

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 1ST DAY OF OCTOBER, NINETEEN HUNDRED NINETY, AT 7:02 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District  
Stewart U. Taylor, Vice Chairman, Stonehouse District

Judith N. Knudson, Jamestown District  
Jack D. Edwards, Berkeley District  
Thomas K. Norment, Jr., Roberts District  
David B. Norman, County Administrator  
Frank M. Morton, III, County Attorney

B. MINUTES - September 17, 1990

Mr. DePue asked if there were corrections or additions to the minutes.

Mr. DePue made a motion to approve the minutes as presented.

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

C. CONSENT CALENDAR

Mr. DePue asked if any Board member wished to remove any item from the Consent Calendar.

Mr. DePue requested Item No. 1 be removed, and Mr. Edwards requested Item No. 2 be removed.

1. Board Calendar Change

Mr. DePue stated that he had a conflict with the calendar change.

No action was taken.

2. Proposed Secondary Road Construction Budget

Mr. Edwards expressed concern about approval of the funding for road construction in view of cutback in budget revenues.

Board discussion followed regarding decisions for the current year and next year budgets, obligation of commitment to the Virginia Department of Transportation, loss of State funds if commitment was withdrawn and possible changes in budget priorities.

By consensus, the Board requested that staff contact the Virginia Department of Transportation about consequences of withdrawal of commitment, and prepare a review of the Capital Improvement Project budget to recommend priorities and alternatives of all items for the Board's consideration.

E. PUBLIC HEARINGS

1. Case No. SUP-41-90. Kevin R. Bedell, M.D.

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Mr. Alvin Anderson, Esq., on behalf of Dr. Kevin Bedell, had applied for a special use permit to allow a medical clinic of 4,100 square feet on 1.198 acres, zoned A-1, General Agricultural, located at 4622 Rochambeau Drive, further identified as Parcel (3-10B) on James City Real Estate Tax Map No. (14-3). The Planning Commission, by a 4-5 vote, recommended denial of the permit for the reason that approval would set a precedent for non-rural commercial uses in the area, and staff recommended approval with conditions listed in the resolution.

Mr. DePue opened the public hearing.

1. Mr. Alvin Anderson, Esq., representing Dr. Kevin Bedell, outlined the case as a freestanding, owner-occupied clinic compatible with surrounding residential homes and accessed from Cloverleaf Lane. He asked for Board approval of the Special Use Permit.

2. Mr. Thomas E. Rickman, 113 Wilderness Lane, submitted a letter and petition stating opposition to the special use permit because of traffic congestion and unsuitability of residential area for a business.

3. Ms. Betty Brantley, 4490 Rochambeau, spoke in favor of the special use permit, stating the medical clinic would be an asset to the neighborhood.

4. Ms. Ruth Gibson, 9 Colony Trail, Lanexa, spoke in favor of the special use permit, stating that the medical center was compatible with the area with minimal traffic expected.

5. Ms. Shirley Webster, 125 Wilderness Lane, spoke in opposition that the medical clinic was unneeded since the Norge Medical Clinic was nearby.

6. Mr. Martin Garrett, Planning Commission member, requested the Board return cases with significant changes after Commission consideration to the Planning Commission.

Mr. DePue closed the public hearing.

Mr. Taylor made a motion to approve the special use permit.

The Board discussed whether the case would set a precedent in the residential area and the significance of changes.

Mr. Edwards made a substitute motion to return the case to the Planning Commission.

Further discussion ensued regarding differences in zoning districts.

Mr. Edwards withdrew the substitute motion.

Mr. DePue asked for a roll call on Mr. Taylor's motion.

On a roll call, the vote was: AYE: Norment, Taylor, DePue (3).  
NAY: Edwards, Knudson (2).

### R E S O L U T I O N

#### CASE NO. SUP-41-90. KEVIN R. BEDELL, M.D.

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 Staff has recommended approval of Case No. SUP-41-90 for the reasons outlined in the staff report.

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-41-90 as described herein with the following conditions:

1. If construction has not commenced on this project within a period of 18 months from the date of issuance of this permit, it shall become void.
2. Clearing shall be limited to that which is necessary for the construction of the medical clinic, the parking area, any necessary stormwater management facilities, well installation and drainfield clearing.
3. The reserve drainfield shall remain wooded and undisturbed unless the need for its use is deemed necessary by the Health Department.
4. No more than one entrance to the site shall be permitted. Sole access to the site shall be from Cloverleaf Lane.
5. The medical clinic shall not exceed 4,100 square feet in size and 35 feet in height.

2. Case No. Z0-14-90. Zoning Ordinance Amendment/Recycling

Mr. Sowers stated that the ordinance amendment provided a definition for the use "publicly owned solid waste container site."

In concurrence with staff, the Planning Commission unanimously recommended approval.

Mr. DePue opened the public hearing, and as no one wished to speak, he closed the public hearing.

