

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

September 25, 2001

7:00 P.M.

| | <u>Page</u> |
|---|-------------|
| A. ROLL CALL | |
| B. PLEDGE OF ALLEGIANCE – Ms. Tilly Luzar, a 10th grade student at Lafayette High School | |
| C. PUBLIC COMMENT | |
| 1. Water Policy Options - JCSA Central Water System | |
| D. PRESENTATION | |
| 1. International Year of Volunteers - Volunteer Recognition - Fred Dolan and Deb Hamlin . | 1 |
| E. HIGHWAY MATTERS | |
| F. CONSENT CALENDAR | |
| 1. Minutes | |
| a. September 11, 2001, Regular Meeting | 3 |
| b. September 12, 2001, Work Session | 13 |
| 2. Installation of “Watch for Children” Signs | 15 |
| a. Greensprings Plantation | |
| 3. New Position - Full-Time Permanent Social Worker Position with Adult Services | 19 |
| 4. Intersection of Monticello Avenue and Centerville Road | 23 |
| 5. Office of Code Compliance - Petty Cash Increase | 27 |
| 6. Resolution Condemning Terrorism and Supporting the President of the United States | 29 |
| 7. Authorization for County Administrator to Accept Civil Charges for Violation of the Chesapeake Bay Preservation Ordinance and Erosion and Sediment Control Ordinance | 31 |
| G. PUBLIC HEARINGS | |
| 1. Case No. AFD-6-86. Cranston’s Pond Agricultural and Forestal District-Ware Property Withdrawal (deferred from August 14, 2001) | 33 |
| 2. Case No. Z-4-00/MP-0-01. Colonial Heritage of Williamsburg (deferred from August 14, 2001) | 37 |
| 3. Case No. SUP-15-01. Williamsburg Pottery Factory - Building No. 7 Replacement | 41 |
| 4. Release of Easement on Property Located at 5237 Olde Towne Road | 49 |

- CONTINUED -

H. BOARD CONSIDERATION

1. Water Policy Options - JCSA Central Water System 55

I. PUBLIC COMMENT

J. REPORTS OF THE COUNTY ADMINISTRATOR

K. BOARD REQUESTS AND DIRECTIVES

MEMORANDUM

DATE: September 25, 2001

TO: The Board of Supervisors

FROM: Caroline Rhodes, Volunteer Services Coordinator

SUBJECT: International Year of Volunteers - Volunteer Recognition - Fred Dolan and Deb Hamlin

The year 2001 has been designated International Year of Volunteers by the United Nations General Assembly. To celebrate, the Office of Volunteer Services is highlighting outstanding volunteers and the County departments they work with each month through December 2001. This month, we are recognizing video volunteer Fred Dolan and Fire video volunteer Deb Hamlin, along with staff Veda McMullen, Communications/Video Coordinator and Chief Richard Miller.

Fred and Deb began their volunteer commitment in 1991.

Fred Dolan, a former County employee with television experience, agreed to be the temporary host on the live call-in show until a permanent host was found. After several months the search ended and Fred agreed to stay on. Hosting a bi-monthly live call-in show is much more than a simple television appearance. Each show requires several steps, and Fred does it all: recruiting and coordinating guests, researching interview topics, suggesting interview questions, putting the guests at ease before the cameras start rolling, respectfully dealing with callers whose agendas are different from the call-in topics, and always showing up on the second and fourth Monday evenings for more than 10 years. Fred has hosted more than 200 live call-in shows on a wide variety of topics. Staff receives numerous comments on Fred's positive hosting and mediation abilities.

Deb Hamlin has held several jobs as a video volunteer. For four years, she was on-screen talent for a news show. She then became the video producer for the Fire Department. She coordinates all efforts of the video programs which include shooting locations, script development and editing, on-site production activities, final editing and delivery to the studio for broadcast. Her commitment to the department had her filming in extreme heat as well as freezing weather conditions. In addition, Deb has purchased her own camera and editing equipment in order to provide the productions in a more timely manner. Deb averages 35 hours per week volunteering for the Fire Department. Since 1991, Deb has produced 70 programs on the following topics: fire prevention, leaf burning, EMS activities, Citizens Fire Academy, and the monthly production of our Home Safety Series.

Through these two volunteers' efforts, staff is able to produce more programs on important and critical County issues.

Caroline Rhodes

CONCUR:

Carol M. Luckam

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 11TH DAY OF SEPTEMBER, 2001, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman, Jamestown District
Bruce C. Goodson, Vice Chairman, Roberts District

Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Ronald A. Nervitt, Powhatan District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PLEDGE OF ALLEGIANCE

Mr. McGlennon, without objection from the Board, requested that following the Pledge of Allegiance a moment of silence be observed for those affected by the terrorist attacks today.

Ms. Alexandra Armstead, a student at Toano Middle School, led the Board and citizens in the Pledge of Allegiance following which a moment of silence was observed.

C. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, stated that a sample SOL question posted for 6th grade children in a local paper referred to water as being vital.

D. RECOGNITION

Mr. McGlennon, on behalf of the Board and staff, recognized Ms. Carol Swindell, Assistant Manager of Financial and Management Services, and thanked her for her service to the County during her employment, gave an overview of her accomplishments, and wished her the best in her new position in the City of Oceanside, California.

Ms. Swindell thanked the Board, stated that she enjoyed working with the County staff and Board, and stated that the County has an outstanding reputation.

E. CONSENT CALENDAR

Mr. McGlennon inquired if a Board member wished to pull an item from the consent calendar.

Mr. Nervitt requested Item Number 6, Award of Contract – Video Center Equipment, and Item Number

7. Utility Agreement – Cox Communications and Dominion Virginia Power, be pulled.

Mr. Nervitt made a motion to approve the remaining items on the consent calendar.

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

1. Minutes

a. August 14, 2001, Regular Meeting

2. Transit Appreciation Week – September 9-15, 2001

RESOLUTION

TRANSIT APPRECIATION WEEK – SEPTEMBER 9–15, 2001

WHEREAS, public transportation is vital to the quality of life and economic well-being of the citizens of James City County and the region; and

WHEREAS, tourists, employees, children, senior citizens, people with disabilities, and those not having access to automobiles use public transportation to gain access to jobs, shopping, schools, medical facilities, and social services; and

WHEREAS, the James City County Transit Company, American Public Transit Association, and the Federal Transit Administration have declared September 9–15, 2001, as Transit Appreciation Week.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, proclaims the week of September 9–15, 2001, as Transit Appreciation Week and calls upon County citizens to observe this week with appropriate programs, ceremonies, and activities.

