/Battery Boulevard											
Traffic LOS And Seconds Delay By Lane Group 95th Percentile Queues By La									roup			
	Al	М	PI	М	Storage	HCS :	2010	SimTraf	fic Q&B			
Overall	Α	2.0	Α	1.8	Length	AM	PM	AM	PM			
NBL	Α	8.1	Α	8.7		3	8	36	44			
SBT								4	5			
EBL	В	14.5	С	24.8		8	15	44	66			
EBR	Α	9.7	В	10.5		8	8	48	43			

There is LOS C or better on the Battery Boulevard eastbound approach with queues of 66 feet or less. On the northbound left turn, there is LOS A with queues of 44 feet or less. SimTraffic is showing southbound through queue of 5 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Pocahontas Trail/South Entrance:

	TABLE 2-2 Rt. 60 Pocahontas Trail/South Entrance											
Traffic L	OS And Se	conds De	lay By Lan	e Group	95th	Percentil	e Queues	By Lane G	roup			
	Al	М	IA	М	Storage	HCS :	2010	SimTraf	fic Q&B			
Overall	Α	1.2	Α	0.6	Length	AM	PM	AM	PM			
NBL	Α	9.3	В	10.7	50	3	3	32	24			
NBT								8	10			
SBT/R									9			
EBL/R	В	10.6	В	12.1		8	8	50	44			

There is LOS B on the South Entrance eastbound approach with queues of 50 feet or less. On the northbound left turn, there is LOS A/B with queues of 32 feet or less. SimTraffic is showing northbound through queue of 10 feet or less and southbound through/right queue of 9 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Rt. 60 Pocahontas Trail/North Entrance:

	-	TABLE 2-	-3 Rt. 60	Pocaho	ntas Trai	I/North	Entrance)	
Traffic L	OS And Se	conds Del	ay By Lan	e Group	95th	Percentil	e Queues	By Lane G	roup
	Al	M	IA	М	Storage	HCS :	2010	SimTraf	fic Q&B
Overall	Α	0.6	Α	0.5	Length	AM	PM	AM	PM
NBL	Α	7.9	Α	8.5	25	0	3	19	33
NBT								25	36
SBR									
EBL/R	В	10.4	В		3	5	44	40	

There is LOS B on the North Entrance eastbound approach with queues of 44 feet or less. On the northbound left turn, there is LOS A with queues of 33 feet or less. SimTraffic is showing northbound through queue of 36 feet or less.

SITE TRIP GENERATION, DISTRIBUTION AND ASSIGNMENT

Table 1 on Exhibit 6 shows trip generation values for the proposed 7-11 and fast food sites using <u>Trip Generation Manual</u>, <u>9th Edition</u> (TGM9), published by the Institute of Transportation Engineers (ITE). Fast food trip generation is based on square footage and 7-11 peak hour trip generation is based on vehicle fueling positions (higher value than trip generation based on square footage of building).

Trip distribution is calculated separately for the two sites in Tables 2 and 3 on Exhibit 6. The trips are distributed based on the directional distribution of existing 7-11 traffic (see Appendix Exhibit D1).

Site trip assignment for the 7-11 is shown on Appendix Exhibit D4.

Site trip assignment for the fast food restaurant is shown on Appendix Exhibit D5.

Total site traffic assignment is shown on Exhibit 7.

2024 TOTAL TRAFFIC WITH SITE

Exhibit 8 shows 2024 AM and PM total peak hour traffic with development of the 7-11 and fast food restaurant.

Turn lane warrants for the site's two entrances are shown on the Appendix Exhibit F series as follows:

- Appendix Exhibit F1: Right Turn Lane Warrants, Southbound Pocahontas Trail
 - Battery Boulevard: Right turn taper is warranted at Battery Boulevard. There is a full width right turn lane at Battery Boulevard extending back to the Rt. 60 entrance
 - o Rt. 60 Entrance: Right turn taper is warranted. A 70 foot full width right turn lane with 79 foot taper will be included with the entrance.
- Appendix Exhibit F2: Right Turn Lane Warrants, Northbound Battery Boulevard at Battery Entrance: Right turn lane radius only; no right turn lanes or taper warranted.
- Appendix Exhibit F3: Left Turn Lane Warrants, Southbound Battery Boulevard at Battery Entrance: No left turn lane warranted.

Synchro 9 has been used to calculate intersection levels of service. Synchro coding for new turn lane dimensions at the Rt. 60 entrance is explained as follows:

- a. Northbound left turn lane coded 100 foot left turn storage with 50 foot taper
- b. Eastbound coded single lane
- c. Southbound right turn coded 70 foot storage length with 79 foot taper

For 2024 background traffic analysis reports, see Technical Appendix as follows:

- 1. For unsignalized intersections, HCM 2010 reports are used for LOS results and HCM2010 queuing results. See Appendix Exhibits J5 and J6 for the AM and PM peak hours, respectively.
- 2. SimTraffic Queuing & Blocking results are shown in Appendix Exhibits K5 and K6 series for the AM and PM peak hours, respectively.

The following table shows existing peak hour intersection levels of service and queuing results at Rt. 60 Pocahontas Trail/Battery Boulevard:

	TABLE 3-1 Rt. 60 Pocahontas Trail/Battery Boulevard											
Traffic L	.OS And Se	conds Del	ay By Lan	e Group	95th	Percentil	e Queues	By Lane G	roup			
	Al	М	PI	М	Storage	HCS 2	2010	SimTraf	fic Q&B			
Overall	Α	2.5	Α	2.2	Length	AM	PM	AM	PM			
NBL	Α	8.2	Α	9.0		5	10	46	54			
SBT/R								6	8			
EBL	С	16.6	D	29.9		8	18	41	55			
EBR	В	10.2	В	11.0		15	13	73	56			

There is LOS D or better on the Battery Boulevard eastbound approach with queues of 73 feet or less. On the northbound left turn, there is LOS A with queues of 54 feet or less. SimTraffic is showing southbound through queue of 3 feet or less.

The following table shows existing peak hour intersection levels of service and queuing

results at Pocahontas Trail/Rt. 60 entrance:

	TABLE 3-2 Rt. 60 Pocahontas Trail/Rt. 60 Entrance										
Traffic	Traffic LOS And Seconds Delay By Lane Group 95th Percentile Queues By Lane Group										
	Al	М	Р	М	Storage	HCS	2010	SimTraf	fic Q&B		
Overall	Α	2.8	Α	2.6	Length	AM	PM	AM	PM		
NBL	Α	8.0	Α	8.8	100	8	8	48	51		
SBR							6	6			
EBL/R											

There is LOS A/B on the Rt. 60 entrance eastbound approach with queues of 90 feet or less. On the northbound left turn, there is LOS A with queues of 51 feet or less. SimTraffic is showing southbound right queue of 6 feet.

The following table shows existing peak hour intersection levels of service and queuing results at Battery Boulevard/Battery Entrance:

	TABLE 3-3 Battery Boulevard/Battery Entrance											
Traffic LOS And Seconds Delay By Lane Group 95th Percentile Queues By Lane Group												
	Α	М	Р	М	Storage	HCS	2010	SimTraffic Q&B				
Overall	Α	2.5	Α	1.9	Length	AM	PM	AM	PM			
EBL/T	Α	7.4	Α	7.6		0	0	8	6			
SBL/R												

There is LOS A on the Battery Entrance southbound approach with queues of 53 feet or less. On the eastbound left turn, there is LOS A with queues of 8 feet or less.

Exhibit 8a shows the higher of AM and PM peak hour queues plotted on the intersection spacing diagram.

James City County has a Traffic Impact Analysis Submittal Requirements Policy that includes the following:

Improvements necessary to achieve an overall Level of Service "C" on adjacent roadways/signalized intersections. The Planning Director may approve movements in certain lane groups of LOS "D" in urban environments.

All intersection tables include an overall intersection level of service (LOS). All intersections for all scenarios show overall LOS A. HCM2010 gives intersection delay in seconds, and the resulting LOS A for all intersections is based on the HCM2010 unsignalized intersection delay and LOS definitions.

Regarding the LOS D for the eastbound left turn lane group at Pocahontas Trail/Battery Boulevard for 2024, minor street left turns and through movements typically have the lowest LOS of any movement at unsignalized or signalized intersections. As traffic grows at this unsignalized intersection, this left turn is at the bottom of the right of way order and will experience the greatest effect/lowering of LOS.

When the traffic volumes and delays reach a certain level, signalization will be warranted.

What will probably be an LOS F in the future for the stop sign controlled approach will be improved with signalization, and LOS will decrease for other movements. Even with signalization, LOS D is routinely the best that can be accommodated for minor street left turns.

SUMMARY AND CONCLUSIONS

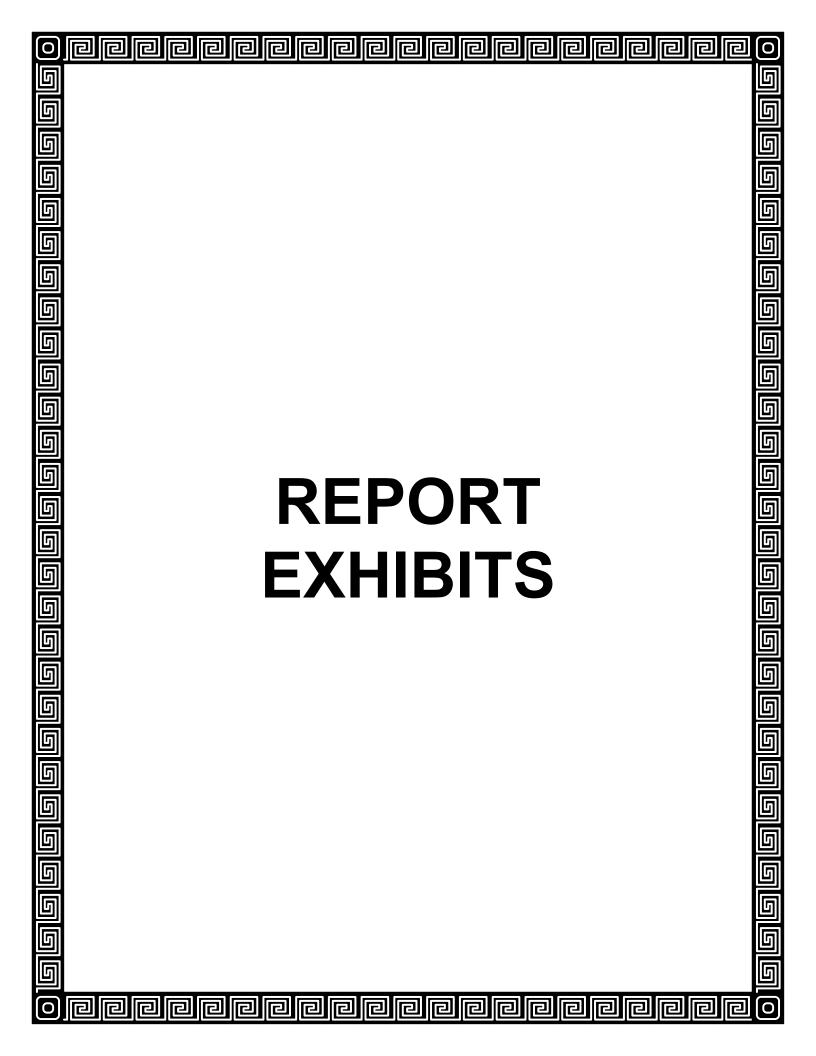
All intersection movements at Rt. 60 Pocahontas Trail/Battery Boulevard have LOS D or better with the development. All turning movements at the Rt. 60 Pocahontas Trail entrance have LOS C or better. Left turn queues on northbound Rt. 60 at the Rt. 60 Entrance are well within available storage distance. Right turn lane full width and taper requirements are also met between intersections.

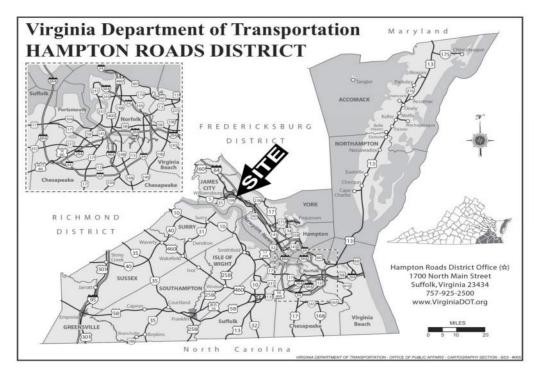
Rt. 60 Pocahontas Trail has relatively unusual traffic conditions: VDOT counts show daily traffic in the 8,000 vpd range which can be accommodated by a two lane road, but Rt. 60 is a four lane road with flush median and access only on one side of the road. Overall, traffic demand on Pocahontas Trail is more in keeping with a collector or local street than a principal arterial.

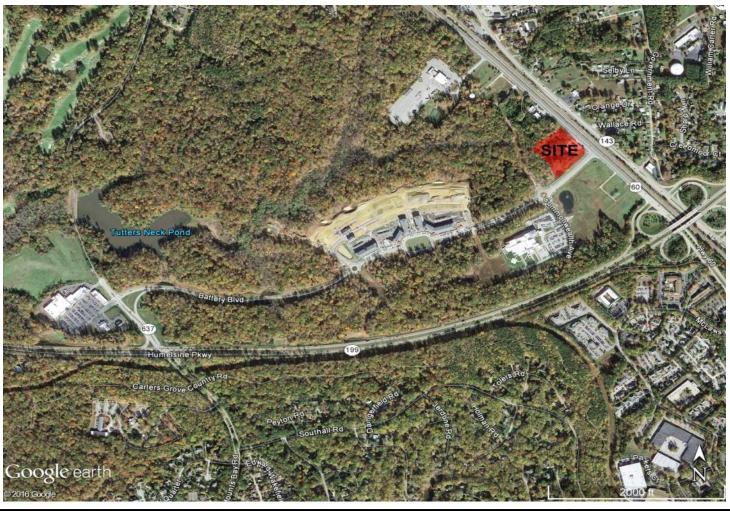
With the proposed SUP entrance location on Pocahontas Trail, left turns on Pocahontas Trail fit will within storage space which is not the case with all existing conditions. There is no lower than LOS C for any movement at the entrances with the relatively light traffic on Pocahontas Trail. The proposed entrances provide adequate accommodations for forecast traffic.

SUP proffers for this development will include the following:

- 1. Site plan approval to include construction of the single Rt. 60 entrance with the right turn lane and taper, shared use path and sidewalk shown on Exhibit 2b.
- 2. Reconstruction of Rt. 60 access to the right turn in entrance and right turn out entrance configuration on Exhibit 2c at such time that the Rt. 60/Battery Boulevard entrance is signalized.







7-ELEVEN AT QUARTERPATH SITE REGIONAL AND AREA MAPS

DRW Consultants, LLC 804-794-7312

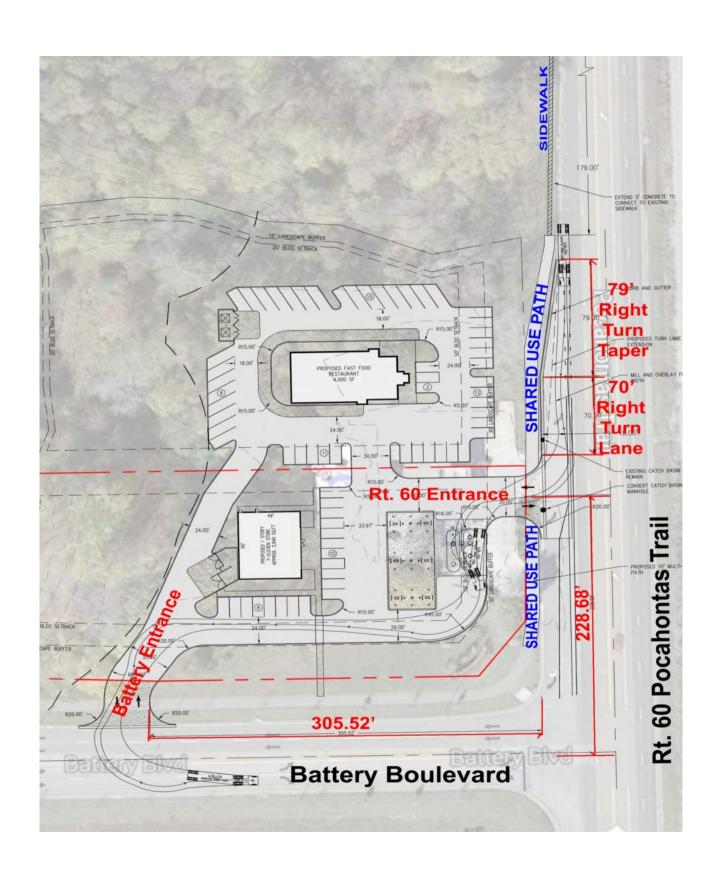
Exhibit 1



EXISTING 7-11 AND SUP DEVELOPMENT PROPERTY BOUNDARY

DRW Consultants, LLC 804-794-7312

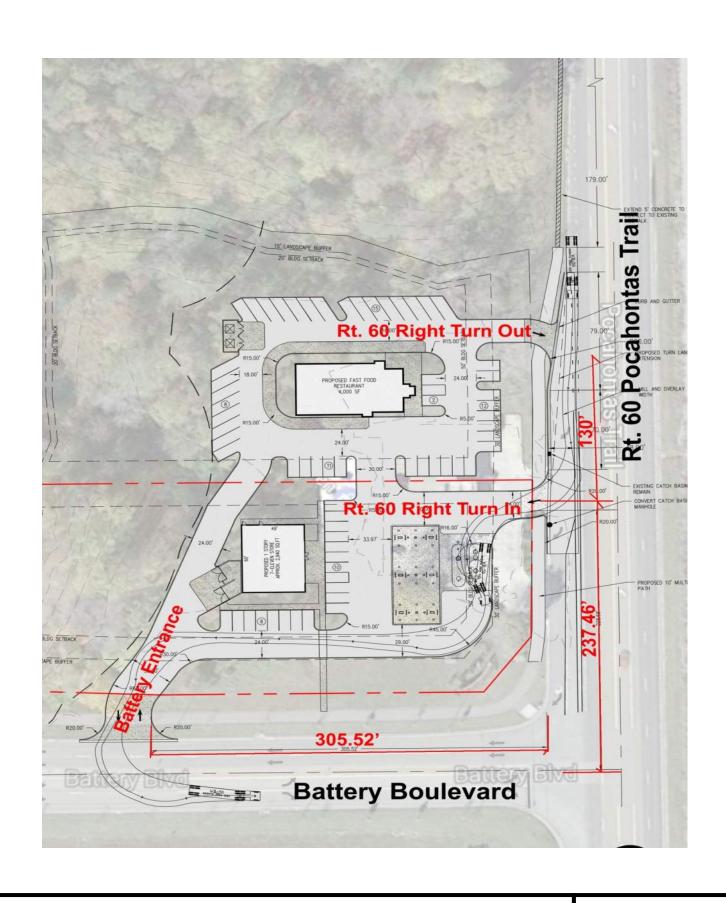
Exhibit 2a



PROPOSED SUP DEVELOPMENT PLAN
PHASE 1 ACCESS
BY BLAKEWAY CORPORATION

DRW Consultants, LLC 804-794-7312

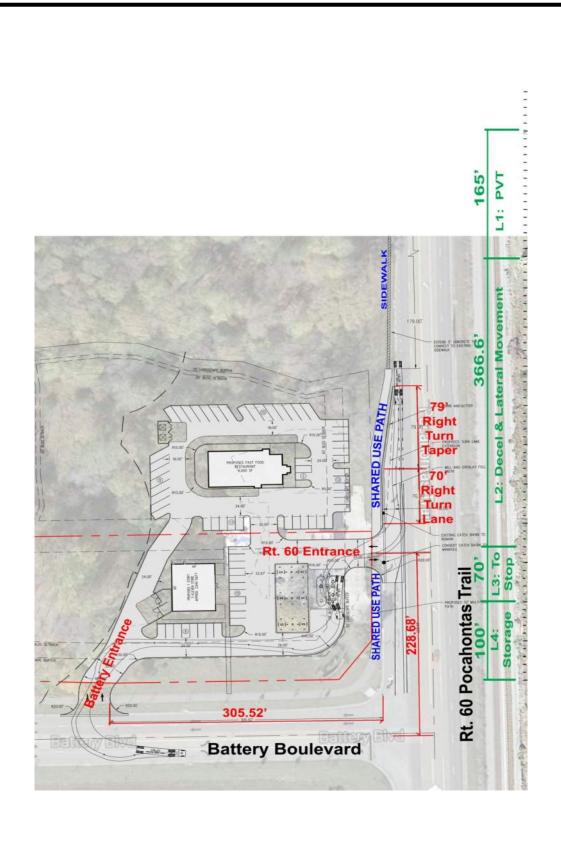
Exhibit 2b



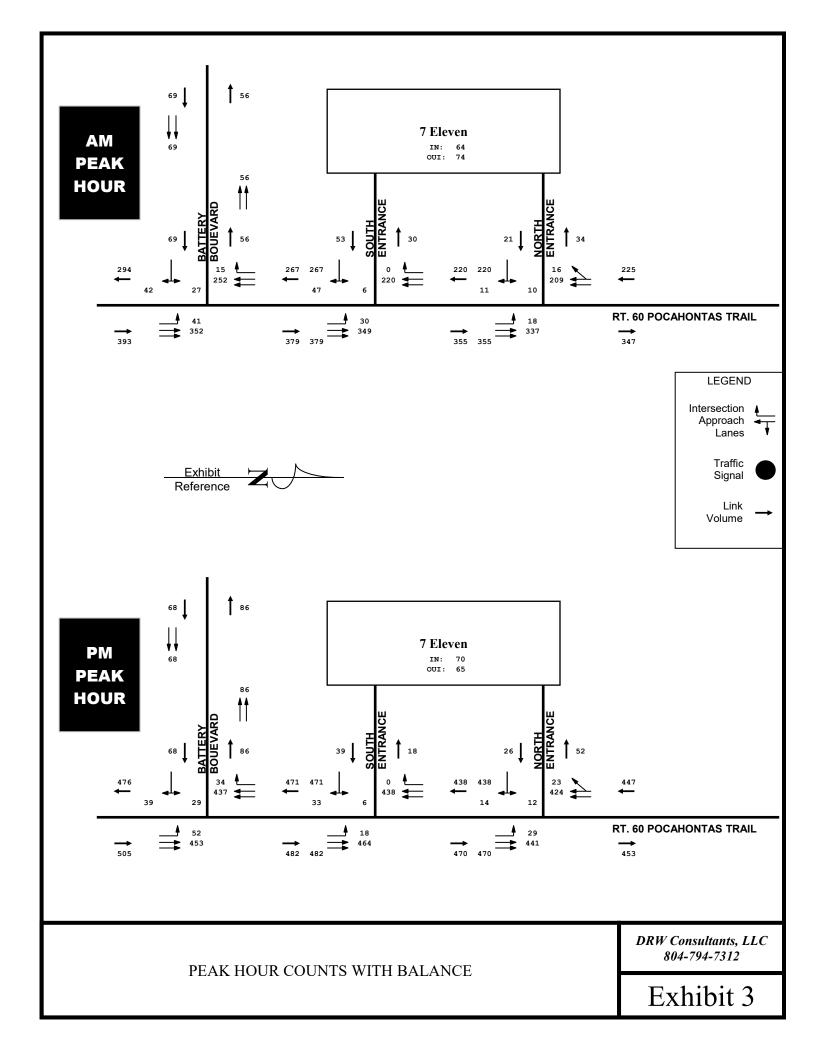
PROPOSED DEVELOPMENT
RT. 60 ENTRANCE CHANGES TO RIGHT TURN IN
AND RIGHT TURN OUT
AND CORNER CLEARANCE ON BATTERY BOULEVARD

DRW Consultants, LLC 804-794-7312

Exhibit 2c



DRW Consultants, LLC 804-794-7312



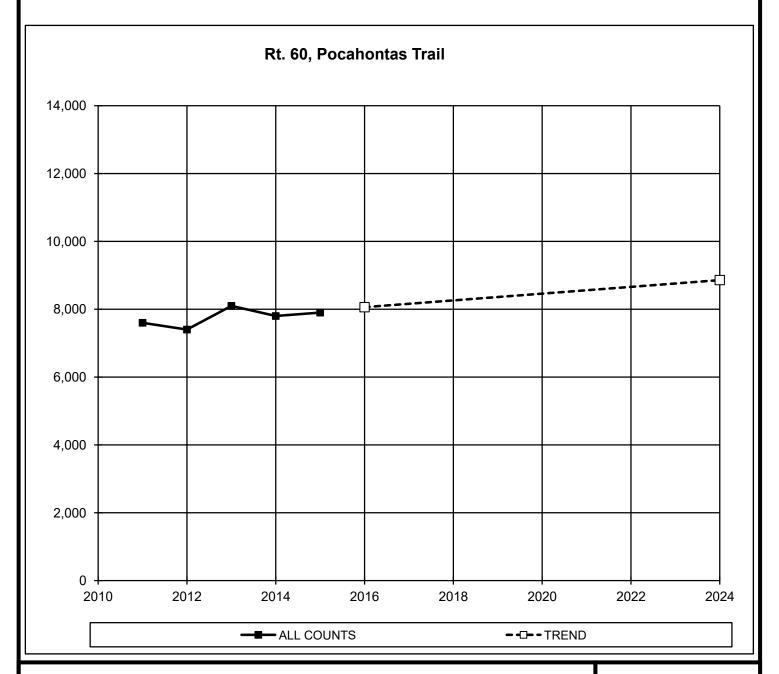
Street: Rt. 60 Pocahontas Trail

From: ECL Williamsburg

To: Rt. 199

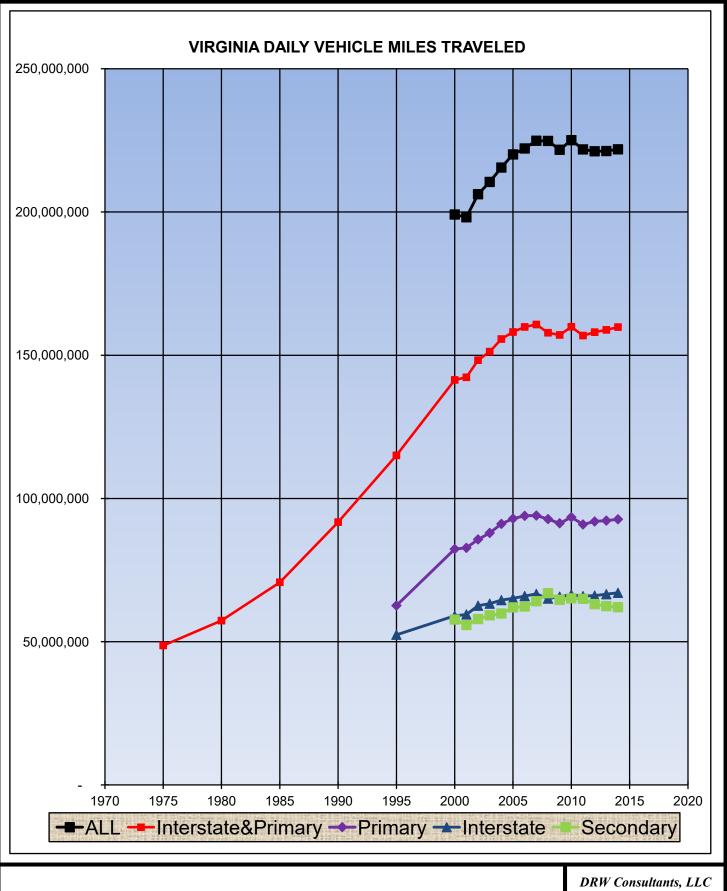
Source: VDOT AADT

		COUNTS									
Year	QA	1st									
2011	G	7,600									
2012	G	7,400									
2013	G	8,100									
2014	G	7,800									
2015	G	7,900									
		TREND	_								
2016	8,060	Δ16									
2024	8,860	1.10									



RT. 60, POCAHONTAS TRAIL ECL WILLIAMSBURG TO RT. 199 DAILY TRAFFIC COUNTS AND TRENDS DRW Consultants, LLC 804-794-7312

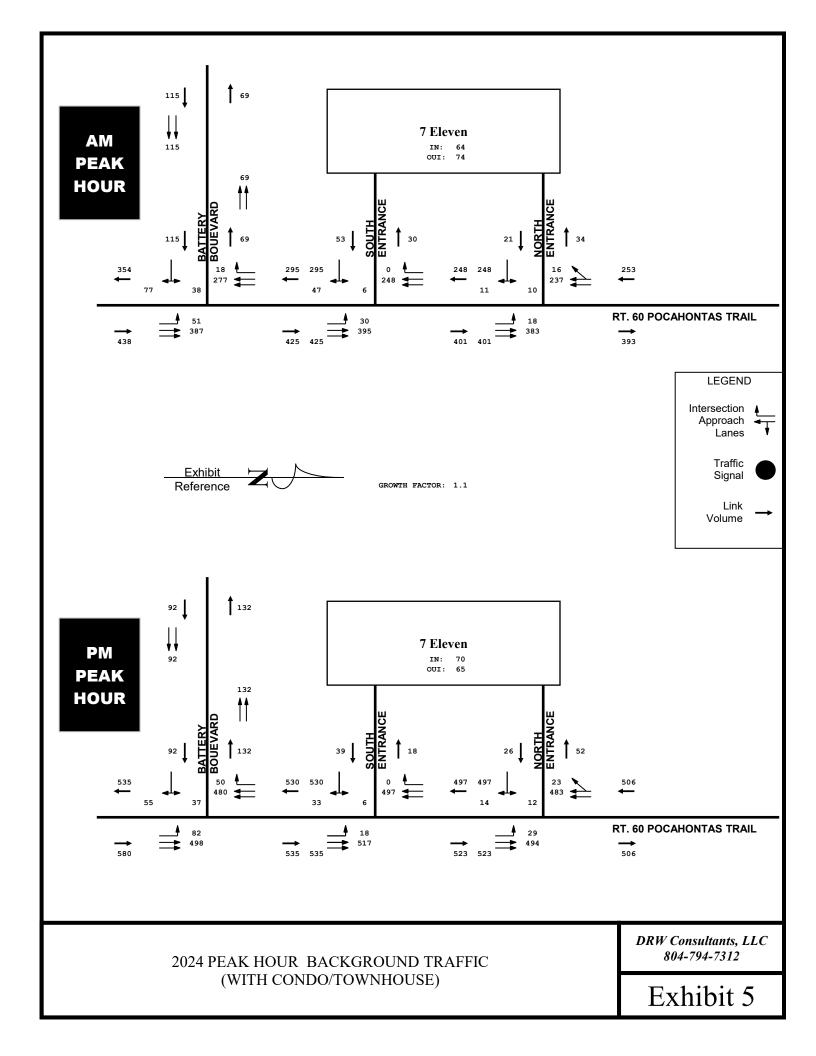
Exhibit 4a



VIRGINIA DAILY VEHICLE MILES TRAVELED **VDOT WEBSITE**

DRW Consultants, LLC 804-794-7312

Exhibit 4b

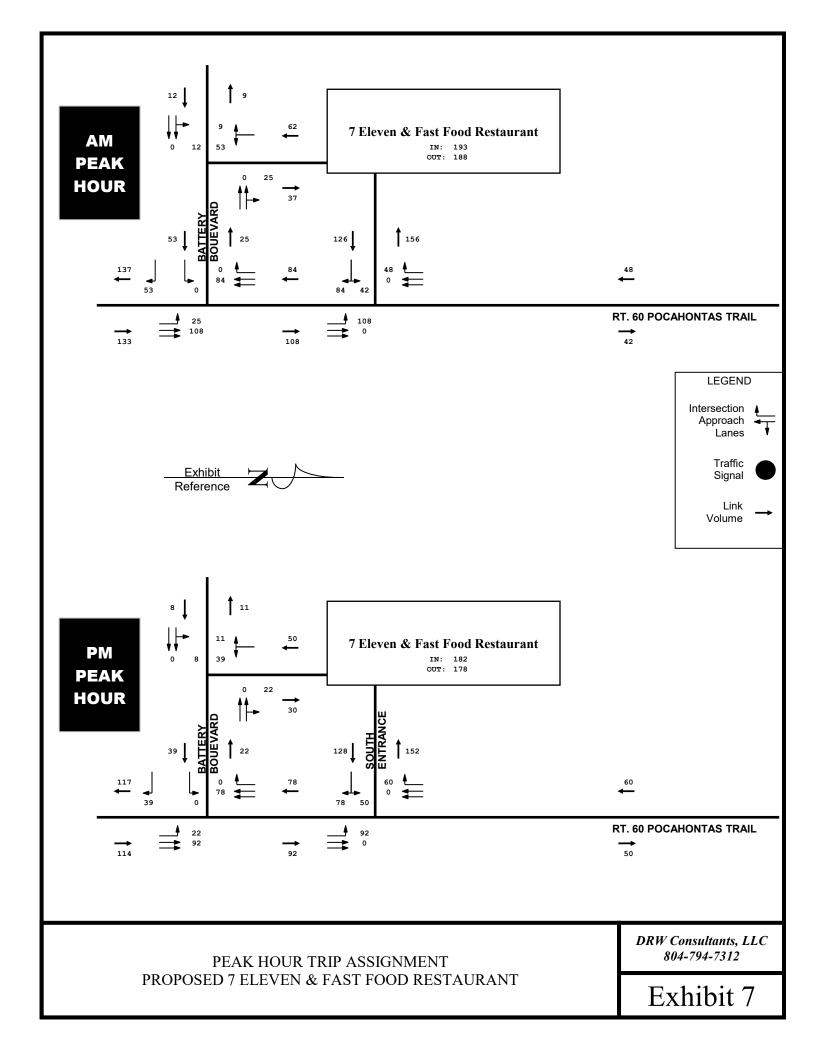


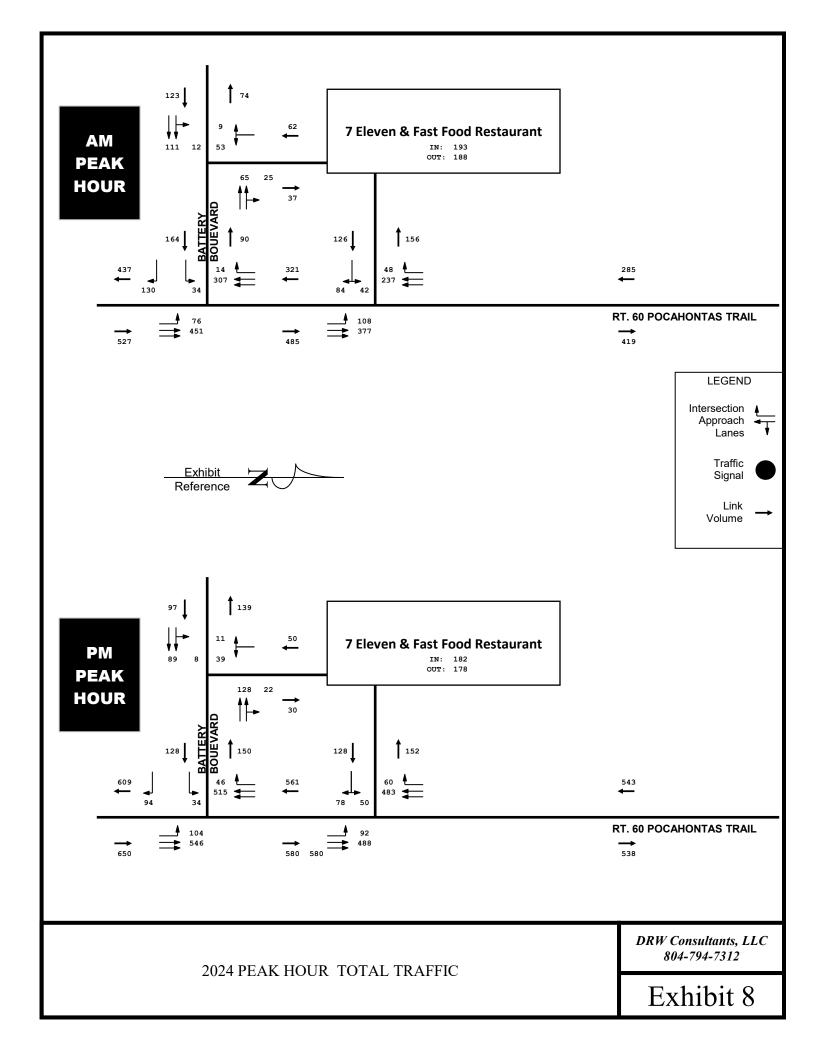
		LAND				WEEK	XDAY '	TRIP GE	NERAT	ION	
		USE	SQ.F	Т.,	AM P	EAK HO			EAK H		
VALUE	LAND USE	CODE	OTHER U	_	Enter	Exit	Total	Enter	Exit	Total	DAILY
Table 1: Site	e Trip Generation - Var	ious Values		•	•					•	
rate-adj. st.	FF w/Dr. Thru	934	4,000	sq. ft.	93	89	182	68	63	131	1984
rate-adj. st.	Con. Mkt. W/Gas	853		v.f.p.	100	99	199	114	115	229	6511
rate-adj. st.	Con. Mkt. W/Gas	853	2,940	sq. ft.	60	60	120	75	75	150	2486
T.1.1. 2. F	4 E - 1 C 1 - 4 - 1 T C -		T.: D:.4.:	l 4 °							
rate-adj. st.	st Food Selected Trip Ge FF w/Dr. Thru	934	i rip Distri	Dution	93	89	182	68	63	131	
rate-adj. st.	rr w/Dr. rmu	734	AM Peak I	Hour	93	67	102	08		ak Hour	
	ŀ	Entering	Entering Traffic Exiting T					Entering		Exiting	Traffic
		Littering	, Trume	Datting 1	Turre			Entering	Trume	Latting	Tiurne
	Direction	% Dist.	Trips	% Dist.	Trips			% Dist.	Trips	% Dist.	Trips
	Rt. 60 North	25%	23	22%	20			33%	22	28%	18
	Batt. Blvd. West	6%	6	5%	4			4%	3	6%	4
	Rt. 60 South	69%	64	73%	65			63%	43	66%	41
		100%	93	100%	89			100%	68	100%	63
Table 3: 7-E	leven Selected Trip Gen	eration & T	rip Distribu	ıtion							
	r				100	99	199	114	115	229	
			AM Peak I		7 00			Б		ak Hour	T. CC
		Entering	gTraffic	Exiting T	raffic			Entering	Traffic	Exiting	Traffic
	Direction	% Dist.	Tring	0/ Digt	Tring			% Dist.	Tring	% Dist.	Tring
	Rt. 60 North	% Dist.	Trips 25	% Dist. 22%	Trips 22			33%	38	28%	Trips 32
	Batt. Blvd. West	6%	6	5%	5			4%	5	6%	7
	Rt. 60 South	69%	69	73%	72			63%	71	66%	76
	10. 00 50 am	100%	100	100%	99			100%	114	100%	115
L											
Table 4: Exi	isting 7-Eleven Trip Gen	eration And	d Site Traff	ic Counts							
rate-adj. st.	Con. Mkt. W/Gas	853	6	v.f.p.	50	49	99	57	57	114	3256
rate-adj. st.	Con. Mkt. W/Gas	853	2,600	sq. ft.	53	53	106	66	66	132	2199
Site Traffic C	Counts				64	74	138	70	65	135	
	ndominium/Townhouse			•.	10		- 4	5 0	20	0.7	0.50
eqadj. st.	Condo/Townhouse	230	157	units	13	61	74	58	29	87	952
Table 6: Con	ndo/Townhouse Trip Dis	tribution			13	61	74	58	29	87	
	ſ		AM Peak I	Hour	13	01	/4	36		ak Hour	
	ŀ	Entering		Exiting T	raffic			Entering		Exiting	Traffic
		Littering	, Trume	Datting 1	Turre			Entering	Trume	Latting	Tiurne
	Direction	% Dist.	Trips	% Dist.	Trips			% Dist.	Trips	% Dist.	Trips
	Rt. 60 North	17%	2	15%	9			22%	13	19%	6
Batt. Blv	d. West (to Qpath Road)	35%	5	35%	21			35%	20	35%	10
	Rt. 60 South	48%	6	50%	31			43%	25	46%	13
		100%	13	100%	61			100%	58	100%	29
	rates from <u>Trip Generation</u>			(TGM9)							
by 1	the Institute of Transporta	ation Engine	ers (ITE)								
	TDID CENE	ED ATION	AND DIG	TDIDIT	'ION				DRW C	Consultar	ets, LLC

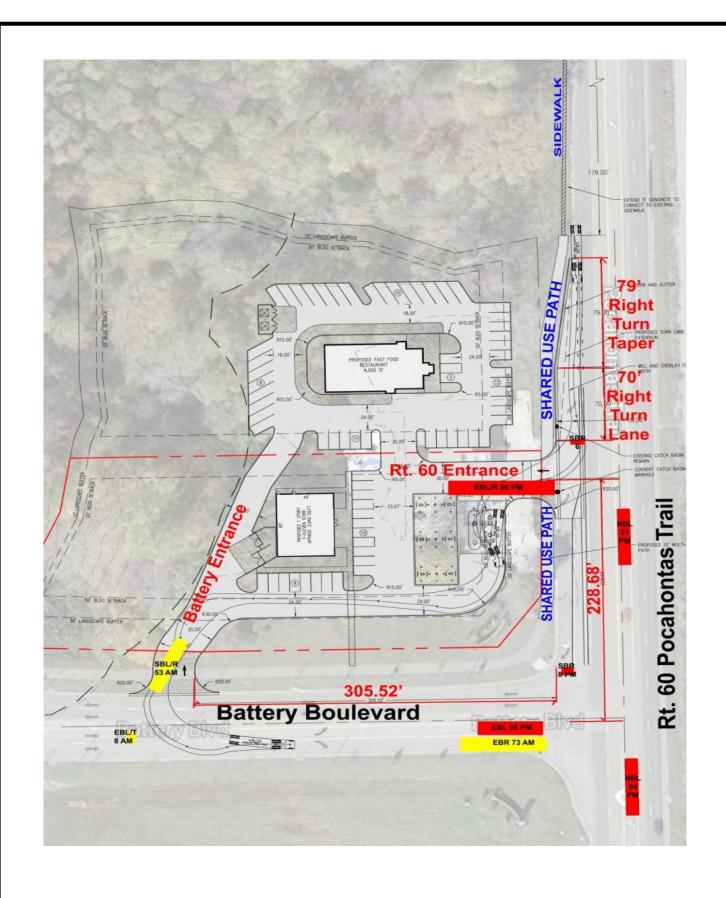
TRIP GENERATION AND DISTRIBUTION 7 ELEVEN AT QUARTERPATH AND CONDOMINIUM/TOWNHOUSE

DRW Consultants, LLC 804-794-7312

Exhibit 6

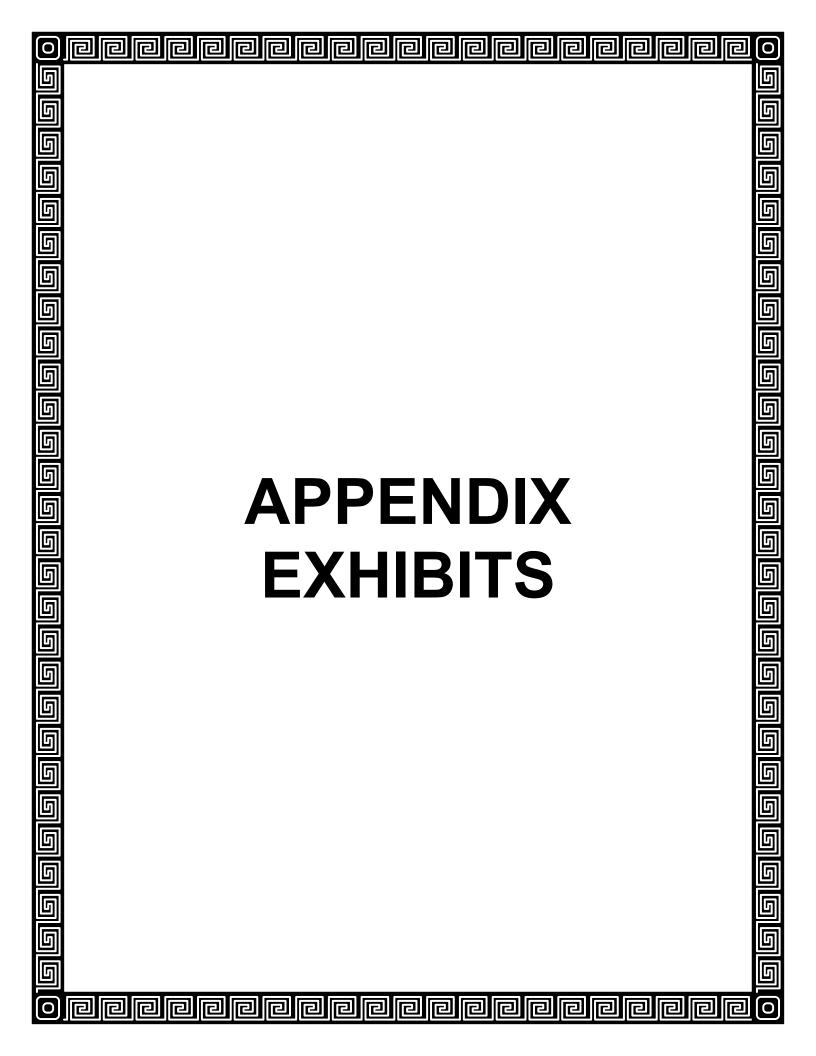






2024 TOTAL TRAFFIC 95% PERCENTILE QUEUES HIGHEST OF AM/PM PEAK HOURS DRW Consultants, LLC 804-794-7312

Exhibit 8a



APPENDIX TABLE OF CONTENTS

APPENDIX EXHIBITS	Number
2016 Tabulated Total Traffic Counts:	
Rt. 60 Pocahontas Trail/Battery Boulevard	A1 A2
Rt. 60/7-11 South Entrance	B1 B2
Rt. 60/7-11 North Entrance	C1 C2
Peak Hour Counts Without Balance	D D
Traffic Count And Traffic Foregoet Components	
Traffic Count And Traffic Forecast Components	
2016 7-11 Peak Hour Traffic Only	
2024 Background Only Without Existing 7-11 Peak Hour Traffic	
Condominium/Townhouse Trip Assignment	
Proposed 7-11 Trip Assignment	
Proposed Fast Food	D5
Turn Lane Warrants - 2024 Total Traffic	
Right Turn Lane Warrants, Pocahontas Trail, All Three Intersections	F1
Right Turn Lane Warrants, Battery Boulevard/Battery Entrance	F2
Left Turn Lane Warrant, Battery Boulevard/Battery Entrance	F3
	4 3 A D3 A
HCM 2010 Unsignalized Intersection LOS	
Rt. 60 Pocahontas Trail/Battery Boulevard	
Rt. 60/7-11 South Entrance	
Rt. 60/7-11 South Entrance	
2024 Background.	
Rt. 60 Pocahontas Trail/Battery Boulevard	
Rt. 60/7-11 South Entrance	Dage 2
Rt. 60/7-11 South Entrance	
	$\boldsymbol{\varepsilon}$
2024 With Site	
Rt. 60/7-11 South Entrance	
Rt. 60/7-11 North Entrance	
Battery Boulevard/Battery Entrance	Page 4
SimTraffic Queuing & Blocking Report	AM PM
Existing	
2024 Background.	
2024 With Site	

ANTIEAK	HOUK			Date.	v.	v cu, 10	// 1 2/ 1 (J					
COUNTS CON	NDUCTE	D BY I	PEGGY	MALC	ONE &	ASSC.							
LOCATION: Rt. 60 Pocahontas Trail/Battery Boulevard													
15 MINUTE INTERVAL COUNTS													
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
7:00 to 7:15	3		19				11	60		0	48	3	144
7:15 to 7:30	5		8				12	72		0	68	3	168
7:30 to 7:45	2		9				13	69		0	58	2	153
7:45 to 8:00	9		6				13	95		0	61	5	189
8:00 to 8:15	4		18				10	88		0	58	5	183
8:15 to 8:30	7		9				11	82		0	74	2	185
8:30 to 8:45	7		9				7	87		1	55	3	169
8:45 to 9:00	3		12				11	94		0	54	6	180
HOUR INTER	VAL												
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
7:00 to 8:00	19	0	42	0	0	0	49	296	0	0	235	13	654
7:15 to 8:15	20	0	41	0	0	0	48	324	0	0	245	15	693
7:30 to 8:30	22	0	42	0	0	0	47	334	0	0	251	14	710
7:45 to 8:45	27	0	42	0	0	0	41	352	0	1	248	15	726
8:00 to 9:00	21	0	48	0	0	0	39	351	0	1	241	16	717
PEAK HOUR TURNING MOVEMENT VOLUMES													
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	<u>.</u>
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
7:45 to 8:45	27	0	42	0	0	0	41	352	0	1	248	15	726
Truck%	0		13				8	3		0	5	6	
PEAK HOUR FACTOR BY APPROACH													
		EB			WB			NB			SB		Total
7:00 to 7:15		22			0			71			51		144
7:15 to 7:30		13			0			84			71		168
7:30 to 7:45		11			0			82			60		153
7:45 to 8:00		15			0			108			66		189
8:00 to 8:15		22			0			98			63		183
8:15 to 8:30		16			0			93			76		185
8:30 to 8:45		16			0			94			59		169
8:45 to 9:00		15			0			105			60		180
PHF		0.78			#####			0.91			0.87		0.96

