

RESOLUTION

CASE NO. SUP-14-99. JCSA WATER MAIN AND SEWER FORCE 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 October 4, 1999, recommended approval of Case No. SUP-14-99 by a vote of 6 to 0 (with one member absent) to permit the construction of approximately 8,600 linear feet of 12-inch water main, 3,600 linear feet of 20-inch JCSA sewer force main, and 13,800 linear feet of 30-inch Hampton Roads Sanitation District (HRSD) sewer force main, a HRSD pressure reducing station, and a replacement lift station.

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-14-99 as described herein with the following conditions:

1. Construction, operation, and maintenance of the water transmission main and sewer force main shall comply with all local, State, and Federal requirements.
2. The project shall comply with all State Erosion and Sediment Control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook, Third Edition.
3. All required permits and easements shall be acquired prior to the commencement of construction.
4. If construction on the force main and water main has not commenced on the project within twenty-four (24) months from the date of issuance of the special use permit, the permit shall become void. Construction shall be defined as clearing, grading, and excavation of trenches necessary for the force mains and water mains.
5. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed water transmission main and sewer force main do not create adverse effects on the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
6. All construction activity along Indigo Dam Road shall only occur between the hours of 7 a.m. and 5 p.m. Monday through Friday.
7. Construction vehicles and/or equipment shall not be parked or stored on Indigo Dam Road between the hours of 5 p.m. and 7 a.m.
8. Vehicular access to residences along the affected right-of-ways, to include Indigo Dam Road, shall be maintained at all times.


9. By the end of each workday, ditches shall be back-filled or fully covered by an appropriate construction material to prevent unauthorized or unintentional access to the open ditch areas.
10. To the maximum extent possible, the applicant shall avoid removing trees, bushes, and shrubs during construction of the sewer force main and water mains. Trees, bushes, and shrubs along Ironbound Road damaged during construction that are not designated on the site plan as to be removed shall be replaced with a tree, bush or shrub of equal type as approved by the Planning Director.
11. The building architecture, materials, and landscaping for the replacement lift station, designated 1-2 by JCSA, shall be approved by the Planning Director prior to the issuance of final site plan approval for the lift station.
12. The building architecture, orientation of the building, and materials of the pressure reducing station shall be designed to appear like a single-family residential structure and shall be approved by the Planning Director prior to final site plan approval. The property owner may apply for conceptual plan approval that shall, once approved by the Planning Director, bind the County's approval for the elements listed above.
13. The Planning Director shall approve the landscaping for the pressure-reducing station site prior to final site plan approval.
14. A critical grade muffler or other comparable noise reducing devices shall be installed on all noise generating equipment located within the pressure-reducing station.
15. A minimum 40-foot undisturbed perimeter buffer shall be maintained along the pressure reducing station's northern property line (closest to Monticello Avenue). A minimum 20-foot undisturbed perimeter buffer shall be maintained along the pressure-reducing station's southern, eastern, and western property lines. Upon approval of the Development Review Committee, portions of these buffer areas may be cleared to allow for the construction of necessary utilities, driveways, and related facilities. The Development Review Committee may also grant reductions in the required buffer widths if the applicant provides enhanced landscaping and/or berms that achieve a comparable level of tree canopy coverage. Enhanced landscaping shall be defined as quantities of landscape materials that meet or exceed 133 percent of the minimum Zoning Ordinance planting requirements.
16. Prior to the issuance of final site plan approval for the pressure-reducing station, an archaeological study for the pressure reducing station site, consistent with the County's Archaeology policy in effect as of the date of this approval, shall be submitted and approved by the Planning Director.
17. Upon determination from the Virginia Department of Conservation and Recreation Division of Natural Heritage that a Natural Resource Inventory is warranted for the pressure-reducing station site, the following condition shall apply.

A natural resource inventory, consistent with the County's Natural Resource Policy in effect as of the date of this approval, of suitable habitats for S1, S2, S3, G1, G2, or G3 resources in the study area, shall be submitted to the

Planning Director for review and approval prior to land disturbance. If the inventory confirms that such a resource either exists or could be supported by a portion of the site, a conservation management plan, consistent with the County's Natural Resource Policy as referenced above, shall be submitted to and approved by the Planning Director for the affected area. All inventories and conservation management plans shall meet the Virginia Division of Natural Heritage's standards for preparing such plans, and shall be conducted under the supervision of a qualified biologist as determined by the Virginia Division of the Natural Heritage or the United States Fish and Wildlife Service. All approved conservation management plans shall be incorporated into the plan of development for the site, and the clearing, grading, or construction activities thereon, to the maximum extent possible. Upon approval by the Planning Director, a mitigation plan may substitute for the incorporation of the conservation management plan in the plan of development for the site.

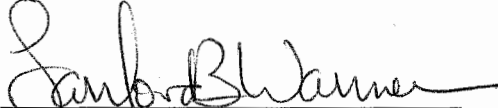
The landowner may submit an inventory and conservation management plan anytime prior to final site plan approval. When approved by the Planning Director, the inventory and conservation management plan shall become binding elements and will satisfy this condition.

- 18. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of November, 1999