Ms. Knudson made a motion to approve the ordinance amendment.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, DePue (4). NAY: Taylor (1).

3. Landfill Ordinance Amendments - Recycling

Mr. David Clark, Solid Waste Engineer, stated that the ordinance amendment would be effective January 1, 1991, and would require County citizens using refuse container sites and the landfill to separate glass containers, aluminum cans and newsprint for recycling to meet State requirements over the next 5 years.

Staff recommended approval of the ordinance.

A short discussion followed concerning effect on refuse haulers and procedures those haulers might take with separated recyclables.

Mr. DePue opened the public hearing.

1. Reverend J. B. Tabb asked whether the County would provide pick-up of recyclables.

Mr. DePue responded that a test program for three neighborhoods was planned.

Mr. DePue closed the public hearing.

Mr. Frank Morton, III, County Attorney, asked that the language "This ordinance will be in full force and effect January 1, 1991."

Mr. Edwards made a motion to approve the ordinance amendment with above language added.

Mr. DePue stated that refuse haulers' comments would be appreciated, and encouraged the haulers to recycle.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, DePue (4). NAY: Taylor (1).

4. Outdoor Gathering Application

Mr. Leo P. Rogers, Jr., Assistant County Attorney, stated that Goodman-Segar Hogan Management Company had applied to hold an outdoor gathering (Fall Festival) from 11:00 a.m. to 4:00 p.m. on November 17, 1990, at the eastern corner of the Williamsburg Shopping Center at the intersections of Route 199 and 5.

All required approvals had been received from County staff for the event.

A short discussion ensued regarding type of music and amplification planned.

Mr. DePue opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O N

OUTDOOR GATHERING APPLICATION

WHEREAS, James City County received an application from Goodman-Segar-Hogan Management Company to hold an outdoor gathering on November 17, 1990, (rain date: November 18, 1990) the eastern corner of the Williamsburg Crossing Shopping Center; and

WHEREAS, the James City County Fire Chief, Police Chief, Emergency Medical Coordinator and the Health Department approved the application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to issue the permit to Goodman-Segar Hogan Management Company to hold the proposed outdoor gathering.

5. Case No. AFD -2 86. Croaker Agricultural and Forestal District

Case No. AFD 3 86. Hill Pleasant Farm Agricultural and Forestal District

Case No. AFD -5 86. Barnes Swamp Agricultural and Forestal District

Case No. AFD -6 86. Cranston's Pond Agricultural and Forestal District

Case No. AFD 7 86. Mill Creek Agricultural and Forestal District

Case No. AFD 8 86. Casey Property Agricultural and Forestal District

Mr. Sowers stated that the above Agricultural and Forestal Districts' expiration dates are on or before December 1, 1990, and that review of the established districts to continue, modify or terminate each district was a State Code requirement.

Board discussion included construction of home on family acreage, rollback taxes plus interest due if acreage withdrawn, length of term, and County policy for denial of an Agricultural and Forestal district.

Mr. DePue opened the public hearings, and as no one wished to speak, he closed the public hearings.

Mr. Taylor made a motion to approve the case numbers listed above.

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

E. BOARD CONSIDERATION

1. FY 1991 Budget Amendment

Mr. David Norman, County Administrator, requested the Board postpone this item to allow receipt of additional information.

By consensus, the Board agreed to postponement.

F. PUBLIC COMMENT

1. Mr. Jay Everson, 130 Oslo Court, thanked Mr. John Horne, Manager, Development Management, for personally responding to his daughter's letter regarding sidewalks in Norge.

Mr. Everson commented on the downturn of tourism on restaurant meals tax, and offered two suggestions: encouragement of economic development for tax bases, and support additional advertising funds for the Chamber of Commerce and the Tourism and Conference Bureau.

## H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David Norman, County Administrator, reported that Mr. John Horne had attended committee meetings and would update the Board on the Route 5 corridor draft study.

Mr. Horne stated the study was produced by the Environmental Division staff of the Virginia Department of Transportation. He noted two points of significance were preservation of existing two-lane character of Route 5 by local participation in the design process, and recommendation for increased enforcement and changes in signage to minimize overweight and oversized truck traffic.

Board and staff discussed percentage of truck traffic with violations, destination of trucks, need of State regulations and localities input for design of scenic byways, inclusion of improvements to Chickahominy River bridge, creative suggestions from VDOT for control of truck traffic, and need for persuading local State legislators to support County recommendations during the next General Assembly session.

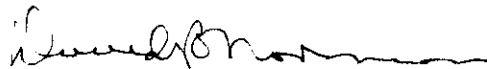
Mr. DePue asked that staff forward the Route 5 corridor draft study report to the Board and keep it apprised of ongoing process.

## I. BOARD REQUESTS AND DIRECTIVES - None

Mr. Edwards made a motion to adjourn.

