

**A G E N D A**

**JAMES CITY COUNTY BOARD OF SUPERVISORS**

**County Government Center Board Room**

**January 9, 2001**

**7:00 P.M.**

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<b>B. PLEDGE OF ALLEGIANCE - Mr. Peter Driesbach, a Senior at Jamestown High School</b>	
<b>C. PUBLIC COMMENT</b>	
<b>D. PRESENTATIONS</b>	
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2. Resolution of Appreciation - Rose G. Gross	
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<b>I. BOARD REQUESTS AND DIRECTIVES</b>	
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1. Appointment of Individuals to County Boards and/or Commissions, Section 2.1-344 (A) (1) of the Code of Virginia	
a. Planning Commission	

**AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 29TH DAY OF NOVEMBER, 2000, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. ROLL CALL**

Ronald A. Nervitt, Chairman, Powhatan District  
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District  
Jay T. Harrison, Sr., Berkeley District  
James G. Kennedy, Stonehouse District  
Sanford B. Wanner, County Administrator  
Frank M. Morton, III, County Attorney

**B. WORK SESSION**

1. Six-Year Secondary Road Plan

Mr. Ben Thompson, Planner, gave the Board an overview of the FY 2001-2006 Six-Year Secondary Road Plan including roads that have been considered and recommended for inclusion in the plan, ranking criteria, improvements outside the Primary Service Area, and Virginia Department of Transportation's (VDOT) Secondary System Construction Program's estimated allocations.

The Board and Mr. John Home, Manager of Development Management, discussed the Ironbound Road improvements and that under the present project budget, the agreed upon design standards cannot be met.

The Board, staff, and Jim Brewer, Assistant Resident Engineer, VDOT, discussed aspects of the Six-Year Secondary Road Plan, using rural additions program funds for Cedar Drive, and recommended VDOT have the Secondary Road Plan revised to include Racefield Drive prior to the public hearing to be held on December 19, 2000.

2. Timber Ordinance

Mr. O. Marvin Sowers, Director of Planning, gave an overview of the violations to the County's timbering buffer ordinances since March 1996, the administration and enforcement of the ordinance, sufficiency of the replanting requirements of the ordinance, adequacy of the civil penalties for a buffer violation, and the processing of violations.

The Board and staff discussed the issue of who should be held accountable for the timbering violations, the landowner or the timber harvesters, and determined that State law does not permit citing the timber harvester.

The Board requested staff develop an ordinance amendment to require bonding for timber harvesting.

**C. BOARD REQUESTS AND DIRECTIVES**

1. Mr. Morton stated that the Virginia Municipal League (VML) has sent a revised denial letter of Mr. Ed Oyer's claim. The letter has changing the language to reflect that VML has denied the claim on behalf of the County.

Mr. Kennedy made a motion to adjourn at 5:37 p.m.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

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Sanford B. Wanner  
Clerk to the Board

112900ws.min

MEMORANDUM

DATE: January 9, 2001

TO: The Board of Supervisors

FROM: William C. Porter, Jr., Assistant County Administrator

SUBJECT: Resolution of Appreciation - Rose G. Gross

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Rose G. Gross, General Registrar, retired effective December 27, 2000. Ms. Gross served in various positions in the Registrar's office for 21 years, starting as a part-time Assistant General Registrar and working her way up to General Registrar.

Staff recommends adoption of the attached Resolution of Appreciation honoring Rose G. Gross for her 21 years of service to the Citizens of James City County.

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William C. Porter, Jr.

CONCUR:

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Sanford B. Wanner

WCP/tlc  
 roseg.mem

Attachment

**RESOLUTION OF APPRECIATION**

**ROSE G. GROSS**

WHEREAS, Rose G. Gross has served the citizens of James City County in the General Registrar's Office since June 1979; and

WHEREAS, Rose G. Gross, through hard work, rose from part-time Assistant General Registrar, to Chief Assistant Registrar, to General Registrar in 1998; and

WHEREAS, during her 21 years of service she assisted in identifying and implementing new and innovative ways to make voter registration easier for the citizens of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby extend its sincere appreciation and every good wish for continued success to

**ROSE G. GROSS**

BE IT FURTHER RESOLVED that this resolution be spread upon the January 9, 2001, minutes of this Board and a suitable copy be presented to Rose G. Gross.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of January, 2000.