3. Code Violation Lien – 710 Lee Drive

RESOLUTION

CODE VIOLATION LIEN - 710 LEE DRIVE

WHEREAS, the Zoning Administrator has certified to the Board of Supervisors of James City County, Virginia, that the property owners as described below have failed to pay a bill in the amount listed, for cutting of grass and weeds or removal of trash and debris, although the County has duly requested payment; and

WHEREAS, the unpaid and delinquent charges are chargeable to the owners and collectible by the County as taxes and levies and constitute a lien against the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, that in accordance with Sections 10-7 and 10-5 of the Code of the County of James City, Virginia, the Board of Supervisors directs that the following delinquent charges for services rendered, plus interest at the legal rate from the date of recordation until paid, shall constitute a lien against the Properties to wit:

Cleaning of Trash/Debris and/or Cutting of Grass, Weeds, etc.:

| | |
|-------------------|--|
| ACCOUNT: | Robert P. Brown 6703 W. Roxbury Place Littleton, CO 80128-4558 |
| DESCRIPTION: | 710 Lee Drive Williamsburg, VA 23185-5316 |
| TAX MAP NO.: | (41-3) (04-0-0012) James City County, Virginia |
| FILING FEE: | \$ 5 |
| TOTAL AMOUNT DUE: | \$300 |

4. Revisions to Chapter 4, Compensation Plan, of the James City County Personnel Policies and Procedures Manual

RESOLUTION

REVISIONS TO CHAPTER 4, COMPENSATION PLAN, OF THE JAMES CITY COUNTY

PERSONNEL POLICES AND PROCEDURES MANUAL

WHEREAS, the current Compensation Plan must be revised to comply with changes in the Code of Virginia, Sections 2.1-116.9:7 through 2.1-116.9:13 regarding overtime compensation for fire protection employees; and

WHEREAS, the current Compensation Plan must be revised to reflect changes to the salary structure which was approved in the FY 02 Budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the attached revisions to Chapter 4, Compensation Plan, of the James City County Personnel Policies and Procedures Manual.

5. School Resource Officer Program Agreement

RESOLUTION

SCHOOL RESOURCE OFFICER PROGRAM AGREEMENT

WHEREAS, the Board of Supervisors of James City County has previously approved a School Resource Officer (SRO) Program partnership between James City County and the Williamsburg-James City County (WJC) Public Schools; and

WHEREAS, the most recent agreement between James City County and the WJC Public Schools governing the operation of the SRO Program expired June 30, 2001, and must be renewed for the 2001-2002 school year; and

WHEREAS, the agreement for 2001-2002 contains no material changes from the one signed last school year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the Chairman to execute, on its behalf, a new agreement with the WJC Public Schools.

8. Virginia Electric and Power Company Agreement

RESOLUTION

VIRGINIA ELECTRIC AND POWER COMPANY AGREEMENT

WHEREAS, the Virginia Municipal League and the Virginia Association of Counties have negotiated an agreement for the provision of electrical services to localities located in the Commonwealth; and

WHEREAS, execution of this Agreement will enable James City County to obtain electrical services for the period from July 1, 2000 to June 30, 2007 at the rates available to municipalities and counties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute the Agreement for the Provision of Electric Service to the Municipalities and Counties of the Commonwealth of Virginia from the Virginia Electric and Power Company.

9. Colonial Narcotics Task Force Grant/Police Budget

RESOLUTION

COLONIAL NARCOTICS TASK FORCE

WHEREAS, the Board of Supervisors of James City County is the fiscal agent for a regional law enforcement program known as the Colonial Narcotics Task Force and the Task Force received \$24,000 instead of the \$20,000 budgeted and previously appropriated.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the budget and appropriates \$4,000 in grant funds to the FY 2001 budget of the Police Department for the benefit of the Colonial Narcotics Task Force.

6. Award of Contract – Video Center Equipment

Mr. Nervitt inquired how the new video equipment would fit into the scenario of a new Board Room.

Ms. Nowak stated that the new equipment would be independent of the Board Room, and utilized in the Video Center's studio to provide better service in studio productions. The Board Room video needs will be addressed separately.

Mr. Nervitt inquired if new equipment will allow the Board the option to hold its meetings in locations outside the Board Room.

Ms. Nowak stated that the new equipment would be tailored to the needs of the Video Center broadcasts and when the Board Room video equipment is addressed, that option would be considered.

Mr. Nervitt made a motion to adopt the resolution awarding the contract to the Whitlock Group.

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

RESOLUTION

AWARD OF CONTRACT – VIDEO CENTER EQUIPMENT

WHEREAS, Purchasing advertised and issued bids and one bid was received to design, furnish, and install fully functional remote controlled studio equipment at the Community Video Center; and

WHEREAS, staff has reviewed the bid and determined that the Whitlock Group submitted a responsive bid and determined the Whitlock Group to be qualified to complete the project; and

WHEREAS, the bid is within the Capital Budget allocated for the Community Video Center.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with the Whitlock Group in the amount of \$156,204.24.

7. Underground Utility Agreements – Cox Communications and Dominion Virginia Power

Mr. John T. P. Horne, Development Manager, stated that staff has worked with local utility providers to place overhead utilities underground in a number of locations in the County and request the Board adopt the resolution authorizing the County Administrator to sign agreements with Dominion Virginia Power and Cox Communications for the undergrounding of utilities in front of Jamestown High School, Five Forks, Route 5 and Route 199, and Sandy Bay Road at Jamestown Road.

Mr. Nervitt inquired if there is a matching grant for this work.

Mr. Horne stated there is not a matching grant for this work.

Mr. Nervitt inquired about the criteria in choosing the four locations to underground the overhead utilities.

Mr. Horne stated that these four locations were the most visible corridors, will have high traffic for Jamestown 2007, were identified and targeted in the adopted Comprehensive Plan.

Mr. Nervitt inquired if additional areas are being targeted that are susceptible to storm damage and subsequent outages of utility services.

