

AGENDA
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
February 13, 2024
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Toby Velasquez Menjivar, at 5th grade student at Laurel Lane Elementary

E. PUBLIC COMMENT

F. CONSENT CALENDAR

G. PUBLIC HEARING(S)

1. Z-23-0006/SUP-23-0025. Brickyard Landing Park Rezoning and Special Use Permit
2. S-22-0027. 4525 William Bedford Parcel Designation Change
3. SUP-23-0022. Westport Subdivision Tie-In to James City Service Authority
4. SUP-23-0023. Liberty Ridge Subdivision Tie-In to James City Service Authority

H. BOARD CONSIDERATION(S)

1. SUP-23-0026. 206 The Maine Detached Accessory Apartment
2. Staff Appointment to the Middle Peninsula Juvenile Detention Commission
3. Amend the Board's adopted calendar to add a Board Retreat on March 2, 2024, at 8 am at the Law Enforcement Center, 4600 Opportunity Way, Williamsburg, VA

I. BOARD REQUESTS AND DIRECTIVES

J. REPORTS OF THE COUNTY ADMINISTRATOR

K. CLOSED SESSION

L. ADJOURNMENT

1. Adjourn until 1 pm on February 27, 2024, for the Business Meeting

**REZONING-23-0006 and SPECIAL USE PERMIT-23-0025. 990 and 1006 Brickyard Road. Brickyard Landing Park
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

SUMMARY FACTS

Staff Contact: Ben Loppacker, Planner

Applicant:	Mr. Alister Perkinson, Parks Administrator, for the Parks & Recreation Department
Landowner:	James City County
Proposal:	A request to rezone 1006 Brickyard Road to PL, Public Lands, with a Special Use Permit (SUP) to allow for a community recreation facility to include, but not limited to, boat trailer parking, car parking, restrooms, hiking and mountain biking trails, a paddle craft launch, a paved multiuse path, and camping areas.
Locations:	990 Brickyard Road 1006 Brickyard Road
Tax Map/Parcel Nos.:	1920100018 1920100018A
Property Acreage:	± 119.33 acres
Zoning:	PL, Public Lands A-1, General Agricultural
Comprehensive Plan:	Community Character Conservation Open Space, or Recreation
Primary Service Area:	Outside

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.

**REZONING-23-0006 and SPECIAL USE PERMIT-23-0025. 990 and 1006 Brickyard Road. Brickyard Landing Park
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

PUBLIC HEARING DATES

Planning Commission: December 6, 2023, 6:00 p.m.

Board of Supervisors: February 13, 2024, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, the proposal is compatible with surrounding zoning and development.
2. The proposal is consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
3. Impacts: See Impact Analysis on Pages 4-5.

FACTORS UNFAVORABLE

1. With the attached SUP conditions, staff finds that there are no unfavorable factors.
2. Impacts: See Impact Analysis on Pages 4-5.

SUMMARY STAFF RECOMMENDATION

Staff recommends the Board of Supervisors approve this rezoning and SUP application, subject to the proposed conditions.

PLANNING COMMISSION RECOMMENDATION

At its December 6, 2023, meeting, the Planning Commission voted to recommend approval of this application by a vote of 7-0.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

Following the Planning Commission meeting, staff has revised the Habitat Core and Agricultural Assets data found under the Natural and Cultural Assets table of this staff report. Staff provides the following corrections:

- The habitat core rank changed to reflect a qualitative value.

PLANNING AND ZONING HISTORY

- There have been no previous legislative cases associated with this parcel.

PROJECT DESCRIPTION

Mr. Alister Perkinson, Parks Administrator for the Parks & Recreation Department, has submitted a request to rezone approximately 119 acres of land located at 1006 Brickyard Road from A-1, General Agricultural, to PL, Public Lands, which would correspond to the land use designation for 1006 Brickyard Road shown in the 2045 Comprehensive Plan. Mr. Perkinson has also applied for a corresponding SUP to allow the use of community recreation facilities, public, including parks, playgrounds, clubhouses, boating facilities, swimming pools, ball fields, tennis courts, and other similar recreation facilities, which requires an SUP in the PL, Public Lands Zoning District.

Since the County acquired the property at 1006 Brickyard Road in 2020, multiple improvements have been undertaken. The existing picnic shelters have been restored, and the existing pier was repaired and expanded.

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The Parks & Recreation Department's proposed Master Plan (Attachment No. 3) includes the following amenities:

- Addition of dedicated car and boat trailer parking;
- Creation of camping areas for youth organizations;
- Creation of hiking and mountain biking trails;
- Construction of a 0.25-mile asphalt multiuse path;
- Construction of restroom facilities;
- Construction of a playground on-site; and
- Construction of a paddle craft launch area attached to the existing pier.

SURROUNDING ZONING AND DEVELOPMENT

- The parcels are located at the terminus of Brickyard Road, along the Chickahominy River.
- The parcels to the north are single-family residential and are zoned A-1, General Agricultural.
- The parcel to the east is zoned A-1, General Agricultural and is woodlands, used for hunting.
- The parcels to the west are single-family residential and are zoned R-2, General Residential. The Chickahominy Marina is also located to the west of 990 and 1006 Brickyard Road.

2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan Land Use Map designates Brickyard Landing Park as Community Character Conservation, Open Space or Recreation (CCOR). The 2045 Comprehensive Plan states that properties designated CCOR contribute to the rural, historic, or scenic character of the County and include areas used for recreation, historical or cultural resources, or open space. Staff finds that the proposed improvements to Brickyard Landing Park are consistent with these designations.

Surrounding Comprehensive Plan designations include rural lands to the north, east, and west. The Chickahominy River and Charles City County lie to the south.

FINDING OF CONSISTENCY

Section 15.2-2232 of the Code of Virginia states, in part, that no public park facility be allowed unless the Board of Supervisors finds the location of the park "substantially" consistent with the adopted Comprehensive Plan. As previously stated, in the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan* Land Use Map, Brickyard Landing Park is designated as CCOR. Also, staff finds this proposal consistent with the Comprehensive Plan since the Park will serve the County and region as a whole and because it is a public facility (i.e., owned and operated by James City County). The Planning Commission determined this use to be consistent with the adopted Comprehensive Plan and its resolution is included as Attachment No. 6.

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REZONING-23-0006 and SPECIAL USE PERMIT-23-0025. 990 and 1006 Brickyard Road. Brickyard Landing Park
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	- Transportation concerns related to this project brought up by the Virginia Department of Transportation included improvements to Brickyard Road, site lines at the intersection of Brickyard Road and Riverside Drive and potential traffic generated by the park. These concerns will be addressed at the site plan level.
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	- Pedestrian/bicycle accommodations are not shown on the adopted Pedestrian/Bicycle Accommodations Master Plan.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- Fire Station 1 on Forge Road serves this area of the County and is approximately 4.7 miles from Brickyard Landing Park. - Staff finds this SUP does not generate impacts that require mitigation to the County's Fire Department facilities or services.
<u>Public Schools</u>	<u>No Mitigation Required</u>	- N/A since no residential dwelling units are proposed.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- N/A since no residential dwelling units are proposed.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.

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REZONING-23-0006 and SPECIAL USE PERMIT-23-0025. 990 and 1006 Brickyard Road. Brickyard Landing Park
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Watersheds, Streams, and Reservoirs</u> Project is located in the Yarmouth Creek Watershed.	<u>Mitigated</u>	- The Stormwater and Resource Protection (SRP) Division has reviewed this application and had no objections. No new impervious surface is proposed as part of this Rezoning and SUP request. Should site improvements be made in the future, those improvements would be subject to additional environmental review at that time. The SRP Division has also added Condition No. 2 requiring a Master Stormwater Management Plan.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- Staff finds that this project does not generate impacts that require mitigation. A Phase 1 Cultural Resource Survey has been submitted and concluded that the areas with proposed disturbance are not areas listed for avoidance or Phase II studies within the Cultural Resource Survey.
<u>Nearby and Surrounding Properties</u>	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Community Character</u>	<u>No Mitigation Required</u>	- Brickyard Road is not a Community Character Corridor; therefore, no mitigation is required. This parcel is not located within a Community Character Area.
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	- The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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NATURAL AND CULTURAL ASSETS

The site is identified as having natural and cultural assets on the Natural & Cultural Assets Plan maps, supplemented by information from the Natural Resources Conservation Service - Web Soil Survey website. Data points are included for information purposes (see right):

ASSET	PRESENCE	IMPACT
Habitat Core	Two habitat cores are present on-site.	1. All habitat cores identified in the Natural & Cultural Assets Plan are important ecologically. The habitat core with the larger area on this property is ranked as having lowest ecological value compared to other cores in the County. The habitat core with the smaller area on this property is ranked as having mid ecological value compared to other cores in the County. Neither are of heightened priority. 2. The portion of this parcel identified as habitat core is approximately 105 acres or 88% of the property. All the planned improvements, with the exception of hiking/mountain biking trails, are located outside the areas identified as a habitat cores.
Habitat Corridors	Present on-site	1. This corridor, listed in the plan as “local connection - small road or train track,” connects the two habitat cores on this site.

		2. The corridor straddles the entrance road to the park. The portion of the corridor on this property would be outside any area slated for improvements.
Agricultural Assets	Not present on-site	None of the property is identified as having prime farmland.

PROPOSED SUP CONDITIONS

Proposed conditions are provided as Attachment No. 2.

STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors approve this rezoning and SUP application, subject to the proposed conditions.

BL/md
RZ23-6SUP23-25BLPk

Attachments:

1. Ordinance
2. Resolution
3. Location Map
4. Brickyard Landing Park Master Plan
5. Phase 1 Cultural Resources Survey
6. Applicant Narrative
7. Resolution Finding the Application Consistent with the Adopted Comprehensive Plan, per Section 15.2-2232
8. Approved Minutes of the December 6, 2023, Planning Commission Meeting

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.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING DISTRICT MAPS OF JAMES CITY COUNTY, VIRGINIA, TO REZONE APPROXIMATELY 119 ACRES LOCATED AT 1006 BRICKYARD ROAD (COUNTY REAL ESTATE TAX MAP NO. 1920100018), FROM A-1, GENERAL AGRICULTURAL TO PL, PUBLIC LANDS.

WHEREAS, Mr. Allister Perkinson, Parks Administrator, for the James City County Parks & Recreation Department, has applied to rezone approximately 119 acres as described above; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. Z-23-0006; and

WHEREAS, the Planning Commission of James City County, Virginia, following its consideration on December 6, 2023, recommended approval of Case No. Z-23-0006 by a vote of 7-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case No. Z-23-0006 to be required by public necessity, convenience, general welfare, and good zoning practice.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that Case No. Z-23-0006 is hereby approved as described therein.

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

		VOTES			
		<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____ Teresa J. Saeed Deputy Clerk to the Board	NULL	_____	_____	_____	_____
	HIPPLE	_____	_____	_____	_____
	MCGLENNON	_____	_____	_____	_____
	ICENHOUR	_____	_____	_____	_____
	LARSON	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of February, 2024.

RZ23-6BrckydLndg-ord

RESOLUTION

CASE NO. SUP-23-0025. BRICKYARD LANDING PARK REZONING AND

SPECIAL USE PERMIT

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

WHEREAS, Mr. Alistar Perkinson of James City County Parks & Recreation Department has applied for a request to rezone 1006 Brickyard Road to PL, Public Lands, with an SUP to allow for a community recreation facility to include, but not limited to, boat trailer parking, car parking, restrooms, hiking and mountain biking trails, a paddle craft launch, a paved multiuse path, and camping areas, located at 990 and 1006 Brickyard Road and further identified as James City County Real Estate Tax Map Parcel Nos. 1920100018 and 1920100018A (the “Properties”); and

WHEREAS, the Planning Commission, following its public hearing on December 6, 2023, recommended approval of Case No. SUP-23-0025 by a vote of 7-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-23-0025; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-23-0025 as described herein with the following conditions:

1. Master Plan. This SUP shall be valid for the Brickyard Landing Park Facility and accessory uses (the “Project”). The Project is located at 990 and 1006 Brickyard Road and further identified as James City County Real Estate Tax Map Parcel Nos. 1920100018 and 1920100018A (the “Properties”). Development of the Properties shall be completed in accordance with the “Brickyard Landing Park Master Plan July 2023,” dated July 2023, with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance.
2. Master Stormwater Management Plan. The applicant shall submit a Master Stormwater Management (“SWM”) Plan for review and approval by the Director of Stormwater and Resource Protection Division or their designee within 18 months of adoption of this SUP. Material deviations from the approved SWM must be approved by the Director of Stormwater and Resource Protection. All development of the Properties must adhere to the approved SWM Plan.
3. Tree Clearing. Tree clearing on the Properties shall be limited to the minimum necessary to accommodate the Project as determined by the Director of Planning or their designee.

4. Outdoor Speakers. All outdoor speakers used on the Properties shall be oriented generally towards the interior of the Properties and away from exterior property lines.
5. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

NULL
HIPPLE
MCGLENNON
ICENHOUR
LARSON

VOTES

AYE NAY ABSTAIN ABSENT

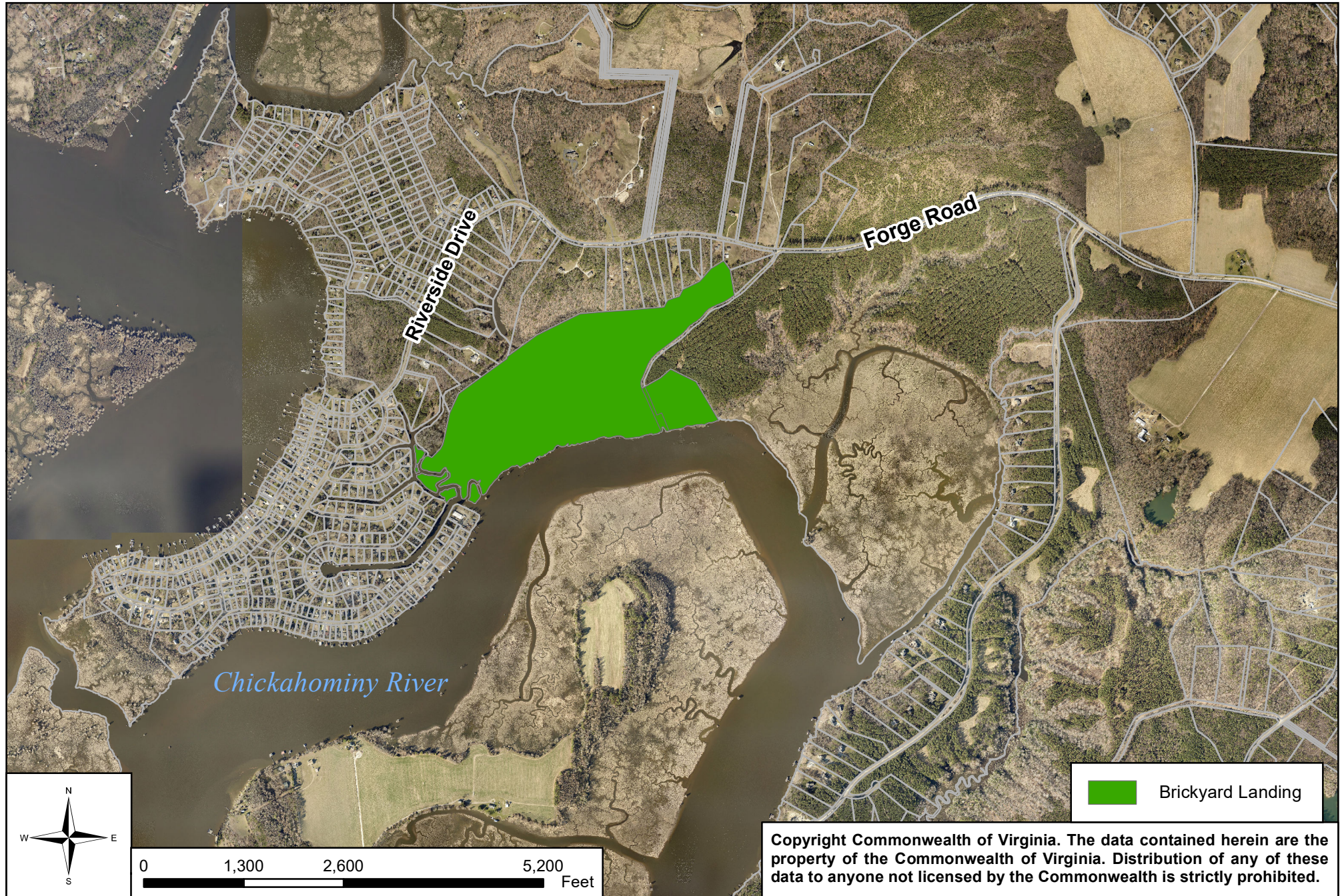
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Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of February, 2024.

SUP23-25BrckydLndg-res

JCC Z-23-0006/SUP-23-0025

Brickyard Landing Park Rezoning and SUP



Z-23-0006/SUP-23-0025. Brickyard Landing Park

Master Plan

Property Information:

PIN: 1920100018 &
1920100018A

James City County
990 & 1006 Brickyard Road
Lanexa, VA 23089

PSA: Outside

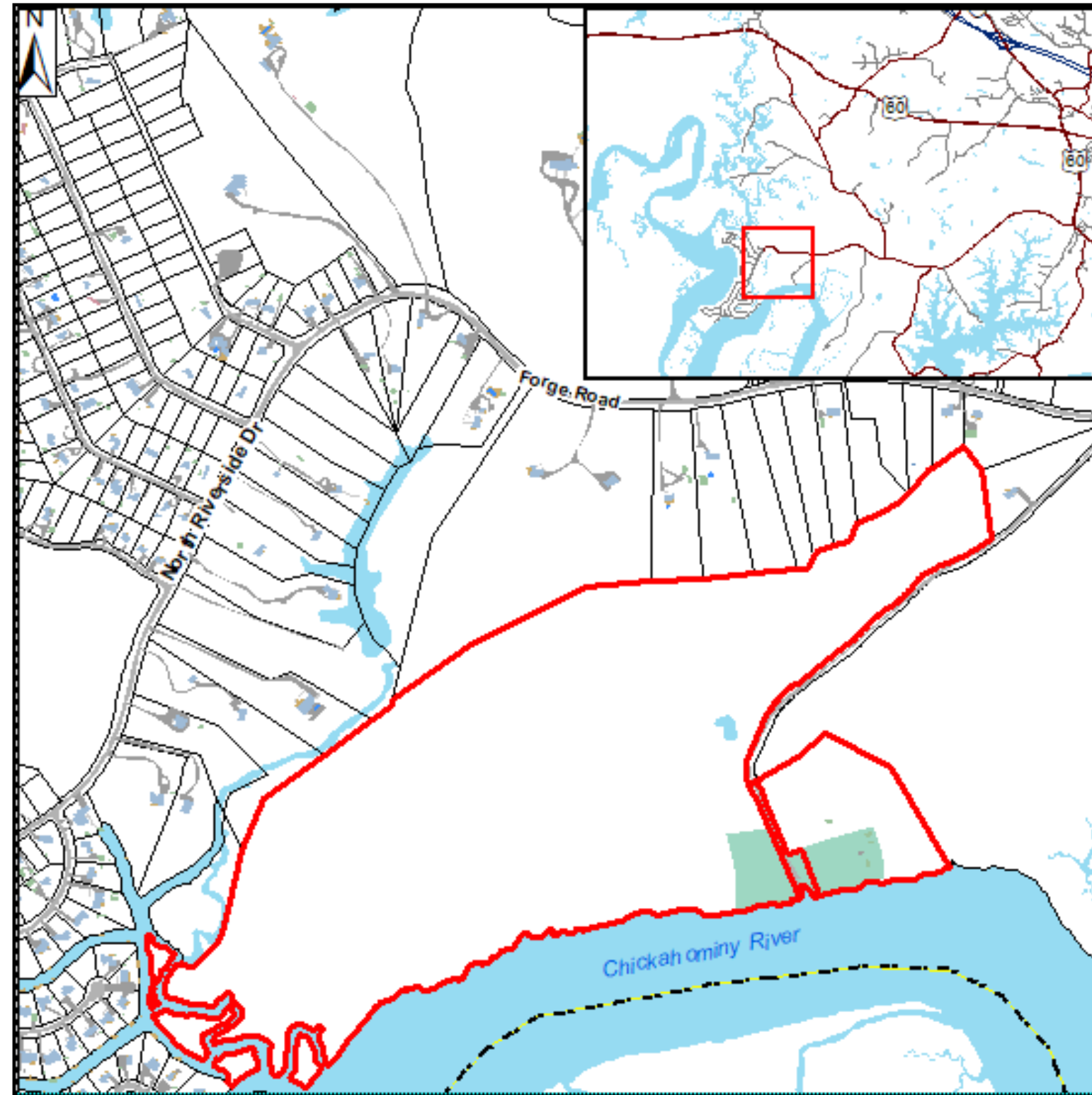
Zoning: A1 General Agricultural &
PL Public Lands

2045 Comp Plan: Open Space or
Recreation

Parcel Acreage: 119.33

Sheet Index:

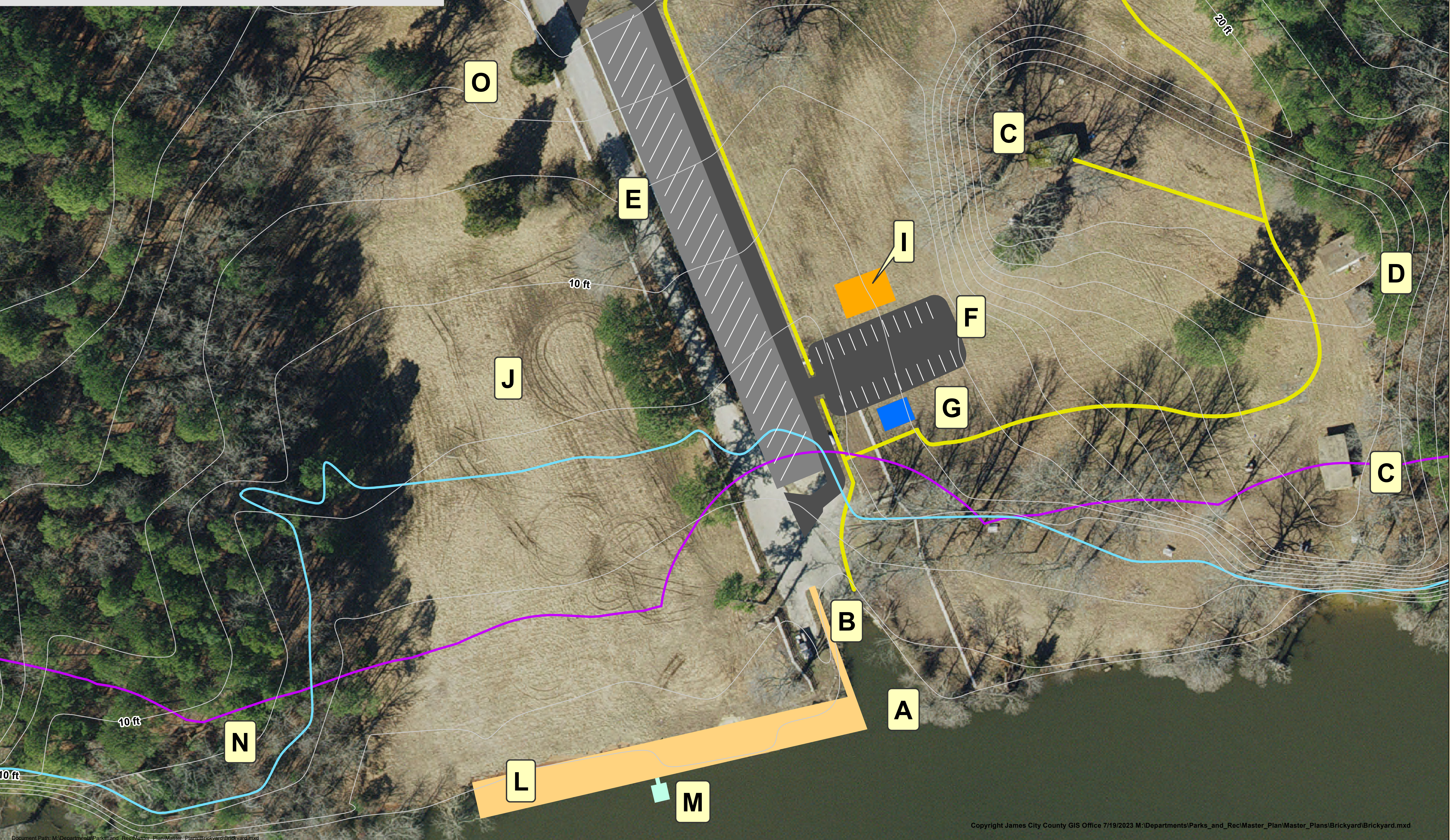
1. Cover Page
2. Master Plan



General Notes:

1. Property does contain a Resource Protected Area.
2. This property is located within an easement.
3. Portions of the property located in a special flood hazard area based on Flood Insurance Rate Map 51095C0082D, effective 12/16/2015.

K - Hiking/Mountain Biking Trails



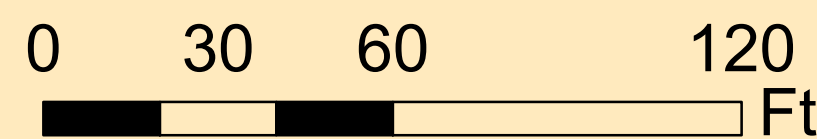
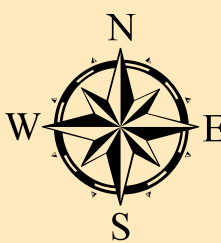
Draft Master Plan

Brickyard
July 2023



Label	Feature
A	Tending Pier
B	Boat Ramp
C	Picnic Shelters
D	Utility Shed
E	Boat trailer parking Approx. 25-30 parking spaces for boat trailers
F	Car parking lot Approx. 25-30 parking spaces for cars 2 ADA Accessible parking spaces
G	Restroom Facility
H	0.25 Mile ADA accessible asphalt multiuse path with connections to park amenities
I	Playground
J	Meadow
K	Hiking/Mountain Biking Trails
L	Fishing Pier/area
M	Paddlecraft Launch
N	Primitive Camping for Youth Organizations
O	Potential Parking Expansion

- Contours
- Flood Plain
- RPA Lines
- Natural Surface Trail
- Asphalt Trail
- Pavement
- Concrete/Gravel
- Restroom



**PHASE I
CULTURAL RESOURCES SURVEY
OF THE BRICKYARD LANDING PROPERTY
JAMES CITY COUNTY, VIRGINIA**

DHR File No. 2020-0543

November 2020

Prepared For:

James City County
101 Mounts Bay Road
Williamsburg, Virginia 23185

Prepared By:

Matthew R. Laird, Ph.D., RPA
Allison M. Conner, M.A., RPA
James River Institute for Archaeology, Inc.
223 McLaws Circle, Suite 1
Williamsburg, Virginia 23185
(757) 229-9485

With contributions from:

Robert J. Taylor, Jr., M.A.
Architectural Historian
Dutton + Associates, LLC
1115 Crowder Drive
Midlothian, Virginia 23113

ABSTRACT

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing property at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which had recently purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old. The archaeological survey excluded approximately 53 acres within a resource protection area (RPA), and focused on the remaining 66 upland acres. Prior to the current investigation, one archaeological site (44JC0305) had been recorded on the property based on an historic map projection, but its location had not been verified.

The archaeological sites and architectural resource identified in the Phase I survey reflect a continuum of occupation and use of the property from at least 1730, when the Hog Neck Landing tobacco inspection warehouse was established, through the mid-1950s, when the extensive Clay Products Corporation brick plant was dismantled and the property was converted to its present recreational use. In addition to the potential eighteenth-century component, and the large-scale industrial facility which occupied the waterfront portion of the property, there are also a number of former farmstead sites, spanning the nineteenth and early twentieth centuries, which represent the historic agricultural use of the property.

Based on the results of the Phase I archaeological survey, JRIA recommended that Sites 44JC0305, 44JC1366, 44JC1367, 44JC1369, 44JC1370, and 44JC1371 should be considered potentially eligible for listing in the National Register of Historic Places (National Register) under Criterion D, while Sites 44JC1368 and 44JC1372 are not eligible. JRIA also identified two archaeological locations which, by definition, are not National Register eligible. Finally, JRIA recorded the extant buildings and structures associated with the former Newport News Shipbuilding and Dry Dock Company's Chickahominy River employee recreation area as DHR ID #047-5540. JRIA recommended that this resource, which was established in 1955 and currently remains in use, should not be considered eligible for inclusion in the National Register, either individually or as part of an historic district.

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I. INTRODUCTION

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the approximately 119-acre Brickyard Landing property (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The Brickyard Landing parcel recently acquired by James City County is located in the northwestern portion of the county, along the Chickahominy River (Figures 1-3). It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed (Figure 4). As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register). To accomplish this, all documentary research, archaeological field testing, and architectural survey was conducted at a level in compliance with the Secretary of the Interior's standards (Department of the Interior 1983, 48 FR 44720-44723), as well as the Virginia Department of Historic Resources' (DHR) *Guidelines for Conducting Historic Resources Survey in Virginia* (2017). Moreover, the field survey was conducted in compliance with statutes regarding the impact of undertakings on historic properties as summarized by the Advisory Council on Historic Preservation (36 CFR 800 [1986]). To meet Advisory Council standards, a Phase I survey must be conducted in "a reasonable and good faith effort to identify historic properties that may be affected by the undertaking" (36 CFR 800.4). The Phase I cultural resources survey was performed and documented at a level that meets or exceeds these standards.

JRIA Partner and Senior Researcher Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel.