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

The Board adjourned at 9:00 p.m.



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David B. Norman  
Clerk to the Board

OCT 1 1990

ORDINANCE NO. 31A-126

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Zoning, is hereby amended and reordained by amending Section 20-2. Definitions.

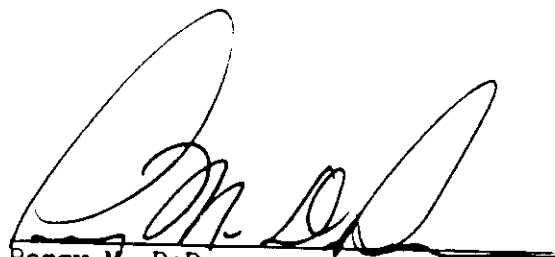
Chapter 20.

Article I. In General

Section 20-2. Definitions.

PUBLICLY OWNED SOLID WASTE CONTAINER SITE. A County-owned facility providing containers for citizens to dispose of residential solid waste, and recyclable materials to include, but not limited to, aluminum cans, container glass and newspaper.





Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT           | AYE         |
| TAYLOR            | NAY         |
| EDWARDS           | AYE         |
| KNUDSON           | AYE         |
| DEPUE             | AYE         |

Adopted by the Board of Supervisors of James City County, Virginia,  
this 1st day of October, 1990.

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OCT 1 1990

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

ORDINANCE NO. 116A-20

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II. LANDFILL ORDINANCE, SECTION 8-8. IN GENERAL, SECTION 8-9. HOUSEHOLD WASTE, SECTION 8-10. INDUSTRIAL REFUSE AND SECTION 8-14. COUNTY REFUSE CONTAINERS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 8, Health and Sanitation, is hereby amended and reordained by amending Section 8-8. In general, Section 8-9. Household waste, Section 8-10. Industrial refuse and Section 8-14. County refuse containers.

#### Chapter 8. Health and Sanitation

#### Article II. Landfill Ordinance

#### Section 8-8. In general.

(a) Policy. The purpose of this article is to ensure the proper disposal of solid wastes within James City County, including wastes from households, commercial establishments, manufacturing, industry, and institutions, and to implement the provisions of the Resource Conservation and Recovery Act of 1976 (Public Law 94-580) and the Solid Waste Regulations of the Commonwealth of Virginia. It shall be the official policy of the county to encourage the conservation (recycling-reuse) of recoverable resources from solid wastes by the industries, businesses and citizens of the county.

(b) Definitions. For purposes of this article, the following definitions shall apply:

- (1) Administrator: The county administrator or his authorized designee.
- (2) Bulky waste: Large items of solid waste such as household appliances, furniture, large auto parts, trees, branches, stumps and other oversize wastes whose large size precludes or complicates their handling by normal solid waste collection, processing or disposal methods.
- (3) Building and demolition debris: The waste building material, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures.
- (4) Commercial-business refuse: Refuse or wastes resulting from the operation of commercial or business establishments, including, but not limited to, stores, markets, offices, restaurants, shopping centers or theaters.
- (5) Compacted refuse: Refuse or waste which has been reduced in volume by mechanical or hydraulic means and remains in this state of reduced volume until deposited at the landfill.
- (6) Garbage: All vegetable and animal waste generated by the handling, storage, sale, preparation, cooking and serving of foods.
- (7) Hazardous waste: Refuse or waste or combinations of refuse or waste, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitatingly reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.
- (8) Household refuse: Refuse or waste resulting from residential operation.
- (9) Industrial refuse: Refuse or waste resulting from industrial and-or manufacturing operations.
- (10) Institutional-governmental refuse: Refuse or waste resulting from operations or activities of the Commonwealth of Virginia, its political subdivisions or agencies, or the United States Government.
- (11) Manager: The general manager of the James City Service Authority or his authorized designee.
- (12) Person: An individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, any interstate body, or the federal government.

- (13) Trash: Any and all rubbish, cans, bottles, containers, paper, cardboard or other discarded material of an inorganic nature.
- (14) Uncompacted refuse: Refuse or waste which has not been reduced in volume by mechanical or hydraulic means, or if so, has not been maintained in this reduced volume state during transportation to the landfill.
- (15) Waste generator: The person who actually produces the commercial, household, industrial or institutional-governmental refuse intended for disposal at the landfill.

(c) Authority to establish landfill rules. The manager shall be authorized to establish reasonable rules and regulations to determine the origin and type of refuse presented at the landfill for disposal.

(d) Disposal of refuse from outside county prohibited. It shall be unlawful for any person to dispose of refuse originating outside the boundaries of James City County at the landfill unless an agreement exists between James City County and the jurisdiction in which the refuse originates; provided, however, James City County may enter into direct agreements with the Commonwealth of Virginia or agencies thereof located outside the boundaries of James City County for the disposal of refuse generated by the Commonwealth of Virginia or agencies thereof.