Mr. Horne stated that Virginia Dominion Power is undertaking projects in some locations to address these concerns.

Mr. Wanner recommended this issue be added to the discussion of when the representative from Virginia Dominion Power comes before the Board.

Mr. Nervitt made a motion to adopt the resolution.

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

RESOLUTION

VIRGINIA ELECTRIC AND POWER COMPANY AGREEMENT

WHEREAS, the Virginia Municipal League and the Virginia Association of Counties have negotiated an agreement for the provision of electrical services to localities located in the Commonwealth; and

WHEREAS, execution of this Agreement will enable James City County to obtain electrical services for the period from July 1, 2000 to June 30, 2007 at the rates available to municipalities and counties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute the Agreement for the Provision of Electric Service to the Municipalities and Counties of the Commonwealth of Virginia from the Virginia Electric and Power Company.

F. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner provided an overview of the County's action in response to the terrorist attacks.

- The Emergency Operation Center (EOC) was opened.
- The Federal Emergency Management Agency (FEMA) activated Task Force and some of the County's firefighters have been deployed to Virginia Beach for staging.
- The crisis counseling teams were activated in the schools.
- The schools remained in session for the regular classroom day.
- The after-school activities were cancelled for today.
- The Surry siren drill has been cancelled for Wednesday.

Mr. Wanner stated that the County would continue to monitor the situation and open the EOC if necessary.

Mr. Wanner stated that Mr. Morton has prepared a resolution for the Board for the purchase of a scenic open space easement.

Mr. Morton stated that at its meeting on March 28, 2001, the Board reviewed a potential acquisition of a scenic open space easement along Forge Road. Since that meeting, the specific terms of the easement have been negotiated with the landowner. Mr. R. M. Hazelwood, Jr., property owner, is prepared to close the sale of the scenic open space easement and staff recommends the Board authorize the County to acquire the scenic open space easement.

Mr. Goodson inquired if the property would become County property.

Mr. Nervitt inquired if buildings would be permitted on the easement property.

Mr. Morton stated that the land would belong to Mr. Hazelwood, and the County would have an open space easement across the frontage to protect the Community Character Corridor. Limited uses and structures could be placed in the easement.

Mr. Goodson made a motion to adopt the resolution authorizing the purchase of the property.

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

RESOLUTION

PURCHASE OF SCENIC OPEN SPACE EASEMENT ALONG FORGE ROAD

WHEREAS, the Board of Supervisors of James City County is interested in acquiring a scenic open space easement over 18.45 +/- acres of real property along Forge Road (being a portion of James City County Tax Map Parcels (21-1)(1-19) and (21-1)(1-19A); and

WHEREAS, the Board of Supervisors of James City County has previously reviewed the specific location and valuation of this easement in closed session on March 28, 2001; and

WHEREAS the owner of the above-referenced properties is willing to sell such easement rights to James City County for the amount of \$32,287.50 (\$1,750.00 per acre); and

WHEREAS sufficient funds exist in the Greenspace Fund to acquire said easement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs Frank M. Morton III, County Attorney, to effect the purchase of the above-described scenic open space easement for the sum of \$32,287.50 plus closing costs and to accept such conveyance on behalf of the County.

Mr. Wanner recommended that upon completion of the Board's meeting tonight, that it recess to 4 p.m. Wednesday for a work session.

Mr. Wanner stated that an appointment of an individual to a County Commission is on the closed session agenda and suggested the Board could make this appointment in open session.

Mr. Kennedy made a motion to reappoint Mr. Willis Barnes to the Clean County Commission for a three-year term, term to expire on September 11, 2004.

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

G. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson presented a resolution for Board consideration regarding the Courthouse Maintenance Fund for the irrigation system at the Courthouse. Mr. Goodson stated that the County and City have discussed the Board's concern regarding the irrigation and the City has agreed to either use well water from an on-site well or will use the James City Service Authority ground water sources.

Mr. Larry Foster, General Manager of the James City Service Authority, stated that it is preferable for the Courthouse irrigation water to be supplied from a well drilled into the Upper Potomac Aquifer.

Mr. Goodson inquired if the City will use water conservation techniques as suggested by the County.

Mr. Foster stated that the City is willing to follow the County's lead.

Mr. Kennedy stated that he would like to see the Water Conservation Coordinator involved in County/City water conservation discussions, that he would prefer not to see the Courthouse irrigation running at midday or shortly after a rain storm.

Mr. Wanner stated that the City is in agreement with conservation suggestions; and that County staff and the City are in contact; and the City is aware of the Board's desire to conserve.

Mr. Nervitt inquired if the Upper Potomac Aquifer well for the Courthouse will affect the Chickahominy-Piney Point Aquifer.

Mr. Foster stated that the Upper Potomac Aquifer is feasible for a well, will not use potable water, and will not compete with the Chickahominy-Piney Point Aquifer.

The Board voted on Mr. Goodson's motion to adopt the Courthouse Maintenance Fund resolution concerning the irrigation system at the Courthouse.

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

RESOLUTION

COURTHOUSE MAINTENANCE FUND

WHEREAS, the Board of Supervisors of James City County has previously authorized the assessment of a courthouse maintenance fee; and

WHEREAS, the County jointly operates the courthouse in partnership with the City of Williamsburg; and

WHEREAS, funds are available in a City/County Courthouse Maintenance Fund to allow for the irrigation of the Courthouse property; and

WHEREAS, the City of Williamsburg has previously approved spending for Courthouse irrigation using well water, either from an on-site well or using James City Service Authority groundwater sources.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes an expenditure of up to \$45,000 from the current balance of the Courthouse Maintenance Fund for the Courthouse Irrigation System and authorizes the County Administrator to execute an operational agreement that sets out prudent water conservation objectives.

Mr. McGlennon welcomed that Mr. Russell Tabb, City of Williamsburg Council member, to the Board meeting.

Mr. McGlennon stated that letters were sent home with school children for parents with tips on how to deal with the events of the day and possible consequences.

Mr. Harrison stated that a town meeting will be held for the Berkeley District on Thursday at the James City/Williamsburg Community Center and all citizens are welcome to attend. The topics of discussion and feedback will be:

- "Let's Be Water Smart" program;
- U. S. Homes; and
- Friends of the Green Spring – potential closure of a portion of Centerville Road.

