

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 10, 2015
6:30 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Lexie Hovey, a 1st grade student at Rawls Byrd Elementary School and a resident of the Roberts District

E. PRESENTATIONS

F. PUBLIC COMMENT - Until 7 p.m.

G. CONSENT CALENDAR

1. Minutes Adoption
2. Contract Purchase- Ruggedized Mobile Computers for Police and Fire - \$250,903
3. FY16 Litter Prevention & Recycling Grant

H. PUBLIC HEARING(S)

1. SUP-0003-2015. Colonial Heritage Deer Lake Estates Utility Extension

I. BOARD CONSIDERATION(S),

1. Contract Award- Courthouse Roof Replacement - \$703,499

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

L. PUBLIC COMMENT

M. CLOSED SESSION

N. ADJOURNMENT

1. Adjourn until 4 pm on November 24, 2015 for the Work Session

ITEM SUMMARY

DATE: 11/10/2015

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Pledge Leader - Lexie Hovey, a 1st grade student at Rawls Byrd Elementary School and a resident of the Roberts District

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	10/28/2015 - 4:10 PM

ITEM SUMMARY

DATE: 11/10/2015

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Minutes Adoption

Includes the October 27, 2015 Work Session and Regular Meeting minutes, as well as the May 26, 2015 Work Session minutes.

ATTACHMENTS:

	Description	Type
▣	052615boswork-mins	Minutes
▣	102715boswork-mins	Minutes
▣	102715bos-mins	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	10/28/2015 - 4:08 PM

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION WITH PLANNING COMMISSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 26, 2015
4:00 PM

A. CALL TO ORDER

Mr. Hipple called the Board of Supervisors to order.

Mr. Holt called the Planning Commission to order.

B. ROLL CALL

Board of Supervisors

Mary K. Jones, Berkeley District

John J. McGlennon, Roberts District

Kevin D. Onizuk, Vice-Chairman, Jamestown District

James G. Kennedy, Stonehouse District

Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator

Planning Commission

Rich Krapf, Powhatan District

Tim O'Connor, At Large Representative

Christopher Basic, Vice-Chairman, Berkeley District

George Drummond, Roberts District

John Wright, III, At Large Representative

Heath Richardson, Stonehouse District

Robin Bledsoe, Chairman, Jamestown District

Paul Holt, Planning Director, Secretary to the Commission

C. BOARD DISCUSSIONS

1. Mooretown Road Extended Corridor Study Alignment Update

Mr. Jason Purse, Zoning Administrator, addressed the Board stating that the Mooretown Road Extended Corridor Study was started in March 2014. Three public meetings were subsequently held to engage the community on issues and opportunities that should be considered during the development of alternative alignments for the potential roadway. VHB, the consultant leading the project, has prepared a brief presentation to provide an update to and receive feedback from the Board of Supervisors on a potential alignment of Mooretown Road Extended. This is an abbreviated version of the presentation from the most recent public meeting held on March 12, 2015.

After the presentation, the Board generally discussed the Corridor Study, the three different alternatives, possible uses for the developable land in the area and a planning level estimate of the cost to build.

2. Joint Board of Supervisors and Planning Commission Work Session - Update on the 2009 Comprehensive Plan Review, "Toward 2035: Leading the Way"

Ms. Tammy Rosario, Principle Planner, addressed the Board stating in accordance with the adopted methodology for the streamlined 2009 Comprehensive Plan review, Toward

2035: Leading the Way, joint work sessions were planned at various milestone points in the plan's development to allow for discussion between the Planning Commission and the Board of Supervisors on the progress reached and direction moving forward. Based upon the feedback at the January joint work session with the Board, the Planning Commission completed its review and recommended approval of the draft plan in April, paving the way for this work session to focus on the Planning Commission's final discussions, revisions and recommendation of approval.

Ms. Robin Bledsoe, Planning Commission Chairman, stated that on April 1, 2015, the Planning Commission reviewed the above information during its public hearing on the draft Comprehensive Plan. Following discussion, the Planning Commission took individual votes on three land use applications:

- 1 - LU-0003-2014, 499 Jolly Pond Road (Colonial Heritage) - The Planning Commission recommended approval of LU-0003-2014, which would redesignate the property to Low Density Residential and include it in the Primary Service Area, by a vote of 5-2.
- 2 - LU-0007-2014, 8515 Pocahontas Trail (Kingsmill and Woods Course) - The Planning Commission recommended approval of LU-0007-2014 as recommended by the Planning Commission Working Group (PCWG), which would change 8515 Pocahontas Trail to Low Density Residential and 101 Busch Service Road to Open Space/Recreation and leave 8581 Pocahontas Trail as Limited Industry, by a vote of 5-1-1.
- 3 - LU-0009-2014, 5961 Pocahontas Trail (BASF Property) - A motion to recommend approval of LU-0009-2014, which would redesignate the property to Mixed Use (with a Mixed Use description that references Fort Eustis), failed by a vote of 3-4.

In addition, the Planning Commission discussed the pending revisions to address the Virginia Department of Transportation comments and to add the Executive Summary. Afterwards, the Planning Commission voted 7-0 to recommend approval of the draft Comprehensive Plan inclusive of those changes and the remaining land use applications as recommended by the PCWG on the voting sheet. These revisions are shown on the attached errata sheet for the Board of Supervisors' consideration of the 2035 Comprehensive Plan.

Ms. Jones followed-up on the question of possible industrial development available for the area, even without the BASF property, that was asked during the Commission meeting.

Ms. Ellen Cook, Planner III, stated that in the lower part of the County there is 321 acres of vacant M-1 or M-2 zoned land available that is developable, more generally there is 1,458 acres of developable or partially developed land that is zoned M-1 or M-2 in the County and there is roughly 3,312 acres of M-1, M-2 or Mixed Use land designated on the Comprehensive Plan.

Significant discussion ensued regarding several of the Land Use Applications, the impact on water withdrawal and the Primary Service Area (PSA). There was concern raised over the considerable exception being made to the PSA with the Colonial Heritage Land Use Application. The broader implications for the PSA was brought into question and several Board members reiterated their desire to have a broader discussion on the PSA as a growth management tool. More discussion ensued regarding density and more intense development through that corridor near Colonial Heritage and Centerville Road.

Ms. Rosario stated that if there are Land Use Applications that the Board would like broken out from the rest of the overall vote, then staff is happy to do so and to let those

property owners know. She stated that she believes that she is hearing that desire, especially regarding Colonial Heritage.

Mr. McGlennon stated that his preference would be to vote on the Land Use Applications individually during the Board meeting on June 9 and Mr. Onizuk concurred. The rest of the Board voiced their agreement as well.

Mr. Onizuk stated that he would like to have the broader discussion on the PSA and Land Use with the Planning Commission in the near future. Mr. Hipple concurred.

Mr. Hill stated that he would like the opportunity to sit down with the team and determine a list of topics that have been discussed regarding these topics and hopefully work systematically. He would prefer not to assign topics on the fly.

As there were no other questions for the Planning Commission, Ms. Bledsoe adjourned the Planning Commission at 5:19 p.m.

D. CLOSED SESSION

E. ADJOURNMENT

1. Adjourn until Regular Meeting

A motion to Adjourn was made by Mr. Kennedy and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

At 5:20 p.m., Mr. Hipple adjourned the Board.

Bryan J. Hill
County Administrator

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
October 27, 2015
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Mary K. Jones, Berkeley District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Vice-Chairman, Jamestown District
James G. Kennedy, Stonehouse District
Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator
Michelle M. Gowdy, County Attorney

C. BOARD DISCUSSIONS

D. CLOSED SESSION

A motion to Enter a Closed Session was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

1. Consideration of a personnel matter involving the performance of the County Administrator pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia
2. Consultation with legal counsel on a specific legal matter requiring the provision of legal advice and concerning Virginia Dominion Power pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia
3. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia
4. Certification of Closed Session

A motion to Certify the Close Session was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

The Board reentered Open Session at 5:19 p.m.

Mr. McGlennon made a motion to approve the resolution entitled "Authorizing Contract Agreement with Mr. Bryan J. Hill."

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Mr. McGlennon made a motion to approve the resolution entitled "Skiffes Creek Switching Station Request for a Delay by Applicant to December 8, 2015."

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Mr. McGlennon made a motion to appoint Mr. Glenn Carter to the Stormwater Program Advisory Committee for a four-year term that would be effective immediately and expire on June 30, 2019.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

E. ADJOURNMENT

1. Adjourn until Regular Meeting at 6:30 p.m.

A motion to Adjourn was made by Mr. Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

At 5:20 p.m., Mr. Hipple adjourned the Board.

