

RESOLUTION

CASE NO. SUP-14-93. CITY OF NEWPORT NEWS NORTHERN ZONE

WATER TRANSMISSION MAIN

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 April 13, 1993, voted 9-0 to make a finding that the above mentioned water transmission main is in accordance with the Comprehensive Plan and voted 9-0 to recommended approval of Case No. SUP-14-93 to permit a 30-inch water transmission main extending from the City of Newport News/James City County boundary north to a point east of the Anheuser-Busch Brewery in the vicinity of the entrance to Busch Gardens. The main would be located, for the most part, within the existing 100-foot wide Virginia Power right-of-way. The length of the main would be approximately 29,830 feet.

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-14-93 as described herein with the following conditions:

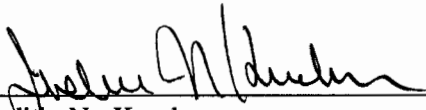
1. Evidence of the acquisition of all property necessary to construct the main shall be provided to the Planning Division prior to preliminary approval of the site plan for the project. This permit is valid only for the route shown on the maps submitted to the County as part of this application. Any deviation from the route must be approved by the Development Review Committee. Any relocation of the proposed main on property other than that identified on the maps submitted as part of this application would cause the permit to become void.
2. This special use permit shall remain in effect for a period of 24 months from the date of issuance. If within this time site plan approval and/or building plan approvals are issued, the special use permit shall remain in effect for the term of those approvals and/or permits. Issuance of a Certificate of Occupancy would preserve the rights of the special use permit.
3. Construction, operation, and maintenance of the water transmission main shall comply with all local, State, and Federal requirements.
4. The erosion and sediment plan shall be submitted as part of the site plan submittal and shall be approved by the County Engineer.
5. Copies of all State, Federal, and local permits shall be provided as part of the site plan submittal.
6. Crossings of roads and existing utilities shall be coordinated with applicable agencies during the construction of the main.

7. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on adjacent property. These methods are to be shown on the site plan and approved as part of the site plan submittal.

8. A Phase I Archaeological Study for the entire site shall be submitted to the Director of Planning for his review and approval prior to land disturbance. A treatment plan shall be submitted to and approved by the Director of Planning for all sites that are, in the Phase I study, recommended for a Phase II evaluation and/or identified as being 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 Planning Director 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 II 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 area. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resource's Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standard 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 site and the clearing, grading, or construction activities thereon.

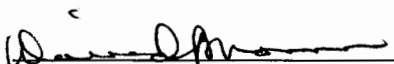
9. The topsoil shall be removed and stockpiled separate from other soil. When construction is completed, the topsoil shall be restored to its previous location and conditions to the greatest extent practical. In areas where topsoil restoration is not possible, post-construction topsoil conditions shall be reestablished to preconstruction conditions utilizing soil amendments as approved by the Soil Conservation Service.

10. In areas of the construction easement that have been cleared, seedlings shall be planted in accordance with the State Department of Forestry guidelines and shall be shown on a reforestation plan to be approved by the Planning Director. The reforestation of this easement shall be completed within 2 years of the clearing of the easement. It shall be the responsibility of City of Newport News to secure the necessary means to plant on the construction easement after the easement reverts back to the property owner.



Judith N. Knudson
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
TAYLOR	AYE
EDWARDS	AYE
DEPUE	AYE
SISK	AYE
KNUDSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 3rd day of May, 1993.

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