

RESOLUTION

CASE NO. SUP-30-99. WELLINGTON PUMP STATION

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, Mr. Chuck Glisan, representing American Eastern, Inc., has applied for a special use permit to allow for the construction of a sewer pump station that would be built in conjunction with the proposed Wellington subdivision; and

WHEREAS, the proposed pump station would also be designed as a regional facility to serve surrounding future developments; and

WHEREAS, the location of the proposed pump station and sewer lines are shown on a plan entitled "Wellington Cross Country Sewer Main American Eastern, Inc. James City County, Virginia," prepared by AES Consulting Engineers, and dated October 14, 1999; and

WHEREAS, the property is located on land currently zoned R-1, Limited Residential, and can be further identified as Parcel No. (1-12) on the James City County Real Estate Tax Map No. (13-3); and

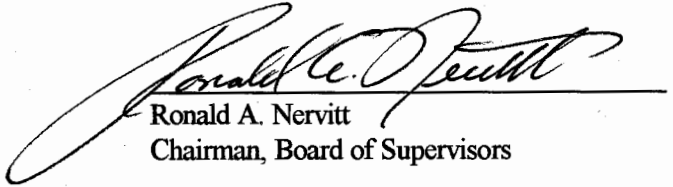
WHEREAS, the Planning Commission, following its public hearing on February 7, 2000, voted unanimously to recommend approval of this application subject to the Board of Supervisors not changing the zoning of the proposed site for the Wellington subdivision in such a way as to significantly affect the development proposal (cross referenced as James City County Case Nos. Z-12-99 and Z-13-99).

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-30-99 as described herein with the following conditions:

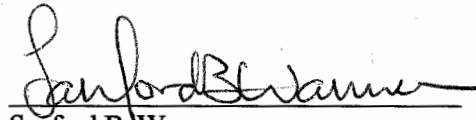
1. Construction, operation, and maintenance of the sewer and pump station shall comply with all local, State, and Federal requirements.
2. The project shall comply with all State Erosion and Sediment Control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook, as amended.
3. All required permits and easements shall be acquired prior to the commencement of construction.
4. If construction on the pump station has not commenced 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 construction of the sewage pump station.
5. In areas of the construction easement for the sewer lines that have been cleared, but do not need to remain clear for service and maintenance purposes, seedlings shall be planted in accordance with the Virginia Department of Forestry guidelines and shall

be shown on a reforestation plan to be approved by the Planning Director within one year of clearing the easement or at a later date agreed to by the Planning Director. The reforestation of this easement shall be completed as approved by the Planning Director within two years of clearing the easement or at a later date agreed to by the Planning Director.

- 6. Archaeological studies shall be performed in accordance with the James City archaeological policy for all areas disturbed within the resource protection areas.
- 7. Should any portion of sewer construction that is located within the Resource Protection Area cross slopes, the RPA buffer shall be increased to provide a 100-foot undisturbed buffer upslope of the construction.
- 8. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.


 Ronald A. Nervitt
 Chairman, Board of Supervisors

ATTEST:


 Sanford B. Wanner
 Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MCLENNON	NAY
HARRISON	AYE
GOODSON	AYE
KENNEDY	AYE
NERVITT	NAY

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of March, 2000.

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