AM PEAK HOUR Date: Wed, 10/12/16

Exhibit A1

COUNTS CON	JDUCTI	D DV		MATA		, 10/12 . ASSC	<i>ii</i> 10						
	Rt. 60 I												
15 MINUTE IN				II/ Dalle	гу вои	ievaru							
13 MINUTE II	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left		Right	Left		Right	Left		Right	Left		Right	Total
4:00 to 4:15	8	1 III u	Right 16	Len	IIIIu	Kigiii	12	83	Kigiii	1	104	Kigiit 8	232
4:15 to 4:30	4		16				5	85		0	98	9	
	9		18				11	86			98 82		217 211
4:30 to 4:45	-						9			0		5	
4:45 to 5:00	10		12					97		0	97	10	235
5:00 to 5:15	6		12				20	118		0	101	5	262
5:15 to 5:30	10		3				12	128		0	132	7	292
5:30 to 5:45	3		12				11	106		0	107	12	251
5:45 to 6:00	6		16				14	83		0	108	7	234
HOUR INTER													
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left		Right	Left		Right	Left		Right	Left		_	Total
4:00 to 5:00	31	0	62	0	0	0	37	351	0	1	381	32	895
4:15 to 5:15	29	0	58	0	0	0	45	386	0	0	378	29	925
4:30 to 5:30	35	0	45	0	0	0	52	429	0	0	412	27	1000
4:45 to 5:45	29	0	39	0	0	0	52	449	0	0	437	34	1040
5:00 to 6:00	25	0	43	0	0	0	57	435	0	0	448	31	1039
PEAK HOUR													
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:45 to 5:45	29	0	39	0	0	0	52	449	0	0	437	34	1040
Truck %	7		8				0	2		0	2	9	
PEAK HOUR	FACTO	R BY A	APPROA	АCH									
·		EB			WB			NB			SB		Total
4:00 to 4:15		24			0			95			113		232
4:15 to 4:30		20			0			90			107		217
4:30 to 4:45		27			0			97			87		211
4:45 to 5:00		22			0			106			107		235
5:00 to 5:15		18			0			138			106		262
5:15 to 5:30		13			0			140			139		292
5:30 to 5:45		15			0			117			119		251
5:45 to 6:00		22			0			97			115		234
PHF		0.77			#####			0.89			0.85		0.89

PM PEAK HOUR Date: Wed, 10/12/16

Exhibit A2

LOCATION:	Rt. 60 I	Pocahoi	ntas Tra	il/7-11	South I	Entrance							
15 MINUTE IN	TERVA	L COU	JNTS										
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
7:00 to 7:15	0		9				5	63			40	0	117
7:15 to 7:30	1		11				4	77			59	0	152
7:30 to 7:45	3		10				5	68			51	0	137
7:45 to 8:00	3		13				7	92			53	0	168
8:00 to 8:15	0		12				12	75			50	0	149
8:15 to 8:30	3		17				2	85			59	0	166
8:30 to 8:45	0		5				9	85			54	0	153
8:45 to 9:00	1		10				2	95			49	2	159
HOUR INTERV	/AL												
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
7:00 to 8:00	7	0	43	0	0	0	21	300	0	0	203	0	574
7:15 to 8:15	7	0	46	0	0	0	28	312	0	0	213	0	606
7:30 to 8:30	9	0	52	0	0	0	26	320	0	0	213	0	620
7:45 to 8:45	6	0	47	0	0	0	30	337	0	0	216	0	636
8:00 to 9:00	4	0	44	0	0	0	25	340	0	0	212	2	627
PEAK HOUR T	URNIN		VEMEN	IT VOI	LUMES	3							
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left		Right	Left	Thru	Right	Left		Right	Left		Right	Total
7:45 to 8:45	6	0	47	0	0	0	30	337	0	0	216	0	636
Truck%	17		4				3	3			8	0	
PEAK HOUR F	ACTOR		PPROA	CH									
		EB			WB			NB			SB		Total
7:00 to 7:15		9			0			68			40		117
7:15 to 7:30		12			0			81			59		152
7:30 to 7:45		13			0			73			51		137
7:45 to 8:00		16			0			99			53		168
8:00 to 8:15		12			0			87			50		149
8:15 to 8:30		20			0			87			59		166
8:30 to 8:45		5			0			94			54		153
8:45 to 9:00		11			0			97			51		159
PHF		0.66			#####			0.93			0.92		0.95

AM PEAK HOUR Date: Wed, 10/12/16

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

Exhibit B1

LOCATION													
LOCATION:				11/ /-11	South 1	intrance							
15 MINUTE IN				TITE	IIID	TI ID	NID) ID	NID	CD	GD	CD	
TTD (T)	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	 1
TIME	Left	Thru	Right	Left	Thru	Right	Left		Right	Left		Right	Total
4:00 to 4:15	0		12				4	89			100	0	205
4:15 to 4:30	1		13				3	87			97	0	201
4:30 to 4:45	0		12				8	88			73	0	181
4:45 to 5:00	0		8				2	104			99	0	213
5:00 to 5:15	4		9				6	123			101	0	243
5:15 to 5:30	1		12				5	130			123	0	271
5:30 to 5:45	1		4				5	104			112	0	226
5:45 to 6:00	3		6				2	84			110	2	207
HOUR INTERV	/AL												
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:00 to 5:00	1	0	45	0	0	0	17	368	0	0	369	0	800
4:15 to 5:15	5	0	42	0	0	0	19	402	0	0	370	0	838
4:30 to 5:30	5	0	41	0	0	0	21	445	0	0	396	0	908
4:45 to 5:45	6	0	33	0	0	0	18	461	0	0	435	0	953
5:00 to 6:00	9	0	31	0	0	0	18	441	0	0	446	2	947
PEAK HOUR T	URNIN	IG MO	VEME	NT VO	LUME	S							
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:45 to 5:45	6	0	33	0	0	0	18	461	0	0	435	0	953
Truck %	0		0				0	2			2	0	
PEAK HOUR F	ACTO	R BY A	APPROA	СH									
		EB			WB			NB			SB		Total
4:00 to 4:15		12			0			93			100		205
4:15 to 4:30		14			0			90			97		201
4:30 to 4:45		12			0			96			73		181
4:45 to 5:00		8			0			106			99		213
5:00 to 5:15		13			0			129			101		243
5:15 to 5:30		13			0			135			123		271
5:30 to 5:45		5			0			109			112		226
5:45 to 6:00		9			0			86			112		207
PHF		0.75			#####			0.89			0.88		0.88

Date: Wed, 10/12/16

PM PEAK HOUR

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

Exhibit B2

LOCATION													
				11/ /-1 1	North I	Entrance							
15 MINUTE IN						****			3.75	~~	~~	~~	
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left		Right	Left		Right	Total
7:00 to 7:15	5		1				6	57			38	5	112
7:15 to 7:30	4		2				11	66			58	5	146
7:30 to 7:45	3		0				7	61			51	6	128
7:45 to 8:00	3		2				7	90			53	4	159
8:00 to 8:15	1		3				4	74			47	4	133
8:15 to 8:30	2		4				5	85			58	6	160
8:30 to 8:45	4		2				2	84			51	2	145
8:45 to 9:00	4		1				4	93			50	6	158
HOUR INTERV	'AL												
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
7:00 to 8:00	15	0	5	0	0	0	31	274	0	0	200	20	545
7:15 to 8:15	11	0	7	0	0	0	29	291	0	0	209	19	566
7:30 to 8:30	9	0	9	0	0	0	23	310	0	0	209	20	580
7:45 to 8:45	10	0	11	0	0	0	18	333	0	0	209	16	597
8:00 to 9:00	11	0	10	0	0	0	15	336	0	0	206	18	596
PEAK HOUR T	URNIN	G MO	VEMEN	T VOI	LUMES	5							
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
7:45 to 8:45	10	0	11	0	0	0	18	333	0	0	209	16	597
Truck%	0		18				11	3			8	6	
PEAK HOUR F.	ACTOR	BY A	PPROA	CH									
		EB			WB			NB			SB		Total
7:00 to 7:15		6			0			63			43		112
7:15 to 7:30		6			0			77			63		146
7:30 to 7:45		3			0			68			57		128
7:45 to 8:00		5			0			97			57		159
8:00 to 8:15		4			0			78			51		133
8:15 to 8:30		6			0			90			64		160
8:30 to 8:45		6			0			86			53		145
8:45 to 9:00		5			0			97			56		158
PHF		0.88			#####			0.90			0.88		0.93

Wed, 10/12/16

Date:

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

AM PEAK HOUR

Exhibit C1

LOCATION:													
15 MINUTE IN				11/ / - 1 1	NOI III I	Entrance	;						
13 MINUTE IN	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left		Right	Left		Right	Left		Right	Left		Right	Total
	4	IIIIu	Right 0	Len	TIIIu	Kigiii		84	Kigiii	Len	100	Kigiit 5	199
4:00 to 4:15	=						6	80			95		
4:15 to 4:30	1		2				8					6	192
4:30 to 4:45	3		2				4	84			72	7	172
4:45 to 5:00	4		2				10	96			98	5	215
5:00 to 5:15	3		3				6	119			95	8	234
5:15 to 5:30	2		4				7	127			120	3	263
5:30 to 5:45	3		5				6	99			107	7	227
5:45 to 6:00	4		2				5	83			110	3	207
HOUR INTER													
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left		Right	Left		Right	Left		Right	Left		Right	Total
4:00 to 5:00	12	0	6	0	0	0	28	344	0	0	365	23	778
4:15 to 5:15	11	0	9	0	0	0	28	379	0	0	360	26	813
4:30 to 5:30	12	0	11	0	0	0	27	426	0	0	385	23	884
4:45 to 5:45	12	0	14	0	0	0	29	441	0	0	420	23	939
5:00 to 6:00	12	0	14	0	0	0	24	428	0	0	432	21	931
PEAK HOUR T	ΓURNIN	IG MO	VEME	NT VO	LUME	S							
	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:45 to 5:45	12	0	14	0	0	0	29	441	0	0	420	23	939
Truck %	0		0				0	3			2	0	
PEAK HOUR I	FACTO	R BY A	APPROA	АCH									
		EB			WB			NB			SB		Total
4:00 to 4:15		4			0			90			105		199
4:15 to 4:30		3			0			88			101		192
4:30 to 4:45		5			0			88			79		172
4:45 to 5:00		6			0			106			103		215
5:00 to 5:15		6			0			125			103		234
5:15 to 5:30		6			0			134			123		263
5:30 to 5:45		8			0			105			114		227
5:45 to 6:00		6			0			88			113		207
PHF		0.81			#####			0.88			0.90		0.89
		0.01						0.00			0.70		0.07

Date: Wed, 10/12/16

PM PEAK HOUR

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

Exhibit C2

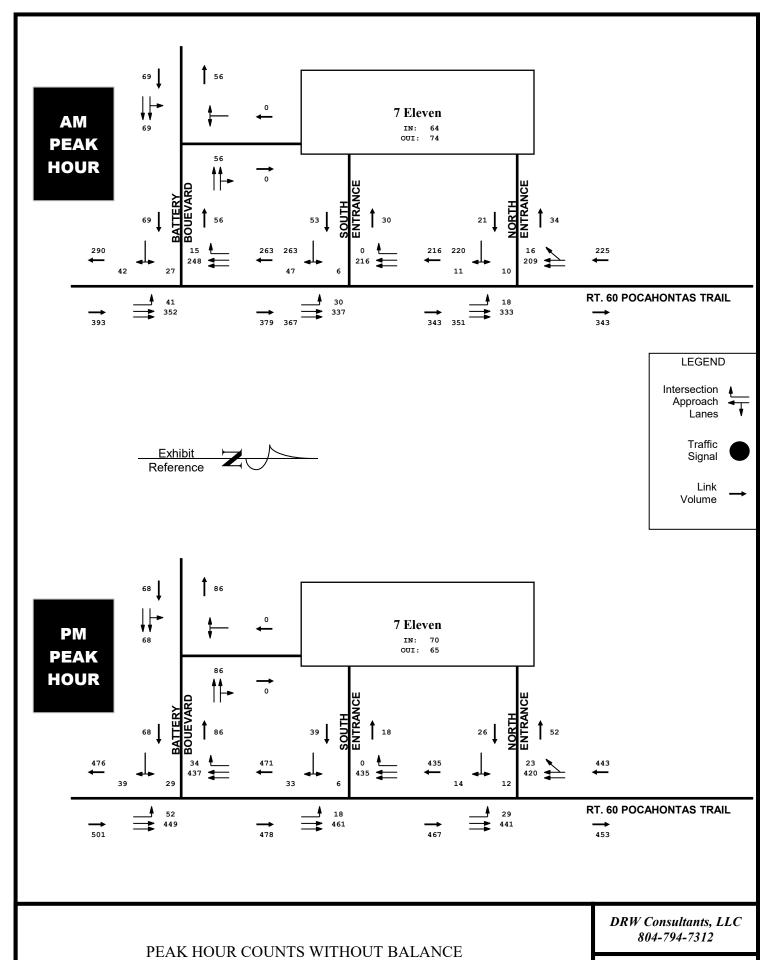


Exhibit D

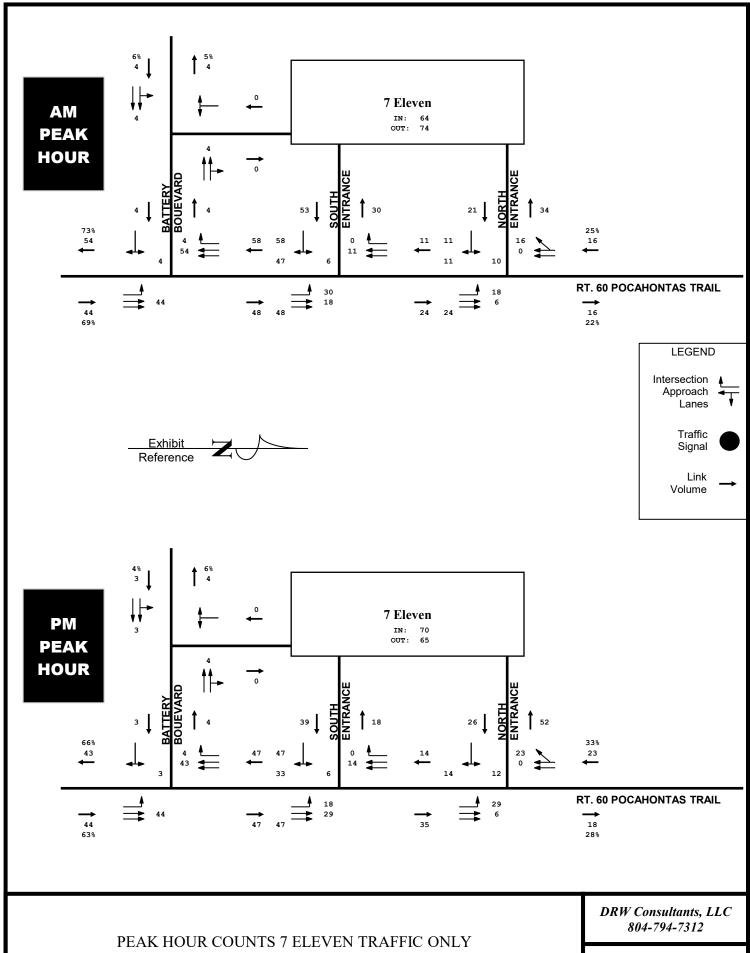
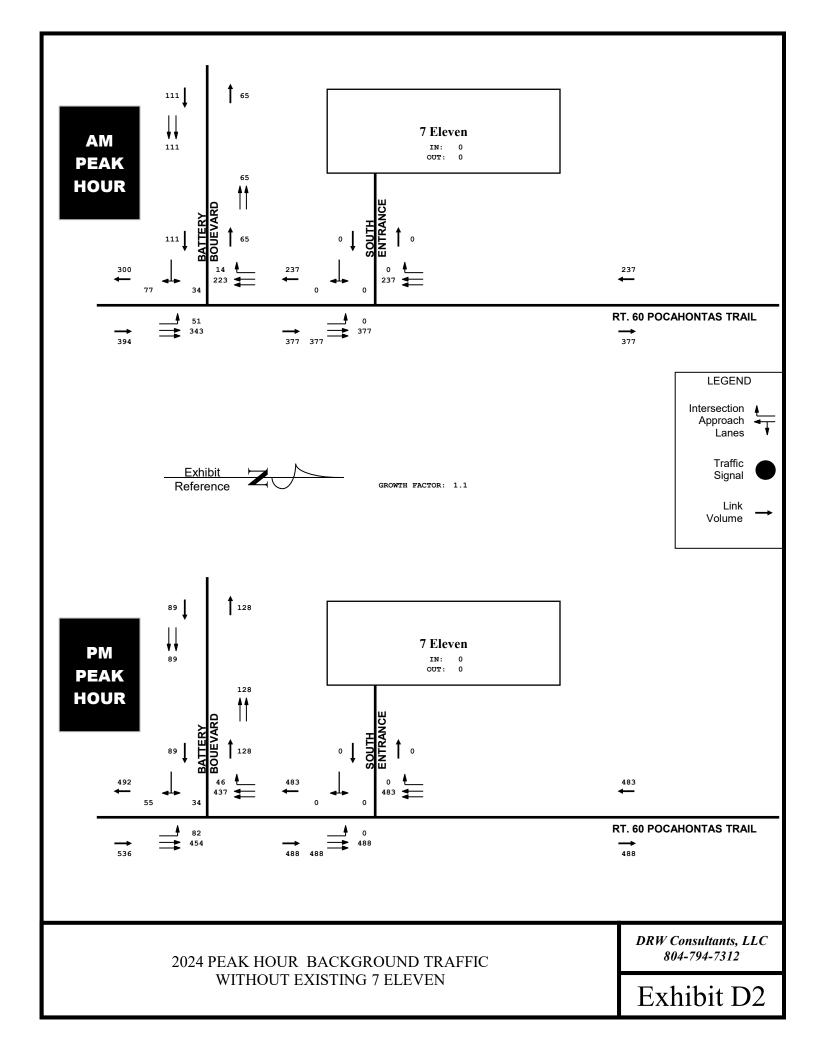


Exhibit D1



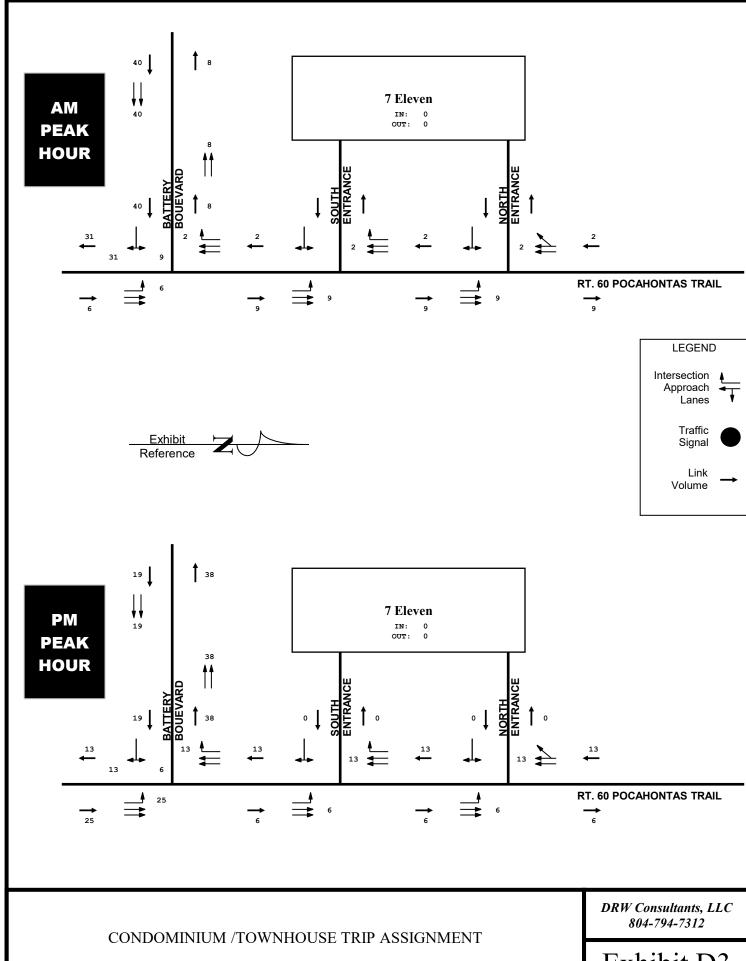
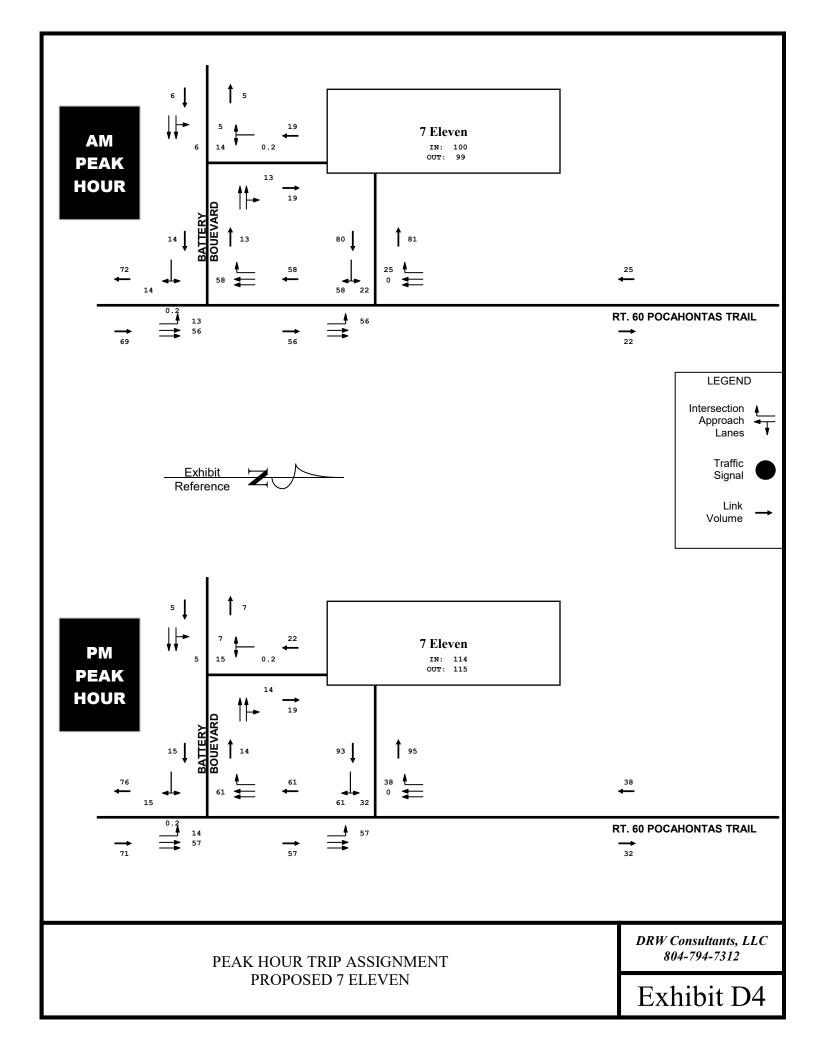
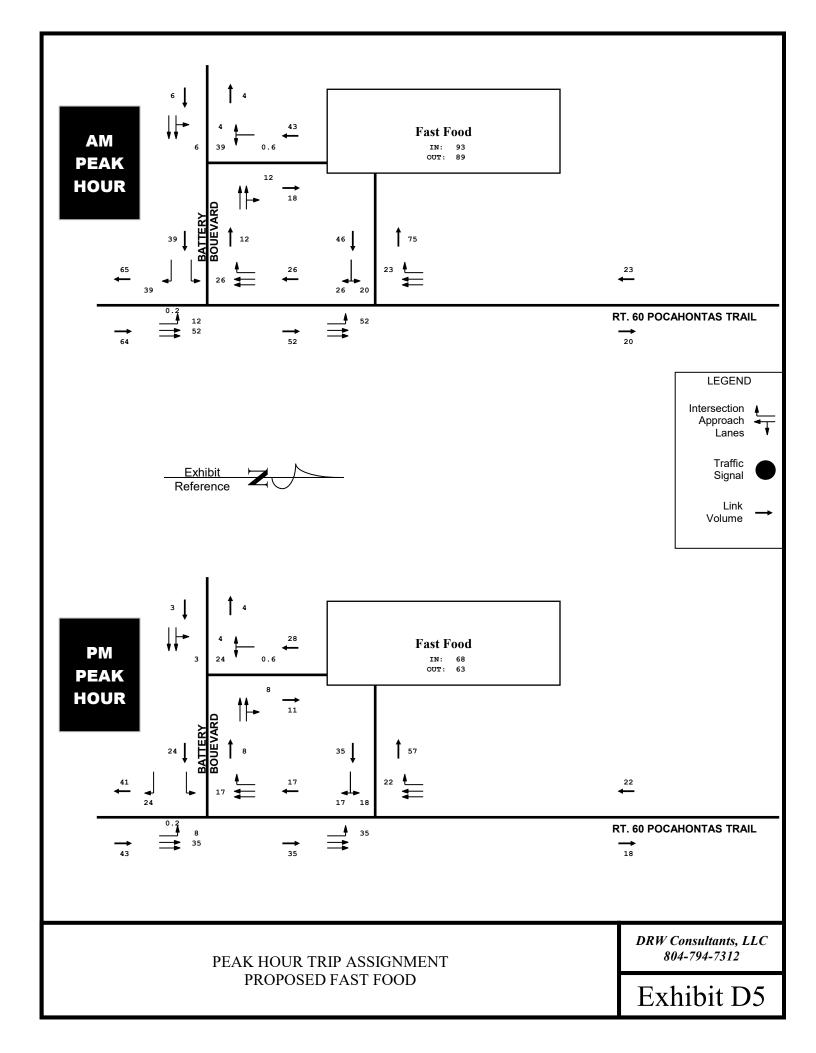
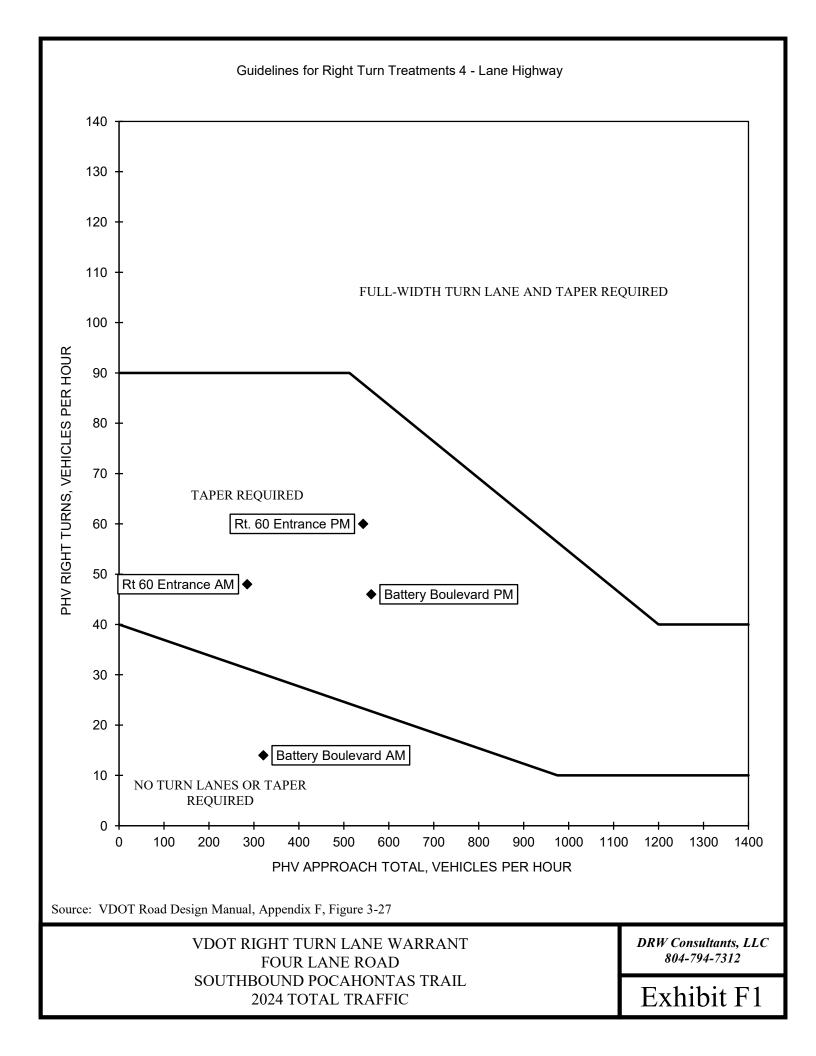
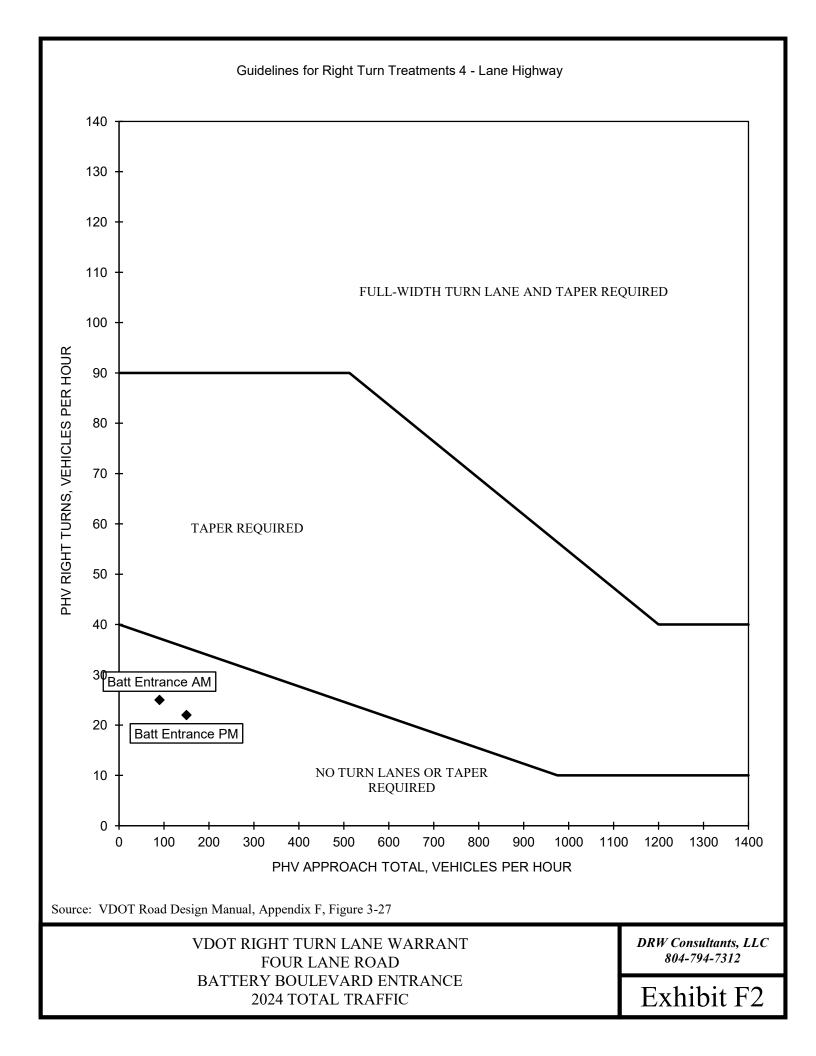


Exhibit D3

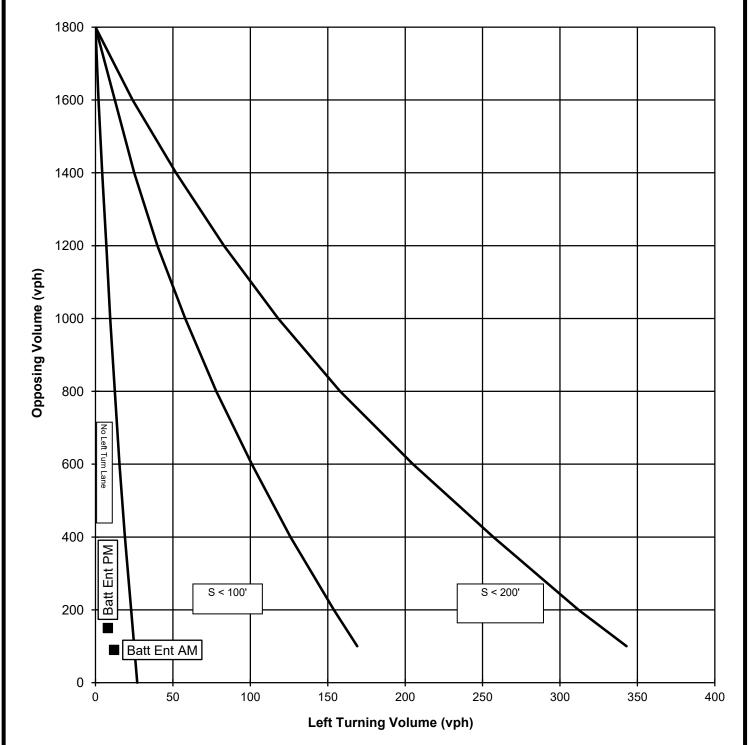












Source: VDOT Road Design Manual, Appendix C, derived from Highway Research Record Number 211

VDOT LEFT TURN LANE WARRANT FOUR LANE UNDIVIDED BATTERY BOULEVARD ENTRANCE DRW Consultants, LLC 804-794-7312

Exhibit F3

Intersection						
Int Delay, s/veh	1.5					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	ሻ	7	*	^	† †	1
Traffic Vol, veh/h	27	42	41	352	252	15
Future Vol, veh/h	27	42	41	352	252	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	0	13	8	3	5	6
Mvmt Flow	28	44	43	367	263	16
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	532	131	263	0	-	0
Stage 1	263	-	-	-	-	-
Stage 2	269	-	-	-	-	-
Critical Hdwy	6.8	7.16	4.26	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.43	2.28	-	-	-
Pot Cap-1 Maneuver	482	860	1256	-	-	-
Stage 1	763	-	-	-	-	-
Stage 2	758	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	465	860	1256	-	-	-
Mov Cap-2 Maneuver	465	-	-	-	-	-
Stage 1	763	-	-	-	-	-
Stage 2	732	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	10.9		0.8		0	
HCM LOS	В				· ·	
Minor Lane/Major Mvmt	NBL	NBT EBLn1 E	BLn2 SBT	SBR		
Capacity (veh/h)	1256	- 465	860 -	- JUIC		
HCM Lane V/C Ratio	0.034	- 0.06		-		
HCM Control Delay (s)	0.034	- 13.2	9.4 -	-		
HCM Lane LOS	A	- 13.2 - B	9.4 - A -	-		
HCM 95th %tile Q(veh)	0.1		0.2 -	-		
	U. I	- 0.2	0.2			

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Intersection						
Int Delay, s/veh	1.3					
Movement	EBL	EBR	NBL	. NBT	SBT	SBR
Lane Configurations	¥		7	† ††	ተተጉ	
Traffic Vol, veh/h	6	47	30		220	0
Future Vol, veh/h	6	47	30		220	0
Conflicting Peds, #/hr	0	0	(0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None		None	-	None
Storage Length	0	-	50	-	-	-
Veh in Median Storage, #	[#] 0	-		. 0	0	-
Grade, %	0	-		•	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	17	4	3		8	0
Mvmt Flow	6	49	32	367	232	0
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	479	116	232		-	0
Stage 1	232	-			-	-
Stage 2	247	-				-
Critical Hdwy	6.59	7.18	5.36	-	-	-
Critical Hdwy Stg 1	6.94	-			-	-
Critical Hdwy Stg 2	6.14	-		-	-	-
Follow-up Hdwy	3.82	3.94	3.13		-	-
Pot Cap-1 Maneuver	500	772	899	-	-	-
Stage 1	680	-			-	-
Stage 2	703	-		-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	482	772	899	-	-	-
Mov Cap-2 Maneuver	482	-			-	-
Stage 1	680	-		-	-	-
Stage 2	678	-			-	-
Approach	EB		NE		SB	
HCM Control Delay, s	10.4		0.7		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBF			
Capacity (veh/h)	899	- 723				
HCM Lane V/C Ratio	0.035	- 0.077				
HCM Control Delay (s)	9.2	- 10.4				
HCM Lane LOS	A	- B				
HCM 95th %tile Q(veh)	0.1	- 0.2				
2(1011)	J.,	J.2				

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Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	¥		ሻ	^	^	7
Traffic Vol, veh/h	10	11	18	337	209	16
Future Vol, veh/h	10	11	18	337	209	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	# 0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	18	11	3	8	6
Mvmt Flow	11	12	19	362	225	17
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	445	112	225	0	ajo:2	0
Stage 1	225	-	-	-		-
Stage 2	220	-	-	_		-
Critical Hdwy	7.5	7.26	4.32	-		-
Critical Hdwy Stg 1	6.5		-	-	-	-
Critical Hdwy Stg 2	6.5	-	-	-	-	-
Follow-up Hdwy	3.5	3.48	2.31	-	-	-
Pot Cap-1 Maneuver	501	871	1278	-		-
Stage 1	763	-	2.0	-		-
Stage 2	768	-	-	-	-	-
Platoon blocked, %				-		-
Mov Cap-1 Maneuver	495	871	1278	-		-
Mov Cap-2 Maneuver	570	-	2.0	-		-
Stage 1	752	-	-	-		-
Stage 2	757	-	-	-	-	_
g	,					
Approach	EB		NB		SB	
HCM Control Delay, s	10.3		0.4		0	
HCM LOS	В				0	
	5					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBR			
Capacity (veh/h)	1278	- 696				
HCM Lane V/C Ratio	0.015	- 0.032				
HCM Control Delay (s)	7.9	- 10.3				
HCM Lane LOS	Α.7	- B				
HCM 95th %tile Q(veh)	0	- 0.1				
110W 75W 70W Q(VCH)	U	- 0.1	-			

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Intersection						
Int Delay, s/veh	1.4					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	ሻ	7	*	^	^	7
Traffic Vol, veh/h	29	39	52		437	34
Future Vol, veh/h	29	39	52		437	34
Conflicting Peds, #/hr	0	0	0		0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	7	8	0		2	9
Mvmt Flow	33	44	58	509	491	38
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	862	246	491	0	-	0
Stage 1	491	-	-		-	-
Stage 2	371	-	_	-	-	-
Critical Hdwy	6.94	7.06	4.1	-	-	-
Critical Hdwy Stg 1	5.94	-	-	-	-	-
Critical Hdwy Stg 2	5.94	-	-	-	-	-
Follow-up Hdwy	3.57	3.38	2.2	-	-	-
Pot Cap-1 Maneuver	285	736	1083	-	-	-
Stage 1	567	-	-	-	-	-
Stage 2	653	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	270	736	1083	-	-	-
Mov Cap-2 Maneuver	270	-	-	-	-	-
Stage 1	567	-	-	-	-	-
Stage 2	618	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	14.5		0.9		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1 E	EBLn2 SBT	SBR		
	1083					
Capacity (veh/h) HCM Lane V/C Ratio	0.054	- 2/0 - 0.121	736 - 0.06 -	-		
HCM Control Delay (s)	8.5	- 0.121	100	-		
HCM Lane LOS		- 20.2 - C				
	A					
HCM 95th %tile Q(veh)	0.2	- 0.4	0.2 -	-		

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Intersection						
Int Delay, s/veh	0.7					
Movement	EBL	EBR	NB	L NBT	SBT	SBR
Lane Configurations	W			ጎ ተ ተ	ተተጉ	
Traffic Vol, veh/h	6	33	1		438	0
Future Vol, veh/h	6	33	1		438	0
Conflicting Peds, #/hr	0	0		0 0	0	0
Sign Control	Stop	Stop	Fre	e Free	Free	Free
RT Channelized	<u>'</u> -	None		- None	-	None
Storage Length	0	-	5		-	-
Veh in Median Storage, #		-		- 0	0	-
Grade, %	0	-		- 0	0	-
Peak Hour Factor	88	88	8	88 88	88	88
Heavy Vehicles, %	0	0		0 2	2	0
Mvmt Flow	7	38	2	0 527	498	0
Major/Minor	Minor2		Major	1	Major2	
Conflicting Flow All	803	249	49		-	0
Stage 1	498	-				-
Stage 2	305	-			-	-
Critical Hdwy	6.25	7.1	5.	3 -		_
Critical Hdwy Stg 1	6.6	-			-	-
Critical Hdwy Stg 2	5.8	-			-	-
Follow-up Hdwy	3.65	3.9	3.	1 -	-	-
Pot Cap-1 Maneuver	358	644	68		-	-
Stage 1	504	-			-	-
Stage 2	701	-			-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	348	644	68	6 -	-	-
Mov Cap-2 Maneuver	348	-			-	-
Stage 1	504	-			-	-
Stage 2	681	-			-	-
Approach	EB		N	3	SB	
HCM Control Delay, s	11.9		0.	4	0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBI	7		
Capacity (veh/h)	686	- 569	-	-		
HCM Lane V/C Ratio	0.03	- 0.078	-	-		
HCM Control Delay (s)	10.4	- 11.9	-	-		
HCM Lane LOS	В	- B	-	-		
HCM 95th %tile Q(veh)	0.1	- 0.3	-	-		

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Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	¥		*	^	^	7
Traffic Vol, veh/h	12	14	29	441	424	23
Future Vol, veh/h	12	14	29	441	424	23
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	# 0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	0	0	0	3	2	0
Mvmt Flow	13	16	33	496	476	26
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	789	238	476	0	-	0
Stage 1	476	-	-	-	-	-
Stage 2	313	-	-	-	-	-
Critical Hdwy	6.8	6.9	4.1	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-	-
Pot Cap-1 Maneuver	332	769	1097	-	-	-
Stage 1	597	-	-	-	-	-
Stage 2	721	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	322	769	1097	-	-	-
Mov Cap-2 Maneuver	439	-	-	-	-	-
Stage 1	597	-	-	-	-	-
Stage 2	699	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	11.6		0.5		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBR			
Capacity (veh/h)	1097	- 571				
HCM Lane V/C Ratio	0.03	- 0.051				
HCM Control Delay (s)	8.4	- 11.6				
HCM Lane LOS	A	- B				
HCM 95th %tile Q(veh)	0.1	- 0.2				
2(1311)		J.2				

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Intersection							
Int Delay, s/veh	2						
Movement	EBL	EBR		NBL	NBT		SBT
Lane Configurations	ች	7		*	^		^
Traffic Vol, veh/h	38	77		51	387		277
Future Vol, veh/h	38	77		51	387		277
Conflicting Peds, #/hr	0	0		0	0		0
Sign Control	Stop	Stop	I	Free	Free		Free
RT Channelized	-	None		-	None		-
Storage Length	0	0		0	-		-
Veh in Median Storage, #	0	-		-	0	()
Grade, %	0	-		-	0	C)
Peak Hour Factor	96	96		96	96	96	
Heavy Vehicles, %	0	13		8	3	5	
Mvmt Flow	40	80		53	403	289	
Major/Minor	Minor2		Ma	ajor1		Major2	
Conflicting Flow All	597	144	IVIC	289	0	- Wajorz	
Stage 1	289	-		-	-	<u> </u>	
Stage 2	308	_		_		_	
Critical Hdwy	6.8	7.16		4.26	_		
Critical Hdwy Stg 1	5.8	7.10	•	4.20	_	_	
Critical Hdwy Stg 2	5.8				_		
Follow-up Hdwy	3.5	3.43		2.28	_	_	
Pot Cap-1 Maneuver	439	843		1227	_	_	
Stage 1	741	-	'	-	_	_	
Stage 2	725	_		_	_	_	
Platoon blocked, %	125				_	_	
Mov Cap-1 Maneuver	420	843	1	1227	_	_	
Mov Cap-1 Maneuver	420	-		-	_	<u>.</u>	
Stage 1	741	_		_	_		
Stage 2	694	_		_	_	-	
Jugo 2	074						
Approach	EB			NB		SB	
HCM Control Delay, s	11.3			0.9		0	
HCM LOS	11.3 B			0.7		U	
TIOWI LOO	ט						
Minor Long/Maior Muse	NDI	NDT CDL1	EDI2	CDT	CDD		
Minor Lane/Major Mvmt	NBL	NBT EBLn1		SBT	SBR		
Capacity (veh/h)	1227	- 420	843	-	-		
HCM Cantral Dalay (a)	0.043	- 0.094		-	-		
HCM Control Delay (s)	8.1	- 14.5	9.7	-	-		
HCM CERP (CARD OCCUP)	Α	- B	A	-	-		
HCM 95th %tile Q(veh)	0.1	- 0.3	0.3	-	-		

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Intersection						
Int Delay, s/veh	1.2					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	W		*	^	444	
Traffic Vol, veh/h	6	47	30	395	248	0
Future Vol, veh/h	6	47	30	395	248	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	50	-	-	-
Veh in Median Storage, #		-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	17	4	3	3	8	0
Mvmt Flow	6	49	32	416	261	0
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	532	131	261	0	-	0
Stage 1	261	-	-	-	-	-
Stage 2	271	-	-	-		-
Critical Hdwy	6.59	7.18	5.36	-	-	-
Critical Hdwy Stg 1	6.94	-	-	-	-	-
Critical Hdwy Stg 2	6.14	-	-	-	-	-
Follow-up Hdwy	3.82	3.94	3.13	-	-	-
Pot Cap-1 Maneuver	466	755	872	-	-	-
Stage 1	652	-	-	-	-	-
Stage 2	683	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	449	755	872	-	-	-
Mov Cap-2 Maneuver	449	-	-	-	-	-
Stage 1	652	-	-	-	-	-
Stage 2	658	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	10.6		0.7		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBR			
Capacity (veh/h)	872	- 701				
HCM Lane V/C Ratio	0.036	- 0.08				
HCM Control Delay (s)	9.3	- 10.6				
HCM Lane LOS	A	- B				
HCM 95th %tile Q(veh)	0.1	- 0.3				
2000 2000	J.1	0.0				

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Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	¥		*	^	^	7
Traffic Vol, veh/h	10	11	18		237	16
Future Vol, veh/h	10	11	18	383	237	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	# 0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	18	11	3	8	6
Mvmt Flow	11	12	19	412	255	17
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	500	127	255	0	-	0
Stage 1	255	-	-		-	-
Stage 2	245	-	-	-	-	-
Critical Hdwy	6.8	7.26	4.32	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.48	2.31	-	-	-
Pot Cap-1 Maneuver	505	851	1244	-	-	-
Stage 1	770	-	-	-	-	-
Stage 2	779	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	497	851	1244	-	-	-
Mov Cap-2 Maneuver	578	-	-	-	-	-
Stage 1	770	-	-	-	-	-
Stage 2	767	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	10.4		0.4		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBR			
Capacity (veh/h)	1244	- 695				
HCM Lane V/C Ratio	0.016	- 0.032				
HCM Control Delay (s)	7.9	- 10.4				
HCM Lane LOS	A	- B				
HCM 95th %tile Q(veh)	0	- 0.1				
2(1311)						

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Intersection						
Int Delay, s/veh	1.8					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	ሻ	7	ሻ	^	^	7
Traffic Vol, veh/h	37	55	82	498	480	50
Future Vol, veh/h	37	55	82	498	480	50
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	9 0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	7	8	0	2	2	9
Mvmt Flow	40	60	89	541	522	54
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	971	261	522	0		0
Stage 1	522	-	-	-	-	-
Stage 2	449	-	-	-	-	-
Critical Hdwy	6.94	7.06	4.1	-	-	-
Critical Hdwy Stg 1	5.94	-	-	-	-	-
Critical Hdwy Stg 2	5.94	-	-	-	-	-
Follow-up Hdwy	3.57	3.38	2.2	-	-	-
Pot Cap-1 Maneuver	242	720	1055	-	-	-
Stage 1	546	-	-	-	-	-
Stage 2	596	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	222	720	1055	-	-	-
Mov Cap-2 Maneuver	222	-	-	-	-	-
Stage 1	546	-	-	-	-	-
Stage 2	546	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	16.3		1.2		0	
HCM LOS	С					
Minor Lane/Major Mvmt	NBL	NBT EBLn1 EBLn2	SBT	SBR		
Capacity (veh/h)	1055	- 222 720	-	-		
HCM Lane V/C Ratio	0.084	- 0.181 0.083	-	-		
HCM Control Delay (s)	8.7	- 24.8 10.5	-	-		
HCM Lane LOS	А	- C B	-	-		
HCM 95th %tile Q(veh)	0.3	- 0.6 0.3	-	-		

