

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 9, 2015
6:30 PM

A. CALL TO ORDER

B. ROLL CALL

Mary K. Jones, Berkeley District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Vice-Chairman, Jamestown District
James G. Kennedy, Stonehouse District - **ABSENT**
Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator
Michelle M. Gowdy, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader – Mr. Ed Oyer, resident of the Roberts District

E. PRESENTATIONS

1. Historical Commission Annual Report

Mr. Frank Abbott, Chairman of the Historical Commission, thanked the Board for their continued support and gave an overview of the activities of the Commission during the past year.

F. PUBLIC COMMENT - Until 7 p.m.

1. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board regarding global warming and a recent community meeting held in the Grove community.

2. Mr. Ed Oyer, 139 Indian Circle, addressed the Board regarding property values, vocational training in public schools and the power of the people to change their representation on the Board.

3. Ms. Betty Walker, 101 Locust Place, addressed the Board regarding Common Core.

4. Ms. Sue Sadler, 9929 Mountain Berry Court, addressed the Board regarding a recent community meeting held in the Grove community.

5. Ms. Rosanne Reddin, 4700 Presidents Court, addressed the Board regarding new federal government regulations and executive orders that trickle down to local governments.

G. CONSENT CALENDAR

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

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

ADOPTED

AUG 11 2015

Board of Supervisors
James City County, VA

Ayes: Jones, McGlennon, Onizuk, Hipple.

Absent: Kennedy.

1. Minutes - March 10, 2015, Regular Meeting
2. Minutes - March 24, 2015, Work Session
3. Changes to Personnel Policies and Procedures Manual
4. FY 16 Budget Appropriations for Operation of the James City County Marina
5. Establishment of a Petty Cash Fund
6. FY 16 Budget Appropriations for Operation of the Little Creek Reservoir Park
7. Authorization to Hire Additional Personnel in FY 16

H. PUBLIC HEARING(S)

1. Case No. SUP-0013-2014, 104 Howard Drive. Grove Barber Shop

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

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

Ayes: Jones, McGlennon, Onizuk, Hipple.

Absent: Kennedy.

Mr. Scott Whyte, Planner III, addressed the Board giving a summary of the staff report included in the Agenda Packet.

Mr. McGlennon asked for clarification on the parking issues.

Mr. Whyte stated that the applicant would not be able to open the barber shop until the parking issues are resolved, either by a shared parking agreement or by securing off-site parking providing that the route is safe to pedestrians.

Mr. John Wright, Planning Commission Representative, addressed the Board giving a brief overview of the thought process and vote of the Planning Commission on this case.

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

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

2. Adoption of the James City County Comprehensive Plan, "Toward 2035: Leading the Way"

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

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

Ayes: Jones, Hipple, McGlennon, Onizuk.

Absent: Kennedy.

Mr. McGlennon stated that Mr. Kennedy has requested that this Public Hearing be deferred due to his absence. He stated that he is supportive of that request. Mr. McGlennon made a motion to defer until the next scheduled meeting.

Ms. Jones stated that for the public that is planning to speak, not all of the Board members are in attendance tonight and she assumes that the Public Hearing will be left open.

Mr. Hipple recommended that the Board move through the process even if the Board votes to defer the case. He restated the motion to defer from Mr. McGlennon that the case is left open and deferred until the next meeting on June 23, 2015. He asked for a voice vote.

All the present Board members voiced their agreement

Mr. Onizuk asked for clarification regarding the speakers in attendance tonight, citizens are allowed to speak once at a Public Hearing, so if they speak tonight then they could not speak again at the next meeting regarding this case.

Mr. Hill stated correct.

Ms. Tamara Rosario, Principle Planner, addressed the Board giving an overview of the memorandum included in the Agenda Packet. She emphasized that over the past 18 months, members of the community have come together to share their vision for James City County and to fashion it into a document of goals, strategies and actions for implementation. The culmination of this work is the draft James City County Comprehensive Plan, *Toward 2035: Leading the Way*, which is presented today for the Board of Supervisors' consideration and approval.

As there were no questions for staff, Mr. Hipple asked Mr. Wright, Planning Commission representative, to come forward.