Bryan J. Hill
County Administrator

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
October 27, 2015
6:30 PM

A. CALL TO ORDER

B. ROLL CALL

Mary K. Jones, Berkeley District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Vice-Chairman, Jamestown District
James G. Kennedy, Stonehouse District
Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator
Michelle M. Gowdy, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader – Jacobi Cherry, a 6th-grade student at Hornsby Middle School and resident of the Powhatan District.

E. PRESENTATIONS

F. PUBLIC COMMENT - Until 7 p.m.

1. Mr. Chris Henderson, 101 Keystone, addressed the Board regarding the property tax bills and the Essex Court Stream Restoration project.
2. Mr. Ed Oyer, 139 Indian Circle, addressed the Board regarding the development throughout the County and proposed power lines that are now necessary.
3. Ms. Rosanne Reddin, 4700 Presidents Court, addressed the Board regarding the recent community meeting held by Mr. Hipple.
4. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board regarding the recent political debate held at Legacy Hall and addressed spending on the Purchase of Development Rights program.
5. Ms. Barbara Henry, 141 Devon Road, addressed the Board regarding the installation of an online checkbook register.
6. Mr. Jay Everson, 103 Branscome Blvd., addressed the Board regarding the property tax bills.

G. CONSENT CALENDAR

Mr. Onizuk requested that Item No. 9 be pulled from the Consent Calendar for discussion and separate vote.

Ms. Jones requested that Item No. 10 be pulled from the Consent Calendar for discussion and separate vote.

1. Minutes Adoption - October 13, 2015 Regular Meeting

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

2. Department of Motor Vehicles Grant Award - Occupant Protection - \$3,850

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

3. Department of Motor Vehicles Grant Award - Speed Enforcement - \$19,404

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

4. Department of Motor Vehicles Grant Award - Alcohol Enforcement - \$26,716

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

5. Establishment of a Petty Cash Fund - \$500

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

6. Federal Grant Award - Department of Justice, Office on Violence Against Women - \$450,000

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

7. Grant Appropriation - Clerk of the Circuit Court - \$39,935

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

8. Case No. MP-01-2015. Greensprings Plantation Master Sign Plan Amendment

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

9. Contract Award - Essex Court Stream Restoration - \$211,955

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Mr. Onizuk stated that Mr. Henderson emailed several questions regarding this project to the Board and County Administration earlier today. He stated that he would read some of the questions and the answers provided by County Administration for the benefit of the public.

1. How does this project meet Municipal Separate Storm Sewer System (MS4) targets if it is not on County owned or controlled land?

The project meets MS4 targets because the County possesses an easement over the property.

2. Does any County owned or controlled drain into this area? It would appear not based on the drainage area description of housing and woodland.

No.

3. What is the cost per linear foot of restoration? It seems excessively high?

The cost is \$465 per linear foot. This is typical of stream restoration costs on other projects in the County.

4. How is phosphorous being removed? Is it through a Best Management Practice (BMP) to be installed in or adjacent to the stream?

Phosphorous is carried into the receiving water along with eroded soil particles. The stream restoration prevents phosphorous pollution primarily by preventing streambank erosion. Additionally, by reconnecting the stream with existing wetlands and creating new wetlands the project slows runoff to encourage settling of soil and phosphorous particles in the wetland vegetation which then uptakes the phosphorous in natural process.

5. Does this expand our MS4 obligations since it would become a County-owned or controlled property?

Per Department of Environmental Quality guidance stream restorations provide nutrient reductions, but unlike other BMP's do not result in an increased MS4 area.

6. Who maintains this once work is completed?

The County will maintain the work. Typical maintenance is minor and is generally focused on replacing dead vegetation. Once vegetation is established the stream restorations are primarily stable.

On the broader issue of James City County involvement in private property stormwater matters, please note this is one of the 15 projects approved for action in the FY 16 budget process. Total projects are 62 over a period of five years. Each year a project list will be added, for example FY 17-FY 21 will be associated with the next budget cycle. As they are non-recurring projects, the intent is to address the numerous projects that have not had the needed attention.

Mr. Kennedy and Mr. Onizuk thanked Mr. Hill for his responsiveness and transparency.

10. Virginia Department of Transportation (VDOT) Revenue Sharing Program - Fiscal Year 2017

A motion to Approve was made by Ms. Jones and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Ms. Jones expressed considerable concern over requiring localities to share the cost of road projects when citizens pay taxes to the state for the building and maintenance of roads. She suggested that this shift be discussed during a Work Session and how the County will look to handle this in the future. She stated that she will support this item this evening, but there is a broader issue at stake here and the Board needs to address it.

Mr. Hill and Mr. Kennedy made general comments on the direction of VDOT to make localities share the cost of road projects. General discussion ensued regarding getting the same recognition as cities and the taxing authority.

H. PUBLIC HEARING(S) - None

I. BOARD CONSIDERATION(S) - None

J. BOARD REQUESTS AND DIRECTIVES

Several Board members generally discussed their activities in the community and throughout the region since the previous meeting.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Trick-or-treat hours in James City County are from 6-8 p.m. on Saturday, October 31 for children 12 and under. James City County Police would like to remind anyone who will be out driving to watch for children trick-or-treating as they might forget to watch out for you. JCC TV is featuring a new video program that provides a short recap on the most recent Board of Supervisors meeting. He stated that he will take viewers through the agenda highlighting the key points in the presentations, the discussions and the Board's decisions. He plans to provide the updates following each Board meeting as a regular series online and on JCC TV. Viewers can find the recaps online on the County's YouTube page or on JCC TV on Cox Cable Channel 48. He also presented a new video that highlights the activities in the community and will be used for tourism.

L. PUBLIC COMMENT

1. Mr. Jack Fowler, 109 Wilderness Lane, addressed the Board regarding the way that politicians spin facts and the increased cost of living while pay and retirement stays the same.
2. Mr. Aiden Digges, 3707 Ironbound Road, addressed the Board regarding Supervisors listing P.O. boxes on the website instead of their actual physical addresses.
3. Ms. Betty Walker, 101 Locust Place, addressed the Board regarding Common Core.
4. Ms. Juliet Wright, 805 North Henry Street, addressed the Board regarding her concerns about unlawful discrimination.

M. CLOSED SESSION

N. ADJOURNMENT

1. Adjourn until 6:30 p.m. on November 10, 2015, for the Regular Meeting

A motion to Adjourn was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

At 7:28 p.m., Mr. Hipple adjourned the Board.

Bryan J. Hill
County Administrator

ITEM SUMMARY

DATE: 11/10/2015

TO: The Board of Supervisors

FROM: Kitty Hall, Director of Purchasing Division

SUBJECT: Recommendation for Contract Award for purchase of Ruggedized Mobile Computers for Police and Fire - \$250,903

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Purchasing	Hall, Kitty	Approved	10/23/2015 - 2:22 PM
Financial Management	Mellen, Sue	Approved	10/23/2015 - 2:45 PM
Publication Management	Burcham, Nan	Approved	10/26/2015 - 10:43 AM
Legal Review	Gowdy, Michelle	Approved	10/26/2015 - 11:05 AM
Board Secretary	Fellows, Teresa	Approved	10/26/2015 - 4:19 PM
Board Secretary	Kinsman, Adam	Approved	10/29/2015 - 10:20 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2015 - 10:31 AM

M E M O R A N D U M

DATE: November 10, 2015

TO: The Board of Supervisors

FROM: Kitty Hall, Director of Purchasing

SUBJECT: Contract Purchase - Ruggedized Mobile Computers for Police and Fire - \$250,903

On September 23, 2015, a Request for Quotation was issued to Electronic Systems Inc. through a Virginia Information Technologies Agency (VITA) state contract. This purchase is for 87 Dell ruggedized mobile computers and mounting hardware to replace the current systems in Police patrol and Fire rescue vehicles. The mobile computers will replace systems that have been in operation for more than five years.

Based on an evaluation by Information Technology, Police and Fire staff members, Electronic Systems Inc. was determined to be a fully qualified vendor to meet the needs of the County. A purchase cost of \$250,903.15 was negotiated and is within the Capital Improvements Program budget allocated for this project.

Staff recommends approval of the attached resolution.

KH/nb
CA-IT-DellMDT-mem

RESOLUTION

CONTRACT PURCHASE - RUGGEDIZED MOBILE COMPUTERS

FOR POLICE AND FIRE - \$250,903

WHEREAS, a Request for Quotation was issued to Electronic Systems Inc. through a Virginia Information Technologies Agency state contract; and

WHEREAS, funds are available in the James City County Capital Improvements Program budget for the purpose of replacing aging mobile computers in Police patrol and Fire rescue vehicles; and

WHEREAS, upon evaluating the specifications, Electronic Systems Inc. was determined to be a fully qualified vendor to meet the needs of the County and a purchase cost of \$250,903.15 was negotiated and is within the allocated budget for this project.