(e) Weighing of truck required. It shall be unlawful for any person to dispose of refuse at the county landfill before weighing the vehicle containing said refuse, except in certain cases as described below.

#### Section 8-9. Household waste.

(a) Individuals using an automobile, station wagon, half-ton panel truck or half-ton pickup truck, with a valid county motor vehicle tag, decal or sticker, for the purpose of disposing of household refuse at the county landfill shall not be required to pay for disposal of refuse, provided, that the refuse being disposed of was neither collected nor hauled for a fee, and provided that certain recyclable materials have been separated by the individual prior to bringing the household refuse to the Landfill for disposal. The materials to be separated shall include aluminum cans, glass containers and newsprint. It shall be unlawful for an individual to dispose of household refuse from their home at the County Landfill unless the specified materials have been separated. Commercial haulers, under contract with the county to service county refuse containers, shall not be required to pay for disposal of refuse collected from county refuse containers.

(b) Commercial, industrial and governmental waste generators who bring their own refuse to the landfill, and commercial refuse operators-haulers regardless of the origin of the refuse shall pay the following fees:

Twenty-five dollars (\$25.00) per ton, computed on the basis of twenty-five cents (\$0.25) per each twenty (20) pounds or fraction thereof. Such charge shall be computed to the next highest one cent (\$0.01). The minimum charge shall be two and a quarter dollars (\$2.25) per load.

Any person exempted from payment of the charge for the disposal of refuse as provided in paragraph (a) above will not be assessed any charges as provided in this paragraph.

(c) The manager may promulgate reasonable rules and regulations to permit certain materials (for example, soil or gravel) determined to be beneficial in the proper operation and maintenance of the landfill to be disposed of without charge to the hauler.

(d) Tires. Whenever more than two (2) passenger car tires are disposed of on any occasion at the county landfill by any person, firm or corporation, a separate fee of seventy-five cents (\$0.75) shall be charged for each tire above two (2). The manager may at his discretion authorize the disposal of tires other than passenger car tires, at a charge per tire to be negotiated between the director and hauler disposing of the tires.

#### Section 8-10. Industrial refuse.

(a) Prior to the acceptance of industrial refuse at the landfill, the person desiring to dispose of same shall secure a permit from the manager. Prior to the issuance of such a permit, the manager shall determine the compatibility of the specific refuse with the landfill method of disposal. In determining such compatibility, the manager shall consider disposal volume, difficulty of handling, employee safety, likelihood of equipment damage, any unusual health and environmental problems and current state and federal regulations.

(b) The disposal charge for industrial refuse that does not require disposal in a separate location (trench) from household or commercial waste shall be assessed on the basis of the charges defined in Section 8-9 (b) unless covered by paragraph (d) below.

(c) The disposal charge for industrial wastes requiring separate disposal locations shall be a minimum of twenty-five dollars (\$25.00) per ton but may be higher as determined by the manager. In establishing the fee for disposal of a specific waste requiring separate disposal, the manager shall determine the costs to maintain the separate disposal and for special handling requirements, the potential for damage to landfill equipment, environmental effects the refuse may have, state and federal rules and regulations regarding the waste, and other factors determined to be appropriate for the specialized handling of such waste.

(d) Separate contracts. The administrator may negotiate separate contracts for industrial refuse with large waste generators if it is determined that the volume is predictable and the wastes involved require minimal handling. Such contracts shall guarantee negotiated payments to the

county annually, and may be offered to generators that exceed eight thousand (8,000) tons per year. No such contract will guarantee the county less than two hundred thousand dollars (\$200,000.00) per year.

Section 8-14. County refuse containers.

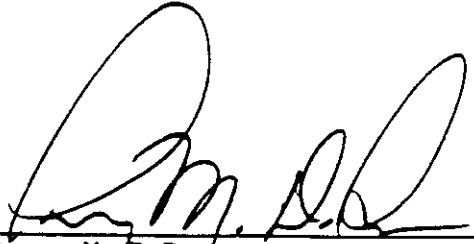
Refuse containers shall be provided by the County at various locations to supplement existing private collection services as needed. The usage of said containers shall be governed by the following provisions and any other regulations as the board of supervisors or the manager may establish:

(a) Permitted and Prohibited Use:


- (1) Permitted uses. County refuse containers or dumpsters are to be used for the deposit and storage of household trash and garbage only.
- (2) Prohibited materials. It shall be unlawful to deposit any of the following materials into county refuse containers or dumpsters:
  - (a) Bulky waste.
  - (b) Building and demolition debris.
  - (c) Hazardous waste.
  - (d) Commercial and industrial refuse.
  - (e) Dead animals.
  - (f) Waste brought in from outside James City County.
- (3) Abuse of containers and container sites. It shall be unlawful to tamper with, overturn or otherwise damage refuse containers. Additionally it shall be unlawful to litter container sites, create any health problems thereon or to place any refuse outside of, on top of or adjacent to any refuse container. If a container is filled, the trash must be placed in another refuse container which is not filled or taken to the county landfill site.
- (4) Scavengers and loiterers prohibited. It shall be unlawful for any person to engage in salvage work or to loiter on any container site owned, leased or used by the county.
- (5) Refuse collectors. No person engaged in the business of collecting, transporting or disposing of garbage or trash, nor any employee, agent, or servant thereof, shall dispose such refuse in any county containers. Private refuse collectors shall transport collected refuse to the county landfill site or to another approved location.
- (6) Recycling required. All persons using a refuse container site to dispose of their household refuse shall separate aluminum cans, glass containers and newsprint.

- (b) Administration and Enforcement. The manager shall have the authority to implement and enforce the provisions herein contained and to promulgate any procedures, rules and regulations as may be deemed necessary.

This ordinance shall be in full force and effect on January 1, 1991.

  
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Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
David B. Norman  
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT           | AYE         |
| TAYLOR            | NAY         |
| EDWARDS           | AYE         |
| KNUDSON           | AYE         |
| DEPUE             | AYE         |

Adopted by the Board of Supervisors of James City County, Virginia.  
this 1st day of October, 1990.

0345H

Continuation of the Croaker

OCT 1 1990

Agricultural and Forestal District

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

(AFD-2-86)

WHEREAS, James City County, has completed a review of the Croaker Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Croaker Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 28, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public meeting on September 11, 1990, recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Croaker Agricultural and Forestal District is hereby continued for a period of four years beginning the seventeenth day of November, 1990, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.1-1506 et. seq.

2. That the district shall include the following parcels:

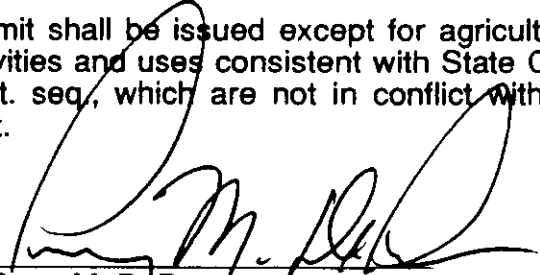
|              |   |            |
|--------------|---|------------|
| (15-3)(1-44) | U.V.B. Citizens & Marine Trust,<br>Hankins Land Trust | 119.00 ac. |
| (14-4)(1-15) | Albert F. Peterson                                    | 76.0 ac.   |
| (15-3)(1-43) | United Virginia Bank                                  | 119.85 ac. |
| (15-3)(1-42) | United Virginia Bank                                  | 10.10 ac.  |
| (15-3)(1-36) | United Virginia Bank                                  | 40.40 ac.  |
| (15-3)(1-34) | Clara E. Richardson                                   | 34.0 ac.   |
| (15-3)(1-2)  | Clara E. Richardson                                   | 42.76 ac.  |
| (14-4)(1-10) | Carlton A. Pieper                                     | 40.0 ac.   |
| (14-4)(1-9)  | Robert Solomon  | 50.0 ac.   |
| (13-2)(1-18) | Wenger Land Trust                                     | 95.3 ac.   |
| (14-1)(1-1)  | Wenger Land Trust                                     | 150.0 ac.  |
| (14-1)(1-14) | Wenger Land Trust                                     | 143.5 ac.  |

provided, however, that all land within 25 feet of the following road rights-of-way shall be excluded from the district:

- Croaker Road (Route 607)
- Riverview Road (Route 606)
- Fenton Mill Road (Route 602)
- Moss Side Lane (Route 609)
- Ware Creek Road (Route 606)
- Mount Laurel Road (Route 608)



- 3. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Croaker Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
  - a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
  - b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than 6 months prior to the expiration of the district.
  - c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1-1506 et. seq., which are not in conflict with the policies of this district.



Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

| SUPERVISOR | VOTE |
|------------|------|
| NORMENT    | AYE  |
| TAYLOR     | AYE  |
| EDWARDS    | AYE  |
| KNUDSON    | AYE  |
| DEPUE      | AYE  |

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of October, 1990.

1487w

Continuation of the Hill Pleasant Farm

OCT 1 1990

Agricultural and Forestal DistrictBOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA(AFD-3-86)

WHEREAS, James City County, has completed a review of the Hill Pleasant Farm Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Hill Pleasant Farm Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 28, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public meeting on September 11, 1990, recommended approval of the application.

## NOW THEREFORE BE IT ORDAINED:

1. That the Hill Pleasant Agricultural and Forestal District is hereby continued for a period of four years beginning the seventeenth day of November, 1990, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.1-1506 et. seq.

