

RESOLUTION

CASE NO. SUP-22-0010. 9201 AND 9225 POCAHONTAS TRAIL -

THE GREASEOUTLET

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, Mr. Chip Haskell and Mr. Boyd Andrews have applied for an SUP on behalf of GreaseOutlet of Virginia, LLC, to locate a private solid waste transfer station and container site with a waste disposal facility (the "Facility") at 9201 and 9225 Pocahontas Trail, further identified as James City County Real Estate Tax Map Parcel Nos. 6010100009 and 6010100009B (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on October 5, 2022, recommended approval of Case No. SUP-22-0010 by a vote of 5-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-22-0010; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2045 Comprehensive Plan Land Use Map designation for the Property.

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 Case No. SUP-22-0010 as described herein with the following conditions:

1. Master Plan. This SUP shall apply to the parcels situated at 9201 Pocahontas Trail and 9255 Pocahontas Trail, further identified as James City County Real Estate Tax Map Parcel Nos. 6010100009 and 6010100009B respectively (together, the "Property"). This SUP shall be valid for a private solid waste transfer station and container site in conjunction with a waste disposal facility (the "Facility"). All final development plans and use of the Property shall be consistent with the master plan entitled "9201 & 9225 Pocahontas Trail, The GreaseOutlet" dated September 13, 2022 (the "Master Plan"), as determined by the Director of Planning, with any deviations considered per Section 24-12 (a)(2) of the Zoning Ordinance, as amended.
2. Construction Management and Mitigation. Prior to final site plan approval, the Facility operator shall provide a Construction Management and Mitigation Plan (the "CMMP") for review and approval of the Director of Planning or their designee. The CMMP shall include those items listed below:
 - a. Provide on-site parking for all vehicles during construction. No vehicles shall be parked within the Blow Flats Road right-of-way.
 - b. Provide traffic control methods including lane closures, flagging procedures, directional and informational signage, and designation of a single access point for deliveries and employee access.

- c. Limit all construction activities, including clearing and grading of the Property, to the hours of 7 a.m. to 7 p.m., Monday through Friday.
 - d. Provide appropriate methods for the storage, transportation, and disposal of any waste and/or hazardous materials.
3. On-Site Water Quality Treatment. The site plan must provide all water quality improvement measures required by the Virginia Runoff Reduction Method on the Property via structural Best Management Practices and/or manufactured treatment devices. Neither the purchase of offsite nutrient credits in accordance with 9VAC25-870-69, Offsite Compliance Options, nor the use of Forested Open Space toward water quality will be accepted for the Property.
 4. Industrial Wastewater Discharge Regulations. Prior to issuance of a site plan approval, for the use of the collection, treatment, and transfer of grease waste, the Owner must obtain all active direct wastewater discharge permits from Hampton Roads Sewer District.
 5. Virginia Pollutant Discharge Elimination System (VPDES). Prior to issuance of preliminary site plan approval, the Owner must determine if a general VPDES Permit for Discharges of Stormwater Associated with Industrial Activity will be required from the Virginia Department of Environmental Quality. If a VPDES permit is required, the Owner must provide evidence of having obtained the permit prior to issuance of final site plan approval.
 6. Spill Prevention Control and Countermeasures Plan. Prior to the issuance of a Land Disturbing Permit, a Spill Prevention, Control and Countermeasures Plan, addressing the handling of inorganic and organic compounds, be submitted to the Director of Stormwater and Resource Protection for review and approval.
 7. Emergency Management Plan. The Facility operator shall prepare and maintain an Emergency Management Plan (the "EMP") to address situations that may require response from James City County public safety personnel, including, without limitation, fire safety, and emergency response personnel. The EMP shall:
 - a. Be developed in conjunction with and approved by the County Fire Chief and County Police Chief or their designees prior to final approval of any site plan.
 - b. Provide a mutually agreed upon schedule for the Facility operator to provide information sessions and training for James City County public safety personnel relative to possible emergency response situations at the Facility.
 - c. Provide pertinent contact numbers for the Facility operator emergency personnel.
 - d. Provide that emergency contact information be posted on access gates.
 8. Restoration Plan. Prior to final site plan approval, a Restoration Plan (RP) shall be submitted to the Director of Planning or their designee for review and approval. The RP shall include the following measures:
 - a. Outline the required steps for removal of above- and below-ground Facility components.
 - b. Dispose and/or recycle wastes and materials.
 - c. Stabilize soil.
 - d. Revegetate and restore native habitat of the Property.
 - e. Provide the close-out procedure or remediation of stormwater facilities.

9. Road Improvements. The Facility operator shall, prior to issuance of a Certificate of Occupancy (CO) for the Facility, improve the shoulder of Blow Flats Road to a width of four (4) feet from the existing edge of roadway in the areas where the Property fronts on Blow Flats Road, as approved by the Virginia Department of Transportation. Such improvements shall be reflected on the site plan approved for the Facility.
10. Landscape Perimeter Buffer. Prior to final site plan approval, the Director of Planning or their designee shall review and approve a landscape plan, tree clearing, and protection plan for the Facility. All buffers required shall remain undisturbed and in their natural state. The landscape plan shall be generally consistent with the Master Plan and provide, at a minimum, the following:
 - a. A vegetated buffer not less than 15 feet wide, as measured from the edge of the existing 30-foot-wide private drainage easement and parallel to the southern property line.
 - b. A vegetated buffer not less than 15 feet wide, as measured from the edge of the existing 120-foot-wide Dominion Energy easement and parallel to the eastern property line.
 - c. A vegetated buffer not less than 15 feet wide, as measured from the edge of the northern property line.
 - d. A vegetated buffer not less than 30 feet wide, measured from the existing edge of the property line along Blow Flats Road.
11. Security Fence. Any fence shall be black, brown, or other neutral color, shall not contain barbed wire, and shall not exceed a height of 8 feet above finished grade. The detail and the final color shall be submitted to and approved by the Director of Planning or their designee prior to final site plan approval.
12. Outdoor Storage. All storage of materials on the Property shall be within a fully enclosed building. No outdoor storage shall be permitted.
13. Dumpster/HVAC. All dumpster and heating and cooling units visible from any public street or adjoining property shall be screened from view with landscaping or fencing approved by the Director of Planning or their designee prior to an issuance of any CO.
14. Smoke (Dust)/Noise/Odor. Dust, noise, and odor associated with the use of the collection, treatment, and transfer of grease waste, shall be limited to a fully enclosed warehouse dome structure with retractable doors. No dust, odor or other objectionable effect shall extend beyond property lines. An activated carbon filtration system or an alternative odor control system shall be approved by the Director of Planning or their designee and installed prior to an issuance of any CO.
15. Hours of Operation. Hours of operation for the Facility shall be limited to 5 a.m. to 5 p.m., Monday through Friday.
16. Commencement. A permanent CO shall be obtained within 48 months from the date of approval of this SUP or this permit shall be void.
17. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

John J. McGlennon
John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of November, 2022.

SUP22-10PocTrGrease-res