Mr. Wright stated that comments would be held until the next meeting and that Chairwoman Bledsoe would be in attendance.

As there were no other questions or comments from the Board or staff, Mr. Hipple opened the Public Hearing. Mr. Hipple stated that the Public Hearing would be left open until the next meeting so if citizens would like to hold their comments until the next meeting, then they are welcome to do so.

1. Mr. Frank Polster, 420 Hempstead Road, addressed the Board as the representative of Citizens for a Better James City County. He discussed the Land Use Applications included with the Comprehensive Plan and the continued use of the Primary Service Area as tool to control future growth. He requested that the Board table the discussions on the land use applications for Colonial Heritage, Hazelwood Tract, Taylor Tract and Kingsmill Woods Golf Course.

2. Ms. Judy Fuss, 3509 Hunters Ridge, addressed the Board regarding the continued use of the Primary Service Area stating that its integrity needs to be maintained. She stated her support of the Board reviewing the current Primary Service Area policy but urged the Board to deny LU-003-2014 and LU-006-2014. She also urged the Board to deny LU-007-2014, the Kingsmill Woods Golf Course.

3. Mr. Michael McGurk, 117 Jefferson's Hundred, addressed the Board as the representative of Kings~Mill United. He stated that his organization is not against all development, but they are looking for smarter development. He urged the Board to deny LU-007-2014, the Kingsmill Woods Golf Course as it is sandwiched between Busch Gardens and other property that is zoned for light industrial uses.

4. Ms. Elizabeth Friel, 167 Devon Road, addressed the Board as the representative of the Citizen Participation Team. She discussed the yearlong citizen engagement and input process for the Comprehensive Plan.

5. Mr. Keith Sadler, 9929 Mountain Berry Court, addressed the Board in support of the LU-006-2014., the Hazelwood Property, and LU-009-2014, the BASF Property, which would change the BASF property to Mixed Use.

6. Mr. Gary Massie, 8644 Merry Oaks Lane, addressed the Board in support of LU-001-2014, the Massie Property, and commended the Planning Commission for their willingness to work to develop the recommendation. He also spoke in support of LU-006-2014, the Hazelwood Property, and LU-003-2014, the Colonial Heritage Property.

7. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board regarding LU-007-2014, the Kingsmill Woods Golf Course and requested that the Board deny the application. He voiced his support for LU-006-2014, Hazelwood Property, and the LU-009-2014, BASF Property.

The remaining registered speakers requested to defer their comments to the June 23rd meeting when all Board members will be present.

Mr. Hipple stated that the Public Hearing will be left open until the next Regular Meeting on June 23, 2015 when all Board members will be present.

3. Case No. Z-0008-2014/MP-0004-2014. The Village at Candle Station Rezoning and Master Plan Amendment

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

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

Ayes: Jones, McGlennon, Onizuk, Hipple.

Absent: Kennedy.

Mr. Jose Ribeiro, Planner II, addressed the Board stating that a video presentation has been prepared. The video presentation was shown to the Board and citizens that gave an overview of the case materials included in the Agenda Packet.

Mr. McGlennon stated that this is a pretty significant impact in the fiscal impact of the development, so why did staff not find this to be an important factor in the case.

Mr. Ribeiro stated that staff does recognize the importance of the fiscal impact; however, the case does meet all of the Board's approved policies for development. The applicant has updated their proposal to comply with the Housing Opportunities Policies and overall staff finds the proposal to be a positive one.

Mr. Onizuk asked if there will be any significant impacts to the surrounding properties.

Mr. Ribeiro stated no.

Mr. Hipple stated that Mr. Kennedy has requested that this case be deferred as well since it is in his district and he could not be present this evening.

Mr. Onizuk made a motion to defer the case until the June 23, 2015 Regular Meeting and to leave the Public Hearing open.

Mr. Hipple stated that the Planning Commission Chair would be in attendance at the next meeting to give an overview of the Planning Commission's vote and comments.

As there were no other questions for staff, Mr. Hipple opened the Public Hearing and asked the applicant to come forward.

1. Mr. Tim Trant, Attorney for the Applicant, addressed the Board stating that in light of the Board's desire to defer the case until Mr. Kennedy is present, that he would like to defer his comments until then as well.