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Intersection Int Delay, s/veh 0.6 Movement EBL EBR NBL NBT SBT SBR Lane Configurations Y 1
Movement EBL EBR NBL NBT SBT SBR Lane Configurations Y 1
Lane Configurations Y 1 2 1 1 1 1 1 1 2 2 2 2 2 2 3 3 1 3
Lane Configurations Y 1 2 1 1 1 1 1 1 2 2 2 2 2 2 3 3 1 3
Traffic Vol, veh/h 6 33 18 517 497 0 Future Vol, veh/h 6 33 18 517 497 0 Conflicting Peds, #/hr 0 0 0 0 0 0 Sign Control Stop Stop Free Free Free Free
Future Vol, veh/h 6 33 18 517 497 0 Conflicting Peds, #/hr 0 0 0 0 0 0 0 Sign Control Stop Stop Free Free Free Free Free
Sign Control Stop Stop Free Free Free Free
Sign Control Stop Stop Free Free Free Free
RT Channelized - None - None - None
Storage Length 0 - 50
Veh in Median Storage, # 0 - 0 -
Grade, % 0 0 0 -
Peak Hour Factor 92 92 92 92 92 92
Heavy Vehicles, % 0 0 0 2 2 0
Mvmt Flow 7 36 20 562 540 0
Major/Minor Minor2 Major1 Major2
Conflicting Flow All 860 270 540 0 - 0
Stage 1 540
Stage 2 320
Critical Hdwy 6.25 7.1 5.3
Critical Hdwy Stg 1 6.6
Critical Hdwy Stg 2 5.8
Follow-up Hdwy 3.65 3.9 3.1
Pot Cap-1 Maneuver 332 625 656
Stage 1 476
Stage 2 690
Platoon blocked, %
Mov Cap-1 Maneuver 322 625 656
Mov Cap-2 Maneuver 322
Stage 1 476
Stage 2
Approach EB NB SB
HCM Control Delay, s 12.1 0.4 0
HCM LOS B
Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR
Capacity (veh/h) 656 - 546
HCM Lane V/C Ratio 0.03 - 0.078
HCM Control Delay (s) 10.7 - 12.1
HCM Lane LOS B - B
HCM 95th %tile Q(veh) 0.1 - 0.3

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Intersection						
Int Delay, s/veh	0.5					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	W		*		^	7
Traffic Vol, veh/h	12	14	29		483	23
Future Vol, veh/h	12	14	29		483	23
Conflicting Peds, #/hr	0	0	0		0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None .	-	None		None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	# 0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	0		2	0
Mvmt Flow	13	15	32	537	525	25
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	857	263	525		-	0
Stage 1	525	-	-		-	-
Stage 2	332	-	-	-	-	-
Critical Hdwy	6.8	6.9	4.1	-	-	-
Critical Hdwy Stg 1	5.8	-	-		-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-	-
Pot Cap-1 Maneuver	300	742	1052	-	-	-
Stage 1	564	-	-	-	-	-
Stage 2	705	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	291	742	1052	-	-	-
Mov Cap-2 Maneuver	413	-	-	-	-	-
Stage 1	564	-	-	-	-	-
Stage 2	684	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	12		0.5		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBR			
Capacity (veh/h)	1052	- 543				
HCM Lane V/C Ratio	0.03	- 0.052				
HCM Control Delay (s)	8.5	- 12				
HCM Lane LOS	A	- B				
HCM 95th %tile Q(veh)	0.1	- 0.2				
= = = = = = = = = = = = = = = = = = = =	-···					

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Intersection						
Int Delay, s/veh	2.5					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	ሻ	7	ች	^	^	7
Traffic Vol, veh/h	34	130	76	451	307	14
Future Vol, veh/h	34	130	76	451	307	14
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	0	13	8	3	5	6
Mvmt Flow	35	135	79	470	320	15
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	713	160	320	0		0
Stage 1	320	-	-	-	-	-
Stage 2	393	-	-	-	-	-
Critical Hdwy	6.8	7.16	4.26	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-		-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.43	2.28	-	-	-
Pot Cap-1 Maneuver	371	823	1194	-	-	-
Stage 1	715	-	-	-	-	-
Stage 2	657	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	346	823	1194	-	-	-
Mov Cap-2 Maneuver	346	-	-	-	-	-
Stage 1	715	-	-	-	-	-
Stage 2	614	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	11.5		1.2		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1 EBLn2	SBT	SBR		
Capacity (veh/h)	1194	- 346 823	JD1	- JUIX		
HCM Lane V/C Ratio	0.066	- 0.102 0.165	-	-		
HCM Control Delay (s)	8.2	- 16.6 10.2	-	-		
HCM Lane LOS	6.2 A	- 10.0 10.2 - C B	-	-		
HCM 95th %tile Q(veh)	0.2	- 0.3 0.6	-	-		
HOW FOUT WITH Q(VEH)	0.2	- 0.3 0.0	•	-		

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Intersection						
Int Delay, s/veh	2.8					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	¥		*	^	^	7
Traffic Vol, veh/h	42	84	108	377	237	48
Future Vol, veh/h	42	84	108	377	237	48
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None		None
Storage Length	0	-	100	-	-	70
Veh in Median Storage, #	# 0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	17	4	3	3	8	0
Mvmt Flow	44	88	114	397	249	51
Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	675	125	249	0	-	0
Stage 1	249	-		-	-	-
Stage 2	426	-	-	-	-	-
Critical Hdwy	7.14	6.98	4.16	-	-	-
Critical Hdwy Stg 1	6.14	-	-	-	-	-
Critical Hdwy Stg 2	6.14	-	-	-	-	-
Follow-up Hdwy	3.67	3.34	2.23	-		-
Pot Cap-1 Maneuver	356	896	1306	-	-	-
Stage 1	726	-	-	-	-	-
Stage 2	585	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	325	896	1306	-	-	-
Mov Cap-2 Maneuver	325	-	-	-	-	-
Stage 1	726	-	-	-	-	-
Stage 2	534	-	-	-	-	-
Approach	EB		NB		SB	
HCM Control Delay, s	13.3		1.8		0	
HCM LOS	В					
Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT SBR			
Capacity (veh/h)	1306	- 565				
HCM Lane V/C Ratio	0.087	- 0.235				
HCM Control Delay (s)	8	- 13.3				
HCM Lane LOS	A	- B				
HCM 95th %tile Q(veh)	0.3	- 0.9				
2(1311)	0.0	J.,				

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Intersection								
Int Delay, s/veh	2.5							
Movement	EBL	EBT			WBT	WBR	SBL	SBR
Lane Configurations		414			↑ ↑		W	
Traffic Vol, veh/h	12	111			65	25	53	9
Future Vol, veh/h	12	111			65	25	53	9
Conflicting Peds, #/hr	0	0			0	0	0	0
Sign Control	Free	Free			Free	Free	Stop	Stop
RT Channelized	-	None			-	None	-	None
Storage Length	-	-			-	-	0	-
Veh in Median Storage, #	-	0			0	-	0	-
Grade, %	-	0			0	-	0	-
Peak Hour Factor	92	92			92	92	92	92
Heavy Vehicles, %	2	2			2	2	2	2
Mvmt Flow	13	121			71	27	58	10
Major/Minor	Major1				Major2		Minor2	
Conflicting Flow All	98	0				0	170	49
Stage 1	-	-			-	-	84	-
Stage 2	-	-			-	-	86	-
Critical Hdwy	4.14	-			_	-	6.84	6.94
Critical Hdwy Stg 1	-	-			-	-	5.84	-
Critical Hdwy Stg 2	-	-			-	-	5.84	-
Follow-up Hdwy	2.22	-			-	-	3.52	3.32
Pot Cap-1 Maneuver	1493	-			-	-	804	1009
Stage 1	-	-			-	-	930	-
Stage 2	-	-			-	-	927	-
Platoon blocked, %		-			-	-		
Mov Cap-1 Maneuver	1493	-			-	-	797	1009
Mov Cap-2 Maneuver	-	-			-	-	797	-
Stage 1	-	-			_	-	930	-
Stage 2	-	-			-	-	919	-
Approach	EB				WB		SB	
HCM Control Delay, s	0.7				0		9.8	
HCM LOS							A	
							,	
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SBL	n1			
Capacity (veh/h)	1493				22			
HCM Lane V/C Ratio	0.009		-	- 0.0				
HCM Control Delay (s)	7.4	0			9.8			
HCM Lane LOS	7.4 A	A	-	-	7.0 A			
HCM 95th %tile Q(veh)	0	- -	-		0.3			
1101VI 73111 701116 Q(VCII)	U	_	_	- (J.J			

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Int Delay, s/Weh 2.2							
Movement	Intersection						
Lane Configurations	Int Delay, s/veh	2.2					
Lane Configurations	Movement	EBL	EBR	NBL	NBT	SBT	SBR
Traffic Vol, veh/h 34 94 104 546 515 46 Future Vol, veh/h 34 94 104 546 515 46 Conflicting Peds, #/hr 0		*	7	*	^	^	7
Future Vol, veh/h 34 94 104 546 515 46 Conflicting Peds, #/hr 0							
Sign Control Stop Stop None Free Free Free Free Free Free Free RT Channelized - None None <t< td=""><td></td><td>34</td><td>94</td><td>104</td><td>546</td><td>515</td><td>46</td></t<>		34	94	104	546	515	46
Sign Control Stop Stop Free RT Channelized - None Ander Ander None Ander	Conflicting Peds, #/hr	0	0	0	0	0	0
Storage Length	Sign Control	Stop	Stop	Free	Free	Free	Free
Veh in Median Storage, # 0 - - 0 0 - Grade, % 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 - - - 0 0 - - - 92 93 93 93 93 93 93 93 94 92	RT Channelized	-	None	-	None	-	None
Grade, % 0 - - 0 0 - Peak Hour Factor 92	Storage Length	0	0	0	-	-	0
Peak Hour Factor 92 93 93 560 50	Veh in Median Storage, #	# 0	-	-	0	0	-
Heavy Vehicles, %	Grade, %						
Mymit Flow 37 102 113 593 560 50 Major/Minor Minor2 Major1 Major2 Conflicting Flow All 1083 280 560 0 - 0 Stage 1 560 - - - - - - Stage 2 523 - <td< td=""><td></td><td></td><td>92</td><td></td><td></td><td></td><td></td></td<>			92				
Major/Minor Minor2 Major1 Major2 Conflicting Flow All 1083 280 560 0 - 0 Stage 1 560 -							
Conflicting Flow All 1083 280 560 0 - 0 0 Stage 1 560 - - - - - - - Stage 2 523 - - - - - - Critical Hdwy	Mvmt Flow	37	102	113	593	560	50
Conflicting Flow All 1083 280 560 0 - 0 0 Stage 1 560 - - - - - - - Stage 2 523 - - - - - - Critical Hdwy							
Conflicting Flow All 1083 280 560 0 - 0 0 Stage 1 560 - - - - - - - Stage 2 523 - - - - - - - Critical Hdwy	Major/Minor	Minor2		Major1		Major2	
Stage 1 560 -			280		0	-	0
Stage 2 523 -						-	
Critical Hdwy 6.94 7.06 4.1 - - - Critical Hdwy Stg 1 5.94 - - - - - - Critical Hdwy Stg 2 5.94 - - - - - - Follow-up Hdwy 3.57 3.38 2.2 - - - - - Pot Cap-1 Maneuver 204 699 1021 -			-	-	-	-	-
Critical Hdwy Stg 1 5.94 -		6.94	7.06	4.1	-	-	-
Critical Hdwy Stg 2 5.94 -		5.94	-	-	-	-	-
Pot Cap-1 Maneuver 204 699 1021 - <td></td> <td>5.94</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td>		5.94	-	-	-	-	-
Stage 1 522 -			3.38		-	-	-
Stage 2 545 -	Pot Cap-1 Maneuver		699	1021	-	-	-
Platoon blocked, %			-	-	-	-	-
Mov Cap-1 Maneuver 181 699 1021 - <td></td> <td>545</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td>		545	-	-	-	-	-
Mov Cap-2 Maneuver 181 -					-	-	-
Stage 1 522 -			699	1021	-	-	-
Stage 2 485 - - - - - - - - -			-	-	-	-	-
Approach EB NB SB HCM Control Delay, s 16 1.4 0 HCM LOS C Minor Lane/Major Mvmt NBL NBT EBLn1 EBLn2 SBT SBR Capacity (veh/h) 1021 - 181 699 HCM Lane V/C Ratio 0.111 - 0.204 0.146 HCM Control Delay (s) 9 - 29.9 11 HCM Lane LOS A - D B			-	-	-	-	-
HCM Control Delay, s	Stage 2	485	-	-	-	-	-
HCM Control Delay, s 16 1.4 0 HCM LOS C Minor Lane/Major Mvmt NBL NBT EBLn1 EBLn2 SBT SBR Capacity (veh/h) 1021 - 181 699 HCM Lane V/C Ratio 0.111 - 0.204 0.146 HCM Control Delay (s) 9 - 29.9 11 HCM Lane LOS A - D B							
HCM Control Delay, s 16 1.4 0 HCM LOS C Minor Lane/Major Mvmt NBL NBT EBLn1 EBLn2 SBT SBR Capacity (veh/h) 1021 - 181 699 HCM Lane V/C Ratio 0.111 - 0.204 0.146 HCM Control Delay (s) 9 - 29.9 11 HCM Lane LOS A - D B	Approach	EB		NB		SB	
Minor Lane/Major Mvmt NBL NBT EBLn1 EBLn2 SBT SBR Capacity (veh/h) 1021 - 181 699 - - HCM Lane V/C Ratio 0.111 - 0.204 0.146 - - HCM Control Delay (s) 9 - 29.9 11 - - HCM Lane LOS A - D B - -		16		1.4		0	
Minor Lane/Major Mvmt NBL NBT EBLn1 EBLn2 SBT SBR Capacity (veh/h) 1021 - 181 699 - - HCM Lane V/C Ratio 0.111 - 0.204 0.146 - - HCM Control Delay (s) 9 - 29.9 11 - - HCM Lane LOS A - D B - -							
Capacity (veh/h) 1021 - 181 699 HCM Lane V/C Ratio 0.111 - 0.204 0.146 HCM Control Delay (s) 9 - 29.9 11 HCM Lane LOS A - D B							
Capacity (veh/h) 1021 - 181 699 HCM Lane V/C Ratio 0.111 - 0.204 0.146 HCM Control Delay (s) 9 - 29.9 11 HCM Lane LOS A - D B	Minor Lane/Maior Mymt	NRI	NRT FRI n1 FR	II n2 SRT	SBR		
HCM Lane V/C Ratio 0.111 - 0.204 0.146 HCM Control Delay (s) 9 - 29.9 11 HCM Lane LOS A - D B							
HCM Control Delay (s) 9 - 29.9 11 HCM Lane LOS A - D B							
HCM Lane LOS A - D B							
H(JVI 95TN %TIJE (J(Ven)	HCM 95th %tile Q(veh)	0.4	- 0.7	0.5 -	_		

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Int Delay, s/Neh							
Box Bel Bel Bel Net Net Set Set	Intersection						
Lane Configurations	Int Delay, s/veh	2.6					
Traffic Vol, veh/h 50 78 92 488 483 60 Future Vol, veh/h 50 78 92 488 483 60 Conflicting Peds, #hr 0 0 0 0 0 0 0 Conflicting Peds, #hr 0 0 0 0 0 0 0 Sign Control Stop Stop Free Fre	Movement	EBL	EBR	NBL	NBT	SBT	SBR
Traffic Vol, veh/h 50 78 92 488 483 60 Future Vol, veh/h 50 78 92 488 483 60 Conflicting Peds, #hr 0 0 0 0 0 0 0 Conflicting Peds, #hr 0 0 0 0 0 0 0 Sign Control Stop Stop Free Fre	Lane Configurations	¥		*	44	^	7
Conflicting Peds, #/hr			78				
Sign Control Stop Stop RT Channelized Stop None Free None Free None Free None Free None RT Channelized None None <td>Future Vol, veh/h</td> <td>50</td> <td>78</td> <td>92</td> <td>488</td> <td>483</td> <td>60</td>	Future Vol, veh/h	50	78	92	488	483	60
RT Channelized	Conflicting Peds, #/hr	0	0	0	0	0	0
Storage Length	Sign Control	Stop	Stop	Free	Free	Free	Free
Veh in Median Storage, # 0 - - 0 0 - Grade, % 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 - - 0 0 2 2 2 0 Mwrmt Flow 54 85 100 530 525 65 65 Major/Minor Minor Minor Major Major <td>RT Channelized</td> <td>-</td> <td>None</td> <td>-</td> <td>None</td> <td>-</td> <td>None</td>	RT Channelized	-	None	-	None	-	None
Grade, % 0 - - 0 0 - Peak Hour Factor 92 96 65 65 65 65 65 65 65 65 65 65 72 6 6 72 72 72 72 72 72 72 72 72 72	Storage Length	0	-	100	-	-	70
Peak Hour Factor 92 93 65 65 6 65 65 65 65 65 65 7 7 2 </td <td></td> <td></td> <td>-</td> <td>-</td> <td></td> <td></td> <td>-</td>			-	-			-
Heavy Vehicles, %							
Mymit Flow 54 85 100 530 525 65 Major/Minor Minor2 Major1 Major2 Conflicting Flow All 990 263 525 0 - 0 Stage 1 525 -							
Major/Minor Minor2 Major1 Major2 Conflicting Flow All 990 263 525 0 - 0 Stage 1 525 -							
Conflicting Flow All 990 263 525 0 - 0 Stage 1 525 -	Mvmt Flow	54	85	100	530	525	65
Conflicting Flow All 990 263 525 0 - 0 Stage 1 525 -							
Conflicting Flow All 990 263 525 0 - 0 Stage 1 525 -	Major/Minor	Minor2		Major1		Major2	
Stage 1 525 -			263		0	-	0
Stage 2 465 -						-	
Critical Hdwy 6.8 6.9 4.1 - - - Critical Hdwy Stg 1 5.8 - - - - - Critical Hdwy Stg 2 5.8 - - - - - - Follow-up Hdwy 3.5 3.3 2.2 -			-	-	-	-	-
Critical Hdwy Stg 1 5.8 -		6.8	6.9	4.1	-	-	-
Critical Hdwy Stg 2 5.8 -		5.8	-	-	-	-	-
Pot Cap-1 Maneuver		5.8	-	-	-	-	-
Stage 1 564 -	Follow-up Hdwy	3.5	3.3	2.2	-	-	-
Stage 2 604 - - - - - - - - -	Pot Cap-1 Maneuver	247	742	1052	-	-	-
Platoon blocked, %		564	-	-	-	-	-
Mov Cap-1 Maneuver 224 742 1052 - <td></td> <td>604</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td>		604	-	-	-	-	-
Mov Cap-2 Maneuver 224 -					-	-	-
Stage 1 564 -			742	1052	-	-	-
Stage 2 547 -			-	-	-	-	-
Approach EB NB SB HCM Control Delay, s 19.3 1.4 0 HCM LOS C C Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR Capacity (veh/h) 1052 - 390 - - HCM Lane V/C Ratio 0.095 - 0.357 - - HCM Control Delay (s) 8.8 - 19.3 - - HCM Lane LOS A - C - - -			-	-	-	-	-
HCM Control Delay, s 19.3 1.4 0 HCM LOS C Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR Capacity (veh/h) 1052 - 390 HCM Lane V/C Ratio 0.095 - 0.357 HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C	Stage 2	547	-	-	-	-	-
HCM Control Delay, s 19.3 1.4 0 HCM LOS C Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR Capacity (veh/h) 1052 - 390 HCM Lane V/C Ratio 0.095 - 0.357 HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C							
HCM Control Delay, s 19.3 1.4 0 HCM LOS C Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR Capacity (veh/h) 1052 - 390 HCM Lane V/C Ratio 0.095 - 0.357 HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C	Approach	EB		NB		SB	
Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR Capacity (veh/h) 1052 - 390 HCM Lane V/C Ratio 0.095 - 0.357 HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C		19.3		1.4		0	
Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR Capacity (veh/h) 1052 - 390 HCM Lane V/C Ratio 0.095 - 0.357 HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C							
Capacity (veh/h) 1052 - 390 HCM Lane V/C Ratio 0.095 - 0.357 HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C							
Capacity (veh/h) 1052 - 390 HCM Lane V/C Ratio 0.095 - 0.357 HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C	Minor Lane/Maior Mymt	NRI	NRT FRI n1	SBT SBR			
HCM Lane V/C Ratio 0.095 - 0.357 - - HCM Control Delay (s) 8.8 - 19.3 - - HCM Lane LOS A - C -							
HCM Control Delay (s) 8.8 - 19.3 HCM Lane LOS A - C							
HCM Lane LOS A - C							
FICIVI 9011 761118 CAVELLY U.5 - 1.0	HCM 95th %tile Q(veh)	0.3	- 1.6				

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ttory Entrance	
HCM 2010 TWSC	

Intersection								
Int Delay, s/veh	1.9							
Movement	EBL	EBT			WBT	WBR	SBL	SBR
Lane Configurations		41			↑ î∍		¥	
Traffic Vol, veh/h	8	89			128		39	11
Future Vol, veh/h	8	89			128		39	11
Conflicting Peds, #/hr	0	0			0		0	0
Sign Control	Free	Free			Free		Stop	Stop
RT Channelized	-	None			_		-	None
Storage Length	-	-			_	-	0	-
Veh in Median Storage, #	! _	0			0	-	0	-
Grade, %	-	0			0		0	-
Peak Hour Factor	92	92			92		92	92
Heavy Vehicles, %	2	2			2		2	2
Mvmt Flow	9	97			139		42	12
	,				3,			
Major/Minor	Major1				Major2		Minor2	
Conflicting Flow All	163	0			- Major 2	0	217	82
Stage 1	-	-			_	-	151	02
Stage 2	_	_			_	_	66	<u>-</u>
Critical Hdwy	4.14	_				_	6.84	6.94
Critical Hdwy Stg 1	7.17	_			_	_	5.84	0.74
Critical Hdwy Stg 2	_	_				_	5.84	
Follow-up Hdwy	2.22	_			_	_	3.52	3.32
Pot Cap-1 Maneuver	1413	_				_	752	961
Stage 1	1713	_			_	_	861	701
Stage 2	_	_				_	949	_
Platoon blocked, %	-						747	-
Mov Cap-1 Maneuver	1413					-	747	961
Mov Cap-1 Maneuver	1413					-	747	701
Stage 1	-	-			-	-	861	-
Stage 2	-	_				-	942	-
Jiaye Z	-	-				-	742	-
Approach	EB				WB		SB	
HCM Control Delay, s	0.6				0		9.9	
HCM LOS	0.0				U		9.9 A	
HCIVI LUS							А	
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SB	l n1			
		EDI	VVDI					
Capacity (veh/h)	1413	-	-		785			
HCM Cartes Dalay (a)	0.006	-	-	- 0.				
HCM Control Delay (s)	7.6	0	-		9.9			
HCM DEth O(tile O(tab)	A	Α	-	-	A			
HCM 95th %tile Q(veh)	0	-	-	-	0.2			

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Movement	EB	EB	NB	SB
Directions Served	L	R	L	Т
Maximum Queue (ft)	41	58	45	12
Average Queue (ft)	16	19	8	0
95th Queue (ft)	36	44	31	6
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB	SB	SB
Directions Served	LR	L	T	T	TR
Maximum Queue (ft)	67	30	12	6	6
Average Queue (ft)	25	6	0	0	0
95th Queue (ft)	50	25	6	4	4
Link Distance (ft)	299		100	38	38
Upstream Blk Time (%)				0	0
Queuing Penalty (veh)				0	0
Storage Bay Dist (ft)		50			
Storage Blk Time (%)		0			
Queuing Penalty (veh)		0			

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	59	34	45
Average Queue (ft)	17	4	4
95th Queue (ft)	46	21	25
Link Distance (ft)	317		38
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)		25	
Storage Blk Time (%)		0	0
Queuing Penalty (veh)		1	0

Network Summary

Movement	EB	EB	NB	SB
Directions Served	L	R	L	Т
Maximum Queue (ft)	76	53	43	10
Average Queue (ft)	20	16	13	0
95th Queue (ft)	53	39	37	7
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB	SB	SB
Directions Served	LR	L	T	T	TR
Maximum Queue (ft)	44	31	29	13	10
Average Queue (ft)	19	8	1	1	1
95th Queue (ft)	40	29	13	8	8
Link Distance (ft)	299		100	38	38
Upstream Blk Time (%)				0	0
Queuing Penalty (veh)				0	0
Storage Bay Dist (ft)		50			
Storage Blk Time (%)		0	0		
Queuing Penalty (veh)		0	0		

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB	SB
Directions Served	LR	L	T	R
Maximum Queue (ft)	45	31	41	9
Average Queue (ft)	17	9	9	0
95th Queue (ft)	41	31	35	4
Link Distance (ft)	317		38	
Upstream Blk Time (%)		0	0	
Queuing Penalty (veh)		0	0	
Storage Bay Dist (ft)		25		10
Storage Blk Time (%)		1	0	0
Queuing Penalty (veh)		2	0	0

Network Summary

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	48	57	45	6
Average Queue (ft)	20	26	12	0
95th Queue (ft)	44	48	36	4
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	68	46	16
Average Queue (ft)	26	8	1
95th Queue (ft)	50	32	8
Link Distance (ft)	299		100
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		50	
Storage Blk Time (%)		0	
Queuing Penalty (veh)		0	

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	57	32	41
Average Queue (ft)	17	3	4
95th Queue (ft)	44	19	25
Link Distance (ft)	317		38
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)		25	
Storage Blk Time (%)		0	0
Queuing Penalty (veh)		1	0

Network Summary

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	102	52	40	7
Average Queue (ft)	28	22	21	0
95th Queue (ft)	66	43	44	5
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB	SB	SB
Directions Served	LR	L	T	T	TR
Maximum Queue (ft)	47	30	12	20	6
Average Queue (ft)	20	5	1	1	0
95th Queue (ft)	44	24	10	9	4
Link Distance (ft)	299		100	38	38
Upstream Blk Time (%)				0	0
Queuing Penalty (veh)				0	0
Storage Bay Dist (ft)		50			
Storage Blk Time (%)		0	0		
Queuing Penalty (veh)		0	0		

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	45	31	38
Average Queue (ft)	18	10	9
95th Queue (ft)	40	33	36
Link Distance (ft)	317		38
Upstream Blk Time (%)		1	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)		25	
Storage Blk Time (%)		1	0
Queuing Penalty (veh)		3	0

Network Summary

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	50	89	51	12
Average Queue (ft)	17	37	18	0
95th Queue (ft)	41	73	46	6
Link Distance (ft)	265	265	705	164
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & Rt 60 Entrance

Movement	EB	NB	SB
Directions Served	LR	L	R
Maximum Queue (ft)	121	57	13
Average Queue (ft)	48	19	1
95th Queue (ft)	89	48	6
Link Distance (ft)	225		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	70
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Battery Boulevard & Battery Entrance

Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	12	70
Average Queue (ft)	1	28
95th Queue (ft)	8	53
Link Distance (ft)	150	173
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 0

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	R
Maximum Queue (ft)	68	71	65	14
Average Queue (ft)	22	30	28	0
95th Queue (ft)	55	56	54	8
Link Distance (ft)	265	265	705	159
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & Rt. 60 Entrance

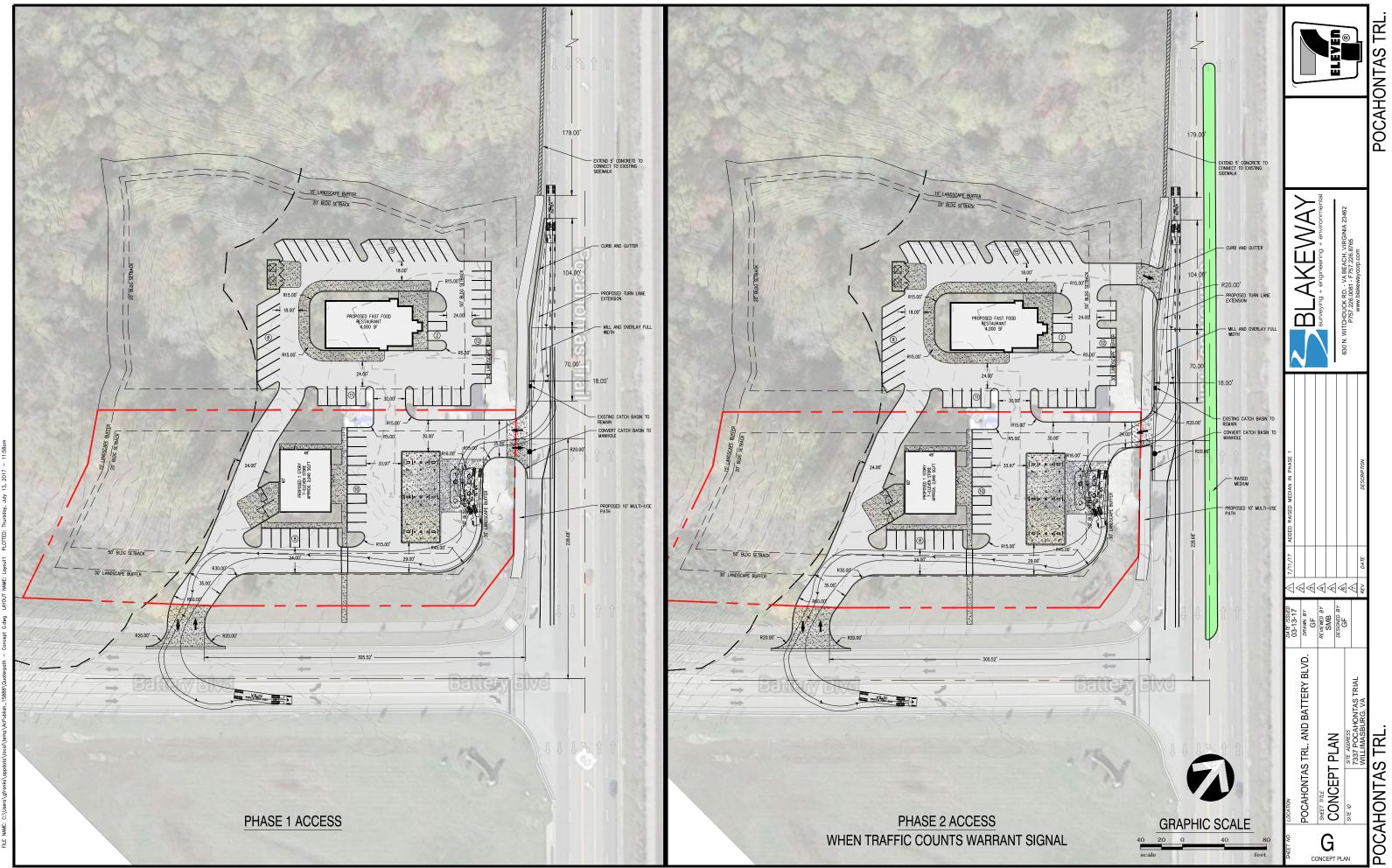
Movement	EB	NB	SB
Directions Served	LR	L	R
Maximum Queue (ft)	119	67	13
Average Queue (ft)	49	24	0
95th Queue (ft)	90	51	6
Link Distance (ft)	226		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	70
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Battery Boulevard & Battery Entrance

Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	12	50
Average Queue (ft)	0	27
95th Queue (ft)	6	47
Link Distance (ft)	150	173
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 0



On a roll call, the vote was AYE: Norment, Taylor, Edwards, Knudson, DePue (5). NAY: (0).

RESOLUTION

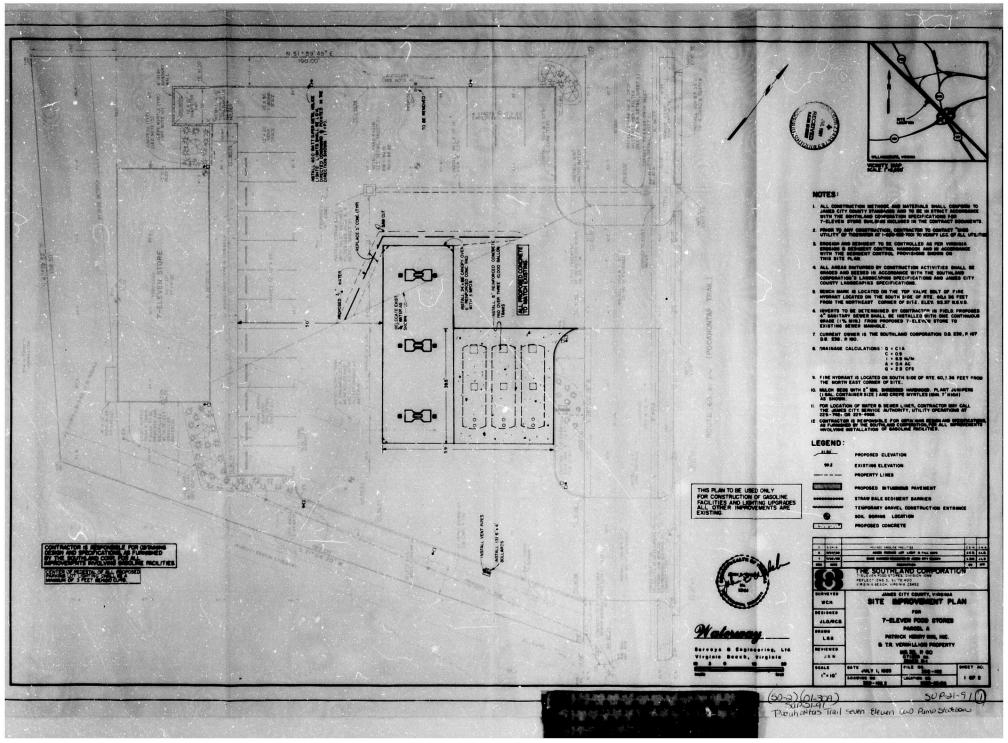
CASE NO. SUP-21-91. POCAHONTAS TRAIL 7-11 GAS PUMP ADDITION

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and
- WHEREAS, the Planning Commission of James City County, following its public hearing on August 13, 1991, unanimously recommended approval of Case No. SUP-21-91 to permit the addition of gas pumps and canopy in the B-1, General Business district on property identified as Parcel (1-30A) on James City County Real Estate Tax Map No. (50-2).
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-21-91 as described herein with the following conditions:
 - 1. If construction has not commenced on this project within a period of 12 months from the date of issuance of this special use permit, it shall become void.
 - 2. No new entrances on Pocahontas Trail shall be permitted.
 - 3. All existing landscaped areas shall meet the planting requirements of Section 20-14 of the Zoning Ordinance.
 - 4. All parking lot lighting, with the exception of that lighting which is to be installed underneath the canopy and is intended to illuminate the fuel pumps, shall be of the high-pressure sodium vapor type. A lighting plan detailing the illumination patterns and the specific design of all lighting fixtures shall be submitted along with the site plan for review and approval by the Planning Director.

6. <u>Case No. SUP-22-91</u>. <u>Williamsburg Pottery Golf Driving Range</u>

Mr. Sowers stated that Mr. Richard A. Costello, of AES, had applied on behalf of Williamsburg Pottery Factory for a special use permit to allow a golf driving range, zoned M-1, Limited Industrial, located at 6092 Richmond Road, and further identified as Parcel (1-31) on James City County Real Estate Tax Map No. (24-3).

In concurrence with staff, the Planning Commission unanimously recommended approval of the special use permit with conditions listed in the resolution.



8. Five Forks

Development at the intersection of John Tyler Highway (Route 5) and Ironbound Road primarily serves nearby residential development. Limited commercial development of this nature may continue so long as the resulting land use mix of the area is limited primarily to community-scale and neighborhood commercial and office uses. Moderate density residential development is encouraged as a secondary use. New development should tie into the larger Five Forks area with complementary building types and connections to surrounding commercial and residential development.

The property on the west side of Ironbound Road and south side of John Tyler Highway (Route 5) is envisioned to be limited to community-scale and neighborhood commercial and office uses. Specifically, future development on the parcel directly to the south and west of the existing 7-11 should not exceed the intensity and density of development identified on the approved master plan and approved proffers for James City County Case Z-9-05/MP-6-05 (Governor's Grove at Five Forks, approved by the Board of Supervisors August 9, 2005). The property immediately west of this parcel, and identified on the Governor's Grove Master Plan as "open space," is envisioned to remain in conservation easement.

For the parcel located at 133 Powhatan Springs Road, historical uses have included a contractor's office/warehouse. Similar small-scale, low-intensity Limited Industrial uses that are consistent in terms of scale and impact to the contractor's office/warehouse and those that can adequately mitigate impacts to adjacent low density residential areas may be appropriate. Expansion of the facilities to more intense industrial or commercial/retail uses is not recommended.

Preservation and adaptive re-use of historic buildings are encouraged, as is the redevelopment of existing residential and commercial uses in the immediate area. Future development and redevelopment should also reflect the historic and scenic qualities of the Five Forks area and should adhere to the Board of Supervisors adopted Primary Principles for the Five Forks Area. Overall development intensities should be closely monitored to ensure they can be accommodated within the capacities of the existing two-lane roads, both of which are projected to be above capacity by 2030.

9. Williamsburg Crossing

For the undeveloped land in the vicinity of the intersection of John Tyler Highway (Route 5) and Route 199 including the Williamsburg Crossing Shopping Center, the principal suggested uses are commercial and office. Moderate density residential will be accommodated as a secondary use. The development of this area is limited to the portions of land in the southwest quadrant of the intersection of John Tyler Highway (Route 5) and Route 199 developed as part of Williamsburg Crossing Shopping Center and is subject to a binding master plan. Continued access management is needed to maintain acceptable levels of service on John Tyler Highway (Route 5). Additional access points beyond those that currently exist for the Route 199 corridor will be strongly discouraged by the County.

10. Jamestown Ferry Approach

This land is located southeast of Jamestown Road and is bounded by Powhatan Creek, Jamestown Road, Jamestown Settlement and undeveloped residential property. This area is designated as a CCA, and therefore all development should conform to the CCA design principles. Due to the unique character and location of this area, it should be developed in accordance with the approved Shaping Our Shores master plan and emphasis should be given to preserving the tree cover of the site, protecting on-site and nearby historic, archaeological, and environmental resources, and public access to the James River. Principal suggested uses include recreational and water-related establishments such as marinas (including associated residential caretaker units) and boat launches, but no water-dependent industries. Commercial uses may also be considered appropriate when their scale, intensity and impacts can be appropriately accommodated. Future uses which would benefit from having a waterfront location (i.e., restaurant, retail space, and recreation) are encouraged. Designs should be encouraged to provide views of and public access to the James River and other points of interest and to provide environmental and historical education opportunities linked to the property's proximity to the Powhatan Creek, wetlands and Historic Jamestowne and other cultural resources. With Jamestown Road approaching or overcapacity by 2030, access management should be strongly encouraged.

The traffic generation of any proposal should be in line with the goal of retaining Jamestown Road as a two-lane facility, as widening would significantly impact the visual character of the road.

11. Routes 60/143/199 Interchanges

The County portion of this area to the south of the interchange is developed with minimal potential for additional development or redevelopment. For the portion of the Mixed Use area located north of the interchange and zoned B-1, several uses have relocated or been removed since 2003, and there is more potential for development and redevelopment. The County has participated in plan review of components of the Riverside development approved on the adjacent parcels in the City of Williamsburg, and the economic development potential of parcels in the County has been an important consideration.

The principal suggested uses for this corridor from Routes 60/199 interchange to the City of Williamsburg line are commercial and office development, with moderate density residential development as a secondary use. Future development should be integrated with and complement the design guidelines and layout of development planned in the City, including uses, architecture, landscaping, historic resources and pedestrian amenities. Development approved in the City did not include plans for a light rail station, but a station would be encouraged in this area should this be a viable option in the future. Given substantial development in both the City of Williamsburg and York County, future development should be aware of, and take steps to mitigate to the degree possible, roadway and interchange capacity constraints.

(Chart 4 continued on next page)

AGENDA ITEM NO. H.2.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Jose-Ricardo L. Ribeiro, Senior Planner II

SUBJECT: SUP-0028-2016, Solar Electrical Generation Facility at Norge

ATTACHMENTS:

	Description	Type
ם	Staff report	Staff Report
ם	Resolution with Staff Recommended Conditions	Resolution
ם	Resolution with Planning Commission Recommended Changes to Condition No. 5	Resolution
ם	Location Map	Exhibit
ם	Master Plan	Exhibit
D	Minutes from the April 5, 2017, Planning Commission meeting	Minutes
ם	Adopted Resolution for Consistency with Section 15.2- 2232 of the Code of Virginia	Exhibit
D	Community Impact Statement part 1	Exhibit
D	Community Impact Statement part 2	Exhibit
D	Community Impact Statement part 3	Exhibit
D	Community Impact Statement part 4	Exhibit
ם	Exhibit Showing the Elements of a Ground-Mounted Array of Solar Panels	Exhibit
D	Exhibit Showing Staff and the Applicant's Preferred Access to the Facility	Exhibit
ם	Buffer Visual Simulations	Exhibit
В	Citizen Comments	Exhibit
	Construction Access and Traffic	

D	Management Plan	Exhibit
D	Economic and Fiscal Contributions Report prepared by the applicant	Exhibit
D	Applicant's Responses to Comments Received from the Community Meeting	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	9/22/2017 - 3:57 PM
Development Management	Holt, Paul	Approved	9/22/2017 - 3:57 PM
Publication Management	Trautman, Gayle	Approved	9/22/2017 - 4:04 PM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 10:01 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:59 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 11:18 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 1:56 PM

SPECIAL USE PERMIT-0028-2016. Solar Electrical Generation Facility at Norge

Staff Report for the October 10, 2017, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicant: Mr. Drew Gibbons of SunPower Devco,

LLC

Land Owner: Whisper Ridge, LLC

Proposal: To allow the construction and operation of

a private solar electrical generation facility.

Location: 320, 339, 341 and 345 Farmville Lane and

a parcel of land of \pm 0.21 acres situated

between 140 and 142 Oslo Court

Tax Map/Parcel Nos.: 2320100052A, 2320100052G,

2320100052 and 2320100055

Project Acreage: The five parcels total \pm 224 acres

Zoning: A-1, General Agricultural (± 215.68 acres)

and R-2, General Residential (± 8.34 acres)

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Jose Ribeiro, Senior Planner II

PUBLIC HEARING DATES

Planning Commission: February 1, 2017, 7:00 p.m. (deferred by

applicant)

March 1, 2017, 7:00 p.m. (deferred by

applicant)

April 5, 2017, 7:00 p.m.

Board of Supervisors: May 9, 2017, 5:00 p.m. (deferred by

applicant to June)

June 13, 2017, 5:00 p.m. (deferred by

applicant to August)

August 8, 2017, 5:00 p.m. (deferred by

applicant to October)

October 10, 2017, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed Special Use Permit (SUP) conditions, the proposal is compatible with surrounding zoning and development.

2. The proposal is consistent with the Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."

3. This type of solar power facility is expected to have very limited impacts (noise, odor or visual).

FACTORS UNFAVORABLE

1. Citizens have expressed concerns with this proposal.

2. There will be some limited impacts to residential neighborhoods during the project's temporary construction period.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the attached conditions.

PLANNING COMMISSION RECOMMENDATION

At its April 5, 2017 meeting, the Planning Commission recommended approval of this application by a vote of 5-2, with changes to SUP Condition No. 5, Vehicular Access. The Planning Commission also approved, by a vote of 5-2, a resolution to find the proposal consistent with the Comprehensive Plan (per Section 15.2-2232 of the Code of Virginia).

Proposed Changes Made Since the Planning Commission Meeting

At its April 5, 2017 meeting, the Planning Commission recommended that SUP Condition No. 5 be modified to allow vehicular access to the proposed facility through Oslo Court and that the word "decommissioning" be included in the Condition. As revised per the Planning Commission recommendations, Condition No. 5 reads:

<u>Vehicular Access</u>. Vehicular access to and from the Facility and the Properties shall be through "Lot 3" currently owned by Whisper Ridge via Farmville Lane and Oslo Court during (1) construction, (2) operations when needed for oversize vehicles only, and (3) during decommissioning. All other vehicular access to and from the Facility and the Properties shall be through Farmville Lane, which connects with Norge Farm Lane through a private road located within a parcel identified as James City County Real Estate Tax Map Parcel No. 2320100052A and currently owned by Whisper Ridge.

This revised version of Condition No. 5 is included in the resolution listed as Attachment No. 2. Staff continues to support vehicular access to and from the facility via Farmville Lane only, as stated by the original SUP Condition No. 5 (Attachment No. 1).

Updates that have Occurred During the Previous Deferrals

On May 5, residents from the Norvalia Neighborhood held a community meeting to discuss the proposal and on June 28 the applicant held a neighborhood meeting to address concerns expressed by citizens regarding this proposal. Based on feedback received at these meetings, and in order to reduce the number of vehicle trips during the construction period, the applicant is proposing to use an off-site parking lot location to accommodate parking for workers during the construction period of the project.

According to SunPower, the construction period is typically completed within nine months. However, the peak volume of traffic and the number of construction workers visiting the site occurs between four and five months. During the peak construction period, it is expected that at any one time, there could be 60 to 80 workers on-site. SunPower has indicated that the proposed off-site parking area is expected to accommodate up to 80 vehicles for their workforce during the construction period. From the off-site parking lot location, workers would be transported to the construction site via a shuttle bus, thereby reducing the volume of construction related traffic created by private passenger vehicles. According to SunPower, after the construction period is over, the site will likely receive around four trips per day during normal operation.

Staff has created a new SUP condition to address the proposed off-site parking. SUP Condition No. 16 requires the applicant to submit a plan identifying the location of the off-site parking area and number of parking spaces needed. In order to ensure that construction workers' vehicles are not parking on the construction site, the condition limits the number of vehicles that may be parked on-site.

No other new conditions have been added to this application. Staff also notes that minor revisions to SUP Conditions No. 11 (Fencing),

No. 14 (Spill Prevention Plan), No. 15 (Decommissioning Plan) and No. 18 (Height Limitations) were made per the request of the applicant.

Staff notes that three new documents have been added to this application as attachments. Attachment No. 12, Construction Access and Traffic Management Plan. This document addresses issues such as accessibility to the site, construction traffic, and overall safety. This document has been submitted to VDOT for initial review and input. Attachment No. 13, "The Economic and Fiscal Contribution that the Norge Solar Project Will Make to James City County and Virginia" is a report detailing the economic (i.e., employment, salaries and wages, economic activity) and fiscal impact of the proposed solar facility to the County and Virginia as a whole. Attachment No. 14 is a compilation prepared by the applicant of responses to comments received from the Norvalia neighborhood community meeting.

In response to an earlier inquiry regarding maintenance of the proposed landscaped areas, staff notes that Section 24-87(f) of the Zoning Ordinance requires that all landscape materials be well maintained and replaced when necessary.

PLANNING AND ZONING HISTORY

• The Board of Supervisors denied Case No. Z-0009-1985 on June 10, 1995. The proposal was to rezone property located at 341 Farmville Lane from A-1, General Agricultural, to A-2, Limited Agricultural.

PROJECT DESCRIPTION

Mr. Drew Gibbons of SunPower Devco, LLC, has applied for an SUP to allow the construction and operation of a private electrical solar generation facility on properties located in Norge. Electrical

generation facilities (public or private), electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more is a specially permitted use in both A-1 and R-2 Zoning Districts.

The proposed facility will be located primarily on a parcel of approximately 216 acres with four adjacent smaller parcels making up the entire area subject to this SUP. The property is currently being used for agricultural purposes and is wooded with wetland systems along its eastern and western boundaries. The site has access to Richmond Road via Farmville Lane which runs through Norvalia and Norge Court subdivisions (located north of the site). There is an old farmhouse located at the center of the property. Norge Farm Lane is a private access road located within the largest of the parcels which provides access to the site and to the property located to the south (Hidden Acres Farms).

According to the applicant, once the solar electrical generation facility is operational, it will have capacity up to 20 megawatts; or the equivalent to supply \pm 4,000 households per year. This project is designed as a "utility-scale solar power" which means that the scope and size of its operation and output are relatively small and the electricity that it produces is sold to wholesale utility buyers, not enduse consumers.

The major components of the facility (shown and labeled on the Master Plan) are the ground-mounted arrays of photovoltaic (solar) panels. Each array is made of a number of panels and each panel is composed of a number of smaller "cells," which are the primary units that convert solar energy into electricity (Attachment No. 8). The arrays are approximately 13 feet in height (when positioned at the steepest angle), arranged in rows, spaced \pm 15 feet to 25 feet apart and mounted on single-axis trackers. Trackers are devices that automatically orient the arrays toward the direction of sun. The Master

Plan shows \pm 820 trackers with 82,000 panels in total (100 panels per tracker). However, this number may change should the project move toward a more specific and detailed design stage. In addition to the arrays, the project will include a small enclosed switchgear facility, inverters, transformers, buried electrical conduits, a storage shed and unpaved access roads (shown in orange on the Master Plan). No offsite substations or switching station are proposed as part of this project. Approximately 153 acres of land will be disturbed as part of this proposal.

If this project receives all the required local, state and federal approvals required to operate, it will be the first utility-scale solar power generation facility in James City County. Currently, there are a number of projects similar in size and solar/electric generation capacity in many areas of the Commonwealth, which are either under regulatory review process and/or under construction (e.g., solar facilities in Bedford, Buckingham, King George, King William and New Kent counties) or operational (e.g., solar facilities in Powhatan, Isle of Wight and Accomack counties).

