

RESOLUTION

CASE NO. SUP-0001-2016. COLUMBIA GAS EQUIPMENT UPGRADE

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, the Commonwealth Gas Pipeline Corporation (the "Owner"), owns property located at 8955 Pocahontas Trail on land zoned M2, General Industrial, and further identified as James City County Real Estate Tax Map Parcel No. 5940100001 (the "Property"), as shown on a plan titled "Newport News #2 M&R Station Rebuild Special Use Plan Per Zoning Ordinance Chapter 24, Section 24-23, James City County" dated January 15, 2016, prepared by Angler Environment; and

WHEREAS, Mr. Clarence Clark, on behalf of the Owner, has applied for an SUP to allow the replacement and relocation of existing equipment on the Property for the operation of the gas measurement and regulation station; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and hearing conducted on Case No. SUP-0001-2016; and

WHEREAS, the Planning Commission, following its public meeting on March 2, 2016, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of SUP-0001-2016 as described herein with the following conditions:

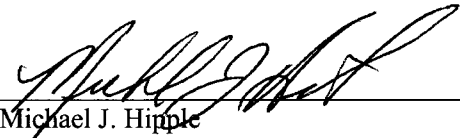
1. **Master Plan and Use.** This SUP shall be valid for the replacement and upgrading of existing equipment for the operation of the existing measurement and regulation station on property located at 8955 Pocahontas Trail, and further identified as James City County Real Estate Tax Map Parcel No. 5940100001 (the "Project"). Development of the Project shall be generally in accordance with the Master Plan entitled: "SUP-0001-2016, Newport News #2 M&R Station Rebuild Special Use Plan per Zoning Ordinance Chapter 24, Section 24-23 James City County, Virginia" drawn by Angler Environmental, and date stamped January 15, 2016 (the "Master Plan") with such minor changes as the Director of Planning, or his designee, determines do not change the basic concept or character of the development. In the event that Director of Planning finds that the proposed change alters the basic concept or character of the development the applicant may appeal the Director of Planning's determination to the Development Review Committee.
2. **Compliance.** Construction, operation and maintenance of the Project shall comply with all applicable local, state and federal requirements.

3. **Security Fence.** Owner shall submit a detail for the measurement and regulation station security fence (the "Security Fence"). The Security Fence shall be black, brown or other neutral color. The Security Fence shall not contain barbed wire and shall not exceed a height of 20 feet above finished grade unless otherwise required by regulation. The detail and the final color shall be submitted to and approved by the Director of Planning prior to final site plan approval.
4. **Lighting.** A lighting plan shall be reviewed and approved by the Director of Planning or his designee prior to final approval of the site plan for the measurement and regulation station. Any exterior site or building lighting shall be shielded and directed downward. No glare defined as 0.1 foot-candle or higher shall extend outside the property lines. Lights shall be operated by a motion detector or be able to be turned on as needed by the Owner and shall not be routinely illuminated at night. No lighting shall be installed on structures at a height greater than 30 feet above finished grade. This condition shall not apply to any lighting required by federal or state regulations.
5. **Emergency Management Plan.** The Owner shall prepare and maintain an emergency management plan to address situations that may require response from James City County public safety personnel, including, without limitation, fire safety and emergency response personnel. The Emergency Management Plan shall:
 - a. Be developed in conjunction with and approved by the County Fire Chief and County Police Chief or their designees prior to final site plan approval.
 - b. Provide a mutually agreed upon schedule for the Owner to provide information sessions and training for James City County public safety personnel relative to possible emergency response situations at the Station.
 - c. Provide pertinent contact numbers for the Owner's emergency personnel.
 - d. Provide that all emergency contact information will be posted on access gates.
6. **Spill Response Plan.** Prior to any site plan approval for the measuring and regulation station the following information shall be provided:
 - a. A stormwater management plan shall be submitted to the County Director of Engineering Resource Protection (ERP) or his designee for review and approval. The stormwater management plan shall demonstrate that adequate measures have been taken for the post-development to achieve the same degree of pre-development water quality. The development of the site shall utilize the applicable best management practices as outlines in the Virginia Department of Environmental Quality Stormwater BMP Clearinghouse.
 - b. A Pollution Prevention, Control and Countermeasure Plan for the measuring and regulation station shall be submitted to the County Director of ERP or his designee for review and approval. Updates and amendments to the Plan shall be forwarded to the County Director of ERP as they are developed.
7. **Landscape Plan.** A landscape plan shall be required to be submitted for review and approval along with the site plan for the Project. The landscape plan shall provide evergreen screening around the perimeter of the measurement and regulation station/fence line.

8. **Construction.** Start of construction shall commence within 24 months from the date of issuance of the SUP, or the SUP shall become void. Construction shall be defined as clearing, grading, relocating and replacing existing equipment for the measurement and regulation station.

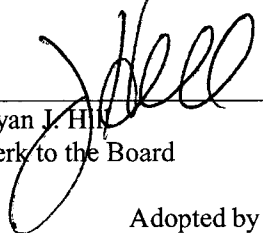
9. **Severance Clause.** This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, upon the issuance of SUP 0001-2016 also approves the existing use of the property, thereby bringing the use into conformance with the County's Zoning Ordinance.



Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:



Bryan J. Hipple
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ONIZUK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of March, 2016.

SUP01-16ColumbGasEq-res