The Board recessed for a James City Service Authority Board of Directors meeting at 7:37 p.m.

The Board reconvened into open session at 7:44 p.m.

Mr. Kennedy made a motion to go into Closed Session pursuant to Section 2.1-244 (A) (5) of the Code of Virginia, to discuss prospective business where no previous announcement has been made.

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

The Board reconvened into open session at 8:15 p.m.

Mr. Harrison made a motion to adopt the certification of closed session resolution.

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

At 8:16 p.m., Mr. McGlennon recessed the Board to Wednesday 4:00 p.m.

Sanford B. Wanner
Clerk to the Board

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AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 12TH DAY OF SEPTEMBER, 2001, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman, Jamestown District
Bruce C. Goodson, Vice Chairman, Roberts District

Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Ronald A. Nervitt, Powhatan District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. BOARD DISCUSSION

1. Water Supply Update

Mr. Larry Foster provided the Board with an overview of the County's water supply including water supply sources; potential water supply sites; estimated water demands associated with pending developments; the James City Service Authority's current operational permits, historical water demand numbers, and water demand projections through 2015; and water conservation efforts.

The Board and staff discussed withdrawal demands on the aquifers, water supply limitations, water study results, population growth vs. water consumption increases over ten years, commercial water demands vs. residential water demands, planned water facilities, impacts of rate adjustments, and water demands vs. anticipated water supply through 2030. The Board discussed potential policy criteria.

Mr. McGlennon recessed the Board at 5:30 p.m. for a brief break.

Mr. McGlennon reconvened the Board at 5:38 p.m..

2. Comprehensive Plan Citizen Survey

Mr. Don Davis, Principal Planner, stated that in response to the Board's request, staff researched and provided information on conducting a citizen survey prior to the next Comprehensive Plan update; that staff has selected the Virginia Tech Center for Survey Research to develop and administer the survey; and has drafted a survey for the Board's review and comments.

Mr. Davis introduced Ms. Susan Willis-Walton, Associate Director for the Virginia Tech Center for Survey Research, who gave the Board an overview of the timeline for the administration of the survey, the method of collecting survey data, and the draft survey questions.

The Board, staff, and Ms. Willis-Walton, discussed aspects and clarifications of the survey questions, end results expected by asking citizens some of the draft survey questions, and focusing questions towards getting data to assist in updating the Comprehensive Plan.

3. James City County's Progress Report 2001

Mr. Wanner stated that citizens will be receiving the 2001 Progress Report shortly.

Mr. Harrison made a motion to adjourn.

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

Mr. McGlennon adjourned the Board at 6:13 p.m.

Sanford B. Wanner
Clerk to the Board

MEMORANDUM

DATE: September 25, 2001
TO: The Board of Supervisors
FROM: Darryl E. Cook, Environmental Director
SUBJECT: Installation of "Watch for Children" Signs - Greensprings Plantation

Effective July 1, 1997, the Code of Virginia was amended to allow counties to request that the Virginia Department of Transportation (VDOT) install and maintain "Watch for Children" signs. The law requires that a Board of Supervisors resolution be submitted to the Department authorizing them to take this action and allocating secondary road system maintenance funds for this purpose.

Residents of the Greensprings Plantation community have requested the Board of Supervisors have "Watch for Children" signs installed at neighborhood entrances at the locations shown on the attached drawing.

The attached resolution requests VDOT install and maintain two "Watch for Children" signs in the Greensprings Plantation subdivision.

Staff recommends adoption of the attached resolution.

Darryl E. Cook

CONCUR:

John T. P. Horne

DEC/adw
watchsigns2.mem

Attachments

RESOLUTION

INSTALLATION OF “WATCH FOR CHILDREN” SIGNS - GREENSPRINGS PLANTATION

WHEREAS, Section 33.1-210.2 of the Code of Virginia provides for the installation and maintenance of signs by the Virginia Department of Transportation, alerting motorists that children may be at play nearby, upon request by a local governing body; and

WHEREAS, Section 33.1-210.2 further requires that the funding for such signs be from the secondary road system maintenance allocation for the County; and

WHEREAS, the residents of Greensprings Plantation have requested that “Watch for Children” signs be installed on Frances Berkeley and Phillip Ludwell as illustrated on the attached drawing titled “Greensprings Plantation ‘Watch for Children Signs’.”

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request that the Virginia Department of Transportation install and maintain two “Watch for Children” signs as requested with funds from the County’s secondary road system maintenance allocation.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of September, 2001.

watchsigns2.res

M E M O R A N D U M

DATE: September 25, 2001

TO: The Board of Supervisors

FROM: Diana F. Hutchens, Director of Social Services

SUBJECT: New Position - Full-Time Permanent Social Worker with Adult Services

The Adult Services Unit, within the Division of Social Services, has experienced increases in demand for its programs over the past several years. This unit serves citizens over the age of 60 and those who are disabled over the age of 18. The services provided include investigation of adult abuse, neglect, or exploitation, including reports made on behalf of residents in private adult living facilities and public institutions such as Eastern State Hospital. The number of investigations has risen by 66 percent since 1998. Staff attributes the rise to the increase in population, more complaints being made from members in the community, an increase in the number of adult living facilities, and new state procedures for investigations at state institutions.

This group of social workers also provides the required screenings for those living in the community who need personal care or a nursing home placement. They must also assess the need for placement and public assistance for certain citizens seeking to reside in adult living facilities. These screenings have increased by 45 percent in the past year alone.

The Adult Services Unit also arranges for Companion Services, Social and Recreational programs, and screens for the AIDS waiver for Medicaid recipients. Additionally, Social Services has the responsibility for arranging guardians through the Circuit Court when citizens can no longer make decisions in their own best interest. They are also required to review all guardianship reports that are submitted to the Circuit Court and, when needed, investigate any improprieties or allegations of wrongdoing on the part of the appointed guardian.

Social Services works closely with the Peninsula Agency on Aging, the Historic Triangle Senior Center, Olde Towne Medical Center, and other organizations serving the elderly. The Division's goal is to collaborate and work in partnership to ensure that all needs of these vulnerable citizens are met. Many elderly and disabled residents require assistance with such things as obtaining medication, working with the Social Security system, transportation to critical appointments, locating safe housing, and arranging for home health care. Sometimes assistance is needed to ensure that the elderly or disabled individual has food, clothing, and shelter. They are frequently in need of counseling and support services and many rely on Social Services as they have no relatives available to help them.