Gross.res

MEMORANDUM

DATE: January 9, 2001  
TO: The Board of Supervisors  
FROM: William C. Porter, Jr., Assistant County Administrator  
SUBJECT: Resolution of Appreciation - Peter Dreisbach

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The County was notified that Peter Dreisbach, a James City County resident and Jamestown High School student, was named one of twelve National Finalists for the Wendy's High School Heisman Award, surpassing more than 12,000 student applications nationwide. Mr. Dreisbach is a member of the National Honor Society, National Junior Honor Society, and a participant in track, basketball, and football. He serves his community through the Jamestown High School Ecology Club and the Boy Scouts.

Staff recommends adoption of the attached Resolution of Appreciation honoring Peter Dreisbach for his dedication to academics, community, and athletics.

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William C. Porter, Jr.

CONCUR:

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Sanford B. Wanner

WCP/tlc  
dreisbach.mem

Attachment

**RESOLUTION OF APPRECIATION**

**PETER DREISBACH**

WHEREAS, Peter Dreisbach, James City County resident and Jamestown High School student, was named one of 12 National Finalists, surpassing more than 12,000 students nationwide, for the Wendy's High School Heisman Award; and

WHEREAS, each year, Wendy's International, the National Association of Secondary School Principals, and the Downtown Athletic Club of New York join forces to recognize the top male and female scholars, citizens, and athletes among high school seniors chosen from nominations submitted by 23,000 high schools across the nation; and

WHEREAS, Peter Dreisbach is a member of the National Honor Society, National Junior Honor Society, participates in track, basketball, and football, while maintaining a Grade Point Average of 4.3/4.0; and

WHEREAS, Peter also contributes to this community through participation in the Jamestown High School Ecology Club and the Boy Scouts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby thank and honor Peter Dreisbach for his outstanding dedication to academic achievement, athletic accomplishments, and commitment to the community.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of  
January, 2001.

dreisbach.res

MEMORANDUM

DATE: January 9, 2001  
TO: The Board of Supervisors  
FROM: Needham S. Cheely, III, Director of Parks and Recreation  
SUBJECT: Virginia Recreational Trails Fund Grant Award

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James City County's Division of Parks and Recreation applied for and received a \$65,500 Virginia Recreational Trails Fund Program Grant from the Virginia Department of Conservation and Recreation, in conjunction with the Federal Highway Administration.

The purpose of the reimbursement grant is to assist with the cost of developing an ADA accessible 3,400-linear foot multiuse trail at Mid County Park to meet the recreation and transportation needs of the citizens. The trail, which will include at a minimum an eight-foot asphalt path and a four-foot wide grass shoulder, will connect to surrounding neighborhoods and commercial shopping. The funds awarded, combined with funds from the Greenways and Trails Account and the Mid County Park CIP funds, will be sufficient to complete the project at an estimated cost of \$160,000.

The required match will come from the County's Greenways and Trails Account. When the project is completed, the County will receive a \$65,500 reimbursement from the Virginia Department of Conservation and Recreation.

Staff recommends approval of the attached resolution accepting the \$65,500 grant for Mid County Park and appropriating the funds as described above.

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Needham S. Cheely, III

CONCUR:

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Anthony Conyers, Jr.

NSC/tlc  
varecgmt.mem

Attachments



**RESOLUTION**

**VIRGINIA RECREATIONAL TRAILS FUND GRANT AWARD**

WHEREAS, the Virginia Department of Conservation and Recreation, in cooperation with the Federal Highway Administration, has made matching funds available for the development of trails; and

WHEREAS, funds are needed to construct a new 3,400-linear foot multiuse trail at Mid County Park.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$65,500 grant awarded by the Department of Conservation and Recreation in cooperation with the Federal Highway Administration to help with trail construction at Mid County Park.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation.