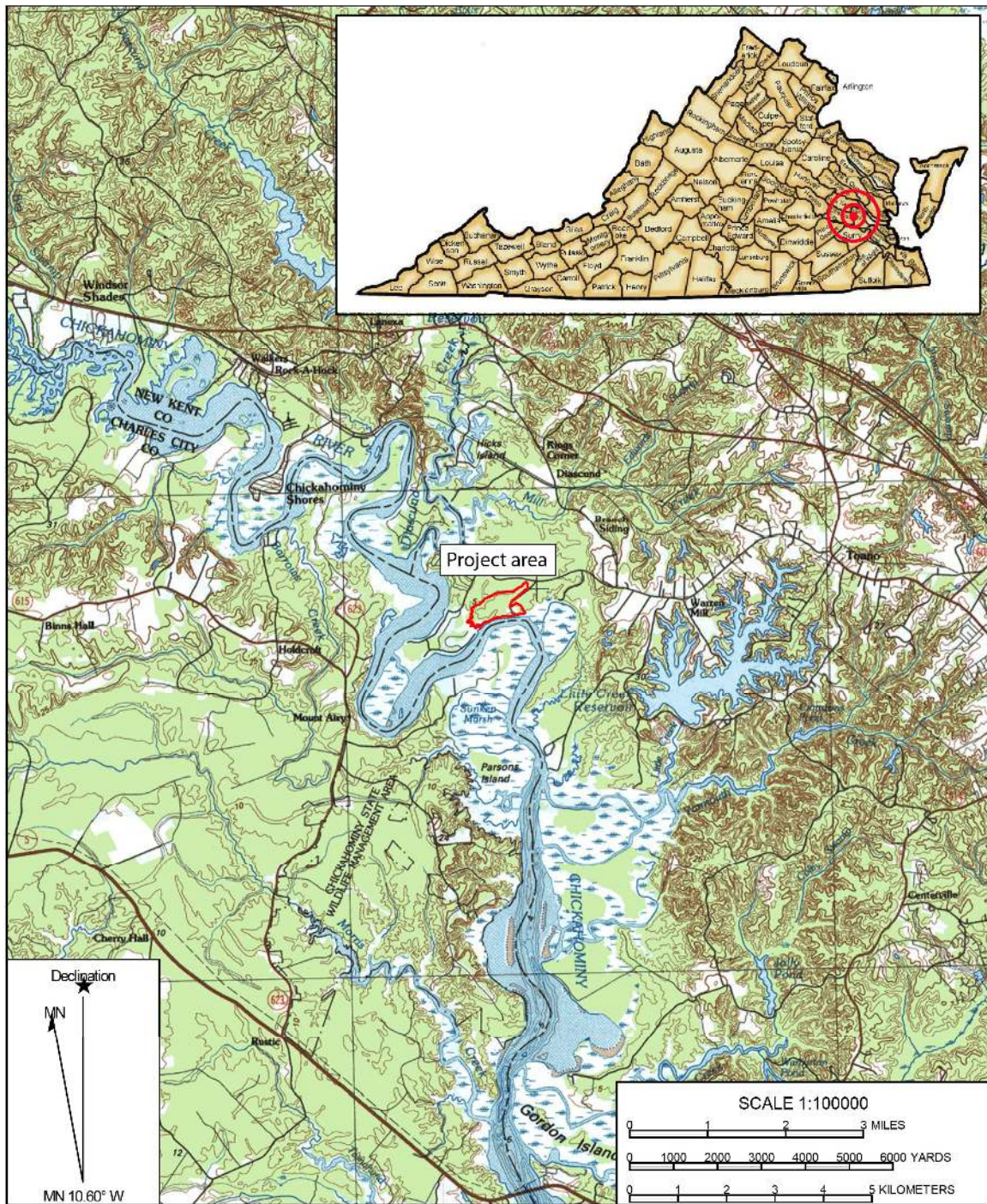


Figure 1. Location of the project area on detail of U.S.G.S. 1:100,000 Williamsburg topographic quadrangle map, 1984.

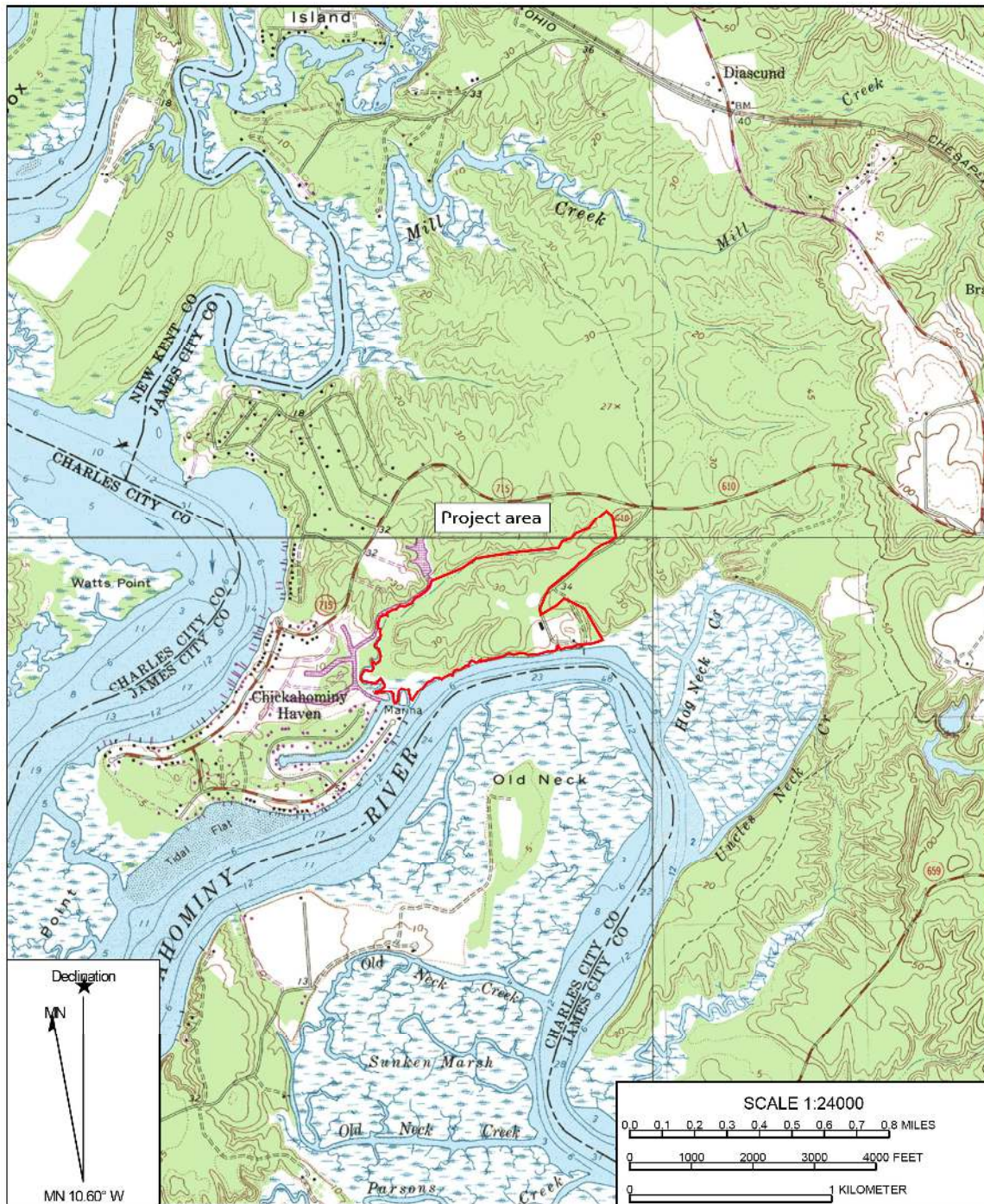


Figure 2. Location of the project area on detail of U.S.G.S. 7.5' Brandon (1980) and Walkers (1981) topographic quadrangle maps.

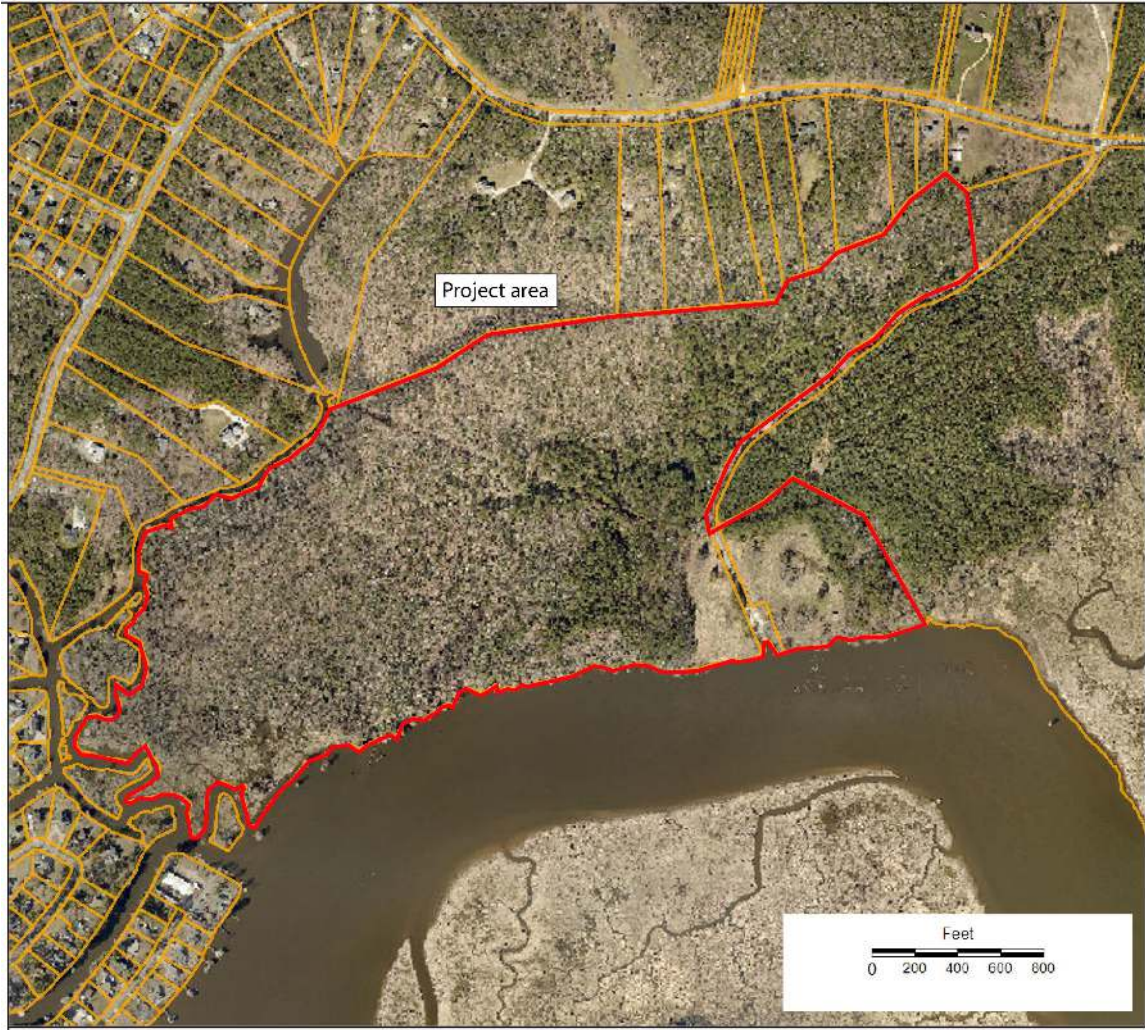


Figure 3. Location of the project area on a 2019 aerial photograph (James City County GIS).

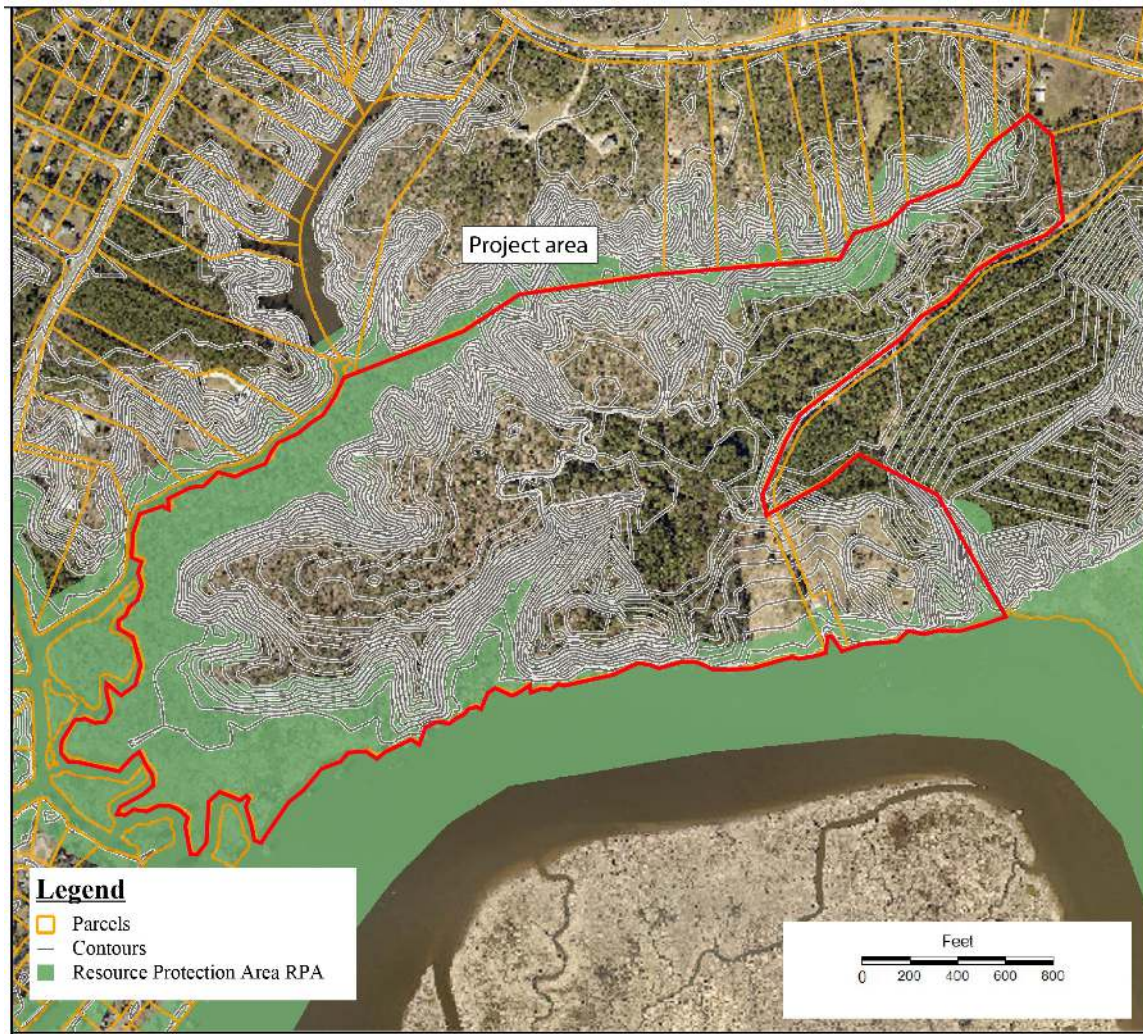


Figure 4. Location of RPA areas excluded from Phase I archaeological testing (James City County GIS).

The architectural documentation and analysis were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC, on behalf of JRIA. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

This report is divided into seven chapters, including the introduction. Chapter II situates the survey area within its physical and environmental contexts. Chapter III summarizes the prehistoric and historic context for the property. Chapter IV describes previously recorded cultural resources within the project area and vicinity, as well as the research objectives and methodology of the current Phase I investigation. Chapters V and VI detail the results of the archaeological and architectural surveys, while Chapter VII offers conclusions and recommendations concerning the identified archaeological and architectural resources.

II. PHYSICAL AND ENVIRONMENTAL CONTEXT

The Brickyard Landing property encompasses just over 119 acres in northwestern James City County, and is bounded to the south by the Chickahominy River, to the east by Brickyard Road, to the north by a tidal marsh, and to the west by an unnamed primary tributary to the Chickahominy River. The project area is situated within the Coastal Lowland subprovince of the Coastal Plain physiographic province. The topography of this low-relief region along major rivers and the Chesapeake Bay is relatively flat, with elevations ranging between 0 and 60 feet above mean sea level (amsl). The project area consists of a relatively narrow central upland ridge, running generally east-west, which descends to the Chickahominy River and its tributary. Elevations generally range between approximately 30 feet in the central upland portion of the property to sea level along the tidal Chickahominy River and marshes along the shoreline (Figure 5). Several drainages, some evidently perennial, dissect this area.

The project area comprises three distinct environments. The roughly 10-acre area immediately surrounding the river landing is open and unforested, with several small groupings of mature hardwood trees (Figures 6-7). This area has seen substantial disturbance and/or truncation of the soil column as a result of the intensive use of the property by the early twentieth-century brick plant. This area includes a number of twentieth-century buildings and structures associated with the recreational use of the property, including picnic shelters and tables, rest room/shower facilities, and barbecue grills.

The majority of the property is wooded and undeveloped. Significant portions (approximately 25-30 acres) of the wooded area were extensively disturbed by clay-mining activities associated with the former brick plant. This area is characterized by dramatic cuts around its periphery, from 5-15 feet deep, with intermittent wetlands and spoil piles (Figure 8). Opportunistic mature pine growth predominates within this area, with a relatively thick understory of younger pine, holly, and greenbrier. In contrast, the undisturbed wooded portions of the project area are characterized by relatively open, mature woods with American beech, dogwood, sweet gum, and oak, with an understory of holly, beech, and occasionally cedar (Figure 9).

The upland testing areas encompasses three primary soil types (Table 1, Figure 10). Peawick silt loam (27) is a moderately well drained soil type characteristic of stream terraces. Although the soil profile is relatively shallow, with only 0-2 inches of silty loam over silty clay, it is considered generally suited to cultivated crops, with some limitations due to wetness. Craven-Uchee complex, with slopes of 6-10 percent, is moderately well drained and generally found on marine terraces. The soil profile consists of 0-9 inches of fine sandy loam over clay, and has significant agricultural limitations due to wetness. Large portions of the testing area are comprised as disturbed Udorthents, the results of large-scale clay mining during the first half of the twentieth century (USDA Web Soil Survey 2020).

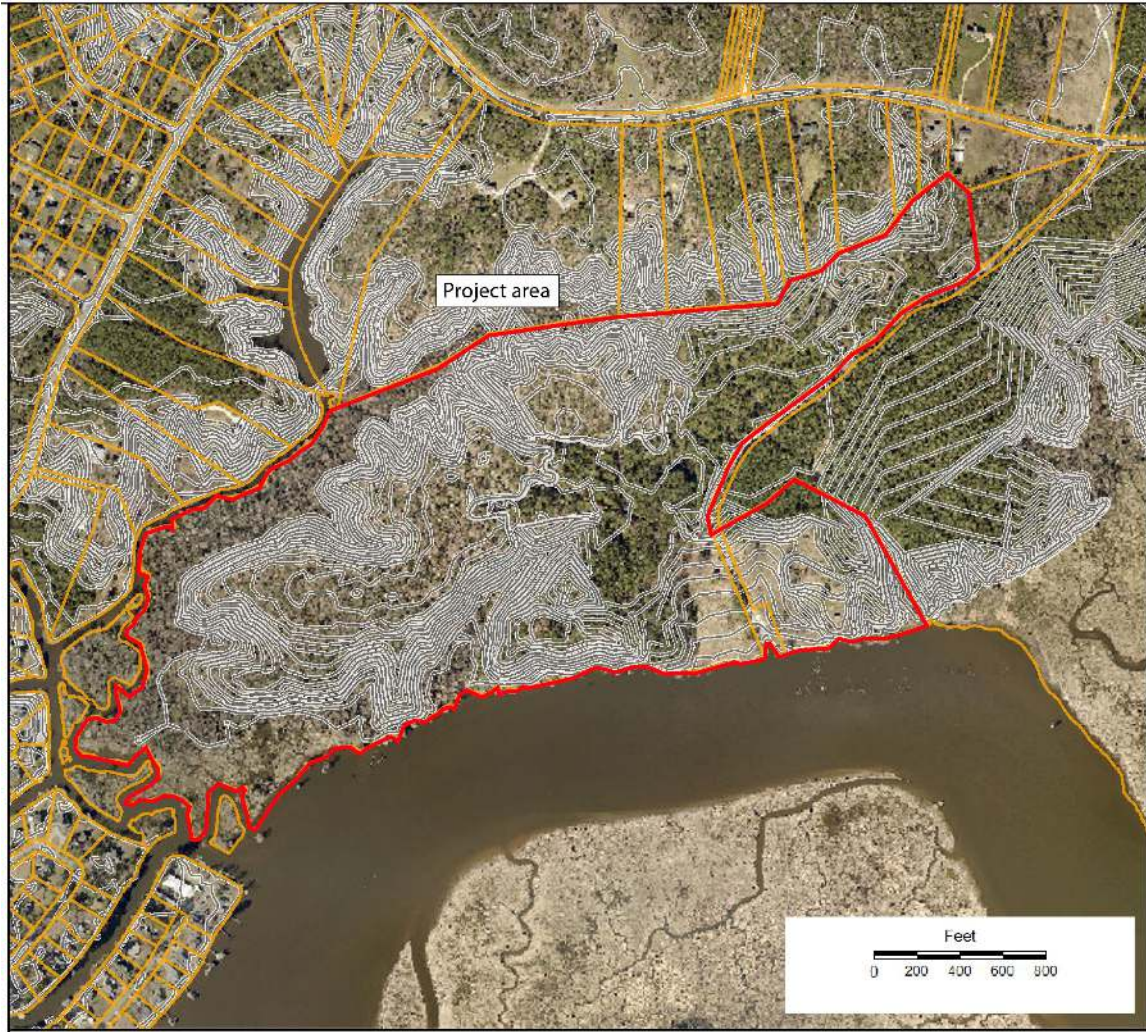


Figure 5. Topographic contour map of the project area (James City County GIS).



Figure 6. Chickahominy river shoreline near the boat landing, view to the west.



Figure 7. Maintained recreation area along the Chickahominy River, view to the north.



Figure 8. Typical inundated areas of twentieth-century clay-mining disturbance.



Figure 9. Typical undisturbed wooded uplands.

Table 1. Soil types within the project area (U.S.D.A. Web Soil Survey 2014).

Soil Symbol	Soil Name	Slope	Drainage	Capability Class*
9	Chickahominy silt loam	n/a	Poorly drained	4w
11C	Craven-Uchee complex	6-10%	Moderately well drained	3e
13	Dragstone fine sandy loam	n/a	Somewhat poorly drained	3w
15D	Emporia complex	10-15%	Well drained	4e
15E	Emporia complex	15-25%	Well drained	6e
17	Johnston complex	n/a	Very poorly drained	7w
23	Newflat silt loam	n/a	Somewhat poorly drained	3w
27	Peawick silt loam	n/a	Moderately well drained	2w
28	Seabrook loamy fine sand	n/a	Moderately well drained	3s
35	Udorthents, loamy	n/a	n/a	n/a

*Soils designated as Capability Class 2-4 are all generally suited to cultivated crops, pasture, range, and woodland, with varying degrees of limitations. Class 2 soils have some limitations which reduce the choice of plants or require moderate conservation practices; Class 3 soils have severe limitations; and Class 4 have very severe limitations. Class 6 and 7 soils have severe limitations which make them generally unsuited to cultivation, and may limit their use mainly to pasture, range, or woodland. Capability limitations include shallow, droughty, or stony soils (s); erosion (e); and excess water (w).

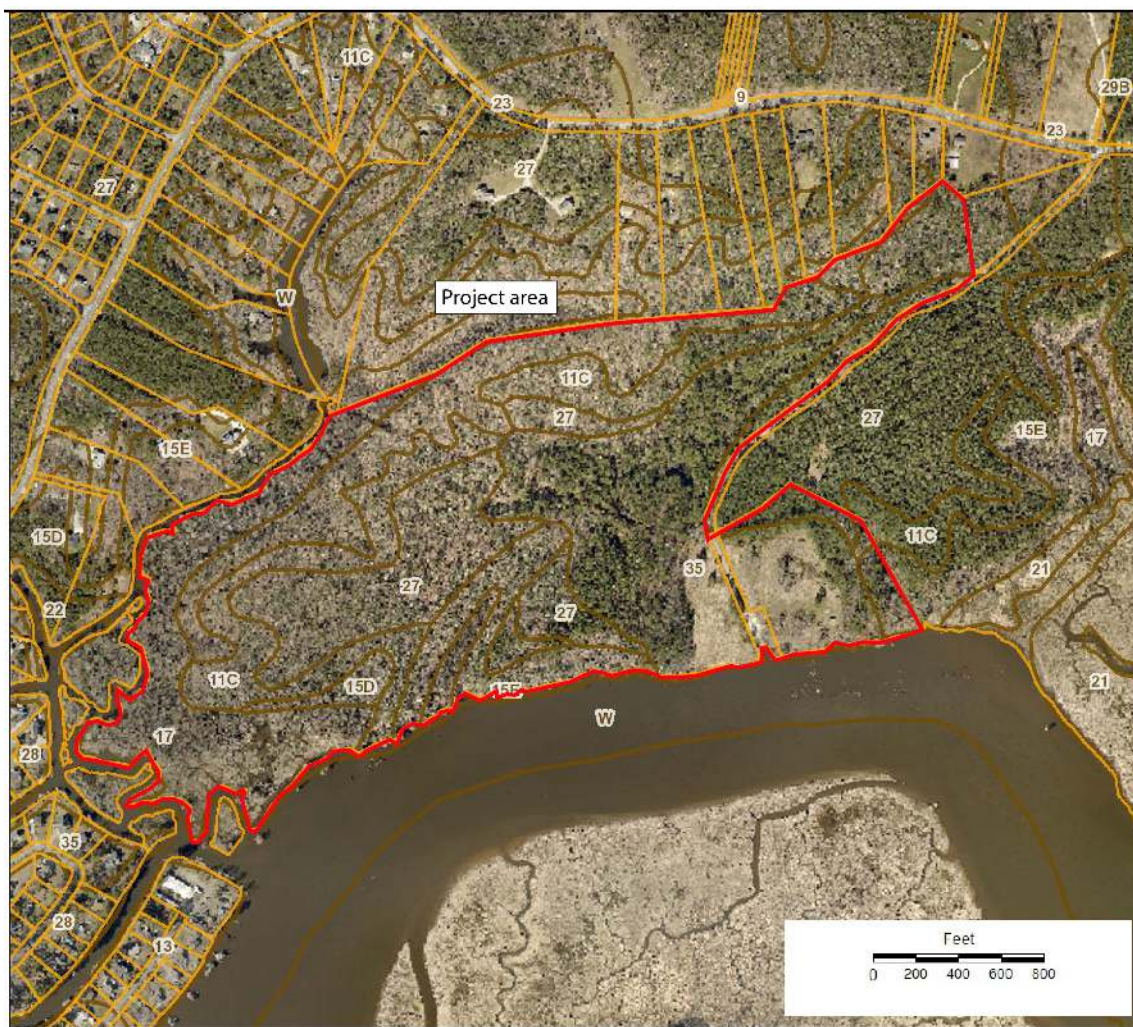


Figure 10. Soils map of the project area (James City County GIS).

III. CULTURAL CONTEXT

PREHISTORIC CONTEXT

Virginia's prehistoric cultural chronology is subdivided into three major time periods based on changes in subsistence as exhibited by material remains and settlement patterns. These divisions are known as the Paleoindian, Archaic, and Woodland periods. A brief summary of the regional cultural chronology follows, with comments on manifestations of each period within the project area vicinity.

Paleoindian (Prior to 10,000 B.C.E.E.)

Paleoindian occupation in Virginia, the first human occupation of the region, began some time before 10,000 B.C.E.E. The earliest recognized diagnostic artifacts are Clovis projectile points, typically fashioned of high-quality cryptocrystalline materials such as chert, chalcedony, and jasper. Later Paleoindian points include smaller Clovis-like and Cumberland variants, small "Mid-Paleo" points, and, at the end of the period, Dalton, Hardaway-Dalton and Hardaway Side-notched points. Also diagnostic, though to a lesser extent, are certain types of well-made endscrapers, sidescrapers, and other formalized tools. Most current views now hold that eastern Paleoindians were generalized foragers with an emphasis on hunting. Social organization apparently consisted of relatively small bands that exploited a wide, but defined, territory (Gardner 1989: 5-52; Turner 1989: 71-94).

The majority of Paleoindian remains in Virginia are represented by isolated projectile point finds and what appear to be small temporary camps. Although some larger and very notable base camps are present in the state, they are relatively rare and usually associated with sources of preferred, high quality, lithic materials. The most important Paleoindian sites in Virginia, and in the eastern United States are the Thunderbird Site in the Shenandoah Valley (Gardner 1974, 1977), the Williamson Site in south-central Virginia (McCary 1951, 1975, 1983), and the Cactus Hill Site in Sussex County (McAvoy and McAvoy 1997). Both the Thunderbird and Williamson sites are large base camps associated with local sources of high-grade cryptocrystalline lithic materials. At the Thunderbird site (44WR0011) and its environs, a site typology has been formulated which includes lithic quarries, quarry-related base camps, quarry reduction stations, base camp maintenance stations, outlying hunting sites, and isolated point sites (Gardner 1981, 1989). Cactus Hill (44SX202), located on the Nottoway River near Stony Creek, is characterized by stratified deposits associated with the Paleoindian through Woodland periods. The site has yielded numerous Clovis projectile points, and generated a radiocarbon date of 15,070 before present (B.P.) from a pre-Clovis occupation layer, which is characterized by artifacts in a pre-Clovis core blade tradition (McAvoy and McAvoy 1997).

Archaic (10,000-1200 B.C.E.E.)

The beginning of the Archaic Period generally coincided with the end of the Pleistocene epoch, marked in the region by a climatic shift from a moist, cool period to a warmer, drier climate. Vegetation also changed at this time from a largely boreal forest

setting to a mixed conifer-deciduous forest. In eastern Virginia, a temperate climate was established, and the formation of the Chesapeake estuary began. Increasing differences in seasonal availability of resources brought on by post-Pleistocene changes are thought to have coincided with increasing emphasis on strategies of seasonally geared mobility (Dent 1995:147).