Summary of Electrical Generation and Distribution

The solar-to-electricity conversion process is made possible by the presence of inverters. Inverters convert direct current (DC) voltage collected in the arrays to alternating current (AC) needed for electricity. The power is then conveyed underground to a medium voltage metal enclosed switchgear which will connect to Dominion Energy's distribution network through an existing electrical trunk line that runs adjacent to the eastern property line. The facility will only generate energy. The distribution of the electricity produced at the site will be the responsibility of Dominion Energy, as they own the overhead utilities. According to the applicant, SunPower's ownership and maintenance of the facility ends at the switchgear.

Summary of Regulatory and Approval Process

In addition to an SUP issued by the County, this project will require an agreement with Dominion Energy to interconnect into the electrical power distribution network. According to the applicant, SunPower submitted an interconnection request to Dominion Energy in March 2016 and expects to execute an interconnection agreement in early 2017. This project also requires issuance of a Renewable Energy "Permit by Rule" by the Virginia Department of Environmental Quality (DEQ). As part of this approval process, SunPower will provide an analysis of impacts to natural resources which will be reviewed by different state agencies, including the Department of Game and Inland Fisheries, the Department of Conservation and Recreation and the Department of Historic Resources (DHR). According to the applicant, SunPower has initiated the "Permit by Rule" process with an initial notice of intent filing and pre-application meeting with DEQ, but an application has not yet been formally submitted.

<u>Decommissioning Plan</u>

According to the applicant, the land for the project will be leased and the lease term of the land agreement is 35 years (the estimated operational life for this facility). After the project life cycle is over, or should the operation of the facility be terminated prior to its life cycle, SunPower will implement a decommissioning and restoration plan. The purpose of the plan (SUP Condition No. 15) is to ensure proper removal of all associated components of the project and restoration of the site to pre-existing conditions.

SURROUNDING ZONING AND DEVELOPMENT

- Surrounding zoning designations include:
 - a. Properties immediately north and east of this site are zoned R 2 (Kristiansand, Walnut Grove, Norvalia, Norge Court and Farmville Estates subdivisions).
 - b. Property to the south is zoned A-1 and undeveloped. Properties to the west are zoned A-1 and PUD, Planned Unit Development (Oakland and Village at Candle Station subdivisions).

COMPREHENSIVE PLAN

- 1. The 2035 Comprehensive Plan Land Use Map designates the properties subject to this SUP as Low Density Residential (LDR). Recommended uses in LDR areas include single-family residences, schools, places of public assembly and very limited commercial uses. The Comprehensive Plan does not specifically identify solar power, or utilities in general, in LDR or the other land use designation areas; therefore, staff has reviewed this application under the "very limited commercial uses" development standards listed in LDR (with staff's comments in *italics* below):
 - a. Complement the residential character of the area;

It is expected that the majority of the project's impacts to nearby residential neighborhoods will occur during the construction period of the facility (e.g., traffic, dust and noise). Staff drafted a condition (SUP Condition No. 13 Construction Management and Mitigation Plan) to address these impacts by:

- Limiting all piling driving activity on the site between the hours of 8 a.m. to 6 p.m.(Monday to Friday);
- Limiting clearing and grading on the site between the hours of 7 a.m. to 7 p.m. (Monday to Friday);
- Prohibiting delivery traffic to the site during pickup/drop-off times for surrounding schools; and
- Providing dust mitigation features such as water trucks, mulch or similar methods.

Once the construction period is finalized, the facility is expected to generate very limited impacts to the adjacent residential neighborhoods. A 50-foot vegetative buffer is proposed in order to screen the facility from residential areas, limiting visual impacts and not detracting from the residential character of the area.

b. Have traffic, noise, lighting and other impacts similar to surrounding residences;

Although the footprint of the entire facility encompasses an area of \pm 200 acres, its impacts to surrounding properties is expected to be very limited, as the solar arrays are not expected to generate noise, odor or glare from the sun. According to the applicant, "the noise generated by the solar equipment on site (trackers and inverters/transformers) at peak performance during the day will be no louder than a typical refrigerator, and should be inaudible at the property boundary." The panels do not emit odor or glare from the sun as they are not of a reflective nature (SUP Condition No. 20), and they will not raise temperatures in the surrounding area as they absorb the sun's energy and heat, which is converted

to electricity. The applicant is required to submit a pollution prevention plan as part of the overall Stormwater Pollution Prevention Plan. Additionally, SUP Condition No. 13 requires the applicant to provide a mitigation plan to address storage, transportation and disposal of any waste and/or hazardous materials. Traffic to and from the facility will be reduced substantially after the construction period is over.

c. Generally be located on collector or arterial roads at intersections;

The site is accessed via Farmville Lane which is neither a collector nor an arterial road. However, staff finds that once the construction period is over, the facility will generate vehicular trips similar to adjacent residential uses.

 d. Act as a transitional use between residential and commercial areas or, if located within a residential community, serve to complement the residential character of the area rather than altering its nature;

The site for the proposed facility is not located within a single residential community, but rather, next to existing neighborhoods such as Norvalia, Norge Court and Farmville Estates subdivisions and lands designated Rural Lands to the south and west.

e. Provide adequate screening and buffering to protect the character of nearby residential areas; and

Due to existing forested area along most of its property lines, the site is well buffered from most adjacent properties. In areas closer to residential lots with less existing buffer, SUP Condition No. 8 specifies that supplemental landscaping shall be provided. The applicant has provided drawings showing how the existing and proposed vegetative buffer will screen the facility (Attachment No. 10).

f. Generally intended to support the residential area in which they are located.

The proposed facility will generate electricity that will be distributed by Dominion Energy to its general customer base rather than servicing one specific area.

On balance, staff finds that this proposal meets the criteria for very limited commercial uses, and based on its limited impacts, staff finds that this proposal is consistent with the Comprehensive Plan.

In November 2016, staff visited a solar electrical generation facility (Woodland Solar Center) located in Isle of Wight County, Virginia, and found similar conditions on the site (no odor or noise) as described by the applicant.

- 2. Surrounding Comprehensive Plan designations include:
 - a. Properties immediately north and east are designated as Low Density Residential.
 - b. Properties to the south and west are designated as Rural Lands.

PUBLIC IMPACTS

- 1. Anticipated Impact on Public Facilities and Services:
 - a. *Streets*. Access to this property from Richmond Road is through Farmville Lane located between Norvalia and Norge

Court Subdivisions. Farmville Lane is a 50-foot-wide state maintained right-of-way and it terminates at the southernmost section of Norvalia. From that point on, there is an unpaved and unimproved access road (located inside a property owned by Whisper Ridge, LLC) which provides vehicular access to properties in the back of the neighborhood and to the site.

The applicant has indicated that the current configuration and width of the existing access road is not sufficient to accommodate tractor trailer truck deliveries to the site and would likely require the acquisition of additional land for right-of-way and/or a construction access easement in this location, potentially impacting the lots located at the corner of the access road. The applicant has indicated a preference to access the site through Oslo Court (Attachment No. 9) which comes off Farmville Lane and from there, through a 50-footwide vacant parcel (owned by Whisper Ridge, LLC) flanked by two single-family homes located at 140 and 142 Oslo Court.

Staff finds that the access through the 50-foot vacant parcel off Oslo Lane has a greater impact due to its very close proximity to single-family home yards and also because it brings traffic further into the neighborhood. The Virginia Department of Transportation (VDOT) staff has reviewed this application and has recommended approval. Regarding the access route, VDOT staff has indicated a slight preference for the Farmville Lane access. SUP Condition No. 5 requires vehicular access to and from the site through Farmville Lane. The applicant has recently proposed that vehicular access to and from the facility during the construction period be made via Oslo Court and the 50-foot-wide parcel (also during the operation of the facility if larger vehicles are needed). Vehicular access to and from the facility during operations

(typically smaller vehicles) will be restricted to Farmville Lane

At its April 5, 2017 meeting, the Planning Commission recommended that SUP Condition No. 5 be revised to allow vehicular access as proposed by the applicant, and the addition of the word "decommissioning" (Attachment No. 2).

Staff continues to support vehicular access to and from the facility via Farmville Lane only, as stated by the original SUP Condition No. 5 (Attachment No. 1).

Staff notes that the applicant has indicated a willingness to work with staff to best define appropriate construction delivery times in an effort to avoid conflicts with school buses on the surrounding residential streets during peak pick-up and drop-off times. SUP Condition No. 13 requires the applicant to provide a Construction Management Plan which includes limitations to construction delivery times

The applicant will be required to apply for a Construction Entrance Permit off Farmville Lane. As part of this process, VDOT will conduct an existing conditions assessment of the roadway and prepare an estimated cost for the removal and restoration of the roadway in the vicinity of the construction entrance area. SunPower will be required to post a Surety Bond to cover the cost of potential repairs to the roadway in and around the construction entrance area. Additionally, SUP Condition No. 4 requires SunPower to submit a Construction Traffic Mitigation Plan for review and approval, identifying all necessary repairs to public roads internal to Norvalia and Norge Court required as a result of any damage from the construction traffic.

Norge Farm Lane is a road located within property at 341 Farmville Lane providing vehicular access to and from the site and to abutting property to the south (Hidden Acres Farm). According to the applicant, SunPower will utilize Norge Farm Lane for vehicular construction access. County records show this road located within an easement; however, upon research, staff found no evidence of a deed specifying the dimension and the rights of use. The applicant has indicated that Norge Farm Lane will remain open and will continue to provide access to Hidden Acres Farm's property.

- b. Schools/Fire/Utilities. No impacts anticipated. According to the applicant, the proposed facility will not require water or sewer service during construction or during regular operation. The solar panels will likely require cleaning twice a year and will use a relatively small amount of water which can be transported on the site via truck. As for Fire and other emergency services, SUP Condition No. 12 requires that the applicant prepare and maintain an Emergency Management Plan for the facility.
- c. Environmental/Cultural/Historic. This project is located in the Yarmouth Creek watershed. On October 14, 2003, the James City County Board of Supervisors adopted goals and priorities associated with the Yarmouth Creek Watershed Plan. Specific items of the plan which applies to this application include special stormwater criteria and stream restoration sites on both the east and west portions of the project site. Clearing of vegetation and all proposed structures associated with this project, such as the solar arrays, fencing and sheds, will be located outside resource protection areas (RPAs) and areas of 25% slopes near the RPA buffers. At the site plan stages the applicant shall submit a Stormwater Management Plan addressing both water quality and quantity

and a comprehensive erosion control and stormwater analysis report. Engineering and Resource Protection has reviewed this application and recommends approval.

In order to protect the site's prime farmland soils over the life of the facility (± 35 years per lease), the applicant will be required to develop a Nutrient Management Plan (SUP Condition No. 3) addressing the establishment and maintenance of different types of vegetative cover to protect the long-term soil health for potential future farming purposes.

The area subject to this SUP is located within a "moderate sensitivity area" as shown on the Archaeological Sensitive Areas map on the Comprehensive Plan. The applicant will comply with the County's Archaeological Policy and submit a Phase I Cultural Resource Investigation for review and approval. Staff notes that as part of the Renewable Energy "Permit by Rule" the applicant will perform historical and archaeological studies on the property which will be reviewed by the DHR.

The Lightfoot and Yarmouth Creek Conservation sites are located within a two-mile radius of the project area. These are areas of high biodiversity significance; resources of concern at these sites include the small whorled pogonia. SUP Condition No. 7 requires the applicant to comply with the County's adopted Natural Resource Policy.

d. *Nearby and Surrounding Properties*. The attached SUP Conditions are proposed to mitigate impacts to nearby and surrounding properties, specifically impacts associated with visual screening and construction activity.

PROPOSED CONDITIONS

• The full text of the proposed conditions is provided in the attached resolution.

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding zoning and development and that it is consistent with the Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way." Staff recommends the Board of Supervisors approve this application subject to the attached conditions found in Attachment No. 1.

JR/gt

SUP28-16SolarFac2

Attachments:

- 1. Resolution with Staff Recommended Conditions
- 2. Resolution with Planning Commission Recommended Changes to Condition No. 5
- 3. Location Map
- 4. Master Plan
- 5. Minutes from April 5, 2017, Planning Commission meeting
- 6. Adopted Resolution for Consistency with Section 15.2-2232
- 7. Community Impact Statement
- 8. Exhibit Showing the Elements of a Ground-Mounted Array of Solar Panel
- 9. Exhibit Showing Staff and the Applicant's Preferred Access to Facility
- 10. Buffer Visual Simulations Prepared by Kimley-Horn
- 11. Citizen Comments During the March 1, 2017, Planning Commission Meeting

New Attachments:

- 12. Construction Access and Traffic Management Plan
- 13. The Economic and Fiscal Contribution that the Norge Solar Project Will Make to James City County
- 14. Applicant's Responses to Comments Received from Community Meeting

RESOLUTION

CASE NO. SUP-0028-2016. SOLAR ELECTRICAL GENERATION FACILTY AT NORGE

- WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, Whisper Ridge, LLC (the "Owner") owns properties located at 320, 339, 341 and 345 Farmville Lane, further identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052 and 2320100055, respectively and an area legally described and identified as a "0.21 acre parcel, approximately 200 feet long by 50 feet wide, located off Oslo Court in Norge, situated between 140 Oslo Court and 142 Oslo Court" (collectively, the "Properties"). The Properties are zoned A-1, General Agricultural and R-2, General Residential; and
- WHEREAS, Mr. Drew Gibbons of SunPower Devco, LLC, on behalf of the Owner, has applied for an SUP to allow for the construction of a solar electrical generation facility on the Properties as shown on a plan titled "Norge Solar Master Plan" dated March 7, 2017, and;
- WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0028-2016; and
- WHEREAS, the Planning Commission, following its public hearing on April 5, 2017, recommended approval of this application by a vote of 5-2. At the same meeting, the Planning Commission approved a Resolution, finding the proposal consistent with the Comprehensive Plan by a vote of 5-2.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-0028-2016, as described herein with the following conditions:
 - 1. Master Plan. This Special Use Permit ("SUP") shall be valid for the construction and operation of a photovoltaic solar electrical generation facility with a capacity of up to 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more (the "Facility"). The Facility shall be located at 320, 339, 341, and 345 Farmville Lane, which are identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052 and 2320100055, respectively, and an area legally described and identified as a "0.21 acre parcel, approximately 200 feet long by 50 feet wide, located off Oslo Court in Norge situated between 140 Oslo Court and 142 Oslo Court" (all together, the "Properties"). The Facility shall be in accordance with the "Norge Solar Master Plan" prepared by Kimley-Horn and dated March 7, 2017, (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
 - 2. <u>Boundary Line Extinguishment</u>. Prior to final approval of any site plan, a subdivision plat that extinguishes the lot lines separating properties located at 339, 341 and 345 Farmville Lane shall be recorded.

- 3. Nutrient Management Plan. A nutrient management plan (NMP) shall be prepared by a certified nutrient management planner for all of the area within the defined limits of work (disturbance) for the Properties. The purpose of the NMP is to provide for long-term establishment and maintenance of turf grass, pasture, rangeland or other similar type vegetative cover which preserve the long-term soil health for potential future farming purposes. The NMP shall have a component which specifically identifies, maintains and protects designated Prime Farmland soil mapping units consistent with the Soil Survey of James City County and the City of Williamsburg Virginia (April 1985) and the County's Comprehensive Plan. The NMP shall be submitted for review and approval by the County's Director of Stormwater and Resource Protection prior to approval of any final site plan for the Facility. Upon approval of the NMP, the Facility operator shall be responsible for ensuring that any nutrient applied in the area within the defined limits of work is in strict accordance with the NMP.
- 4. Construction Traffic Mitigation Plan. A Construction Traffic Mitigation Plan (CTMP), shall be submitted to the Virginia Department of Transportation (VDOT) and the County Director of Planning, or his designee, for review and approval prior to the issuance of a land disturbing permit for the Facility. The CTMP shall identify all existing conditions and provide a plan to address all necessary repairs to public roads internal to the Norvalia and/or Norge Court subdivision required as a result of damage from construction traffic and provide a timeline for completion of repairs. All road repairs as identified by the approved CTMP as determined by VDOT shall be completed within six months of the Facility commencing operations.
- 5. <u>Vehicular Access</u>. Vehicular access to and from the Facility and the Properties shall only be through Farmville Lane which connects with Norge Farm Lane through a private road located within a parcel identified as James City County Real Estate Tax Map Parcel No. 2320100052A and currently owned by the Owner.
- 6. Archaeology, A Phase I Archaeological Study for the Properties shall be submitted to the Director of Planning for review and approval prior to issuance of a land disturbing permit for the Facility. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the Properties and the clearing, grading

- or construction activities thereon. This condition shall be interpreted in accordance with the County's Archaeological Policy adopted by the County on September 22, 1998.
- 7. Natural Heritage Resource. A natural resource inventory of suitable habitats for S1, S2, S3, G1, G2 or G3 resources on the Properties in the area of the Facility shall be submitted to the Director of Planning for review and approval prior to issuance of a land disturbing permit. If the inventory confirms that a natural heritage resource either exists or could be supported by a portion of the Properties where the Facility is located, a Conservation Management Plan shall be submitted to and approved by the Director of Planning for the affected area. All inventories and conservation management plans shall meet the standards of the Virginia Department of Conservation and Recreation's Division of Natural Heritage ("DCR/DNH") for preparing such plans, and shall be conducted under the supervision of a qualified biologist as determined by the DCR/DNH or the United States Fish and Wildlife Service. All approved conservation management plans shall be incorporated into the plan of development for the Properties, and the clearing, grading or construction activated thereon, to the maximum extent possible. Upon approval by the Director of Planning, a Mitigation Plan may be submitted for the incorporation of the Conservation Management Plan into the plan of development for the Properties.
- 8. <u>Vegetated Buffer</u>. Prior to final approval of any site plan, the Director of Planning or his designee shall review and approve a landscape plan for the Facility. The landscape plan shall provide a 50-foot vegetated buffer along the perimeter of the Properties. The perimeter buffer shall be provided by one of the three treatment options listed below:
 - In areas of the 50-foot perimeter buffer that are currently comprised of mature forest, as determined by the Director of Planning or his designee, the buffer shall be left undisturbed in its natural state.
 - In areas of the 50-foot perimeter buffer that are not completely comprised of mature forest, as determined by the Director of Planning or his designee, supplementation with evergreen shrubs and trees shall be required.
 - In areas of the 50-foot perimeter buffer where little or no vegetation exists, as determined by the Director of Planning or his designee, the buffer shall be landscaped to the provisions of Section 24-96 of the Zoning Ordinance for General Landscape Areas except that the required evergreen tree and shrub mixture shall be increased from 35% to at least 50%.
- 9. <u>Lighting</u>. Prior to final approval of any site plan, the Director of Planning, or his designee, shall review and approve a lighting plan for the Facility. Any exterior site or building lighting shall be shielded and directed downward. No glare, defined as 0.1 foot-candle or higher, shall extend outside the boundaries of the Properties. Lights shall be operated by a motion detector or be able to be turned on as needed by the Facility operator and shall not be routinely illuminated at night. All light poles shall not exceed 16 feet in height unless otherwise approved by the Director of Planning prior to final site plan approval.
- 10. <u>Signage</u>. Unless otherwise exempt by Section 24-74 of the Zoning Ordinance, no outdoor signage shall be permitted on the Properties.

- 11. <u>Fencing</u>. Prior to final approval of any site plan, the Director of Planning or his designee shall review and approve a detail of any proposed fencing for the Facility. The fence shall be black, or other neutral color, and shall not exceed a height of 8 feet above finished grade. The fence shall not contain barbed wire unless it is required by federal or state regulations.
- 12. <u>Emergency Management Plan</u>. The Facility operator shall prepare and maintain an Emergency Management Plan (EMP) to address situations that may require response from James City County public safety personnel, including, without limitation, fire safety and emergency response personnel. The EMP shall:
 - Be developed in conjunction with and approved by the County Fire Chief and County Police Chief or their designees prior to final approval of any site plan.
 - Provide a mutually agreed upon schedule for the Facility operator to provide information sessions and training for James City County public safety personnel relative to possible emergency response situations at the Facility.
 - Provide pertinent contact numbers for the Facility operator emergency personnel.
 - Provide that all emergency contact information will be posted on access gates.
- 13. <u>Construction Management and Mitigation Plan</u>. Prior to final approval of any site plan, the Facility operator shall provide a Construction Management and Mitigation Plan (CMMP) for review and approval of the Director of Planning or his designee. The CMMP shall include those items listed below:
 - a. Construction Management:
 - Designated parking areas.
 - All piling driving activity on the Properties be limited to the hours of 8 a.m. to 6 p.m., Monday through Friday.
 - Other construction activities, including clearing and grading of the Properties shall be limited to the hours of 7 a.m. to 7 p.m., Monday through Friday.
 - Construction delivery traffic to the Properties shall not be allowed during pick-up/drop-off times for surrounding schools.
 - Storage, transportation and disposal of any waste and/or hazardous materials.
 - b. Construction Mitigation:
 - Dust mitigation, such as water trucks, mulch or similar methods.
 - Smoke and burn mitigation, such as containments or similar methods.

- 14. <u>Spill Prevention Control and Countermeasure Plan</u>. Prior to issuance of a land disturbing permit the Facility Operator shall submit a Spill Prevention Control and Countermeasure (SPCC) Plan for the Facility to the Director of Stormwater and Resource Protection, or his designee, for review and approval. The SPCC shall outline measures and procedures necessary for the operation of the Facility until decommission.
- 15. <u>Decommissioning and Restoration Plan</u>. Prior to final approval of any site plan a Decommissioning and Restoration Plan (DRP) shall be submitted to the Director of Planning, or his designee, for review and approval. The DRP shall outline the required steps for removal of above- and below-ground Facility components, disposal of and/or recycle of wastes and materials and the restoration of the Properties to pre-construction conditions. The DRP shall address abandonment of operations and the possible failure of the Facility operator to comply with the decommissioning process and provide an estimated cost associated with the decommissioning and restoration activities. To ensure sufficient funds are available to the County to conduct the DRP should the owner fail to perform its obligation under this condition, a surety shall be posted with James City County in a form acceptable to the County Attorney, in an amount sufficient for the removal and disposal of all the power generating equipment, inverters, fencing, wiring and any other ancillary materials and equipment associated with the Facility.
- 16. Off-Site Parking. Prior to final approval of a site plan, an Off-Site Parking Plan (OPP) shall be submitted to the Director of Planning, or his designee, for review and approval. The off-site parking area shall be used by construction workers who shall be transported to the Properties via a shuttle van and/or bus. The OPP shall conform to all Zoning Ordinance requirements and shall identify elements such as, but not limited to, the number of off-site parking spaces provided and the location of the off-site parking area. In order to reduce the amount of construction related traffic during the construction period at Norvalia neighborhood and to ensure that construction workers are parking their vehicles at the off-site parking area, no more than 20 vehicles may be parked on the construction site at any time except for trucks, as defined by the Zoning Ordinance, and delivery vehicles. No on street parking shall be allowed.
- 17. <u>Commencement</u>. The Facility shall be operational within 48 months from the issuance of this SUP, or this SUP shall become void. The Facility operator shall submit a certified letter to the Director of Planning to confirm the operational status of the Facility.
- 18. <u>Height Limitation</u>. With the exception of distribution poles and overhead wiring, as permitted by the Zoning Ordinance, the maximum height of all structures in the Facility, including the photovoltaic solar panel mounts shall not exceed 16 feet above finished grade.
- 19. <u>Underground Wires</u>. All electrical wiring used in the Facility shall be located underground except where wiring is necessary to connect the Facility to the exiting overhead utility lines.

- 20. <u>Glare</u>. All photovoltaic solar panels shall be made of or coated with anti-reflective materials to prevent glare.
- 21. <u>Severance Clause</u>. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

	Kevin D. Oniz	zuk				
	Chairman, Board of Supervisors					
	VOTES					
ATTEST:		AYE	NAY	ABSTAIN		
	MCGLENNON					
	SADLER					
	—— HIPPLE					
Bryan J. Hill	LARSON					
Clerk to the Board	ONIZUK					
Adopted by the Board October, 2017.	d of Supervisors of James City Cou	ınty, Virg	ginia, this	s 10th day of		

SUP28-16SolarFac-res1

RESOLUTION

CASE NO. SUP-0028-2016. SOLAR ELECTRICAL GENERATION FACILTY AT NORGE

- WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, Whisper Ridge, LLC (the "Owner") owns properties located at 320, 339, 341 and 345 Farmville Lane, further identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052 and 2320100055, respectively and an area legally described and identified as a "0.21 acre parcel, approximately 200 feet long by 50 feet wide, located off Oslo Court in Norge, situated between 140 Oslo Court and 142 Oslo Court" (collectively, the "Properties"). The Properties are zoned A-1, General Agricultural and R-2, General Residential; and
- WHEREAS, Mr. Drew Gibbons of SunPower Devco, LLC, on behalf of the Owner, has applied for an SUP to allow for the construction of a solar electrical generation facility on the Properties as shown on a plan titled "Norge Solar Master Plan" dated March 7, 2017, and;
- WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0028-2016; and
- WHEREAS, the Planning Commission, following its public hearing on April 5, 2017, recommended approval of this application by a vote of 5-2. At the same meeting, the Planning Commission approved a Resolution, finding the proposal consistent with the Comprehensive Plan by a vote of 5-2.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-0028-2016, as described herein with the following conditions:
 - 1. Master Plan. This Special Use Permit ("SUP") shall be valid for the construction and operation of a photovoltaic solar electrical generation facility with a capacity of up to 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more (the "Facility"). The Facility shall be located at 320, 339, 341 and 345 Farmville Lane, which are identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052 and 2320100055, respectively, and an area legally described and identified as a "0.21 acre parcel, approximately 200 feet long by 50 feet wide, located off Oslo Court in Norge situated between 140 Oslo Court and 142 Oslo Court" (all together, the "Properties"). The Facility shall be in accordance with the "Norge Solar Master Plan" prepared by Kimley-Horn, and dated March 7, 2017, (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
 - 2. <u>Boundary Line Extinguishment</u>. Prior to final approval of any site plan, a subdivision plat that extinguishes the lot lines separating properties located at 339, 341, and 345 Farmville Lane shall be recorded.

- 3. Nutrient Management Plan. A nutrient management plan (NMP) shall be prepared by a certified nutrient management planner for all of the area within the defined limits of work (disturbance) for the Properties. The purpose of the NMP is to provide for long-term establishment and maintenance of turf grass, pasture, rangeland or other similar type vegetative cover which preserve the long-term soil health for potential future farming purposes. The NMP shall have a component which specifically identifies, maintains and protects designated Prime Farmland soil mapping units consistent with the Soil Survey of James City County and the City of Williamsburg, Virginia (April 1985) and the County's Comprehensive Plan. The NMP shall be submitted for review and approval by the County's Director of Stormwater and Resource Protection prior to approval of any final site plan for the Facility. Upon approval of the NMP, the Facility operator shall be responsible for ensuring that any nutrient applied in the area within the defined limits of work is in strict accordance with the NMP.
- 4. Construction Traffic Mitigation Plan. A Construction Traffic Mitigation Plan (CTMP), shall be submitted to the Virginia Department of Transportation (VDOT) and the County Director of Planning, or his designee, for review and approval prior to the issuance of a land disturbing permit for the Facility. The CTMP shall identify all existing conditions and provide a plan to address all necessary repairs to public roads internal to the Norvalia and/or Norge Court subdivision required as a result of damage from construction traffic and provide a timeline for completion of repairs. All road repairs as identified by the approved CTMP as determined by VDOT shall be completed within six months of the Facility commencing operations.
- 5. Vehicular Access. Vehicular access to and from the Facility and the Properties shall be through "Lot 3" currently owned by the Owner via Farmville Lane and Oslo Court during (1) construction, (2) operations when needed for oversize vehicles only, and (3) during decommissioning. All other vehicular access to and from the Facility and the Properties shall be through Farmville Lane, which connects with Norge Farm Lane through a private road located within a parcel identified as James City County Real Estate Tax Map Parcel No. 2320100052A and currently owned by the Owner.
- 6. Archaeology. A Phase I Archaeological Study for the Properties shall be submitted to the Director of Planning for review and approval prior to issuance of a land disturbing permit for the Facility. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the

Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the Properties and the clearing, grading or construction activities thereon. This condition shall be interpreted in accordance with the County's Archaeological Policy adopted by the County on September 22, 1998.

- 7. Natural Heritage Resource. A natural resource inventory of suitable habitats for S1, S2, S3, G1, G2 or G3 resources on the Properties in the area of the Facility shall be submitted to the Director of Planning for review and approval prior to issuance of a land disturbing permit. If the inventory confirms that a natural heritage resource either exists or could be supported by a portion of the Properties where the Facility is located, a Conservation Management Plan shall be submitted to and approved by the Director of Planning for the affected area. All inventories and conservation management plans shall meet the standards of the Virginia Department of Conservation and Recreation's Division of Natural Heritage ("DCR/DNH") for preparing such plans, and shall be conducted under the supervision of a qualified biologist as determined by the DCR/DNH or the United States Fish and Wildlife Service. All approved conservation management plans shall be incorporated into the plan of development for the Properties, and the clearing, grading or construction activated thereon, to the maximum extent possible. Upon approval by the Director of Planning, a Mitigation Plan may be submitted for the incorporation of the Conservation Management Plan into the plan of development for the Properties.
- 8. <u>Vegetated Buffer</u>. Prior to final approval of any site plan, the Director of Planning or his designee shall review and approve a landscape plan for the Facility. The landscape plan shall provide a 50-foot vegetated buffer along the perimeter of the Properties. The perimeter buffer shall be provided by one of the three treatment options listed below:
 - In areas of the 50-foot perimeter buffer that are currently comprised of mature forest, as determined by the Director of Planning or his designee, the buffer shall be left undisturbed in its natural state.
 - In areas of the 50-foot perimeter buffer that are not completely comprised of mature forest, as determined by the Director of Planning or his designee, supplementation with evergreen shrubs and trees shall be required.
 - In areas of the 50-foot perimeter buffer where little or no vegetation exists, as determined by the Director of Planning or his designee, the buffer shall be landscaped to the provisions of Section 24-96 of the Zoning Ordinance for General Landscape Areas except that the required evergreen tree and shrub mixture shall be increased from 35% to at least 50%.
- 9. <u>Lighting</u>. Prior to final approval of any site plan, the Director of Planning, or his designee, shall review and approve a lighting plan for the Facility. Any exterior site or building lighting shall be shielded and directed downward. No glare, defined as 0.1 foot-candle or higher, shall extend outside the boundaries of the Properties. Lights shall be operated by a motion detector or be able to be turned on as needed by the Facility operator and shall not be routinely illuminated at night. All light poles shall not exceed 16 feet in height unless otherwise approved by the Director of Planning prior to final site plan approval.

- 10. <u>Signage</u>. Unless otherwise exempt by Section 24-74 of the Zoning Ordinance, no outdoor signage shall be permitted on the Properties.
- 11. <u>Fencing</u>. Prior to final approval of any site plan, the Director of Planning or his designee shall review and approve a detail of any proposed fencing for the Facility. The fence shall be black, or other neutral color, and shall not exceed a height of 8 feet above finished grade. The fence shall not contain barbed wire unless it is required by federal or state regulations.
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 - Be developed in conjunction with and approved by the County Fire Chief and County Police Chief or their designees prior to final approval of any site plan.
 - Provide a mutually agreed upon schedule for the Facility operator to provide information sessions and training for James City County public safety personnel relative to possible emergency response situations at the Facility.
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 - Other construction activities, including clearing and grading of the Properties shall be limited to the hours of 7 a.m. to 7 p.m., Monday through Friday.
 - Construction delivery traffic to the Properties shall not be allowed during pick-up/drop-off times for surrounding schools.
 - Storage, transportation and disposal of any waste and/or hazardous materials.
 - b. Construction Mitigation:
 - Dust mitigation, such as water trucks, mulch or similar methods.
 - Smoke and burn mitigation, such as containments or similar methods.

- 14. <u>Spill Prevention Control and Countermeasure Plan</u>. Prior to issuance of a land disturbing permit the Facility Operator shall submit a Spill Prevention Control and Countermeasure (SPCC) Plan for the Facility to the County Director of Stormwater and Resource Protection, or his designee, for review and approval. The SPCC shall outline measures and procedures necessary for the operation of the Facility until decommission.
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- 17. <u>Commencement</u>. The Facility shall be operational within 48 months from the issuance of this SUP, or this SUP shall become void. The Facility operator shall submit a certified letter to the County Director of Planning to confirm the operational status of the Facility.
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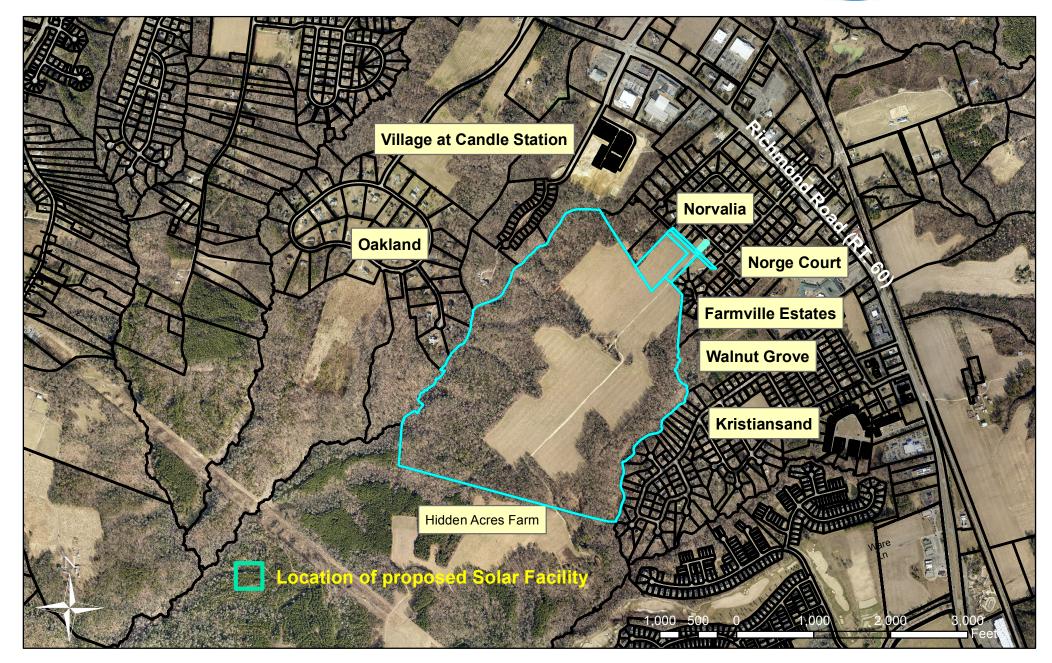
21. <u>Severance Clause</u>. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

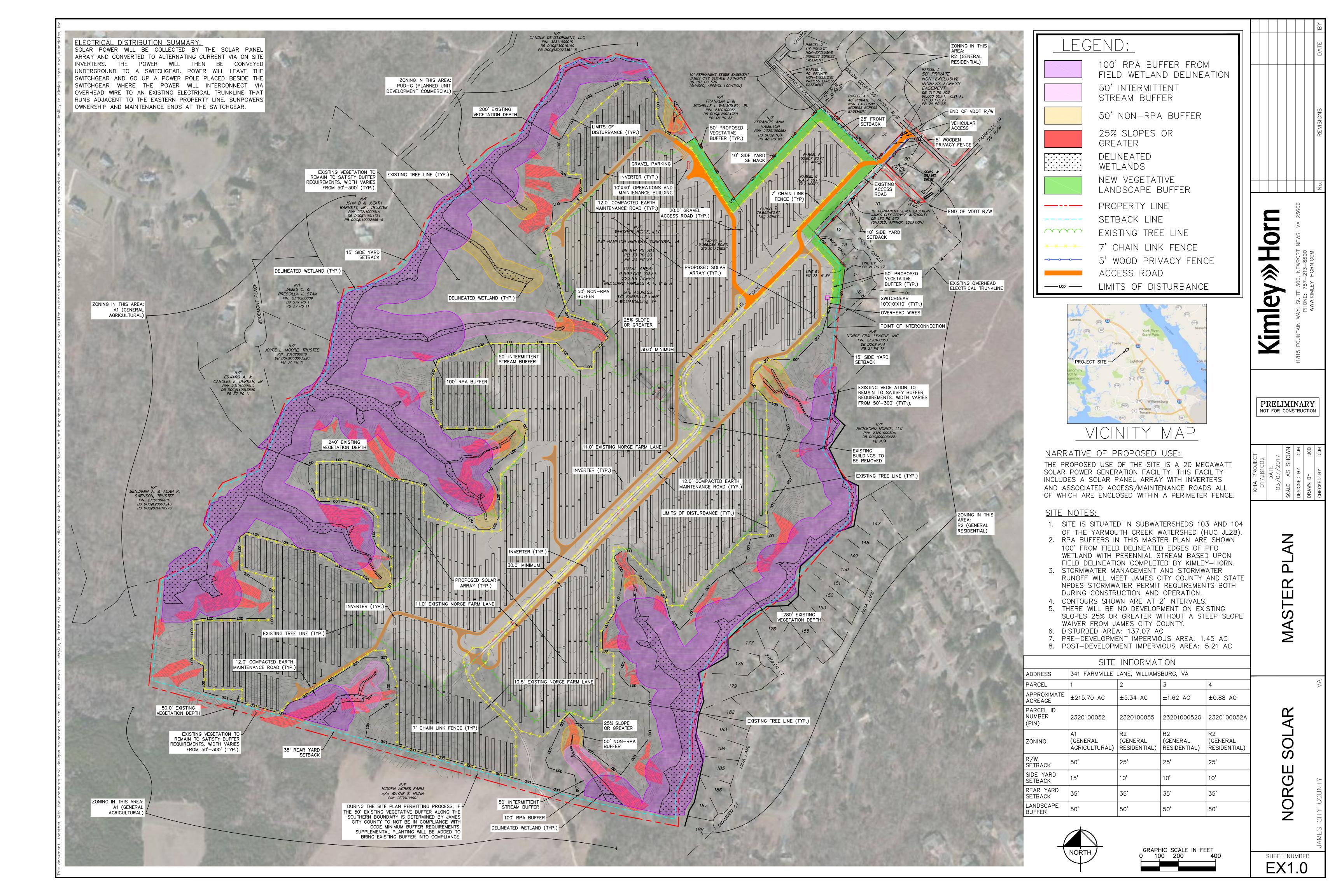
	Kevin D. Onizuk					
	Chairman, Boa	ard of Su	pervisors			
	VOTES					
ATTEST:		AYE	<u>NAY</u>	ABSTAIN		
	MCGLENNON					
	SADLER					
	HIPPLE					
Bryan J. Hill	LARSON					
Clerk to the Board	ONIZUK					
Adopted by the Boar	d of Supervisors of James City Cou	inty, Virg	ginia, this	s 10th day or		
October, 2017.				•		

SUP28-16SolarFac-res2

JCC-SUP-0028-2016 Solar Electrical Generation Facility at Norge Industry 1607







M I N U T E S JAMES CITY COUNTY PLANNING COMMISSION REGULAR MEETING

County Government Center Board Room 101 Mounts Bay Road, Williamsburg VA 23185 April 5, 2017 7:00 PM

A. CALL TO ORDER

Mr. Rich Krapf called the meeting to order at 7:00 p.m.

B. ROLL CALL

Planning Commissioners
Present:
Rich Krapf
Tim O'Connor
Robin Bledsoe
John Wright
Heath Richardson

Remote Participation: Danny Schmidt

Staff Present:

Jack Haldeman

Paul Holt, Director of Community Development and Planning Maxwell Hlavin, Assistant County Attorney Tammy Rosario, Principal Planner Ellen Cook, Principal Planner José Ribeiro, Senior Planner II

Mr. Holt stated that Mr. Danny Schmidt is out of town attending to personal business and has requested to participate remotely from Charlotte Amalie. Mr. Holt stated that pursuant to the Commission's adopted policy and consistent with State Code, members present must consider the request for remote participation by a majority vote.

Mr. Tim O'Connor made a motion to allow Mr. Schmidt to participate remotely.

On a voice vote the Commission voted to allow Mr. Schmidt to participate remotely (6-0).

Mr. Schmidt joined the meeting by telephone.

C. PUBLIC COMMENT

Mr. Krapf opened Public Comment.

As no one wished to speak, Mr. Krapf closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Heath Richardson stated that there was no report for the Development Review Committee (DRC) as no meeting was held.

Mr. Krapf stated that the Policy Committee met on March 9, 2017 to begin the process of reviewing Zoning Ordinance amendments to address group homes. Mr. Krapf stated that the amendments are needed to bring the County's Zoning Ordinance into accord with the Code of Virginia and the Federal Fair Housing Act. Mr. Krapf further stated the Committee discussed the definition of family, the definition of group home and zoning districts where group homes would be permitted and specially permitted along with possible performance standards. Mr. Krapf stated that staff will conduct additional research on these items and return to the Committee at a future date.

Mr. Krapf stated that he had promised to report on the Committee assignments for the upcoming year.

Mr. Krapf stated that the Policy Committee would be chaired by Robin Bledsoe and that he, Jack Haldeman, Heath Richardson and Danny Schmidt would also serve on the Policy Committee.

Mr. Krapf stated that the DRC would be chaired by Danny Schmidt and that he, Tim O'Connor and John Wright would also serve on the DRC.

Mr. Krapf stated that the applicant for Case No. Z-0001-2017, SUP-0001-2017, MP-0001-2017. Williamsburg Landing, Marclay Road has requested a deferral. Mr. Krapf stated that, out of consideration for anyone wishing to speak regarding the application, it has been suggested to move that case to first on the Public Hearing Agenda.

Mr. John Wright made a motion to approve the change to the Public Hearing Agenda.

On a voice vote, the Commission voted to move Case No. Z-0001-2017, SUP-0001-2017, MP-0001-2017. Williamsburg Landing, Marclay Road to first on the Public Hearing Agenda (7-0).

E. CONSENT AGENDA

- 1. Minutes Adoption March 1, 2017 Regular Meeting
- 2. SP-0011-2017/S-0004-2017. Stonehouse Tract 3 Parcels A & B

Mr. Wright made a motion to approve the Consent Agenda.

On a voice vote, the Commission voted to approve the Consent Agenda (7-0).

F. PUBLIC HEARINGS

Z-0001-2017, SUP-0001-2017, MP-0001-2017. Williamsburg Landing, Marclay Road
 Mr. Holt stated that the applicant has requested a one month postponement. Mr. Holt

stated that the case has been advertised and that the Public Hearing will need to be opened. Mr. Holt stated that staff concurs with the request and recommends that the Commission defer the application to its May 3, 2017 meeting.

Mr. Krapf opened the Public Hearing.

Ms. Robin Bledsoe made a motion to postpone the matter to the May 3, 2017 meeting.

On a voice vote the Commission voted to postpone Case No. Z-0001-2017, SUP-0001-2017, MP-0001-2017. Williamsburg Landing, Marclay Road to its May 3, 2017 meeting (7-0).

As no one wished to speak at this meeting, Mr. Krapf continued the Public Hearing to May 3, 2017.

2. SUP-0028-2016. Solar Electrical Generation Facility at Norge

Mr. José Ribeiro presented a report to the Commission on the request for a Special Use Permit (SUP) to operate a private electrical solar generation facility on properties located in Norge. Mr. Ribeiro stated that the proposed facility will be located primarily on a parcel of approximately 216 acres with four adjacent smaller parcels making up for the entire area subject to this SUP. Mr. Ribeiro stated that the property is currently being used for agricultural purposes and is wooded with wetland systems along its eastern and western boundaries. Mr. Ribeiro stated that the site has access to Richmond Road via Farmville Lane which runs through Norvalia and Norge Court subdivisions. Mr. Ribeiro stated that surrounding neighborhoods include Kristiansand, Walnut Grove, Farmville Estates, Oakland and the Village at Candle Station.

Mr. Ribeiro stated that the major components of the facility are the ground-mounted arrays of photovoltaic panels that convert solar energy into electricity Mr. Ribeiro stated that the arrays are approximately 13 feet in height when positioned at the steepest angle and are arranged in rows, spaced \pm 15 feet to 25 feet apart and mounted on single-axis trackers. Mr. Ribeiro stated that the master plan shows \pm 820 trackers with 82,000 panels in total. Mr. Ribeiro stated that in addition to the arrays, the project will include a small enclosed switchgear facility, inverters, transformers, buried electrical conduits, a storage shed and unpaved access roads. No off-site substations or switching station are proposed as part of this project. Mr. Ribeiro stated that once the facility is operational, it will have the ability to generate up to 20 megawatts or the equivalent to supply 4,000 households per year.

Mr. Ribeiro stated that there are few anticipated impacts associated with this type of facility. Mr. Ribeiro noted that most of the impacts would occur during construction and would be associated with vehicles necessary to deliver materials to the site and traffic generated by workers traveling to and from the site. Mr. Ribeiro stated that SUP conditions have been designed to mitigate impacts during the construction period such as limiting the hours of construction activities and requiring the applicant to repair any damages to roads as a result of construction. Mr. Ribeiro further stated that once construction is complete and the facility is operational, the impacts would be limited. Mr. Ribeiro stated that traffic would be limited to approximately four trips per day, noise would be minimal and that the panels do not emit any odor or glare. Mr. Ribeiro stated that the site is naturally buffered from adjacent properties and that SUP

conditions addressing landscaping, fencing and lighting were designed to further mitigate impacts.

Mr. Ribeiro stated that the property is designated Low Density Residential (LDR) on the Comprehensive Plan Land Use Map. Mr. Ribeiro stated that the Comprehensive Plan does not specifically address solar power, or utilities in general, in LDR or the other Land Use Designation areas; therefore, staff has reviewed this application under the "very limited commercial uses" development standards listed in LDR. Mr. Ribeiro further stated that on balance, staff finds that this proposal meets the criteria for very limited commercial uses, and based on its limited impacts staff finds that this proposal is consistent with the Comprehensive Plan.

Mr. Ribeiro stated that Section 15.2-2232 of the Code of Virginia requires that unless a utility facility is shown on the adopted Comprehensive Plan or other Master Plan for the County, the local Planning Commission and a governing body shall review the facility to determine whether the location, character and extent of the project is substantial in accords with the adopted Comprehensive Plan. Mr. Ribeiro stated that the proposed solar electrical generation facility is not currently shown on the County's adopted Comprehensive Plan and, therefore, requires this additional level of review by the Planning Commission and the Board of Supervisors.

Mr. Ribeiro stated that the applicant has reviewed and concurred with all SUP conditions except for Condition No. 5 regarding vehicular access. Mr. Ribeiro stated that the applicant has proposed that vehicular access to and from the facility during the construction period be made via Oslo Court and the 50-foot-wide parcel. Mr. Ribeiro stated that this route would also be used during operation of the facility if larger vehicles are needed. Mr. Ribeiro stated that during operations, access for smaller vehicles will be restricted to Farmville Lane. Mr. Ribeiro stated that staff continues to support vehicular access to and from the facility via Farmville Lane only.

Mr. Ribeiro stated that staff recommends that the Planning Commission recommend approval of the application to the Board of Supervisors subject to the proposed SUP conditions. Mr. Ribeiro further stated that staff recommend that the Planning Commission find the location of the proposed project is in substantial accord with the Comprehensive Plan.

Mr. Krapf opened the floor for questions from the Commission.

Ms. Bledsoe inquired where the applicant stands with acquiring the Interconnection Permit with Dominion Virginia Power, the Renewable Energy Permit by Rule from the Department of Environmental Quality (DEQ) and any right-of-way needed for access.

Mr. Ribeiro stated that he would defer to the applicant on that question.

Mr. Jack Haldeman inquired about the status of the economic report.

Mr. Ribeiro stated that the economic report has not yet been submitted.

Mr. Haldeman inquired about the whether the site would be secured with a fence and locked gate.

Mr. Ribeiro stated that he did not believe that it would.

Mr. Haldeman inquired about the boundary line extinguishment on three properties.

Mr. Ribeiro stated that the boundary line extinguishment would ensure that the project would conform with required setbacks.

Mr. O'Connor inquired about the Planned Unit Development (PUD) reference on the Master Plan.

Mr. Ribeiro stated that it was referring to the Village at Candle Station development which is zoned PUD.

Mr. Krapf inquired if the properties subject to the boundary line extinguishment are owned by the same entity.

Mr. Ribeiro confirmed.

Mr. Schmidt inquired if the applicant's preferred access route would apply when the facility is decommissioned.

Mr. Ribeiro stated that the decommissioning report, when submitted, would clarify the methods and routes to be used.

Mr. Holt stated that under the applicant's proposed condition, those routes can be used during construction and operation for oversized vehicles. Mr. Holt further stated that the Commission could request adding decommissioning to the SUP condition.

Mr. Richardson inquired whether the right-of-way required at the curve on Farmville Lane impacted a property owner.

Mr. Ribeiro stated that he would defer to the applicant.