**REVENUES:**

From the Commonwealth	<u>\$65,500</u>
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**EXPENDITURES:**

Greenways and Trails(0130220800)	<u>\$65,500</u>
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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of January, 2001.

varecgmt.res

MEMORANDUM

DATE: January 9, 2001  
TO: The Board of Supervisors  
FROM: Jill E. Schmidle, Senior Planner  
SUBJECT: Relocation and Restoration of the Norge Depot Grant Application

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The James City County Historical Commission is again applying for a Transportation Enhancement Program grant through the Transportation Equity Act for the 21st Century (TEA-21) to relocate and restore the historic train depot in Norge.

CSX currently owns the Norge Depot, which was constructed in 1881 and is the only remaining train station in James City County. CSX has announced intentions to demolish the structure since it is no longer a necessary part of CSX's operations. With assistance from the Ruritans, the James City County Historical Commission is seeking funds to relocate the Depot to a site in Norge and to restore the Depot. The Historical Commission would operate the relocated and restored Depot as a community center, complete with educational displays and meeting rooms, while the Ruritans would maintain the structure. The Historical Commission is seeking funding through TEA-21, which would cover up to 80 percent of the cost, which is estimated to be \$574,630. The Historical Commission on behalf of James City County would be responsible for the remaining 20 percent, or \$114,926, and currently is seeking funds and in-kind contributions to cover the 20 percent.

To be considered for review, the grant application requires an endorsement resolution by the local jurisdiction. The Board of Supervisors endorsed this application on January 25, 2000, although the grant was subsequently not approved for funding. The Historical Commission is submitting another grant application for review in 2001, and the application requires another endorsing resolution. Staff recommends your approval of the attached resolution.

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Jill E. Schmidle

CONCUR:

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William C. Porter, Jr.

JES/tlc  
norgedep.mem

Attachment

**RESOLUTION**

**NORGE DEPOT RELOCATION AND RESTORATION GRANT APPLICATION**

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or State agency in order that the Virginia Department of Transportation program a transportation enhancement project in the County of James City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests the Commonwealth Transportation Board to establish a project for the improvement of the relocation and restoration of the Norge Depot.

BE IT FURTHER RESOLVED that the James City County Historical Commission hereby agrees to pay a minimum 20 percent of the total cost for planning and design, right-of-way, and construction of this project, and that if the James City County Historical Commission subsequently elects to cancel this project, the James City County Historical Commission hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of  
January, 2001.

norgedep.res

## M E M O R A N D U M

DATE: January 9, 2001

TO: The Board of Supervisors

FROM: O. Marvin Sowers, Jr., Director of Planning

SUBJECT: Bikeway Agreement Between James City County and the National Park Service

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The 1998 Regional Bikeway Plan recommends two bikeway connections to the Colonial Parkway: 1. Treasure Island Road; and 2. Neck-O-Land Road. Attached as Exhibit 1 is part of the adopted Plan Map. Both connections were also recommended in the Board adopted 1999 Sidewalk and Trail Plan and were included in the FY 01 CIP. This is a joint project involving the National Park Service, Virginia Department of Transportation (VDOT), and the County. Staff has recently learned that County funding for design or construction is not needed. However, before these connections are built, VDOT is requiring the National Park Service and the County to enter into an agreement regarding access, design, construction, and maintenance. VDOT and the Park Service agreed to design the facilities at no cost to the County and the design work has been completed. The County would, however, remain responsible for maintenance costs. Those costs will be minimal and are described below. The project is located entirely on VDOT and Park Service property.

At both locations there already exists informal dirt pedestrian/bicycle connections that are well worn. These connections present both erosion and aesthetic problems. Attached as Exhibit 2 are sketches that show proposed improvements to these existing informal pedestrian connections.

Attached as Exhibit 3 is an agreement between the National Park Service and the County. The main provisions of the agreement are outlined below.

1. Authorization for the County to use Park Service property for the two bikeway connections.
2. Obligation of the County to design, construct, and maintain the bikeway connections.