Archaic populations likely were characterized by a band-level social organization involving seasonal movements corresponding to the seasonal availability of resources and, in some instances, shorter-interval movements. Settlement during this era probably involved the occupation of relatively large regions by single band-sized groups living in base camps during part of the year, and then dispersing as necessary during certain seasons, creating smaller microband camps that may have consisted of groups as small as single families. The Archaic Period saw the development of more specialized resource procurement activities and associated technologies. These differences in material culture are believed to reflect larger, more localized populations, as well as changes in food procurement and processing methods. The Archaic Period also marked the beginning of ground stone technology, with the occurrence of ground atlatl weights and celts. New tool categories that developed during the Archaic include chipped and ground stone celts, ground stone net sinkers, pestles, pecked stones, mullers, axes, and, during the more recent end of the Late Archaic, vessels carved from soapstone quarried in the Piedmont (Custer 1990: 35-40; Geier 1990: 84-86, 93-94).

Early Archaic

Corner and side-notching became a common characteristic of projectile points during the Early Archaic Period, ca. 10,000-6500 B.C.E.E., indicating changes in hafting technology and possibly the invention of the spear-thrower (atlatl). Notched point forms include Palmer and Kirk Corner-notched and, in localized areas, various side-notched types. The later end of the Early Archaic Period and the beginning of the Middle Archaic Period are marked by a series of bifurcate base projectile point forms that, in this area, are mainly represented by Lecroy points. As with the preceding Paleoindian Period, the most common Early Archaic site locations were near the confluence of major streams and tributaries.

Middle Archaic

As a whole, the Middle Archaic ca. 6500-3000 B.C.E., witnessed the rise of various stemmed projectile point forms, and there is a notable increase in the number of early Middle Archaic components over the immediately preceding Early Archaic. The most common Middle Archaic artifact forms are, from oldest to youngest, Lecroy, Stanly, Morrow Mountain, and Guilford projectile point types, followed by the side-notched Halifax type at the end of the period as it transitions into the Late Archaic between ca. 3500 and 3000 B.C.E. However, since finds of typical Middle Archaic artifacts are so few in the James City County area, it has been suggested that particular regional styles of tools/weapons have gone unrecognized; alternatively, many sites of this period may be located within drowned estuarine settings (WMCAR 1997: 43).

Late Archaic

The Late Archaic Period, ca. 3000-1200 B.C.E., was dominated by stemmed and notched knife and spear point forms, including various large, broad-bladed stemmed knives and projectile points that generally diminish in size by the succeeding Early

Woodland Period (e.g., Savannah River points and variants). Also found, though less common, are stemmed and notched-stem forms identical to those associated more prominently with areas of Pennsylvania and adjoining parts of the northeast (Susquehanna and Perkiomen points).

Marked increases in population density and, in some areas, decreased mobility characterized the Late Archaic Period in the Middle Atlantic states and eastern North America as a whole. Locally, there is an increase in the numbers of late Middle Archaic (Halifax) and Late Archaic (Savannah River) sites over those of earlier periods, suggesting a population increase and/or intensity of use of this region between about 3500 B.C.E. and ca. 1200 B.C.E.

Agriculture in the Middle Atlantic region probably has its origins during this period. Yarnell (1976: 268), for example, writes that sunflower, sumpweed, and possibly goosefoot may have been cultivated as early as 2000 B.C.E. In the lower Little Tennessee River Valley, remains of squash have been found in Late Archaic Savannah River contexts (ca. 2400 B.C.E.), with both squash and gourd in slightly later Iddins Period contexts (Chapman and Shea 1981: 70). However, no cultigens have been found in Late Archaic contexts locally.

Woodland (1200 B.C.E. – ca. A.D. 1600)

The Woodland period was characterized by the introduction of ceramic technology, a gradually developing dependence on horticulture, and increased sedentism. Three subperiods (Early, Middle, and Late Woodland) have been designated, based primarily on stylistic and technological changes in ceramic and projectile point types, as well as evolving settlement patterns.

Early Woodland

The Early Woodland Period, ca. 1,200-500 B.C.E., is generally defined by the appearance of ceramics in the archaeological record (Egloff 1991: 243-48). The earliest Woodland ceramic wares, Marcey Creek Plain and variants, are rectangular or oval and resemble the preceding Late Archaic soapstone vessels, and the clay pastes typically contained crushed soapstone as a tempering agent. Characteristic projectile points included variants of the Savannah River type.

Middle Woodland

The Middle Woodland period in this area, ca. 500 B.C.E. and A.D. 900, was marked by the appearance of net-marked, sand-tempered, and pebble-tempered pottery that generally spans the period ca. 500 B.C.E. to about A.D. 300 (Pope's Creek and Prince George wares). These ware types were supplanted by shell-tempered net- and cord-marked Mockley pottery until about A.D. 900 in areas lying east of the Fall Line. Local wares, such as Varina net-marked, were quite common in the Inner Coastal Plain, and have been dated to ca. A.D. 200/250 (Egloff 1991: 243-48).

Previous archaeological studies in the region have demonstrated the intensive use of small tributary streams as well as major river floodplains throughout the Middle Woodland period (ca. 500 B.C.E. and A.D. 900). Archaeologists have suggested that the

Middle Woodland was characterized by “restricted wandering,” in which groups used various campsites for several weeks at a time, obtaining needed materials in the site vicinity (Stewart 1992: 12-16).

Late Woodland

By the Late Woodland Period (A.D. 900-1600), agriculture had assumed a role of major importance in the prehistoric subsistence system. The adoption of agriculture represented a major change in the subsistence economy and patterns of settlement. The availability of large areas of arable land became a dominant factor in settlement location, and sites increasingly were located on fertile floodplain soils or on higher terraces or ridges adjacent to them. Permanent habitation sites gradually replaced base camp habitation sites more characteristic of those of previous foragers and hunter-gatherers. Villages varied widely in spatial layout and appearance: some were highly nucleated while others were dispersed over a relatively wide area. A number of villages were completely fortified by circular or oval palisades, indicating a rise in intergroup conflict, while others contained both a fortified core area and outlying houses. The more dispersed settlements were scattered over a wide area and characterized by fluid settlements within large, sprawling, and loosely defined town or village territories (Turner 1992: 108-114).

Drawings and accounts of early European explorers indicate that houses were constructed of oval, rectanguloid, or circular frameworks of flexible, green sapling poles set in the ground, lashed together, and covered with thatch or bark mats. Burial sites of the period were situated in individual pits or in ossuaries. Such historical accounts are consistent with data obtained from archaeological excavations of Coastal Plain Late Woodland village sites (Hodges and Hodges 1994).

Archaeological research in the Virginia Coastal Plain over the past 30 years has demonstrated a marked decrease in the number of small, temporary, interior sites occupied during the Late Woodland period. This trend is not unexpected, given the increasing role of agriculture and accompanying development of more permanent village settlements. Even so, hunting continued to provide a large proportion of the protein in the diet of Late Woodland peoples. As early as the Late Archaic period, overhunting had caused a significant drop in local deer and other mammal populations; so much so, in fact, that relatively few deer could be found in the vicinity of villages. In response, large-scale hunts, which typically included entire family groups, were mounted annually in the late fall and winter after the crops had been harvested. Various supporting camps and activity areas also were established in the day-to-day procurement of food and other resources (i.e., short-term hunting and foraging camps, quarries, butchering locations, and re-tooling locations). These small seasonal camps and non-seasonally based satellite camps supporting nearby sedentary villages and hamlets tended to be located along smaller streams in the interior. Archaeologically, these campsites are generally manifested by limited concentrations of lithics and ceramics (Barfield and Barber 1992: 225-26; Rountree 1989: 38-45; Turner 1992: 108-114).

Diagnostic artifacts of the Late Woodland period include several triangular projectile point styles that originated during the latter part of the Middle Woodland period and consistently decreased in size through time. The most common Late Woodland ceramics from about A.D. 900 to the time of European contact in Tidewater

included shell-tempered Townsend and Roanoke ceramics; untyped, sand-tempered, fabric-impressed ceramics that are otherwise similar to Townsend; and lithic- and sand-tempered simple-stamped ceramics similar to Gaston and Cashie types of North Carolina (Turner 1992: 102-05).

HISTORIC CONTEXT

Early Contact Between the Chickahominy Tribe and the English, 1607-1646

In 1607, John Smith and his fellow Jamestown adventurers unwittingly stumbled into the midst of the Powhatan Chiefdom, one of the most complex Native American groups on the eastern seaboard. As head of the largest “centralized polity” in Virginia, the paramount leader Wahunsonacock (or Powhatan) commanded the allegiance of local chiefs, or “weroances,” in 31 different districts, including a total population of approximately 13,000 men, women, and children. Even so, one of the first Native American groups the English encountered were the Chickahominy Indians, who had resisted inclusion in Powhatan’s chiefdom. The Chickahominy Indians lived in a series of towns and smaller villages along both sides of the Chickahominy River, from its fall line in the west to an area near its confluence with the James, which was occupied by the Powhatan-aligned Paspeheghs. They spoke an Algonquian dialect and practiced a culture similar to that of their Powhatan neighbors, but governed themselves through a council of elders, rather than being under the authority of a single weroance. In the wake of the first Anglo-Powhatan War of 1609-1614, the Chickahominies negotiated an independent treaty with the English, and became their tributary allies, promising to supply 300 fighting men in the event of a Spanish attack, and paying two bushels of corn for every bowman. However, this alliance would not last, and the Chickahominies joined the paramount chief Opechancanough in his failed 1644 uprising against the ever-encroaching English. Under the ensuing peace treaty, land was set aside at Pamunkey Neck for the Virginia Indians, including the Chickahomies, who were forced to abandon their ancestral territory along the Chickahominy River to land-hungry Anglo-Virginian tobacco planters (Rountree 1989: 11; Rountree 1990: 30-31, 54-55; Encyclopedia Virginia 2019).

In the early years of English settlement at Jamestown, John Smith made several voyages up the Chickahominy river, and his 1612 map of Virginia provides one of the best available sources for predicting the location of Chickahominy Indian settlements. In the 1970s, archaeologists Ben C. McCary and Norman F. Barka conducted a detailed study of the Smith map to inform their archaeological investigation of Chickahominy Indian sites. They carefully correlated it with the sketch map—famously known as the “Zuniga Map”—which likely was prepared by Smith and acquired by Don Pedro de Zuniga, the Spanish Ambassador to the English court, in 1608. The two maps differ in many significant details, but McCary and Barka concluded that there most likely had been two Chickahominy villages in the general vicinity of the project area (Figures 11-13). The settlement labeled “Werawahon” on Smith’s 1612 map, and “Werewahone” on the Zuniga Map, evidently represented the Native American archaeological site reportedly destroyed by construction of the Chickahominy Haven residential development. A short distance downriver was the village of “Oraniek,” which was

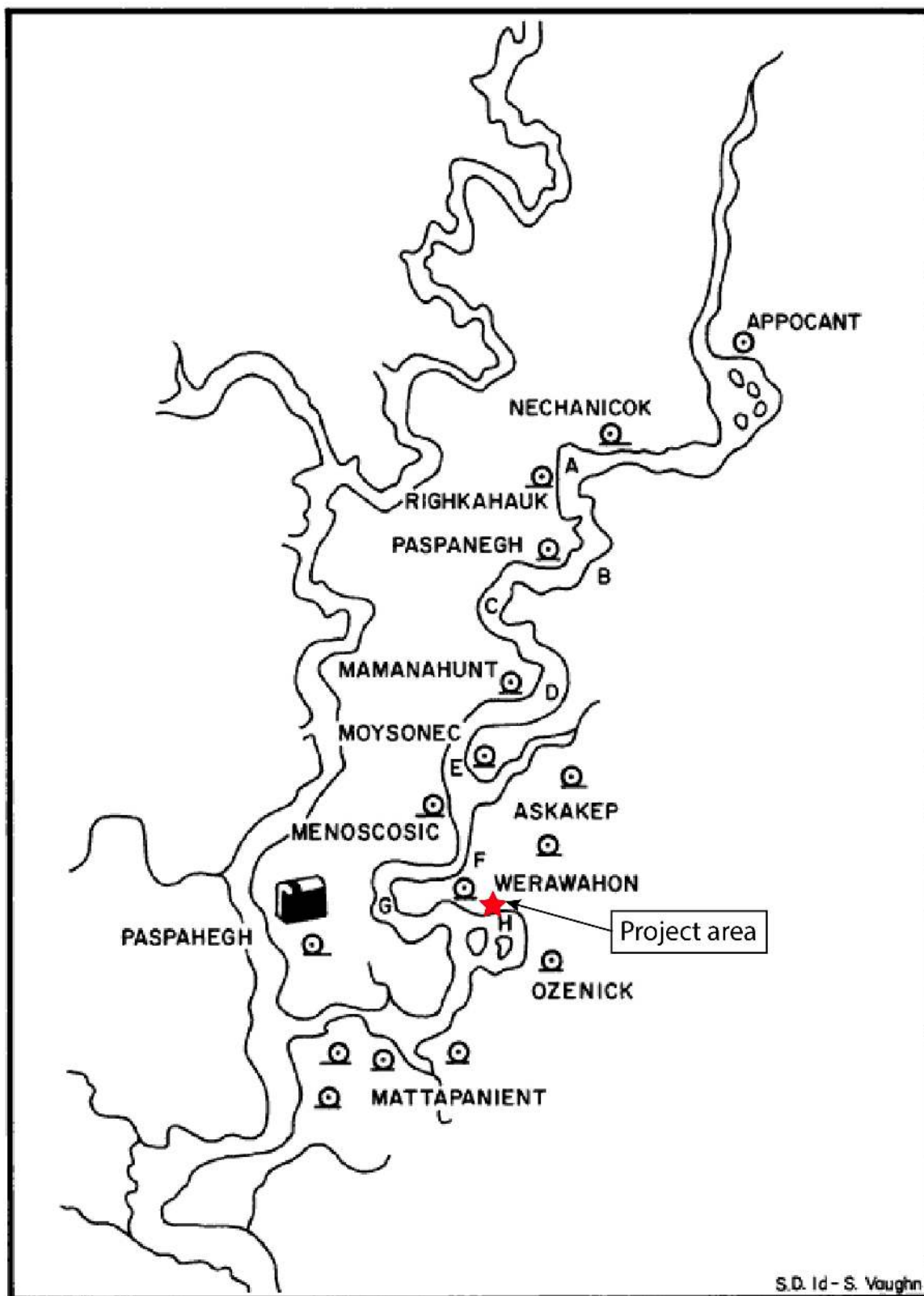


Figure 11. Chickahominy Indian villages depicted on the 1612 Smith map (McCary and Barka 1977: 78).

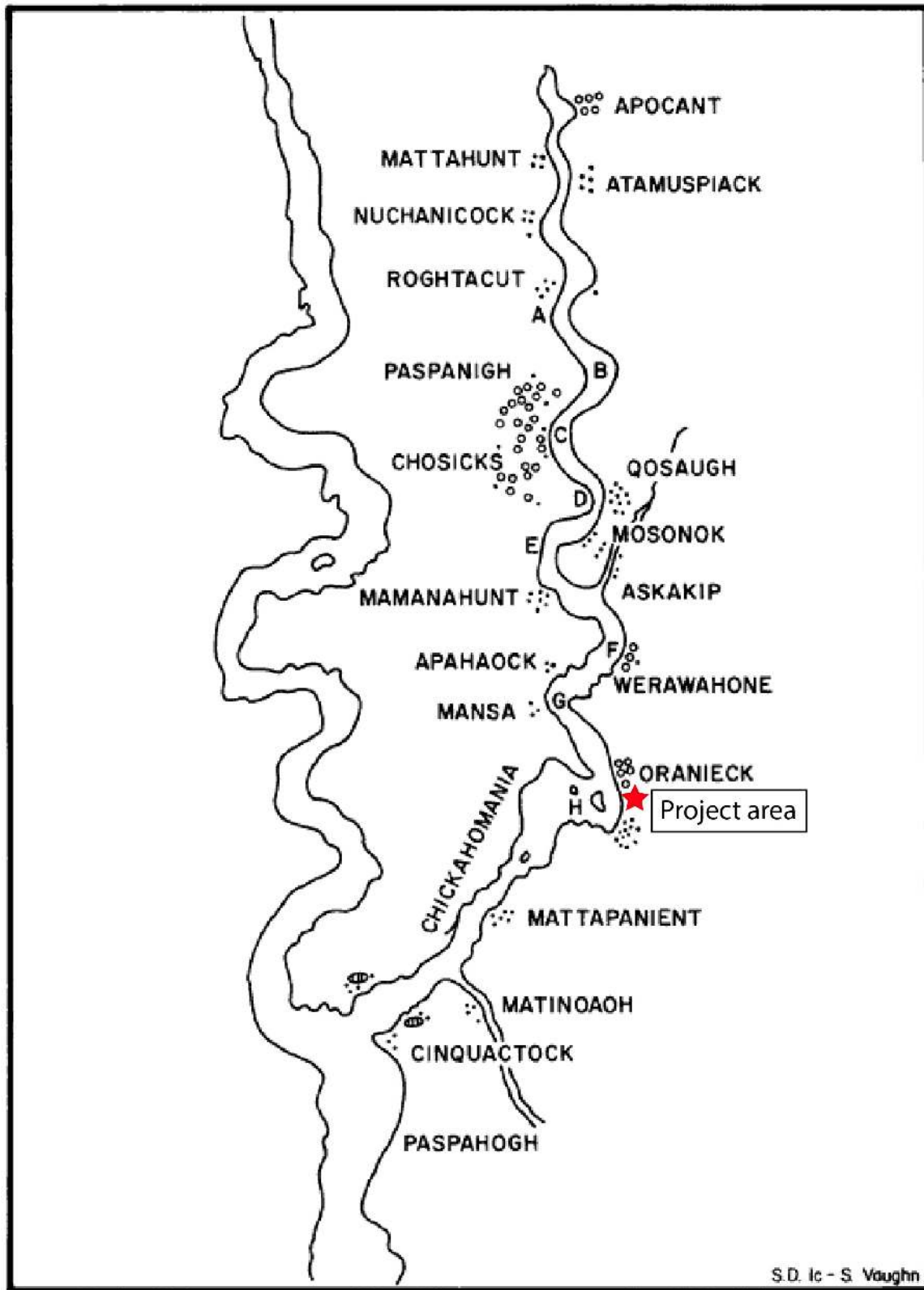


Figure 12. Chickahominy Indian villages depicted on the 1608 Zuniga map (McCary and Barka 1977: 79).

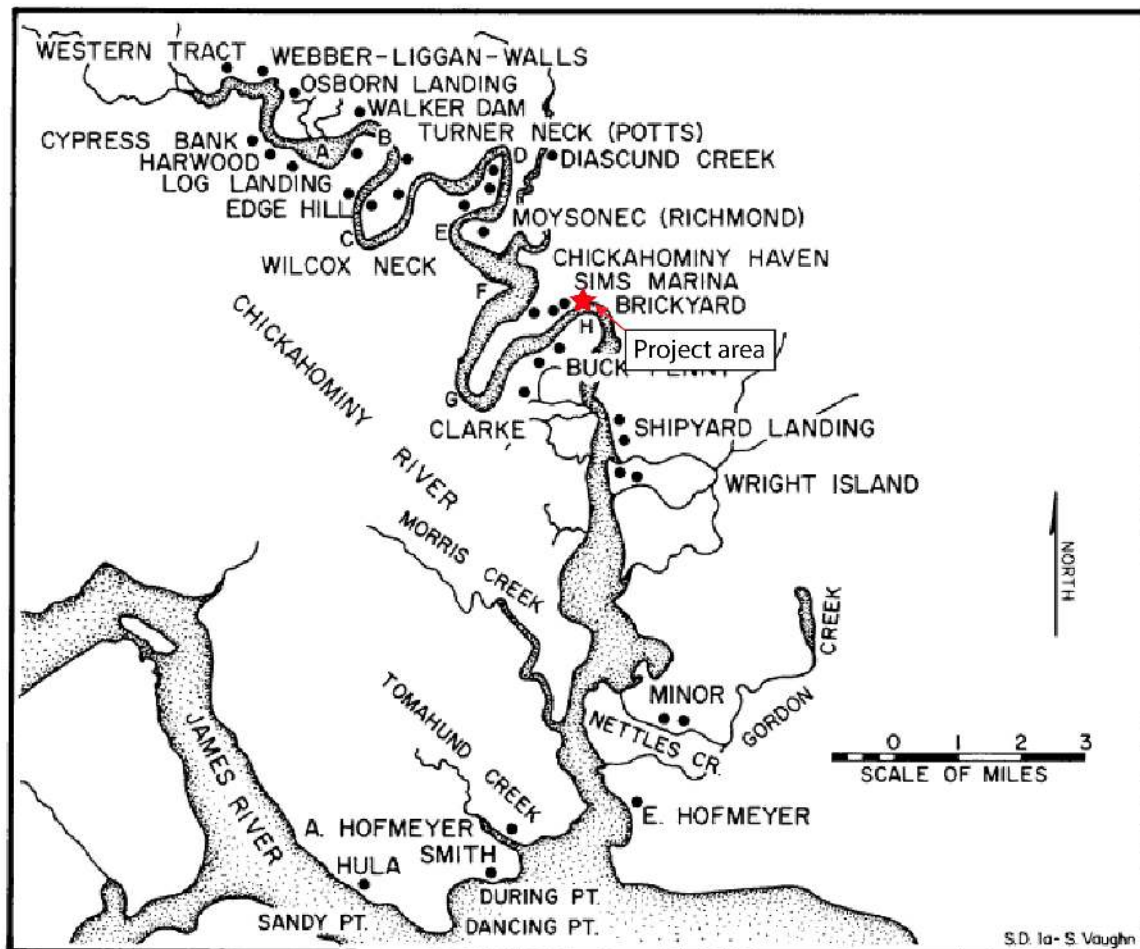


Figure 13. Projected location of Chickahominy Indian archaeological sites (McCary and Barka 1977: 81).

depicted only on the Zuniga map. According to McCary and Barka, this village was “no doubt small,” and the projected location coincided with “the old Brick Yard or with Sims Marina.” However, they believed it unlikely that it was situated within the current project area. “The heavy, clayey soil in the vicinity of the Brick Yard,” they posited, “would not have appealed to Indians interested in agriculture. Our investigations revealed no indications of Indian habitation. It was impossible to make any determination in the vicinity of the housing development and the marina because of extensive bulldozing and filling operations undertaken several years ago” (McCary and Barka 1977: 83).

From Hog Neck to Brickyard Landing, 1646-present

At the time of Opechanough’s uprising, the western portion of James City County, including the project area, was a contested frontier zone between the English settlements along the James River and the traditional territory of the Chickahominy Indians. In 1645, the colonists built a small defensive outpost, known as Fort James, at the site of the former Moysenec village, on the west side of Diascund Creek’s mouth, a short distance upriver from the project area. Thomas Rolfe, who had directed the fort’s construction, subsequently was granted 525 acres in this vicinity for his service in 1646. Unfortunately, the various contemporary geographic points of reference (e.g. creeks, points, necks, and islands) all have names which post-date this period, making it difficult to determine exactly who may have patented the land which later became known as Hog Neck. However, it almost certainly had been taken up by Anglo-Virginian tobacco planters by the 1640s or 1650s (McCartney 1997: 85-86).

Throughout the seventeenth century, and well into the eighteenth, tobacco remained Virginia’s staple crop, completely dominating the colonial economy. Since tobacco plants required almost constant attention throughout the growing season, this form of monoculture was extremely labor-intensive. In fact, the amount of tobacco a planter could produce was directly related to the number of laborers he could get into the fields. Unfortunately, labor in the Chesapeake was perpetually in short supply, and therefore costly. In order to produce enough tobacco to yield even modest profits in the face of unpredictable markets, all planters, large or small, were forced to invest the bulk of their financial resources in labor. The corresponding shortage of skilled carpenters and masons also made building a traditional “English” house astronomically expensive. Certainly, Virginia’s wealthiest elite could always afford a stately brick house. But the vast majority of Virginians could not, and so accommodated themselves to earthfast dwellings, which required relatively little capital investment, expensive materials, or skilled labor. And if their house required significant repairs after ten years, so be it (Carson et al. 1981).

As the seventeenth-century drew to a close, the supply of white indentured servant labor that had formed the backbone of Virginia’s workforce slowed to a trickle. As a result, Virginia planters turned to enslaved African labor for the maintenance of their plantation economy. In so doing, Virginians established a unique, racially divided, social and economic system that would endure until the Civil War (Kulikoff 1986: 4-6).

James City County's land records were largely destroyed in Richmond at the end of the Civil War, making it more difficult to determine who owned or occupied the project area during the seventeenth and eighteenth centuries. However, the available documentary evidence indicates that the Chickahominy River landing within the project area was designated as an official public tobacco warehouse site under the Tobacco Inspection Act of 1730. Supported by Virginia's Lieutenant Governor William Gooch, the act was designed to improve and control the quality of the tobacco being exported from the colony to Britain. The law centralized the inspection of tobacco at 40 warehouse locations throughout Virginia, where inspectors had the authority to destroy what they deemed to be substandard crops, and issue bills of exchange which served as currency throughout the colonial period. One of these tobacco inspection warehouses was established "at Hog-Neck, in James City County," and its inspector also had authority over the warehouse at Taskinas on the York River, in what is now York River State Park (Encyclopedia Virginia 2012).

An advertisement placed in the *Virginia Gazette* in October 1737 listed the 300-acre Hog Neck property for sale, describing it as "very convenient for trade," due to its location on the Chickahominy River where "inspection is now kept" (Figure 14).

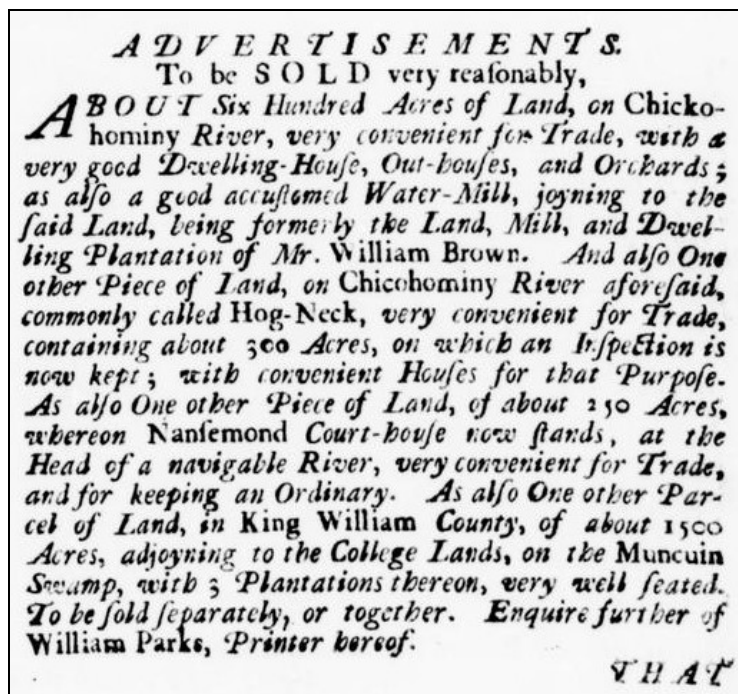


Figure 14. Advertisement for Hog Neck, *Virginia Gazette* (Parks edition), 21 October 1737, p. 3.

The tobacco inspection site at Hog Neck appeared frequently in colonial records. By the early 1740s, a faction of local planters began petitioning the House of Burgesses to discontinue inspection at that location, which they argued had become "very inconvenient to navigation." These requests were routinely rejected, however, and it appears that the warehouse remained active at least into the 1760s. The earliest known

reference to the owner of the property dated to September 1744, when William Walker, “Proprietor of the Public Warehouse at Hog-Neck,” successfully petitioned to be allowed additional rent for building a new warehouse and wharf, as well as for shingling the two existing warehouses. Walker evidently died within the next few years, as his widow, Catherine Walker, requested the sum of £7 to build a wharf at the “public warehouses” at Hog Neck in November 1748. This new wharf reportedly did not last long, “it being carried across the river, by a fresh [flood]” in 1752. By the following year, one John Walker had become the proprietor of Hog Neck, and was once again seeking public funds to rebuild the wharf and warehouses (McIlwaine 1909a: 25, 96, 101, 298, 302; McIlwaine 1909b: 36, 137; McIlwaine 1910: 202-203; Hening 1819a: 174; Hening 1819b: 15, 143, 145-146, 325; Kennedy 1907: 72, 97, 108, 112).

Whoever was living at Hog Neck in April 1781 no doubt would have seen the glow of flames against the night sky after the British set fire to the Virginia State Navy’s Chickahominy Shipyard, located a short distance downriver. Soon after, the state capital relocated from Williamsburg to Richmond, accelerating a decline in the region’s economic and political power which would continue into the nineteenth century. When architect Benjamin Henry Latrobe toured area in 1796, he noted that “poverty and decay seem indeed to have laid their withering hands upon every building public and private between Hampton and Shockoe Creek at Richmond.” Between 1790 and 1820, James City County’s population dropped a staggering 42 percent. Land and personal property tax records demonstrate that during this period the ranks of the middle class declined while the number of small farmers increased. Only the largest landowners became more secure economically (McCartney 1997: 221; WMCAR 1997: 55; CWF 1986: Section XII).

Whatever their social standing, James City County farmers found themselves confronted in the early years of the nineteenth century by land that was simply worn out by decades of tobacco farming. Meanwhile, the prevailing agricultural practice of crop rotation every three years insured that even wheat and corn depleted the soils at an alarming rate. But it was not long before a small group of Virginians dedicated to “scientific agriculture” helped to usher in a new era of productive farming. In his series of essays entitled *Arator*, Caroline County’s John Taylor demonstrated the benefits of four-field crop rotation, in which soils could be improved significantly by rotating corn, wheat, fertilizer, and clover. Similarly, in the early 1820s, Edmund Ruffin publicized the effectiveness of marl in reducing soil acidity, a technique that could triple the productivity of Tidewater soils. Other agricultural improvements included contour plowing to reduce erosion, cast iron plows, threshing machines, and corn shellers (Kaplan 1993: 87-88).