Mr. Richardson noted, as disclosure, that he had toured the route and project site with the applicant.Mr. Richardson inquired if the existing fence at the curve would need to be removed.

Mr. Ribeiro stated that the fence would need to be removed; however, the property is owned by Whisper Ridge, LLC which is also the owner of the project site.

Mr. Wright inquired if a community meeting was held.

Mr. Ribeiro stated that a community meeting was held by the applicant in November, 2016.

Mr. Krapf called for disclosures from the Commission.

Mr. Krapf stated that he toured the site with the applicant.

Mr. Schmidt stated that he toured the site last week.

Mr. O'Connor stated that he spoke with the applicant by telephone.

Ms. Bledsoe stated that she exchanged email with the applicant.

Mr. Wright stated that he did not meet with the applicant; however, he did visit the site.

Mr. Richardson stated that he visited the site with the applicant.Mr. Haldeman stated that he visited the site with the applicant.

Mr. Krapf noted that the Public Hearing has remained open and called on the applicant to speak.

Mr. Drew Gibbons, SunPower, Lead Developer for East Coast Development, made a presentation to the Commission on the proposed project. Mr. Gibbons stated that the site was selected based on criteria of suitable acreage and topography, proximity to a distribution line, willing landowner partner, significant existing vegetative buffers and being previously farmed land.

Mr. Gibbons stated that an initial consultation has been held with the DEQ for the Virginia DEQ Renewable Energy Permit by Rule. Mr. Gibbons stated that consultations are now being held with the other necessary agencies and should be completed within six months. Mr. Gibbons stated that a Certificate of Public Convenience and Necessity and a Virginia Pollutant Discharge Elimination System (VPDES) Stormwater Management permit will also be necessary.

Mr. Gibbons stated that, once operational, the site would be maintained by up to three regionally-based electrical facility professionals and would generate 2-4 car trips per day. Mr. Gibbons stated that noise from the site would be no more than that of a standard refrigerator and would be inaudible at the property boundary. Mr. Gibbons stated that there will not be any glare from the site as solar panels absorb light. Mr. Gibbons stated that SunPower's facilities are designed to operate for 30 or more years; at end of life the facility will be decommissioned and all components will be removed. Mr. Gibbons further stated that the land would be restored and a Decommissioning Security Bond will be posted.

Mr. Gibbons stated that the main economic benefit of the project would be job creation with approximately 80 construction jobs over a nine-month period with up to three permanent operations positions. Mr. Gibbons noted that the project would place minimal demand on County facilities and services; provide long-term open land preservation; support workforce training programs for solar energy; and provide educational opportunities for schools.

Mr. Gibbons noted that construction will be limited to 7a.m. – 7 p.m. and delivery of materials will be scheduled to avoid school bus pick up and drop off times. Mr. Gibbons further stated that the Virginia Department of Transportation (VDOT) has approved both access route options. Mr. Gibbons noted that the route preferred by staff would require removal of fencing and hedges to create an adequate turn radius for large vehicles. Mr. Gibbons noted that the necessary right of way for the turn improvements has not been acquired. Mr. Gibbons further stated that large vehicle access would be needed for construction and decommissioning as well as major maintenance approximately every 10 years.

Mr. Gibbons stated that in response to the question on permits and easements, the Interconnection Agreement with Dominion Virginia Power is imminent. Mr. Gibbons

further stated that the Permit by Rule process in underway. Mr. Gibbons stated that they easement for Oslo Court is in place but the easement for Farmville Lane is not.

Mr. Gibbons stated that the Economic Impact Report will be completed for the Board of Supervisors meeting. Mr. Gibbons noted that while the tax revenue will be minimal, greater benefits will be derived from job creation and minimal impacts on County services.

Mr. Gibbons noted that the project would be surrounded by a seven-foot chain link fence for security and safety; however the access road would not be gated.

Mr. Gibbons stated that a Community Meeting, recommended by staff, was held in November. Mr. Gibbons further noted that the meeting was well attended. Mr. Gibbons stated that the main concern expressed was the visual impact of the project. Mr. Gibbons stated that the buffer and screening plan was developed to address those concerns.

Mr. Richardson requested confirmation of whether it would be necessary to remove the fencing on a neighboring property to create the necessary turn radius for larger vehicles.

Mr. Gibbons confirmed that it would be necessary. Mr. Gibbons stated that they have been negotiating to acquire the access. Mr. Gibbons stated that part of the rationale for proposing an alternate access is to avoid impacts on nearby parcels.

Mr. Richardson inquired about the amount of land clearing for the project.

Mr. Gibbons noted that there would be some clearing of trees; however sensitive areas and extreme topography would be avoided.

Ms. Bledsoe inquired about the location of the substation.

Mr. Gibbons stated that the substation would be located close to the Dominion Virginia Power transmission lines. Mr. Gibbons further stated that the specific location is shown on the Master Plan.

Ms. Bledsoe inquired about the height of the panels.

Mr. Gibbons stated that when the panels are raised to their highest point it is approximately 16 feet.

Ms. Bledsoe inquired about the number of similar installations placed adjacent to residential neighborhoods.

Mr. Gibbons stated that SunPower has placed several facilities directly adjacent to residential communities and has worked diligently to minimize the impacts.

Ms. Bledsoe inquired whether the power would go directly to County residents.

Mr. Gibbons stated that the power would be for general distribution at the discretion of Dominion Virginia Power.

Ms. Bledsoe inquired if this is something that that Dominion needs at this time to

maintain business.

Mr. Gibbons stated that Dominion will procure significant amounts of solar power over the next two to four years. Mr. Gibbons stated that solar power is part of Dominion's business plan. Mr. Gibbons further stated that this is an opportunity for James City County to participate in the solar movement.

Mr. Wright asked for confirmation that the Company is SunPower based in California and is a publicly traded company.

Mr. Gibbons confirmed.Mr. Krapf inquired whether the construction workers would have staggered schedules or arrive on site at one time.Mr. Gibbons stated that there would be 60 to 80 construction workers driving personal vehicles to the site. Mr. Gibbons stated that there would be staggered arrivals over an hour in the morning. Mr. Gibbons noted that materials would be delivered on a schedule designed to avoid school bus pick up and drop off times. Mr. Gibbons noted that the traffic generation would be similar to that of a residential development.

Ms. Bledsoe inquired what the hours of operation would be.

Mr. Gibbons stated that for construction, the hours of operation would be 7a.m. to 7 p.m. Mr. Gibbons noted that generally work would end between 3:30 p.m. and 5 p.m.; however, should the work run behind schedule, it is helpful to have the option of working later.

Mr. Benjamin Swenson, 106 Barlows Run, County Resident, addressed the Commission in support of the application. Mr. Swenson stated that it is important to ensure that the County's natural resources are protected by ensuring adequate buffers, mitigation of impacts on the nearby perennial stream and ensuring archaeological sites are conserved.

Ms. Stephanie Weber, 222 Thomas Nelson Drive, Statewide Director for the Chesapeake Climate Action Network, addressed the Commission in support of the application. Ms. Weber noted that Virginia imports approximately 25% of its energy; second only to California. Ms. Weber stated that the project will provide clean energy on with minimal impacts. Ms. Weber noted that in this region, there is a proposed solar home development and that the Williamsburg-James City County Schools is looking at Dominion Virginia Power's Solar Schools program. Ms. Weber stated that solar farms are on the rise in neighboring states as well as certain areas of Virginia. Ms. Weber requested that the Commission support the project.Ms. Josephine Gardner, 731 Autumn Circle, County Resident, addressed the Commission in opposition to the application. Ms. Gardner noted concerns about the impact of taking access for the project through the residential neighborhood.

Mr. Elliott York, 103 Spring Trace Lane, Assistant Manager, Whisper Ridge, LLC, addressed the Commission in support of the application. Mr. York stated that Whisper Ridge, LLC has entered into a long-term agreement with the applicant for use of the property. Mr. York noted that several solar power companies have inquired about the property and that SunPower's offer was accepted based on the reputation of the company. Mr. York stated that this is a winning proposal for all parties including the County and requested that the Commission support the project.

Mr. Wayne Nunn, 238 Loch Haven Drive, President of Hidden Acres Farm, Inc., addressed the Commission regarding the application. Mr. Nunn noted concerns about the suitability of using Oslo Court to access the property. Mr. Nunn noted concerns about the future stability of SunPower. Mr. Nunn further noted concerns about the structural stability of the panel arrays. Mr. Nunn stated that he has concerns about the access to his property and the reduction in value of his property.

As no one further wished to speak,

Mr. Krapf closed the Public Hearing.

Mr. Krapf noted that there would need to be one motion regarding compliance with Section 15.2-2232 of the Code of Virginia and one regarding the Commission's recommendation to the Board of Supervisors.

Mr. Richardson inquired if there were sites where it was necessary to stabilize the pole with additional materials and is there a potential that it would be necessary to do so at this site.

Mr. Gibbons stated that the initial soils report indicated that stabilization would not be necessary.

Mr. Richardson inquired about the fencing along Norge Farm Lane.

Mr. Gibbons stated that the fence would only be around the project site only.

Ms. Bledsoe inquired if the land would be restored at decommissioning.

Mr. Gibbons stated that the land would be restored to its current use. Mr. Gibbons stated that the arrays would be completely removed and natural vegetation would be replaced. Mr. Gibbons further stated that there would be a decommissioning bond held by the County. Mr. Gibbons further stated that road repairs would also be bonded.

Ms. Bledsoe inquired about the lifespan of the facility.

Mr. Gibbons stated that facilities have a lifespan of approximately 30 years and that SunPower has an agreement with the landowner for 35 years.

Mr. Krapf inquired if there would be a warranty on the additional tree buffers.

Corey Howell, Kimley-Horn and Associates, stated that one of the SUP conditions requires a landscaping plan to be finalized during the Site Plan phase. Mr. Howell stated that there is generally a maintenance period of one year. Mr. Howell noted that after a year the vegetation should be firmly established.

Mr. Krapf inquired what techniques were used to determine that the turn radius on Farmville Lane is not sufficient.

Mr. Carroll Collins, Kimley-Horn and Associates, stated that a standard simulation program was used to determine what the turn radius needs to be for the anticipated vehicle size.

Mr. Krapf inquired it the simulation determined that the existing conditions would not allow use of that turn.

Mr. Collins confirmed.

Mr. Wright inquired if the entire project site is within the Primary Service Area (PSA).

Mr. Ribeiro confirmed.

Mr. O'Connor inquired about the size of the site.Mr. Ribeiro stated that the larger parcel is approximately 216 acres.

Mr. O'Connor inquired about the minimum lot size.

Mr. Ribeiro stated that the property is zoned A-1, General Agricultural and that the minimum lot size is three acres.

Mr. Ribeiro stated that the LDR designation would allow for smaller lots; however, public benefits would need to be provided.

Mr. O'Connor inquired about the easement across the property to provide access to Hidden Acres Farm.

Mr. Ribeiro stated that staff has been unable to locate a Deed of Easement for Norge Farm Lane if there is an easement and who would hold the easement.

Mr. Schmidt stated that the proposed use would be less of a drain on County services and infrastructure than residential development.

Ms. Bledsoe stated that while she supports solar energy, she has concerns about the outstanding permits and reports. Ms. Bledsoe further stated that she does not believe there will be major fiscal benefits for the County. Ms. Bledsoe stated that she is concerned that there is no clear access point that would not impact the residential neighborhood. Ms. Bledsoe further stated that she believes the hours of operation for construction are excessive. Ms. Bledsoe stated that it is not fair to ask the adjacent neighborhoods to endure the impacts of the project. Ms. Bledsoe stated that the subject property has been considered previously for other types of development which did not move forward due to lack of access. Ms. Bledsoe stated that she will not support the application.

Mr. Wright stated that he supports solar energy as a part of the County's energy resources. Mr. Wright stated that if the project were not adjacent to several residential neighborhoods, he would support the project. Mr. Wright further stated that he has concerns about the project being located within the PSA and potential impacts on future development in the County. Mr. Wright stated that he would support the project if it were sited outside the PSA, not adjacent to residential neighborhoods, had adequate access, and was located on a site with substantial natural buffers; however, under the current parameters, he cannot support the application.

Mr. Haldeman stated that he would prefer that the subject parcel and Hidden Acres Farm remain farmland for all time. Mr. Haldeman stated that it is inevitable that the property will be developed at some point. Mr. Haldeman stated that while he would not

necessarily want to live adjacent to a solar farm, the alternative of residential development is even less desirable. Mr. Haldeman stated that he will support the application.

Mr. Richardson stated that this application gives the County a tool to keep the property as pristine as possible well into the future. Mr. Richardson stated that solar farms are a step toward energy independence which outweighs the lack of economic benefit. Mr. Richardson stated that once the construction is complete, the facility will generate no more traffic than an active farm. Mr. Richardson stated that he will support the application.

Mr. O'Connor stated that the purview of the Planning Commission is to determine whether the land use is appropriate. Mr. O'Connor stated that because the property is in the PSA, it could potentially be used for residential development which would generate substantially more traffic and place more burden on County infrastructure and services. Mr. O'Connor noted that the solar farm would ensure that the property would remain undeveloped for the foreseeable future. Mr. O'Connor stated that he will support the application.

Mr. Krapf stated that he will support the application. Mr. Krapf stated that he believes the construction period required for this project will be less of an impact than construction for homes if the property were developed for residential use. Mr. Krapf further stated that a priority for the County is economic uses for rural lands that does not involve residential development. Mr. Krapf stated that he believes the proposal is acceptable and in accord with the Comprehensive Plan. Mr. Krapf stated that he favors the amendment to SUP Condition No. 5 which allows the applicant to access the property from Oslo Court.

A motion to Approve was made by Jack Haldeman, the motion result was Passed.

AYES: 5 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Haldeman, Krapf, O'Connor, Richardson, Schmidt

Nays: Bledsoe, Wright III

Mr. Haldeman made a motion to find that the location of the proposed facility is substantially in accord with the Comprehensive Plan.

On a roll call vote, the Planning Commission voted to find that the location of the proposed facility is substantially in accord with the Comprehensive Plan (5-2). (Aye: Haldeman, Schmidt, O'Connor, Richardson, Krapf. Nay: Wright, Bledsoe)

A motion to Approve was made by Tim O'Connor, the motion result was Passed.

AYES: 5 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Haldeman, Krapf, O'Connor, Richardson, Schmidt

Nays: Bledsoe, Wright III

Mr. O'Connor made a motion to recommend approval of SUP-0028-2016, Solar Electrical Generation Facility at Norge with the applicant's amendment to SUP Condition No. 5 to allow access through Oslo Court for construction, maintenance and decommissioning.

On a roll call vote, the Planning Commission voted to recommend approval of SUP-0028-2016, Solar Electrical Generation Facility at Norge with the applicant's

amendment to Condition No. 5 to allow access through Oslo Court for construction, maintenance and decommissioning (5-2). (Aye: Haldeman, Schmidt, O'Connor, Richardson, Krapf. Nay: Wright, Bledsoe).

3. LU-0002-2014. 8491 Richmond Road (Taylor Farm) Land Use Designation Change

Ms. Ellen Cook, Principal Planner, made a presentation to the Commission on the request to change the Land Use Designation for the property from its current designation of Rural Lands, Low Density Residential and Mixed Use to Economic Opportunity (EO) and to extend the PSA line to incorporate the entire parcel. Ms. Cook stated that this application had initially been submitted in April 2014 as part of the County's Comprehensive Plan review. Ms. Cook stated that as part of the process, the application was reviewed by the Planning Commission Working Group (PCWG) which recommended deferral of this application pending resolution of changes to the County's Groundwater Withdrawal Permit. Ms. Cook stated that the Planning Commission and the Board of Supervisors chose to defer the decision on this case until the issues with the Groundwater Withdrawal Permit were resolved. Ms. Cook stated that in February 2017 the DEQ issued a Groundwater Withdrawal Permit to the County for six million gallons per day with additional tiers for up to eight million gallons per day. Ms. Cook stated that the permit appears to adequately account for growth in the County over the next 10 years; however, after that time deficits would become apparent and a long-term solution for water supply will be needed. Ms. Cook stated that at the Board of Supervisors meeting on March 7, 2017, staff recommended denial of the re-designation and expansion of the PSA. Ms. Cook stated that the Board voted to remand the case for consideration of a change of the Land Use Designation to EO and review of specific EO designation description language. Ms. Cook stated that staff recommends that the Planning Commission review and evaluate this case as remanded by the Board of Supervisors, including making recommendations on the change in the Land Use Designation to Economic Opportunity and expansion of the PSA by approximately 141 acres.

Mr. Wright inquired if the EO designation would allow solar facilities.

Ms. Tammy Rosario, Principal Planner, stated that the use had not been fully considered under the EO designation and would require further thought.

Mr. Schmidt inquired how many residential units could potentially be built if the property is designated EO.

Ms. Rosario stated that the EO language in the Comprehensive Plan does not include residential development as a recommended use. Ms. Rosario further stated that the proposed language specific to this property residential uses are not listed as a recommended use. Ms. Rosario stated that residential is not specifically prohibited, it is expected that residential development would be no more than permitted under the designated Zoning District.

Mr. Holt clarified that what is being considered at this time is draft guidance language under the Comprehensive Plan rather than a rezoning. Mr. Holt stated that when a rezoning application comes forward, that guidance language would address the allowable amount of residential development. Mr. Holt stated that in the EO Zoning District, residential uses would require an SUP. Mr. Holt further stated that electrical

generation facilities would require an SUP in the EO Zoning District.

Mr. Haldeman inquired if this was the appropriate time to make recommendations on the specific EO language regarding this property.

Ms. Rosario stated that this is an appropriate time to consider language regarding what uses are recommended or not recommended.

Ms. Bledsoe noted that the Board of Supervisors was very clear that they wanted the Planning Commission to provide guidance on the allowable amount of residential development on the property.

Mr. Richardson noted that the current wording incorporates elements from language that had been proposed during the Comprehensive Plan update for a Rural Economic Support designation.

Ms. Rosario confirmed that there are some of the same elements incorporated.

Mr. Krapf called for disclosures from the Commission.

There were no disclosures.

Mr. Krapf opened the Public Hearing.

Mr. Randy Taylor, 7112 Church Lane, Applicant's Representative, addressed the Commission in support of the application. Mr. Taylor stated that the applicant concurs with the proposed EO language and is open to input from the Commission. Mr. Taylor further stated that the PSA line bisects the property; however, on surrounding properties, the PSA follows the property line. Mr. Taylor noted that the major benefit of making the designation change is to limit the potential for residential development on the property and open it up for development that would bring an economic benefit to the County. Mr. Taylor stated that the property has historically been farmed and is currently being farmed; however, it may not be in the future. Mr. Taylor stated that by changing the Comprehensive Plan designation, it will give the County a tool to ensure that eventual development of the parcel is in accord with the County's vision for the future.

Mr. Howard Jones, 111 Heathery, County Resident, addressed the Commission regarding the application. Mr. Jones stated that he owns property adjacent to the Taylor property and does not currently have road access to his property. Mr. Jones stated that he supports the application; however, he would like to see the Comprehensive Plan or the Master Plan for the property reference two stub connections for his property. Mr. Jones noted that VDOT does have a public benefit requirement to ensure that landlocked parcels will have access.

Mr. Krapf requested that Mr. Hlavin confirm and elaborate on the VDOT public benefit requirement for landlocked parcels.

Mr. Hlavin stated that the County could not require access for an adjacent property owner as part of a legislative case; however, the Subdivision Ordinance does provide for ensuring access to adjacent parcels at the development stage. Mr. Hlavin further stated that landowners also have the right to take private action to ensure access which would not involve the County or its land use processes. Mr. Hlavin stated that interconnectivity would be an acceptable policy as part of the Comprehensive Plan; however, at this stage it would not be binding or confer rights.

As no one further wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf noted that with this case there are three items that the Commission must consider: the Comprehensive Plan Land Use designation; the expansion of the PSA; and the draft EO language for the parcel.

Mr. Krapf opened the floor to discussion by the Commission.

Mr. Richardson inquired if the draft Comprehensive Plan language could contain reference to stub connections being required for a future Master Plan.

Mr. Hlavin stated that from a legal standpoint a policy document at the Comprehensive Plan level promoting connectivity is acceptable.

Ms. Rosario stated that there is existing language to serve as a foundation that encourages developers to use best practices for access management to maintain mobility on Route 60. Ms. Rosario further stated that the Transportation section of the Comprehensive Plan does speak to access management and interconnectivity between parcels. Ms. Rosario stated that additional specific language could be added at the Commission's direction.

Mr. O'Connor clarified that the language would be for guidance rather than binding.

Mr. Wright inquired if this would be something that could be addressed between the two property owners at the development stage.

Ms. Rosario stated that there would be an opportunity for the parties to discuss the matter and make a private agreement.

Mr. O'Connor noted that one of the two properties currently designated EO was not in the PSA and inquired about the mechanism to bring the property into the PSA at the time a Master Plan is approved.

Ms. Rosario stated that the Comprehensive Plan states that the intent of the designation is to include parcels with this designation in the PSA, where not already included, pending the outcome of the master planning efforts. Ms. Rosario stated that the language also sets forth options for how the master planning could occur.

Mr. Krapf noted that there was substantial discussion during the Comprehensive Plan update about the designation for that one parcel. Mr. Krapf noted that it was decided at the time to make the inclusion in the PSA contingent on a satisfactory Master Plan.

Mr. Haldeman inquired if the PSA for the parcel subject to this application followed the land use designations for the property with the portions of the property designated Mixed Use and Low Density Residential being inside the PSA and the portion designated Rural Land being outside the PSA.

Ms. Rosario confirmed. Ms. Rosario noted that there are a number of parcels in the

County which are divided by the PSA. Ms. Rosario stated that generally the more intensive designations are within the PSA.

Mr. Wright inquired whether proffers would apply to the property.

Mr. Hlavin stated proffers are not part of a Comprehensive Plan Land Use Designation change. Mr. Hlavin further stated that the County would not accept proffers for the residential component of any future rezoning.

Mr. Hlavin clarified that proffers could be accepted for any commercial development.

Mr. Schmidt inquired how much acreage is outside the PSA.

Ms. Rosario stated that approximately 141 acres are outside the PSA and 45.5 acres are within the PSA.

Mr. Krapf reminded the Commission there were three items for consideration: the Comprehensive Plan Land Use Designation; the expansion of the PSA; and the draft EO language for the parcel.

Mr. Krapf recommended that the Commission consider them in order beginning with the Land Use Designation.

Mr. Richardson made a motion to recommend approval of the Land Use Designation change with the adjusted language proposed by staff.

Mr. O'Connor inquired whether there should be more discussion regarding the proposed language.

Mr. Holt stated that if this motion was approved, then there would be only the PSA component to be determined.

Mr. Krapf inquired if the motion could be to approve the EO designation in principal based on the rough guidelines and discuss modification for specific language separately.

Mr. O'Connor stated that he would like to firm up the language first. Mr. O'Connor commented that the guidance language might affect the determination regarding the PSA component.

Mr. Richardson stated that the proposed language appears to cover all the considerations; however, he would be willing to amend the motion in light of the request for further discussion.

Ms. Bledsoe inquired if it would be necessary to consider the EO designation and inclusion of the Property in the PSA before considering the guidance language. Ms. Bledsoe noted that she believed the intent of the Board of Supervisors was for the Policy Committee to consider the guidance language.

Mr. Holt stated that the Board of Supervisors remanded the matter to the Planning Commission.

Mr. Krapf suggested that the Commission discuss the guidance language.

Mr. Richardson read the draft language for the Toano/Anderson's Corner Area.

Mr. Krapf stated that he would like to amend the proposed language to add language regarding the PSA that is similar to what was done for Hill Pleasant Farm.

Ms. Rosario stated that the language was actually part of the overarching EO description and would apply to all parcels that are designated EO.

Mr. O'Connor stated that he believes the commercial development aspect should not be discouraged as there is a need for some commercial uses to support adjacent neighborhoods.

Mr. Krapf inquired what types of uses would be considered a commercial use.

Ms. Cook stated that the current language is for retail commercial which would include shopping centers and other similar uses.

Mr. Krapf inquired if it would include small business. Ms. Cook confirmed. Mr. Krapf noted that a significant portion of Toano is zoned B-1.

Mr. Krapf stated that he is reluctant to remove the language which focuses on supporting Toano as the commercial center for that part of the County. Mr. Krapf further stated that the language does not preclude commercial activity on the Taylor Farm.

Mr. Haldeman noted that the language proposed for this area of the County during the Comprehensive Plan update focused on retaining the historic and rural character of the area. Mr. Haldeman stated that the Commission should be mindful of this vision. Mr. Haldeman suggested that there should be appropriate restrictions and standards for commercial and light industrial development. Mr. Haldeman further stated that he would like the language to strongly discourage residential development.

Mr. O'Connor noted that the initial vision for EO was to create an environment where people would live close to work or to transportation hubs and become a self-contained community. Mr. O'Connor stated that he would be inclined to retain the small amount of residential development that would be allowed.

Mr. Richardson stated that a small walkable community would be an attractive addition to the Route 60 corridor.

Mr. Haldeman started that more residential development would bring more people to the area which would reduce any benefit to current residents from the jobs created with the EO designation.

Ms. Bledsoe stated that per the Comprehensive Plan, lands designated EO are intended primarily for economic development, increased non-residential tax base and the creation of jobs. Ms. Bledsoe further stated that the lands are intended to be at strategic locations relative to transportation, utilities infrastructure and adjacent uses. Ms. Bledsoe noted that the uses should have a positive fiscal impact, provide quality jobs, enhance community values and support economic stability. Ms. Bledsoe stated that she interprets that guidance to mean less residential and more job creation.

Mr. Schmidt stated that based on the potential acreage for residential development and the potential that the residential development could be multi-family, it could be a substantial impact.

Mr. O'Connor inquired if the Commission could amend the language to further restrict residential development.

Ms. Rosario stated that additional limiting language had been applied to the two other properties that received the EO Land Use Designation.

Mr. Krapf noted that by limiting residential components, any development would look more industrialized and not have an appealing streetscape. Mr. Krapf stated that his understanding is that the residential component for this property would be located where the property is not suited for commercial development. Mr. Krapf stated that by limiting residential development it would exclude opportunities for workforce housing and a walkable community.

Mr. Richardson stated that the intent is for the property to be developed by Master Plan which would require County oversight to ensure that the development is compatible with the vision for the area.

Mr. Krapf inquired if Mr. Haldeman would be satisfied with a small amount of residential development.

Mr. Haldeman stated that he would prefer no residential development but was agreeable to some. Mr. Haldeman stated that it could be beneficial to have language tailored specifically to Anderson's Corner; however, it would take the process back a step.

Mr. Richardson stated that many of the details would be addressed when a Master Plan is submitted. Mr. Richardson stated that the Commission would be giving the Board a recommendation on how the property should be treated as a whole and providing them the best tools to consider future development applications.

Mr. Krapf inquired if the guiding language for the EO Land Use Designation and the specific language for Toano/Anderson's Corner was meant to provide standards against which to review future development proposals.

Ms. Rosario stated that staff drew from the Anderson's Corner recommendations when crafting the specific language for the subject parcel. Ms. Rosario stated that this is guiding language to be used when reviewing a master planning and rezoning proposal.

Mr. Krapf inquired if the Commission would be willing to include language stating that "[a]ny residential uses should be subordinate to and in support of the primary economic development uses. In addition the location and amount of any residential uses should be depicted as an integrated element of the larger Master Plan for the area, should be limited to the amount or percentage allowed in the EO Zoning District and should not be developed prior to a significant portion of the primary economic development uses".

Mr. Schmidt stated that he is in in favor of the additional language. Ms. Bledsoe inquired if voting on this item first would then be recommending commercial development outside the PSA.

Mr. Holt stated that it would depend on the vote on the PSA extension.

Mr. Krapf stated that with other properties the EO designation was approved with the intent that the PSA extension would be handled at the time a Master Plan was proposed.

Ms. Rosario clarified that the PSA extension could be done at the time of a Comprehensive Plan update or in conjunction with a rezoning request.

Mr. Krapf inquired if anyone wished to change any of the overarching EO language or any of the language specific to this parcel. Mr. Richardson amended his motion to recommend approval of the EO designation with the additional language limiting residential development.

Mr. O'Connor inquired if the applicant was satisfied with the proposed language.

Mr. Taylor stated that the adjusted verbiage is acceptable. Mr. Taylor noted that his concern was what would happen if the PSA extension was not approved.

Ms. Rosario stated that when the EO Land Use Designation was first considered with the 2009 Comprehensive Plan Update, the language was designed to confirm the intent of bringing the property into the PSA, while ensuring that proper master planning occurred. Ms. Rosario stated that once a Master Plan was approved by the County, the PSA extension would be done as a Comprehensive Plan amendment.

Ms. Bledsoe requested clarification on the timing of the PSA extension. Ms. Rosario stated that the PSA extension would be a Comprehensive Plan amendment but would not necessarily be tied to the timing of a Comprehensive Plan Update.

Mr. Holt clarified that the motion is to recommend approval of the EO Land Use Designation with the language recommended by staff with the additional language stating "[a]ny residential uses should be subordinate to and in support of the primary economic development uses. In addition the location and amount of any residential uses should be depicted as an integrated element of the larger Master Plan for the area, should be limited to the amount or percentage allowed in the EO Zoning District and should not be developed prior to a significant portion of the primary economic development uses."

Mr. Richardson confirmed that the motion is correct.

On a roll call vote the Planning Commission voted to recommend approval of the EO Land Use Designation and the guidance language specific to Toano/Andersons Corner (7-0).

A motion to Approve was made by Heath Richardson, the motion result was Passed. AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Bledsoe, Haldeman, Krapf, O'Connor, Richardson, Schmidt, Wright III

Mr. Krapf called for discussion on the PSA expansion.

Mr. Richardson asked for clarification on what the Commission would be recommending.

Mr. Krapf stated that the Commission would be making a recommendation on whether or not the entire property should be brought into the PSA as part of this Land Use application.

Mr. Haldeman inquired whether language could be included to tie the PSA expansion to the approval of a Master Plan.

Mr. Krapf stated that the language is part of the overarching EO language which applies to all parcels.

Mr. Haldeman requested clarification on what the Commission needed to do.

Mr. O'Connor stated that at the last Comprehensive Plan Update, this application requested both a change in the Land Use Designation and an extension of the PSA. Mr. O'Connor further stated that due to the concerns about the DEQ permit, the application had been deferred until those concerns had been resolved.

Mr. Krapf stated that the overarching language recognizes that some parcels may not be incorporated in the PSA and provides a mechanism to bring those parcels into the PSA at the time of an approved Master Plan. Mr. Krapf stated that at this time the Commission should vote on whether the 141 acres should be brought into the PSA.

Ms. Bledsoe made a motion to recommend approval of bringing the 141 acres into the PSA.

Mr. Krapf stated that he would not support the motion in light of the reduced water withdrawal allowance and the ten-year time limit on finding alternative water sources. Mr. Krapf further stated that water is on a first come, first serve basis so that if land newly added to the PSA was ready for development sooner than existing parcels in the PSA. Mr. Krapf stated that he would prefer to tie the PSA expansion to the Master Plan so that the impacts could be determined before the decision is made.

Mr. Richardson stated that the matter would likely have been decided earlier without the DEQ permit concerns. Mr. Richardson stated that the PSA is a good toll to manage growth, but in some cases it can be constrictive to necessary growth. Mr. Richardson stated that he supports bringing the 141 acres into the PSA.

Mr. Krapf noted that by expanding the PSA, it would potentially require expanding County services which will impact the County's budget.

Mr. Haldeman stated that he will not support the expansion of the PSA at this time.

Mr. Wright stated that it is important to note that the potential use will be more commercial than residential. Mr. Wright stated that he believes the water issues can be resolved. Mr. Wright stated that he will support the expansion of the PSA.

Mr. Schmidt stated that his main concern is that there is still no long-term solution to the water supply. Mr. Schmidt stated that he does not support expanding the PSA. Mr. O'Connor stated that he is inclined to support the expansion of the PSA.

Mr. O'Connor stated that County services would be required no matter what type of development occurs. Mr. O'Connor stated that the EO Land Use Designation and expansion of the PSA would allow the property to be marketable and have a Master Plan put in place.

On a roll call vote the Planning Commission voted to recommend approval of the addition of 141 acres into the PSA (4-3). (Aye: Wright, Bledsoe, O'Connor, Richardson. Nay: Haldeman, Schmidt, Krapf.)

A motion to Approve was made by Robin Bledsoe, the motion result was Passed.

AYES: 4 NAYS: 3 ABSTAIN: 0 ABSENT: 0 Ayes: Bledsoe, O'Connor, Richardson, Wright III

Nays: Haldeman, Krapf, Schmidt

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - April 2017

Mr. Holt stated that there was nothing more to add other than what was submitted in the Planning Commission packet.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf noted that Mr. O'Connor would have Board of Supervisors coverage for May.

Mr. O'Connor inquired when the Taylor Farm land Use application would be heard by the Board.

Mr. Holt stated that it would be heard in May.

J. ADJOURNMENT

Mr. Wright made a motion to adjourn.

The meeting was adjourned at approximately 10:08 p.m.

RESOLUTION

VIRGINIA CODE § 15.2-2232 ACTION ON CASE NO. SUP-0028-2016.

SOLAR ELECTRICAL GENERATION FACILITY AT NORGE

- WHEREAS, in accordance with Virginia Code § 15.2-2232, a public utility facility, whether publicly or privately owned, shall not be constructed, established or authorized, unless and until the general location or approximate location, character and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and
- WHEREAS, Whisper Ridge, LLC (the "Owner") owns properties located at 320, 339, 341 and 345 Farmville Lane, further identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052 and 2320100055, respectively and an area legally described and identified as a "0.21acre parcel, approximately 200-feet-long by 50-foot-wide, located off Oslo Court in Norge, situated between 140 Oslo Court and 142 Oslo Court" (collectively, the "Properties"). The Properties are zoned A-1, General Agricultural and R-2, General Residential; and
- WHEREAS, Mr. Drew Gibbons of SunPower Devco, LLC, on behalf of the Owner, has applied for a Special Use Permit to allow for the construction of a solar electrical generation facility on the Properties as shown on a plan titled "Norge Solar Master Plan" dated March, 7, 2017, and;
- WHEREAS, in accordance with Virginia Code § 15.2-2204 and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. SUP-0028-2016.
- NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, does hereby, by motion, find that the general or approximate location, character, and extent of the public utility facility shown in Case No. SUP-0028-2016 is substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.

Richard Krapf

Chair, Planning Commission

ATTEST:

Paul D. Holt, III

Secretary

Adopted by the Planning Commission of James City County, Virginia, this 5th day of April, 2017.





NORGE SOLAR FACILITY

James City County Special Use Permit

December 21, 2016



Special Use Permit

For

Norge Solar Facility 341 Farmville Lane Williamsburg, VA

Prepared By:
Kimley-Horn
11815 Fountain Way, Suite 300
Newport News, VA 23606

December 21, 2016 Kimley-Horn Project Number: 017261002



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Section I – Project Description

The Project

SunPower plans to construct and operate a photovoltaic solar electrical generation facility with a capacity up to 20 megawatts (MW) on a site of approximately 223 acres located in James City County, Virginia. When fully constructed the facility will supply approximately 4,000 Virginia households with clean, renewable energy. Upon completion, the project will include the following key components:

- Ground-mounted arrays of photovoltaic panels that are up to approximately 13 feet in height, arranged in rows, spaced approximately 15'-25' apart, and mounted on single-axis trackers;
- An enclosed switchgear facility with interconnection to Dominion's distribution network via generation tie lines and poles;
- Supervisory Control and Data Acquisition Facility Control Systems;
- Inverters, combiners, and transformers;
- Buried electrical conduits;
- Onsite unpaved access roads, consisting of 12-foot-wide interior perimeter access roads and 8to 12-foot-wide interior access paths;
- Wildlife-compatible, chain link security fencing, up to 7 feet in height, located along the site perimeter;
- A 50' minimum existing or planted vegetative buffer to screen project from adjoining properties;
- A prefab container-sized O&M storage shed; and
- A gravel-surfaced access driveway fronting onto Oslo Court

Land for the project will be leased from an existing property owner, which is typical for this type of development and preferred by the landowners. Including extensions, the lease term of the land agreements is 35 years. This structure provides a mutually agreeable set of lease terms and a very stable and steady income for the landowner. A decommissioning plan will be implemented at the end of the project life, and is discussed in more detail below.

The subject property is located at 341 Farmville Lane in Williamsburg, Virginia. Three small parcels are currently zoned General Residential (R2) and one large parcel is currently zoned General Agricultural (A1). According to the James City County Zoning Ordinance, utility uses, to include electrical generation facilities (public or private) may be developed on land zoned R2 and A1 after obtaining a special use permit. On November 11, 2016, the James City County Zoning Administrator found the use proposed based on our conceptual plan (i.e., utility-scale solar farm) consistent with the Zoning Ordinance (i.e. electrical generation facilities).

Based on the proposed layout, approximately 153 acres of land will be disturbed as a part of this project.



SunPower Background

Founded in 1985, SunPower is a U.S.-based company headquartered in San Jose, CA with regional offices across the country. For over 30 years SunPower has been leading global solar innovation. SunPower solar panels consistently deliver more energy and long-term peace of mind with the highest performing solar power systems available. SunPower is the solar energy choice of more homeowners and businesses around the world.

A Proven Track Record

- Diversified global portfolio leading residential, commercial and utility solar energy markets
- Over 2,600 MW of solar power plants deployed globally
- Total solar energy deployed > 7 GW, enough to power over 1 million homes
- Developed and constructed one of the world's largest PV plants (579 MW ac) The Solar Star Projects in Los Angeles and Kern Counties, California, USA
- A 14 GW power plant pipeline attracting the world's most sophisticated utilities, investors and commercial organizations at the forefront of renewable energy

Industry-Leading Technology

- World's highest efficiency solar panels featuring SunPower Maxeon cell technology
- More than 600 patents
- Panel efficiency world record holder (22.4%), with production panels exceeding 20%
- Panel useful life estimated to extend more than 40 years

Enduring Viability

- One of the most vertically integrated companies in the industry, guiding all aspects of the solar value chain from manufacturing to lifetime operations & maintenance
- Cumulative 5-year GAAP revenue of approximately \$12 billion; \$1.5 billion in 2015
- More than 6,000 people employed worldwide
- Publicly traded on the NASDAQ (SPWR) since 2005
- Majority-backed by Total S.A. (approximately 66% ownership), the fourth largest publicly traded, integrated international oil and gas company in the world



Regulatory/Approval Processes

There are three main approvals required for this project:

1. Special Use Permit – James City County

SunPower is requesting approval for a special use permit from James City County for a site that has been carefully selected as suitable for this purpose.

2. Interconnection Agreement – Dominion Virginia Power

The project requires an agreement with Dominion Virginia Power (DVP) to interconnect into the electrical power distribution network. Independent transmission evaluations were conducted prior to selecting the site to confirm that the location was optimal for supplying power to the grid. SunPower submitted an interconnection request to DVP in March 2016 and expects to execute an interconnection agreement in early 2017.

3. Renewable Energy "Permit By Rule" – Commonwealth of Virginia

The Permit by Rule (PBR) review and approval process is administered by the Virginia Department of Environmental Quality (DEQ). In keeping with this process, the Norge Solar Facility will be meeting with the DEQ and the application will undergo review by numerous state agencies, including the Department of Game and Inland Fisheries (DGIF), the Department of Conservation and Recreation (DCR), the Department of Historic Resources (DCR) and Department of Mines Minerals and Energy (DMME) to ensure the project minimizes impacts to protected resources and complies with all requirements of the PBR. The Project has also performed wetlands studies to ensure compliance with US Army Corps of Engineers requirements. A number of environmental, historical/archaeological, and other studies have been or will be performed in support of these primary approvals and are described in more detail below.

Decommissioning Plan

All landowners expect their land will be returned to the pre-existing conditions after the end of the project life. It is of utmost important to SunPower that these leases have decommissioning requirements with financial assurances to ensure that the land is returned to the owners in a responsible manner. The purpose of the Decommissioning Plan is to estimate the costs associated with decommissioning of the project at the end of operations and to ensure proper removal of all associated components of the project and restoration of the site to pre-existing conditions. A Decommissioning and Restoration Plan is included with this submittal.

Benefits to James City County

The project will produce clean, emissions-free electricity to meet anticipated energy demands as well as state and/or federal renewable energy goals or requirements. The project also will help utilities meet state Renewable Portfolio Standards/Renewable Energy Standards.

Local project benefits include the creation of up to 80 jobs during peak construction, providing an economic benefit to the local economy and increasing sales tax revenues for James City County—all the



while, delivering enough clean electricity to power the equivalent of approximately 4,000 homes. One to two permanent jobs will be required to operate the facility after construction and additional contractor services will also be required periodically over the life of the project. SunPower will hold job fairs and conduct outreach to ensure hiring of locally skilled workers. Project development would also increase local business activity during construction and public tax revenue for James City County over the life of the project.

An independent economic consulting firm is conducting an economic impact analysis to access the economic and fiscal contribution that the project will make to James City County. The final report will be included as an addendum to this application once completed.

Section II - Traffic Impacts

The proposed solar power electrical generation facility will add only a negligible amount of additional traffic to the existing adjacent roadway infrastructure as the proposed use is a very low trip generator. The *James City County/Williamsburg/York County Comprehensive Transportation Study*, prepared by the Hampton Roads Transportation Planning Organization (HRTPO) in March of 2012, indicates that the segment of Richmond Road (U.S. Route 60) between Croaker Road (State Route 607) to the west and Lightfoot Road (State Route 646) to the east, experienced between LOS A and C in 2010 during the PM peak hour and is anticipated to experience between LOS A and C in 2034 during the PM peak hour. During operations the proposed solar power project will add a negligible amount of new traffic to the adjacent street network as traffic activity is limited to periodic maintenance vehicle activity during the week and throughout the month. LOS is based on the average delay experienced by all traffic using the intersection during the busiest (peak) 15-minute period. Generally, LOS A through LOS D are considered acceptable in urban areas. Therefore, the proposed project will not adversely impact either existing or anticipated future operational conditions along the Richmond Road corridor.

Although the site is relatively remote and well screened, we plan to keep construction work hours from 7AM to 7 PM to minimize disturbances during early morning and/or evening hours. SunPower estimates 7 – 10 trucks per day for material deliveries during peak construction and an additional 2 – 4 concrete trucks depending if there is any overlapping of activities. Heavy trucks for material deliveries do not operate during the entire construction duration of the project, only at peak times. SunPower estimates around 60 personal vehicles could also make daily trips to the site related to construction labor and management. We will work with JCC to best define appropriate construction delivery times in an effort to avoid conflicts with school buses on the surrounding residential streets during peak pickup and drop off times. Current pick up/drop off times for surrounding schools are below:

	Norge ES	Toano MS	Warhill HS
Pick Up	9:01 AM	6:34 AM	6:44 AM
Drop Off	4:21 PM	2:53 PM	2:49 PM



After construction, during normal operation and maintenance, the site will receive around 4 trips max per day. Normally 1 pick-up truck would visit the site per day but the site could see 2 – 4 more if utility workers are needed for major repair such as replacing an inverter.

Section III – Water and Sewer Impacts

The proposed solar power electrical generation facility will not require water or sewer service during construction or during regular operation.

A relatively small amount of water will be used during construction. Water is typically needed for dust control during construction, but given the wet climate and soils at the site, dust should not be a construction issue. Water will be needed on site for compaction purposes but will be very limited and can be brought on site via truck. SunPower can provide an actual estimate during the site plan permitting phase once we've conducted a geotech study.

Due to the site's location, monthly rainfall is typically expected and cleaning of panels during the operation and maintenance phase will be minimal as the rainfall will naturally remove dust that collects on the panels. SunPower estimates that the panels will require cleaning twice a year at most. Operations and maintenance cleaning systems functioning twice a year will use approximately 13,000 gallons of clean water annually. This relatively small amount of water can be transported on site via truck.

Section IV – Conceptual Stormwater Management Plan

New construction will require an analysis of stormwater quality and quantity per the 2014 Virginia Department of Environmental Quality Regulations and adherence to any other applicable local and state regulations. The project is required to meet Part IIB of the Commonwealth of Virginia's stormwater management requirements and will be considered a redevelopment project.

The existing condition of the 223 acre project site of which approximately 153 acres will be disturbed during construction. Currently, the site has about 1.6 acres of impervious cover including an access road and a small grouping of farm houses. Much of the site has been used as cultivated farm land and is classified as managed turf. In these predevelopment conditions, the runoff curve number for the site is about 70.93, assuming Type C soils.

In proposed conditions, there is about 3.92 acres of impervious cover which include new access roads and equipment pads. The solar panel array functions as a pervious surface, due to the spacing between rows of panels, the angle of the panels and the underlying vegetative surface. The system is relatively low impact and allows stormwater to infiltrate at the same rate, if not faster than in the existing conditions. The ground below the solar panels will be seeded with a low maintenance meadow seed mix. It is important to note that changing the ground cover conditions from cultivated farm land to a meadow reduces the overall runoff from the site, improves the water quality and prevents erosion. The runoff curve number for the proposed development is 74.61, assuming Type C soils.



DRAINAGE AREA SUMMARY						
		DI	RAINAGE AREA	A SUMIMARY		
	TOTAL	IMPERVIOUS	MANAGED TU	RF FOREST/ OPEN S	PACE	
	AREA (AC.)	AREA (AC.)	AREA (AC.)	AREA (AC.)	С	CN
Pre Development	153.44	1.60	24.44	127.40	70.93	0.11
Post Development	153.44	3.92	149.52	0.00	74.61	0.36

DEQ Virginia Runoff Reduction Method (VRMM) stormwater quality calculations were performed for the site and are presented in Appendix B. The calculations show that converting the farm land to open space provided more than adequate pollutant removal; an extra 34 pound of phosphorous is being removed per year and can be used to help the county meet its TMDL goals. The supporting calculations have been attached to Appendix B.

Section V - Adequate Public Facilities

It was determined through conversations with staff that an adequate public facilities report is not required for this SUP application. The project is not a residential development, and because the proposed solar power electrical generation facility will not provide for any additional population growth and minimal permanent employment positions, the project will not result in additional traffic being added to and/or impacting the adjacent roadways and intersections.

Section VI – Historic and Archeological Study

According to the GIS data provided by the Virginia Department of Historic Resources, the site is not within a historically protected district. Therefore, a Phase 1A Historic and Archeological study is not required. See the attached exhibit in Appendix C. However, as a part of the Renewable Energy "Permit By Rule" through the Commonwealth of Virginia, Applicant will perform historical and archaeological studies and the Department of Historic Resources (DCR) will review the site and surrounding areas to ensure historical and archeological significant areas are not affected from this development.

Section VII – Environmental Inventory

An environmental analysis was performed on site to ensure that the proposed development is feasible and does not provide significant adverse environmental impacts.

Wetlands and Waters

County GIS data and USGS topographic mapping was used to identify the location of surrounding bodies of water. The site is located in the Yarmouth Creek watershed. Wetlands and Waters of the U.S. (WOUS) were delineated in accordance with the methods outlined in the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0). The



project area consists of agricultural fields within the central portion of the site and wooded areas surrounding the agricultural fields. Unnamed tributaries that flow to Cranstons Pond (which flows to Yarmouth Creek) bound the property to the west, south and east. Forested wetlands systems are associated with these tributaries in areas. A field perenniality determination was conducted using the James City County (JCC) Perennial Stream Protocol Guidance Manual and portions of the tributaries were determined to be perennial. Perennial streams and wetlands which are contiguous and connected by surface flow to these perennial streams were identified as Resource Protection Areas and are subject to a 100-ft Resource Protection Area (RPA) buffer. The dominate tree species in the upland areas consist of beech (Fagus grandifolia), tulip poplar (Liriodendron tulipifera), red maple (Acre rubrum), white oak (Quercus alba), red oak (Quercus falcata), and holly (Ilex opaca). The wetlands occur in low lying ravines and are associated with streams. Common vegetation along the boundary and upper limits of the wetlands included holly (*Ilex opaca*), sycamore (*Platanus occidentalis*), ironwood (Carpinus caroliniana), highbush blueberry (Vaccinium corymbosum), Christmas fern (Polystichum acrostichoides), and Japanese stiltgrass (Microstegium vimineum). Lizard's tail (Saururus cernuus) was observed adjacent to streams within the wider wetland areas. No isolated wetlands or vernal pool type systems were identified within the delineation limits. Based on the delineation, the RPA buffers and associated wetlands do not conflict with the proposed limits of disturbance. An exhibit depicting the wetlands delineation, the RPA buffer, and the surrounding WOUS can be found in Appendix D.

Threatened and Endanger Species

Kimley-Horn conducted a preliminary review readily available database and agency information regarding potential occurrences of federal and state listed threatened and endangered (T&E) species within the proposed project limits or a 2-mile radius of the proposed project area. The review consisted of obtaining an Official Species list from the US Fish and Wildlife Service (USFWS) Official Species List, reviewing the Department of Game and Inland Fisheries (DGIF) Virginia Fish and Wildlife Information Service (VaFWIS) and Wildlife Environmental Review Map Service (WERMS), and submittal of the project area to the Department of Conservation and Recreation (DCR) Division of Natural Heritage (DNH).