Construction funding (\$84,000) for the project is 80 percent Federal and 20 percent VDOT and is allocated in VDOT's Six-Year Transportation Development Plan. The connection at Neck-O-Land Road is about 90 feet long and the Treasure Island Road connection is about 240 feet long. The connections have been designed to minimize maintenance through the use of a grass paver block surface. This design will allow the connections to be mowed by the Park Service but will provide an attractive noneroding surface for pedestrians and bicycles. County maintenance will primarily involve occasional brush trimming and clearance of windfalls and deadfalls. Bollards and guardrails will prevent use by trucks and automobiles.

Staff recommends adoption of the attached resolution authorizing the County Administrator to execute the agreement on behalf of the County.

Bikeway Agreement Between James City County and the National Park Service

January 9, 2001

Page 2

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O. Marvin Sowers, Jr.

CONCUR:

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John T. P. Horne

OMS/alc  
bikeway.mem

Attachments:

1. Exhibit 1: Portion of Regional Bikeways Plan Map
2. Exhibit 2: Design Sketches
3. Agreement between County and Park Service
4. Resolution

**RESOLUTION**

**AUTHORIZING EXECUTION OF BIKEWAY AGREEMENT**

**BETWEEN JAMES CITY COUNTY AND THE NATIONAL PARK SERVICE**

WHEREAS, both the 1998 Regional Bikeway Plan and the 1999 Sidewalk and Trail Plan recommend bikeway connections to the Colonial Parkway at Treasure Island Road and Neck-O-Land Road; and

WHEREAS, there currently exists well-worn dirt connections at both locations; and

WHEREAS, Federal and State funding will pay for the construction of both connections without County funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute an agreement with the National Park Service facilitating bikeway construction and maintenance on Colonial Park right-of-way.

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

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of January, 2001.

bikeway.res

## M E M O R A N D U M

DATE: January 9, 2001  
TO: The Board of Supervisors  
FROM: Stephanie Ahrendt, Purchasing Director  
SUBJECT: Purchasing Policy

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The revised James City County Purchasing Policy is attached. The existing Purchasing Policy does not reflect current purchasing law and widely recognized purchasing best practices. The revised Policy incorporates recommendations from the interdepartmental Purchasing Strategic Planning and Design Team, departmental surveys, and the Purchasing Office process review conducted by the National Institute of Governmental Purchasing. It contains the Purchasing Limits the Board approved on August 8, 2000, and reflects current Virginia Public Procurement Act requirements.

The revised Purchasing Policy includes:

- Cooperative procurement;
- Purchasing Cards for small purchases;
- Best Value consideration in procuring certain goods and nonprofessional services;
- Vendor prequalification;
- Value Engineering for projects exceeding \$1 million;
- Vendor Outreach and Targeted Businesses Programs; and
- Debarment and Suspension provisions.

The revised Purchasing Policy will assist the Purchasing Office in pursuing competitive, efficient, flexible, and economical transactions in a fair and impartial manner. An updated policy also facilitates cooperative purchasing between other agencies and James City County. In addition, it will be the foundation for the new Purchasing Manual that will contain the detailed operating procedures of the Purchasing Office.

Staff recommends approval of the attached resolution adopting the revised Purchasing Policy.

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Stephanie Ahrendt

CONCUR:

---

John E. McDonald

SA/gb  
purpolicy.mem

Attachments

**RESOLUTION**

**PURCHASING POLICY**

WHEREAS, the Board of Supervisors is dedicated to providing taxpayers with maximum value for their dollars; securing high quality goods and services at reasonable cost; guaranteeing that all purchasing actions be conducted in a fair and impartial manner with no impropriety or appearance thereof; ensuring that transactions are competitive, efficient, and economical; and allowing all qualified vendors to have access to County business without arbitrary or capricious exclusion; and

WHEREAS, Code of Virginia §§ 11-35 through 11-80 known as the Virginia Public Procurement Act (VPPA), contains the public policies pertaining to governmental procurement from nongovernmental sources; and

WHEREAS, Code of Virginia § 15.2-1236 requires all purchases of and contracts for supplies, materials, equipment, and contractual services to be in accordance with Chapter 7, Title 11, of the Code of Virginia; and