In March of 2001, an employee working in Mediation and Child Day Care was moved to the Adult Services Unit to assist with the increase in workload. Her position was Part-Time Temporary and Part-Time Permanent. This position transfer was necessary to meet the increase in demand for Adult Services in our community. A decision was made to track the increase in workload for a period of six months to determine whether or not the trend over recent years was going to continue, and whether or not the position needed to be made permanent. A comprehensive review for this position, including statistical information, indicates that the establishment of a Full-Time Permanent Position is necessary.

Staff recommends the approval of the attached resolution to establish a new Full-Time Permanent Position within Adult Services and eliminate two part-time positions.

New Position - Full-Time Permanent Social Worker Position with Adult Services

September 25, 2001

Page 2

Diana F. Hutchens

CONCUR:

Anthony Conyers, Jr.

DFH/adw
socialserv2.mem

Attachment

RESOLUTION

NEW POSITION - FULL-TIME PERMANENT SOCIAL WORKER WITH ADULT SERVICES

WHEREAS, the elderly population in James City County has been steadily increasing; and

WHEREAS, the demand for Social Services programs related to that population have also been rising in recent years; and

WHEREAS, sufficient funds for this position are already available in the approved budget for the Division of Social Services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the elimination of one part-time permanent Social Worker position and one part-time temporary Social Worker position and establishes one full-time permanent Social Worker position to work in the Adult Services Programs.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of September, 2001.

MEMORANDUM

DATE: September 25, 2001
TO: The Board of Supervisors
FROM: Wayland N. Bass, County Engineer
SUBJECT: Intersection of Monticello Avenue and Centerville Road

The Monticello/Centerville Road intersection, shown on the attached photograph, is not within the project limits for the Transportation Improvement District (TID) project. The intersection needs to be reshaped and repaved so that Monticello Avenue will be the through street with stop signs on both sides at Centerville Road.

The intersection was initially built by the Greensprings Plantation developer as a tee intersection with Centerville Road as the through street.

The work to be done includes removing the crown in Centerville Road and repaving so that Monticello Avenue will function safely as a 45 mph through street. It is also necessary to remove some trees near the intersection to improve sight distance. Cost of this work is estimated at \$35,000.

Funds are available in Capital Contingency, which would be transferred to the Road Improvements C.I.P. account.

Staff recommends adoption of the attached resolution that authorizes use of County funds to complete this work.

Wayland N. Bass

CONCUR:

John T. P. Horne

WNB/gb
alt5.mem

Attachments

RESOLUTION

INTERSECTION OF MONTICELLO AVENUE AND CENTERVILLE ROAD

WHEREAS, Monticello Avenue is designed as a 45 mph through street; and

WHEREAS, Centerville Road was constructed as the through street at its intersection with Monticello Avenue; and

WHEREAS, modification of this intersection is necessary in order for it to perform safely.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia hereby authorizes the expenditure of up to \$35,000 to modify the intersection of Monticello Avenue and Centerville Road and also authorizes the transfer of \$35,000 from Capital Contingency to the Road Improvements C.I.P. account.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of
September, 2001.

alt5.res

MEMORANDUM

DATE: September 25, 2001
TO: The Board of Supervisors
FROM: Douglas H. Murrow, Director of Code Compliance
SUBJECT: Office of Code Compliance - Petty Cash Increase

In May, Code Compliance expanded services allowing permit fees to be paid at the Code Compliance counter in Building E. Since this time, the Code Compliance counter has been updated. This alteration included the installation of an additional cashier station and secure drawer. Based on four months of fee collection and the additional cashier station, the current amount of Petty Cash is inadequate.

Staff requests the Board approve an increase of the Code Compliance Petty Cash amount from \$50 to \$100.

Douglas H. Murrow

CONCUR:

John T. P. Horne

DHM/adw
pettycash2.mem

Attachment

RESOLUTION

OFFICE OF CODE COMPLIANCE - PETTY CASH INCREASE

WHEREAS, the Board of Supervisors of James City County has been requested to authorize an increase in petty cash of \$50 for the Office of Code Compliance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the Treasurer to increase petty cash from \$50 to \$100 for the Office of Code Compliance.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of September, 2001.

pettycash2.res

MEMORANDUM

DATE: September 25, 2001
TO: The Board of Supervisors
FROM: William C. Porter, Jr., Assistant County Administrator
SUBJECT: Resolution Condemning Terrorism and Supporting the President of the United States

In response to the tragic event of September 11, 2001, the National Association of Counties (NACO) and Virginia Association of Counties (VACo) have requested counties to pass resolutions condemning the terrorist attacks and supporting the President of the United States as he works with the national security team to defend against additional attacks and find the perpetrators to bring them to justice.

Staff recommends adoption of the attached resolution condemning the terrorist attacks and supporting the President

William C. Porter, Jr.

WCP/adw
terror.mem

Attachment

RESOLUTION

CONDEMNING TERRORISM AND SUPPORTING THE PRESIDENT

OF THE UNITED STATES

WHEREAS, on Tuesday, September 11, 2001, there was a sudden, brutal attack by terrorists who destroyed four civilian aircraft, crashing two into the towers of the World Trade Center in New York City and a third into the Pentagon in Arlington, Virginia; and

WHEREAS, innocent men, women, and children were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center, and in the Pentagon, rescue workers, law enforcement officers, and bystanders; and

WHEREAS, these cowardly terrorist attacks are the deadliest ever launched against the United States and were clearly intended to intimidate our nation and weaken our resolve; and

WHEREAS, it is important that we carry on with the regular activities of our lives as a sign that the American spirit will not be broken and that these cowardly attacks failed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby offer its deepest condolences to the families and friends of those injured, missing, and killed.

BE IT FURTHER RESOLVED that the Board of Supervisors does condemn the cowardly actions of the terrorists and support the President of the United States as he works to defend our nation and to locate the perpetrators and bring them to justice.

