

RESOLUTION

CASE NO. SUP-0031-2007. JOLLY POND UTILITY EXTENSION

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 (SUP) process; and

WHEREAS, Mr. Aaron Small of AES Consulting Engineers has applied on behalf of James City County, for an SUP to allow for the extension of approximately 13,146 linear feet of 4-inch sanitary sewer force main through Freedom Park from existing services located within the Forest Glen subdivision and 2,280 linear feet of 12-inch waterline from existing services located at the intersection of Jolly Pond Road and Cranston's Mill Pond Road to serve the proposed joint Williamsburg-James City County 9th elementary school and 4th middle school site; and

WHEREAS, the property is located on land zoned PL, Public Land, and can be further identified as a portion of James City County Real Estate Tax Map/Parcel No. 3010100009; and

WHEREAS, the Planning Commission of James City County, following its public hearing on December 5, 2007, recommended approval of this application by a vote of 7-0; and

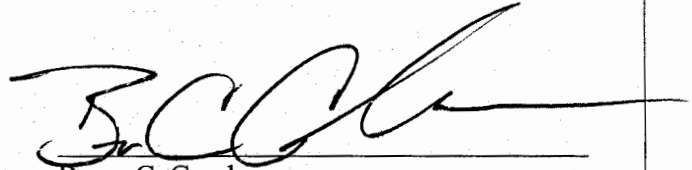
WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2003 Comprehensive Plan Land Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing, does hereby approve the issuance of Special Use Permit No. 0030-2007 as described herein with the following conditions:

1. For all portions of any temporary construction easements that have been cleared, but that do not need to remain clear after construction, as determined by the Director of Planning or his designee, seedlings shall be planted and shall be shown on a reforestation or re-vegetation plan to be approved by the Director of Planning. This plan shall be submitted as part of the site plan depicting the utility extension. The reforestation or re-vegetation of any temporary construction easements shall be completed as determined by the Director of Planning or his designee, within two years of the initial clearing of the easement. It shall be the responsibility of W/JCC Schools to secure the necessary means to plant any temporary construction easements after the easements revert back to the property owner.
2. A Phase I Archaeological Study for the disturbed areas associated with the sewer force main extension shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as 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 Director of Planning 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

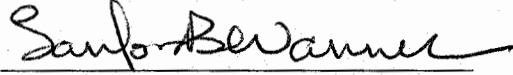
Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards 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.

3. No connections shall be made to the water main which would serve any property located outside the Primary Service Area (PSA) except for connections of the 9th Elementary School/4th Middle School project and existing structures located on property outside the PSA adjacent to the proposed water main. In addition, for each platted lot recorded in the James City County Circuit Court Clerk's office as of January 8, 2008, that is vacant, outside the PSA and adjacent to the water main, one connection shall be permitted with no larger than a 3/4-inch service line and 3/4-inch water meter.
4. No connections shall be made to the sanitary sewer force main which would serve any property located outside the PSA except for connections of the 9th Elementary School/4th Middle School project, existing structures located on property outside the PSA adjacent to the proposed main, and connections necessary to serve approved facilities shown on the Freedom Park Master Plan as amended. In addition, for each platted lot recorded in the James City County Circuit Court Clerk's Office as of January 8, 2008, that is vacant, outside the PSA and adjacent to the main, one single equivalent residential connection shall be permitted.
5. For water and sewer main construction adjacent to existing residential development, adequate dust and siltation control measures shall be taken to prevent adverse effects on adjacent property.
6. The final location of the waterline and force main and all construction related activity shall avoid previously undisturbed areas of the RPA and the RPA buffer. Should the pipe alignment need to cross a previously undisturbed RPA or previously undisturbed RPA buffer, the waterlines and force mains shall be bored underground to avoid any aboveground disturbance. Previously uncleared portions of the RPA and RPA buffer shall remain undisturbed, except as approved by the Director of the Environmental Division.
7. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.
8. A Land Disturbing Permit shall be obtained within 24 months from the date of the issuance of this special use permit, or this special use permit shall be void.



Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
ICENHOUR	AYE
MCGLENNON	AYE
JONES	AYE
KENNEDY	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of January, 2008.

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