By the mid-nineteenth century, improved agricultural techniques and crop diversification led to a revitalization of the region’s agricultural economy, which had shifted from tobacco cultivation to the production of grain crops. By the time of the Civil War, Tidewater’s agriculture had evolved into a mixed crop system and beef production and other forms of animal husbandry were growing in importance. More sophisticated farming methods became prevalent, including the use of marl to restore soil that had been acidified by long-term tobacco production and erosion (CWF 1986: Section XII).

While the tobacco warehouses at Hog Neck would have long since vanished from the landscape, the Chickahominy River landing remained active throughout the nineteenth century. In September 1854, the James City County merchant and farmer Beverly Slater deeded a one-eighth share of the Hog Neck tract to his younger brother, James M. Slater, reserving the right to use the wharf on the property. A later document included the following description of this parcel: “Beginning at a persimmon which stands upon the Hog Neck Road and between the Mansion House and the Chickahominy River, from thence in a line direct to another persimmon, standing in the open field (as it then was), from thence in a line nearly direct to a sweet gum, standing outside of the field, from thence to a rave, and from thence at right angles to the run aforesaid. . . .” (James City County Deed Book [JCCDB]1: 80; JCCDB 3: 378).

The “mansion house” referred to in the 1850s was likely the same dwelling which was depicted in a cleared field northeast of the landing on the 1863 Confederate Engineers’ map of James City County (Figure 15). This building would have been located roughly in the vicinity of the current picnic shelters. Aside from a cleared area immediately west of the landing, the remainder of the project area was wooded and undeveloped at that time, with no indication of other buildings or significant features. The public road leading to the landing followed essentially the same alignment as it does today.

No intensive fighting occurred in or around the project area during the Civil War. However, during the Confederate withdrawal after the Battle of Williamsburg in May 1862, both armies passed through this area heading west towards Richmond, with many units crossing the Chickahominy River to the south at Barrett’s Ferry. Throughout the remainder of the war, this area remained nominally under Union control, although Confederate marauders frequently harassed Federal troops behind the lines (McCartney 1997: 310-11).

The devastation wrought by the Civil War left the Peninsula depopulated and depressed. The emancipation of the enslaved African-American population resulted in a scarcity of laborers, and rural families shifted to less labor-intensive modes of agriculture. Many farms were operated by white landowners who struggled to survive, and by black sharecroppers who chose to stay in their old neighborhoods after the war. During this period, Tidewater’s agricultural productivity dropped by more than half, and farm size decreased as larger parcels were subdivided and sold. James City County remained largely rural and agricultural throughout this period, although the arrival of the Chesapeake and Ohio Railroad in the early 1880s helped spur the county’s economic development by providing ready access to the region’s major urban markets. Despite the agricultural profits made possible through improvements in the transportation system, however, the average size of the James City County farm dropped significantly during this period, and tenancy became more prevalent. Farm bankruptcies were common, and many immigrants arrived from the north to take advantage of depressed land prices. Timber companies also bought up large quantities of inexpensive real estate, and many properties throughout the county were cut over to feed the growing local timber industry (WMCAR 1997: 59-60; McCartney 1997: 337-40).

In June 1871, James M. Slater sold the Hog Neck Landing parcel to John C. Timberlake (Figure 16). Born in New Kent County in 1829, Timberlake was working as

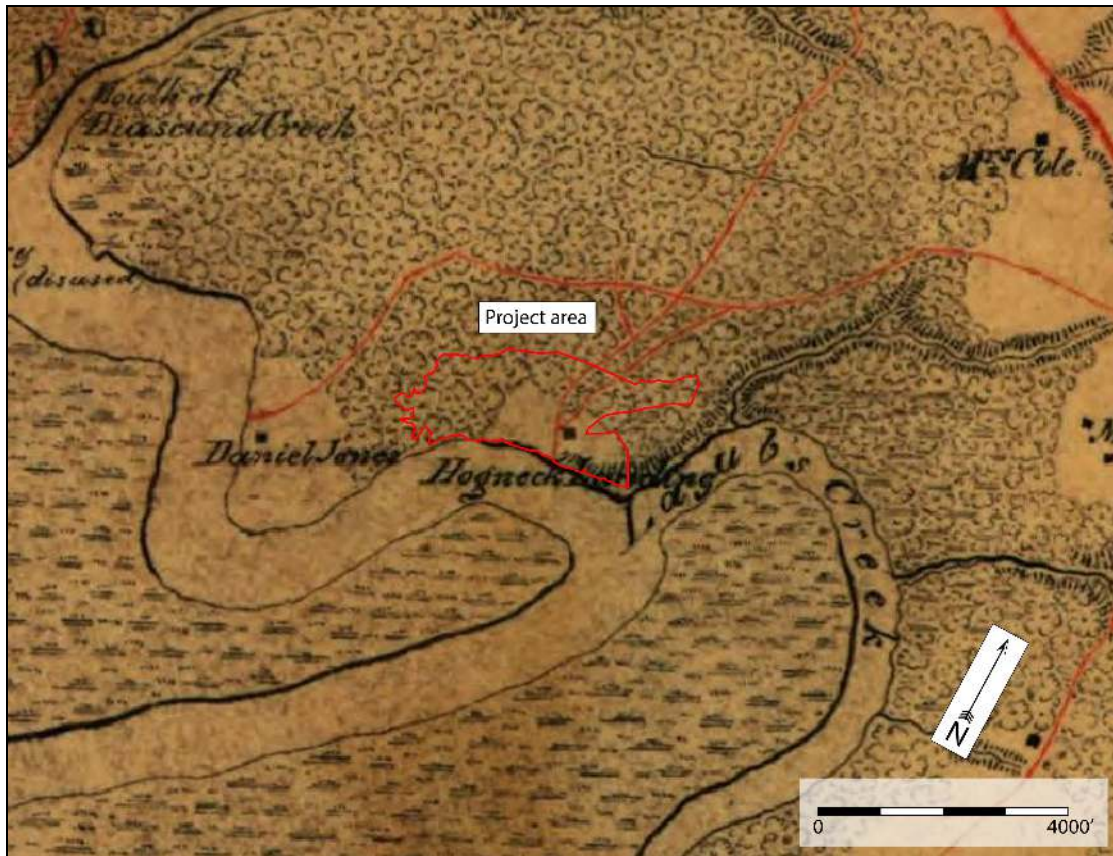


Figure 15. Location of the project area on detail of *New Kent, Charles City, James City and York Counties* (Gilmer 1863).

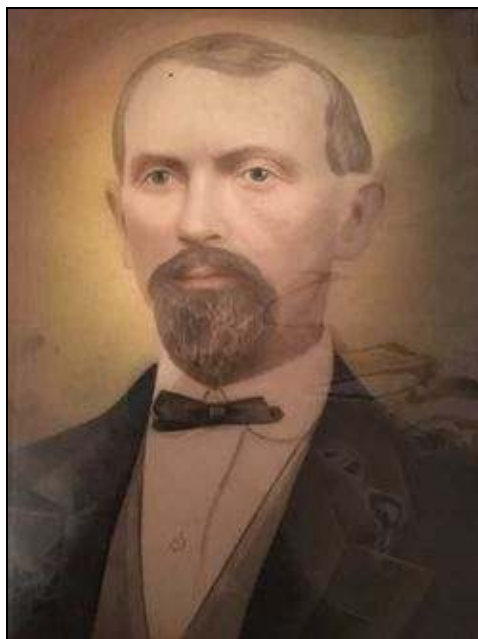
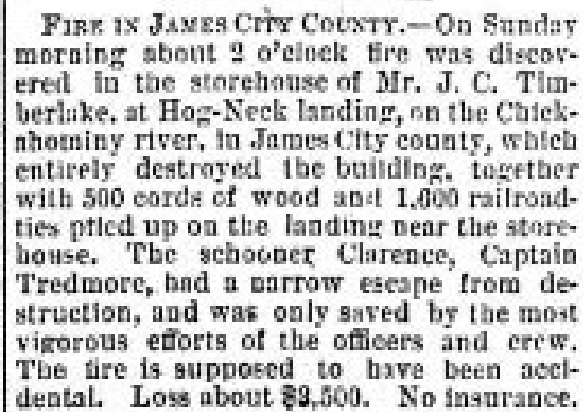


Figure 16. Undated photograph of John C. Timberlake (Meekins 2006).

a merchant when the Civil War began in 1861. He had a colorful military career, enlisting in Company E of the 53rd Infantry, and eventually rising to the rank of major. He fought with the regiment at the Battle of Gettysburg, where he was captured. He was returned to Virginia in a prisoner exchange in 1864, and after recovering from a debilitating bout of dysentery, rejoined the Confederate Army as a Lieutenant Colonel. He was captured yet again at Sailor's Creek in April 1865, but was released a few months later after taking the oath of allegiance. The 43-year-old Timberlake married the teenage Missouri Florida Blassingham in July 1869, and the couple would have eight children together. In the post-Civil War years, he worked as a lumberman and farmer in the Powhatan District of James City County. He died in April 1888 and was buried in Cedar Grove Cemetery in Williamsburg (Meekins 2006).

According to a notice published in Richmond's *Daily Dispatch* newspaper in December 1879, a devastating fire at Hog Neck Landing destroyed Timberlake's storehouse, along with a substantial quantity of cordwood and railroad ties (Figure 17). Evidently, Timberlake was using the landing to ship his lumber products to wider markets via the Chickahominy and James rivers.



FIRE IN JAMES CITY COUNTY.—On Sunday morning about 2 o'clock fire was discovered in the storehouse of Mr. J. C. Timberlake, at Hog-Neck landing, on the Chickahominy river, in James City county, which entirely destroyed the building, together with 500 cords of wood and 1,000 railroad-ties piled up on the landing near the storehouse. The schooner Clarence, Captain Tredmore, had a narrow escape from destruction, and was only saved by the most vigorous efforts of the officers and crew. The fire is supposed to have been accidental. Loss about \$9,500. No insurance.

Figure 17. Notice of fire at Hog Neck Landing, *Daily Dispatch* (Richmond, Virginia), 2 December 1879, p. 1.

A U.S. Coast Survey chart of the Chickahominy River prepared in 1873-1874 provides at least a partial depiction of the project area around this time (Figure 18). Although the chart included only the southern portion of the property, it appears that the cleared areas around the landing shown on the 1863 Confederate Engineers' map had been allowed to revert to woodland. And it is unclear whether the antebellum "mansion house" was still standing at that time.

In December 1892, Melvin F. Timberlake of York County, Virginia, deeded the 18-acre Hog Neck Landing parcel to Martha Hill of James City County. Hill and her husband, George, then sold the property to Robert V. Richardson of Hampton in December 1908. A Toano native, Richardson was the son of brick mason Richard H. Richardson. After serving in the Confederate Army during the Civil War, Richardson

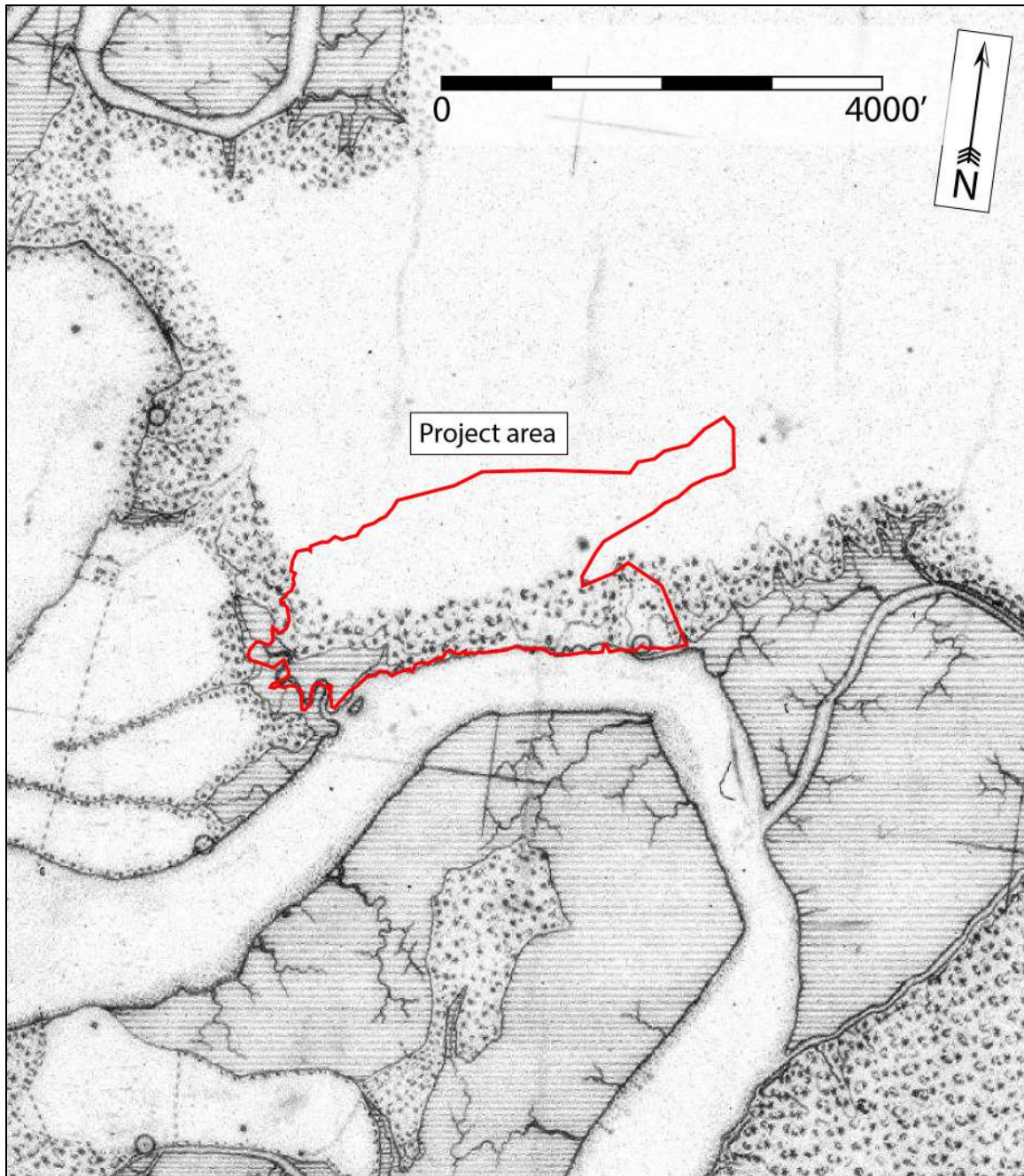


Figure 18. Location of the project area on detail of *Chickahominy River* (Donn 1873-1874).

returned to Williamsburg to pursue a contracting career with the family firm of R.H. Richardson and Sons, which was responsible for erecting numerous buildings at the National Soldiers Home and Fort Monroe, as well as other public buildings in Hampton and Newport News. Over the previous few years, his father had been acquiring various parcels at Hog Neck adjoining the landing, evidently with an eye towards establishing a brick manufacturing facility to supply the family contracting business. The Richardsons now held roughly 400 acres of land in and around Hog Neck, 95 of which had substantial clay deposits, while the deep-water landing offered the potential to ship their product easily by water (American Historical Society 1924b: 585-586; JCCDB 6: 74; JCCDB 7: 268, 269, 280; JCCDB 9: 93; 11: 468; *The Clay-Worker* 1914: 491).

R.H. Richardson and Sons was declared bankrupt in 1913. The following year, the Hog Neck parcels and existing brick plant were purchased by the Clay Products Corporation of Hampton, which was owned and operated by Captain John Cutler "J.C." Robinson, an entrepreneur who made his fortune in the seafood business and became a prominent community leader and landowner in Hampton. By April 1916, J.C. Robinson could report that business was good, and that the company had recently installed equipment for making hollow-tile, as well as a new six-track steam drier. He expected to add a round kiln in the near future to supplement the existing kilns of the up-draft type (*Times-Dispatch* 1914: 4; JCCDB 14: 434; American Historical Society 1924a: 548; *Brick and Clay Record* 1916: 665).

A December 1921 article in the *Brick and Clay Record* provides a detailed description of how the bricks were delivered from the Chickahominy River plant to Hampton (Figure 19):

Scow, Conveyor and Truck Deliver Brick

The accompanying views illustrate the interesting marketing and shipping methods used by a prominent Virginia plant. The system of distribution is unusual in that nearly all shipments are made by water. The plant has no rail connection.

J.C. Robinson, treasurer of this concern, which is known as the Clay Products Corporation, Hampton, Va., writes:

"We have four scows, each with a capacity of 85,000 to 140,000 brick. At the kiln we load motor trucks by wheelbarrows, and the superintendent does not think that the belt conveyor can beat that on this end. The unloading is done by a belt conveyor when the pull is up hill from the scows, which is usually the case. However, there are some places where we use the gravity roller conveyor, which is preferable where it can be used.

"It takes two to three days to load a scow and about the same time to unload. Our best record is 140,000 brick delivered on the job with the use of four trucks in two days. These 140,000 brick [sic.] were delivered by scow from our factory to the city, a distance of 60 miles and then hauled one mile by motor truck to the job.

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Motor Truck Hauling Brick from Kilns to Scow. The Clay Products Corporation of Hampton, Va., Uses This Method of Transportation.

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Unloading 140,000 Brick from Scow onto Truck. The Scow Carries the Brick a Distance of Sixty Miles.

Figure 19. Excerpt from 1927 *Brick and Clay Record* article.

“It took six men to do the unloading, five at \$4, and one at \$5, making a total of \$50 for the labor. To this must be added \$5 for oil and the expense of operating the conveyor, which makes the total cost \$55. The trucks should be figured at \$25 a day, since it is this rate at which they are hired. Thus, the total expense for the entire delivery, excepting for the freight cost hauling by scow, which is \$3 a thousand, is at the rate of \$1.82 per thousand.

“The greatest distance that we have delivered by truck is about five miles and by contract the trucks have received \$5 per thousand for hauling.”

The conveyor is operated by a type Z, 1½ horse power Fairbanks-Morse engine, which burns either gasoline or kerosene. The conveyor is home made and perhaps only cost \$300. This method of delivering clay products as outlined by Mr. Robinson, may be possible of adoption by other clay plants. The saving by hiring the truck by the day over the price per thousand delivered, is quite worthy of consideration (*Brick and Clay Record* 1921).

Delivery of the bricks by water was one of the unique features of the Chickahominy River brick plant. And, evidently, not all their products went directly to the company’s Hampton facility. Captain Bill Buck, Jr., who grew up nearby in Charles City County, recalled his father sailing to Baltimore on a three-masted schooner hauling bricks from the plant. As a boy, he could hear the start, noon, and trilling whistle when the shift changed at the brickyard, and also the gondolas pulled by mules back and forth from the woods where the clay was collected (Trammell 2009).

Samuel T. Jones, a James City County native who was born in 1905, worked for the Clay Products Corporation at the Chickahominy brickyard from 1922 through 1943. His contribution to the James City County oral history project offers the most detailed description of operations and working conditions at the plant:

I was working at the brickyard during the Depression. The only thing that affected us at the brickyard was John Lewis. Do you remember John Lewis? He was the head of the union. Well, he had those big coal mines. That was a brickyard down there, but we burned the bricks with coal. During that time, when they shut us down, we had to go out and find other employment. We couldn’t work at the brickyard because we couldn’t burn the bricks when we couldn’t get coal.

They shut down, I would say, two or three months at a time. We’d get a stock of coal in there. We’d use that up, then the next thing you know, John Lewis had done it again. We couldn’t get any more coal. Then we had to just go ahead and do some other work ‘til they’d get some more coal, and then we’d come back and work again. That went on for a couple of years or more. After they stopped striking, then we’d all get the coal we wanted.

No, it's not in operation now. It burned down. That's the reason I stopped working up there. It burned down in 1943. That same company didn't start back up. Another company came in there and put it in operation. They operated for two or three years, but it disbanded. Newport News Shipyard has a recreation center down there where the brickyard used to be.

Most of the bricks went into construction. We used to send a lot of them to New York. Most of our bricks went to New York and Quantico, Virginia. Our bricks even went to Wall Street.

I was making the brick. We had ten men in our gang, and I was the head of the gang. I did that for fifteen years, and we had to turn out 50,000 bricks a day. We used to make 25,000 and set 25,000. When you set them, you put them in the kiln and you put them through your burn. That's what you call that, setting them. You spaced them like that, so the fire would go through them. That's the way we'd set them.

When we'd set all day, we'd set 50,000. We'd be working ten hours a day. We started off at ten hours, then they cut it back to eight hours. When we got all the cast work done or when we got through, we could go home. We'd go in there sometimes at seven-thirty in the morning, and by twelve-thirty or one, we'd go on home. We had made our day.

First, you'd get your clay and bring it in and dump it in a bin. After you put the clay in the bin, it would come on down and go through a little mill, something like a food chopper? And that dirt would go through there and come out in a mold the shape of a brick, the same size of a brick.

They had another machine that had sixteen wires, the size of a brick. Every time that thing turned over, it cut sixteen bricks. Four men took them off and put them in a pile on a track like a railroad car. You'd put them in a place to dry. After they'd dry, you put them in the kiln and burned them.

When the brickyard burned down, we were making forty-five cents an hour. We had good insurance, but we didn't have retirement or anything like that. We all signed up for the Social Security when it first came out. Never had any retirement.

I hate to say it, but there aren't but three of the brickyard men living now that I know of. One lives down in Chickahominy and one lives in Toano and myself.

They had a brickyard at Colonial Williamsburg, but that one was handmade. They'd make the bricks by hand. They'd grind the dirt with a horse or a mule. We had power and machinery and water. We had mud puddles. It was a different method. They were just making them for their own use anyway.

We used to lower the bricks on three barges to send them to New York. The barge would come right up beside that dock on the Chickahominy. It

used to be sixty feet of water there at that dock. I don't think it's quite that deep now because I think a whole lot of stuff has been put in it. But we had those great big sea barges as long as from here to the other side of that house yonder. We'd put one million bricks on it and send them to New York.

The brickyard was there before I can remember anything about it. Way back yonder, when I was a small kid, I used to hear people talking about it. It must have been built back in the 1800's and something. My uncles worked there back in the 1800's.

Lord have mercy, it'd get so hot in there. I used to go home sometimes; my wife didn't know how in the world I looked that dirty—black like this coal.

The people I worked for were nice people. The man that the owned the place was the president of the Hampton National Bank. J.C. Robertson used to own that brickyard.

Yes, most of the people who worked in the brickyard were black. There were whites, but most of them were black (Bradshaw 1993).

The 15' U.S.G.S. Toano topographic quadrangle map published in 1918 depicted the location of brick plant at the landing, in addition to three other buildings: one was located to the east of the road to the landing, roughly where the picnic shelters are currently located; and two were situated to the northwest in the central portion of the property (Figure 20). Presumably, these were dwellings associated with the previous landowners which remained after the Richardsons acquired the property in the early twentieth century.

An aerial photograph of this part of James City County taken on behalf of the U.S. Department of Agriculture in 1937 indicates that, aside from the brick plant at the landing, the entire project area was wooded and undeveloped (Figure 21). The large areas of disturbance in the central portion of the property evidently represent where clay was being mined for brickmaking. By that time, it appears that there were at least six circular structures at the brick plant. Most likely, these represented the round “beehive”-type kilns which were typical of early twentieth-century brickmaking plants. A surviving example of a similar beehive kiln is preserved at Occoquan Regional Park in Fairfax County, and was one of several operated by prisoners of Lorton Reformatory during the same period during which the Chickahominy plant was active (Figure 22).

The devastating 1943 fire essentially spelled the end of the brickmaking operations at Hog Neck Landing, and the Clay Products Corporation was formally dissolved in May 1953. In June 1955, the corporate directors, consisting of members of the Robinson family, sold the 121-acre property to Newport News Shipbuilding and Dry Dock Company for \$27,500 (JCCDB 54: 437).

A plat of the property produced by Newport News Shipbuilding's Plant Engineer's Office at the time of the 1955 transfer provides a detailed depiction of the

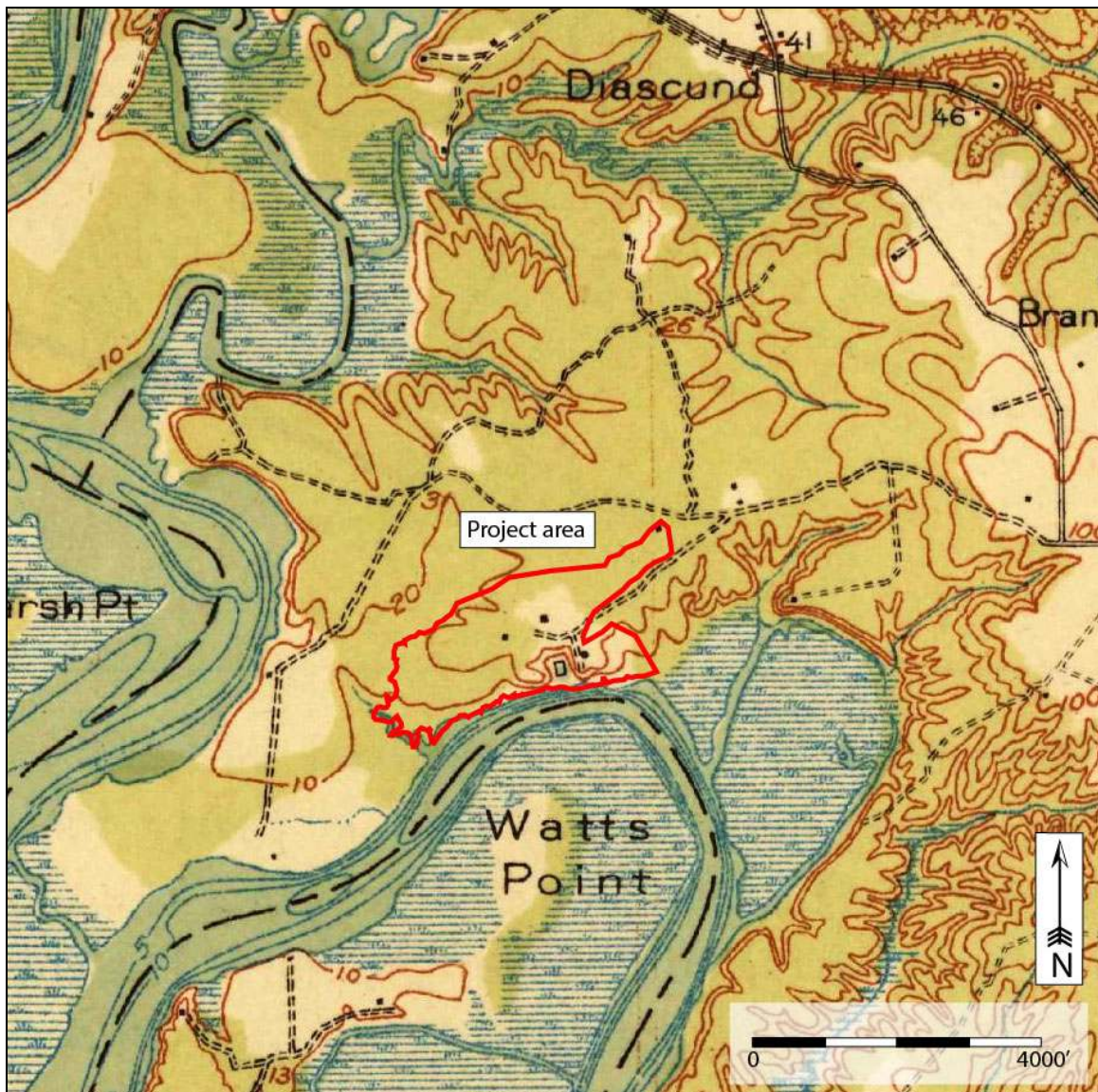


Figure 20. Location of the project area on detail of U.S.G.S. 15' Toano topographic quadrangle map, 1918.