USFWS - The USFWS Official Species List, dated September 19, 2016, documented Small Whorled pogonia (*Istotria medeoloides*) and Northern long-eared Bat (*Myotis septentrionalis*) as potentially occurring within the vicinity of the proposed project.

DGIF – The DGIF VaFWIS and WERMS databases did not identify any known occurrences of federal or state listed threatened or endangered species within the project limits (accessed September 19, 2016, November 2 and 3, 2016). The databases documented one known occurrence of the tri-colored Bat (*Perimyotis subflavus*) within the 2-mile radius of the project area. This species is state listed as endangered. The documented occurrence is located to the south of the proposed project site in the vicinty of Deer Lake to the north of Kolly Pond Road. DGIF's Little Brown Bat (MYLU) and Tri-colored Bat (PESU) Winter Habitat and Roosts Application did not identify hibernaculum within 0.25 mile of the proposed project nor known roost trees within 150 feet of the proposed project (accessed September 19, 2016 and November 3, 2016). DGIF's Northern Long-Eared Bat (NLEB) Winter Habitat and Roost Trees Application was also reviewed to identify winter habitat within 0.25 mile of the proposed project



or known maternity roost trees within 150 feet of the proposed project (accessed September 19, 2016 and November 3, 2016). No known NLEB winter hibernaculum or maternity roost trees were identified within the proposed project area or referenced ranges.

DCR – Based on DCR's comments received on October 18, 2016, natural heritage resources were not depicted within the project area but are located within a 2-mile radius of the proposed project area:

Lightfoot Conservation Site (Site ID 2121) – this site is located ±0.8 mile to the south of the proposed site. This conservation site has been assigned a biodiversity ranking of B3 which represents a site of high significance. The resource of concern at the site is small whorled pogonia (*Isotria medeoloides*, G2/S2/LT/LE). Small whorled pogonia is federally listed as threatened and state listed as endangered. The DCR comments describe small whorled pogonia as a perennial orchid that grows in a variety of woodland habitats but tend to prefer mid-aged woodland habitats on gently north or northeast facing slopes, often within small draws. Threats to this species include direct destruction, habitat loss, and habitat alteration. A habitat assessment for small whorled pogonia (*Isotria medeoloides*) will be performed to identify suitable habitat on the project site. If suitable habitat is identified a survey will be conducted within the survey window.

Yarmouth Creek Conservation Site (G3G4/S3S4/NL/NL) – This site is identified as an Arrow-Arum-Pickerelweed tidal freshwater marsh and has a biodiversity significance ranking of B2, which represents very high significance. These communities occur in low lying marsh with much substrates of varying depths with long periods of tidal flooding. To minimize adverse impacts to this conservation site, the project will have strict adherence to state and local erosion and sediment control/stormwater management laws and regulations.

Floodplain

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map depicts the proposed project site as within Zone "X", outside the 0.2% annual chance floodplain. An exhibit has been provided in Appendix D.

Topography and Soils

County GIS was also used to examine the existing topography of the site. The area where the proposed solar power electrical generation facility will be located is relatively flat. However, the slopes increase dramatically (over 25%) at the field delineated RPA buffers, leading to the streams to the east and west of the proposed site location. A topographic exhibit has been attached in Appendix D. According to the USDA soil survey, the site soils are predominately a mix of Craven-Uchee complex, Emporia complex, and Kempsville-Emporia fine sandy loams. These soils are well drained with moderate permeability, and the hazard of erosion is slight. The USDA soils report has been provided in Appendix D.

Section VIII - Perimeter Buffers

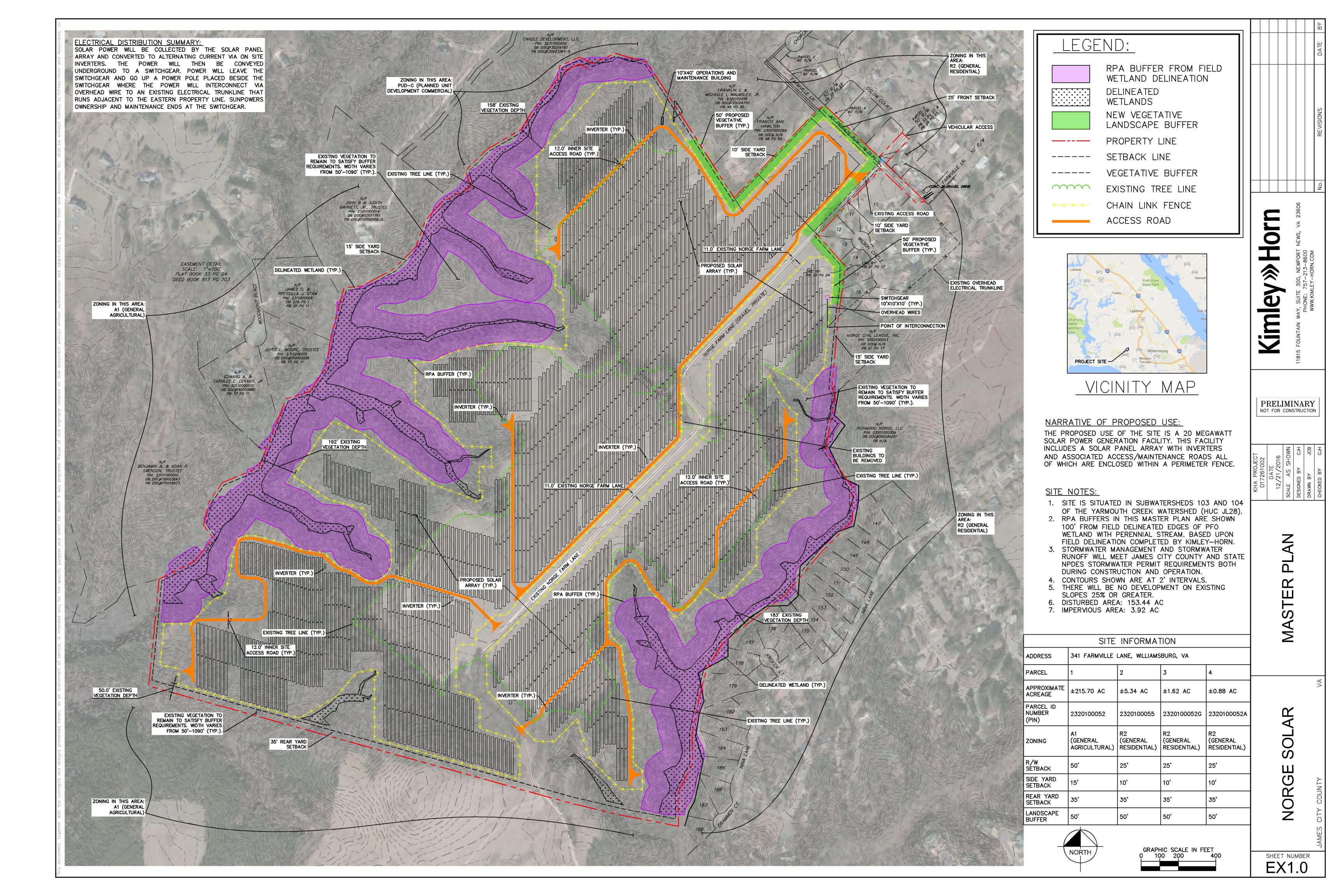
The majority of the site is bounded by existing, vegetated RPA-buffered features as shown on the Master Plan. Based upon James City County, State, and Federal environmental regulations, these RPA buffer and steep slope areas will not be cleared or disturbed as part of construction. Therefore, significant



buffers composed of existing plant material will remain present and will provide from approximately 50-ft to more than 1,000-ft of buffering from the majority of the surrounding properties as shown on the Master Plan. For areas along the north and northeast sides of the project area where agricultural fields border existing residential properties and limited existing buffer vegetation is present, a planted buffer of 50-ft is proposed as shown conceptually on the Master Plan. For this proposed buffer area, plantings composed predominantly of evergreen plant material are planned so that a continuous screen can be provided.

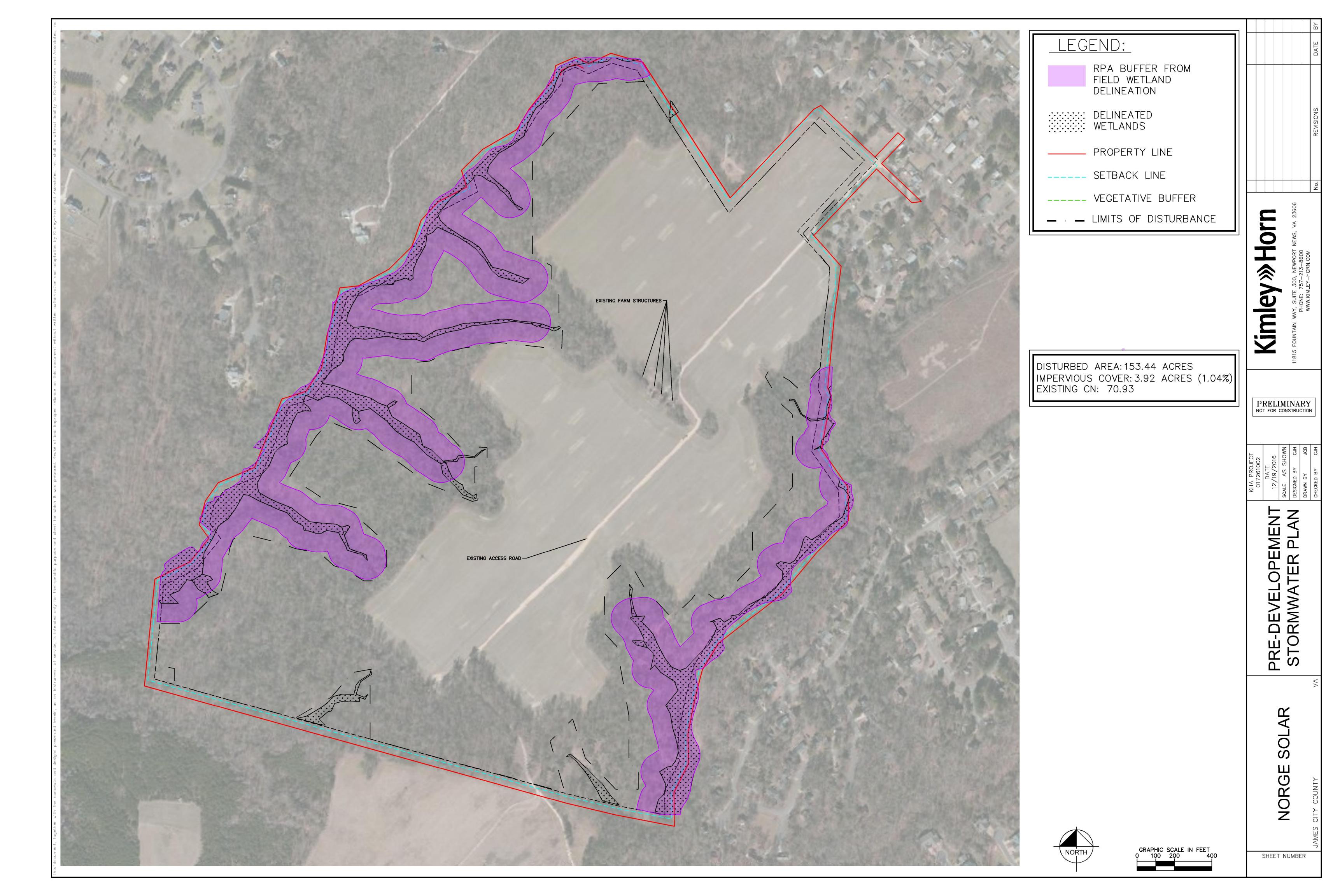


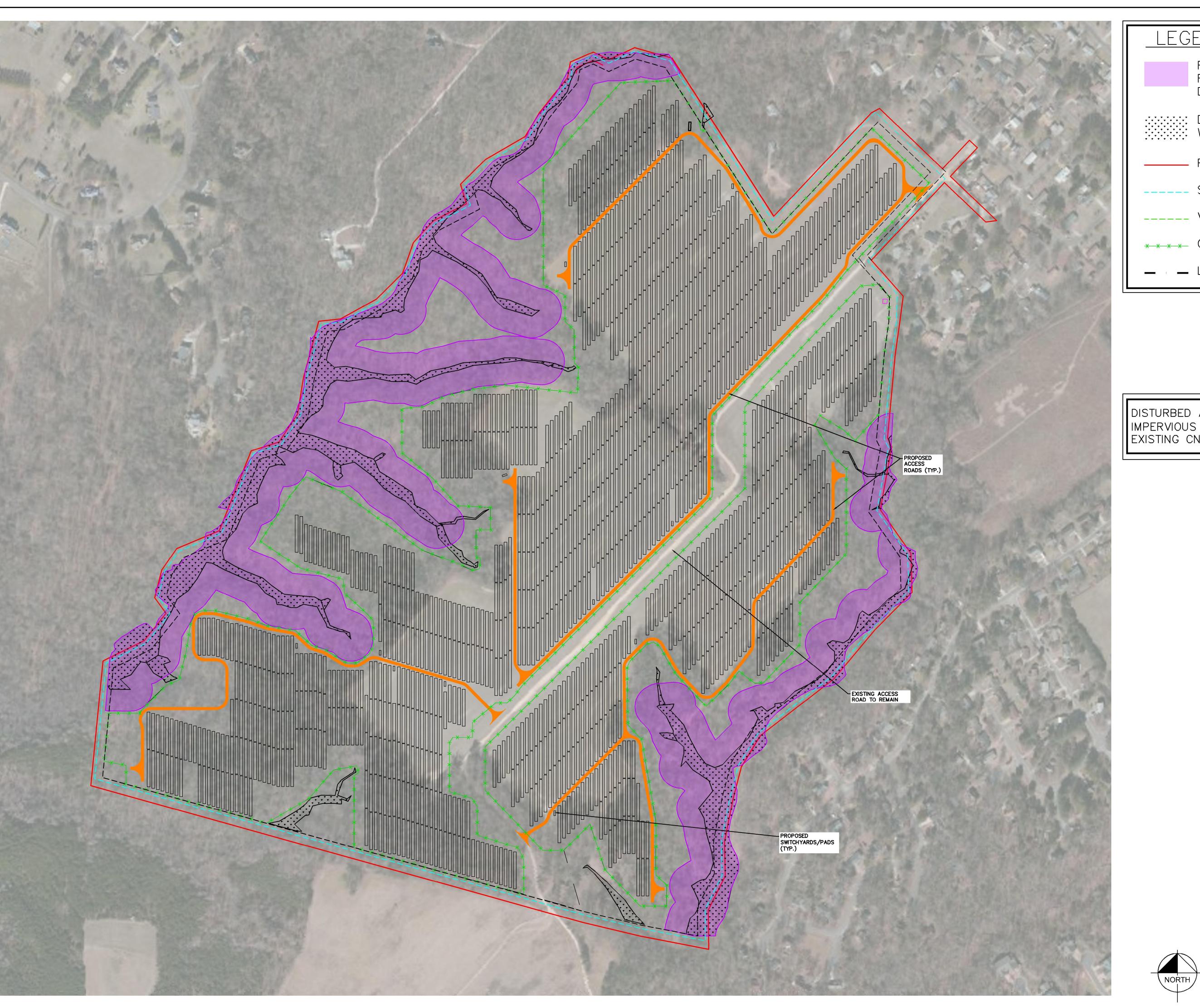
Appendix A – Master Plan and Supplemental Exhibits





Appendix B – Conceptual Stormwater Calculations and Exhibit





LEGEND:

RPA BUFFER FROM FIELD WETLAND DELINEATION

DELINEATED ∷∷∷∷∷: DELINEATED ∷∷∷∷∷: WETLANDS

PROPERTY LINE

SETBACK LINE

---- VEGETATIVE BUFFER

* * * * CHAIN LINK FENCE

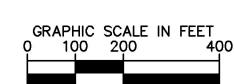
LIMITS OF DISTURBANCE

DISTURBED AREA: 153.44 ACRES
IMPERVIOUS COVER: 3.92 ACRES (2.55%)
EXISTING CN: 74.61

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NUMBER

EX1.0



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

BMP Design Specifications List: 2013 Draft Stds & Specs

Site Summary

Total Rainfall (in):	43
Total Disturbed Acreage:	153.44

Site Land Cover Summary

Pre-ReDevelopment Land Cover (acres)

	A soils	B Soils	C Soils	D Soils	Totals	% of Total
Forest/Open (acres)	0.00	0.00	127.40	0.00	127.40	83
Managed Turf (acres)	0.00	0.00	24.44	0.00	24.44	16
Impervious Cover (acres)	0.00	0.00	1.60	0.00	1.60	1
					153.44	100

Post-ReDevelopment Land Cover (acres)

	A soils	B Soils	C Soils	D Soils	Totals	% of Total
Forest/Open (acres)	0.00	0.00	0.00	0.00	0.00	0
Managed Turf (acres)	0.00	0.00	149.52	0.00	149.52	97
Impervious Cover (acres)	0.00	0.00	3.92	0.00	3.92	3
					153.44	100

Site Tv and Land Cover Nutrient Loads

	Final Post-Development (Post-ReDevelopment & New Impervious)	Post- ReDevelopment	Post- Development (New Impervious)	Adjusted Pre- ReDevelopment
Site Rv	0.24	0.23	0.95	0.08
Treatment Volume (ft ³)	132,925	124,924	8,001	43,197
TP Load (lb/yr)	83.52	78.49	5.03	27.14

Baseline TP Load (lb/yr): 61.9592* *Reduction below new development load limitation not required

Total TP Load Reduction Required (lb/yr)	20.61	16.53	4.08
			i

	Final Post-Development Load (Post-ReDevelopment & New Impervious)	Pre- ReDevelopment
TN Load (lb/yr)	597.46	195.67

Pre- ReDevelopment TP Load per acre (lb/acre/yr)	Final Post-Development TP Load per acre (lb/acre/yr)	Post-ReDevelopment TP Load per acre (lb/acre/yr)
0.18	0.54	0.52

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

BMP Design Specifications List: 2013 Draft Stds & Specs

Site Summary

Total Rainfall (in):	43
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					153.44	100

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	A soils	B Soils	C Soils	D Soils	Totals	% of Total
Forest/Open (acres)	0.00	0.00	0.00	0.00	0.00	0
Managed Turf (acres)	0.00	0.00	149.52	0.00	149.52	97
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		1	i

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TN Load (lb/yr)	597.46	195.67

Pre- ReDevelopment TP Load per acre (lb/acre/yr)	Final Post-Development TP Load per acre (lb/acre/yr)	Post-ReDevelopment TP Load per acre (lb/acre/yr)
0.18	0.54	0.52

Site Compliance Summary

w 20%	Maximum % Reduction Required Below
d 20%	Pre-ReDevelopment Load

* Note: % Reduction will reduce post-development TP load to less than or equal to baseline load of 61.96 lb/yr (0.41 lb/ac/yr)
[Required reduction for Post-ReDev. = Post-ReDev TP load - baseline load of 61.9592 lb/yr], baseline load = site area x 0.41 lb/ac/yr

Total Runoff Volume Reduction (ft ³)	34,921
Total TP Load Reduction Achieved (lb/yr)	21.92
Total TN Load Reduction Achieved (lb/yr)	156.78
Remaining Post Development TP Load (lb/yr)	61.60
Remaining TP Load Reduction (lb/yr) Required	0.00

** TARGET TP REDUCTION EXCEEDED BY 1.31 LB/YEAR **

^{*}Reduction below new development load limitation not required

Site Compliance Summary

Maximum % Reduction Required Below	20%
Pre-ReDevelopment Load	20%

* Note: % Reduction will reduce post-development TP load to less than or equal to baseline load of 61.96 lb/yr (0.41 lb/ac/yr)
[Required reduction for Post-ReDev. = Post-ReDev TP load - baseline load of 61.9592 lb/yr], baseline load = site area x 0.41 lb/ac/yr

Total Runoff Volume Reduction (ft ³)	34,921
Total TP Load Reduction Achieved (lb/yr)	21.92
Total TN Load Reduction Achieved (lb/yr)	156.78
Remaining Post Development TP Load (lb/yr)	61.60
Remaining TP Load Reduction (lb/yr) Required	0.00
*Paduction below now development lead limits	

** TARGET TP REDUCTION EXCEEDED BY 1.31 LB/YEAR **

^{*}Reduction below new development load limitation not required

Drainage Area Summary

	D.A. A	D.A. B	D.A. C	D.A. D	D.A. E	Total
Forest/Open (acres)	0.00	0.00	0.00	0.00	0.00	0.00
Managed Turf (acres)	149.52	0.00	0.00	0.00	0.00	149.52
Impervious Cover (acres)	3.92	0.00	0.00	0.00	0.00	3.92
Total Area (acres)	153.44	0.00	0.00	0.00	0.00	153.44

Drainage Area Compliance Summary

	D.A. A	D.A. B	D.A. C	D.A. D	D.A. E	Total
TP Load Reduced (lb/yr)	21.92	0.00	0.00	0.00	0.00	21.92
TN Load Reduced (lb/yr)	156.78	0.00	0.00	0.00	0.00	156.78

Drainage Area A Summary

Land Cover Summary

	A Soils	B Soils	C Soils	D Soils	Total	% of Total
Forest/Open (acres)	0.00	0.00	0.00	0.00	0.00	0
Managed Turf (acres)	0.00	0.00	149.52	0.00	149.52	97
Impervious Cover (acres)	0.00	0.00	3.92	0.00	3.92	3
					153 44	

BMP Selections

Practice	Managed Turf Credit Area (acres)	Impervious Cover Credit Area (acres)	BMP Treatment Volume (ft ³)	TP Load from Upstream Practices (lbs)	Untreated TP Load to Practice (lbs)	TP Removed (lb/yr)	TP Remaining (lb/yr)	Downstream Treatment to be Employed
9.b. Sheetflow to Conservation Area, C/D Soils (Spec #2)	74.76	2.94	69,841.93	0.00	43.83	21.92	21.92	

Total Impervious Cover Treated (acres)	2.94
Total Turf Area Treated (acres)	74.76
Total TP Load Reduction Achieved in D.A. (lb/yr)	21.92
Total TN Load Reduction Achieved in D.A. (lb/yr)	156.78

Runoff Volume and CN Calculations

	1-year storm	2-year storm	10-year storm
Target Rainfall Event (in)	0.00	0.00	0.00

Drainage Areas	RV & CN	Drainage Area A	Drainage Area B	Drainage Area C	Drainage Area D	Drainage Area E
CN		75	0	0	0	0
RR (ft ³)		34,921	0	0	0	0
	RV wo RR (ws-in)	0.00	0.00	0.00	0.00	0.00
1-year return period	RV w RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	CN adjusted	100	0	0	0	0
	RV wo RR (ws-in)	0.00	0.00	0.00	0.00	0.00
2-year return period	RV w RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	CN adjusted	100	0	0	0	0
	RV wo RR (ws-in)	0.00	0.00	0.00	0.00	0.00
10-year return period	RV w RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	CN adjusted	100	0	0	0	0



Appendix C – VCRIS Area Map



Virginia Cultural Resource Information System

Legend

Architecture Resources

Archaeological Resources

Archaeology Phase 1 Survey

DHR Easements





Feet

0 1200240036004800 1:72,224 / 1"=6,019 Feet Title: Norge Solar

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Date: 11/8/2016

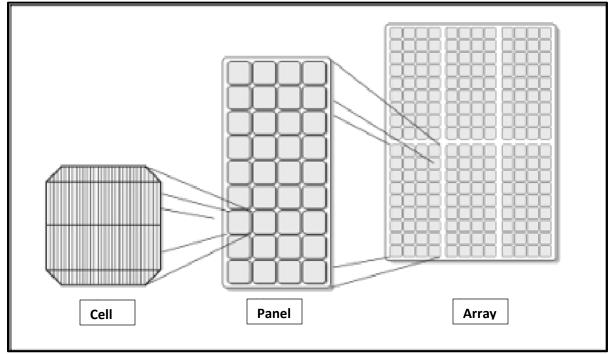
Notice if AE sites:Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

Attachment 8. Elements of a ground-mounted array of photovoltaic (solar) panels



Typical ground-mounted arrays of solar panels

Typical elements of an array



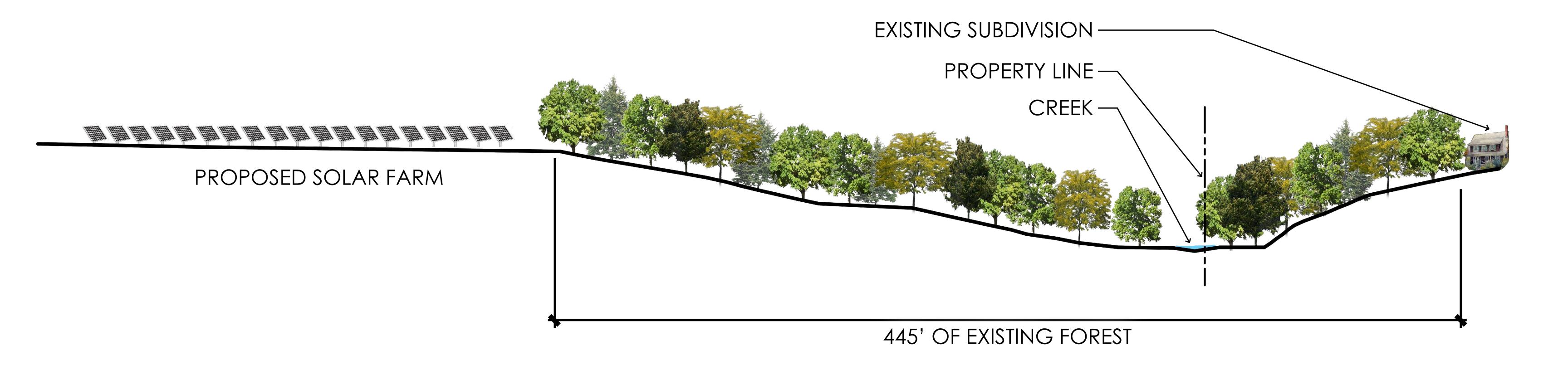
SUP-0028-2016 Access Route







KEY MAP









FEBRUARY 28, 2017 Kimley >>> Horn





James City County, Virginia

FEBRUARY 28, 2017







James City County, Virginia

EBRUARY 28, 2017 Kimley » Horn





James City County, Virginia

Kimley» Horn

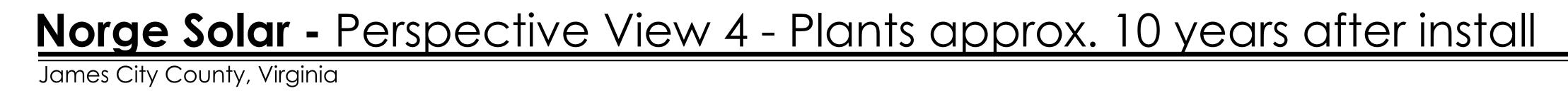




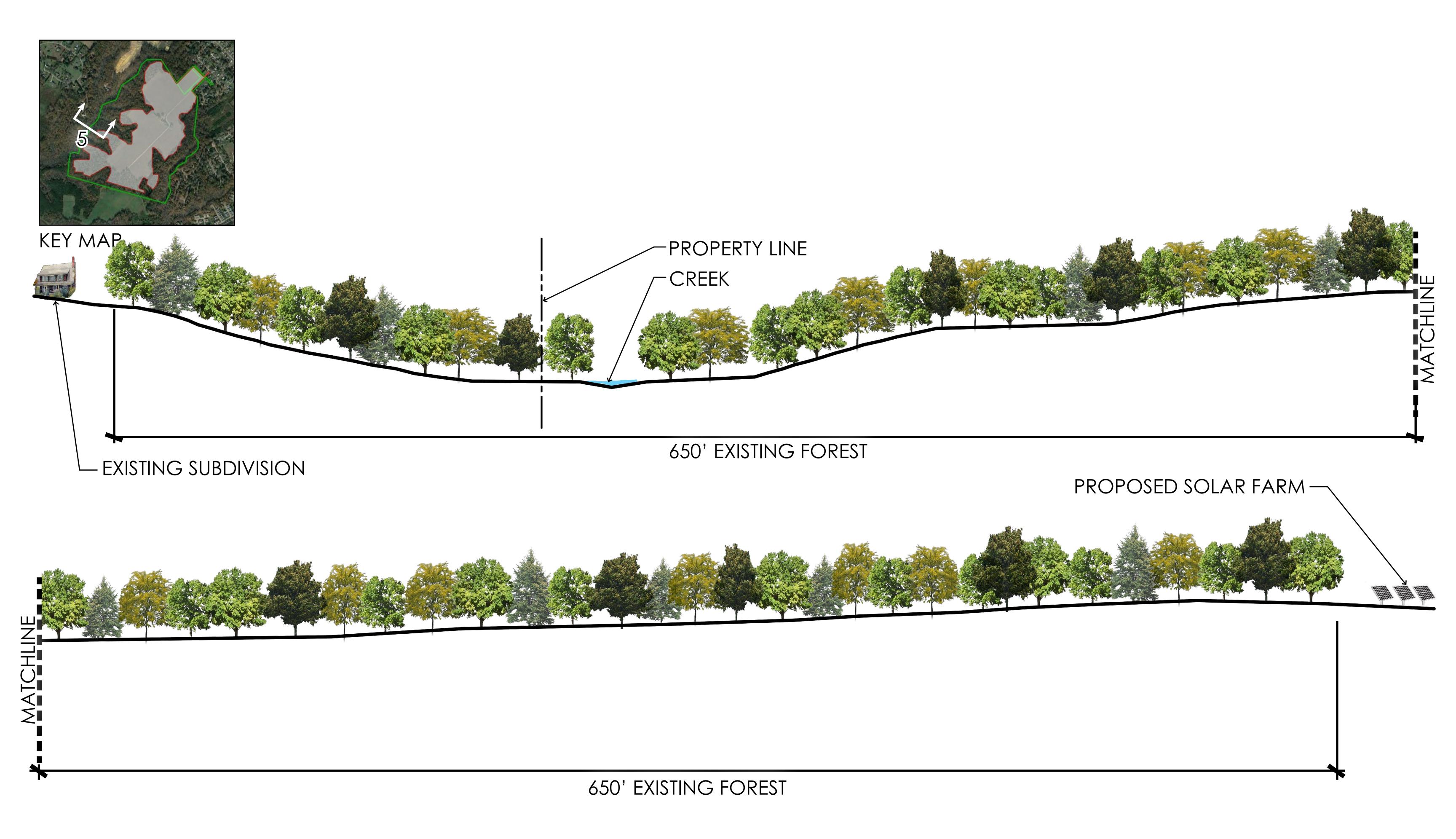
FEBRUARY 28, 2017 Kimley >>> Horn





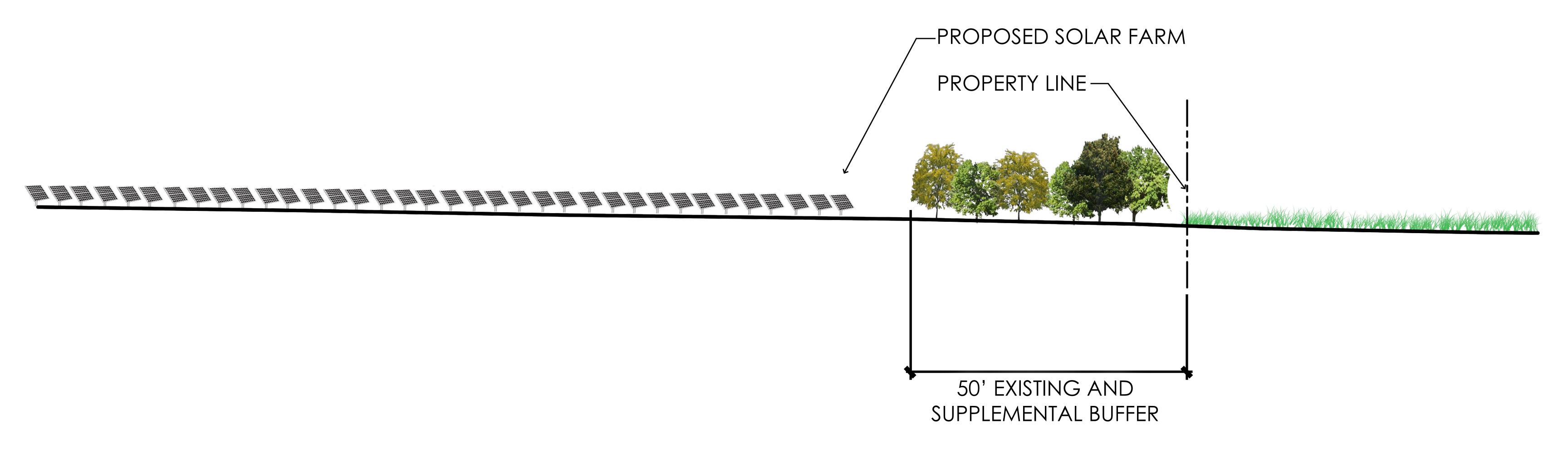


FEBRUARY 28, 2017 Kimley » Horn





KEY MAP





Address to James City Planning Commission - Public Hearing Concerning Proposed Solar Facility in Norge – March 1, 2017

After living in upper York County for a number of years, my wife and I decided in 1988 to buy our present home in Norge. Two major factors led us to buy this home, one was the nice small neighborhood we encountered and the other being the visual appeal of the farm that our property adjoined. I knew it was historically rich as is most of the area and Norge had that small town feel but we were 8 miles and 5 traffic lights from our work in Williamsburg. There was quite a bit of farm land in the County then, but unfortunately that has changed. Although I still sense some of that small town feel, our area has seen a drastic upturn in expansion resulting in a great loss of this area's charm and rural identification. We are still 8 miles from town however instead of being separated it has become blended together and to get there we must join a road jammed with vehicles and negotiate 22 traffic lights. I still find a lot of that rural feel when I look at the farm from my backyard. Not only has it been planted in crops for better than 350 years it is a pleasant environment for the few deer that have come around, as well as wild turkey, geese and the occasional bald eagle which I've seen in the area of late.

Like most people who have paid off their mortgage I looked forward to enjoying our home and now that I've been retired over 3 years, even more so. Working all those years and paying it off was finally coming to fruition. Then we heard what was being proposed last fall. We never expected anything like the proposed Solar Farm.

As you might have guessed I and all of the neighbors I've talked with are opposed to this project. We are opposed not because it is a solar farm necessarily, but because of what it would do to this particular piece of land and the surrounding community. Solar power is in fact a good way to help offset the uses of fossil fuels in generating power, however something of this magnitude shouldn't even be considered for a farm such as this.

A number of us in the neighborhood attended the meet and greet that Sun Power held at Norge School last fall. I understood already what solar farms did and how they operated in general. At this gathering we were told what would

have to be done to make this facility operational. I told one of their representatives that at minimum this facility would be unsightly. I was told a buffer fence with foliage (unsightly in its own right) would be a buffer between the fields and the back of our properties. The fence would block very little as I would be able to see over the fence from my deck onto hundreds of solar panels. I looked on the internet at other solar farms around the country and hardly any were set up this close to residential areas.

The problems getting through this neighborhood with vehicles and equipment to build and maintain this kind of operation would be undesirable. Before a facility like this would go into operation there would be a number of other issues that should be addressed, none of them in my opinion would be pluses.

Some facilities have been known to be fire risks, what would that do in trying to get firefighting equipment back into this area? There are risks of solar glare, not only to homes but to aircraft. We live in a flyover zone for civilian and military aircraft and some pilots have complained vigorously about solar panel glare from large facilities around the country. Some who live in close proximity to these complexes might have electromagnetic hypersensitivity issues and would be detrimental to their health. No one can guarantee that our property values will stay the same or go up by having our properties backed up to this kind of intrusion. And how many trees would have to be cut to accommodate this project? These concerns should be enough by themselves to deny this type of operation from being located on this farm.

What's wrong with this farm staying a farm anyway? It provides the land owner with revenue by leasing it to be put into crops the results of which will feed many and benefits our economy. This farm has artifact evidence of 17th and 18th century occupation on it and the road running through it was once an old connector road from here over to the Chickahominy river area. The existing farm house is one of the last surviving examples of Norwegian house construction in Norge. I remind you Norge was made a community by Scandinavian (mainly Norwegian) settlers at the beginning of the 20th century. Both Union and Confederate armies camped around this area after the battle of Williamsburg in

1862. It is still the beauty of this farmland that is appealing. Are we to diminish our farm lands in James City County again for this kind of construction?

SunPower touts that the construction of this facility will bring jobs and revenue to the area. The jobs will be temporary for the most part and furthermore those who would work at building it won't live here or have their houses setting next to it, even the person who owns the land doesn't live here either so none of them would feel the adverse effects. The revenues, I dare say, will not be as significant as they would make us believe. SunPower as a company has had some difficulties lately, even its stock having going down in the last two years. In various parts of the country power company fees are used to subsidize and/or buy power from Solar Facilities such as the one being proposed. This facility would be forced on us and in a roundabout way could partially be paid for through power company fees could it not? No one can guarantee that any of this will not happen.

I ask you, would you want a home or purchase one that backed up to one of these huge obtrusive facilities? No of you would. Put yourselves in our place and realize what this would do to this area. If there is a desire to build a solar complex then help them find a place that won't intrude on a community located as close to it as ours is proposed to be. Help us keep as much of James City County from being pushed out and paved over as has already been done. I certainly would have misgivings about living in a region that would allow this kind of project to go through. Please help us keep our history, our ambiance and what rural character we have left it has been our identification for centuries. Please, let it stay a farm for all of us.

Thank you very much for the opportunity to speak to you tonight.



June 26, 2017 Revised September 21, 2017

Mr. Glenn Brooks, P.E. Area Land Use Engineer VDOT – Williamsburg Residency 4451 Ironbound Road Williamsburg, VA 23188

RE: Construction Access and Traffic Management Plan

Norge Solar Facility
James City County, VA

Mr. Brooks,

Attached you will find a Construction Access and Traffic Management Plan for the proposed Norge Solar Facility. This Solar Facility will be located in Norge, Virginia behind the Norvalia residential neighborhood. As detailed in the report, access will be through the Norvalia neighborhood primarily via Farmville Lane which residents have expressed reasonable concerns about. In a proactive effort to identify and mitigate any potential access concerns, we have compiled the attached Construction Access and Traffic Management Plan which offers potential solutions to accessibility, safety, and traffic conditions during the solar facility's construction period.

We ask that you review the Norge Solar Facility Construction Access and Traffic Management Plan and provide any feedback or suggestions so we can successfully solve any potential access issues.

Please contact me if you have any questions or need additional information.

Sincerely,

Carroll E. Collins, AICP Office: (757) 213-8616

Email: carroll.collins@kimley-horn.com

C:

Peter Toomey, SunPower
David Stoner, SunPower
Jose Ribeiro, James City County

Kimley » Horn

CONSTRUCTION ACCESS AND TRAFFIC MANAGEMENT PLAN

For

Norge Solar Facility

James City County, VA

Prepared For:

Virginia Department of Transportation

4551 Ironbound Road

Williamsburg, VA 23188

Prepared By:

Kimley-Horn

11815 Fountain Way, Suite 300

Newport News, VA 23606

June 26, 2017



Executive Summary

The proposed Norge Solar facility will be located to the southwest of the Norvalia residential neighborhood in Norge, Virginia. During the Special Use Permit (SUP) application and approval process, access to the site was proposed via the primary route of Farmville Lane with a construction access driveway located along Oslo Court. SunPower has requested that construction access to the site be provided via the Oslo Court route to better accommodate larger (e.g., tractor trailer / WB-67) delivery vehicles to/from the site and to minimize impacts to property owners located in the turn along Farmville Lane leading to the site (See attached Exhibit EX-1). The request was approved as a SUP Condition during the April 5, 2017 Planning Commission Meeting.

Since that Public Hearing, residents of the Norvalia community held a subsequent neighborhood meeting to discuss the proposed Norge Solar Facility project and its perceived impacts on their quality of life. One of the primary topics discussed at this meeting dealt with access to/from the site via Farmville Lane. Concerns included the anticipated volume of construction-related traffic, the number and size of large construction delivery vehicles/trucks (i.e., tractor trailers/WB-67s and concrete trucks) using Farmville Lane, the subsequent impacts to traffic operations in the neighborhood and at the Farmville Lane/Richmond Road intersection, as well as potential impacts to the numerous trees that line the Farmville Lane segment leading into/out of the neighborhood.

In response, SunPower has and continues to take a proactive approach to addressing the concerns of the Norvalia residents. As a part of the SUP Conditions developed by the County, SunPower has agreed to and is proposing restricted delivery times to avoid potential conflicts with school bus pick-up and drop-off times while school is in session, as well as developed preliminary hours in which the site should be accessed—both when school is in session and when school is out. Additionally, SunPower is taking action to proactively address questions regarding how the roadway network (Farmville Lane and Oslo Court) will be surveyed and repaired, if any damage occurs, after construction-related traffic activities.

SunPower has developed a preliminary construction access/traffic management plan to address the proposed route to/from the site, expected hours of operations, and traffic control measures to accommodate the safe and efficient movement of large construction delivery vehicle (i.e., WB-67) traffic to/from the site via the Farmville Lane/Richmond Road unsignalized intersection. To ensure the viability of large construction delivery vehicle access, a site visit was conducted on May 31, 2017 to identify physical constraints—such as the location of the utility pole and fire hydrant in proximity to the roadway, and small curb radii at the Farmville Lane/Richmond Road intersection —as well as sight distance constraints per VDOT guidelines.



Accessibility

As depicted in the construction access exhibit (See attached Exhibit EX-1), a WB-67 truck (typical tractor trailer) is able to execute the left-turn movements on to southbound Farmville Lane from westbound Richmond Road as well as from northbound Farmville Lane to westbound Richmond Road. Entry and exit to the site by large construction delivery vehicles will be limited to left-turns to minimize the potential for conflict/damage to the fire hydrant and/or the utility pole located immediately adjacent to the southwest and southeast quadrants of the Farmville Land and Richmond Road intersection (Photos 1 and 2 below).

In addition to the location of the fire hydrant and utility pole in proximity to the roadway, the conditions are further restricted by the significantly small radii (i.e., < 10 feet) on both corners of the Farmville Lane approach to Richmond Road.

As discussed in the Norvalia community meeting, there was concern regarding existing sight distance limitations for vehicles turning from Farmville Lane onto Richmond (e.g., photos 1 and 2). Specifically, if larger, construction delivery vehicles and tractor trailer trucks would be capable of meeting the recommended intersection sight distance standards. Actual sight distances for vehicles on Farmville Lane were measured in the field and are listed below in **Table 1**.

According to the sight distance standards in VDOT's *Access Management Design Standards for Entrances and Intersections (Appendix F)*, which directly references the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* manual, the required sight distance for the conditions present at the Farmville Lane/Richmond Road are shown in **Table 1**. These distances were calculated following the procedures provided in *A Policy on Geometric Design of Highways and Streets* and are based on the turn type, vehicle type, and number of crossing lanes.

Table 1: Sight Distances for Farmville Lane/Richmond Road Intersection

	Intersection Sight Distances						
Turning Condition	Field Measured (ft)	Passenger Cars (ft)	Single-unit Trucks (ft)	WB-67 Trucks (ft)			
Case B1 – Left Turn from Minor Road (i.e., Farmville Lane)	750	595	767	899			
Case B2 – Right turn from Minor Road (i.e., Farmville Lane)	450	430	562	695			

Source: AASHTO A Policy on Geometric Design of Highways and Streets (2011)

As it is shown, the calculated sight distances for any vehicle larger than a passenger car would not meet the recommended sight distances for vehicles turning left or right from Farmville Lane onto Richmond Road. Therefore, it is proposed that during peak construction and delivery times, a construction traffic flagger will be used to accommodate large construction vehicles turning left out of Farmville Lane onto westbound Richmond Road as an effort to mitigate safety issues regarding oncoming traffic and limited sight distance. This flagger shall be VDOT certified and used in accordance to VDOT's Work Zone Safety standards.



A cross section has been provided on the construction access exhibit (See attached Exhibit EX-2) which depicts the road measurements taken on 05/31/2017 and illustrates clearances of a WB-67 truck passing a standard passenger vehicle. Based on these dimensions, Farmville Lane—while narrow—has sufficient roadway/pavement width to accommodate the route for anticipated large construction delivery vehicles. Most Crepe Myrtle trees and other vegetation along Farmville Lane are planted within or immediately adjacent to the right-of-way, but appear to be located far enough from the road that no damage from passing construction delivery vehicles should occur (Photos 3 and 4). A few segments have lower overhanging limbs which taller vehicles may brush against, though local refuse collection vehicles appear to navigate this with little issue (Photo 7). For residents concerned by potential damage to the overhanging trees, SunPower will offer preventative pruning.

Safety

School bus stops exists along Farmville Lane and Oslo Court. The posted schedule for pick-up and drop-off times at these stops is as follows: Norge Elementary—9:01 am, 4:21 pm, Toano Middle School—6:35 am, 2:50 pm, Warhill High School—6:53 am, 2:49 pm. Based on these times, it is proposed that construction delivery related traffic will halt during the following window of time:

2:45 pm - 3:15 pm

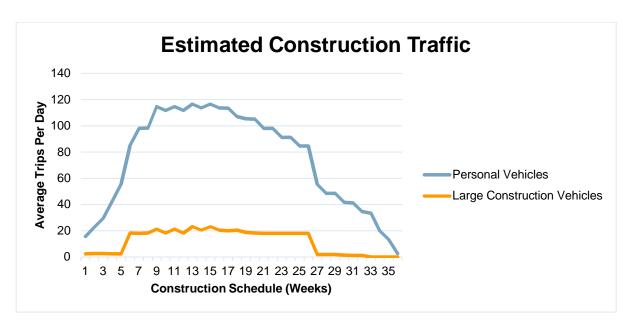
While school is in session, SunPower proposes construction hours between 7:30 am and 7:00 pm, with no normal shifts ending between 2:45 pm-3:15 pm or 4:15 pm-4:45 pm. As such, the majority of regular construction traffic (i.e., site foreman, tradesmen, laborers with passenger cars or pick-up trucks) will not be coming/going during the times that school children are waiting for or walking back from the school bus. Large construction vehicle deliveries are proposed to begin at 9:15 am when all schools are already in session, to halt in the afternoon from 2:45 pm-3:15 pm during the middle/high school bus drop-off times, and to stop completely at 4:00 pm before Norge Elementary is out.

During the summer when school is not in session, it is proposed that construction deliveries are allowed to occur from 8:00 am to 4:30 pm. For other construction related vehicles (i.e., site foreman, tradesmen, laborers with passenger cars or pick-up trucks) access to/from the site is proposed from 7:00 am to 7:30 pm during the school year, and 6:00 am to 8:00 pm while school is not in session. To further enhance the safety of pedestrians, a speed limit of 15 mph for all construction traffic on Farmville Lane and Olso Court will be imposed by SunPower.

Construction Traffic

The construction schedule for the Solar Farm Facility is typically nine (9) months. However, the peak volume of traffic and number of workers on site described does not occur for the entire nine (9) month schedule. The typical "peak" during that schedule lasts between four (4) to five (5) months. During peak construction periods, the site will experience approximately nine (9) to ten (10) delivery trucks per day, resulting in approximately eighteen (18) to twenty (20) trips (i.e., inbound is one trip/outbound is one trip) per day using Farmville Lane. With construction at its peak, it is expected that at any one time there could be between sixty (60) and eighty (80) workers on site resulting in an additional ninety (90) to one hundred and twenty (120) trips per day (i.e., assuming an average vehicle occupancy of 1.5 workers per vehicle). The figure below shows an estimated distribution of both large construction vehicle and personal vehicle trips (one way) during the construction schedule.





Based upon feedback from the nearby residents during a neighborhood meeting held in late June 2017, SunPower has actively worked to find ways to reduce construction traffic along Farmville Lane to address concerns that were raised. The above construction traffic data and graph detail what the estimated construction traffic could be, however, in an effort to mitigate the volume of construction related traffic created by private passenger vehicles, SunPower has proposed a condition to procure off-site parking for construction laborers and employees. This condition should significantly reduce the volume of private passenger vehicle traffic along Farmville Lane.

To the extent which SunPower can dictate the construction schedule in relation to the calendar year, it would be ideal for the "peak" of construction to occur during the summer months (e.g., June through September). This effort would limit further potential conflicts with School Buses and other school-related traffic as well as maximize the length of the work day with available daylight and potentially reduce the overall construction schedule. Note that on-site construction related activity is limited to 7:00 am to 7:00 pm Monday-Friday by Special Condition No. 13, and the delivery/access times to the site are proposed accordingly, as noted above.

In addition to defining the general window of time in which large construction delivery trucks would be allowed to access the site, SunPower—to the extent possible—will attempt to schedule such deliveries so they occur closely spaced or "bunched" so peak activity occurs during a shorter period of time and avoids the feeling a delivery trucks traveling to/from the site "all day". The bunched widows of delivery would be scheduled outside of peak AM, Mid-Day/Lunch and PM commuting times.