WHEREAS, Code of Virginia § 11-35 allows implementation of the Virginia Public Procurement Act by ordinances, resolutions, or regulations consistent with the Act by a public body empowered by law to undertake the activities described by the Act.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the James City County Purchasing Policy dated January 9, 2001, attached hereto and made part of this resolution. The Policy shall take effect immediately upon passage.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of  
January, 2001.

purpolicy.res



**M E M O R A N D U M**

DATE: January 9, 2001  
TO: The Board of Supervisors  
FROM: Needham S. Cheely, III, Director of Parks and Recreation  
SUBJECT: Colonial Soil and Water Conservation District Grant

---

The James City County Division of Parks and Recreation applied for a Colonial Soil and Water Conservation District Partnership Grant and has been awarded a \$2,100 Partnership Grant.

The purpose of the partnership grant is to assist with the cost of a trailhead kiosk for the Greensprings Trail. The trail, located behind Jamestown High School, serves as the pilot greenway for the County and offers many educational and recreational opportunities for area citizens. In addition to helpful maps and trail regulations, the kiosk will contain information on how the community can work in partnership to help preserve and maintain greenspace. The kiosk information is being developed in conjunction with the community groups that currently utilize the facility for bird watching, wildlife exploration, and water quality monitoring. The funds awarded, combined with funds from the Greenways and Trails Account, will be sufficient to complete the project that has an estimated cost of \$5,000.

Staff recommends approval of the attached resolution accepting and appropriating the \$2,100 grant for the Greensprings Trail as described above.

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Needham S. Cheely, III

CONCUR:

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Anthony Conyers, Jr.

NSC/tlc  
colwtrgmt.mem

Attachment

**RESOLUTION**

**COLONIAL SOIL AND WATER CONSERVATION DISTRICT GRANT**

WHEREAS, the Colonial Soil and Water Conservation District has made funds available for the development of educational trails material.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$2,100 grant awarded by the Colonial Soil and Water Conservation District to help with the cost of the kiosk at the Greensprings Trail.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation.

**REVENUES:**

From the Colonial Soil and Water Conservation District	<u>\$2,100</u>
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**EXPENDITURES:**

Greenways and Trails(0130220800)	<u>\$2,100</u>
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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of  
January, 2001.

colwtrgmt.res

MEMORANDUM

DATE: January 9, 2001  
TO: The Board of Supervisors  
FROM: Carol O. Swindell, Assistant Manager, Financial and Management Services  
SUBJECT: Pre-Budget Public Hearing - FY 2002 Budget

---

The purpose of this public hearing is to invite comments and suggestions from citizens for the County budget for the fiscal year beginning July 1, 2001. The FY 2002 budget was adopted by the Board for planning purposes last year as part of the County's biennial budget process. The comments and suggestions made at this pre-budget public hearing will help guide us in making any adjustments to the adopted FY 2002 budget and preparing a budget proposal for the Board's review in April. We are not asking that the Board take any action at this time, but we would appreciate comments or guidance any member wishes to share.

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Carol O. Swindell

COS/tlc  
pubhrrng101.mem

**M E M O R A N D U M**

DATE: January 9, 2001  
TO: The Board of Supervisors  
FROM: Needham S. Cheely, III, Director of Parks and Recreation  
SUBJECT: TEA-21 Project Request, Jamestown Road Pedestrian Bridge Grant Application

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The James City County Division of Parks and Recreation, in cooperation with the James City County Service Authority, is requesting to apply for funding from the Virginia Department of Transportation for a Transportation Enhancement Project Grant.

The purpose of the enhancement project is to construct a separate pedestrian bridge on Jamestown Road over Lake Powell. As one of the busiest roads in the County and a main corridor for the Jamestown 2007 event, Jamestown Road is in need of separate, alternative transportation routes. The multiuse facility will be built over the James City Service Authority (JCSA) owned pipe-bridge that runs parallel to the Lake Powell Bridge. In conjunction with the new bridge, widened paths/shoulders will also be added to Jamestown Road to cover the distance between the bridge and the closest neighborhoods in both directions at Richneck Road and Lake Drive. This will provide enhanced and safer routing for those who wish to avoid a busy roadway and ride through the connected neighborhoods as an alternative. The entire project, which also includes safety lighting and landscaping, is estimated to cost \$225,000.