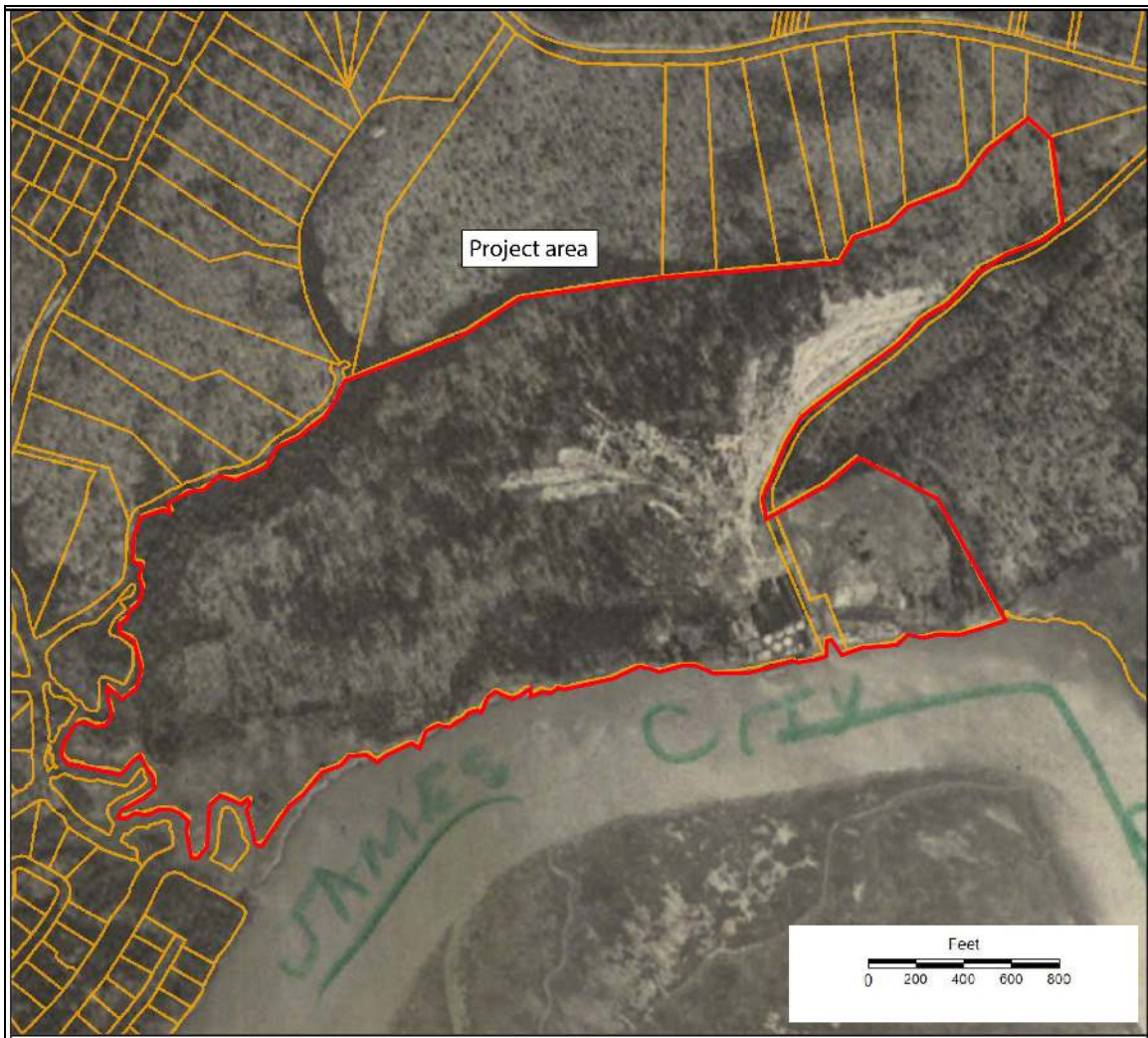


Figure 21. Location of the project area on detail of a U.S. Department of Agriculture aerial photograph of James City County, 1937 (James City County GIS).



Figure 22. Early twentieth-century “beehive” kiln at Occoquan Regional Park (NOVA Parks).

built features on the property at that time (Figures 23-24). Evidently, the main brickmaking plant buildings remained, including the six beehive kilns, north of which were the driers, a machinery building, and “brick barracks.” A frame house—possibly the same which was depicted on the 1918 U.S.G.S. map, was situated to the northeast in the vicinity of the current picnic shelters. To the south of the house nearer the river were a brick house and garage; and to the east of these were oil tanks.

Soon after taking possession of the property, Newport News Shipbuilding removed all but one of the former brickyard structures and established an employee recreation area (Figures 25-29).¹ By 1956, they had improved the area with “running water, rest rooms, fireplaces, tables, benches, ice boxes, pots and pans, and athletic equipment.” Soon after, a boat dock and ramp were constructed for trailer-hauled boats. “If past summers are to be any indication,” the *Shipyard Bulletin* reported in 1962, “the Shipyard Recreation and Picnic Area on the Chickahominy River will be crowded every available minute during the upcoming picnic and vacation season.” The property boasted a large parking lot, as well as spaces for softball, horseshoe pitching, volleyball, and other games. A telephone was installed in 1962. The recreation area was available for booking by the various shipyard departments every summer weekend, and the facilities were managed and maintained by a committee of employees (*Shipyard Bulletin*, Vol. 21 [1961], pp. 4-5; Vol. 22 [1962], p. 9).

After nearly more than 40 years of active use, Newport News Shipbuilding deeded the employee recreation area property to a private developer, Watertown LLC, in December 1997 (James City County Instrument #980000036). James City County had long held a public right-of-way to the boat landing, but acquired the associated 119-acre property in August 2020 (James City County Instrument #200012995).

¹ One large building at the north end of the former brick plant, possibly the “brick barracks” indicated on the 1955 plat, appears to have remained standing until the 1980s (see Figure 30).

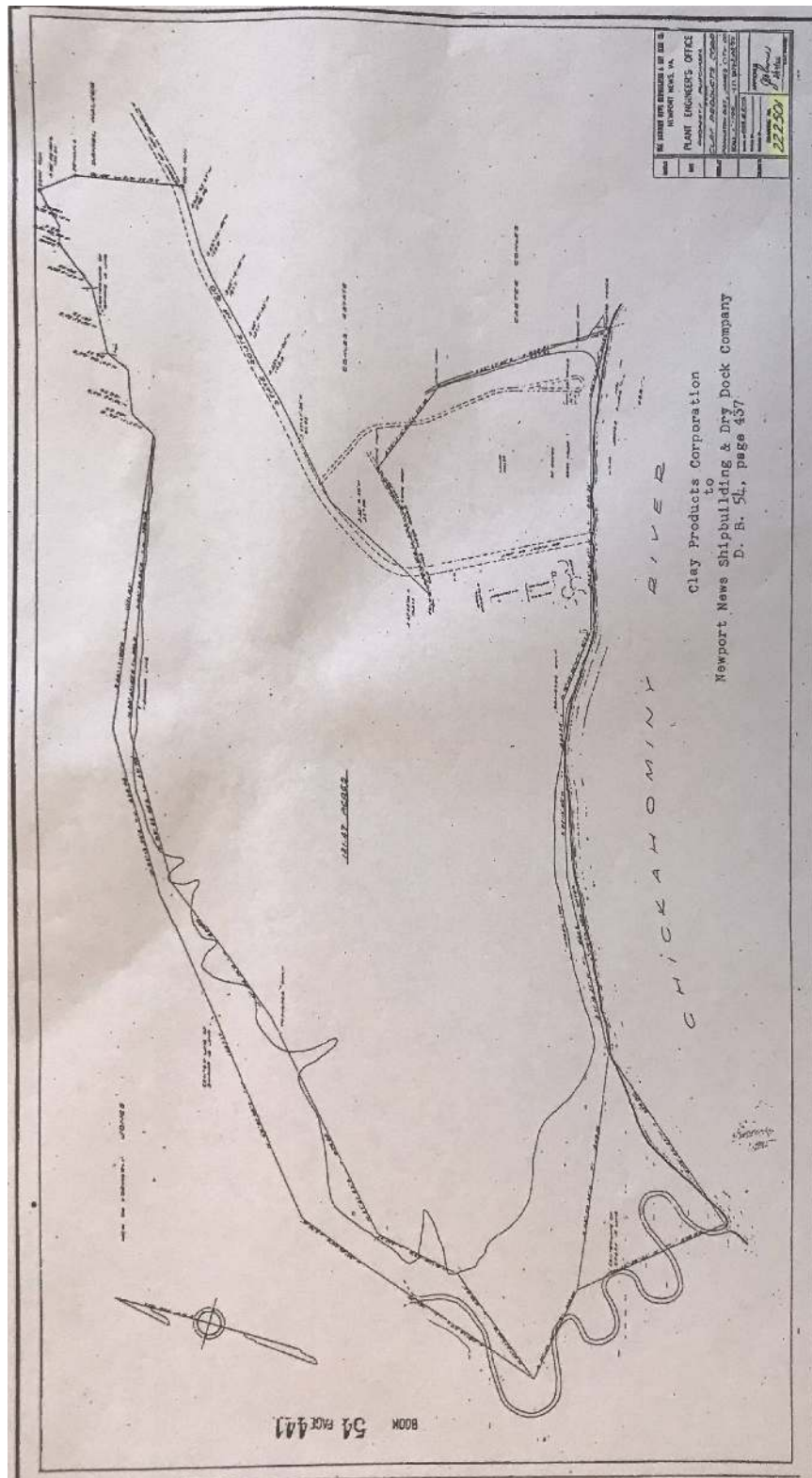


Figure 23. 1955 plat of the former Clay Products Corporation property, Newport News Shipbuilding and Dry Dock Co., Plant Engineer's Office Drawing No. 222501 (JCCDB 54: 441).

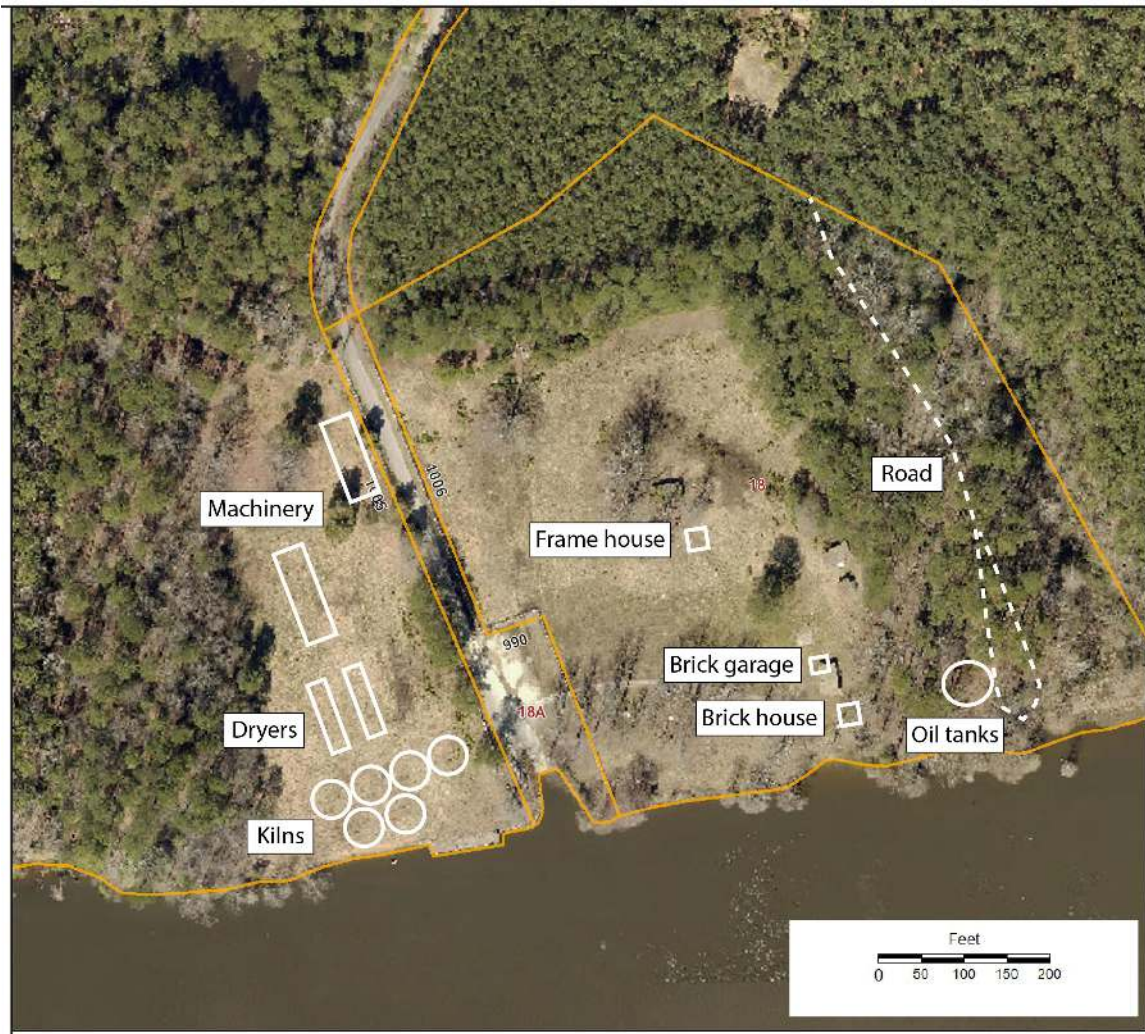
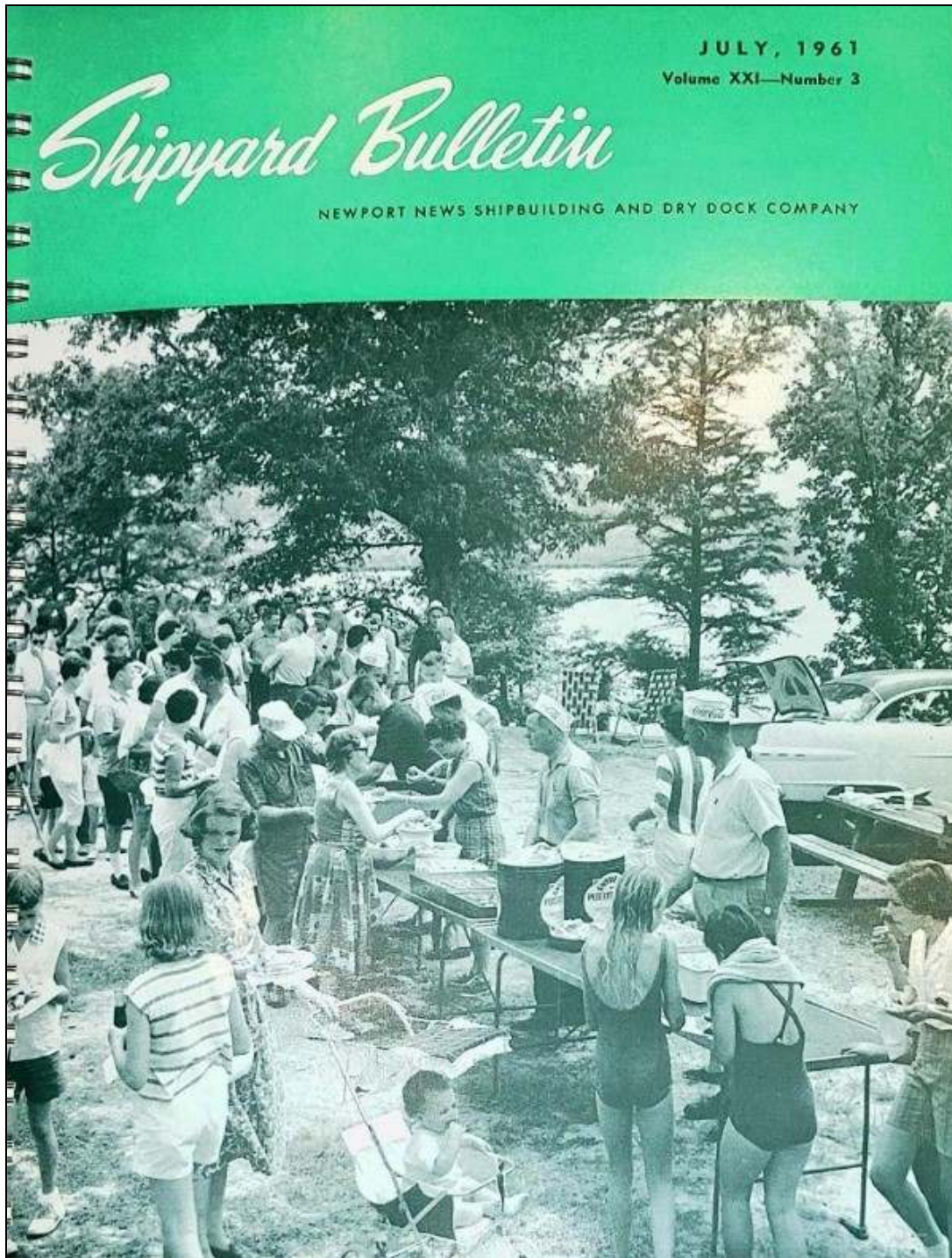


Figure 24. Projected 1955 features on a 2019 aerial photograph of the project area.



FRONT COVER—The serving line for the June 3 picnic of Electrical Design Department employees and their families at the Chickahominy Recreation Area for Employees. The Company-owned area, located on the Chickahominy River near Toano, Virginia, has been completely equipped by the Company for picnics, swimming and boating. Departmental groups have used the facility every week end this summer.

Figure 25. *Shipyard Bulletin*, Vol. 21 (1961), front cover, p. 3.



Electrical Design Department employees and their families enjoy a picnic at Chickahominy Recreation Area for Employees. At right is the beautiful Chickahominy River, with facilities for swimming and boating.

Busy Summer At Chickahominy

Electrical Design Picnic Typifies Yard Outings

The Chickahominy Recreation Area for Employees has been booked solidly every week end this summer. Typical of the departmental outings which have been held at the Company-owned facility was the annual family picnic for employees of the Electrical Design Department on June 3.

This well-organized event attracted 160 employees, wives and children. The entertainment naturally center around the youngsters, but some of the older set also joined them at baseball, tug-of-war, and bag

races. Toys and balloons were distributed to the children, and they were treated to pony rides and boat rides.

The picnic featured a full menu of barbecue, hot dogs, potato salad, cole slaw, baked apples, coffee, soft drinks and ice cream.

This is the sixth year of operation for the facility, which first was used for outings in 1956 when the Company improved the area with running water, rest rooms, fireplaces, tables, benches, ice boxes, pots



A family relaxes in the shade while enjoying the picnic.

Figure 26. *Shipyards Bulletin*, Vol. 21 (1961), p. 4.



A foot race sharpened the youngsters' appetites for the picnic dinner.

and pans, and athletic equipment. Later improvements included construction of a boat dock and ramp for launching trailer-hauled boats.

The area is a wooded site on the Chickahominy River at the end of Route 610 in James City County, about four miles beyond Toano. It is managed by a committee headed by J. L. Hogge, Assistant Superintendent, Hull Outfitting Division.

After a slow start in early May with the Dirty Thirties on May 6, Hull Outfitting and Machinery on May 13 and Electricians (Southside Plant) on May 20, the week ends filled up and were booked through August. Four Sundays are unreserved in September.

Other departmental groups using the facility were:

(Continued on page 18)



The younger set was not neglected when refreshments were served.



The youngsters put everything they had into this tug-of-war.

Figure 27. *Shipyards Bulletin*, Vol. 21 (1961), p. 5.

and has served there as a Senior Design Supervisor since July of that year. Born in Norfolk on May 25, 1918, he makes his home at 10 Holly Drive.

Robert French, Jr., joined the Company in the Personnel Division on June 13, 1949, soon after taking his A.B. in Economics from Duke University, and has continuous service from that date. He was transferred in June of 1950 to Time Study, now Piece Work Standards, and has served that department as a supervisor since May 12, 1958. Born in Portsmouth on November 14, 1921, he makes his home at 18 MacIvin Drive.



1905 Apprentice Visits Shipyard



Comille Gentis, who completed his electrical apprenticeship at the Shipyard on July 22, 1905, visited the Yard last month. Gentis, 77, graduated as apprentice number 135. He went to California in 1908 and worked for an electrical power company as a substation maintainer until his retirement ten years ago, and now lives in Oakland. Gentis expressed amazement at the growth of the Shipyard, and recognized only a few of the older buildings. Inspecting the current work of electrical apprentices, he commented that "There is no comparison with what we did in 1905. It's so much more complicated."

S. S. Washington Keel Laid



The keel was laid on May 29 for our Hull 553, the S. S. WASHINGTON, third of four Mariner type ships being built by the Yard for the States Steamship Company. The first keel, the S. S. CALIFORNIA, was laid January 16, and she will be launched July 28.

Chickahominy—(Continued)

Welders, Atomic Power Design, Electrical Design, Riggers (Masonic), Joiners, Mold Loft, Sheet Metal, Pipe Department Supervisors, Purchasing-Storekeeping, Riggers, Foundry, Quality Inspection, Shipfitters and Welding Engineers.

The remaining schedule is: July 22—Pipe Coverers; July 23—Testing Lab and Apprentice Athletic Group; July 29—X-19 Toolroom; July 30—Piping Design "A" and Sheet Metal; August 5—Ship Shed; August 6—Riggers; August 12—Joiners; August 13—Clinic and Machine Shop.

August 19—Machine Shop; August 20—Shopfitters; August 26—Joiners; August 27—Piping Design "B"; September 2—Family Group; September 9—Electricians; September 16—Welding Supervisors; and September 23—Hull Requisition Group.

Beautiful forms and compositions are not made by chance, nor can they ever, in any material, be made at small expense. A composition for cheapness and not excellence of workmanship is the most frequent and certain cause of the rapid decay and entire destruction of arts and manufactures.—Josiah Wedgwood.

Work Progresses On Dry Dock One



Progress on the enlargement of Dry Dock One is shown in this recent photograph. The project, begun in April and scheduled for completion in early 1962, will increase the dry dock's length from 592 to 650 feet, width from 50 to 92 feet, and depth over the sill at the gate from 24 feet 7 inches to 33 feet. The work is being done by McLean Contracting Company, Baltimore.

Figure 28. Shipyard Bulletin, Vol. 21 (1961), p. 18.

PICNIC AREA READY FOR NEW SEASON



If past summers are to be any indication, the Shipyard Recreation and Picnic Area on the Chickahominy River will be crowded every available minute during the upcoming picnic and vacation season. Already, reservations are pouring in and there are but a few weekend openings left. Any Yard group which is interested in making a reservation to use these facilities would do well to make their arrangements right away.

Requests for use of the Recreation Area should be made in writing through the Yard Mail to J. L. Hogge, Hull Outfitting Division.

Available for use at the area are all of the necessary facilities for preparing and eating food out of doors. There are brick fireplaces, the necessary tables and benches, running water and pots and pans. Dry firewood is provided and there are boxes available for icing drinks.

The recreation area includes spaces for softball, horseshoe pitching, volleyball and other games. Also available is the necessary equipment for these games. One popular feature of the Recreation Area is a ramp for launching trailer-carried boats and a boat dock so that the waters of the Chickahominy River may be enjoyed as well.

A newly enlarged parking lot provides plenty of parking and there is also running water and ample toilet facilities. This year a telephone has been added for the convenience of picnickers.

The area is the result of many hours of work by members of the Committee which manages it, and the responsibility of keeping it an outstandingly attractive place where Yard employees can escape the heat and boredom is everyone's who participates in the program.

The committee suggests certain procedures to maintain the facilities and equipment in the best of condition for use by the greatest number of employees.

Keys will be given to responsible members of the group for access to locked up gear and toilets. These keys should be returned immediately after use.

Before leaving the area, all equipment must be cleaned, replaced in storage and locked up. All trash should be burned in the fireplaces, or put in the available disposal cans before the groups leave. Drink boxes should be emptied and the tops left open.

Fires should be built only in the fireplaces and extinguished before the group leaves the grounds. No open fires are allowed.

To reach the site, follow Route 60 to Toano; turn left upon reaching Route 610 and follow that road for about four miles until the river and the recreation area is reached.

The Chickahominy Picnic and Recreation Area is there for your enjoyment. Use it responsibly and it will continue to be a place of enjoyment for years to come.

Among the groups who have made reservations to use the facilities thus far are: Plant Engineers, Sheet Metal Department, The Sheet Metal Local, Atomic Power Division, Production Department, Tabulating Department, Quality Inspection Division, Riggers Department, Electrical Design, Pipe Department Supervisors, Storekeeping, Foundry, Clinic, X-19 Toolroom, Shopfitters Local, Ship Shed, Shopfitters Supervisors, Engineering Technical, Erectors, Shipfitters Supervisors, Shipyard members of the Exchange Club, Shipfitters, and the Joiners Social Club.

Figure 29. *Shipyard Bulletin*, Vol. 22 (1962), p. 9.

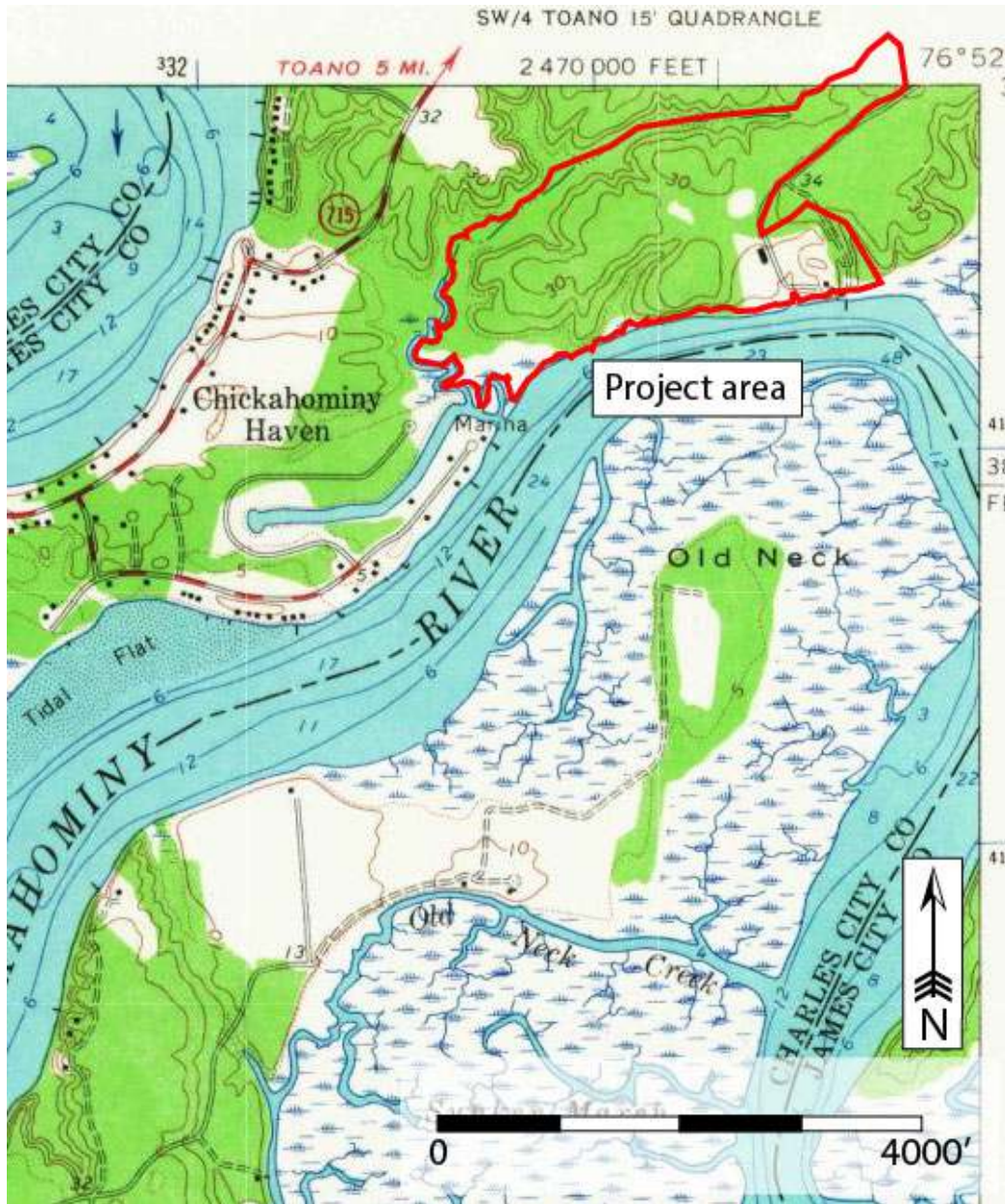


Figure 30. Location of the project area on detail of U.S.G.S. 7.5' Brandon topographic quadrangle map, 1965.

IV. RESEARCH DESIGN

OBJECTIVES

The Phase I cultural resources survey was designed to locate and identify all archaeological sites and architectural resources present within the approximately 66-acre testing area, and to obtain sufficient information to make recommendations concerning their potential eligibility for inclusion in the National Register. A cultural resource is deemed significant if it is greater than 50 years old and meets at least one of the following criteria:

- A. It is associated with events that have made a significant contribution to the broad patterns of our history.
- B. It is associated with the lives of persons significant in our past.
- C. It embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- D. It has yielded, or may be likely to yield, information important in prehistory or history.

Criterion D—and occasionally Criterion A—typically applies to archaeological sites, whereas Criteria B and C generally pertain to architectural resources. In order to yield important information about the past, an archaeological site generally must possess artifacts, soil strata, structural remains, or other cultural features which make it possible to test historical hypotheses, corroborate and amplify currently available information, or reconstruct the sequence of the local archaeological record.

DEFINITIONS

Two designations for identified archaeological resources were used in this Phase I survey: *archaeological site* and *archaeological location*. As outlined in the DHR's *Guidelines for Conducting Historic Resources Survey in Virginia* (2017), an archaeological site is defined as the physical remains of any area of human activity greater than 50 years old for which a boundary can be established, and often is manifested by the presence of artifacts and/or cultural features. This definition does not apply to cultural material that has been recently redeposited or reflects casual discard. Any occurrence of artifacts which does not qualify for a site designation is termed an archaeological location. In application, defining these types of resources requires a certain degree of judgment in the field and consideration of a number of variables. Contextual factors such as prior disturbance and secondary deposition must be taken into account. The representative nature of the sample as measured by such factors as the degree of surface exposure and shovel test interval also must be considered.

PREVIOUS RESEARCH

No comprehensive Phase I archaeological or architectural survey of the project area had been conducted prior to the current investigation. In 1984, the DHR recorded Site 44JC0305 on the property based on a projection from 1863 Confederate Engineers' map of James City County (Figure 31). Prior to the current investigation, however, the location and integrity of this projected site had not been verified by archaeological testing.

As summarized in Table 2, a considerable number of archaeological sites have been identified within the general vicinity of the project area. Many of these include resources with prehistoric Native American components with dates of occupation spanning the Archaic, Woodland, and Protohistoric periods. The majority of the historic sites were map-projected by the DHR, and have not been verified through archaeological survey.

Table 2. Previously identified archaeological sites within the project area vicinity.