BE IT STILL FURTHER RESOLVED, that the Board of Supervisors encourages all citizens to support the relief efforts and to participate in appropriate programs and activities.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of
September, 2001.

terror.res

MEMORANDUM

DATE: September 25, 2001

TO: The Board of Supervisors

FROM: Sanford B. Wanner, County Administrator

SUBJECT: Authorization for County Administrator to Accept Civil Charges for Violation of the Chesapeake Bay Preservation Ordinance and Erosion and Sediment Control Ordinance

Attached for your consideration is a resolution authorizing the County Administrator to accept, on behalf of the County, offers to pay a civil charge in lieu of seeking civil penalties and other remedies through the judicial process. The authority to accept civil charges would apply only to violations of the County's Erosion and Sediment Control Ordinance and/or the Chesapeake Bay Preservation Ordinance. The person who violates either ordinance must agree to the amount of the civil charge.

In the event of a controversial case, the County Administrator would consult with the Board of Supervisors as he deems appropriate. If the County Administrator rejects an offer to pay a civil charge, the violator would still be able to seek approval from the Board of Supervisors. Once a civil charge is accepted, the County would no longer be able to prosecute a violation and seek a civil penalty.

I recommend adoption of the attached resolution.

Sanford B. Wanner

SBW/adw
civilch.mem

Attachment

RESOLUTION

AUTHORIZATION FOR COUNTY ADMINISTRATOR TO ACCEPT

CIVIL CHARGES FOR VIOLATION OF THE CHESAPEAKE BAY PRESERVATION

ORDINANCE AND EROSION AND SEDIMENT CONTROL ORDINANCE

WHEREAS, James City County Code Section 8-7 (F) allows the County to accept a civil charge of up to \$2,000 for violations of the Erosion and Sediment Control Ordinance; and

WHEREAS, James City County Code Section 23-18 (b) allows the County to accept a civil charge of up to \$10,000 for violations of the Chesapeake Bay Preservation Ordinance; and

WHEREAS, the Board of Supervisors desires to have the County Administrator decide, in consultation with the Board as may be appropriate, whether to accept a civil charge offered by a person who violates the County Ordinance or to pursue civil penalties or other remedies available through the judicial process.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to accept, on behalf of the County, a civil charge offered to settle a violation of the County's Erosion and Sediment Control Ordinance and/or the Chesapeake Bay Preservation Ordinance.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of September, 2001.

**AGRICULTURAL AND FORESTAL DISTRICT 06-86. Cranston's Pond - Ware Property
Withdrawal (deferred from August 14, 2001)
Staff Report for the September 25, 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
AFD Advisory Committee: April 20, 2001, 4:00 p.m.
Planning Commission: May 7, 2001, 7:00 p.m. (deferred)
June 4, 2001, 7:00 p.m. (deferred)
July 2, 2001, 6:00 p.m.
Board of Supervisors: August 14, 2001, 7:00 p.m. (deferred)
September 25, 2001, 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Alvin Anderson, on behalf of L. Wallace Sink, Trustee of the Ware Estate
Land Owner: Ware Estate, L. Wallace Sink
Proposed Use: Mixed Use Zoning. The applicant proposes developing a 2,000-unit, gated, golf-course community which is age restricted to 55 years and older. The application also includes 425,000 square feet of commercial area fronting Richmond Road.
Location: 6991 Richmond Road
Tax Map and Parcel No.: (23-4)(1-21)
Primary Service Area: Inside
Parcel Size: Approximately 90.79 acres
Existing Zoning: A-1, General Agriculture
Comprehensive Plan: Qualifying portions are Mixed Use, Moderate Density Residential, and Low-Density Residential
Surrounding Zoning: North: R-2, General Residential (Kristiansand)
B-1, General Business (North along Richmond Road is the Colonial Towne Plaza Shopping Center and the New England Grill & Market Restaurant)
South: A-1, General Agriculture (Many properties. Most notably the Massie Property, Briarwood Park Condominiums/

Manufactured Home Park, and the Settler's Lane
Manufactured Home Subdivision.)

East: M-1, Limited Business (The Williamsburg Pottery)

West: A-1, General Agriculture (Hidden Acres Farm)

Staff Contact: Ben Thompson - Phone: 253-6685

STAFF RECOMMENDATION:

The Applicant has requested that this case be deferred at the September 25, 2001, meeting until October 9, 2001. This will allow this application to run concurrently with the associated rezoning application (Z-04-00). Staff concurs with this request and recommends deferral of the application.

Benjamin A. Thompson

CONCUR:

O. Marvin Sowers, Jr.

BAT/gb
afd06-86.wpd

**REZONING 04-00/MP-01-01. Colonial Heritage at Williamsburg (deferred from August 14, 2001)
Staff Report for the September 25, 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: May 7, 2001, 7:00 p.m. (deferred)
June 4, 2001, 7:00 p.m. (deferred)
July 2, 2001, 6:00 p.m.
Board of Supervisors: August 14, 2001, 7:00 p.m. (deferred)
September 25, 2001, 7:00 p.m.

SUMMARY FACTS
Applicant: Mr. Alvin Anderson, on behalf of U.S. Home Corporation
Land Owner: Jack L. Massie and Virginia Massie, and L. Wallace Sink, Trustee of the Ware Estate

Proposed Use: Mixed Use Zoning. The applicant proposes developing a 2,000-unit, gated, golf-course community which is age restricted to 55 years and older. The application also includes 425,000 square feet of commercial area fronting Richmond Road.

Location: 6175 Centerville Road, 6799 Richmond Road, 6895 Richmond Road, 6993 Richmond Road, and 6991 Richmond Road

Tax Maps and Parcel Nos.: (23-4)(1-21), (23-4)(1-22), (24-3)(1-32), (31-1)(1-11), (24-3)(1-32a)

Primary Service Area: Inside

Parcel Size: Approximately 777 acres

Existing Zoning: A-1, General Agriculture, and M-1, Limited Business/Industrial

Proposed Zoning: MU, Mixed Use

Comprehensive Plan: Low-Density Residential, Moderate Density Residential, and Mixed Use

Surrounding Zoning: North: R-2, General Residential (Kristiansand Subdivision)
South: A-1, General Agriculture and R-1 Limited Residential (Briarwood Park Condominiums, Jameshire/Settler's Lane, and Adam's Hunt Subdivision)
East: B-1, General Business, and M-1 Limited Business/Industrial (Colonial Towne Plaza and The Williamsburg Pottery, respectively)
West: A-1, General Agriculture (Peninsula Boy Scouts of America/Camp Chickahominy and Hidden Acre Farm, Inc.)