The development of alternative transportation and recreational opportunities supports the County's goals in areas of enhancing the character of the community and promoting healthy lifestyles. This additional pedestrian corridor is also consistent with the County Sidewalk Master Plan.

In the event the project is funded, the James City County Service Authority will fund the required 20 percent match.

Staff recommends approval of the attached resolution supporting the application for the Transportation Equity Act for the 21st Century (TEA-21) project consideration.

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Needham S. Cheely, III

CONCUR:

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Anthony Conyers, Jr.

NSC/tlc  
tea21.mem

Attachment

**RESOLUTION**

**TEA-21 PROJECT REQUEST, JAMESTOWN ROAD PEDESTRIAN BRIDGE**

**GRANT APPLICATION**

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation may fund a transportation enhancement project in James City County; and

WHEREAS, funds are needed to assist with the construction of a separate pedestrian bridge adjacent to Jamestown Road over Lake Powell.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests the Commonwealth Transportation Board to establish a project for the improvement of pedestrian facilities along Jamestown Road at Lake Powell.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby agrees to pay a minimum 20 percent of the total cost for planning and design, right-of-way, and construction of this project, subject to James City Service Authority reimbursement, and that if James City County subsequently elects to cancel this project James City County hereby agrees to reimburse the Virginia Department of Transportation for the total costs expended by the Department through the date the Department is notified of such cancellation.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of January, 2001.

tea21.res

**SPECIAL USE PERMIT-24-00. JCSA-Rochambeau Drive Water Main  
Staff Report for January 9, 2001, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

**PUBLIC HEARINGS**      Building C Board Room; County Government Complex  
 Planning Commission:      December 4, 2000, 7:00 p.m.  
 Board of Supervisors:      January 9, 2001, 7:00 p.m.

**SUMMARY FACTS**

Applicant:                      Mr. Keith Letchworth, on behalf of James City Service Authority  
 Land Owner:                    James City Service Authority

Proposed Use:                 Installation of a 12-inch water main from 3707 Rochambeau Drive  
 along Rochambeau Drive right-of-way to the entrance of Wellington  
 Subdivision

Location:                        Between 3707 Rochambeau Drive and the entrance to the Wellington  
 Subdivision, within the Virginia Department of Transportation  
 (VDOT) right-of-way

Tax Map and Parcel No.:      (13-1) VDOT right-of-way

Primary Service Area:        Inside

Existing Zoning:                R-1, Limited Residential; A-1, General Agriculture; B-1, General  
 Business

Comprehensive Plan:         Low-Density Residential

Staff Contact:                 Ben Thompson, Planner - Phone: 253-6685

**STAFF RECOMMENDATION:**

Staff finds this proposal to be consistent with the Comprehensive Plan and consistent with previous actions taken by the Board of Supervisors. On December 4, 2000, the Planning Commission unanimously recommended approval of this application with conditions. Staff recommends the Board of Supervisors approve this special use permit with attached conditions.

## **History**

The JCSA's Infrastructure Master Plan recommends the installation of a waterline along Rochambeau Drive from Croaker Road to Anderson's Corner to improve pressure and flows serving the western portion of the JCSA water system. The waterline will immediately improve service to the Stonehouse Commerce Park which is deficient for the development occurring in the area. JCSA proposes installing a 12-inch water main extension to service these new demands. Fire flows in this area of the County are low primarily due to the single eight-inch dead-end line that currently provides water service. A looped system is needed to provide fire flows to existing development and to provide adequate water service for future development in this area.

