

RESOLUTION

CASE NO. SUP-0002-2014. HRSD MICROWAVE TOWER – 300 RON SPINGS DRIVE

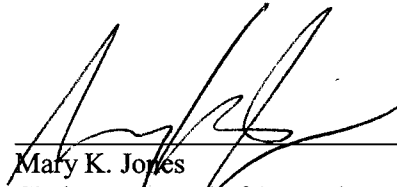
- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, Mr. Stephen Romine has applied for an SUP to allow construction of a 134-foot microwave tower (the "Project") on property located at 300 Ron Springs Road (the "Property"); and
- WHEREAS, the proposed Project is depicted on the plan prepared by NB+C Engineering Services, LLC, dated January 22, 2014, revised March 13, 2014, and entitled "Williamsburg Treatment Plant" (the "Master Plan"); and
- WHEREAS, the proposed Project is located in its entirety on property zoned PL, Public Lands, further identified as James City County Real Estate Tax Map Parcel No. 5820100003; and
- WHEREAS, the Board of Supervisors issued SUP-0023-1987, HRSD Treatment Plant Expansion and SUP-0017-1995, HRSD Ron Springs Drive Influent Force Main for the existing facilities on the Property, which conditions are not replaced by this SUP and will still remain in effect on the Property; and
- WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0002-2014; and
- WHEREAS, the Planning Commission, following its public hearing on May 7, 2014, voted 6-0 to recommend approval of application No. SUP-0002-2014.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, does hereby approve Application No. SUP-0002-2014, as described herein, pursuant to the following conditions:

1. Master Plan and Use: This SUP shall be valid for the installation of a microwave tower at a total height of 134 feet, including all appurtenances, on the Property as shown on the Master Plan.
2. Enclosure: Should a future provider collocate on the tower and determine that equipment needs to be enclosed by fencing, the fencing shall be vinyl-coated and shall be dark green or black in color. Any fencing shall be reviewed and approved by the Planning Director prior to final site plan approval.
3. Tower Color: Any tower shall have a finish that is grey in color as approved by the Planning Director. Any alternative color used, including but not limited to a camouflage wrap, shall be approved by the Planning Director, or his designee, prior to final site plan approval.
4. Lighting: Lighting, beacons, and other similar devices shall be prohibited on the Project unless required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA). When required by the FCC or FAA, a red beacon light or lights of low-medium intensity shall be used rather than a white strobe light. Should the regulations and requirements of this subsection conflict with any regulation

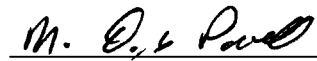
or requirement by the FCC or FAA, then the regulations of the FCC and FAA shall govern. At the time of site plan review, a copy of the FAA and/or FCC findings shall be provided to the County.

5. Commencement. A final building inspection shall be obtained within 24 months from the date of the issuance of this SUP, or this SUP shall be void.
6. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Mary K. Jones
Chairman, Board of Supervisors

ATTEST:



M. Douglas Powell
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	<u>X</u>	___	___
JONES	<u>X</u>	___	___
MCGLENNON	<u>X</u>	___	___
ONIZUK	<u>X</u>	___	___
HIPPLE	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of June, 2014.

SUP02-14HRSDMwTwr-res