Staff Contact: Ben Thompson - Phone: 253-6685

STAFF RECOMMENDATION:

The Applicant has requested deferral of this application from the September 25, 2001, Board of Supervisors meeting to October 9, 2001. Staff concurs with the applicant and recommends the deferral request be granted.

Benjamin A. Thompson

CONCUR:

O. Marvin Sowers, Jr.

BAT/gb
rezon0400&mp0101.wpd

SPECIAL USE PERMIT-15-01. Williamsburg Pottery Factory - Building No. 7 Replacement Staff Report for September 25, 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: September 5, 2001 - 7:00 p.m.
Board of Supervisors: September 25, 2001 - 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Richard Costello

Land Owner: Williamsburg Pottery Factory, Inc.

Proposed Use: Replacement retail sales building

Location: 6692 Richmond Road; Stonehouse District

Tax Map and Parcel No.: (24-3)(1-24)

Primary Service Area: Inside

Parcel Size: 18.86 acres

Existing Zoning: M-1, Limited Business/Industrial

Comprehensive Plan: Mixed Use

Surrounding Zoning: North: B-1, General Business (Go-Karts Plus)
South: M-1 (restaurant)
East: M-1 (Williamsburg Pottery Factory)
West: A-1, General Agriculture (Massie property - U. S. Home rezoning)

Staff Contact: Jill E. Schmidle - Phone (757) 253-6685

STAFF RECOMMENDATION:

Staff finds the proposal consistent with the surrounding properties and uses. Staff also finds the proposal consistent with the Comprehensive Plan and consistent with previous actions taken by the Board of Supervisors. On September 5, 2001, the Planning Commission voted 6-0 to approve the project, with an additional condition regarding landscaping. Staff recommends the Board of Supervisors approve this special use permit with the attached conditions.

Description of Project

Mr. Richard Costello has applied on behalf of the Williamsburg Pottery Factory for a special use permit to allow the construction of a new retail sales building of 6,750 square feet to replace an existing 5,750-square foot structure known as Building No. 7 or the "Haitian Building."

Surrounding Zoning and Development

The property is located on Richmond Road and is zoned M-1, Limited Business/Industrial District. Property to the north is zoned B-1, General Business, and contains Go-Karts Plus. To the east of the site is property zoned M-1 and contains the remainder of the Pottery site. A restaurant is to the south of the site and is also zoned M-1. To the west of the site across Richmond Road is the undeveloped Massie property, zoned A-1, General Agricultural, and the site of the U.S. Home rezoning proposal. Staff finds the proposed replacement to be compatible with surrounding zoning and development since it does not constitute a major expansion of the Pottery sales area nor does it intrude into undeveloped land.

Topography and Physical Characteristics

The site contains an existing retail sales area on the Pottery complex. The topography is flat and stormwater runoff from the site drains to an existing BMP facility. This project constitutes a redevelopment of an existing impervious surface within the watershed currently being served by a BMP on the Pottery site. Stormwater management facilities for this portion of the Pottery were developed and updated as part of the continuing development and redevelopment of this area in an effort to ensure that both stormwater quantity and quality issues are being addressed. The BMP facility was reviewed in March 1994 and has been inspected and maintained as development has progressed on the Pottery site. This project does not directly impact any nearby streams or lakes. No environmentally sensitive areas are known to exist within or adjacent to this project site. Stormwater features on this site are of sufficient capacity to handle this redevelopment project and no additional stormwater management infrastructure will be required.

Public Utilities

The property is served by public water and sewer and is located within the Primary Service Area. Adequate capacity is available to serve the replacement building.

Traffic Impacts and Access

The Pottery is currently accessed from Richmond Road and Lightfoot Road. No new access points are being proposed with this request. A traffic study was completed in 1982, and determined that the Pottery site generates approximately 25 trips per-day per 1,000 square feet in the PM peak hour. The net increase in square footage for the replacement building is 1,000 square feet, and the projected traffic increase is 25 trips per peak hour. Because the expansion is very small, staff has not requested an updated traffic study. No road improvements are recommended. Despite the age of the report, staff finds the conditions remain valid and applicable to the current traffic conditions at the Pottery site.

Comprehensive Plan

The property is designated Mixed Use on the Comprehensive Plan. Mixed Use areas are centers within the Primary Service Area where higher density development, redevelopment, and/or a broader spectrum of land uses are encouraged. Mixed use areas located at or near interstate interchanges, and the intersections of major thoroughfares are intended to maximize the economic development potential of these areas by providing areas primarily for more intensive commercial, office, and limited industrial uses.

The land east of Richmond Road is developed as support uses for the Pottery. For lands west of Richmond Road, the principal suggested uses are large commercial developments and large office developments. Moderate density residential uses are encouraged as secondary uses.

Staff finds the proposed use is consistent with the Comprehensive Plan. The proposal constitutes redevelopment of an existing retail site within the Pottery complex, which is encouraged by the Comprehensive Plan. Although there is a net increase of sales area for the Pottery as a whole, the increase can be accommodated by the site, which is already an intensely developed area within the Pottery complex.

RECOMMENDATION:

Staff finds the proposal consistent with the surrounding properties and uses. Staff also finds the proposal consistent with the Comprehensive Plan and consistent with previous actions taken by the Board of Supervisors. On September 5, 2001, the Planning Commission voted 6-0 to approve the project, with an additional condition regarding landscaping. Staff recommends the Board of Supervisors approve this special use permit with the following conditions:

1. If a certificate of occupancy has not been obtained for the project within thirty-six months from the issuance of the special use permit, the permit shall become void.
2. This special use permit shall be limited to the following: The demolition of a 5,750-square foot building known as Building No. 7 or the "Haitian Building" and construction of a 6,750-square foot replacement facility. Development of the site shall be generally in accordance with the Conceptual Plan "Master Plan of Redevelopment - Building No. 7 for Special Use Permit Application - Williamsburg Pottery Factory" prepared by AES Consulting Engineers, dated June 2001.
3. All required landscaping as part of this project (SUP-15-01) and approved Case No. SUP-18-98, or the equivalent as approved by the Director of Planning, shall be installed prior to issuance of a certificate of occupancy for Building No. 7.
4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Jill E. Schmidle