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 Electronic Systems Inc. for the purchase of ruggedized mobile computers and mounting hardware.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
JONES	_____	_____	_____
MCGLENNON	_____	_____	_____
ONIZUK	_____	_____	_____
KENNEDY	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2015.

CA-IT-DellMDT-res

ITEM SUMMARY

DATE: 11/10/2015

TO: The Board of Supervisors

FROM: Dawn Oleksy, Environmental Coordinator

SUBJECT: FY16 Litter Prevention & Recycling Grant

ATTACHMENTS:

	Description	Type
▣	FY16 Litter Grant Cover Memo	Cover Memo
▣	FY16 Litter Grant Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
General Services	Horne, John	Approved	10/30/2015 - 11:35 AM
Publication Management	Burcham, Nan	Approved	10/30/2015 - 1:47 PM
Legal Review	Gowdy, Michelle	Approved	10/30/2015 - 1:57 PM
Board Secretary	Fellows, Teresa	Approved	11/2/2015 - 11:06 AM
Board Secretary	Kinsman, Adam	Approved	11/2/2015 - 11:15 AM
Board Secretary	Fellows, Teresa	Approved	11/2/2015 - 11:27 AM

MEMORANDUM

DATE: November 10, 2015

TO: The Board of Supervisors

FROM: Dawn Oleksy, Environmental Coordinator, General Services

SUBJECT: Grant Award - Virginia Department of Environmental Quality - \$13,154

The FY 2016 Virginia Department of Environmental Quality Litter Prevention and Recycling Grant was awarded to James City County in the amount of \$13,154.

The attached resolution appropriates the grant amount of \$13,154 to the Special Projects/Grants Fund in support of the litter prevention, beautification and recycling programs.

The litter grant fund is appropriated by the James City Clean County Commission to educate and encourage residents, local businesses and industry to enhance both the physical and visual environment. Examples of annual programs and activities supported by the litter grant include the Annual Spring Cleanup, Community Outreach and Environmental Education, Household and Hazardous Chemical Collections and Computer Recycling.

Staff recommends adoption of the attached resolution.

DO/nb
GA-LitterGrant-mem

Attachment

RESOLUTION

GRANT AWARD - VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY - \$13,154

WHEREAS, the Department of Environmental Quality has awarded James City County a Litter Prevention and Recycling Grant in the amount of \$13,154.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund.

Revenue:

Litter Control Grant	<u>\$13,154</u>
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Expenditure:

Litter Control Grant	<u>\$13,154</u>
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Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
JONES	_____	_____	_____
MCGLENNON	_____	_____	_____
ONIZUK	_____	_____	_____
KENNEDY	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2015.

GA-LitterGrant-res

ITEM SUMMARY

DATE: 11/10/2015

TO: The Board of Supervisors

FROM: Roberta Sulouff, Planner I

SUBJECT: Case No. SUP-0003-2015, Colonial Heritage Deer Lake Estates Utility Extension

ATTACHMENTS:

	Description	Type
▣	staff report	Staff Report
▣	resolution	Resolution
▣	Attachment 2 Location Map	Backup Material
▣	Attachment 3 Unapproved PC Minutes 100717	Minutes
▣	Attachment 4 Adopted SUP Resolution SUP-21-04	Backup Material
▣	Attachment 5 - 5. Exhibit Titled "Deer Lake Estates Utility Extension"	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	10/23/2015 - 8:57 AM
Development Management	Kinsman, Adam	Approved	10/29/2015 - 8:31 AM
Publication Management	Burcham, Nan	Approved	10/29/2015 - 9:34 AM
Legal Review	Gowdy, Michelle	Approved	10/29/2015 - 1:14 PM
Board Secretary	Fellows, Teresa	Approved	10/29/2015 - 4:58 PM
Board Secretary	Kinsman, Adam	Approved	11/2/2015 - 11:15 AM
Board Secretary	Fellows, Teresa	Approved	11/2/2015 - 11:28 AM

SPECIAL USE PERMIT-0003-2015. Colonial Heritage Deer Lake Estates Utility Extension Staff Report for the November 10, 2015, 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

Planning Commission:
Board of Supervisors:

Building F Board Room; County Government Complex

October 7, 2015, 7:00 p.m.
November 10, 2015, 6:30 p.m.

SUMMARY FACTS

Applicant: Mr. William Holt, Kaufman and Canoles

Land Owner: Colonial Heritage LLC

Proposal: Water facilities (public or private) and sewer facilities (public), including transmission mains and associated equipment, are specially permitted uses in the A-1, General Agricultural, zoning district. If approved, this request would allow for the extension of public utilities to the subject property. The request would also amend the adopted conditions of Case No. SUP-0021-2004, eliminating the prohibition of public water and sewer to the subject property and changing the timing of the dedication of a conservation easement.

Location: 499 Jolly Pond Road

Tax Map/Parcel No.: 2240100007

Parcel Size: ±725 acres

Existing Zoning: A-1, General Agricultural, with proffers and MU, Mixed-Use, with proffers

Comprehensive Plan: Low-Density Residential

Primary Service Area: Inside

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding zoning and development and consistent with the 2035 Comprehensive Plan. Staff recommends that James City County Board of Supervisors approve this application subject to the conditions listed in the attached resolution.

Staff Contact: Roberta Sulouff, Planner Phone: 253-6783

PLANNING COMMISSION RECOMMENDATION

At its October 7, 2015 meeting, the Planning Commission recommended approval of this Special Use Permit (SUP) application and the proposed conditions by a vote of 7-0.

Proposed changes made since the Planning Commission meeting

None.

PROJECT HISTORY

On November 27, 2001, the Board of Supervisors approved rezoning and master plan applications (Case Nos. Z-4-00 and MP-1-01) for a 2,000-unit, age-restricted community known as Colonial Heritage at Williamsburg. In 2004 the applicant filed a rezoning application to incorporate the approximately 725-acre Boy Scouts of America property (BSA), into the existing Colonial Heritage at Williamsburg development. Additionally, the applicant received an SUP to allow for a 50-lot rural cluster development (SUP-21-04) on a portion of the BSA, which was then located outside of the Primary Service Area (PSA). Per the conditions of that SUP the rural cluster was to be served by a central well. The conditions also prohibited connections to James City Service Authority (JCSA) public facilities, as the property was located outside of the PSA at that time.

In 2015 as part of the Comprehensive Plan update process, the applicant filed a request to change the land use designation of the ±220 acre, 50-lot rural cluster portion of the BSA property from Rural Lands to Low Density Residential. The applicant also requested an extension of the PSA to include the area of the 50-lot cluster into the PSA. The request was approved and the new land use designation and PSA lines were adopted by the Board of Supervisors as part of the 2035 Comprehensive Plan Land Use Map.

PROJECT DESCRIPTION

Mr. William Holt, of Kaufman and Canoles, has applied on behalf of Colonial Heritage LLC, to allow for the extension of approximately 7,500 linear feet of 8-inch sanitary sewer force main from the existing JCSA pump station located within Colonial Heritage, Section VI and an extension of approximately 6,660 linear feet of water main to connect the existing JCSA water main on Jolly Pond Road to an existing water main within Colonial Heritage. The subject area of the property is zoned A-1, General Agricultural, with proffers.

If approved, the application will also amend the adopted conditions of Case No. SUP-21-04 as more fully described below.

Previous SUP Conditions Amended by the Approval of this Proposal

The proposed conditions can be divided into three categories: several conditions of SUP-21-04 are being carried-over “as-is” (restated); a number of SUP-21-04 conditions have been amended, as referenced above; and several conditions have been added (new) specifically in reference to the extension, construction and operation of public facilities on the subject property.

In addition to the conditions which are carrying-over from the original, rural cluster SUP, conditions for the new specially permitted use (public water/sewer facilities) must address Board approved policies which were not in place during the application process for SUP-0021-2004. The Pedestrian Accommodations Map and the Regional Bicycle Facilities Plan, both of which were adopted and included as transportation resources in the 2035 Comprehensive Plan, indicate that a sidewalk and a shoulder bike lane are planned for the Jolly Pond Road frontage of the property. The provision of pedestrian accommodations along the Jolly Pond Road frontage is also a Zoning Ordinance requirement. As the development of this property occurs, staff has applied these policies and added conditions accordingly.