Site	Type/Function	Date	NRHP Eligibility
44JC0037	Prehistoric Native American, unknown	Undetermined	Not evaluated
44JC0038	Prehistoric Native American, unknown	Undetermined	Not evaluated
44JC0091	No data	No data	No data
44JC0092	Prehistoric Native American, unknown	Undetermined	Not evaluated
44JC0133	Prehistoric Native American, unknown	Undetermined	Not evaluated
44JC0209	Historic domestic, map-projected	19 th c.	Not evaluated
44JC0210	Historic domestic, map-projected	19 th c.	Not evaluated
44JC0234	Historic domestic, map-projected	19 th c.	Not evaluated
44JC0293	Historic mill, map-projected	19 th c.	Not evaluated
44JC0306	Historic domestic, map-projected	19 th c.	Not evaluated
44JC0725	Prehistoric Native American, temporary camp	Undetermined	Not evaluated
44JC0781	Prehistoric Native American, temporary camp	Woodland	Eligible
44JC0783	Prehistoric Native American, temporary camp	Woodland	Not evaluated
44JC0784	Prehistoric Native American, temporary camp	Middle Woodland	Not evaluated
44NK0022	Historic domestic	18 th c.	Not evaluated
44NK0032	Prehistoric Native American, village (Moysonec)	Late Archaic, Woodland, Contact	Not evaluated
44NK0166	Prehistoric Native American, base camp	Late Archaic, Early-Middle Woodland	Not evaluated
44NK0167	Prehistoric Native American, base camp	Middle-Late Woodland	Not evaluated

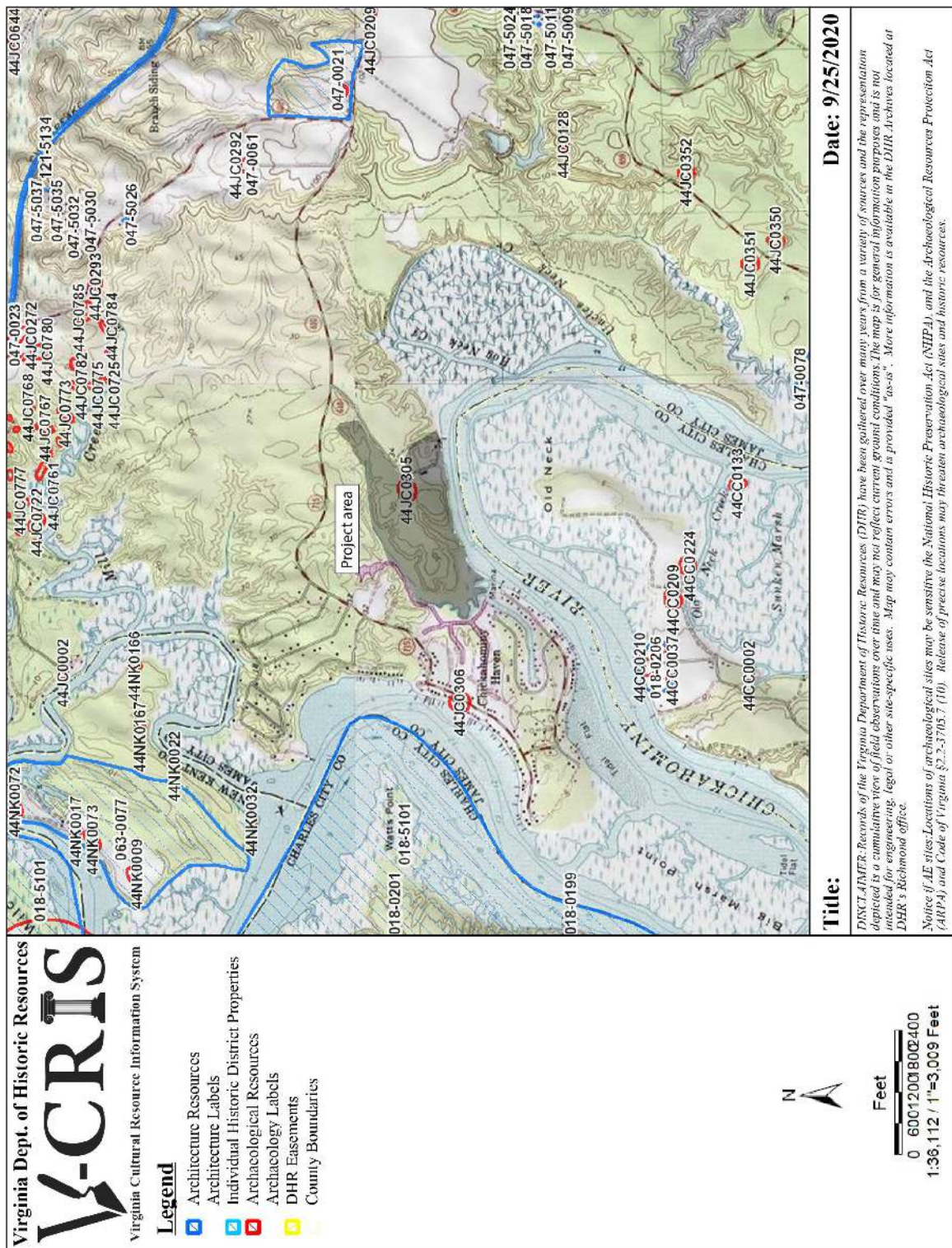


Figure 31. Previously recorded archaeological sites in the project area and vicinity (DHR Virginia Cultural Resources Information System).

METHODS

Archival Research

Documentary research in support of the investigation was conducted using a variety of primary and secondary sources in a number of repositories, including the Clerk's Office of the James City County Circuit Court; Virginia Department of Historic Resources; Library of Virginia; Newport News Public Library; and Library of Congress, Geography and Map Division.

Field Methods

All Phase I archaeological and architectural reconnaissance survey fieldwork was conducted according to the DHR's *Guidelines for Conducting Historic Resource Survey in Virginia* (2017), under the direct supervision of a qualified archaeologist who meets the Secretary of the Interior's *Professional Qualifications Standards* (48 FR 44738-9). The survey included a complete pedestrian survey of the 66-acre testing area, followed by the excavation of screened shovel tests along regular transects at 50-foot intervals throughout the project area, excluding areas of slope in excess of 15 percent, waterlogged soils, or obvious soil disturbances. Four radial shovel tests were excavated at 25 feet in the four cardinal directions around each isolated positive shovel test yielding cultural materials. Each shovel test measured approximately 16 inches in diameter or larger and was excavated into sterile subsoil. The backfill was sifted through ¼-inch screen mesh. Representative soil profiles were drawn at 1 inch = 1 foot scale and recorded on standardized forms using Munsell color designators and U. S. Department of Agriculture soil texture terminology. The location of each shovel test was recorded on a 1 inch = 100 feet scale map, and all shovel tests were assigned an individual Shovel Test (ST) number. Representative shovel test and surface feature locations were recorded with a handheld Trimble GPS unit.

Anticipating the presence of widespread brick and other debris associated with the operation and subsequent demolition of the brick plant which occupied the property during the first half of the twentieth century, JRIA determined that obviously twentieth-century materials (machine-made brick, terra cotta tiles, coal, architectural components, etc.) would be recorded on shovel test records and mapped as "Positive-Modern," but discarded in the field. Shovel tests yielding only such materials would not necessarily determine archaeological site boundaries.

Laboratory Methods

All archaeological data and specimens collected during the Phase I survey were transported to JRIA's laboratory in Williamsburg, Virginia, for processing and analysis. Prior to washing, artifacts from a given provenience were first emptied into a screened basket and sorted. Next, the provenience information from the field bags were confirmed with the bag catalog and transferred onto bag tags. Stable objects were washed with tap water using a soft brush. Edges of ceramics and glass were thoroughly cleaned to aid in the identification of body type and to assist in mending. Washed items then were placed by provenience on a drying rack.

Once dry, the artifacts were re-bagged by provenience and material type. Artifacts of a given provenience were placed in clean 2 ml thick polyethylene zip-lock bags that have been perforated to allow air exchange. Each grouped material type was placed in a separate plastic bag (i.e., all glass in one bag, all brick fragments in one bag, etc.) and each of these individual type bags were then placed in a larger bag with the bag tag noting the provenience.

After processing and re-bagging, the entire artifact assemblage was cataloged for analysis. Stylistic attributes of diagnostic artifacts were described using current terminology and were recorded by count into a database for analysis. Non-diagnostic artifacts such as brick and oyster shell were weighed, not counted. Once all the artifacts were cataloged, ceramics were pulled from their bags and marked with correct provenience information. Diagnostic ceramics were sorted and grouped together based on type or ware and/or vessel or function and checked for crossmends.

At the conclusion of the investigation, all artifacts and other project materials were returned to James City County for permanent curation.

Native American Lithic Analysis

JRIA's analysis of Native American lithic artifacts is based on identifying the various stages in the manufacture of stone tools, including—when possible—the temporal duration of specific types as well as technological/social function. As part of the analysis, all recovered lithics also were identified by raw material type. Specific categories of artifacts used in this study are briefly discussed below.

Debitage. The principal by-product in making stone tools is debitage. Also known as waste flakes, these result from the reduction of cores and preforms as well as modifications to finished tools. Flakes here are classified as being either a primary flake, a secondary flake, or a tertiary flake based on the proportion of cortex on the dorsal surface. Primary flakes include all flakes whose dorsal surface has 50% or greater cortex; secondary flakes are those displaying cortex but with it covering less than 50% of the dorsal surface; and tertiary flakes are those having no cortex present. Cortex measurement was based on the flake being placed on its ventral side and then viewing its dorsal side. On infrequent occasions, cortex, when present, was only visible by looking down at the proximal end of the flake from which point the measurement was taken. For each of above three categories, flakes were further divided by size, based on their maximal length. These include (1) flakes 2 cm or less in length, (2) flakes greater than 2 cm up to 5 cm in length, (3) flakes greater than 5 cm up to 10 cm in length, and finally (4) flakes greater than 10 cm in length. These categories based on cortex and length provide basic information on the types of lithic activities occurring, ranging from the first steps in creating a preform to eventually the final modifications for a finished tool.

Shatter. In the reduction of a cobble, one by-product is shatter, angular chunks lacking such flake characteristics as a recognizable dorsal and ventral side. They typically are caused by internal faults or fracture planes which prevent an impact stress to form a flake for removal.

Cores. When flake removal is completed for a cobble, the remaining discarded internal chunk is a core. These come in various forms, but all will show multiple instances of flake removal on the sides.

Tested Cobbles. Cobbles were classified as tested cobbles when fractured in half by a single blow to examine the quality of the material within; alternatively, a small number of primary flakes (typically one or two) were removed to expose a corner of the cobble and the material beneath the cortex. Most were presumably subsequently discarded.

Cobble Fragments. Larger than shatter, cobble fragments come in two forms. Readily distinguishable are cobble chunks where flake removal is evident. More problematic are cobble fragments showing what appear to be natural fracture lines and which frequently are similar to fire-cracked rock except for the absence of the rock turning red from firing. In many cases, it is simply impossible to determine if the cobble fragment is a result of cultural or natural action.

Utilized Flakes and Retouched Flakes. Occasionally, flakes (primary, secondary, or tertiary) were used as cutting and/or scraping tools. Such action typically will modify the edge used by minute chipping and dulling. When there is evidence of such use, it is noted. Related, occasionally flakes also will be slightly retouched for use as a tool, with such evidence also noted when observed.

Bifacial Preforms. Bifacial preforms were divided into three categories. These include early stage biface preforms, mid stage biface preforms, and late stage biface preforms, comparable to Callahan's Stage 2, Stage 3, and Stage 4. Early stage biface preforms show initial edging, typically with some cortex still present; mid stage biface preforms display primary thinning, typically with cortex eliminated but not fully thinned; and late stage biface preforms show secondary thinning and taking on the general contemplated shape and thickness, with no remaining humps or ridges. Also critical in distinguishing one stage from another are (1) the width/thickness ratio ranging from 2.00 or greater for Stage 2 to 4.0 for Stage 4 and (2) edge angles ranging from 55 -75 degrees for Stage 2 to 25-45 degrees for Stage 4.

Unifacial Preforms. Unlike bifacial preforms, unifacial preforms show flake removal from solely one side. Presumably, most were then discarded as unsuitable for bifacial flake removal, though some could have served as cutting or scraping tools in their current form. Any evidence of such use is noted as is the case with utilized flakes.

Projectile Points. Key to dating specific components of a site are projectile points (i.e., tips of projectiles such as arrows, darts, and spears) which can be distinguished by shape, size, and hafting modifications. Complete specimens, and some broken examples when feasible, were then assigned to temporally sensitive formal types, following types described by the DHR (2016), with comparison to both local and regional. Unless otherwise noted, dating of specific projectile points follows documentation summarized by the DHR (2016).

Other Bifacial Tools. Besides projectile points, a number of other bifacial tools exist, the most common being completed bifaces that likely were used as knives along with drills as well as larger artifacts such as flaked adzes and axes.

Bifacial Preform Fragments and Completed Biface Tool Fragments. It was not uncommon for bifacial preforms to break during reduction from one stage to another. When possible, the specific stage at which breakage occurred is noted; otherwise the biface preform fragment is listed as indeterminate. Similarly completed bifaces, whether they are projectile points or other tools, break on occasion while being used. If specific point or tool type is identifiable, such is noted; otherwise the biface fragment is listed as indeterminate.

Hammerstones. Cobbles exhibiting evidence of wear (ranging from light pecking and crushing to extensive scarring) on one or more surfaces as a result of being used to open cobbles and remove debitage for producing lithic artifacts are classified as hammerstones.

Fire-Cracked Rock. Cobble fragments exhibiting irregular fractures, which when exposed to intense heat have portions that turn red, are classified as fire-cracked rock. Unless found in a feature context, it often is difficult if not impossible to determine if a specimen is the result of a cultural activity or merely a naturally-occurring fire. Similarly, it occasionally is difficult if not impossible to distinguish fire-cracked rock from cobble fragments and shatter resulting from cultural modification of cobbles when manufacturing lithic tools.

Unmodified Cobbles. Occasionally, unmodified cobbles are retained as a sample of raw lithic material available for use at a site. Such cobbles show no evidence of flake reduction, hammering, or grinding.

Ground Stone Artifacts. Included here are artifacts resulting from pecking and grinding rather than flaking. Examples include axes, celts, adzes, gorgets, pendants, pipes, beads, and steatite vessel fragments. Also placed here are artifacts modified by use in grinding such as grinding slabs and manos.

Additional Considerations. A maximal length, width, and thickness measurement was taken for all bifacial preforms, bifacial preform fragments, completed bifaces, completed biface fragments, unifacial preforms, cores, hammerstones, and ground stone artifacts. All unifacial and bifacial artifacts were then classified as to basic shape – circular, oval, lanceolate, triangular, or pentagonal when possible. Bifacial preform fragments and completed biface fragments also were classified as to whether or not they represented a tip, midsection, base, end (when one could not distinguish between tip vs. base), or indeterminate (due to small size of fragment).

Native American Ceramic Artifact Analysis

Classification of Native American ceramic artifacts (all of which were vessel fragments in this study) is based on identifying temper, followed by surface treatment, and decorative motif. The vast majority of sherds were body sherds, although rim sherds, basal sherds, and other vessel components such as lug handles were noted, when identified. Given the very small size of the vast majority of sherds recovered, formal ceramic types were not assigned in most cases. However, general correlations to diagnostic regional types are reviewed.

Historic Period Artifact Analysis

Analysis of historic artifacts was aided by reference works such as *The Parks Canada Glass Glossary* (Jones and Sullivan 1989), the *Guide to Artifacts of Colonial America* (Noël Hume 1969), and the *Colonial Williamsburg Foundation Laboratory Manual* (Pittman et al. 1987).

V. PHASE I ARCHAEOLOGICAL SURVEY RESULTS

In total, JRIA archaeologists excavated 867 screened shovel tests at 50- and 25-foot intervals throughout the testing area (Figures 32-38). Of these, 41 yielded prehistoric and/or historic artifacts, while 123 contained only more recent materials, primarily brick and clay tile fragments and other debris, clearly associated with the operation and subsequent removal of the twentieth-century brick plant. As a result of shovel testing and historic map projection, JRIA identified and recorded eight archaeological sites (44JC0305, 44JC1366, 44JC1367, 44JC1368, 44JC1369, 44JC1370, 44JC1371, and 44JC1372) and two archaeological locations (Locations 1 and 2).

Soil Stratigraphy

In general, the natural soil profile encountered in the undisturbed portions of the project area was consistent with the U.S.D.A. soil survey, and was characterized by a relatively shallow clay loam topsoil, typically only about 0.5-foot-deep, over culturally sterile clay subsoil (Figure 39). There were substantial areas of fill soils in the immediate vicinity of the river shore which could be attributed to the use and subsequent removal of the early twentieth-century brick plant (Figure 40). And widespread areas of twentieth-century clay-mining in the central portion of the property also exhibited a heavily disturbed soil profile (Figure 41).

Site 44JC0305

Site 44JC0305 is located on the elevated landform northeast of the boat ramp in the immediate vicinity of a 1950s picnic shelter and brick grill (see Figure 32, Figures 42-43). Evidently, this area had been intentionally avoided by twentieth-century clay-mining activities to the north and northeast, and exhibited intact soil stratigraphy. The site was defined by 14 positive shovel tests yielding historic artifacts, and measures approximately 200 feet (N-S) by 175 feet (E-W) (Appendix A). The artifact assemblage included a variety of architectural and domestic materials suggestive of occupation from the eighteenth through twentieth centuries. Architectural items included hand-made brick and mortar fragments; window glass (colorless and light green); clay tile fragments; and nails, including 10 wire type (ca. post-1860) and three unidentifiable. Ceramics included a sherd of creamware (ca. 1762-1820), two each of ironstone whiteware (ca. 1840-present) and decalcomania whiteware (ca. 1880-present), an unidentifiable stoneware sherd, and three sherds of porcelain of indeterminate date. Additional domestic artifacts included bottle glass (amber, colorless, light green), colorless hollowware fragments, colorless lamp chimney glass, iron hardware, and two porcelain figurine fragments. A considerable quantity of obviously modern material, including machine-made brick, coal, plastic, aluminum cans, asphalt/tar, skeet fragments, and amber bottle glass, was recovered within the site area but was not retained.

This site was situated in the approximate location of a dwelling depicted on historic maps from the 1860s through the 1950s, while the identified artifacts were

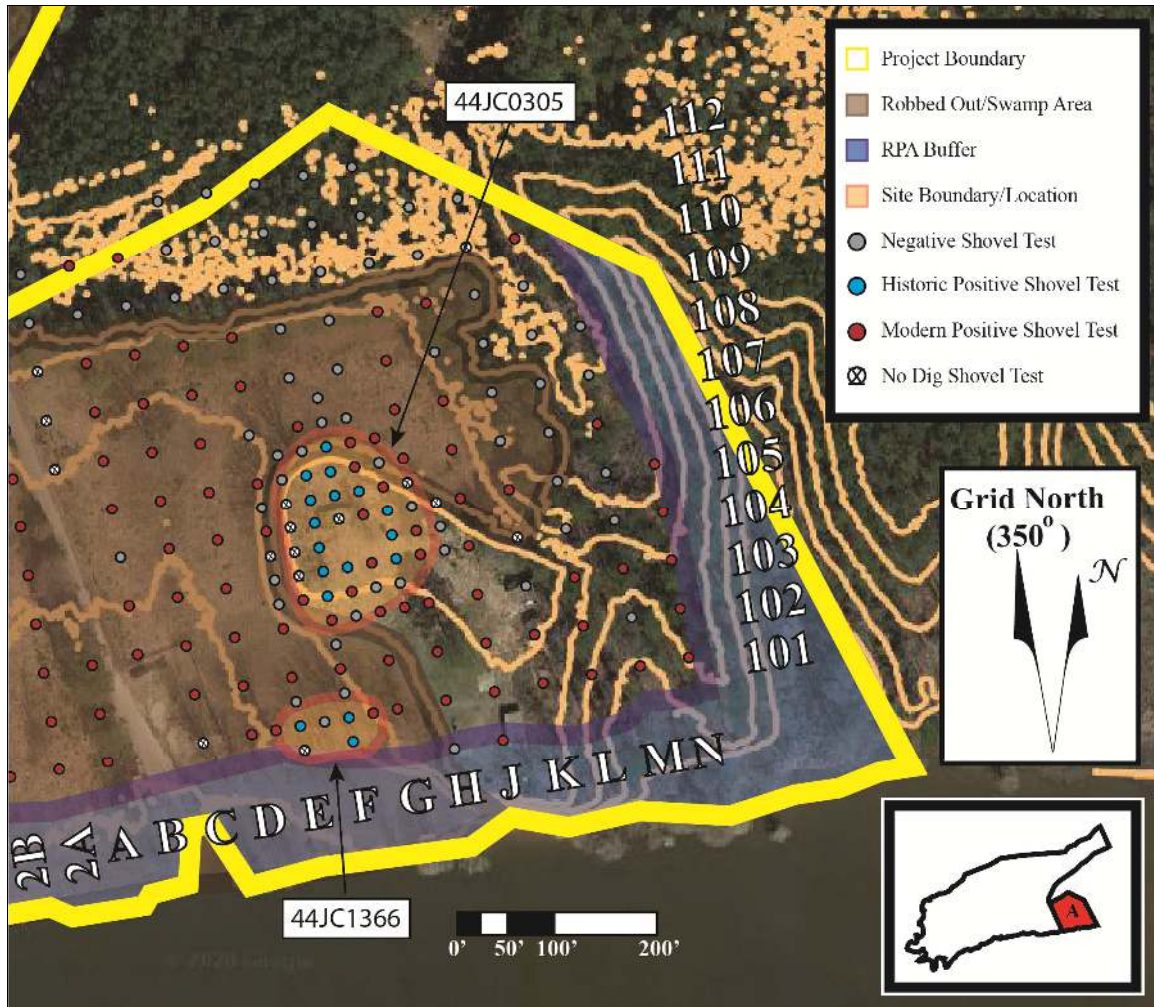


Figure 32. Location of shovel tests and identified archaeological resources, Testing Area A.

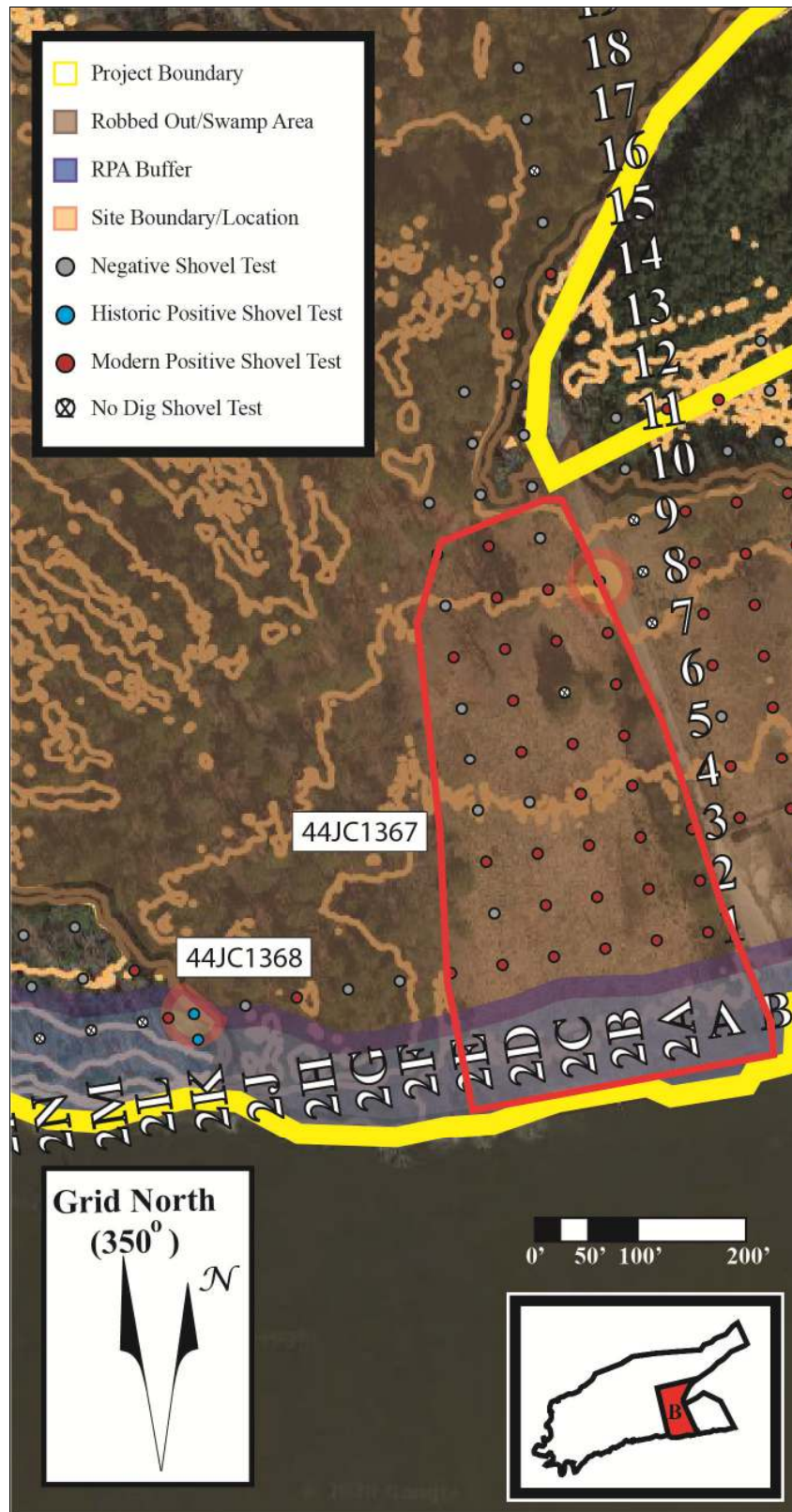


Figure 33. Location of shovel tests and identified archaeological resources, Testing Area B.

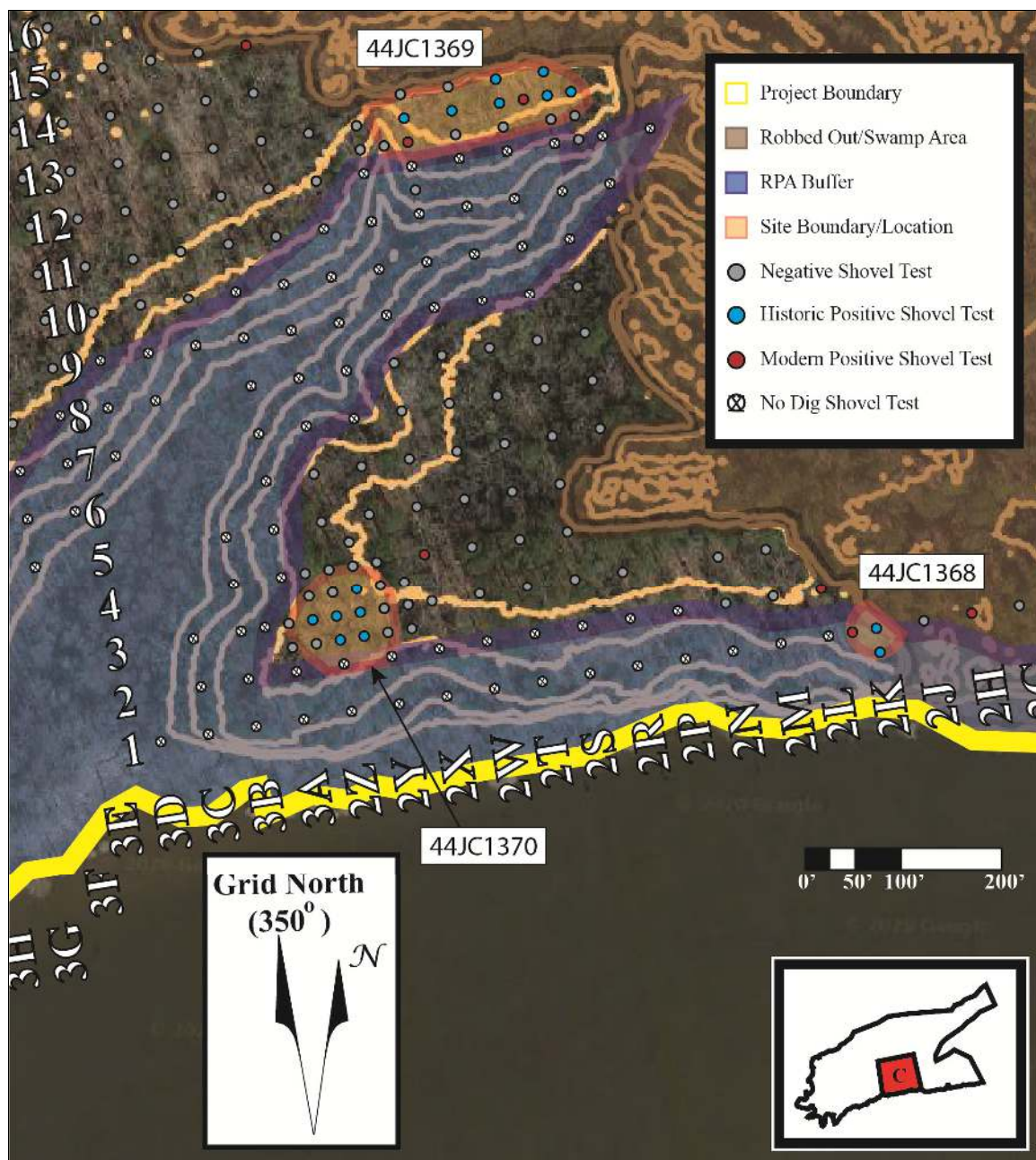


Figure 34. Location of shovel tests and identified archaeological resources, Testing Area C.