CONCUR:

O. Marvin Sowers, Jr.

JES/gs
sup15-01.wpd

Attachments:

1. Location Map
2. Planning Commission minutes
3. Project Layout (separate attachment)
4. Resolution

RESOLUTION

CASE NO. SUP-15-01. WILLIAMSBURG POTTERY FACTORY -

- 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. Richard Costello has applied for a special use permit to allow a replacement retail sales building of 6,750 square feet located at 6692 Richmond Road; and
- WHEREAS, the property is located on land zoned M-1, Limited Business/Industrial District, and can be further identified as Parcel No. (1-24) on James City County Real Estate Tax Map No. 24-3); and
- WHEREAS, the Planning Commission, following its public hearing on September 5, 2001, voted 6-0 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-15-01 as described herein with the following conditions:

1. If a certificate of occupancy has not been obtained for the project within thirty-six months from the issuance of the special use permit, the permit shall become void.
2. This special use permit shall be limited to the following: The demolition of a 5,750-square foot building known as Building No. 7, or the "Haitian Building," and construction of a 6,750-square foot replacement facility. Development of the site shall be generally in accordance with the Conceptual Plan "Master Plan of Redevelopment - Building No. 7 for Special Use Permit Application - Williamsburg Pottery Factory" prepared by AES Consulting Engineers, dated June 2001.
3. All required landscaping as part of this project (SUP-15-01) and approved Case No. SUP-18-98 or the equivalent as approved by the Director of Planning, shall be installed prior to issuance of a certificate of occupancy for Building No. 7.
4. This special use permit is not severable. Invalidity of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of
September, 2001.

MEMORANDUM

DATE: September 25, 2001
TO: The Board of Supervisors
FROM: Greg H. Dohrman, Assistant County Attorney
SUBJECT: Release of Easement on Property Located at 5237 Olde Towne Road

James City County closed the purchase of 5237 Olde Towne Road, an unimproved parcel adjacent to the Human Services Building, on July 31, 2001, pursuant to a Board of Supervisors resolution. The parcel is currently encumbered by an ingress/egress easement that has never been utilized. The location of this easement is shown on the attached copy of a survey of the property. The benefit that the easement provides to this parcel is negligible compared to the significant restrictions it could place on any future improvements.

All parties who currently have an interest in the easement, other than the County, namely Lois Saunier Hornsby, Citizens & Farmers Bank, and ABF Partnership, have agreed to extinguish it. Each of these parties has executed a Release of Easement dated July 23, 2001, a copy of which is attached hereto. Final vacation of the easement can be accomplished if James City County executes and records the Release of Easement.

The County Attorney's staff recommends that the Board authorize the County to join in the release of this easement.

Greg H. Dohrman

CONCUR:

Frank M. Morton, III

GHD/tlc
easemntrel.mem

Attachments

RESOLUTION

RELEASE OF EASEMENT ON PROPERTY

LOCATED AT 5237 OLDE TOWNE ROAD

WHEREAS, James City County purchased a parcel of property located at 5237 Olde Towne Road pursuant to a resolution adopted by the Board of Supervisors of James City County, Virginia on July 24, 2001; and

WHEREAS, the property is encumbered by an ingress/egress easement that has never been utilized; and

WHEREAS, the other parties having an interest in the easement desire to extinguish it, and have executed a Release of Easement to accomplish this; and

WHEREAS, extinguishing said easement will increase the utility of the property to James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to execute an appropriate Release to extinguish the ingress/egress easement over and adjacent to the property located at 5237 Olde Towne Road.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

William C. Porter, Jr.
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of September, 2001.

easemntrel.res

M E M O R A N D U M

DATE: September 25, 2001

TO: The Board of Supervisors

FROM: Sanford B. Wanner, County Administrator

SUBJECT: Water Policy Options - James City Service Authority Central H₂O System

The Board of Supervisors ("Board") was briefed on September 12, 2001, by Larry Foster, General Manager of the James City Service Authority (JCSA), about current and projected water demands and supply. In conjunction with that briefing, the Board requested staff to prepare water policy options for it to consider in deliberating current and future rezoning and special use permits (SUPs) applications ("applications") until such time as a draft permit is issued by the State Department of Environmental Quality (DEQ) for groundwater withdrawal to support a brackish groundwater treatment facility ("facility"). Once that draft permit is issued, it would be appropriate to review any previous policy.

Staff offers the following options which apply only to pending or future rezoning on SUP applications:

1. Adopt a formal policy tying issuance of building permits to issuance of a draft permit from DEQ to support the facility. There would, in addition, be the added expectation of a proffer addressing future water supply costs. Any application would be processed through the Planning Commission.
2. Continue, in lieu of adopting a formal policy, the review and processing of applications by staff with the expectation that applicants would address these criteria set out in Paragraph 1 or offer, for the Board's consideration, sufficient mitigating factors to offset the need for such criteria. Any application filed would be processed through the Planning Commission.
3. Apply either Paragraph 1 or 2, but grandfather any applications that are currently in process, i.e., those that have a pending application upon which the applicant has relied on existing County policy. (Obviously, the applications would have to gain the normal approvals under our land use policies, regulations, and ordinances.)

Staff recommends the Board endorse Paragraph 3, regarding any pending applications and Paragraph 2, for any applications filed after this date. Staff endorses this approach for the following reasons:

- Grandfathering current applications is consistent with the County's past actions recognizing the reliance by those applicants on existing policy and significant expenditures of funds in reliance thereon.
- It is anticipated that DEQ will issue its draft permit for the withdrawal in the next 12 to 15 months.
- Staff recognizes that there is, from all sources, a current excess of 1.75-million gallons per day in the system. While approval of the existing applications would expedite the time frame in which new water supply sources would need to be identified, this is not atypical, i.e., JCSA is always involved in efforts to expand its water supplies.
- Endorsing the approach set out in Paragraph 2 for future applications gives the Board more flexibility in reviewing cases and would permit the consideration of an application offering significant beneficial impact to the County.

RECOMMENDATION:

I recommend the Board endorse the policy option set forth in Paragraph 3, grandfathering current applications and apply Paragraph 2 to future applications filed prior to DEQ issuing its draft permit for the groundwater withdrawal.

Sanford B. Wanner

SBW/adw
waterpol.mem

Attachment