The conditions of this application would amend and restate the adopted conditions of the previously adopted SUP conditions for the 50-lot rural cluster (JCC Case No. SUP-21-04). The majority of changes amend the language of the conditions to more accurately describe the 50-lot rural cluster, specifically to reflect that it is now inside the PSA. Other principal changes are as follows:

- *Condition No. 2*, amended to adjust the timing of the dedication of a ±282-acre conservation easement to align with the final approval of any development plan at Deer Lake Estates.
- *Condition No. 5*, which originally prohibited connection of public utilities to the property, is to be replaced with a condition regarding the construction of public facilities, as is allowed and required by the Ordinance and the Comprehensive Plan now that the property is within the PSA.

- *Condition No. 6*, updated with the most current water conservation language used for the Colonial Heritage development as a whole.

SURROUNDING ZONING AND DEVELOPMENT

Colonial Heritage is located along Richmond Road across from the Williamsburg Pottery Factory and adjacent to the Colonial Towne Plaza shopping center. The Deer Lake portion of this development extends from the intersection of Jolly Pond Road and Centerville Road down Cranston's Mill Pond across the street from the School Operations Center. Adjacent properties are zoned A-1, General Agricultural; PL, Public Land (WJCC School Operations Center); and MU, Mixed-Use with proffers (Colonial Heritage).

PUBLIC IMPACTS

Environmental

Watershed: Yarmouth Creek

Staff Comments: The Engineering and Resource Protection (ERP) Division has reviewed the proposal and concurs with the conditions included in the attached resolution. Staff notes that the exact alignment of transmission lines will likely be subject to Chesapeake Bay Board review during the development plan review phase. The ERP staff notes that the dam embankment is currently undergoing remediation for seepage and that the Deer Lake dam is currently under a safety review by the Virginia Department of Conservation and Recreation.

Public Utilities

Given the recent adoption of the 2035 Comprehensive Plan, the site is now located inside the PSA. Section 19-59 of the Subdivision Ordinance states that major subdivisions within the PSA must connect to public water and sewer, thus the extension of public water and sewer facilities would conform to the utilities requirement in the Ordinance. Staff finds that this extension would also be in conformance with the Utility Policy as referenced in the 2035 Comprehensive Plan, which is discussed in more detail below. Staff also notes that the proposed utilities extensions would effectively create a more efficient "looped" water system, connecting with an existing main on Jolly Pond Road.

Staff Comments: The JCSA has reviewed the proposal and concurs with conditions included in the attached resolution.

COMPREHENSIVE PLAN

The subject property is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map and is located inside the PSA. The Utility Policy, referenced in the Land Use section of the 2035 Comprehensive Plan, states that "...inside the PSA, development is connected to public water and sewer, and new development must connect if it is a major residential subdivision or within 1,000 feet of a water or sewer main." The proposed condition amendments and utilities extension would bring the existing SUP and any future development within the area of the 50-lot rural cluster into conformance with the 2035 Comprehensive Plan.

RECOMMENDATION

Staff finds the proposal to be compatible with surrounding zoning and development and consistent with the 2035 Comprehensive Plan.

Staff recommends that James City County Board of Supervisors approve this application subject to the conditions listed in the attached resolution.

RS/nb
SUP03-2015DeerLakeEstates

Attachments:

1. Resolution
2. Location Map
3. Unapproved Minutes of the October 7, 2015, Planning Commission Meeting
4. Adopted Conditions for James City County Case No. SUP-0021-2004, Boy Scout Property Rural Cluster
5. Exhibit Titled “Deer Lake Estates Utility Extension” dated September 17, 2015, by AES Consulting Engineers

RESOLUTION

CASE NO. SUP-0003-2015. COLONIAL HERITAGE DEER LAKE ESTATES UTILITY

EXTENSION: AMENDMENT AND RESTATEMENT OF CASE NO. SUP-0021-2004

- WHEREAS, the Board of Supervisors of James City County, Virginia (the “Board”) has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, Mr. William Holt, of Kaufman and Canoles (the “Applicant”), on behalf of Colonial Heritage LLC (the “Owner”), has applied to extend public utilities to a ±228 acre portion of land associated with the Colonial Heritage Deer Lake SUP 0021-2004; and
- WHEREAS, the subject property is located at 499 Jolly Pond Road on land zoned A-1, General Agricultural, with proffers, and can be further identified as James City County Real Estate Tax Map Parcel No. 2240100007 (the “Property”), as shown on the exhibit titled “Deer Lake Estates Utility Extension-Water/Sewer SUP Exhibit” dated September 17, 2015 (“the Exhibit”), prepared by AES Consulting Engineers; and
- WHEREAS, on December 14, 2004, the Board approved SUP 0021-2004 permitting a 50-lot rural cluster development (“Deer Lake Estates”) on the Property and prohibiting the extension of utilities to the Property; and
- WHEREAS, as part of SUP-0003-2015, the Owner seeks to amend and restate conditions associated with SUP-0021-2004 to allow the 50-lot rural cluster to connect to public utilities; and
- WHEREAS, the subject ±228 acres of the Deer Lake Estates development was included in the Primary Service Area on the adopted 2035 Comprehensive Plan Land Use Map; and
- WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case SUP-0003-2015; and
- WHEREAS, the Planning Commission, following its public hearing on October 7, 2015, recommended approval of this application by a vote of 7-0.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of SUP 0003-2015 as described herein with the following conditions.
- BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, upon application by the Owner, and after consideration of the factors in Section 24-9 of the James City County Code, does hereby amend and restate the conditions of James City County Case No. SUP-0021-2004 with the following conditions:

1. *Development Limitation.* No more than 50 residential lots shall be platted on the 50-lot rural cluster portion of the Boy Scout of America property (known as “Deer Lake Estates”), as shown on the Exhibit. Any residential lots developed on the Property shall be subject to the 2,000-residential-unit density cap.
2. *Conservation Easement.* The conservation easement of ±282 acres (the “Conservation Easement”) shall be dedicated to James City County or an agency acceptable to the County and recorded prior to final subdivision approval by the County for any lot within Deer Lake Estates, as shown on the Exhibit. The area within the Conservation Easement shall be available and the Owner shall retain the right to utilize the open space and conservation area for stormwater management structures and facilities, required open space, required impervious/pervious cover calculations and watershed protection measures for the Colonial Heritage development and Deer Lake Estates. The Conservation Easement shall clearly state that no clearing, land disturbing or development shall occur on the ± 282 acres unless otherwise approved by the Planning Director.
3. *Buffers.* A minimum 150-foot buffer shall be maintained along Jolly Pond Road and Cranston’s Mill Pond Road (the “Buffers”). The Buffers shall remain undisturbed with the exception of breaks for any entrance road, pedestrian connections, utilities, walking, hiking and biking trails, any *required* clearing necessary to create adequate sight distance and other uses specifically approved by the Planning Director. The Planning Director shall approve the design of such features located within the Buffers.
4. *Vehicular Access.* Access to the Deer Lake Estates development shall be from a single entrance road onto Jolly Pond Road unless a second entrance road is approved by the Planning Commission following the review of the Development Review Committee.
5. *Public Utilities.* Construction and operation of public utilities shall be subject to the following conditions:
 - a. *Commencement:* Construction on this project shall commence within 36 months from the date of approval of this SUP or this permit shall be void.
 - b. *Construction Management:*
 - i. Construction, operation and maintenance of the water and sewer extensions shall comply with all local, state and federal requirements.
 - ii. Adequate dust and siltation control measures, as determined by the Director of Engineering and Resource Protection, shall be taken to prevent adverse effects the adjacent properties.
 - iii. All construction activity on the water and sewer extensions shall occur between 7 a.m. and 5 p.m., Monday through Friday.
 - c. *Regulatory Requirements:* All state and local permits and easements shall be acquired prior to the issuance of a land disturbing permit for any lot within the previously approved 50-lot *cluster* known as Deer Lake Estates.
 - d. *Erosion and Sediment Control:* The project shall comply with all Virginia erosion and *sediment* control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook as amended.