Special Use Permit (SUP) Conditions



Note that in addition to the above considerations, construction activities and issues relating to site access are further addressed by the following proposed conditions to the project's SUP:

1. Construction Traffic Mitigation Plan. Prior to the issuance of a land disturbing permit for the Facility, the Facility operator shall submit to the Virginia Department of Transportation (VDOT) and the County Director of Planning, or his designee, a Construction Traffic Mitigation Plan (CTMP) for review and approval. The CTMP shall identify all existing conditions and provide a plan to address all necessary repairs to public roads internal to Norvalia and/or Norge Court subdivision required as a result of damage from construction traffic and provide a timeline for completion of repairs. Within 6 months of the Facility commencing operations, the Facility owner shall be responsible for completing all road repairs as identified by the approved CTMP as determined by VDOT.

In order to comply with this condition, SunPower will prepare the CTMP as noted above and monitor the conditions of the public roads throughout construction. Should any damage be identified as a result of construction traffic, SunPower will develop a repair plan and complete the repairs as required by the SUP Condition.

- 2. <u>Construction Management and Mitigation.</u> The Facility operator shall provide the following plans for review and approval by the Director of Planning or his designee prior to final site plan approval. In addition to all state and local site plan requirements, such plans shall include, at a minimum, those items listed below:
 - a. Construction Management Plan:
 - Designated parking areas
 - Hours of construction activities shall be limited to 7:00 a.m. to 7:00 p.m.
 - Hours of construction delivery times shall avoid conflicts with school buses on the surrounding residential streets during peak pick-up and drop-off times.
 - b. Construction Mitigation Plan:
 - Dust mitigation, such as water trucks, mulch, or similar methods.
 - Smoke and burn mitigation, such as containments or similar methods.

In order to comply with this condition, SunPower will prepare and submit Construction Management and Construction Mitigation Plans to James City County during the detailed site plan review process. These plans will further detail and identify locations for on-site construction parking, on-site construction material laydown areas, and times for construction deliveries. During construction, no parking will be allowed off-site along any of the adjacent road ROWs.

3. Access. The original condition proposed by James City County Staff proposed all access to the site flow through Farmville Lane. After review and discussion, the Planning Commission recommended to the Board of Supervisors an alternate condition to the SUP to allow construction traffic to access the site through the Oslo Court access. Further explanation and discussion of this is outlined in the "Other Access Considerations" section below.



SunPower not only agreed to the initial intent of the proposed conditions relating to the construction traffic mitigation plan and construction management and mitigation, but further refined the details of these conditions, fully acknowledging the need to avoid conflicts with school bus pickup and drop-off times/activities, avoid peak hour neighborhood traffic activity, restrict construction material delivery times, and mitigate dust and noise impacts to the adjacent neighborhood residents during construction.

SunPower has also proactively developed a construction access plan intended to limit significant physical impacts to properties along Farmville Lane, develop alternative improvements to accommodate construction vehicle traffic while also proposing mitigation measures to provide a safer operational environment for construction vehicle trucks and passenger vehicles using the Farmville Lane/Richmond Road intersection to access the site.

4. <u>Off-site Parking.</u> As detailed in the Construction Traffic section above, SunPower has proposed a condition to procure off-site parking for construction laborers and employees. This condition should significantly reduce the volume of private passenger vehicle traffic along Farmville Lane.

Other Access Considerations

The access route to the site being suggested by James City County staff would be solely via Farmville Lane, which would require the acquisition of private property from adjacent property owners to widen the right-of-way (ROW) necessary to accommodate the large construction vehicle turning radii, in addition to the residual physical impacts to these residential properties. The public ROW ends before the turn and is not adequate to accommodate the turning movements of large construction delivery vehicles (See attached Exhibit EX-1).

SunPower has instead requested that construction access to the site be provided via the Oslo Court route to better accommodate larger (e.g., tractor trailer / WB-67) delivery vehicles to/from the site and to minimize impacts to property owners located in the turn along Farmville Lane leading to the site (See attached Exhibit EX-1).

Access to the site is proposed via Farmville Lane and Oslo Court. Once on Oslo Court, all construction related traffic vehicles will be able to execute a left-turn movement onto or a right-turn movement from a 50' wide parcel of land owned by the project facility's landowner, Whisper Ridge LLC. We are proposing to improve the 50' parcel off Oslo Court with a 20' wide gravel-surfaced access road and permanent 5' wooden privacy fencing installed along both sides. Shoulder widening along/in the vicinity of the Farmville Lane/Oslo Court intersection will be required within the VDOT right-of-way to accommodate the turning movements of delivery trucks (See attached Exhibit EX-2).

We recommend this shoulder be a gravel surface, as large construction vehicle deliveries will only be temporary during the time of construction; as per SUP conditions, once construction is completed the road shoulders will be either returned to its previous state or improved upon.

The Oslo Court access route is preferred for all construction-related traffic because the current property owner (i.e., Whisper Ridge, LLC) controls/owns the respective properties associated with the proposed route and possesses a vested interested in the project. Therefore, no further land or right-of-way



acquisition for connection to the public street would be required and no additional significant improvements to existing public streets are necessary. This also avoids the significant disturbance of neighbors along the Farmville Lane route which would involve the removal of existing private property such as fences, trees, and landscaping shrubbery. SunPower is committed to mitigation measures (privacy fencing, dust control during construction, etc.) to minimize the impact of the Oslo Court access way.

Conclusion

The proposed construction access and traffic management plan is intended to provide an efficient and safe traffic operation environment which will result in minimal impacts to the quality of life in the Norvalia neighborhood during the Norge Solar Facility construction process. The least intrusive route for large delivery vehicles and general construction traffic has been proposed off Oslo lane; construction schedules and delivery times have been chosen to avoid conflict with school bus activity and peak neighborhood traffic; work zone and traffic control measures will be put in place to ensure the safety of residents and workers alike. SunPower is committed to addressing the concerns of residents and reducing impacts caused by construction activity.

Kimley » Horn



Photo 1: Looking northwest down Richmond Road (U.S. Route 60) from the approach of Farmville Lane (State Route 676).



Photo 2: Looking southeast down Richmond Road (U.S. Route 60) from the approach of Farmville Lane (State Route 676)

Kimley»Horn



Photo 3: Looking southwest down Farmville Lane (State Route 676).



Photo 4: Narrower portion of Farmville Lane with low tree overhang.





Photo 5: Vegetation overgrowth into right-of-way, conflicting with overhead powerlines.



Photo 6: Ditch running along west side of Farmville Lane.

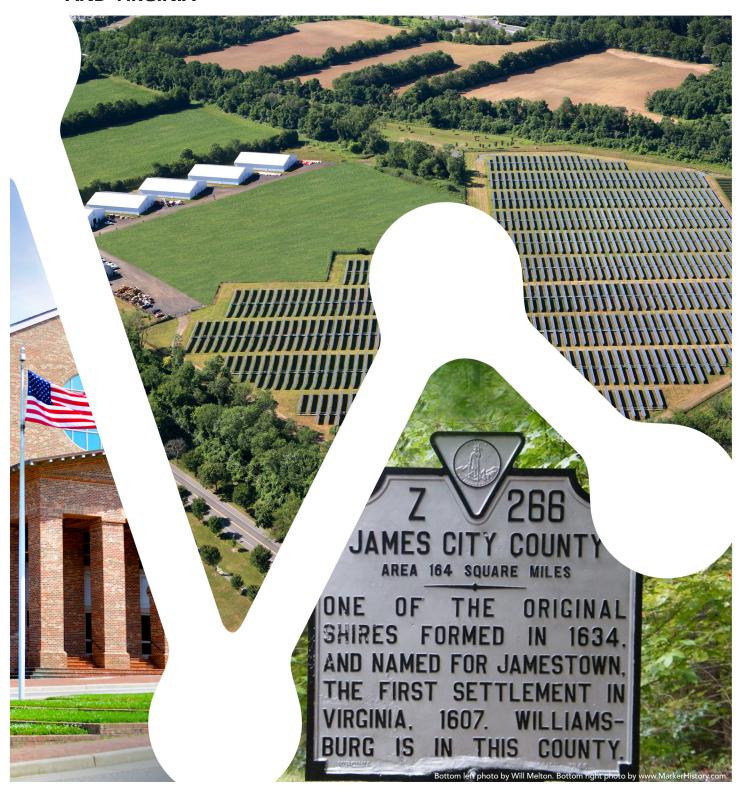


Photo 7: Garbage truck driving down middle of Farmville Lane, clearing overhanging tree limbs. Ditch running along west side of road.



Photo 8: Looking northwest down Richmond Road (U.S. Route 60).

The Economic and Fiscal Contribution that THE NORGE SOLAR PROJECT WILL MAKE TO JAMES CITY COUNTY AND VIRGINIA









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Dr. Mangum earned his Ph.D. in economics at George Mason University in 1995. He has more than two decades of experience in quantitative analysis and policy development at the federal and state level.

Mangum Economic Consulting, LLC is a Richmond, Virginia based firm that specializes in producing objective economic, quantitative, and qualitative analysis in support of strategic decision making. Examples of typical studies include:

Policy Analysis

Identify the intended and, more importantly, unintended consequences of proposed legislation and other policy initiatives.

Economic Impact Assessments and Return on Investment Analyses

Measure the economic contribution that business, education, or other enterprises make to their localities.

Workforce Information

Project the demand for, and supply of, qualified workers.

Cluster Analysis

Use occupation and industry clusters to illuminate regional workforce and industry strengths and identify connections between the two.

Environmental Scanning

Assess the economic, demographic, and other factors likely to affect your enterprise in the future.



Executive Summary

<u>Introduction</u>

SunPower is a global provider of solar technology and energy services for residential, commercial, and power plant applications. This report assesses the economic and fiscal contribution that the proposed Norge Solar Facility would involve development of up to a 20-megawatt photovoltaic solar electrical generation facility on approximately 225 acres of rural property in James City County, about two miles northwest of Lightfoot.

Economic Impact

Our analysis shows that the proposed Norge Solar Facility would make a significant positive economic contribution to James City County and the state of Virginia as a whole, both in terms of the one-time pulse of economic activity that would be generated through its construction, and its on-going annual operation.

As detailed below, construction of the Norge Solar Facility is expected to generate approximately 16 full-time-equivalent jobs, \$889,513 in salaries and wages, and \$2.3 million in overall economic activity within the County. While in its first full year of operation, the Norge Solar Facility is expected to generate approximately 2 full-time-equivalent jobs, \$108,345 in salaries and wages, and \$232,053 in overall economic activity within the County. And over the 35 year life of the Norge Solar Facility, it is expected to generate \$3.8 million in cumulative salaries and wages, and \$8.1 million in cumulative economic activity within the County.

In addition, if we expand the study area to encompass the state of Virginia in its entirety, our analysis indicates that construction of the Norge Solar Facility is expected to generate approximately 89 full-time-equivalent jobs, \$5.2 million in salaries and wages, and \$14.3 million in overall economic activity. While in its first full year of operation, the Norge Solar Facility is also expected to generate approximately 3 full-time-equivalent jobs, \$131,105 in salaries and wages, and \$297,495 in overall economic activity statewide. And over the 35 year life of the Norge Solar Facility, it is expected to generate \$4.6 million in cumulative salaries and wages, and \$10.4 million in cumulative economic activity statewide.



One-Time Economic Impact on <u>James City County</u> From Construction:					
	Employment	Labor Income	Output		
Total, Direct, Indirect, and Induced Economic Activity	16	\$889,513	\$2,266,341		
Ongoing Economic Impact on <u>James City County</u> From Operati	Ongoing Economic Impact on <u>James City County</u> From Operations:				
Employment Labor Output					
Annual Total, Direct, Indirect, and Induced Economic Activity	2	\$108,345	\$232,053		

One-Time Economic Impact on the <u>State of Virginia</u> From Construction:			
	Employment	Labor Income	Output
Total, Direct, Indirect, and Induced Economic Activity	89	\$5,190,207	\$14,286,755
Ongoing Economic Impact on the State of Virginia From Operations:			
	Employment	Labor Income	Output
Annual Total, Direct, Indirect, and Induced Economic Activity	Employment 3		Output \$297,495



State and Local Fiscal Impact

Our analysis shows that the proposed Norge Solar Facility would also create significant state and local tax revenue, both through the one-time pulse of economic activity that would be generated through its construction, and as a result of its on-going annual operation. As shown below, construction of the Norge Solar Facility is expected to generate approximately \$68,155 in state and local tax revenue in James City County. While in its first full year of operation, the Norge Solar Facility is expected to generate approximately \$11,833 in state and local tax revenue within James City County, and over its 35 year life it is expected to generate \$415,905 in cumulative state and local tax revenue within James City County.

	Annual State and Local Fiscal Impact	Cumulative State and Local Fiscal Impact over 35 Year Life of Project
One-Time Impact in <u>James City</u> <u>County</u> From Construction	\$68,155	N/A
On-Going Impact in <u>James City</u> <u>County</u> From Annual Operations	\$11,833	\$415,905

Expanding the study area to encompass the state of Virginia as a whole shows that construction of the Norge Solar Facility is expected to generate approximately \$465,714 in state and local tax revenue statewide. While in its first full year of operation, the Norge Solar Facility is expected to generate approximately \$16,226 in state and local tax revenue statewide, and over its 35 year life it is expected to generate \$567,910 in cumulative state and local tax revenue statewide.

	Annual State and Local Fiscal Impact	Cumulative State and Local Fiscal Impact over 35 Year Life of Project
One-Time Impact in <u>Virginia</u> From Construction	\$465,714	N/A
On-Going Impact in <u>Virginia</u> From Annual Operations	\$16,226	\$567,910



Comparison with Current Agricultural and Alternative Residential Use of Property

Comparing the estimated state and local fiscal impact of the proposed Norge Solar Facility on James City County, to the estimated state and local fiscal impact of the project site in its current agricultural use, and to its potential alternative use as a residential development, shows that the proposed Norge Solar Facility would provide: 1) approximately \$9,405 more state and local fiscal impact in its first full year of operation, and approximately \$329,175 in additional state and local fiscal impact over the 35 year life of the project, than the property does in its current agricultural use, and 2) approximately \$274,538 more state and local fiscal impact in its first full year of operation, and approximately \$9.6 million in additional state and local fiscal impact over the 35 year life of the project, than the property would in an alternative residential use.

Comparison between Norge Solar Facility and Current Agricultural Use:				
	First Year State and Local Fiscal Impact	Cumulative State and Local Fiscal Impact over 35 Year Life of Project		
Proposed Norge Solar Facility	\$11,883	\$415,905		
Current Agricultural Use	\$2,478	\$86,730		
NET DIFFERENCE	\$9,405	\$329,175		
Comparison between Norge Solar Facility and Alternative Residential Use:				
Comparison between Norge Sola	r Facility and Alternative Residentia	al Use:		
Comparison between Norge Solar	First Year State and Local Fiscal Impact	Cumulative State and Local Fiscal Impact over 35 Year Life of Project		
Comparison between Norge Solar Proposed Norge Solar Facility	First Year State and Local Fiscal	Cumulative State and Local Fiscal Impact over 35 Year Life		
	First Year State and Local Fiscal Impact	Cumulative State and Local Fiscal Impact over 35 Year Life of Project		



Other Considerations

Industrial development prospects with high energy needs are becoming increasingly sensitive to the proportion of their energy requirements that are produced through renewable sources. A good example of this is data centers, a very high-growth, very high-wage industry that provides the technological backbone of the modern economy. As a case in point, in November of 2015 plans were announced to construct the Amazon Solar Farm U.S. East, an 80-megawatt solar facility that will be located on Virginia's Eastern Shore in Accomack County, Virginia. Construction of that facility was made possible as a result of a long-term power purchase agreement with Amazon Web Services, an affiliate of Amazon's cloud computing business. As this example demonstrates, renewable energy is becoming an important asset for localities in promoting technology-driven economic development.

Conclusion

The proposed Norge Solar Facility would make a significant positive economic and fiscal contribution to James City County and the state of Virginia as a whole.

The estimates provided in this report are based on the best information available and all reasonable care has been taken in assessing that information. However, because these estimates attempt to foresee circumstances that have not yet occurred, it is not possible to provide any assurance that they will be representative of actual events. These estimates are intended to provide a general indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.



Introduction

This report assesses the economic and fiscal contribution that the Norge Solar Facility would make to James City County and the state of Virginia as a whole. The remainder of the report is divided into six sections. The *Norge Solar Facility* section provides a brief description of the project. The *Electricity Production in Virginia* section provides general background information on Virginia's electricity production sector and the role that solar energy could play in that sector. The *Local Economic Profile* section supplies context for the impact analysis to follow, by providing information on the local economy of James City County. In the *Economic and Fiscal Impact* section, we provide an empirical assessment of the economic and fiscal contribution that the Norge Solar Facility would make to James City County and the state of Virginia as a whole. While in the *Other Considerations* section we discuss issues that are not directly addressed in the economic and fiscal impact analysis, such as how the proposed project supports Virginia's stated energy goals and the potential spillover effects for economic development. Finally, in the *Conclusion* section we provide a brief conclusion and summary of our findings.

Norge Solar Facility

The proposed Norge Solar Facility would involve development of up to a 20-megawatt photovoltaic solar facility on approximately 225 acres of rural property in James City County, Virginia. The proposed Norge Solar Facility site would be located about two miles northwest of Lightfoot. This portion of James City County is largely wooded with some agricultural use, but there are residential neighborhoods northwest, northeast, and southeast of the proposed site.

Electricity Production in Virginia

In this section, we provide a backdrop for the proposed Norge Solar Facility by profiling Virginia's electricity production sector and the role that solar energy could play in that sector.

Overall Market

As shown in Figure 1, in 2014 electricity sales in Virginia totaled 112.1 million megawatt hours, ranking the state 10th among the fifty states in terms of electricity consumption. However, only



69 percent of that demand was met by in-state utilities, independent producers, and other sources. As a result, Virginia had to import almost two-fifths of the electricity it consumed from producers in other states. As with all imports, this means that the jobs, wages, and economic output created by that production went to localities in those states, not to localities in Virginia.

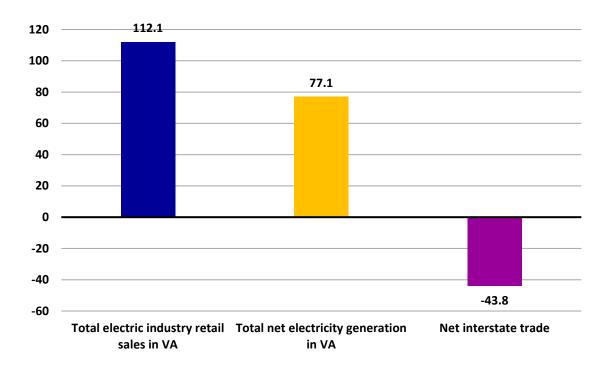


Figure 1: Demand and Supply of Electricity in Virginia in 2014 (in millions of megawatt-hours)¹

Sources of Production

Between 2004 and 2014, the total amount of electricity produced in Virginia declined from 78.9 to 77.1 million megawatt-hours, even as the total population of the state increased from 7.5 to 8.3 million. Figure 2 provides a comparison of the energy sources that were used to produce electricity in Virginia in these two years. As these data show, the share of electricity produced using high-emissions energy sources declined over the period. Where coal was the state's largest source of electricity in 2004, accounting for 45.2 percent of production, by 2014 it had fallen to third place, and accounted for only 27.0 percent of production. Similarly, where

¹ Data Source: U.S. Energy Information Administration. In this chart, "net interstate trade" also takes into account losses during transmission and production for direct use. As a result, it does not directly equal the residual of net generation minus total retail sales.



petroleum accounted for 6.5 percent of the state's electricity production in 2004, by 2014 that that proportion had fallen to 1.6 percent.

In contrast, the share of electricity produced using cleaner-burning low-emissions energy sources increased over the period. Where natural gas accounted for only 8.2 percent of Virginia's electricity production in 2004, by 2014 that proportion had more than tripled to 27.1 percent, making natural gas the state's second largest source of electricity. Similarly, where nuclear energy accounted for 35.9 percent of the state's electricity production in 2004, by 2014 that that proportion had grown to 39.2 percent. The one exception to this trend is wind and solar power, which accounted for zero percent of Virginia's electricity production in both 2004 and 2014.

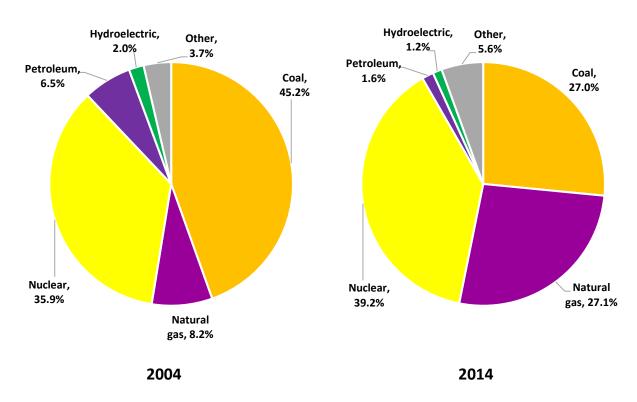


Figure 2: Electricity Generation in Virginia by Energy Source²

Figure 3 provides similar data for the U.S. as a whole. A quick comparison of Figures 2 and 3 shows similarities, even though the degree of reliance on specific energy sources for electricity production is quite different. Nationally, as in Virginia, the most pronounced trend between

² Data Source: U.S. Energy Information Administration.



2004 and 2014 was that cleaner-burning low-emissions energy sources replaced high-emissions sources over the period. Where coal accounted for almost half of all electricity production nationwide in 2004, by 2014 that proportion had fallen to 38.6 percent. Similarly, where petroleum accounted for 3.1 percent of the country's electricity production in 2004, by 2014 that that proportion had fallen to 0.7 percent. While at the other end of the spectrum, where natural gas accounted for 17.9 percent of electricity production nationally in 2004, by 2014 that figure had grown to 27.5 percent.

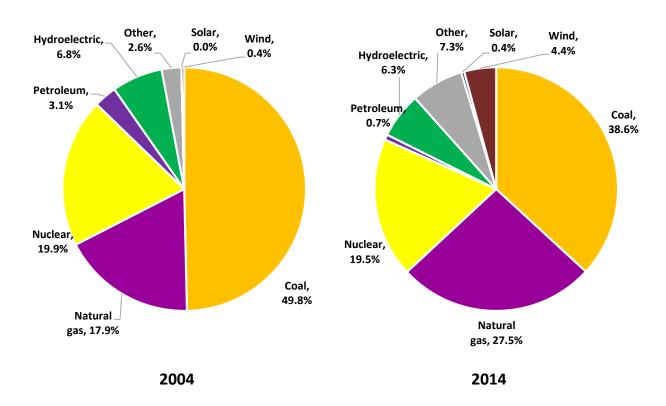


Figure 3: Electricity Generation in the U.S. by Energy Source³

One notable difference between the national trends represented in Figure 3 and the Virginia trends represented in Figure 2, however, is in the wind and solar categories. Where nationally the total contribution of these two energy sources to electricity production increased from 0.4 percent in 2004 to 4.8 percent in 2014, in Virginia wind and solar energy did not materially contribute to electricity production in 2004 or 2014.

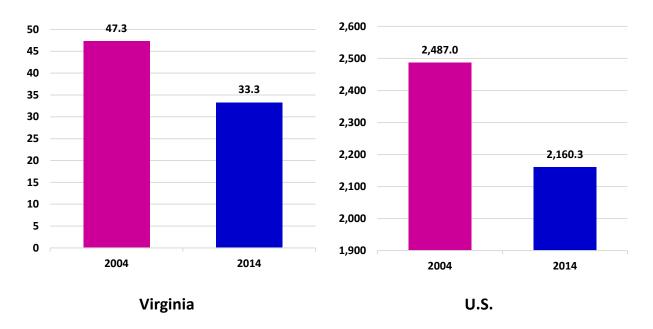
³ Data Source: U.S. Energy Information Administration.



Impact on the Environment

In discussing the impact of these trends on the environment, it is important to realize that electricity production is the U.S.'s largest source of greenhouse gas emissions. In 2004, electricity production accounted for 39.4 percent of all carbon dioxide emissions from fossil fuel consumption in the U.S., and ten years later in 2014 that figure had only dropped to 37.8 percent.⁴ However, that small change in percentage share masks some very significant changes in absolute emissions. Moreover, those changes in emissions levels were largely attributable to the shifts described above, which is to say that as the industry has transitioned to cleaner-burning energy sources, its greenhouse gas emissions have fallen.

Figure 4 depicts this change for both Virginia and the U.S. nationally. As these data indicate, between 2004 and 2014, as the share of electricity produced in Virginia by coal and petroleum fell from 51.7 to 28.6 percent, carbon dioxide emissions from electricity production fell from 47.3 to 33.3 million metric tons. Similarly, at the national level as the share of electricity produced by coal and petroleum fell from 52.9 to 39.3 percent, carbon dioxide emissions from electricity production fell from 2,487.0 to 2,160.3 million metric tons.



<u>Figure 4</u>: Carbon Dioxide Emissions from Electricity Production (in millions of metric tons)⁵

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⁴ Data Source: U.S. Energy Information Administration.

⁵ Data Source: U.S. Energy Information Administration.



To further promote these shifts, the very first recommendation in Governor McAuliffe's 2014 *Virginia Energy Plan* proposes to "accelerate the development of renewable energy sources in the Commonwealth to ensure a diverse fuel mix," because doing so "will lead to economic prosperity through increased jobs and environmental health through lower harmful emissions." 6

Local Economic Profile

In this section, we provide context for the economic and fiscal impact assessments to follow by profiling the local economy of James City County.

Total Employment

Figure 5 depicts the trend in total employment in James City County from the second quarter of 2011 to the second quarter of 2016. As these data show, county employment generally trended upward throughout this period. Another notable characteristic of these data is that they tend to exhibit pronounced seasonality, with employment peaking in the third quarter of the year and hitting a trough in the first quarter of the year. As of the second quarter of 2016, county employment stood at 29,780 jobs. This represents a 2,145 job, or 7.8 percent, increase in employment over the period as a whole. To put this number in perspective, over this same period total employment statewide in Virginia increased by 5.9 percent.⁷

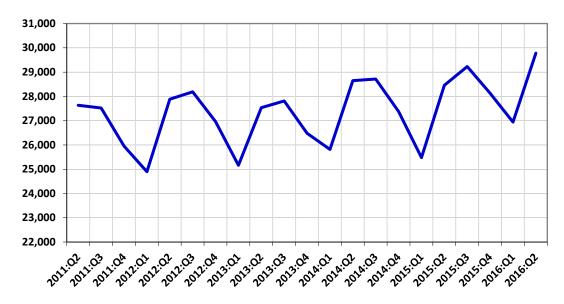
To control for seasonality and provide a point of reference, Figure 6 compares the year-over-year change in total employment in James City County to that of the state of Virginia as a whole over the same five-year period. Any point above the zero line in this graph indicates positive year-over-year employment growth, while any point below the zero line indicates a decline in year-over-year employment. As these data indicate, year-over-year employment changes in James City County were volatile over this period, and significantly under-performed the statewide norm throughout much of 2013 and 2015. As of the second quarter of 2016 (the last period for which data are currently available), year-over-year employment growth was 4.7 percent in James City County as compared to 1.7 percent statewide in Virginia.

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⁶ Virginia Energy Plan, Virginia Department of Mines, Minerals, and Energy, October 1, 2014.

⁷ Data Source: Virginia Employment Commission.





<u>Figure 5</u>: Total Employment in James City County – Second Quarter of 2011 to Second Quarter of 2016⁸



<u>Figure 6</u>: Year-Over-Year Change in Total Employment – Second Quarter of 2011 to Second Quarter of 2016⁹

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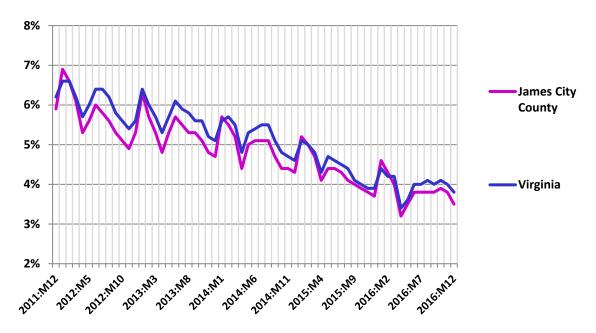
⁸ Data Source: Virginia Employment Commission.

⁹ Data Source: Virginia Employment Commission.



Unemployment

Figure 7 illustrates the trend in James City County's unemployment rate over the five-year period from December 2011 through December 2016. As these data show, unemployment rates in James City County were generally a half percentage point below the statewide norm for much of this period. As of December 2016, unemployment stood at 3.5 percent in James City County and 3.8 percent in Virginia.



<u>Figure 7</u>: Unemployment Rate – December 2011 to December 2016¹⁰

Employment and Wages by Major Industry Sector

To provide a better understanding of the underlying factors motivating the total employment trends depicted in Figures 5 and 6, Figures 8 through 10 provide data on employment and wages by major industry sector in James City County.

Figure 8 provides an indication of the distribution of employment across major industry sectors in James City County's economy by ranking each sector by total employment in the second quarter of 2016. As these data indicate, the county's largest employment sector that quarter was *Arts, Entertainment, and Recreation* (4,383 jobs), followed by *Health Care and Social*

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¹⁰ Data Source: Virginia Employment Commission and U.S. Bureau of Labor Statistics.



Assistance (4,143 jobs), Retail Trade (3,798 jobs), Accommodation and Food Services (3,663 jobs), and Educational Services (2,206 jobs). Reflecting James City County's proximity to the Williamsburg Historic District and other tourist destinations, the local employment footprint for Arts, Entertainment, and Recreation is 7.4 times as large as one would expect based on the statewide norm, while the local employment footprint for Retail Trade is 1.1 times as large as one would expect, and Accommodation and Food Services 1.3 times as large.

Figure 9 provides a similar ranking for average weekly wages by major industry sector in James City County in the second quarter of 2016. As these data show, the highest paying industry sectors in the county that quarter were *Finance and Insurance* (\$1,425 per week), *Management of Companies and Enterprises* (\$1,341 per week), *Manufacturing* (\$1,279 per week), *Professional, Scientific, and Technical Services* (\$1,236 per week), and *Real Estate* (\$991 per week). By way or reference, the average weekly wage across all industry sectors in James City County that quarter was \$693 per week.

Lastly, Figure 10 details the change in employment between the second quarter of 2015 and the second quarter of 2016 by major industry sector in James City County. Over this period, the largest employment gains occurred in the *Manufacturing* (up 500 jobs), *Accommodation and Food Services* (up 451 jobs), and *Professional, Scientific, and Technical Services* (up 51 jobs) sectors. While at the other end of the spectrum, the largest losses occurred in the *Administrative and Support and Waste Management* (down 61 jobs), *Wholesale Trade* (down 29 jobs), and *Arts, Entertainment, and Recreation* (down 23 jobs) sectors.



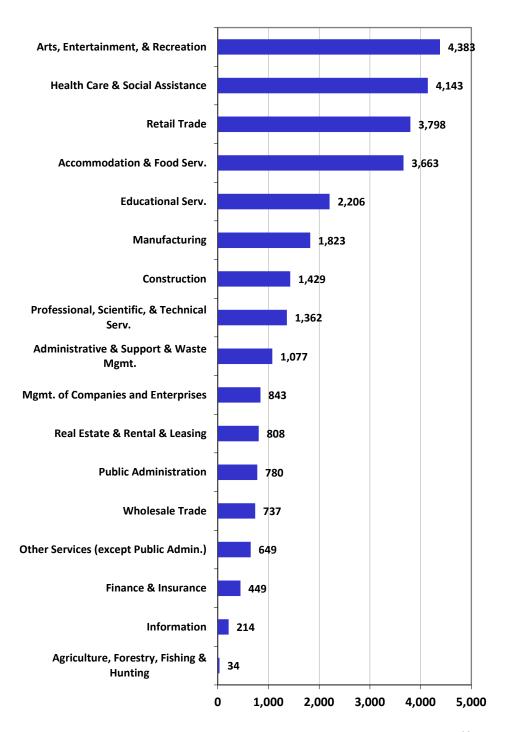


Figure 8: Employment by Major Industry Sectors - 2016:Q2¹¹

¹¹ Data Source: Virginia Employment Commission.

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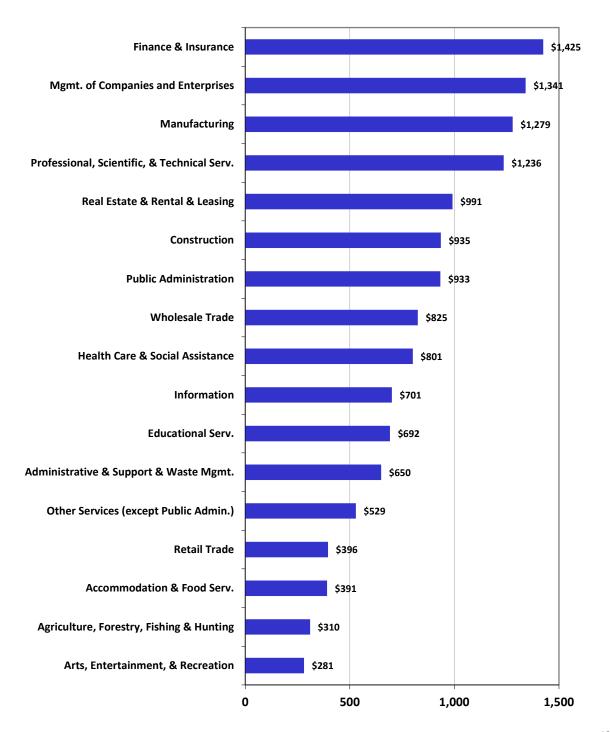
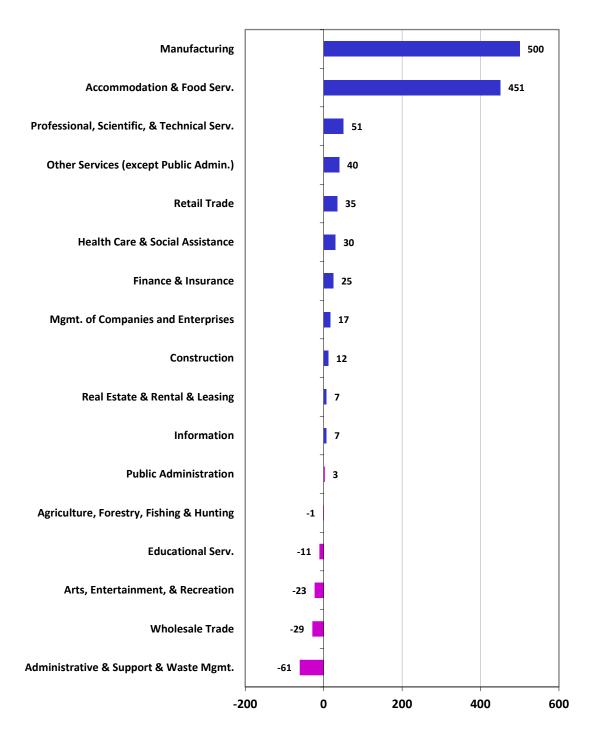


Figure 9: Average Weekly Wages by Major Industry Sector in James City County - 2016:Q212

¹² Data Source: Virginia Employment Commission.





<u>Figure 10</u>: Change in Employment by Major Industry Sector in James City County – 2015:Q2 to 2016:Q2¹³

¹³ Data Source: Virginia Employment Commission.



Economic and Fiscal Impact

In this section, we quantify the economic and fiscal contribution that the Norge Solar Facility would make to James City County and the state of Virginia as a whole. Our analysis separately evaluates the one-time pulse of economic activity that would occur during the construction phase of the project, as well as the annual economic activity that the project would generate during its ongoing operations phase.

Method

To empirically evaluate the likely local and statewide economic impact attributable to the proposed Norge Solar Facility, we employ a regional economic impact model called IMPLAN.¹⁴ The IMPLAN model is one of the most commonly used economic impact simulation models in the U.S., and in Virginia is used by UVA's Weldon Cooper Center, the Virginia Department of Planning and Budget, the Virginia Employment Commission, and other state agencies and research institutes. Like all economic impact models, the IMPLAN model uses economic multipliers to quantify economic impact.

Economic multipliers measure the ripple effects that an expenditure generates as it makes its way through the economy. For example, as when the Norge Solar Facility purchases goods and services – or when facility employees use their salaries and wages to make household purchases – thereby generating income for someone else, which is in turn spent, thereby becoming income for yet someone else, and so on, and so on. Through this process, one dollar in expenditures generates multiple dollars of income. The mathematical relationship between the initial expenditure and the total income generated is the economic multiplier.

One of the primary advantages of the IMPLAN model is that it uses regional and national production and trade flow data to construct <u>region-specific</u> and <u>industry-specific</u> economic multipliers, which are then further adjusted to reflect anticipated actual spending patterns within the <u>specific geographic study area</u> that is being evaluated. As a result, the economic impact estimates produced by IMPLAN are not generic, they reflect as precisely as possible the economic realities of the specific industry, and the specific study area, being evaluated.

ivii LAN V.5 is produced by Willinesota IIVII LAN Group, Inc.	

14 IMPLANT 3 is produced by Minnesota IMPLAN Group, Inc.



In the analysis that follows, these impact estimates are divided into three categories. First round direct impact measures the direct economic contribution of the entity being evaluated (e.g., own employment, wages paid, goods and services purchased, by the Norge Solar Facility). Second round indirect and induced impact measures the economic ripple effects of this direct impact in terms of business to business, and household (employee) to business, transactions. Total impact is simply the sum of the preceding two. These categories of impact are then further defined in terms of employment (the jobs that are created), labor income (the wages and benefits associated with those jobs), economic output (the total amount of economic activity that is created in the economy), and fiscal impact (the state and local tax revenues that are generated by this economic activity).

Construction Phase

In conducting our analysis of the one-time economic and fiscal impact that the proposed Norge Solar Facility would have on James City County and the state of Virginia as a whole during the construction phase of the project, we employ the following assumptions:

- Total design, engineering, and construction costs are estimated to be \$12,750,000 for the Norge Solar Facility.¹⁵
- It is anticipated that approximately 13 percent of design, engineering, and construction expenditures would be with vendors in James City County,¹⁶ and approximately 55 percent would be with vendors within Virginia.¹⁷
- Capital equipment costs are estimated to be \$18,500,000 for the Norge Solar Facility.¹⁸
- It is anticipated that no capital equipment will be purchased from vendors in James City County, and only \$1,850,000 will be purchased from vendors in Virginia. 19

By feeding these assumptions into the IMPLAN model, we obtain the following estimates of one-time economic and fiscal impact.

¹⁵ Data Source: SunPower Corporation.

¹⁶ Data Source: Based on previous experience with similar projects.

¹⁷ Data Source: SunPower Corporation.

¹⁸ Data Source: SunPower Corporation.

¹⁹ Data Source: SunPower Corporation.



James City County

As shown in Table 1A, construction of the proposed Norge Solar Facility would directly provide a one-time pulse of approximately: 1) 11 full-time-equivalent jobs, 2) \$688,066 in labor income, and 3) \$1.7 million in economic output to James City County. Taking into account the economic ripple effects that direct investment would generate, we estimate that the total one-time impact on James City County would be: 1) 16 full-time-equivalent jobs, 2) \$889,513 in labor income, 3) \$2.3 million in economic output, and 4) \$68,155 in state and local tax revenue. Table 1B details the ten industries within James City County that would receive the largest benefit from that economic impact.

<u>Table 1A</u>: One-Time Economic and Fiscal Impact of the Norge Solar Facility on James City County – Construction Phase (2017 Dollars)

Economic Impact:			
	Employment	Labor Income	Output
First Round Direct Economic Activity	11	\$688,066	\$1,650,000
Second Round Indirect and Induced Economic Activity	5	\$201,447	\$616,341
Total, Direct, Indirect, and Induced Economic Activity*	16	\$889,513	\$2,266,341
Fiscal Impact:			
Direct Payments to James City County by Norge Solar Facility			
Total State and Local Fiscal Impact			\$68,155

^{*}May not sum due to rounding



<u>Table 1B</u>: Top-Ten Industries Affected by Construction of the Norge Solar Facility on James City County (2017 Dollars)

Industry	Employment	Labor Income	Output
Construction of new power and communication structures	11.4	\$688,066	\$1,650,000
Wholesale trade	0.3	\$16,566	\$57,205
Architectural, engineering, and related services	0.4	\$25,929	\$55,478
Real estate	0.2	\$4,459	\$51,933
Limited-service restaurants	0.2	\$4,665	\$19,621
Retail - Clothing and clothing accessories stores	0.2	\$5,011	\$17,842
Full-service restaurants	0.2	\$6,687	\$12,267
Retail - Nonstore retailers	0.1	\$1,258	\$10,689
Retail - Food and beverage stores	0.2	\$4,421	\$9,912
Retail - Miscellaneous store retailers	0.2	\$4,329	\$6,608

Virginia

As shown in Table 2A, construction of the proposed Norge Solar Facility would directly provide a one-time pulse of approximately: 1) 55 full-time-equivalent jobs, 2) \$3.3 million in labor income, and 3) \$8.9 million in economic output to the state of Virginia as a whole. Taking into account the economic ripple effects that direct investment would generate, we estimate that the total one-time statewide impact on Virginia would be: 1) 89 full-time-equivalent jobs, 2) \$5.2 million in labor income, 3) \$14.3 million in economic output, and 4) \$465,714 in state and local tax revenue. Table 2B details the ten industries within Virginia that would receive the largest benefit from that economic impact.



<u>Table 2A</u>: One-Time Economic and Fiscal Impact of the Norge Solar Facility on Virginia – Construction Phase (2017 Dollars)

Economic Impact:			
	Employment	Labor Income	Output
First Round Direct Economic Activity	55	\$3,326,995	\$8,925,000
Second Round Indirect and Induced Economic Activity	35	\$1,863,212	\$5,361,755
Total, Direct, Indirect, and Induced Economic Activity*	89	\$5,190,207	\$14,286,755
Fiscal Impact:			
Direct Payments to James City County by Norge Solar Facility			
Total State and Local Fiscal Impact			\$465,714

^{*}May not sum due to rounding

<u>Table 2B</u>: Top-Ten Industries Affected by Construction of the Norge Solar Facility in Virginia (2017 Dollars)

Industry	Employment	Labor Income	Output
Construction of new power and communication structures	48.1	\$2,732,196	\$6,835,000
Power, distribution, and specialty transformer manufacturing	5.4	\$451,002	\$1,852,457
Wholesale trade	2	\$181,182	\$487,443
Architectural, engineering, and related services	2.6	\$286,535	\$476,897
Real estate	1.3	\$28,636	\$310,670



<u>Table 2B</u>: Top-Ten Industries Affected by Construction of the Norge Solar Facility in Virginia (2017 Dollars)

Industry	Employment	Labor Income	Output
Hospitals	0.9	\$67,110	\$145,114
Retail - Nonstore retailers	1	\$18,745	\$105,052
Limited-service restaurants	1.2	\$23,419	\$100,759
Retail - General merchandise stores	1.2	\$32,999	\$81,932
Full-service restaurants	1.3	\$30,339	\$61,315

Ongoing Operations Phase

In conducting our analysis of the annual economic and fiscal impact that the proposed Norge Solar Facility would have on James City County and the state of Virginia as a whole during the ongoing operations phase of the projects, we employ the following assumptions:

• The Norge Solar Facility would spend approximately \$125,000 each year on the purchase of goods and services (*i.e.*, primarily for vegetation control and electrical maintenance).²⁰

By feeding these assumptions into the IMPLAN model, we obtain the following estimates of annual economic and fiscal impact.

James City County

As shown in Table 3A, annual operation of the proposed Norge Solar Facility would directly provide approximately: 1) 1 full-time-equivalent job, 2) \$76,226 in labor income, and 3) \$125,000 in economic output to James City County. Taking into account the economic ripple effects that direct impact would generate, we estimate that the total annual impact on James City County would be: 1) 2 full-time-equivalent jobs, 2) \$108,345 million in labor income, 3)

²⁰ Data Source: SunPower Corporation.



\$232,053 in economic output, and 4) \$11,883 in state and local tax revenue.²¹ Table 3B details the ten industries within James City County that would receive the largest benefit from that economic impact.

<u>Table 3A</u>: Total Annual Economic and Fiscal Impact of the Norge Solar Facility on James City County – Operations Phase (2017 Dollars)

Economic Impact:			
	Employment	Labor Income	Output
First Round Direct Economic Activity	1	\$76,226	\$125,000
Second Round Indirect and Induced Economic Activity	1	\$32,119	\$107,053
Total, Direct, Indirect, and Induced Economic Activity*	2	\$108,345	\$232,053
Fiscal Impact:			
Direct Payments to James City County by Norge Solar Facility			
Total State and Local Fiscal Impact			\$11,883

^{*}May not sum due to rounding

²¹ Payments to landowners are included in this estimate of economic and fiscal impact. However, it is important to note that the economic output figure presented here only includes facility payments for local services (primarily vegetation control and electrical maintenance) and household expenditures by landowners. It does not include the economic value of the electricity produced by the facility, which would be substantial.



<u>Table 3B</u>: Total Top-Ten Industries Affected by Annual Operation of the Norge Solar Facility in James City County (2017 Dollars)

Industry	Employment	Labor Income	Output
Electronic and precision equipment repair and maintenance	0.5	\$48,668	\$75,111
Landscape and horticultural services	0.9	\$27,794	\$50,300
Real estate	0	\$1,026	\$11,959
Wholesale trade	0	\$1,585	\$5,472
Limited-service restaurants	0	\$1,181	\$4,968
Full-service restaurants	0	\$1,615	\$2,962
Management of companies and enterprises	0	\$1,045	\$2,328
Retail - Food and beverage stores	0	\$949	\$2,128
Nursing and community care facilities	0	\$1,088	\$2,048
Offices of physicians	0	\$1,228	\$1,875

Table 3C provides the cumulative economic and fiscal impact of the project over its 35 year life. As these data show, in addition to providing a total of 2 annual full-time-equivalent jobs, the project would generate a cumulative impact of: 1) \$3.8 million in labor income, 2) \$8.1 million in output, and 3) \$415,905 in state and local tax revenue.²²

²² Payments to landowners are included in this estimate of economic and fiscal impact. However, it is important to note that the economic output figure presented here only includes facility payments for local services (primarily vegetation control and electrical maintenance) and household expenditures by landowners. It does not include the economic value of the electricity produced by the facility, which would be substantial.



<u>Table 3C</u>: Cumulative Economic and Fiscal Impact of the Norge Solar Facility on James City County over the 35 Year Life of the Project – Operations Phase (2017 Dollars)

Economic Impact:			
	Employment	Labor Income	Output
First Round Direct Economic Activity	1	\$2,667,910	\$4,375,000
Second Round Indirect and Induced Economic Activity	1	\$1,124,165	\$3,746,855
Total, Direct, Indirect, and Induced Economic Activity*	2	\$3,792,075	\$8,121,855
Fiscal Impact:			
Direct Payments to James City County by Norge Solar Facility			
Total State and Local Fiscal Impact			\$415,905

^{*}May not sum due to rounding

Virginia

As shown in Table 4A, annual operation of the proposed Norge Solar Facility would directly provide approximately: 1) 1 full-time-equivalent jobs, 2) \$73,971 in labor income, and 3) \$125,000 in economic output to the state of Virginia as a whole. Taking into account the economic ripple effects that direct impact would generate, we estimate that the total annual statewide impact on Virginia would be: 1) 3 full-time-equivalent jobs, 2) \$131,105 in labor income, 3) \$297,495 in economic output, and 4) \$16,226 in state and local tax revenue.²³ Table 4B details the ten industries within Virginia that would receive the largest benefit from that economic impact.

²³ Payments to landowners are included in this estimate of economic and fiscal impact. However, it is important to note that the economic output figure presented here only includes facility payments for local services (primarily vegetation control and electrical maintenance) and household expenditures by landowners. It does not include the economic value of the electricity produced by the facility, which would be substantial.