2. That the district shall include the following parcels:

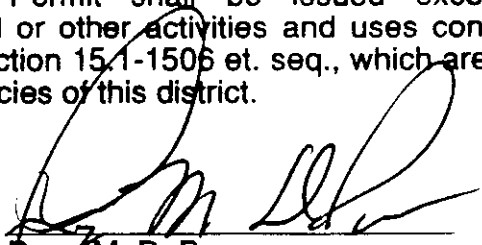
|             |               |           |
|-------------|---------------|-----------|
| (24-1)(1-5) | H. J. Hunt    | 399.0 ac. |
| (24-1)(1-4) | C. E. Stevens | 105.5 ac. |

provided, however, that all land within 25 feet of the following road right-of-way of Rochambeau Drive (Route 755) shall be excluded from the district.

3. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Hill Pleasant Farm Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
- b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than 6 months prior to the expiration of the district.


- c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1-1506 et. seq., which are not in conflict with the policies of this district.



**Perry M. DePue**  
 Chairman, Board of Supervisors

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT           | AYE         |
| TAYLOR            | AYE         |
| EDWARDS           | AYE         |
| KNUDSON           | AYE         |
| DEPUE             | AYE         |

**ATTEST:**



**David B. Norman**  
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia,  
 this 1st day of October, 1990.

1499w

ORDINANCE NO. 167A-2

ESTABLISHING THE BARNES SWAMP  
AGRICULTURAL AND FORESTAL DISTRICT  
(AFD-5-86)

OCT 1 1990

BOARD OF SUPERVISORS  
 JAMES CITY COUNTY  
 VIRGINIA

WHEREAS, James City County, has completed a review of the Barnes Swamp Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Barnes Swamp Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 28, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on September 11, 1990, recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Barnes Swamp Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

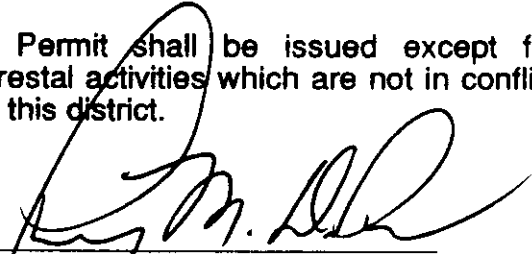
|             |  |            |
|-------------|--|------------|
| (3-1)(1-1)  | Pete Leonituk                                | 134.25 ac. |
| (1-2)       | E. C. Stewart                                | 64.0       |
| (1-3)       | Pete Leonituk                                | 50.0       |
| (3-3)(1-3)  | E. C. Stewart                                | 70.0       |
| (1-4)       | Alvin Beahm                                  | 70.0       |
| (1-5)       | Richard Mountcastle                          | 35.81      |
| (1-6)       | B. S. Bowmer, Jr.                            | 96.75      |
| (3-4)(1-1)  | J. W. Carney                                 | 154.7      |
| (2-4)(1-12) | B. S. Bowmer, Jr.                            | 62.198     |
| (1-57)      | R. E. Mountcastle                            | 5.0        |
| (1-58)      | R. E. Mountcastle                            | 4.2        |
| (1-59)      | Richard Mountcastle                          | 4.0        |
| (1-60)      | R. E. Mountcastle                            | 6.0        |
| (1-61)      | R. E. Mountcastle                            | 37.0       |
| (10-1)(1-1) | John G. Warburton                            | 78.0       |
| (3-2)(1-1)  | O. P. Harwood                                | 43.53      |
| (1-2)       | William C. Baskett                           | 32.03      |
| (1-3)       | Henry B. Johnson                             | 19.08      |
| (1-3A)      | Henry B. Johnson                             | 93.99      |
| (1-4)       | Robert Michael Dzula                         | 28.08      |
| (4-1)(1-5)  | John Richardson                              | 42.0       |
| (1-6)       | John Richardson                              | 10.0       |
| (1-8)       | J. B. Cowles, Sr.                            | 79.12      |
| (4-2)(1-8)  | C. T. Hazelwood,<br>Howell P. Hazelwood, Jr. | 249.88     |

|             |                      |         |
|-------------|----------------------|---------|
| (1-9)       | F. L. Fernandez      | 78.0    |
| (1-14)      | Edith Hazelwood      | 99.04   |
| (4-3)(1-15) | Florence S. Carter   | 22.0    |
| (1-16)      | W. A. Slater         | 52.0    |
| (1-17)      | R. M. Hazelwood, Jr. | 184.296 |
| (9-2)(1-1)  | J. W. Woodward       | 114.00  |

provided, however, that all land within 25 feet of the rights-of-way of Racefield Drive (Route 622), Stewarts Road (Route 621), Richmond Road (Route 60), Old Stage Road (Route 30), Richardson Road (Route 705), Holly Forks Road (Route 601), Fire Tower Road (Route 634), Diascund Road (Route 603), and Interstate 64 shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Barnes Swamp Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- (a) The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
- (b) No land within the Agricultural and Forestal District may be rezoned to any residential, business, or industrial zone.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

  
 Perry M. DePue  
 Chairman, Board of Supervisors

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT           | AYE         |
| TAYLOR            | AYE         |
| EDWARDS           | AYE         |
| KNUDSON           | AYE         |
| DEPUE             | AYE         |

ATTEST:

  
 David B. Norman  
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of October, 1990.