- e. *Construction Access:* Vehicular access to all residences along the affected rights-of-way, including Jolly Pond Road and Cranston's Mill Pond Road, shall be maintained at all times.
 - f. *Vegetation Protection:* The applicant shall avoid removing trees and bushes within the 150 feet Jolly Pond Road vegetative buffer and along the water and sewer extension corridors, except as shown on the approved site plan. Trees and bushes damaged during construction shall be replaced with a tree or bush of equal type as approved by the Planning Director or his designee.
- 6. *Water Conservation.* The Water Conservation Regulations for Residential properties applicable to the Colonial Heritage development shall be implemented and enforced for the Deer Lake Estates development.
 - 7. *Archaeology.* Prior to issuance of a land-disturbing permit for any portion of the Property, the *applicant* shall provide written evidence to the Planning Director which demonstrates that the recommendations of a professional archaeologist have been implemented in a manner consistent with the preservation objectives of the Board of Supervisors Archaeological Policy, as determined by the Planning Director or his designee.
 - 8. *Master Stormwater Plan.* A Master Stormwater Plan shall be submitted with the development plan for the alternative which is submitted for review and approval by the Director of Engineering and Resource Protection. The Master Stormwater Plan should specifically address how Deer Lake will be utilized as a primary Best Management Practices (by use of drawings/narratives), whether additional onsite structural or non-structural practices are necessary and whether there is a better site design/low-impact development component proposed for stormwater compliance.
 - 9. *Steep Slopes.* Any plan of development for Deer Lake Estates shall maintain a separation of at least 35 feet between the top of 25% and steeper slopes and any structure and a 20-foot separation from the limits of grading to the top of 25% and steeper slopes. This is intended to apply to the larger, contiguous areas of steep slopes, not isolated areas, as determined by the Director of Engineering and Resource Protection. The Director of Engineering and Resource Protection shall have the ability to grant variances from this criteria to provide flexibility in application of this condition.
 - 10. *RPA/Perennial Stream.* The applicant shall conduct a perennial stream evaluation which shall receive approval from the Director of Engineering and Resource Protection prior to preliminary approval being granted for any plan of development for Deer Lake Estates. If perennial streams are present on the site, a 100-foot buffer shall be required around them and any wetlands contiguous to and connected by surface flow to the stream. Any plan of development for Deer Lake Estates shall also maintain a structural separation of 35 feet from any Resource Protection Area on the property.
 - 11. *Pedestrian Accommodations.* In accordance with the adopted Pedestrian Accommodations Master and Regional Bicycle Facilities plans, sidewalk and a shoulder bike lane shall be provided along the Property's Jolly Pond Road frontage. This requirement may be waived by the Planning Director should the Owner

demonstrate that existing pavement width or section, drainage or other engineering constraints would restrict the ability of the Owner to install the bike lane or sidewalk in a manner that would meet Virginia Department of Transportation requirements. Such analysis shall be submitted prior to or concurrent with the initial site plan submission. If a bike lane and/or can be installed, it shall be completed prior to the issuance of a Certificate of Occupancy for any of the 50 lots approved under James City County Case No. SUP-21-04, unless otherwise approved by the Planning Director. In the event that the Planning Director disapproves the waiver, the applicant may appeal the decision to the Development Review Committee, which shall forward a recommendation to the Planning Commission.

12. *Severability.* This SUP is not severable. Invalidity of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

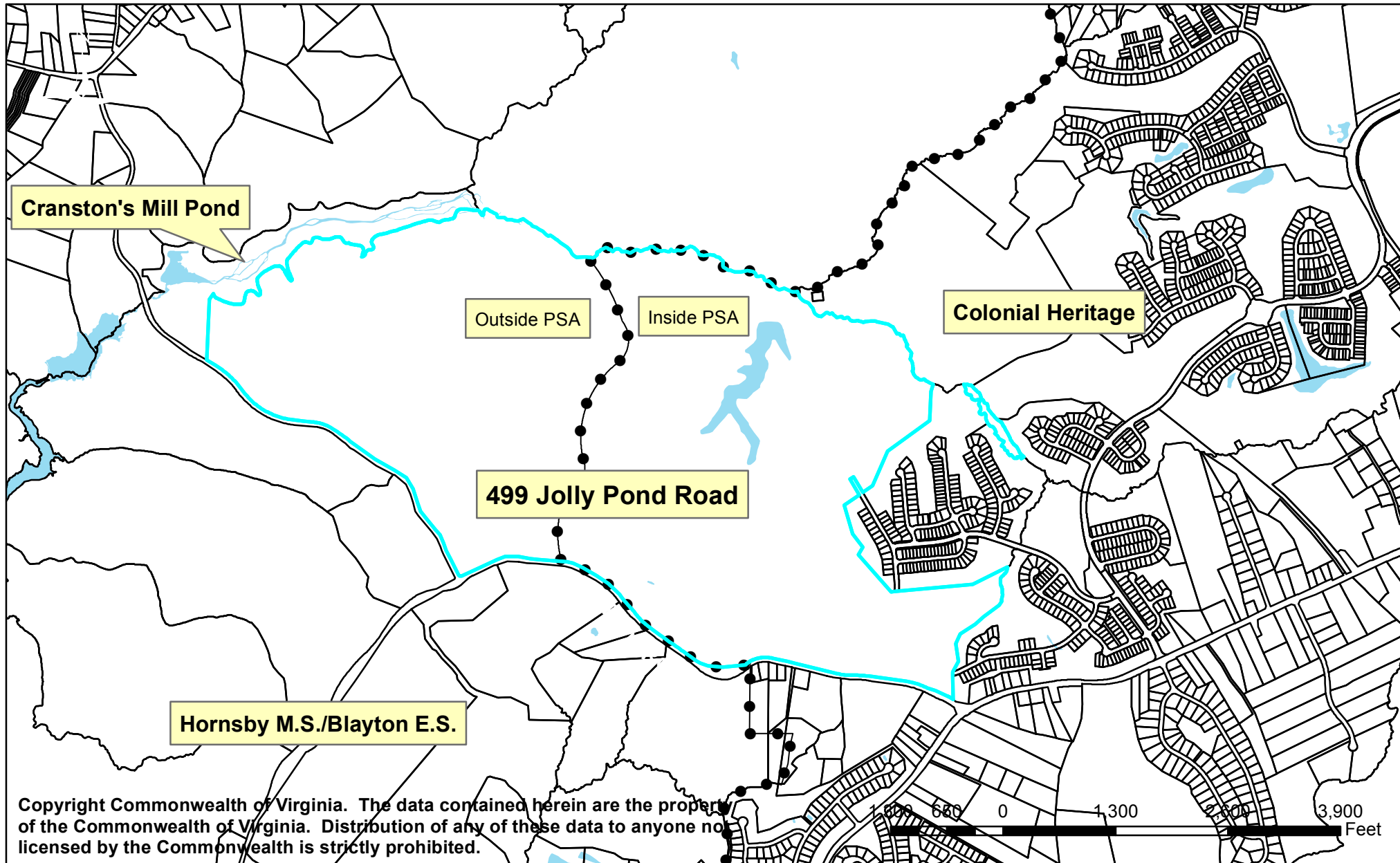
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
JONES	_____	_____	_____
MCGLENNON	_____	_____	_____
ONIZUK	_____	_____	_____
KENNEDY	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2015.

SUP03-2015DeerLakeEstates-res

JCC-SUP-0003-2015

Colonial Heritage Deer Lake Estates Utility Extension



Unapproved Minutes of the October 7, 2015 Planning Commission Meeting

SUP-0003-2015, Colonial Heritage Deer Lake Estates Utility Extension

Ms. Roberta Sulouff, Planner, provided an overview of the request to extend public water and sewer facilities to the previously approved 50-lot rural cluster to be known as Deer Lake Estates. Ms. Sulouff stated that the 725 acre property formally known as the Boy Scout property is located at 499 Jolly Pond Rd. The A-1 district of the Zoning Ordinance requires a Special Use Permit (SUP) for any extension of public utilities. Ms. Sulouff stated that as part of the 2035 Comprehensive Plan process, a land use application was submitted to change the land use designation and extend the PSA to incorporate Deer Lake Estates. The land use application was approved with the 2035 Comprehensive Plan adoption by the Boards of Supervisors. Ms. Sulouff stated that Section 19-59 of the Subdivision Ordinance states that major subdivisions within the PSA must connect to public water and sewer thus this extension of public utilities is necessary to bring the subdivision into conformance with the ordinance. Ms. Sulouff stated that staff finds the proposal to be compatible with the 2035 Comprehensive Plan, the Zoning Ordinance and surrounding development and recommends that the Planning Commission recommend approval to the Board of Supervisors subject to the conditions listed in the staff report.

Ms. Bledsoe opened the floor for questions from the Commission.

Mr. John Wright inquired whether this application was for only 50 lots.

Ms. Sulouff stated that is correct and any change to the number of lots would require amending the SUP through the legislative process.

Ms. Bledsoe asked about Section 5b-3 of the staff report for clarification on why the construction activity was limited to between 7:00am and 5:00pm.

Ms. Sulouff stated that the construction language is standard for work being done in residential areas where there are existing homes.

Ms. Bledsoe opened the public hearing.