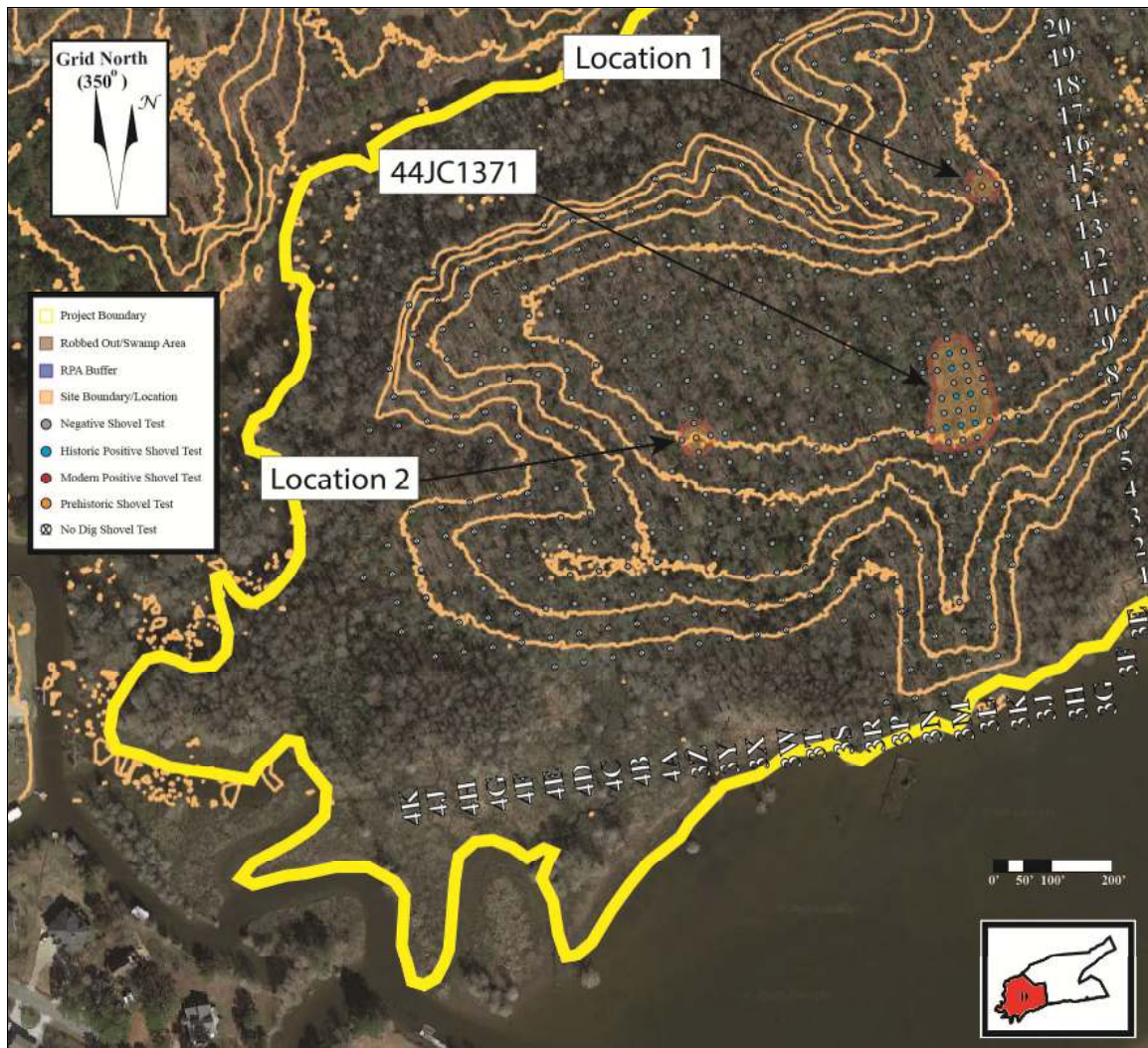


Figure 35. Location of shovel tests and identified archaeological resources, Testing Area D.

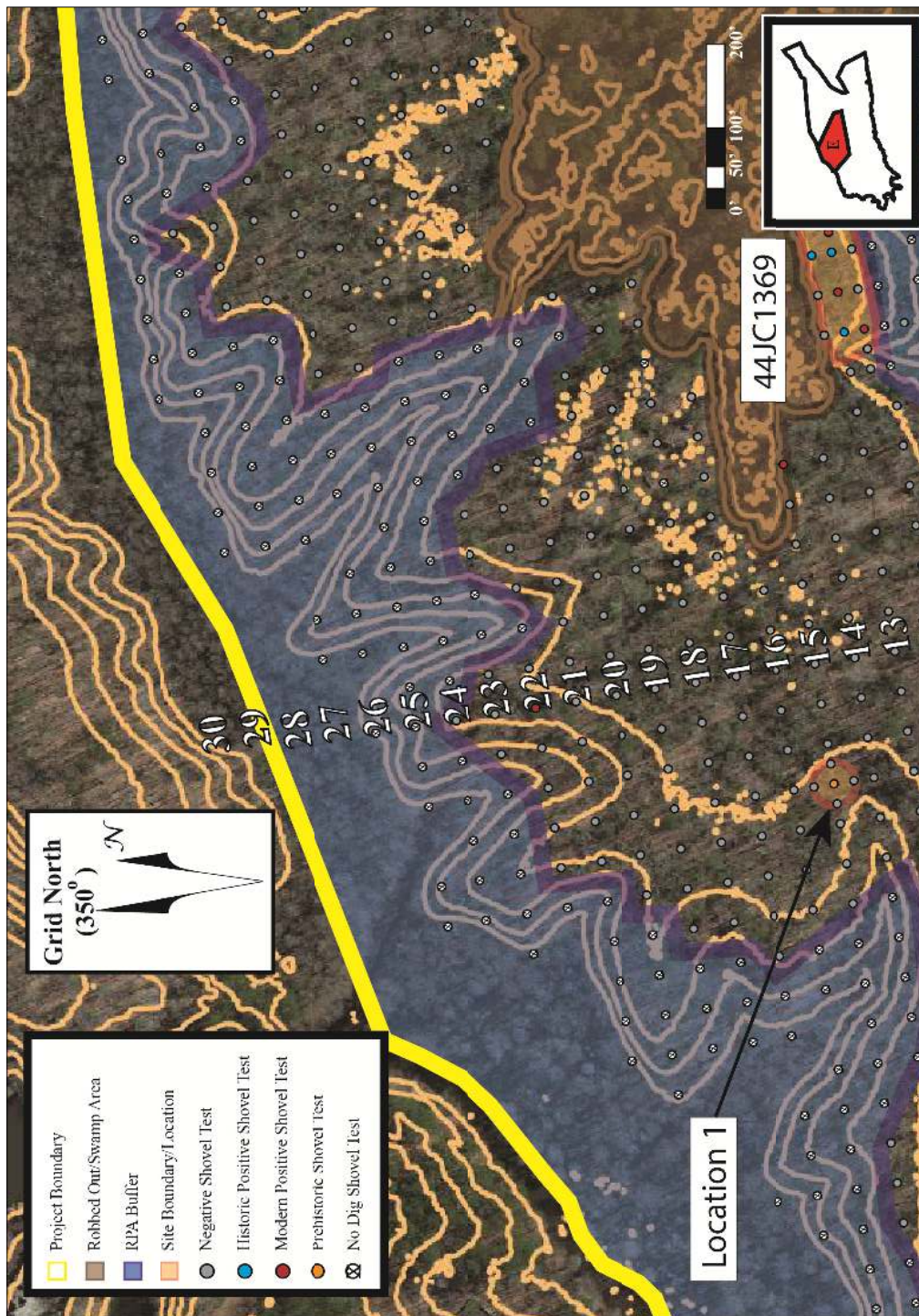


Figure 36. Location of shovel tests and identified archaeological resources, Testing Area E.

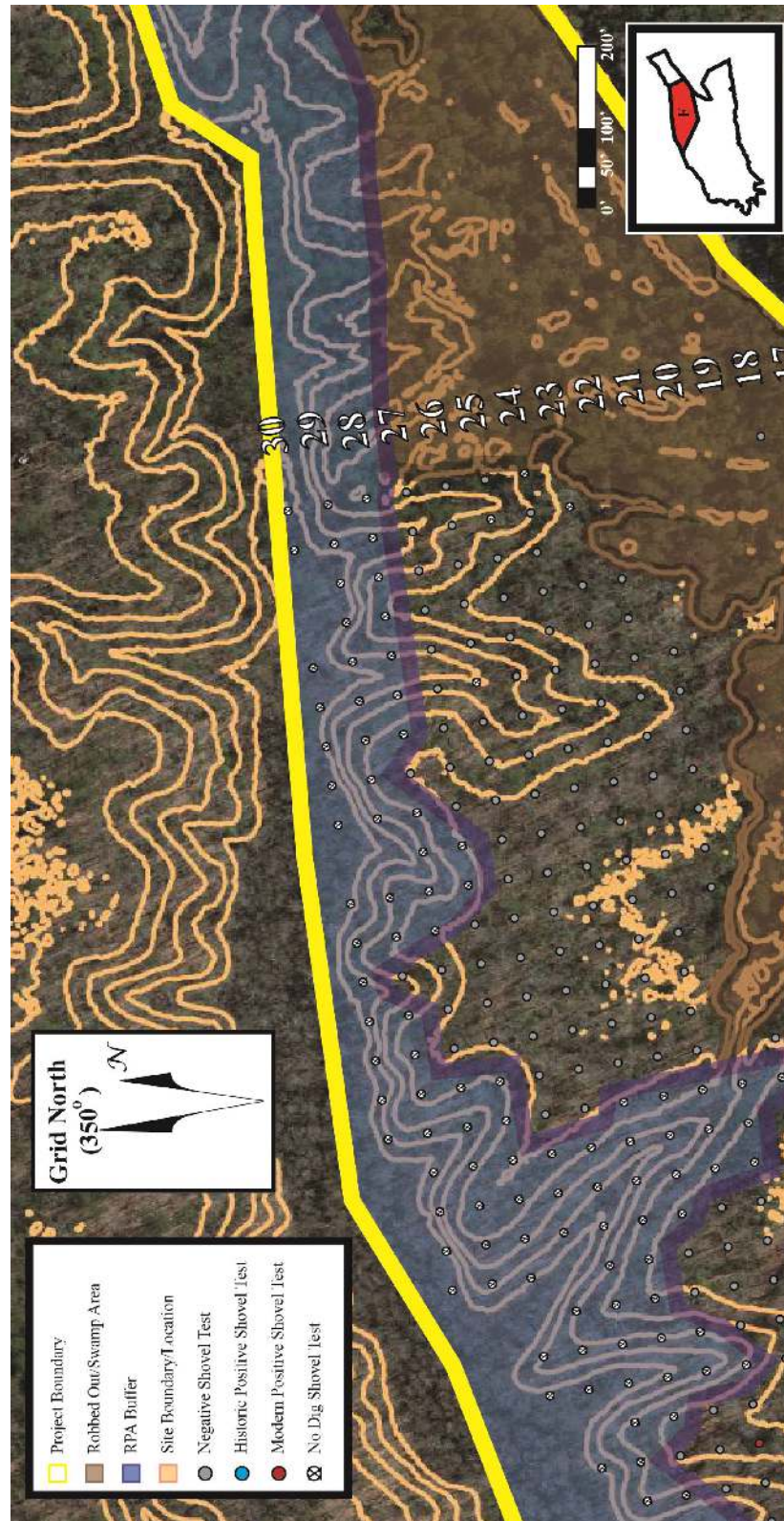


Figure 37. Location of shovel tests and identified archaeological resources, Testing Area F.

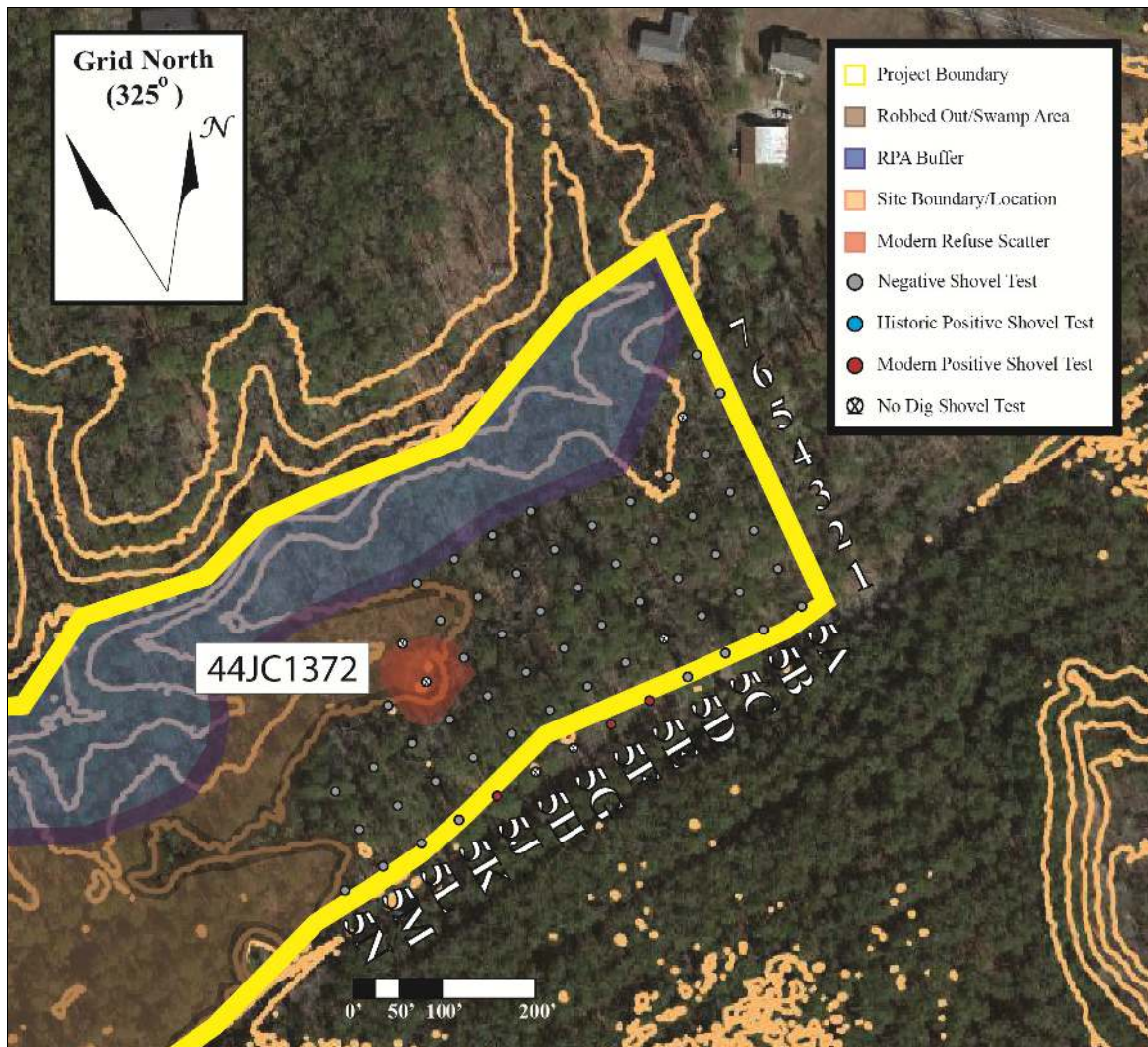


Figure 38. Location of shovel tests and identified archaeological resources, Testing Area G.

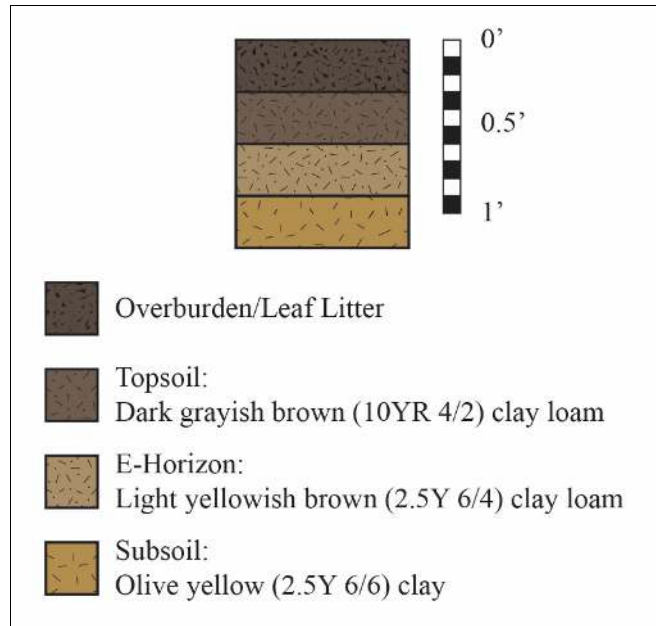


Figure 39. Typical natural soil profile in Shovel Test 2R6.

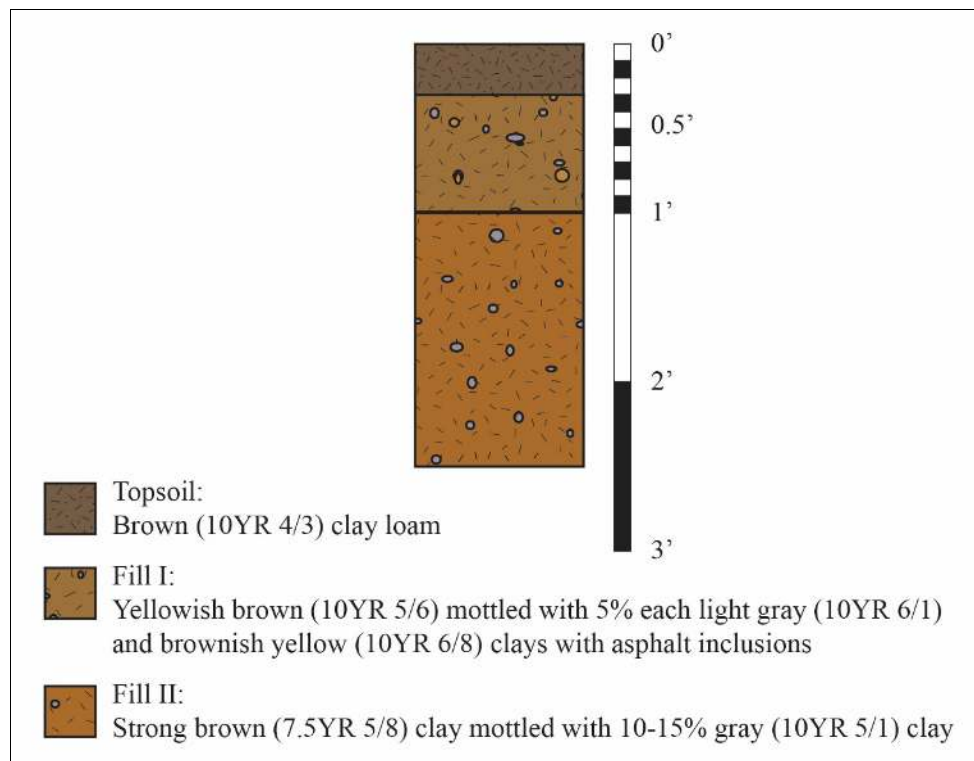


Figure 40. Typical fill soil profile in the current recreation area, Shovel Test C108.

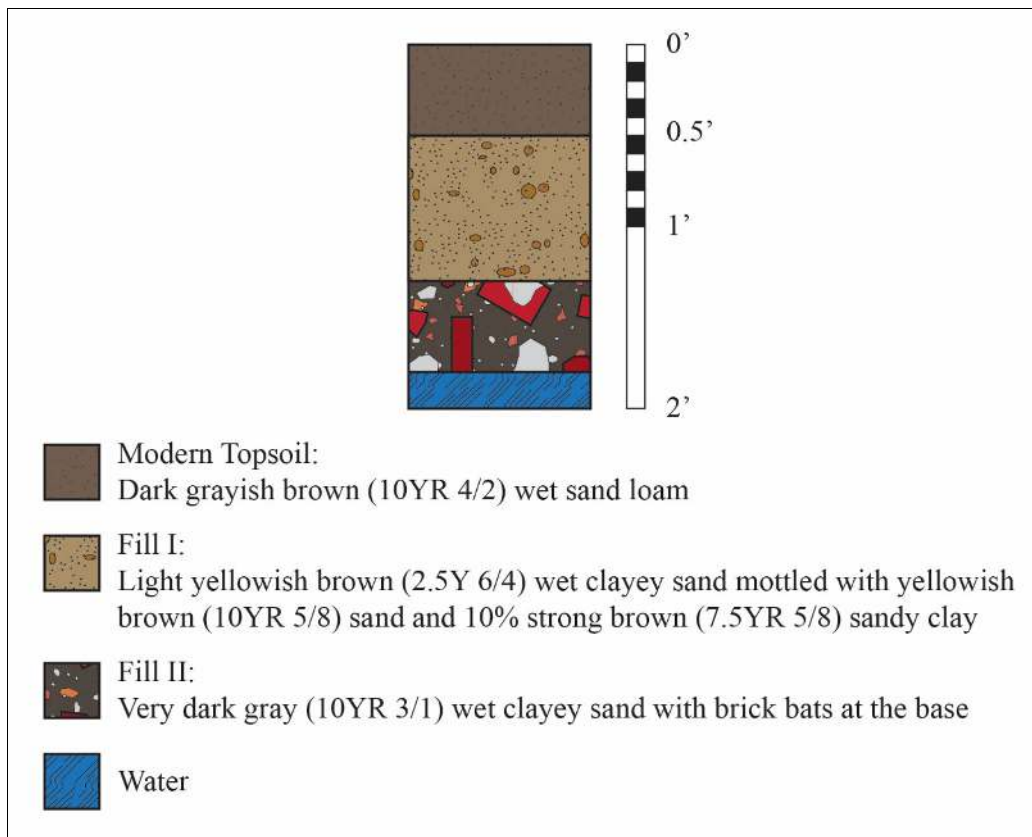


Figure 41. Typical fill soil profile in the former clay-mining areas, Shovel Test A1.



Figure 42. Central portion of Site 44JC0305, view to the northwest.



Figure 43. Clay-mining cut along the northern portion of Site 44JC0305, view to the northwest.

consistent with domestic occupation during this period. As a result, JRIA determined that this resource should be associated with the existing record of map-projected Site 44JC0305.

Site 44JC1366

Site 44JC1366 is located approximately 100 feet south of Site 44JC0305, and just north of an evidently cut slope descending to the Chickahominy River (see Figure 32, Figure 44). This small site, which measured 50 feet (N-S) by 75 feet (E-W) was identified by two positive shovel tests which yielded a sherd of creamware and an unidentified lead object, along with obviously modern materials such as brick, tile, and plastic debris. These positive shovel tests presented soil profiles that showed at least some evidence of redeposited topsoil.



Figure 44. Site 44JC1366, view to the east.

Site 44JC1367

Site 44JC1367 is located within a level field bounded to the south by the Chickahominy River and to the east by Brickyard Road and the boat landing (see Figure 33). Shovel testing in this vicinity indicated that the soils are heavily disturbed, and a variety of primarily modern artifacts were recovered from shovel testing, including large quantities of brick and tile fragments, iron hardware, slag/clinker, and window glass. There is also large quantity of brick and tile rubble visible on the shoreline at the southern edge of the site, and heavy brick rubble concentrations are visible in the soil profile (Figure 45). The site measures approximately 500 feet (N-S) and 250 feet (E-W), and its limits were defined primarily by a projection of the location of the numerous buildings and structures associated with the early twentieth-century brick plant as indicated on maps and aerial photographs from the 1930s through the 1950s.



Figure 45. Brick rubble along the shoreline at Site 44JC1367, view to the southeast.

Site 44JC1368

Site 44JC1368 is a small site, measuring roughly 40 feet (N-S) by 40 feet (E-W), which is located in an area of mature woods near the Chickahominy River shoreline, approximately 250 feet west of Site 44JC1367 (see Figure 33, Figures 46-47). The site was defined by two positive shovel tests which yielded a sherd of whiteware (ca. 1820-present), a fragment of green window glass, and a machine-made brick fragment. Soil stratigraphy within the positive shovel tests appeared to be undisturbed. However, the positive shovel tests were situated immediately to the south of an area which had been heavily disturbed by early twentieth-century clay mining, suggesting that the majority of the former site area was destroyed.



Figure 46. Site 44JC1368, view to the east.



Figure 47. Clay-mining cut north of Site 44JC1368, view to the west.

Site 44JC1369

Site 44JC1369 is located in an area of mature woods in the south-central portion of the project area (see Figure 34, Figure 48). It measures approximately 50 feet (N-S) by 200 feet (E-W), and was defined by six positive shovel tests which yielded artifacts suggestive of a nineteenth-/early twentieth century domestic occupation. Architectural materials included a brick fragment, a light aqua window glass fragment, two cut nails (ca. post-1800), four wire nails (ca. post-1860), and two unidentifiable nails. Ceramics included three sherds of white ironstone/granite (ca. 1840-present), one sherd of decalcomania whiteware (ca. 1880-present), and two sherds of Albany slipped stoneware (ca. 1805-1900). Other domestic artifacts included colorless bottle glass, glass hollowware fragments (colorless and solarized), a fragment of colorless lamp chimney glass, and iron hardware.

The location of Site 44JC1369 generally corresponds with a dwelling depicted on the 1918 U.S.G.S. 15' Toano topographic quadrangle map. However, an area of substantial clay-mining disturbance was located immediately to the north of the positive shovel tests, suggesting that some portion of the site may have been disturbed.



Figure 48. Clay-mining cut north of Site 44JC1369, view to the east.

Site 44JC1370

Site 44JC1370 is located in an area of mature woods in the south-central portion of the project area, along the eastern side of a tidal marsh (see Figure 34, Figure 49). It measures approximately 100 feet (N-S) by 100 feet (E-W), and was defined by six positive shovel tests which yielded artifacts suggestive of a nineteenth-/early twentieth century domestic site. The soil stratigraphy was intact within the site area, with no evidence of significant disturbance. Architectural materials included a brick fragment, two cut nails (ca. post-1790), one unidentifiable nail, and two fragments of light green window glass. Domestic artifacts consisted of a sherd of whiteware (ca. 1820-present) and an unidentifiable iron hardware fragment. No building was depicted at this location on the 1918 U.S.G.S. 15' Toano topographic quadrangle map, suggesting that the site likely predated the early twentieth century.



Figure 49. Site 44JC1370, view to the south.

Site 44JC1371

Site 44JC1371 is located in an area of mature woods on the level top of a landform in the western portion of the project area (see Figure 35, Figure 50). It measures approximately 175 feet (N-S) by 100 feet (E-W), and was defined by seven positive shovel tests which yielded artifacts suggestive of a late nineteenth-/early twentieth century domestic site. The soil stratigraphy was intact within the site area, with no evidence of significant disturbance. Architectural materials recovered from shovel testing included machine-made brick fragments, unidentified nails, and a light green window glass fragment, while domestic items consisted of a whiteware (ca. 1820-present) teapot lid sherd, a fragment of olive green wine bottle glass, coal, and slag. No building was depicted in this location on the 1918 U.S.G.S. 15' Toano topographic quadrangle map, so the occupation likely predated the early twentieth century.



Figure 50. Site 44JC1371, view to the south.

Site 44JC1372

Site 44JC1372 consists of a concentration of five piles of stacked bricks, some with mortar and concrete block fragments, surrounded by a surface scatter of discarded appliances and other modern refuse within an area of mature woods in the eastern portion of the project area north of Brickyard Road (see Figure 38, Figure 51). The surface scatter encompasses an area measuring approximately 100 feet (N-S) by 100 feet (E-W). No historic artifacts were recovered in any of the shovel tests excavated in the site area.



Figure 51. Site 44JC1372, view to the east.

Archaeological Locations

Location 1

Shovel Test 3H15 yielded one sherd of unidentifiable coarse earthenware (see Figure 35). All four radial shovel tests were negative.

Location 2

The only prehistoric Native American artifact recovered in the Phase I archaeological survey was a complete quartzite Clarksville projectile point (Late Woodland Period) found in Shovel Test 3X8 (see Figure 35). All four radial shovel tests were negative.

VI. ARCHITECTURAL SURVEY RESULTS

Brickyard Landing, 1006 Brickyard Road (DHR ID #047-5540)

The extant buildings and structures associated with the former Newport News Shipbuilding and Dry Dock Company's Chickahominy River employee recreation area were recorded with the DHR as ID #047-5540 (Appendix C). The complex encompasses an area of approximately 10 acres, and includes includes a boat ramp, wooden boat dock, and beach on the riverfront, in addition to picnic shelters, brick barbecue grills, and bathroom/shower facilities. Brickyard Road transitions into a driveway which extends directly to a concrete boat ramp into the river (Figure 52). A gravel parking area is situated on the east side of the road near the ramp. Beyond the parking lot is the primary picnic and recreation area with picnic shelters, brick barbecue grills, and restroom facilities (Figure 53). On the opposite side of the road is an open field of maintained grass, a wooden boat dock, and a small beach on the river.

The picnic shelters, restroom facilities, and barbecue grills were built built shortly after the company acquired the former Clay Products Corporation's brick plant property in 1955, and have continued in use since that time. Several stand-alone picnic tables are scattered throughout the recreation area, but evidently post-date the initial development of the recreation area.

The two picnic shelters each measure approximately 15 feet by 30 feet, and are set on poured concrete slabs (Figure 54). They are bordered by a poured concrete knee wall with two openings along each side. The knee walls are topped by concrete coping on which are set metal posts which support the roof above. The roofs are a low-pitch gable with exposed timber framing, and are covered with sheet metal. Three more recent picnic tables are attached to the floor, and set in a line down the middle of the shelter.

Several stand-alone barbecue grills are situated throughout the recreation area (Figure 55). Each grill is built of brick laid in a stretcher bond, with a fire box at ground level and a chimney extending up from the rear. A flat-top steel cook surface extends over the fire box, and is flanked by stainless steel caps on the outer brick walls to each side. The front of the fire box is enclosed by a metal panel with two doors.

Two adjacent restroom facilities are located along the eastern edge of the recreation area, between the two picnic shelters (Figure 56). Each contains separate mens' and womens' restrooms, while the northern of the two buildings also contains an enclosed storage room to the rear. Both buildings are built of masonry clad with stucco. They are topped by low-pitched, rear-sloping shed roofs covered with sheet metal. The roofs extend over the front to shelter a small porch area. This area is enclosed along the front with panels of lattice and open to the sides. Set under this covered area are side-by-side doorways which provide access to the two restroom spaces. The interiors are unfinished, with exposed concrete floors, stucco walls, and roof framing on the ceiling (Figure 57). The two bathroom stalls in each are enclosed by plywood panels, and all fixtures appear to be later replacements. The rear storage room of the larger, northern restroom building is accessed by an exterior doorway on the side (Figure 58). It is also unfinished and includes a wall-mounted pay telephone and the pressure tank for plumbing, as well as open storage space.



