

RESOLUTION

CASE NO. SUP-31-97. HENRY S. BRANSCOME, INC. - SANIFILL INC. BORROW PIT

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

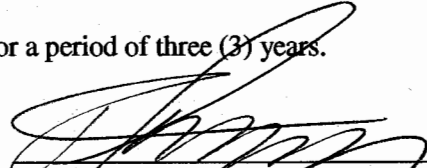
WHEREAS, the applicant has applied for a special use permit to allow for the continued operation of an existing borrow pit on property zoned M-2, General Industrial, located approximately 1.2 miles southeast of the terminus of Blow Flats Road on property further identified as Parcel No. (1-3) on the James City County Real Estate Tax Map No. (60-3); and

WHEREAS, this case was previously approved by the Board of Supervisors on September 8, 1992 (under Permit No. SUP-39-91), but expired on September 8, 1997.

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-31-97 as described herein with the following conditions:

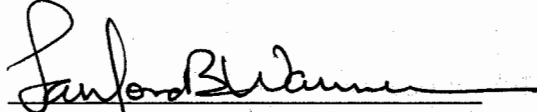
1. All areas within the Resource Protection Area (RPA) that have been disturbed, as identified on the plan submitted with this application titled "Existing Bickford Borrow Pit/Sketch Showing Encroachment," and date-stamped October 20, 1997, shall be restored and revegetated in a manner acceptable to the Director of the Environmental Division prior to any borrow pit operations.
2. An erosion and sedimentation control plan shall be submitted to, and approved by, the Director of the Environmental Division prior to any new land disturbance occurring on site. All erosion and sedimentation control measures shown on the Land Disturbing Permit shall be installed prior to any clearing or grading of any cell.
3. No more than 40 acres of the site shall be disturbed at any one time.
4. A transitional screening buffer of 50-feet in width shall be provided along the perimeter of the site. The buffer shall be landscaped in accordance with the provisions of the Zoning Ordinance, where necessary, to provide an effective visual buffer.
5. All wooded areas disturbed after this special use permit has been issued shall be returned to their forested state. A reforestation plan for the site shall be approved by the Director of Planning prior to any clearing on-site. All restored areas shall be returned to a condition adequate to support and encourage the growth of trees. A minimum of 800 seedlings per acre shall be planted during the reclamation of that portion of the site. This requirement may be waived with written approval from the Director of Planning.
6. All buffer areas shall be flagged in the field prior to any new clearing so the operators know the limits of their work. This flagging shall be inspected by the Environmental Division of James City County prior to any land disturbing activity in the immediate vicinity.
7. The hours of operation shall be limited to daylight hours (6:00 a.m. to 9:00 p.m. in the summer and 6:00 a.m. to 6:00 p.m. in the winter), Monday through Saturday.

8. This special use permit shall only be valid for those areas covered by the State Bureau of Mines, Minerals and Energy Mining Permit No. M-219, the limits of which are identified on the map submitted with the special use permit request and titled "Progress Renewal Map - Chickahominy Sand and Gravel - A Division of Henry S. Branscome, Inc. - Lee/Bickford Borrow Pit" and dated June 10, 1995.
9. The area shown on the map labeled "Exhibit A" that was submitted with the special use permit application shall remain undisturbed and in its natural state (this area is the 40-acre portion of land identified by the Division of Natural Heritage which contains the Florida Adder's-mouth).
10. This special use permit shall be valid for a period of three (3) years.



Robert A. Magoon, Jr.
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| EDWARDS | NAY |
| BRADSHAW | AYE |
| SISK | AYE |
| DEPUE | AYE |
| MAGOON | AYE |

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of December, 1997.

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