Mr. Will Holt of Kaufman and Canoles stated that he represents the applicant. Mr. Holt provided a history of the property regarding the previously approved SUP application and the 2035 Comprehensive Plan process where the change in land use designation and PSA extension were approved. Mr. Will Holt stated that the configuration of the connection has been amended to provide better water flow for present and future James City Service Authority (JCSA) customers in Colonial heritage and Deer Lake Estates.

Ms. Bledsoe opened the floor for questions from the Commission.

Mr. Heath Richardson inquired when the perennial stream study would occur as stated in the conditions.

Mr. Will Holt stated that there had been a study when the first SUP was submitted which would fulfil the requirement.

Mr. Richardson inquired if the previous study would actually fulfill the requirement in the conditions.

Ms. Sulouff stated that it is possible that the previous study would fulfill the requirement, however, it would be evaluated during the administrative plan review stage.

Mr. Will Holt stated that the study would be updated and resubmitted at the Site Plan stage.

Mr. Wright inquired about the Deer Lake dam being under safety review and asked for additional information.

Mr. Will Holt stated that during the annual inspection of the dam some issues were discovered that are part of the normal maintenance of the dam.

Mr. Wright inquired about the oversight agency.

Mr. Will Holt stated that the Virginia Department of Conservation and Recreation was the reviewing agency.

Mr. Tim O'Connor stated that he felt condition No. 1 left wiggle room for a developer to come in and develop an additional 250 lots. Mr. O'Connor asked Mr. Max Hlavin if condition No. 1 caps the development at 50 lots.

Mr. Max Hlavin stated that it does cap the development at 50 lots.

Ms. Bledsoe stated that she did not have any additional questions.

Mr. Will Holt stated that the applicant would be open to visiting the hours of operation condition with staff to remove that restriction as the noise ordinance already restricts the hours of construction.

Ms. Bledsoe asked Mr. Paul Holt to explain why this restriction was being put in place.

Mr. Paul Holt stated that this restriction is typically put in place because the utility lines run past residential homes that are occupied and the restriction on hours would be in place to mitigate the construction impacts on those existing residents. Mr. Paul Holt stated that this situation is a little different because the lots that the construction would be going through have not been platted. Mr. Paul Holt stated that the Commission could recommend a condition be taken out or amended if the Commission would like it changed.

Ms. Bledsoe inquired where the closest residents would be effected.

Mr. Will Holt stated that they are not shown on the map.

Ms. Bledsoe asked the Commission if there was a motion to change the conditions.

Mr. Basic stated that he is okay with keeping the condition.

Mr. O'Connor asked if there was one or two roads into the development.

Mr. Paul Holt stated that there is one road into the development as currently designed, the conditions state that there is a possibility for a second entrance but it must come through the Development Review Committee and Planning Commission for approval.

Ms. Bledsoe asked the Commissioners for any disclosures.

Mr. O'Connor stated that he works for First Service which manages the Colonial Heritage Home Owners Association but he does not oversee or derive benefit from that project so there is no conflict.

Ms. Bledsoe closed the public hearing and asked for any other discussion or a motion.

Mr. O'Connor moved to recommend approval of the application as submitted.

On a roll call vote, the Commission voted to recommend approval of SUP-0003-2015, Colonial Heritage Deer Lake Estates Utility Extension (7-0).

RESOLUTION

CASE NO. SUP-21-04. U.S. HOME - COLONIAL HERITAGE.

BOY SCOUT PROPERTY RURAL CLUSTER

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. Alvin Anderson and Mr. Gregory Davis of Kaufman & Canoles have applied on behalf of Colonial Heritage, LLC, for a special use permit to allow a 50-lot rural cluster development in accordance with the provisions of Section 24-214(c) of the Zoning Ordinance on the portion of the Boy Scout Property located outside the Primary Service Area (PSA); and

WHEREAS, the properties are located at 6175 Richmond Road, zoned MU, Mixed-Use, with proffers, and further identified as Parcel No. (1-21) on James City County Real Estate Tax Map No. (23-4); 6799 Richmond Road, zoned MU, Mixed-Use, with proffers, and further identified as Parcel No. (1-32) on James City County Real Estate Tax Map No. (24-3); 6993 Richmond Road, zoned MU, Mixed- Use, with proffers, and further identified as Parcel No. (1-11) on James City County Real Estate Tax Map No. (31-1); and 499 Jolly Pond Road, zoned A-1, General Agricultural, and further identified as Parcel No. (1-7) on James City County Real Estate Tax Map No. (22-4); and

WHEREAS, the Planning Commission of James City County, following its Public Hearing on November 1, 2004, recommended approval of this application by a vote of 4 to 1.

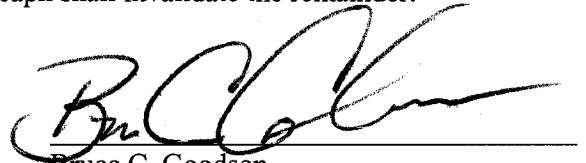
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-21-04 as described herein with the following conditions:

1. Development Limitation. No more than fifty residential lots shall be platted on the portion of the Boy Scout of America (BSA) property located outside the PSA. Any residential lots developed on the BSA property located outside the PSA shall be subject to the 2,000-residential-unit density cap.
2. Conservation Easement. A conservation easement shall be submitted for review and approved by the County Engineer prior to issuance of a land-disturbing permit for any related plan of development of the portion of the BSA property located outside the PSA. The conservation easement shall be dedicated to James City County or an agency acceptable to the County prior to final site plan or subdivision approval for any plan of development or subdivision of lots for the ±282 acres shown on the plan "Special Use Permit Plan on a Portion of Colonial Virginia Council, Boy Scouts of America, a Virginia Corporation" prepared by AES Consulting Engineers, September 24, 2004. The area within the conservation easement shall be available and the Owners shall retain the right to utilize the open space and conservation area for stormwater management structures and facilities, required open space, required impervious/pervious cover calculations, and watershed protection measures for the

Colonial Heritage development and the 50-lot rural cluster. The conservation easement shall clearly state that no clearing, land disturbing, or development shall occur on the ±282 acres unless otherwise approved by the Planning Director.

3. Buffers. A minimum 150-foot buffer shall be maintained along Jolly Pond Road and Cranston's Mill Pond Road. That buffer shall remain undisturbed with the exception of breaks for any entrance road, pedestrian connections, utilities, walking, hiking, and biking trails, any required clearing necessary to create adequate sight distance, and other uses specifically approved by the Planning Director. The Planning Director shall approve the design of such features located within the required buffer.
4. Vehicular Access. Access to the 50-lot cluster development shall be from a single entrance road onto Jolly Pond Road unless a second entrance road is approved by the Planning Commission following the review of the Development Review Committee.
5. Central Well. An independent central well shall be required for the proposed cluster development. Connection into existing JCSA facilities shall not be permitted from outside the PSA. The independent well shall be designed to provide the necessary fire flow, peak water demands, and irrigation requirements for the development. A hydraulic analysis shall be submitted in accordance with JCSA standards for review and approval prior to final approval being granted for any plan of development or subdivision of lots of the property located outside the PSA.
6. Water Conservation. The applicant shall be responsible for developing water conservation standards to be submitted to and approved by the JCSA. The applicant shall be responsible for enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping design and materials and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of water resources. The JCSA shall approve the standards prior to final approval for any plan of development on the non-PSA portion of the Boy Scout property.
7. Archaeology. Prior to issuance of a land-disturbing permit for any portion of the BSA property located outside the PSA, the applicant shall provide written evidence to the Planning Director which demonstrates that the recommendations of a professional archaeologist have been implemented in a manner consistent with the preservation objectives of the Board of Supervisors Archaeological Policy, as determined by the Planning Director or his designee.
8. Master Stormwater Plan. A Master Stormwater Plan shall be submitted with the development plan for the alternative which is submitted for review and approval by the Environmental Director. The Master Stormwater Plan should specifically address how Deer Lake will be utilized as a primary Best Management Practices (BMP) (by use of drawings/narratives), whether additional onsite structural or non-structural practices are necessary and whether there is a better site design/low-impact development component proposed for stormwater compliance.