## **Description of Project**

James City County Service Authority proposes installation of approximately 1,750 linear feet of 12-inch waterline along Rochambeau Drive. The extension is to be installed in the Rochambeau Drive right-of-way, between four and eight feet from the edge of pavement. The proposed water main extends southeast from a connection at an existing eight-inch waterline on the same road. Water facilities, including transmissions mains, which are intended to serve a number of customers and which are not accessory to an existing or proposed development, require a special use permit. This proposed extension would create a loop from Croaker Road to Anderson's Corner.

## **Surrounding Zoning and Development**

Several zones surround this installation. These include A-1, General Agriculture, B-1, General Business, and R-1, Limited Residential. The R-1, Limited Residential, is developed property which is Wellington Subdivision.

## **Physical Features and Environmental Considerations**

The proposed water main is located entirely within the Virginia Department of Transportation right-of-way. Most of this section of Rochambeau Drive contains small clusters of pines, but a few single cedars, maples, and hollies are also scattered along the road. These trees are largely outside the proposed construction area of four to eight feet from the edge of pavement. JCSA does not expect to remove any of the trees, although a few may be impacted by the construction. In the event any tree, bush, or shrub is damaged during construction, staff has drafted a special use permit condition that would require the applicant to replace the vegetation with one of equal type as approved by the Planning Director.

## **Traffic Impacts**

No specific schedule has been set for the construction of the proposed water main. During construction, traffic along both east and westbound lanes along Rochambeau Drive would be affected. Traffic will be slowed by an alternating direction signal lane adjacent to the area under construction along the corridor. All construction will occur during off peak hours between 9:00 a.m. and 4:00 p.m. to minimize the impact on the surrounding community.

## **Public Utilities**

The property is within the Primary Service Area (PSA). The Comprehensive Plan defines the Primary Service Area as areas presently provided with public water and sewer, and high levels of other public services, as well as areas expected to receive such services over the next 20 years. Promoting efficiency

in the delivery of public services in an important concept in the Comprehensive Plan. The PSA concept encourages efficient utilization of public facilities and services and promotes public health and safety through improved emergency response time. The proposed water main would connect on an existing water line, and would improve fire flow as well as provide connections to public water.

### **Comprehensive Plan Considerations**

#### *Land Use Designation*

The Comprehensive Plan Land Use Map designates this area as Low-Density Residential. Low-Density Residential areas are located inside the Primary Service Areas where public utilities and services exist or are expected to be expanded to serve the area over the next twenty years.

#### *Aesthetics*

No drainage structures will need to be relocated as a result of this proposed project. However, as stated previously, any unanticipated damage that occurs to the minimal vegetation in this area will be mitigated with vegetation of an equal type as approved by the Director of Planning.

#### *Historical and Archaeological Impact*

There are no known archaeological or historic sites on the property as indicated by the James City County Archaeological Assessment. Because the project is within an area previously disturbed by road construction, the probability of any significant finds is minimal.

### **RECOMMENDATION:**

Staff finds this proposal to be consistent with the Comprehensive Plan and consistent with previous actions taken by the Board of Supervisors. On December 4, 2000, the Planning Commission unanimously recommended approval of this application with conditions. Staff recommends approval of the special use permit with the following conditions.

1. Construction, operation, and maintenance of the water transmission main 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.
3. All required permits and easements shall be acquired prior to the commencement of construction.
4. If construction has not commenced on the project within twenty-four 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 water main.
5. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed water transmission main do not create adverse effects on the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
6. The applicant shall avoid removing trees, bushes and shrubs along the water main corridor. Trees, bushes, and shrubs damaged during construction that are not designated on the site plan to be removed shall be replaced with a tree, bush, or shrub of equal type as approved by the Planning Director.



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Benjamin A. Thompson

CONCUR:

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O. Marvin Sowers, Jr.

BAT/tlc  
sup-24-00.wpd

Attachments:

1. Planning Commission minutes
2. Location Map
3. Resolution

## RESOLUTION

### CASE NO. SUP-24-00. JCSA - ROCHAMBEAU DRIVE WATER MAIN

- 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. Keith Letchworth has applied on behalf of James City County Service Authority for a special use permit to allow a water main; and
- WHEREAS, the property is located on land zoned R-1, Limited Residential District, A-1, General Agriculture District, and B-1, General Business District, and can be further identified as Virginia Department of Transportation right-of-way on James City County Real Estate Tax Map No. (13-1); and
- WHEREAS, the Planning Commission, following its public hearing on December 4, voted 5-0 to approve this application.