1500w

ORDINANCE NO. 168A-1

ESTABLISHING THE CRANSTON'S POND  
AGRICULTURAL AND FORESTAL DISTRICT  
(AFD-6-86)

OCT 1 1990

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

WHEREAS, James City County, has completed a review of the Cranston's Pond Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Cranston's Pond Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 28, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public meeting on September 11, 1990, recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Cranston's Pond Agricultural and Forestal District is hereby continued for a period of four years beginning the seventeenth day of November, 1990, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.1-1506 et. seq.

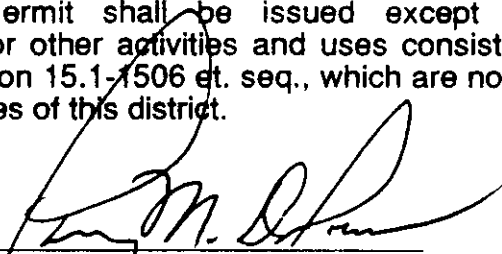
2. That the district shall include the following parcels:

|                    |                          |           |
|--------------------|--------------------------|-----------|
| (23-3)(1-1)        | Nunn                     | 416.5 ac. |
| (22-3)(1-26)       | Geddy                    | 167.5     |
| (1-33)             | Constanzo                | 23.0      |
| (22-4)(1-1A)       | English                  | 101.67    |
| (22-2)(1-87)       | Harcum                   | 62.8      |
| (1-89)             | Carneal, Smith & Marston | 40.0      |
| (1-34)             | Carneal, Smith & Marston | 14.0      |
| (23-4)(1-21)(part) | Ware                     | 90.79     |
| (31-2)(1-3)        | Ripley                   | 20.0      |
| (21-4)(1-39)       | Constanzo                | 6.5       |
| (1-46)             | Hornsby                  | 205.0     |
| (1-37)             | Chieftans Inv. Co.       | 26.45     |

provided, however, that all land within 50 feet of the rights-of-way of Chickahominy Road (Route 631) and Centerville Road (Route 614) shall be excluded from the district.

3. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Cranston's Pond Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
- b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than 6 months prior to the expiration of the district.
- c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1-1506 et. seq., which are not in conflict with the policies of this district.



**Perry M. DePue**  
 Chairman, Board of Supervisors

**ATTEST:**



**David B. Norman**  
 Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT           | AYE         |
| TAYLOR            | AYE         |
| EDWARDS           | AYE         |
| KNUDSON           | AYE         |
| DEPUE             | AYE         |

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of October, 1990.

1501w

**ESTABLISHING THE MILL CREEK  
AGRICULTURAL AND FORESTAL DISTRICT  
(AFD-7-86)**

OCT 1 1990

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

WHEREAS, James City County, has completed a review of the Mill Creek Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Mill Creek Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 28, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public meeting on September 11, 1990, recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

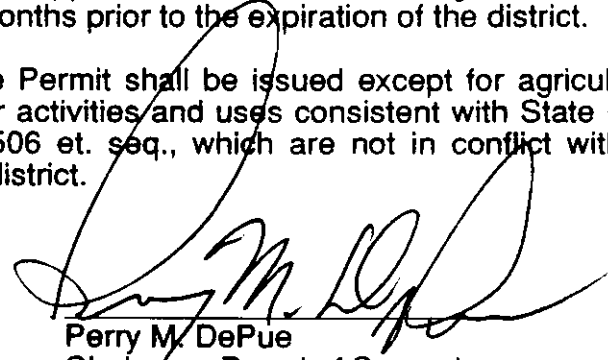
1. That the Mill Creek Agricultural and Forestal District is hereby continued for a period of four years beginning the seventeenth day of November, 1990, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.1-1506 et. seq.
2. That the district shall include the following parcels:

|               |                       |           |
|---------------|-----------------------|-----------|
| (19-2)(1-5)   | William A. Thompson   | 24.75 ac. |
| (20-2)(1-6)   | Linda B. Cowles       | 386.0     |
| (20-2)(1-1)   | E. W. Cowles          | 8.786     |
| (21-1)(1-5)   | James G. Crow         | 46.01     |
| (20-1)(1-1)   | J. B. Cowles, Sr.     | 400.0     |
| (11-3)(1-28)  | Steve L. Massie       | 94.32     |
| (11-3)(1-28A) | Steve L. Massie       | 32.61     |
| (11-4)(1-6)   | Steve L. Massie       | 10.0      |
| (11-4)(1-2)   | Joseph M. Cottrell    | 301.5     |
| (10-4)(1-5)   | Linda B. Cowles       | 250.0     |
| (10-4)(1-6)   | Linda B. Cowles       | 124.768   |
| (10-4)(1-4)   | David W. Ware         | 110.238   |
| (10-4)(1-3)   | C. C. Cowles, Sr.     | 103.26    |
| (10-1)(1-38)  | R. T. Armistead       | 50.0      |
| (10-3)(1-19)  | Roxie Price Sheldon   | 97.593    |
| (10-2)(1-17)  | W. A. Slater          | 245.5     |
| (10-1)(1-28)  | Albert T. Slater      | 82.83     |
| (10-1)(1-7)   | McRae O. Selph        | 50.0      |
| (11-4)(1-5)   | Garland L. Wooddy     | 80.5      |
| (20-2)(1-2)   | David L. Ware         | 57.748    |
| (9-2)(1-36)   | Jackson H. Darst, Jr. | 41.225    |
| (10-3)(1-3)   | W. A. Slater          | 42.0      |
| (20-2)(1-5)   | Caroline Dozier       | 186.75    |
| (20-2)(1-7)   | Caroline Dozier       | 16.5      |
| (20-2)(1-8)   | Caroline Dozier       | 12.0      |




provided, however, that all land within 25 feet of the rights-of-way of Forge Road (Route 610), Little Creek Dam Road (Route 631), Menzel's Road (Route 659), North Riverside Drive (Route 715), Diascund Road (Route 603) and Richmond Road (Route 60) shall be excluded from the district.

- 3. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Mill Creek Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
  - a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
  - b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than 6 months prior to the expiration of the district.
  - c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1-1506 et. seq., which are not in conflict with the policies of this district.



Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT           | AYE         |
| TAYLOR            | AYE         |
| EDWARDS           | AYE         |
| KNUDSON           | AYE         |
| DEPUE             | AYE         |

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of October, 1990.

1513w

ORDINANCE NO. 174A-2

**ESTABLISHING THE CASEY  
AGRICULTURAL AND FORESTAL DISTRICT  
(AFD-8-86)**

OCT 1 1990

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

WHEREAS, James City County, has completed a review of the Casey Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Casey Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 28, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public meeting on September 11, 1990, recommended approval of the application.

**NOW THEREFORE BE IT ORDAINED:**

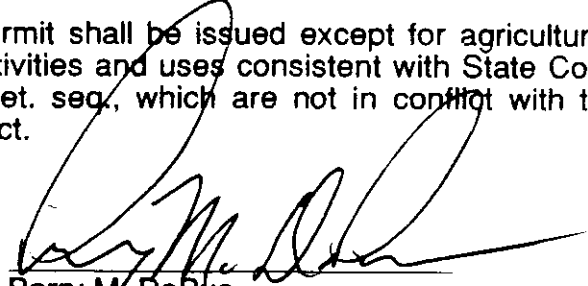
1. That the Casey Agricultural and Forestal District is hereby continued for a period of four years beginning the seventeenth day of November, 1990, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.1-1506 et. seq.

2. That the district shall include the following parcels:

|              |   |            |
|--------------|---|------------|
| (37-1)(1-2)  | Wilford Family Trust                    | 45.00 ac.  |
| (37-1)(1-1)  | Wilford Family Trust                    | 32.12 ac.  |
| (37-2)(1-1)  | Charles C. New                          | 45.00 ac.  |
| (38-3)(1-1)  | Peggy W. Zuzma &<br>Wm. Baskett Trustee | 44.67 ac.  |
| (37-3)(1-4)  | J. G. Warburton                         | 165.58 ac. |
| (38-4)(1-1)  | Robert T. & Calvin L. Casey (part)      | 249.63 ac. |
| (38-4)(1-7)  | R.T. & C.L. & C.B. Casey (part)         | 275.71 ac. |
| (38-4)(1-27) | Fern C. Renick                          | 32.75 ac.  |
| (47-2)(1-1)  | J. G. Warburton                         | 31.47 ac.  |
| (38-3)(1-18) | Sasha L. & Mary K. Knott Digges         | 45.45 ac.  |

provided, however, that all land within 25 feet of the rights-of-way of Strawberry Plains Road (Route 616), Ironbound Road (Route 615), and News Road (Route 613) shall be excluded from the district; and provided, however, that all land within the proposed rights-of-way of Route 199, the extension of Monticello Avenue (Route 321), and the potential realignment of Ironbound Road, shall be excluded from the district.

- 3. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Casey Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
  - a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
  - b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than 6 months prior to the expiration of the district.
  - c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1-1506 et. seq., which are not in conflict with the policies of this district.



Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT           | AYE         |
| TAYLOR            | AYE         |
| EDWARDS           | AYE         |
| KNUDSON           | AYE         |
| DEPUE             | AYE         |

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of October, 1990.

1503w