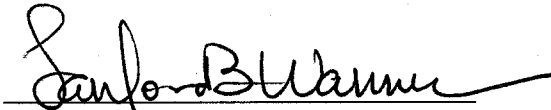
9. Steep Slopes. Any plan of development for the portion of the BSA property located outside the PSA shall maintain a separation of at least 35 feet between the top of 25 percent and steeper slopes and any structure and a 20-foot separation from the limits of grading to the top of 25 percent and steeper slopes. This is intended to apply to the larger, contiguous areas of steep slopes, not isolated areas, as determined by the Environmental Director. The Environmental Director shall have the ability to grant variances from this criteria to provide flexibility in application of this condition.
10. RPA/Perennial Stream. The applicant shall conduct a perennial stream evaluation which shall receive approval from the Environmental Director prior to preliminary approval being granted for any plan of development of the portion of the BSA property located outside the PSA. If perennial streams are present on the site, a 100-foot buffer shall be required around them and any wetlands contiguous to and connected by surface flow to the stream. Any plan of development for the portion of the BSA property located outside the PSA shall also maintain a structural separation of 35 feet from any Resource Protection Area (RPA) on the property.
11. Severability. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Bruce C. Goodson
Chairman, Board of Supervisors

SUPERVISOR	VOTE
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCLENNON	NAY
GOODSON	AYE

ATTEST:

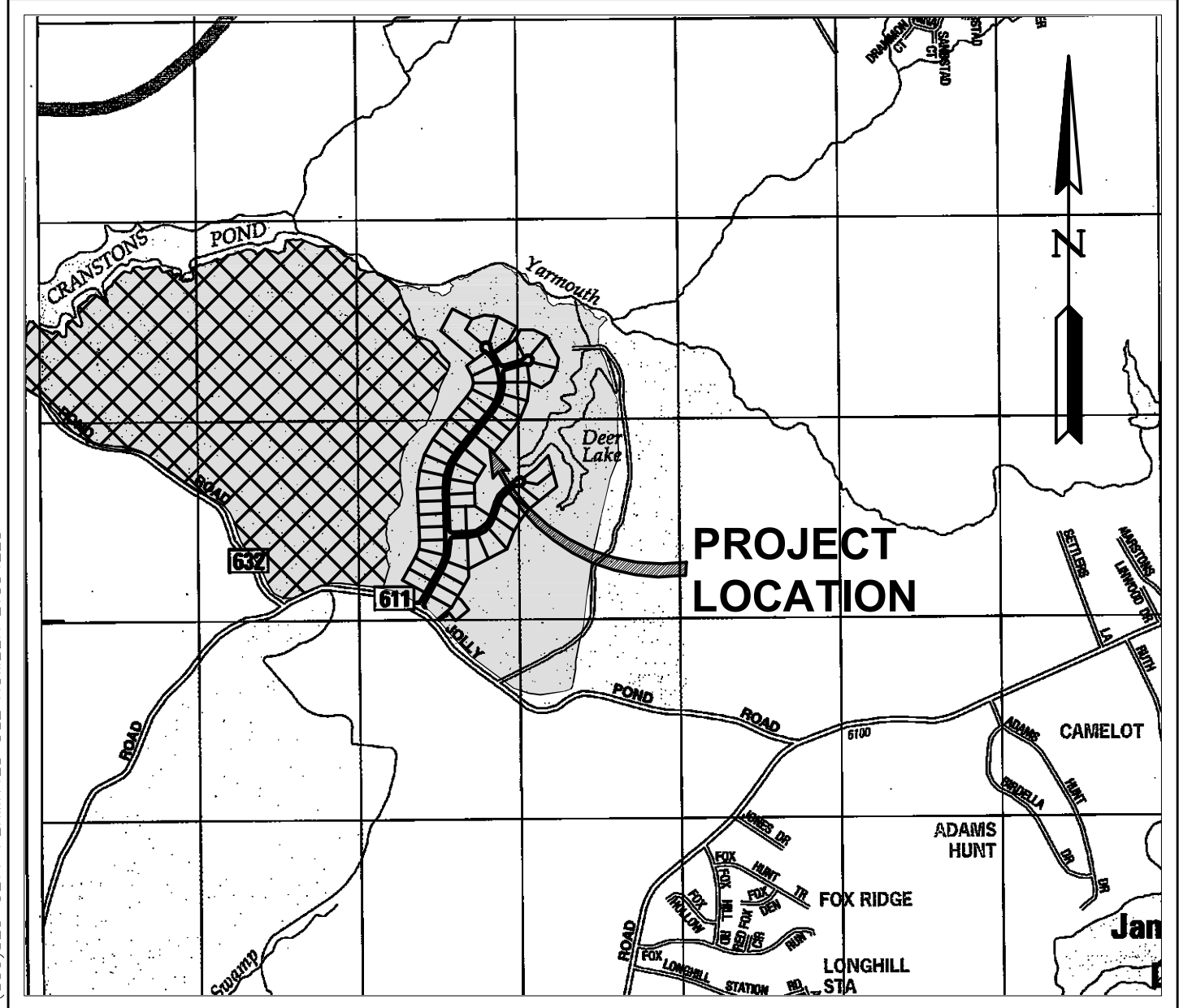
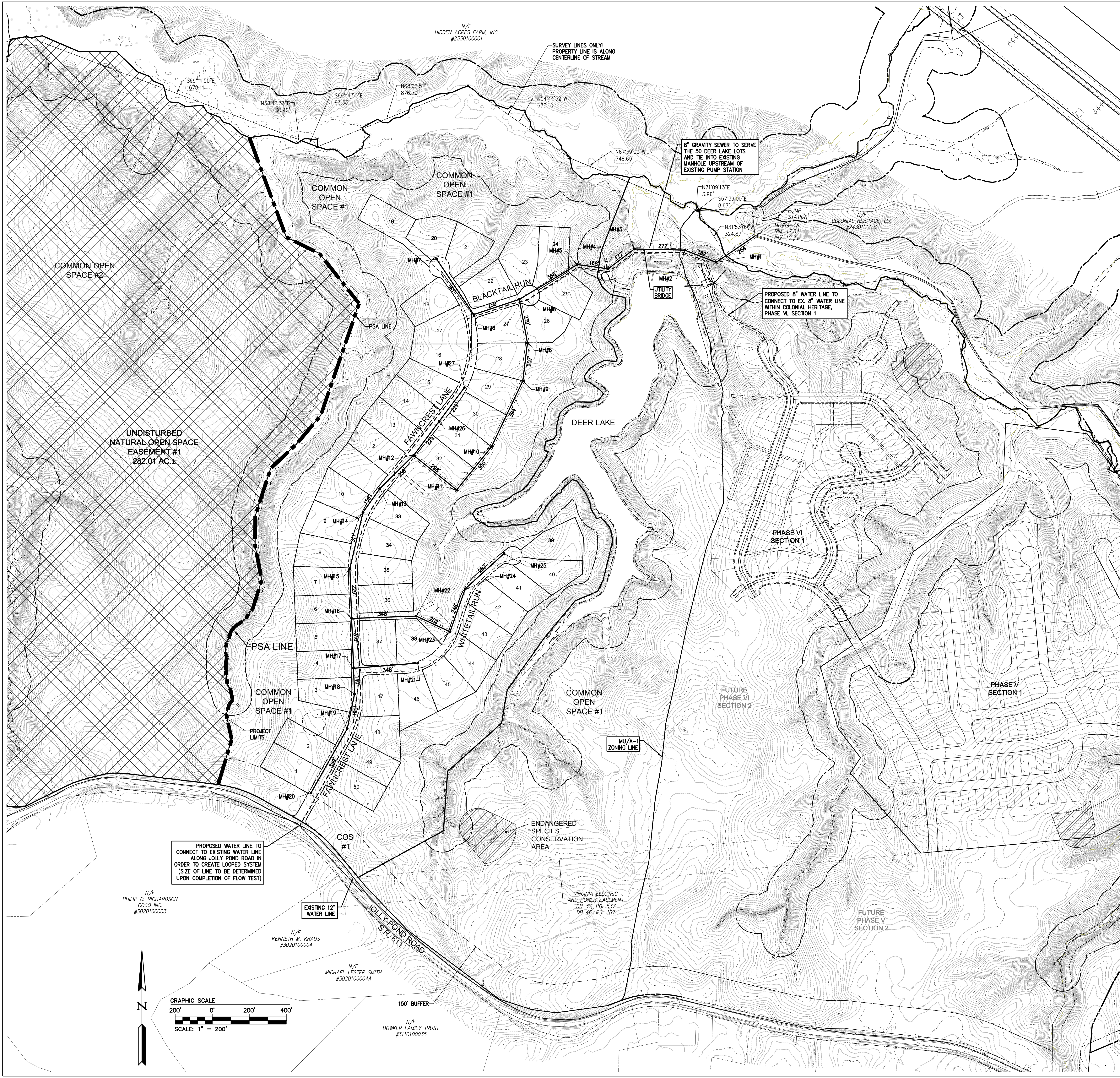


Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of December, 2004.