The remaining registered speakers requested to defer their comments to the June 23rd meeting when all Board members will be present.

Mr. Hipple stated that the Public Hearing will be left open until the next Regular Meeting on June 23, 2015 when all Board members will be present.

4. Case No. ZO-0003-2015. Consideration of Amendments to the Zoning Ordinance – Article In General. Administrative fees, Amendments and variation of conditions, and Submittal Requirements

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

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

Absent: Kennedy.

Mr. Christopher Johnson, Principle Planner, addressed the Board giving a summary of the memorandum included in the Agenda Packet.

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

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

5. Case No. ZO-0004-2015, A-1, General Agricultural, and Definition Amendments to Incorporate State Code Changes

A motion to Approve was made by Mary Jones and the motion result was Passed.

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

Absent: Kennedy.

Mr. Jason Purse, Zoning Administrator, addressed the Board giving an overview of the memorandum included in the Agenda Packet.

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

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

6. Case No. ZO-0002-2015, B-1, General Business, and M-1, Limited Business/Industrial, Amendments to Incorporate Changes Made to Small-Scale Alcohol Production Definition

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

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

Absent: Kennedy.

Mr. Jason Purse, Zoning Administrator, addressed the Board giving an overview of the memorandum included in the Agenda Packet.

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

1. Mr. Ed Oyer, 139 Indian Circle, addressed the Board questioning what emissions might be forthcoming from small-scale alcohol production.

Mr. Purse stated that small scale production is limited to specific amounts of product each year which is drastically less than production from a full-scale brewery type operation. He clarified that a full-scale brewery operation is limited to the M-2, General Industrial District.

As no one else wished to speak, Mr. Hipple closed the Public Hearing.

I. BOARD CONSIDERATION(S) - None

J. BOARD REQUESTS AND DIRECTIVES

Ms. Jones stated that she attended the Neighborhood Block Party, in Grove, along with Mr. McGlennon and Mr. Hipple. She stated that she attended the HRMFFA meeting and gave an update on legislative actions regarding to Veterans in our area and force reduction possibilities at Fort Eustis.

Mr. McGlennon stated that he attended the Business Appreciation Event, the GED graduation ceremony, the Literacy for Life Awards ceremony. He stated that he attended a ribbon cutting for a new Grove business, Nurse Call. He believes it is an innovative business that should serve the community and tourists well. He attended Clean the Bay Day, and is happy to report that less trash was collected than last year.

Mr. Onizuk stated that he has attended several year-end events throughout the school system and commended the schools and administration for another great school year.

Mr. Hipple stated that he gave greetings to the Letter Carriers Association at their conference here in the County. He stated that he and Mr. Hill attended the HRTAC meetings in Chesapeake, and to the event in Yorktown celebrating the voyage of Lafayette on the French frigate, Hermoine. He thanked Eel Snot, a local business, for expanding into the upper end of the County. He stated that he gave a speech at the GED graduation, and he really enjoyed that opportunity.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill stated that he attended the grand opening of Capital Mac in New Town, which is an authorized Apple distributor and repair center. He stated that a basketball fundraiser was held at the Rec Center and included eight teams. He stated that he was honored to speak at William & Mary about Local Government.

Mr. Hill announced the retirement of Fire Chief Tal Luton, and wished him all the best for his future.

Mr. Hill introduced Ms. Michelle Gowdy, the newly hired County Attorney.

Mr. Hill thanked Mr. Kinsman for all of his hard work and willingness to fill in in different areas.

Mr. Hill announced the REV3 Race to notify residents of potential traffic impacts. He also announced the Surrey Nuclear Power Plant test of the early warning system scheduled for tomorrow.

L. PUBLIC COMMENT - None

M. CLOSED SESSION - None

N. ADJOURNMENT

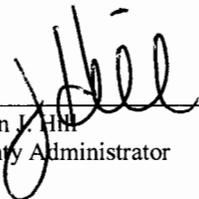
1. Adjourn until 4 p.m. on June 23, 2015 for the Work Session

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

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

Absent: Kennedy.

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



Bryan J. Hill
County Administrator

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