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-23-00 as described herein with the following conditions:

1. Construction, operation, and maintenance of the water transmission main 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.
3. All required permits and easements shall be acquired prior to the commencement of construction.
4. If construction has not commenced on the project within twenty-four 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 water main.
5. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed water transmission main do not create adverse effects on the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
6. The applicant shall avoid removing trees, bushes and shrubs along the water main corridor. Trees, bushes, and shrubs damaged during construction that are not designated on the site plan to be removed shall be replaced with a tree, bush, or shrub of an equal or other type as approved by the Planning Director.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of  
January, 2001.

sup2400.res

MEMORANDUM

DATE: January 9, 2001

TO: The Board of Supervisors

FROM: O. Marvin Sowers, Jr., Director of Planning

SUBJECT: TEA-21 Project Request, Jamestown Yorktown Foundation Pathways of Discovery Grant Application

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The Jamestown-Yorktown Foundation is applying for a Transportation Enhancement Program Grant through the Transportation Equity Act for the 21st Century (TEA-21), and has requested that the Board of Supervisors conduct a public hearing on the application and adopt a resolution expressing its support. The grant program, which is offered by the Virginia Department of Transportation (VDOT), requires a public hearing to be held in the locality where the project would be located and have the endorsement of the local governing body.

The application materials prepared by the Foundation state that the Pathways of Discovery project will implement new pedestrian pathways at the Jamestown Settlement. The additional pathways will increase accessibility to outdoor exhibit areas and provide access to new learning experiences regarding the environment and early 17th-century history. Boardwalk trails will skirt the western side of the existing recreated Powhatan Indian Village and will follow the shoreline of the James River. New paths will address the need for expansion of outdoor exhibits to better serve expected visitor growth as the 2007 Celebration approaches and anticipated future growth beyond 2007. The project will also enhance the area with additional landscaping and plantings, stabilize sensitive shorelines and drainage areas, and engage visitors with new information related to transportation, commerce, and cultural interaction in the 17th century.

The Foundation further states that the Pathways project will also enhance the positive impacts the Jamestown Settlement has on the community. It will help visitation continue to grow, thereby producing additional economic benefits. Area residents will continue to receive free admission and will have the opportunity to visit new exhibit areas to learn more about Virginia's social and environmental history. Students will benefit from additional educational resources that will assist them in meeting the Standards of Learning (SOLs) in multiple disciplines at various grade levels.

Attached is a resolution endorsing the Pathways of Discovery project. Staff recommends approval of the attached resolution.

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O. Marvin Sowers, Jr.

CONCUR:

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John T. P. Horne

OMS/tlc  
pathofdisc.mem

Attachments

**RESOLUTION**

**TEA-21 PROJECT REQUEST, JAMESTOWN-YORKTOWN FOUNDATION**

**PATHWAYS OF DISCOVERY GRANT APPLICATION**

WHEREAS, the Jamestown-Yorktown Foundation intends to file an application with the Virginia Department of Transportation for an Enhancement Grant to construct a pedestrian pathway project known as "Pathways of Discovery" at the Jamestown Settlement; and

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government in order for the Virginia Department of Transportation to program an Enhancement Grant project in the County of James City; and

WHEREAS, the Jamestown-Yorktown Foundation hereby agrees to pay 20 percent of the total cost for planning and design, right-of-way, and construction of this project contingent upon entering into an acceptable reimbursement agreement with the Virginia Department of Transportation, and that, if the Jamestown-Yorktown Foundation subsequently elects to cancel this project, Jamestown-Yorktown Foundation hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests the Commonwealth Transportation Board establish a project for the improvement of pedestrian pathways at Jamestown Settlement, as described in the "Pathways of Discovery" application submitted by the Jamestown-Yorktown Foundation.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of January, 2001.

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