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Stonehouse District James City County Virginia

JCC Case No.: SUP-0003-2015

OWNER/DEVELOPER INFORMATION:

COLONIAL HERITAGE, LLC
CONTACT: MR. BRYAN HURST
COLONIAL HERITAGE, LLC
7591 COPPERMINE DRIVE
MANASSAS, VIRGINIA 20109
TELEPHONE NO.: (703) 961-0130

GENERAL NOTES:

- PROPERTY AS SHOWN IS A PORTION OF TAX MAP PARCEL ID#2240100007, INSTRUMENT #040024552.
- PROPERTY ADDRESS: 499 JOLLY POND ROAD, WILLIAMSBURG, VA 23188.
- TAX MAP PARCEL ID#2240100007 IS CURRENTLY ZONED 'MU' - MIXED USE WITH PROFFERS.
- THIS CASE AMENDS THE ADOPTED CONDITIONS OF JCC CASE NO. SUP-0021-2004. PLEASE REFER TO JCC CASE NO. Z-03-02/Z-04-02 AS WELL AS LU-03-14 FOR ADDITIONAL INFORMATION.
- THE MAXIMUM ALLOWABLE UNITS IS 2,000 PER THE COLONIAL HERITAGE MASTER PLAN PROFFERS Z-03-02/Z-04-02.
- ACTUAL ROUTES FOR THE WATER AND SEWER UTILITIES ARE SUBJECT TO CHANGE BASED ON VERIFICATION OF FIELD CONDITIONS, HOWEVER ANY ALIGNMENT WHICH SIGNIFICANTLY VARIES FROM THE LOCATION SHOWN ON THIS PLAN MAY BE SUBJECT TO ADDITIONAL LEGISLATIVE APPROVAL.
- TOTAL WATER LINE PROPOSED: 6,662 L.F. ±
TOTAL SANITARY SEWER PROPOSED: 7,497 L.F. ±

Rev.	Date	Description	By

6504 Chesapeake Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 235-5940
Fax: (757) 235-5944
www.aesva.com

AES
CONSULTING ENGINEERS
Hampton Roads | Central Virginia | Middle Peninsula

DEER LAKE ESTATES
UTILITY EXTENSION

OWNER/DEVELOPER: COLONIAL HERITAGE LLC.

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts: HWY/THS
Project Number: 9625-03
Scale: 1"=200'
Date: 09/17/15

Sheet Title:
WATER / SEWER
SUP EXHIBIT

Sheet Number
1 of 1

ITEM SUMMARY

DATE: 10/27/2015

TO: Board of Supervisors

FROM: John T.P. Horne, Director of General Services

SUBJECT: Contract Award- Courthouse Roof Replacement - \$703,499

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
General Services	Horne, John	Approved	10/5/2015 - 2:50 PM
Publication Management	Burcham, Nan	Approved	10/5/2015 - 4:10 PM
Legal Review	Gowdy, Michelle	Approved	10/5/2015 - 4:30 PM
Board Secretary	Fellows, Teresa	Approved	10/5/2015 - 4:32 PM
Board Secretary	Kinsman, Adam	Approved	10/29/2015 - 10:20 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2015 - 10:31 AM

MEMORANDUM

DATE: November 10, 2015

TO: The Board of Supervisors

FROM: John T.P. Horne, General Services Director

SUBJECT: Contract Award – Courthouse Roof Replacement - \$703,499

This project will consist of the replacement of the existing slate roof and repair of the cupolas on the Williamsburg-James City County Courthouse. In 2014, staff reported to the Board about ongoing problems with leaks and slate loss at the Courthouse. The building was constructed in 2000 and experienced problems with the roof early in its life. Despite multiple efforts at repairs in the last several years, continued leakage and loss of slate has persisted. In a July 2014 report to the Board, staff concluded that the issues were the result of ineffective installation of the slate and that repairs were not likely to be effective due to the widespread nature of the installation problems. In addition, analysis indicated the need to repair the cupolas to replace the cladding and reseal the windows and seams.

The design of the project is based on the replacement of the slate with manufactured ceramic tiles. The tiles will be similar in appearance to slate but are stronger and designed for more consistent and effective installation. They have been used with good long term success in Colonial Williamsburg and William and Mary. A long term cost analysis completed by consultants for the County predicts the lowest long term life cycle cost from this product. In addition, the metal cladding on the cupolas will be replaced with stronger material and a comprehensive resealing of the structures will be completed.

The design used for the bids is very specific and incorporates high quality materials. The project management contract with a highly experienced roofing consultant incorporates a very significant number of hours for project oversight and on- site inspections. It is also required that the contractor engage representatives of the manufacturers of both the tiles and the concrete panel substrate to conduct training and inspections of the installation. A 3 year material, workmanship, and water tightness warranty is required by the contractor. A 75 year materials defect warranty is required from the manufacturer.

An Invitation for Bids for the project was publicly advertised. All bidders were required to submit information on their experience with this specific type of work and materials in addition to the price information.

The following 2 firms submitted bids and were considered for contract award.

<u>Firm</u>	<u>Amount</u>
Shaddeau Roofing and Construction	\$703,499
Air Tech Solutions	\$923,000

Shaddeau Roofing and Construction was determined to be the lowest responsive and responsible bidder. The bid amount of \$703,499 is within the project estimate and funds are available as previously appropriated by the Board of Supervisors. The attached resolution would authorize the contract award to Shaddeau Roofing and Construction for completion of Williamsburg- James City Courthouse Roof Replacement.

Staff recommends approval of the attached resolution.

RESOLUTION

CONTRACT AWARD - COURTHOUSE ROOF REPLACEMENT

\$703,499

WHEREAS, the James City County Department of General Services received competitive bids for the replacement of the roof at the Williamsburg-James City County Courthouse; and

WHEREAS, 2 bids were considered for award and Shaddeau Roofing and Construction was determined the lowest responsive and responsible bidder; and

WHEREAS, previously authorized Capital Improvements Project (CIP) funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the contract in the amount of \$703,499.00 for the Williamsburg-James City County Courthouse Roof Replacement to Shaddeau Roofing and Construction.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
JONES	_____	_____	_____
MCGLENNON	_____	_____	_____
ONIZUK	_____	_____	_____
KENNEDY	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2015.

ITEM SUMMARY

DATE: 11/10/2015

TO: The Board of Supervisors

FROM: Bryan J. Hill, County Administrator

SUBJECT: County Administrator's Report

ATTACHMENTS:

	Description	Type
▣	CA Report	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	10/28/2015 - 4:14 PM

MEMORANDUM

DATE: November 10, 2015
TO: The Board of Supervisors
FROM: Bryan J. Hill, County Administrator
SUBJECT: County Administrator's Report

The following is a summary of activities that took place October 21, 2015 through November 3, 2015:

October 21, 2015 (Wednesday)

- Attended Virginia Peninsula Regional Jail meeting

October 22, 2015 (Thursday)

- Attended JCC Police Department annual staff event
- Met with Jim Icenhour and Bill Truax; Veterans' matters
- Attended Neighborhood Leaders Forum

October 23, 2015 (Friday)

- Coffee with County Administrator, staff event
- Conference call with Jim Bourey, Newport News city manager

October 24, 2015 (Saturday)

- Attended 2nd Annual James City County Litter and Recycling Expo

October 26, 2015 (Monday)

- Met with Susan Gaston, president of Gaston Group
- Attended Peninsula Mayors and Chairs with Michael Hipple, JCC Board of Supervisors Chair
- Met with Sue Mellen, FMS director
- Met with Angie Gilliam, HR director

October 27, 2015 (Tuesday)

- Met with Adam Kinsman, assistant county administrator
- Met with Neil Morgan, York County administrator and Marvin Collins, Williamsburg city manager
- Attended Board of Supervisors work session
- Attended Board of Supervisors meeting

October 28, 2015 (Wednesday)

- Video shoot of Board of Supervisors meeting recap
- Meeting with John Carnifax, Parks and Recreation director
- Meeting with Diana Hutchens, Community Services director
- Meeting with Ryan Ashe, interim fire chief

October 29, 2015 (Thursday)

- Met with Matthew Schulze, Wayne Nooe and Kristen Ward from Kingsmill Resort
- Conference call with Clarion, strategic planning consultant, Jody Puckett, Communications director and Ania Eckhardt, administrative coordinator

October 30, 2015 (Friday)

- Met with Brad Rinehimer, police chief
- Attended Matoaka Elementary School Halloween Parade
- Attended chili cook-off, staff event

November 2, 2015 (Monday)

- Met stakeholders attending strategic planning discussions
- Met with Sue Mellen, FMS director

November 3, 2015 (Tuesday)

- Speaking Engagement, HTG Group
- Met with Doug Powell, JCSA manager and Mike Vergakis, JCSA engineer

ITEM SUMMARY

DATE: 11/10/2015

TO: The Board Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Adjournment

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	10/28/2015 - 4:16 PM