<u>Table 4A</u>: Annual Economic and Fiscal Impact of the Norge Solar Facility on Virginia – Operations Phase (2017 Dollars)

Economic Impact:			
	Employment	Labor Income	Output
First Round Direct Economic Activity	1	\$73,971	\$125,000
Second Round Indirect and Induced Economic Activity	1	\$57,134	\$172,495
Total, Direct, Indirect, and Induced Economic Activity*	3	\$131,105	\$297,495
Fiscal Impact:			
Direct Payments to James City County by Norge Solar Facility			
Total State and Local Fiscal Impact			\$16,226

^{*}May not sum due to rounding

<u>Table 4B</u>: Top-Ten Industries Affected by Annual Operation of the Norge Solar Facility in Virginia (2017 Dollars)

Industry	Employment	Labor Income	Output
Electronic and precision equipment repair and maintenance	0.6	\$45,646	\$75,176
Landscape and horticultural services	0.8	\$28,626	\$50,345
Real estate	0	\$1,258	\$13,652
Wholesale trade	0	\$3,136	\$8,438



<u>Table 4B</u>: Top-Ten Industries Affected by Annual Operation of the Norge Solar Facility in Virginia (2017 Dollars)

Industry	Employment	Labor Income	Output
Hospitals	0	\$2,980	\$6,443
Limited-service restaurants	0	\$1,065	\$4,581
Full-service restaurants	0	\$1,323	\$2,673
Offices of physicians	0	\$1,699	\$2,524
Retail - General merchandise stores	0	\$980	\$2,433
Employment services	0	\$907	\$1,612

Table 4C provides the cumulative economic and fiscal impact of the project over its 35 year life. As these data show, in addition to providing a total of 3 annual full-time-equivalent jobs, the project would also generate a cumulative impact of: 1) \$4.6 million in labor income, 2) \$10.4 million in output, and 3) \$567,910 in state and local tax revenue.²⁴

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²⁴ Payments to landowners are included in this estimate of economic and fiscal impact. However, it is important to note that the economic output figure presented here only includes facility payments for local services (primarily vegetation control and electrical maintenance) and household expenditures by landowners. It does not include the economic value of the electricity produced by the facility, which would be substantial.



<u>Table 4C</u>: Cumulative Economic and Fiscal Impact of the Norge Solar Facility on Virginia over the 35 Year Life of the Project – Operations Phase (2017 Dollars)

Economic Impact:			
	Employment	Labor Income	Output
First Round Direct Economic Activity	1	\$2,588,985	\$4,375,000
Second Round Indirect and Induced Economic Activity	1	\$1,999,690	\$6,037,325
Total, Direct, Indirect, and Induced Economic Activity*	3	\$4,588,675	\$10,412,325
Fiscal Impact:			
Direct Payments to James City County by Norge Solar Facility			
Total State and Local Fiscal Impact			\$567,910

^{*}May not sum due to rounding

Current Use

In this portion of the section, we provide a benchmark for the previous estimates of the fiscal contribution that the proposed Norge Solar Facility would make to James City County, by estimating the alternative fiscal contributions that this site makes to the County in its current agricultural use or could make if it were developed as residential property.



Current Agricultural Use

In conducting our analysis of the fiscal impact that the proposed Norge Solar Facility site has on James City County in its current agricultural use, we employ the following assumptions:

- The proposed Norge Solar Facility would be situated on a 225-acre tract of land.
- This property is currently used for agricultural production, however a significant portions is currently timbered.
- Average revenue per acre for Virginia farmland is approximately \$456.10.²⁵

By feeding these assumptions into the IMPLAN model, we obtain the following estimates of fiscal impact. As shown in Table 5:

- In its current agricultural use this property generates approximately \$2,478 in state and local tax revenue annually within James City County. 26
- For purposes of comparison, the cumulative fiscal impact of this property in its current agricultural use over the same 35 year project life used in Table 3C would be approximately \$86,730 in state and local tax revenue.²⁷

²⁵ Data Source: Estimated based on data from the Virginia Department of Agriculture and Consumer Services.

²⁶ Estimated state and local fiscal impact includes approximately \$1,845 in direct payments to James City County from the Norge Solar Facility property in its current agricultural use. That estimated \$1,845 in direct payments was derived by applying James City County's current real property tax of \$0.84 per \$100 of assessed value to an estimated \$1,000 per acre assessed value for the 225 acre site.

²⁷ Estimated state and local fiscal impact includes approximately \$64,575 in direct payments to James City County from the Norge Solar Facility property in its current agricultural use. That estimated \$64,575 in direct payments was derived by applying James City County's current real property tax of \$0.84 per \$100 of assessed value to an estimated \$1,000 per acre assessed value for the 225 acre site, times 35 years.



<u>Table 5</u>: Estimated Fiscal Impact of the Norge Solar Facility Site on James City County in its Current Agricultural Use (2017 Dollars)

Annual Fiscal Impact:	
Direct Payments to James City County from Property	\$1,845
Total State and Local Fiscal Impact	\$2,478
Cumulative Fiscal Impact Over 35 Ye	ears:
Direct Payments to James City County from Property	\$64,575
Total State and Local Fiscal Impact	\$86,730

Alternative Residential Use

A key step in estimating the fiscal impact that the property would have on James City County if it were developed as a residential community is to ascertain the net fiscal impact that households have on the County. To accomplish that task, we rely heavily on data from the Virginia Auditor of Public Accounts on per capita county revenues and expenditures. As shown in Table 6, based on those data, we have determined that the likely annual per capita revenue impact of a new resident in James City County is \$1,525, while the likely annual per capita expenditure impact is \$2,890, making the net annual fiscal impact minus (\$1,365).



Table 6: Estimated Net Per Capita Fiscal Impact of James City County Residents

Revenue Source	Per Capita Revenue
Real Property Tax ²⁸	\$1,105
Personal Property Tax ²⁹	\$270
Local Sales and Use Tax ³⁰	\$148
Motor Vehicle Registration Tax ³¹	\$2
Total	\$1,525
Expenditure Source	Per Capita Expenditure
Schools ³²	\$1,685
All Other County Services ³³	\$1,205
Total	\$2,890
NET FISCAL IMPACT	(\$1,365)

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²⁸ Assumes that 250 lots, valued at \$375,000, would generate a total of \$787,500 in annual real property tax, based on James City County's current real property tax rate of \$0.84 per \$100 of assessed value. Further assumes that, consistent with data reported through the U.S. Census Bureau's "2014 American Community Survey," the average family household in James City County is comprised of 2.85 persons, which times 250 lots, yields 713 residents at full build out. The per capita figure is derived by dividing \$787,500 by 713 residents.

²⁹ Data Source: Virginia Auditor of Public Accounts, "Comparative Report of Local Government Revenues and Expenditures for the Fiscal Year Ended June 30, 2015," amended September 9, 2016.

³⁰ Data Source: Virginia Auditor of Public Accounts, "Comparative Report of Local Government Revenues and Expenditures for the Fiscal Year Ended June 30, 2015," amended September 9, 2016.

³¹ Data Source: Virginia Auditor of Public Accounts, "Comparative Report of Local Government Revenues and Expenditures for the Fiscal Year Ended June 30, 2015," amended September 9, 2016.

³² Data Source: Virginia Auditor of Public Accounts, "Comparative Report of Local Government Revenues and Expenditures for the Fiscal Year Ended June 30, 2015," amended September 9, 2016.

³³ Data Source: Virginia Auditor of Public Accounts, "Comparative Report of Local Government Revenues and Expenditures for the Fiscal Year Ended June 30, 2015," amended September 9, 2016.



In conducting our analysis of the fiscal impact that the proposed Norge Solar Facility site would have on James City County in an alternative residential use, we employ the following assumptions:

- The proposed Norge Solar Facility would be situated on a 225-acre tract of land.
- This property could be developed to include approximately 250 residential lots which, with home, could sell for approximately \$375,000.³⁴
- The average number of persons per family household in James City County is 2.85 and at full build out the project site would have approximately 713 residents.³⁵
- Average annual family household income in James City County is \$90,964 and total annual household income for the development as a whole would be \$22,741,000.36
- As derived in Table 6, the net fiscal impact of a new James City County resident is minus (\$1,365) and the total net annual fiscal impact for the development as a whole would be minus (\$972,375).³⁷

By feeding these assumptions into the IMPLAN model, we obtain the following estimates of fiscal impact. As shown in Table 7:

- In an alternative residential use the property would generate approximately minus (\$262,655) in state and local tax revenue annually within James City County.³⁸
- For purposes of comparison, the cumulative fiscal impact of this property in an alternative residential use over the same 35 year project life used in Table 3C would be approximately minus (\$9.2 million) in state and local tax revenue.³⁹

³⁴ Data Source: SunPower Corporation.

³⁵ Data Source: U.S. Census Bureau, "2014 American Community Survey." Total residents is derived as 2.85 times 250 lots.

³⁶ Data Source: U.S. Census Bureau, "2014 American Community Survey." Total household income is derived as \$90,964 times 250 households.

³⁷ Total net annual fiscal impact is derived as minus (\$1,365) times 713 residents.

³⁸ Estimated state and local fiscal impact includes approximately minus (\$972,375) in net fiscal impact to James City County from the Norge Solar Facility property in an alternative residential use. That estimated minus (\$972,375) in net fiscal impact is derived from calculations presented in Table 6, times 713 residents.

³⁹ Estimated state and local fiscal impact includes approximately minus (\$34.0 million) in direct payments to James City County from the Norge Solar Facility property in an alternative residential use. That estimated minus (\$34.0 million) in net fiscal impact is derived from calculations presented in Table 6, times 713 residents, times 35 years.



<u>Table 7</u>: Estimated Fiscal Impact of the Norge Solar Facility Site on James City County in Alternative Residential Use (2017 Dollars)

Annual Fiscal Impact:		
Direct Payments to James City County from Property	(\$972,375)	
Total State and Local Fiscal Impact	(\$262,655)	
Cumulative Fiscal Impact Over 35 Ye	ears:	
Direct Payments to James City County from Property	(\$34,033,125)	
Total State and Local Fiscal Impact	(\$9,192,927)	

Comparison of the Proposed Norge Solar Facility with Current and Alternative Uses

Comparing the state and local fiscal impact estimates in Table 3A and 3C of the proposed Norge Solar Facility on James City County, to the state and local fiscal impact estimates in Table 5 of the project site in its current agricultural use, and in Table 7 of the project site in an alternative residential use, shows that the proposed Norge Solar Facility would provide:

- <u>Proposed Norge Solar Facility vs. Current Agricultural Use</u>: approximately \$9,405 in additional state and local fiscal impact in its first full year of operation, and 2) approximately \$329,175 in additional state and local fiscal impact over the 35 year life of the project.
- <u>Proposed Norge Solar Facility vs. Alternative Residential Use</u>: approximately \$274,538 in additional state and local fiscal impact in its first full year of operation, and 2) approximately \$9.6 million in additional state and local fiscal impact over the 35 year life of the project.



<u>Table 8</u>: State and Local Fiscal Impact of the Norge Solar Facility Compared to the Proposed Project Sites in their Current Agricultural Use (2017 Dollars)

	First Year State and Local Fiscal Impact	Cumulative State and Local Fiscal Impact over 35 Year Life of Project
Proposed Norge Solar Facility	\$11,883	\$415,905
Current Agricultural Use	\$2,478	\$86,730
NET DIFFERENCE	\$9,405	\$329,175
Proposed Norge Solar Facility	\$11,883	\$415,905
Alternative Residential Use	(\$262,655)	(\$9,192,927)
NET DIFFERENCE	\$274,538	\$9,608,832

Other Considerations

One of the methodological problems associated with conducting economic impact assessments is that not all of the economic effects associated with a given enterprise can easily be captured and quantified in standard simulation models. To compensate for this limitation, in this portion of the section we attempt to at least qualify some of the potential economic effects associated with the proposed Norge Solar Facility that cannot be easily quantified.

State Energy Policy

The Norge Solar Facility would be are entirely consistent with Virginia's stated energy policy objectives as presented in Governor McAuliffe's 2014 *Virginia Energy Plan*. ⁴⁰ The very first goal of which is to "accelerate the development of renewable energy sources in the Commonwealth to ensure a diverse fuel mix," because doing so "will lead to economic prosperity through increased jobs and environmental health through lower harmful emissions."

⁴⁰ Virginia Energy Plan, Virginia Department of Mines, Minerals, and Energy, October 1, 2014.



Encouraging Economic Development

Industrial development prospects with high energy needs are becoming increasingly sensitive to the proportion of their energy requirements that are produced through renewable sources. A good example of this is data centers, a very high-growth, very high-wage industry that provides the technological backbone of the modern economy. As a case in point, in November of 2015 plans were announced to construct the Amazon Solar Farm U.S. East, an 80-megawatt solar facility that will be located on Virginia's Eastern Shore in Accomack County, Virginia. Construction of that facility was made possible as a result of a long-term power purchase agreement with Amazon Web Services, an affiliate of Amazon's cloud computing business. As this example demonstrates, renewable energy is becoming an important asset for localities in promoting technology-driven economic development.

The estimates provided in this report are based on the best information available and all reasonable care has been taken in assessing that information. However, because these estimates attempt to foresee circumstances that have not yet occurred, it is not possible to provide any assurance that they will be representative of actual events. These estimates are intended to provide a general indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.

Norge Solar Facility FAQ

Response to comments received from the Norvalia neighborhood community meeting of 5/3/17. Questions and SunPower responses are provided in the order received. They are numbered to allow for convenient referral to answers to similar questions.

1. Any guarantees our property values won't go down? 2

No data exists to suggest this type of project impacts property values negatively. Once operational, this is a clean, quiet facility, with minimal traffic, and no noise or emissions. In some ways, it will be less intrusive than farming operations (no dust or sedimentation and runoff due to annual cultivation), or other ways the site may be developed (ongoing traffic due to residential development, for example). SunPower will make sure there is a natural (existing or new) vegetation screen between the project and neighboring properties so as not to adversely impact those property's view sheds to the extent practicable. \square

While the potential impacts of a solar farm on neighboring property values have not been studied in-depth, numerous studies found the impact of wind energy generation on neighboring property values to be negligible. As solar farms have lesser impacts than wind farms (i.e., solar farms do not cast a shadow on neighboring properties, do not cause light flicker, and do not have the same visual impact as wind farms), the impacts on property values caused by solar farms are anticipated to be less than the impacts of wind farms. (Source: NREL

https://www.nrel.gov/tech_deployment/state_local_governments/blog/top-five-large-scale-solar-myths)

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Additionally, research from the US Department of Energy's Lawrence Berkley National Laboratory on other forms of renewable energy – namely wind farms - shows no evidence to suggest large scale wind farms adversely affect property values. http://www.awea.org/property-values ©The article and statistics relating to property values cited in the WY Daily article is specifically about large (>100 megawatts) coal and natural gas power plants, which have significantly different and greater visual impacts, air emissions, noise, light pollution, water use and emission characteristics. ©

2. What negatives are there from a solar farm operation?

Solar farms reliably produce cost-competitive, emission-free renewable power. They operate quietly, and have no fuel requirements beyond sunlight.

SunPower solar farms are designed to minimize land impact. Minimal impact generally results in enhanced natural habitat for native plant species and wildlife alike.

In the view of some, negatives may include the fact that solar plants only generate electricity during the day, requiring storage and/or supplemental energy sources to provide 24/7 power. Also, operations and maintenance on solar plants is minimal, creating just a few jobs during the plant's operational life.

Similar to household appliances, solar facilities generate electro-magnetic fields that dissipate with increasing distance and pose no health risk nor concerns to neighboring residents. ②Solar panels don't cause glare. Rather than reflecting light, solar panels generate electricity by absorbing light. In addition, SunPower solar panels use non-reflective glass. They are FAA and USAF-approved, and have been installed at and near airports and US Air Force bases. ②Reference:

https://www.nrel.gov/tech_deployment/state_local_governments/blog/top-fivelarge-scale-solar-myths

The Norge Solar facility will produce wholesale power, most likely for a regional electric utility. The project is not a retail electric distributor, and cannot sell power at a retail level to individual customers. VA state law prohibits the project from doing so.

Blowever, we encourage homeowners to investigate rooftop solar power systems for their homes. It can be a great way to reduce electricity costs as well as your family's carbon footprint. Information on residential SunPower systems can be found at www.sunpower.com.

Neither VDOT nor the County has seen the need for nor requested such improvements for this project, as it is anticipated that the existing road network is suitable. However, SunPower has made a commitment to repair roads as and if needed, and it is required by Special Condition No.4 to the proposed Special Use Permit. Depending upon the ultimate final access way into the project site approved by the County (via Farmville Lane or via Oslo Court), there may be either localized road widening around the corner of Farmville Lane, or shoulder widening immediately adjacent to our driveway entrance onto Oslo Court, both likely via a gravel surface. D

6. What is the benefit to the neighborhood? There is little tax revenue, will be an eyesore.

The Norge Solar Facility will bring a number of benefits to James City County and to Virginia. These many benefits include:

Jobs

- Approximately 80 construction jobs will be created over the 6-to 9-month construction timeline.
- The facility will employ 1-3 permanent operational personnel, plus additional contractors for operations and maintenance.

Revenue Generation and Economic Benefits

- The project will be a source of sales tax for both County and Virginia, direct and indirect, both during construction and operations.
- Construction and operation of the project will generate economic development for regional businesses, including engineering and construction, consulting, landscaping, and hospitality firms. This "ripple" economic effect in James City County is estimated at over \$2 million during construction and over \$200,000 annually, and in Virginia at over \$14 million during construction.
- Additional details on economic impact of the project is quantified in the report entitled Mangum Economics, "The Economic and Fiscal Contribution That The Norge Solar Project Will Make to James City County and Virginia, April 2017," which was submitted to JCC County staff on May 3, 2017, and can be locate here

cprovide link>. ②

Community Benefits

- The project stimulates economic development in the County with minimal requirements for JCC facilities or services. Although fiscal (tax) contributions to JCC are moderate, the project has significantly less fiscal impact than an alternative of developing the site with residential units, which by one estimate could cost the County close to \$300,000 annually. 2
- Although the site would be developed with solar, the project offers a long- term open land preservation strategy for the County as the site could be returned to open agricultural land after decommissioning.
- SunPower will seek to support work force training programs for solar energy and related technical jobs and has already met with Thomas Nelson Community College to explore such cooperative efforts. 2
- SunPower seeks to educate the public about solar energy and would work cooperatively with schools and other organizations in this manner. 2

Environmental Benefits 2

- Construction of the project supports Virginia's renewable energy goals.
- The renewable energy produced will offset annual carbon dioxide emissions approximately equivalent to removing 10,000 cars from Virginia's highways, 270 railcars of coal, or 114 million lbs. of carbon emissions (Source: US EPA).
- 7. Will there be a zoning change? No zoning change will be required.

The project will be permitted via a special use permit. 2

8. There was no proper notification of the whole neighborhood.

SunPower voluntarily hosted a public informational session on the project November 17, 2016 at the Norge Elementary School. The session was advertised in the Daily Press and Virginia Gazette, via direct mail invitation to residents adjacent to the project site, and email invitation to various County staff. James City County held a public hearing on the project at the Planning Commission meeting April 5, 2017, which was noticed to

nearby residents as required by JCC regulations. An additional public hearing notice complying with JCC regulations was issued in April 2017 in anticipation of the public hearing to be held at the May 9 Board of Supervisors Meeting. The application and relevant project information has been on display on the James City County website since the time of application in December 2016. In response to further concerns by residents, SunPower voluntarity deferred our Project hearing scheduled for May 9, to provide adequate time to address these issues. SunPower also voluntarily held an additional neighborhood public meeting at the middle school in Toano on June XX, 2017 to hear and respond to neighbor's concerns. This meeting was also noticed in the Daily Press and Virginia Gazette, via direct mail invitation to residents near project site, and email invitation to various County staff. There will be an additional public hearing notice complying with JCC regulations to be issuedin anticipation of the public hearing to be held at the October 10 Board of Supervisors Meeting

9. Access will be controlled 2

SunPower will install 7' fencing around the entire project to limit public access. This is required per safety code. We will likely install chain-link fencing given the concerns we've heard from the community about dogs being able to get through ag-style fencing. Access will be maintained and controlled to a neighboring property via Norge Farm Lane. \square

10. Concerns of water usage 2

The only water needed to operate the proposed project is for washing the panels. SunPower will wash the panels occasionally to optimize performance. SunPower's robotic panel cleaning technology uses approximately 90 percent less water than traditional cleaning methods. ②Water use is estimated at approximately 6500 gallons for each washing, up to two times per year, or a total of 13,000 gallons per year. That's the equivalent of less than two tractor trailer (8000gallon) tank trucks, or four smaller tank trucks of water. Water would be delivered via truck from an off-site source. ②

11. Shouldn't all the owners of Norvalia be compensated if the new road construction ruins our neighborhood?

2

There will not be any new road construction in the Norvalia neighborhood. The project will utilize the existing roads. There may be a potential widening of the corner of Farmville Lane if that route is required by the County for large vehicular access, and if SunPower can obtain necessary access easements in this area. SunPower is committed via Special Condition No. 4 to prepare a Construction Traffic Mitigation Plan and obligated to make any necessary road repairs due to potential damage from construction traffic.

There are no direct cash subsidies from the federal government to the project, but there is a federal tax credit that the project would be eligible for. This production tax credit is available to both solar- and wind-powered renewable energy projects. 2

13. How will the power be stored and transmitted?

Electricity generated by the facility will not be stored. Rather, it will be transmitted to the existing Dominion distribution system in the area. The project will connect to the existing distribution line that currently feeds the house on the site. While Dominion may upgrade this line and its distribution lines running between the site and the Lightfoot substation approximately one mile to the east, those upgrades will be within typical distribution system specifications (e.g., typical distribution system pole heights and conductor configuration) and likely within Dominion's existing right-of-ways and approvals for line construction and maintenance in the area. The project will not connect to the nearby high voltage transmission line to the south of the site. \square

No noise is generated by the solar panels themselves. There will be approximately 8 inverters located at AC stations throughout the site that will produce a sound level that is similar to a refrigerator. This noise is not expected to be audible (e.g., heard above ambient noise) at the site boundary. Also, none of these sources operate at night during lower ambient noise conditions when the PV facility is completely shut down. ②See

response to question No. 3 on electromagnetic fields. 2

Dominion will have a say in the project in one and potentially two ways. First, the project is interconnecting to the Dominion distribution system, so the project must comply with all of Dominion's procedural, technical, and commercial requirements and study processes to permit such a connection. Dominion is currently working at SunPower's request to study the interconnection of the project to their system.

2

Second, if Dominion chooses to either buy the project (and thus be the owner/operator) or buy power from the project (in which case SunPower would build/own/operate), Dominion could have a say in how the project was designed, constructed, or operated, depending upon the exact nature of that arrangement with Dominion. However, at this time, there are no such agreements in place with Dominion.

There will be no significant adverse impacts to the environment or wildlife from construction or operation of this facility. SunPower has evaluated, studied, or documented the numerous RPA buffers, steep slope buffers, prepared a Threatened and Endangered species study/assessment, a Historical and Cultural Resource study, and Architectural study, and is taking steps to ensure stormwater and erosion control accommodation are in compliance with JCC and VDEQ, and DCR standards.

17. Increase in traffic will have a negative impact on the development. We have a large number of daily walkers. Using Farmville Rd. divides the community physically. Is it possible to provide access through a commercial area?

18. Increase in traffic will have a negative impact on the development. We have a large number of daily walkers. Using Farmville Rd. divides the community physically. Is it possible to provide access through a commercial area?

There are no alternative or commercial area routes available to provide access to/from the property to Route 60. For the reasons described below, SunPower feels that access via Farmville Lane to Route 60 is suitable.

2

Increased traffic impacts will be limited to the duration of the facility construction.

Thereafter, traffic will be minimal and comprised of only a few vehicular trips (e.g. pickup truck size/style vehicles) daily and thus not impact the development.

2

SunPower understands there are neighborhood resident concerns regarding site access during construction, and has actively worked to find ways to mitigate these concerns. SunPower, together with County staff, have agreed to conditions tied to the approval of the special use permit in order to mitigate those concerns. One significant new mitigation strategy is to significantly reduce vehicular traffic during construction by procuring an off-site parking lot for the majority of construction workers. From this location, laborers and employees will be transported to the construction site via a shuttle bus. Site foremen, specialty contractors, and vehicles hauling equipment, will not use this service and will travel to/from the project site independently.

Our other proposed mitigation includes several measures such as limiting construction hours to between 7am and 7 pm, scheduling deliveries to avoid school bus pick-up and drop-off time schedules in the neighborhood, and a commitment to repair roads as and if needed. The VDOT has approved our initial application regarding site access, and both the County and VDOT have reviewed our Construction Access and Traffic Management Plan, which can be viewed here provide link>. Other special conditions include requirements to submit Construction Traffic Mitigation Plan to VDOT and County staff for approval, and a Construction Management and Mitigation Plan to County staff for approval. We will also have to obtain a Driveway Entrance permit from VDOT.

And finally, SunPower will develop in conjunction with JCC public safety personnel an Emergency Management Plan for the project. SunPower believes that with our current proposal and through development of these plans in conjunction with County, VDOT, and emergency management personnel the site can be safely accessed with as minimal disruption to normal neighborhood activities as practicable. Although construction traffic will occur during the anticipated 6 to 9 month construction schedule, the bulk of such traffic will occur during a peak 3-4 month primary construction period. SunPower would also note that once operational, traffic will be extremely limited (a few maintenance vehicle/pickup truck trips a day), and much less that if the site were developed in an alternative way (e.g. residential subdivision).

18. Will the revenue created stay in the community? If so, how many jobs are created and are they short or long term?

Revenue Generation and Economic Benefits 2

- Additional details on economic impact of the project is quantified in the report entitled Mangum Economics, "The Economic and Fiscal Contribution That The Norge Solar Project Will Make to James City County and Virginia", April 2017" which was submitted to JCC County staff on May 3, 2017.

 2

Jobs 2

No. As described in response to Question No. 3 above, equipment in solar facilities generate electro-magnetic fields similar to household appliances within close proximity, which dissipate with increasing distance. Such fields pose no health risk nor concerns to neighboring residents and will not affect satellite reception nor equipment in schools. \square

20. How is it possible to protect children waiting for school buses from commercial vehicles?

20. How is it possible to protect children waiting for school buses from commercial vehicles?

SunPower intends to ensure the safety of neighbors in a number of ways. First, SunPower has committed to providing off-site parking for the majority of construction workers to significantly reduce the anticipated number of vehicular trips along Farmville Lane. SunPower has also committed to schedule large vehicle equipment deliveries to avoid hours when school busses are operating in the neighborhood. Furthermore, SunPower will commit to imposing a 15mph speed limit through the Norvalia neighborhood on all Demployees, contractors, and suppliers to the project. SunPower will also commit to posting safety personnel during high traffic periods. Finally, SunPower is required to submit a Construction Traffic Mitigation Plan to VDOT and James City County for review and approval, which will address both safety issues and road repair commitments. See also response No. 17.

See response to No. 8 above. 2

22. Our property values have just returned to pre-2008 values. Research indicates that other solar farms of this size have in some areas caused real estate values to drop by 5-10%.

22. Our property values have just returned to pre-2008 values. Research indicates that other solar farms of this size have in some areas caused real estate values.

See response to No. 1 above. SunPower is not aware of any such credible research available that indicates such real estate value declines in the vicinity of solar farms.

2

23. Visibility for traffic pulling from Farmville onto Richmond Rd is already poor. It is especially difficult to see traffic coming from Toano. What would be done to make entering and exiting the development safe?

SunPower has evaluated these sight distances as part of the Construction Access and Traffic Management Plan <found here>. To assist in large vehicles turning into and exiting Farmville Lane, SunPower will use a construction traffic flagger during peak construction periods. SunPower anticipates further details to be worked out in

conjunction with the County and VDOT when we prepare our final Construction Traffic Mitigation Plan as required by Special Condition No. 4 to our permit approval. See also answer to 17 above. 2

24. If the sound of one cell is equivalent to one refrigerator, what would be the sound of 200 refrigerators?

See response to No. 14 above. No noise is generated by a PV panel nor cells comprising that panel. There will be approximately 8 inverters which can generate the low-level noise as indicated in the prior response. However, even with these numbers, the sound of this equipment will be inaudible to neighboring properties. 2

SunPower has committed to schedule deliveries to avoid school bus times in the neighborhood. See answers to 17 and 20 above.

2

See response No. 6. 2

27. We enjoy the quiet dark nights to star watch. The noise will take over the natural sounds and the lights/glare will inhibit star gazing.

The facility does not operate at night and thus produces no noise. See answer No. 14. Additionally, there will be no lighting onsite.

28. I do not feel that there was adequate communication from SunPower or Whisper Ridge, LLC to our community about the increase of traffic for 9 months. Farmville Lane is our only paved entry and exit to the neighborhood.

• See answer No. 8 above regarding notice.

School buses are typically 8 to 8.5 feet wide. The standard width for a tractor trailer standard is 8.5 feet. Neighbors can expect passing a trailer on Farmville Rd to be similar to current encounters with school buses.

2Also, see answers to Nos. 17 and 20.

30. The people coming through the neighborhood. We have children in middle and high school whose parents aren't waiting with them for the bus. Who are these people who will be coming through?

Yes the same risk is a potential if a residential neighborhood is built back there from unknown construction workers.

SunPower will commit to running background checks on all construction employees and contractors.

31. Will we need a light for the increase in traffic to be able to enter Farmville

Lane? There are times of day now that I walk my daughter to ballet because
getting out of our neighborhood into the flow of traffic takes longer than
walking her there. And with an increase of 60 to 80 people in the
neighborhood, how difficult will it make it to leave the neighborhood when it's
quitting time?

See answer No. 23. 2

SunPower will not build this project on a "speculative basis". SunPower will only build the project if either (1) a utility or other wholesale electric company enters into a long term (eg, 15-25+years) contract to purchase the energy produced, or (2) a utility acquires the project (and in that case uses the energy produced for itself or its customers). Hence, the likelihood of insolvency in the example above is extremely remote.

SunPower is responsible for decommission the project at the end of the project's life and returning the site to its pre-construction condition as nearly as practicable. Special condition 15 of our permit requires, prior to construction, submission of a decommissioning plan for review and approval by the County and surety to the County to ensure funds are available for decommissioning in the unlikely event of failure to comply with decommissioning requirements. Decommissioning of the facility will include recycling of components as appropriate and disposal off-site as needed.

SunPower's system is made mostly of silicon, glass, aluminum, & galvanized steel and contains no hazardous materials, and hence has no ability to introduce toxic materials to the site. SunPower even uses lead-free solder in its solar cells. The medium voltage transformers associated with the inverters contain FR3 oil, which is equivalent to a cooking grade biodegradable oil, and poses no environmental threat.

33. SunPower says the P-series panels are mutlicrystalline silicon. Is this CdTe or CIGS solar cells? Or are they using Gallium Arsenide? Silicon needs to be beefed up to take the sun's energy and turn it into energy we can use.

https://www.nrel.gov/pv/cadmium-telluride-solar-cells.html 2

SunPower's P-series panels do not use CdTe, CIGS or Gallium Arsenide. Analytical testing (including test results for Toxicity Characteristic Leaching Procedure which is used to determine hazardous waste code under RCRA) conducted in 2016 resulted in "PASS" results, meaning the P-Series module did not exceed threshold amounts that would render it a hazardous waste per US Federal requirements.

2

34. The panels have to be cleaned. On the SunPower site, they show a video of a self cleaning machine. How loud is this? Is it more than a hum? Can we hear one? Do they have inverters? They mention using 75% less water, but what is

that number exactly? How will this affect the James City County water supply?

SunPower's solar panel cleaning robots produce negligible noise that is not expected to be audible (e.g., heard above ambient noise) at the site boundary. ②See response No. 10. There will be no impact to the James City County water supply. ②

35. What happens if this becomes the situation: "Smith Hollow is a quiet neighborhood in Edgartown where the ambient sounds include distant traffic and breeze moving through the trees. But this past summer, the installation of a new municipal solar array added a new sound to the mix: incessant humming that all but drowns out the other sounds at some Smith Hollow residences. As soon as the solar project went live, inverters, the part of the system that converts direct current from the sun to alternating current, began emitting noise on sunny days. Neighbors complained, and the town hired an expert to investigate." These investigations take time. This will be extremely inconvenient to those that live closest to the humming. https://vineyardgazette.com/news/2014/09/25/solar-panels-create-noise-nuisance-edgartown

See response No. 14. The components that SunPower uses, and those typically used for facilities of this type, will not produce noise that will be audible above background at the project boundary.

SunPower is not aware of this isolated incident cited, but proposes that either the reporting is inaccurate or this particular incident was a result of faulty project design or equipment.

I understand that the developer is responsible for repaving/fixing the roads that they use. How will we make sure that they don't pull a stunt as the Pottery did where they added things then "apologized" alater:

http://wydaily.com/2012/12/06/local-builder-sues-pottery-for-millions/
"Recently the Pottery was cited by James City County with a zoning violation for the types of external lights used on the property. The Pottery was appealing the violation but withdrew their appeal prior to the last Board of Supervisors

SunPower is required per Special Condition 4 to submit a Construction Traffic Mitigation Plan to VDOT and James City County for review and approval, which will address road repair commitments, and complete such repairs within 6 months of operations. This requirement is tied to the SUP conditions as well as the application and permit for the Construction Entrance needed to serve the site. As a part of the construction entrance permit being approved by VDOT, an assessment of existing pavement conditions and potential impacts from construction traffic is conducted that will result in the development of a preliminary cost estimate for anticipated repairs. SunPower will be required to post the surety necessary to cover the costs of removal and restoration of the roadway. \square

An exact evergreen species has not been identified or finalized at this stage of the project. However, the evergreen species selected will meet County code, be consistent with native evergreen species in an around the project area, and grow at a rate such that the panels will be screened/blocked in 5 to 7 years.

All the evergreen trees being planted are a minimum of 8' in height at the time they are to be installed per county code requirements. Assuming the evergreen trees will grow approximately 1 to 1.5 feet a year (which is their normal growth rate) it will take them approximately 5 to 7 years to reach a height of 15'. In that time-frame they will also have reached a diameter to form a dense evergreen hedge.

In addition to this evergreen vegetative screen, SunPower has proposed to install vegetative-look fence screening material over the chain link security fence in areas where this new vegetative screening is proposed. This additional fence screen will soften the appearance of the actual chain link fence and will help obstruct the view of solar farm equipment within the site boundary in these locations. Examples of this type of fence screening can be found here <a href="mailto:revenue content of the content of the

38. What is James City County getting from this? How much tax money will they

get from Whisper Ridge for the solar power they sell? Is Norge Elementary going to be powered by the farm? Why is this moving so fast with so little information being given to the Norvalia neighbors?

2

See response No. 26 – Project Benefits. See response No. – Electricity Sales See response No. – timing and notice. ☑

Distances between the trees and the panels will vary slightly around the site depending on location from 15 feet to 50 feet. A buffer must be maintained for accessibility and in some cases to minimize "shading" of the panels to the extent possible. ②A 7' chain-link security fence will enclose the site to limit access. SunPower or contract maintenance personnel will be onsite regularly (typically most weekdays) to monitor all site conditions and operations. ②

Additional questions received post 5-17 Neighborhood Meeting

Access: What's possible to re-configure access to the construction site? For example, can easement be obtained through adjacent Norge Elementary School (which also has a stop light) to construct a temporary access road, avoiding the neighborhood altogether? This would also simplify the school begin-end times that the contractor had to avoid. Is there ANY other solution to access the property?

See response No. 17.

Construction crew traffic: Can the 80 construction employees park at Farm Fresh or Food Lion and contractor arrange vans or school busses to/from satellite parking? This would also boost local community through van/bus rental, drivers, restaurants, etc. Shuttle appears to be a strategy used at W&M (W&M Hall parking lot).

In response to concerns raised and this specific suggestion by residents, SunPower will be parking workers off-site and shuttling them onto the project site, significantly reducing the expected traffic impacts to Farmville Lane. See response No. 17.

Short-term/Long-term Benefit: In the long run the solar farm might be a great energy source and a good low-impact neighbor compared to other possible uses. I didn't

completely understand all the slides and implications, but this project seemed to offer relatively little benefit for the local area and nearby residents and therefore the immediacy of the 9-month construction disruption takes on proportionally greater impact.

See response No. X Project Benefits. See response above and No. 17 regarding shuttling workers to reduce traffic impacts.

Where does your project connect to the distribution lines? Will there be new poles that go through the neighborhood or along any existing roadway?

See response No. 13

What type of fencing are you proposing around the project and will that be adequately screened along the frontage where it could be viewed from the neighborhood. It seemed like the fencing was not very attractive at this [Isle of Wight] facility and the landscaping for potential buffering was minimal.

An [8]-foot high chain link security fence will be installed around the perimeter of the site. Where existing vegetation is not sufficient to adequately screen the facility, such as on the northeastern portion of the site in the vicinity of the Norvalia neighborhood, SunPower is proposing: (1) a newly-planted 50' wide evergreen vegetative buffer and also (2) vegetative-look fence screening material over the chain link security fence in areas where this new vegetative screening is proposed. The combination of these two measures is a far superior screening and landscaping plan that that installed at the Isle of Wight facility referenced. (See response No. 37)

AGENDA ITEM NO. I.1.

ITEM SUMMARY

DATE: 10/12/2017

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Director, Financial and Management Services

SUBJECT: FY2017 School Year-End Spending Plan Appropriation \$584,088

ATTACHMENTS:

	Description	Type
р	FY2017 School Year-End Spending Plan Appropriation	Cover Memo
р	FY2017 School Year-End Spending Plan Appropriation	Resolution
а	FY2017 School Year-End Spending Plan Appropriation	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Financial Management	Mellen, Sue	Approved	10/3/2017 - 8:36 AM
Publication Management	Burcham, Nan	Approved	10/3/2017 - 9:38 AM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 10:00 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 10:59 AM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 11:17 AM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 1:56 PM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Director, Financial and Management Services

SUBJECT: FY 2017 School Year-End Spending Plan Appropriation \$584,088

At a meeting on September 19, 2017, the Williamsburg-James City County School Board (WJCC) adopted a spending plan for the FY 2017 year-end funds totaling \$645,116. These funds represent underspending for the fiscal year that ended on June 30, 2017. The School Division estimates that the total year end surplus is \$1,970,663. The remaining \$1,325,547 would be returned to the funding localities.

The City/County School Contract, most recently revised in April 2017, includes the following provision:

Based on Section 22.1-100 of the Code of Virginia, local school funds unexpended in any year shall become part of the appropriated funds of the City and County for the School Board for the following year. However, based on a spending plan submitted by the School Board, unexpended local funds at year-end may be appropriated by the City and County for school purposes beyond those previously funded.

The County share of the total local funding for FY 2017 was 90.54% and, as a result, \$1,200,150 would be returned to the County. The planned FY 2019 Capital Improvements Budget includes \$600,000 of anticipated surplus. The spending plan adopted by WJCC includes the following County funds of \$584,088:

Impact Insight	\$40,743
Textbooks	\$64,388
Admin/Support Compensation Salary Analysis	\$58,851
Cafeteria Tables - Clara Byrd Baker Elementary School	\$25,351
School Buses - Four Replacements	\$394,755

Attached is additional documentation provided by the School division regarding the request. The attached resolution, if adopted, approves the School Board's requested spending plan and appropriates the funding in the County's Capital budget in order to keep the FY 2018 operational base at the original County approved amount.

SRM/nb SchYrEndSpend2017-mem

Attachment

RESOLUTION

FY 2017 SCHOOL YEAR-END SPENDING PLAN APPROPRIATION \$584,088

- WHEREAS, the Williamsburg-James City County School Board (WJCC) adopted a spending plan for the FY 2017 year-end funds totaling \$645,116 with the County share representing \$584,088; and
- WHEREAS, the Board of Supervisors must approve a spending plan for these unspent local funds under the terms and conditions of the City/County School Contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the FY 2018 Capital Projects Fund for the following purposes:

Revenue:	
Fund Balance	\$ <u>584,088</u>
Expenditures:	
Impact Insight	\$ 40,743
Textbooks	64,388
Admin/Support Compensation Salary Analysis	58,851
Cafeteria Tables - Clara Byrd Baker	
Elementary School	25,351
School Buses - Four Replacements	394,755
•	\$ <u>584,088</u>

		Kevin D. Onizuk Chairman, Board of Supervisors					
ATTEST:		VOTES AYE NAY					
	MCGLENNON	<u> </u>		ABSTAIN —			
	SADLER HIPPLE						
Bryan J. Hill Clerk to the Board	LARSON ONIZUK						

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

SchYrEndSpend2017-res

By state code, WJCC cannot carry-over funds from one fiscal year to the next. Additionally, it is vital that the division not operate with a deficit. Financially conservative budgeting should thus result in a surplus at the end of a fiscal year.

The contract by which WJCC operates requires the approval of a year-end spending plan by both city and county governing bodies. Any non-allocated funds must be returned to those governing bodies.

WJCC ended the 2017 fiscal year with a surplus of \$1.2 million or 0.98% of the division's total operating budget. Primarily, the surplus is a result of reduced costs associated with fuel, utilities and attrition.

Fuel & Utilities

WJCC conducts a 3-year analysis each budget cycle to evaluate trends. With the volatility of the oil market, this analysis provides baseline information, but it is still an estimate. In FY17, there were \$513,000 in savings from fuel and utilities.

Attrition

Attrition occurs annually with the natural employment cycle of most organizations. Often, when WJCC employees retire or resign, a new employee will be hired with a lower total cost to the division. This natural transition occurs each year across the division in all job titles and cost centers. As with fuel costs, attrition savings can vary widely, especially when outside forces impact employees (e.g. recession, health care costs, cost of living, etc.)

In fiscal year 2017, \$576,000 in attrition savings was realized. This amount does not include unfilled positions since the only unfilled positions in WJCC were in the transportation department. As in previous years, WJCC had difficulty recruiting and retaining bus drivers and bus assistants.

In fiscal year 2017, estimated attrition savings of \$1.3 million were utilized to balance the division's Operating Budget.

Year-End Spending Plan

WJCC staff have proposed a spending plan that includes *Impact Insight*, textbooks, administrative and support salary analysis, cafeteria tables, and school buses.

Impact Insight

The Superintendent's Transition Plan (Goal 1, Transition Action 2) identifies the need for a comprehensive analysis of instructional initiatives that support student achievement. The *Impact Insight* service provides information on the extent to which current instructional initiatives are being implemented with fidelity and the impact that each initiative has on student achievement and other district objectives. In addition, the *Impact Insight* process includes:

 Professional development/leadership coaching and resources for instructional leaders to move from one level of implementation to the next and thus sustain deeper implementation of practices that have the greatest impact on student achievement;

- A road map to narrow instructional focus and address the division's challenges with regard to student achievement;
- Recommendations on allocating WJCC's limited resources of money and time to have the most direct impact on student achievement; and
- Follow up one year later to review progress based on collected baseline data.

The estimated cost of this service is \$45,000.

Textbooks

The replacement of some textbooks was removed from the 2017-18 budget development process to balance the operating budget. The year-end funding textbook request includes Anatomy and Physiology and AP Physics textbooks. These textbooks were last purchased in 2003 and both courses have gone through SOL and Advanced Placement curriculum revisions since that adoption. Additional Biology textbooks are also included to support the Pathways program at Warhill. Biology textbooks were adopted and purchased in 2015 prior to the inception of Pathways.

The total cost to support this spending request is \$71,116.

Analysis of Support and Administrative Pay Scales

An analysis of support and administrative pay scales is requested in the year-end spending plan. Over the past several years the division has focused on the elimination of compression within the teacher salary scale. An analysis of support and administrative pay scales is necessary to provide comparative data in an effort to ensure the division is competitive in the market for positions such as principals, assistant principals, administrative support staff, custodial, cafeteria and transportation staff.

The estimated cost to conduct this analysis and develop recommendations is approximately \$65,000.

Cafeteria Tables

The condition of the cafeteria tables at Clara Byrd Baker has been brought to the attention of operations and administrative staff as a concern due to the safety of the tables. Additionally, the tables are causing damage to new tile flooring installed in FY2016.

A quote has been obtained to replace the tables at Clara Byrd Baker at an estimated cost of \$28,000.

School Buses - Replacement

In 2014, WJCC developed a smooth bus replacement plan. The plan includes a proposed number of replacement buses each fiscal year, the age of the buses to be replaced and estimated future costs for each bus (including a 3% annual rate of inflation). No funding for school bus replacement was included in the FY2018 Operating Budget.

		Age		
Fiscal Year	Estimated Bus Cost \$ (3% Infl.)	Original Plan Age > 15 Years	Actual number of buses replaced	Estimated Future Cost
FY2014	110,000	8	9	
FY2015	113,300	1	9	

FY2016	109,000	15	10	
FY2017	109,000	10	10	
FY2018	112,270	0		
FY2019	115,638	12		1,387,656
FY2020	119,107	5		595,535
FY2021	122,680	12		1,472,160
FY2022	126,361	8		1,010,888
FY2023	130,151	6		780,906
FY2024	134,056	15		2,010,840
FY2025	138,078	-		ı
FY2026	142,220	24		3,413,280
FY2027	146,487	12		1,757,844
FY2028	150,881	13		1,961,453
FY2029	155,408	10		1,554,080
FY2030	160,070	9		1,440,630
FY2031	164,872	9		1,483,848
FY2032	169,818	10		1,698,180
FY2033	174,913	10		1,749,130
Total		155	38	\$ 22,316,430

The table below details the model year and mileage of the 10 buses that meet replacement criteria:

Model Year	Passenger Rating	Current Mileage	Bus Type
2001	78	261,624	Regular Ed
2003	32	309,503	Special Ed
2003	32	269,264	Special Ed
2003	78	250,166	Regular Ed
2003	78	255,704	Regular Ed
2003	32	269,391	Special Ed
2003	78	273,934	Regular Ed
2003	78	262,431	Regular Ed
2003	78	223,622	Regular Ed
2003	78	286,934	Regular Ed

Replaced buses are used as spares, are sold at auction, or are used for parts. The purchase of four (4) replacement buses is recommended through this spending plan.

The estimated cost is \$436,000.

AGENDA ITEM NO. I.2.

ITEM SUMMARY

DATE: 10/9/2017

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Regulation of Congregate Living Homes

ATTACHMENTS:

Description Type

memo Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	10/3/2017 - 2:43 PM
Publication Management	Burcham, Nan	Approved	10/3/2017 - 2:46 PM
Legal Review	Kinsman, Adam	Approved	10/3/2017 - 2:57 PM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 3:00 PM
Board Secretary	Purse, Jason	Approved	10/3/2017 - 3:09 PM
Board Secretary	Fellows, Teresa	Approved	10/3/2017 - 3:11 PM

MEMORANDUM

DATE: October 10, 2017

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Group Home/Oxford House Regulations

In response to the recent increase in the number of congregate living homes (e.g., "group homes," Oxford Houses, etc.) in the County, the Board of Supervisors adopted an Initiating Resolution on November 8, 2016. This Resolution instructed the Planning Commission to consider amendments to the County Code to specifically address this use. In accordance with its procedures, the Planning Commission referred the matter to its Policy Committee. At the Policy Committee meeting, County residents expressed their desire that the County Code be changed to disallow congregate living homes from situating in close proximity to each other, require a Special Use Permit for congregate living homes in single-family home neighborhoods and to impose a moratorium on additional congregate living homes in the Indigo Park neighborhood.

Because any regulation of congregate living homes regularly leads to lawsuits, I requested that the Planning Commission not consider recommendation of these newly-proposed changes until the Board could be provided with a legal briefing. The Board was provided with a legal briefing in closed session at its meeting on September 26, 2017.

Based upon federal and state laws, as well as related cases, it is my opinion that all of the restrictions proposed by citizens – including moratoria, proximity restrictions and imposition of Special Use Permits – will result in litigation that is unlikely to be upheld in court. Individuals recovering from chemical dependencies are a protected class under the federal Fair Housing Act; as such, any special restriction upon them is disfavored by the law. Even if there is a general restriction that also includes congregate living homes (e.g., a Special Use Permit requirement for a number of unrelated individuals), the County must grant a "reasonable accommodation" under the Fair Housing Act. Even if a "reasonable accommodation" is not requested, a denial of a Special Use Permit is unlikely to survive a legal challenge.

As the Board will recall, changing the Virginia Code to allow additional restrictions on congregate living homes was a part of its 2017 Legislative Agenda. *See* Senate Bill 1373, 2017 Acts of Assembly. Unfortunately, these changes were denied by the General Assembly. It is my opinion that if the Board wishes to adopt the restrictions desired by the Indigo Park neighborhood, changes to the federal Fair Housing Act will be necessary.

Based on the foregoing, it is my recommendation that the Board move that the Planning Commission discontinue any further consideration of changes to the County Code relating to congregate living homes. Additionally, the Board has requested that I draft a letter on its behalf to the Oxford House organization asking that they self-impose the restrictions listed above. This letter will be sent next week.

ARK/gt IndigoPark-mem

AGENDA ITEM NO. L.1.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Bryan J. Hill, County Administrator

SUBJECT: Consideration of a personnel matter, the appointment of individual(s) to the

Peninsula Airport Commission (PAC) pursuant to Section 2.2-3711 (A)(1) of

the Code of Virginia

REVIEWERS:

Department Reviewer Action Date

Board Secretary Fellows, Teresa Approved 10/3/2017 - 12:43 PM

AGENDA ITEM NO. L.2.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Consideration of a personnel matter, the appointment of individual(s) to fill a

vacancy on the Planning Commission, pursuant to Section 2.2-3711 (A)(1) of

the Code of Virginia

ATTACHMENTS:

Description Type

REVIEWERS:

Department Reviewer Action Date

Economic Development Fellows, Teresa Approved 10/3/2017 - 3:00 PM

Authority

AGENDA ITEM NO. M.1.

ITEM SUMMARY

DATE: 10/10/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Adjourn until 4 pm on October 24, 2017 for the Work Session

REVIEWERS:

Department Reviewer Action Date

Board Secretary Fellows, Teresa Approved 9/26/2017 - 10:46 AM