Figure 52. Brickyard Road approach to the recreation area and boat ramp, view to the south.



Figure 53. Overview of the recreation area, view to the south.



Figure 54. Picnic shelter, view to the east.



Figure 55. Brick barbecue grill, view to the east.



Figure 56. Restroom facility, view to the east.



Figure 57. Restroom interior, view to the east.



Figure 58. Restroom storage area, view to the north.

A number of picnic tables identical to those now found in the picnic shelters are scattered throughout the recreation area (Figure 59). These evidently post-date the 1950s development of the park, and consist of pre-fabricated, aluminum structures set on posts bolted to concrete pads on the ground surface. Metal trash cans, which are similarly attached to posts bolted to the ground, are set near the picnic tables and barbecue grills (Figure 60) .

A large wooden boat dock on the riverfront is located across the road from the picnic area, adjacent to the beach (Figure 61). The available documentary and photographic evidence suggests that this structure was built in the late 1950s as part of the development of the recreation area. It measures approximately 15 feet wide and extends 80 feet along the shoreline. It is constructed of a wood board deck supported by round timber pilings. There are the remains of tie-down points along the front edge.



Figure 59. Typical picnic table, view to the northwest.



Figure 60. Picnic table and trash can, view to the southeast.



Figure 61. Wooden boat dock, view to the southeast.

VII. CONCLUSIONS AND RECOMMENDATIONS

Based on the results of the Phase I archaeological survey, JRIA identified and recorded eight historic-period archaeological sites (44JC0305, 44JC1366, 44JC1367, 44JC1368, 44JC1369, 44JC1370, 44JC1371, and 44JC1372 (Figure 62). As described more fully below, JRIA recommends that six of the sites should be considered potentially eligible for inclusion in the National Register under Criterion D, while the remaining two are not eligible (Table 2). JRIA recommends that the sites deemed potentially eligible for the National Register should be avoided, or studied more intensively through Phase II investigations to assess their integrity and research potential, and to definitively determine their National Register eligibility. JRIA also identified two archaeological locations within the project area. By definition, archaeological locations do not meet the eligibility criteria for inclusion in the National Register, and no further investigation of these areas, nor of the non-eligible archaeological sites, is recommended. Significantly, no evidence of prehistoric Native American occupation was identified as a result of the Phase I archaeological survey. This finding evidently confirms McCary's and Barka's hypothesis that, had a Chickahominy Indian village been located on the property, it was destroyed by twentieth-century development.

JRIA also recorded the extant buildings and structures associated with the former Newport News Shipbuilding and Dry Dock Company's Chickahominy River employee recreation area as DHR ID # 047-5540. JRIA recommends that this resource, which was established in 1955 and currently remains in use, should not be considered eligible for inclusion in the National Register.

The archaeological sites and architectural resources identified by Phase I cultural resources survey reflect a continuum of occupation and use of the property from at least 1730, when the Hog Neck Landing tobacco inspection warehouse was established, through the mid-1950s, when the extensive Clay Products Corporation brick plant was dismantled and the property was converted to its current recreational use. In addition to the potential eighteenth-century component, and the subsurface remains of the large industrial facility which occupy the waterfront area, there are a number of former domestic occupations scattered across the property which span the nineteenth and early twentieth centuries, and represent the previous agricultural use of the property.

In the mid-1980s, the Colonial Williamsburg Foundation developed a comprehensive resource protection planning document, familiarly known as "RP3," for James City County, York County, City of Poquoson, and the City of Williamsburg (CWF 1986). This groundbreaking work established study units based on defined chronological periods, identifying significant research themes and sub-themes, detailing the existing archaeological site inventory, and offering recommendations concerning preservation and research priorities. A follow-up document, *Resource Protection Planning Revisited*, was then prepared in 1991, and was subsequently re-issued in 2001 (Poole et al. 2001). The Study Units covering the periods of significance represented by the identified archaeological sites include:

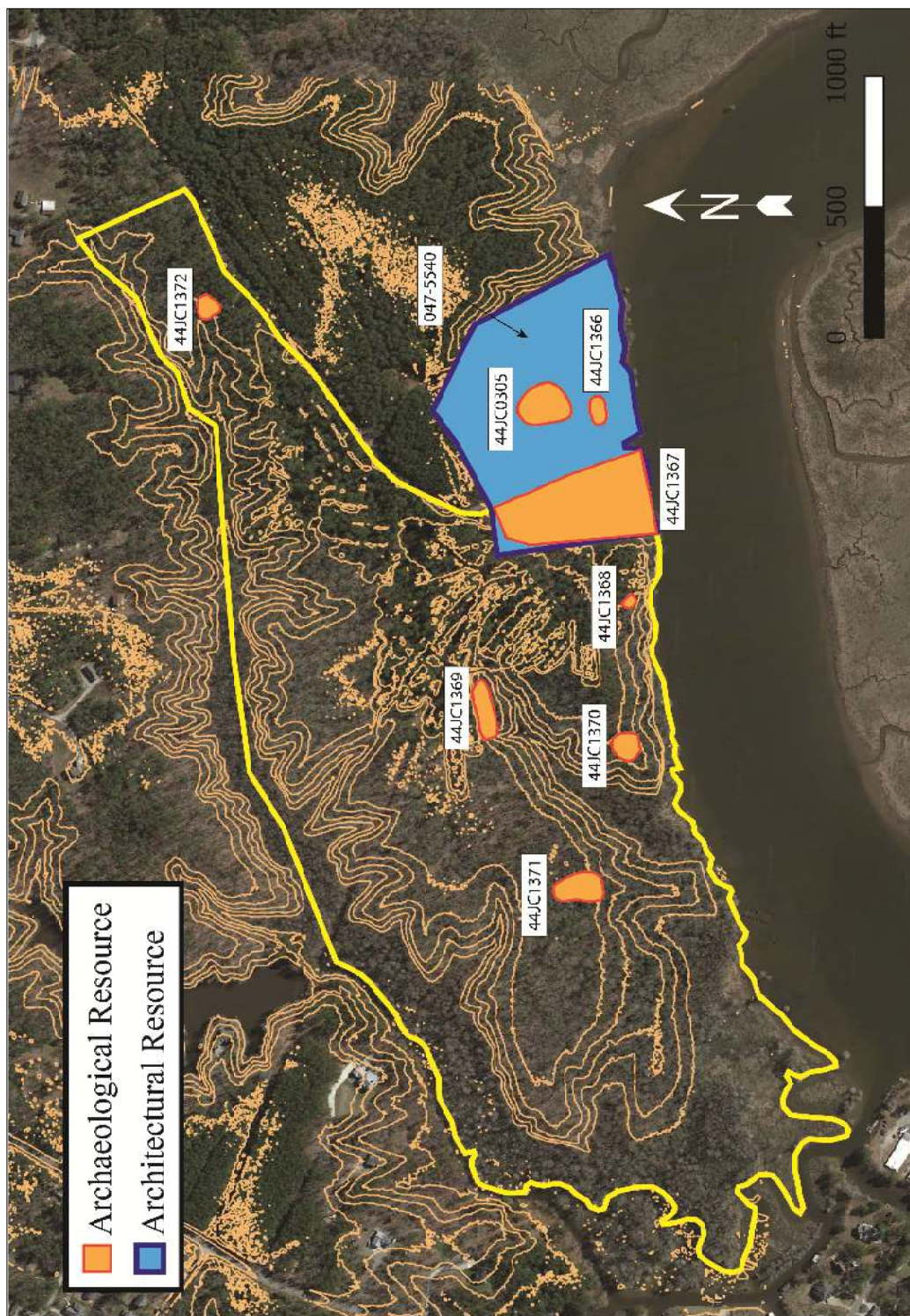


Figure 62. Location of identified archaeological and architectural resources.

Table 3. Identified archaeological sites and recommendations.

Site	Type/Function	Date	NRHP Eligible?	Treatment
44JC0305	Historic domestic	19 th -20 th c.	Yes, Criterion D	Avoidance or Phase II
44JC1366	Historic domestic	18 th c.?	Yes, Criterion D	Avoidance or Phase II
44JC1367	Historic industrial (brick plant)	Ca. 1908-1953	Yes, Criterion D	Avoidance or Phase II
44JC1368	Historic, unknown	19 th -/early 20 th c.	No	No further work
44JC1369	Historic domestic	Late 19 th -/early 20 th c.	Yes, Criterion D	Avoidance or Phase II
44JC1370	Historic domestic	Late 19 th -/early 20 th c.	Yes, Criterion D	Avoidance or Phase II
44JC1371	Historic, unknown	Late 19 th -/early 20 th c.	Yes, Criterion D	Avoidance or Phase II
44JC1372	Historic refuse scatter	20 th c.	No	No further work

Study Unit XI: Expansion and Differentiation of Colonial Society, 1689-1783

Study Unit XII: The World the Slaves and Slaveholders Made, 1783-1865

Study Unit XII: Years of Isolation: James City County and York County in the Wake of the Civil War, 1865-1907

Study Unit XIII: Revitalization of the Tidewater, 1907-1945
(Poole et al. 2001: 8).

In 1997, the William and Mary Center for Archaeological Research (WMCAR) prepared a comprehensive archaeological assessment of James City County (*Preserving Our Hidden Heritage*) which outlined the variety of archaeological resource types identified to date throughout the county, and attempted to rank them in terms of their significance and research potential. In general, the eighteenth- and nineteenth-century sites represented at the project area would be ranked as “Second Order” sites, while the domestic sites occupied into the late nineteenth- and early twentieth centuries, in addition to the brick plant, are classed as “Third Order” resources. Second Order sites, WMCAR contended, “are not only prominent in the local site population in terms of sheer numbers, but they are also unique to regional and local history in some fashion. . .” As a result, the level of site integrity required to yield significant information is moderate to high. Third Order resources, in contrast, require a high level of integrity. “They are not necessarily without research potential,” WMCAR proposed, “and particularly well-preserved examples of each of them should be carefully treated. The late nineteenth- and early twentieth-century sites in this category have a high integrity and research potential threshold, and must be shown to have clear ethnic, functional, or other important associations before intensive preservation or research measures are warranted” (WMCAR 1997: 35-36).

Admittedly, both the CWF and WMCAR assessment and planning documents are now more than 20 years old. Nonetheless, they provide an important regional framework for evaluating the significance of the identified site types, as well as their potential eligibility for listing in the National Register.

Site 44JC0305

Site 44JC0305 was originally recorded by the DHR in 1984 based on a projection from an 1863 map of James City County, but its location and integrity had not been verified through archaeological testing. JRIA's Phase I shovel testing identified a concentration of historic architectural and domestic artifacts on the elevated landform northeast of the boat landing which is currently occupied by a picnic shelter and other twentieth-century park amenities. This is the approximate location of the dwelling indicated on the 1863 map, as well as on subsequent maps and aerial photographs. Evidently, a "frame house" was still standing at this location as late as 1955, when the Clay Products Corporation deeded the property to the Newport News Shipbuilding and Dry Dock Company.

Despite some disturbance from the ca. 1950s park facilities, the landform on which Site 44JC0305 is situated is one of the few areas in immediate vicinity of the historic Hog's Neck/Brickyard Landing on the Chickahominy River which was not disturbed by the early twentieth-century industrial activities. Further investigation of this site offers the potential to reveal significant information concerning the history and occupation of the property prior to the establishment of the brickyard in the early twentieth century. As a result, JRIA recommends that Site 44JC0305 should be considered potentially eligible for listing in the National Register under Criterion D.

Site 44JC1366

This site yielded only a small quantity of historic artifacts, including a sherd of creamware and unidentified lead object, from an area which may have been at least partially disturbed by twentieth-century activity. However, it is located in the immediate vicinity of the historic Hog's Neck Landing on the Chickahominy River, and may represent the only surviving archaeological evidence of the public tobacco warehouse facilities located here from 1730 through the 1760s. Any intact artifact deposits or subsurface features associated with the eighteenth-century use and occupation of the Hog's Neck Landing would be highly significant. Until it can be demonstrated that the site area has been too disturbed to yield interpretable archaeological data, JRIA recommends that the site should be considered potentially eligible for listing in the National Register under Criterion D.

Site 44JC1367

This site represents the projected location of the archaeological remains of the large brick-making facility established by R.H. Richardson and Sons ca. 1908, and subsequently owned and operated by the Clay Products Corporation until 1953. Phase I

shovel testing within the former brick plant location indicated that the soils had been heavily disturbed by the demolition of the various industrial facilities after the property was acquired by the Newport News Shipbuilding and Dry Dock Company in 1955. The available aerial photographs, and a detailed 1955 plat of the property, depict a series of circular “beehive” kilns along the Chickahominy riverfront, in addition to several other large buildings. There is a strong possibility, given the substantial nature of these structures, that subsurface foundations and other features associated with the brick plant survive intact beneath the overlying fill soils. Further investigation of these remains offers the potential to gain important information concerning this significant early twentieth-century industrial enterprise in James City County. As a result, JRIA recommends that the site is potentially eligible for listing in the National Register under Criterion D.

Site 44JC1368

This small concentration of historic artifacts evidently was associated with activity or occupation in late nineteenth-/early twentieth century; however, the former site area appears to have been largely destroyed by subsequent clay-mining. Considering its apparent lack of integrity and minimal potential for further archaeological research, JRIA recommends that the site is not eligible for inclusion in the National Register.

Site 44JC1369

This site yielded a moderate quantity of architectural and domestic artifacts suggesting that it represented a farmstead dating from the nineteenth through early twentieth centuries. The site’s location generally corresponds with a dwelling depicted on the 1918 U.S.G.S. 15’ Toano topographic quadrangle map. While an adjacent area of clay-mining may have caused some disturbance, the soils are generally undisturbed within the immediate site area, and there is accordingly good potential for the presence of significant artifact deposits and subsurface features. Further investigation of this site could reveal significant information concerning the smaller freehold farmsteads which occupied the Hog’s Neck Landing property prior to its consolidation and industrial use in the early twentieth century. As a result, JRIA recommends that the site should be considered potentially eligible for inclusion in the National Register under Criterion D.

Site 44JC1370

Based on the results of the Phase I archaeological shovel testing, Site 44JC1370 appears to represent the remains of a farmstead occupied during the nineteenth and early twentieth centuries, and likely was associated with one of the several families who owned small freehold farms at the Hog’s Neck Landing property before the parcels were acquired and consolidated for the brick-making plant in the early twentieth century. With undisturbed soil stratigraphy and the corresponding potential for subsurface cultural features, this site offers further archaeological research potential as the type of “Second Order” resource identified in WMCAR’s archaeological assessment of James City

County. As a result, JRIA recommends that it is potentially eligible for listing in the National Register under Criterion D.

Site 44JC1371

Site 44JC1371 yielded a moderate quantity of architectural and domestic artifacts consistent with an occupation dating from the nineteenth through early twentieth centuries. The site was not depicted on the 1918 U.S.G.S. 15' Toano topographic quadrangle map, suggesting that it was no longer occupied by that time. As with Sites 44JC1369 and 44JC1370, this site offers the potential to yield significant information about the smaller freehold farmsteads which comprised the Hog's Neck Landing lands before they were acquired and consolidated as part of the industrial development of the property in the early twentieth century. As a result, JRIA recommends that the site should be considered potentially eligible for inclusion in the National Register under Criterion D.

Site 44JC1372

This concentration of twentieth-century surface refuse does not represent any prolonged or significant historic occupation or activity, and offers no further archaeological research potential. JRIA recommends that this site is not eligible for inclusion in the National Register.

Brickyard Landing, 1006 Brickyard Road (DHR ID #047-5540)

The former Newport News Shipbuilding and Dry Dock Company's Chickahominy River employee recreation area, which was established after the property was acquired from the Clay Products Corporation in 1955, represents a typical outdoor park and picnic area from the mid-twentieth century. It retains a moderate degree of historical integrity, as many of the original amenities, including picnic shelters, restroom facilities, brick barbecue grills, and a wooden boat dock, are still present and remain in active use. However, this common resource type lacks distinction, and does not possess any substantial association to historically important themes or events. As a result, JRIA recommends that it is not eligible for listing in the National Register, either individually or as part of an historic district.

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APPENDIX A: ARTIFACT CATALOG

Brickyard Landing Phase I

State Site # 44JC0305

Provenience:												Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	
2-ST	F104			MIRON		NAIL WIRE	HEAD AND PARTIAL SHANK	1		0.0		8
2-ST	F104			PCOAL		COAL	FRAGMENT	1		5.2		9
2-ST	F104E			SGLASS	GLASS COLORLESS	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0		14
2-ST	F104E			SGLASS	GLASS COLORLESS	WINDOW GLASS	FRAGMENT	1		0.0		13
2-ST	F104S			ASHELL	ANIMAL OYSTER	SHELL	FRAGMENT	2		7.8		142
2-ST	F104S			CBRICK		BRICK	FRAGMENT	5		2.1		141
2-ST	F104S			CCERAMIC OBJECT		TILE	FRAGMENT	2		0.0	Modern	113
2-ST	F104S			CCERAMIC OBJECT	PORCELANEOUS	FIGURINE	FRAGMENT	1		0.0		127
2-ST	F104S			CCERAMIC OBJECT	PORCELANEOUS	UNIDENTIFIED FORM	FRAGMENT	1		0.0		128
2-ST	F104S			CEARTHENWARE	WHITE DECALCOMANIA	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0	Trace of green and yellow foliate motif on the interior.	112
2-ST	F104S			MIRON		CAN	FRAGMENT	2		0.0	Discarded	132
2-ST	F104S			MIRON		NAIL UNIDENTIFIED	HEAD AND PARTIAL SHANK	1		0.0		138
2-ST	F104S			MIRON		NAIL UNIDENTIFIED	SHANK	1		0.0	Possible cut nail	139
2-ST	F104S			MIRON		NAIL WIRE	HEAD AND PARTIAL SHANK	1		0.0		136
2-ST	F104S			MIRON		NAIL WIRE	COMPLETE	1		0.0		135
2-ST	F104S			MIRON		NAIL WIRE	SHANK	2		0.0		137
2-ST	F104S			MIRON		SCRAP METAL	FRAGMENT	17		0.0	Discarded	133
2-ST	F104S			MIRON		STRAP UNIDENTIFIED	FRAGMENT	1		0.0		134
2-ST	F104S			PCHARCOAL		CHARCOAL	FRAGMENT	3		1.0		131
2-ST	F104S			PWOOD		UNIDENTIFIED FORM	FRAGMENT	1		0.0	Burned	140
2-ST	F104S			SGLASS	GLASS AMBER	BOTTLE	BODY FRAGMENT	4		0.0		118
2-ST	F104S			SGLASS	GLASS AMBER	BOTTLE	BASE/BODY FRAGMENT	1		0.0	Beer bottle	117

State Site # 44JC0305

Provenience:												Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	Artifact No.
2-ST	F104S			SGLASS	GLASS AMBER	BOTTLE	BASE/BODY FRAGMENT	1		0.0	McCormack & Co. bottle	116
2-ST	F104S			SGLASS	GLASS COLORLESS	BOTTLE	LIP/NECK FRAGMENT	1		0.0	With intact iron screw cap.	119
2-ST	F104S			SGLASS	GLASS COLORLESS	BOTTLE	NECK FRAGMENT	1		0.0		122
2-ST	F104S			SGLASS	GLASS COLORLESS	BOTTLE	NECK/SHOULDER FRAGMENT	2		0.0		123
2-ST	F104S			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	37		0.0		125
2-ST	F104S			SGLASS	GLASS COLORLESS	HOLLOWWARE	BASE/BODY FRAGMENT	6		0.0		124
2-ST	F104S			SGLASS	GLASS COLORLESS	LAMP CHIMNEY	FRAGMENT CURVED	2		0.0		121
2-ST	F104S			SGLASS	GLASS COLORLESS	WINDOW GLASS	FRAGMENT	1		0.0		126
2-ST	F104S			SGLASS	GLASS GREEN LIGHT	BOTTLE	BODY FRAGMENT	2		0.0	Coca-Cola bottle	115
2-ST	F104S			SGLASS	GLASS MILK	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0		120
2-ST	F104S			SPLASTIC		UNIDENTIFIED FORM	FRAGMENT	1		0.0	Discarded	129
2-ST	F104S			SSYNTHETIC OTHER		SHINGLE	FRAGMENT	6		0.0	Discarded	130
2-ST	F104S			SSYNTHETIC OTHER		TILE	FRAGMENT	4		0.0	Asbestos tile. Discarded.	114
2-ST	F105			CBRICK		BRICK	FRAGMENT	1		1.4		11
2-ST	F105			SGLASS	GLASS COLORLESS	WINDOW GLASS	FRAGMENT	1		0.0		10
2-ST	F105N			CABORIGINAL POTTERY	AB POTTERY INDETERMINATE TEMP/INDETERMINATE	AB POTTERY VESSEL	FRAGMENT	1	<25mm	0.0		25
2-ST	F105N			CBRICK		BRICK	FRAGMENT	5		8.2		20
2-ST	F105N			CEARTHENWARE	WHITE IRONSTONE/GRANITE	PLATE	BASE/FOOTRING/BOUGE FRAGMENT	1		0.0		15
2-ST	F105N			MSLAG		SLAG/CLINKER	FRAGMENT	2		20.4		24
2-ST	F105N			PCOAL		COAL	FRAGMENT	1		0.3		23
2-ST	F105N			SGLASS	GLASS AMBER	BOTTLE	BODY FRAGMENT	1		0.0		16
2-ST	F105N			SGLASS	GLASS COLORLESS	BOTTLE	NECK FRAGMENT	1		0.0	Screw thread present	17
2-ST	F105N			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	2		0.0		18

State Site # 44JC0305

Provenience:										Wgt		Artifact
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	(g)	Notes	No.
2-ST	F105N			SGLASS	GLASS GREEN LIGHT	HOLLOWWARE	BODY FRAGMENT	1		0.0		19
2-ST	F105N			SPLASTIC		UNIDENTIFIED FORM	FRAGMENT	1		0.0	Possible comb. Discarded.	21
2-ST	F105N			SPLASTIC		UNIDENTIFIED FORM	FRAGMENT	2		0.0	Possible doll hand.	22
2-ST	F105NE			CBRICK		BRICK	FRAGMENT	1		0.5		27
2-ST	F105NE			SGLASS	GLASS COLORLESS	WINDOW GLASS	FRAGMENT	1		0.0		26
2-ST	F105S			MIRON		UNIDENTIFIED FORM	FRAGMENT	4		0.0		31
2-ST	F105S			SGLASS	GLASS AMBER	BOTTLE	LIP/NECK FRAGMENT	1		0.0	Screw threads present.	28
2-ST	F105S			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	3		0.0		29
2-ST	F105S			SGLASS	GLASS COLORLESS	WINDOW GLASS	FRAGMENT	2		0.0		30
2-ST	F105S			SPLASTIC		UNIDENTIFIED FORM	FRAGMENT	3			Discarded	32
2-ST	F106E			MIRON		NAIL WIRE	HEAD AND PARTIAL SHANK	1		0.0		35
2-ST	F106E			PCOAL		COAL	FRAGMENT	1		0.7		36
2-ST	F106E			SGLASS	GLASS AMBER	HOLLOWWARE	BODY FRAGMENT	2		0.0		33
2-ST	F106E			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	18		0.0		34
2-ST	F106NE			CBRICK		BRICK	FRAGMENT	1		7.4		94
2-ST	F106NE			CPORCELAIN	PORCELAIN OVER ENAMEL	SAUCER	RIM/BODY FRAGMENT	1		0.0	Black foliate motif on the interior.	93
2-ST	F106NE			MIRON		HARDWARE UNIDENTIFIED	FRAGMENT	2		0.0		101
2-ST	F106NE			MIRON		NAIL WIRE	SHANK	2		0.0		99
2-ST	F106NE			MIRON		NAIL WIRE	COMPLETE	3		0.0		98
2-ST	F106NE			MIRON		SCRAP METAL	FRAGMENT	30		0.0		102
2-ST	F106NE			MIRON		WIRE	FRAGMENT	3		0.0		100
2-ST	F106NE			PCOAL SLAG		COAL SLAG	FRAGMENT	5		6.3		97
2-ST	F106NE			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	2		0.0		95
2-ST	F106NE			SSYNTHETIC OTHER		ASPHALT/TAR	FRAGMENT	2		0.0	Discarded	96

State Site # 44JC0305

Provenience:												Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	
2-ST	G104E			SGLASS	GLASS GREEN LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		37
2-ST	G104NE			MIRON		BOLT AND NUT	HEAD AND PARTIAL SHANK	1		0.0		40
2-ST	G104NE			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	1		0.0		38
2-ST	G104NE			SGLASS	GLASS GREEN LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		39
2-ST	G104NE			SMORTAR		MORTAR	FRAGMENT	1		4.8		41
2-ST	G105E			CCERAMIC OBJECT		SKEET	FRAGMENT	2		0.0	Discarded	54
2-ST	G105E			MIRON		NAIL UNIDENTIFIED	SHANK	1		0.0		53
2-ST	G105E			SGLASS	GLASS MILK	UNIDENTIFIED FORM	FRAGMENT	1		0.0		52
2-ST	G105N			ASHELL	ANIMAL OYSTER	SHELL	FRAGMENT	2		4.7		51
2-ST	G105N			CEARTHENWARE	WHITE DECALCOMANIA	PLATE	BASE/FOOTRING FRAGMENT	1		0.0	"Ghost" image of foliate motif on the interior.	43
2-ST	G105N			CEARTHENWARE	WHITE IRONSTONE/GRANITE	PLATE	RIM/MARLY FRAGMENT	1		0.0		42
2-ST	G105N			CPORCELAIN	PORCELAIN	BOWL	RIM/BODY/BASE FRAGMENT	1		0.0	"Gilt" band on the interior rim.	45
2-ST	G105N			CPORCELAIN	PORCELAIN	BOWL	RIM/BODY FRAGMENT	1		0.0	"Gilt" band on the interior rim.	44
2-ST	G105N			CSTONEWARE	STONE UNIDENTIFIED	HOLDFAST	RIM/BODY FRAGMENT	1		0.0		46
2-ST	G105N			MALUMINUM		CAN	PULL TAB	1		0.0	Discarded	49
2-ST	G105N			MIRON		BOLT	HEAD AND PARTIAL SHANK	1		0.0		47
2-ST	G105N			MIRON		WIRE	FRAGMENT	3		0.0		48
2-ST	G105N			PCOAL		COAL	FRAGMENT	1		1.4		50

State Site # 44JC1366

Provenience:												Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	
2-ST	E101			MLEAD		UNIDENTIFIED FORM	FRAGMENT	1		0.0		3
2-ST	F101			CBRICK		BRICK	FRAGMENT	2		2.1		7
2-ST	F101			CCERAMIC OBJECT	UNIDENTIFIED	TILE	FRAGMENT	2		0.0		5

State Site # 44JC1366

Provenience:										Wgt	Notes	Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	(g)		
2-ST	F101			CEARTHENWARE	CREAM	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0		4
2-ST	F101			SPLASTIC		UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0	Discarded	6

State Site # 44JC1367

Provenience:										Wgt	Notes	Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	(g)		
2-ST	2A4			SMORTAR		MORTAR	FRAGMENT	1		8.5		55
2-ST	2A5			MIRON		HARDWARE	FRAGMENT	1		0.0	Thick, flat object. Possible door for stove.	145
2-ST	2A5			MIRON		HARDWARE UNIDENTIFIED	FRAGMENT	1		0.0		146
2-ST	2A5			MIRON		SCRAP METAL	FRAGMENT	2		0.0	Discarded	144
2-ST	2A5			MSLAG		SLAG/CLINKER	FRAGMENT	5		34.9		147
2-ST	2A5			SGLASS	GLASS GREEN LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		143
2-ST	2A6			CPORCELAIN	PORCELANEOUS	TILE	FRAGMENT	1		0.0		56
2-ST	2A6			SGLASS	GLASS COLORLESS	WINDOW GLASS	FRAGMENT	1		0.0		57
2-ST	2A8			ASHELL	ANIMAL OYSTER	SHELL	FRAGMENT	1		4.0		107
2-ST	2A8			CPORCELAIN	PORCELAIN	UNIDENTIFIED FORM	BODY/FOOTRING FRAGMENT	1		0.0		103
2-ST	2A8			MIRON		HARDWARE UNIDENTIFIED	FRAGMENT	3		0.0	Possible chain links	109
2-ST	2A8			MIRON		NAIL CUT	SHANK	2		0.0		110
2-ST	2A8			MIRON		UNIDENTIFIED FORM	FRAGMENT	3		0.0	Possible wire nail fragments	108
2-ST	2A8			PCOAL SLAG		COAL SLAG	FRAGMENT	4		7.2		111
2-ST	2A8			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	1		0.0		104
2-ST	2A8			SGLASS	GLASS GREEN LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		105
2-ST	2A8			SGLASS	GLASS MILK	CANNING JAR LINER	FRAGMENT	1		0.0		106

State Site # 44JC1368

Provenience:										Wgt	Notes	Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	(g)		
2-ST	2K1			SGLASS	GLASS GREEN	WINDOW GLASS	FRAGMENT	1		0.0		58
2-ST	2K1S			CBRICK		BRICK	FRAGMENT	1		0.6		61
2-ST	2K1S			CEARTHENWARE	WHITE	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0		60

State Site # 44JC1369

Provenience:										Wgt	Notes	Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	(g)		
2-ST	2R13			CEARTHENWARE	WHITE DECALCOMANIA	HOLLOWWARE	BODY FRAGMENT	1		0.0	"Ghost" image of floral motif on the exterior.	62
2-ST	2R13			MIRON		NAIL UNIDENTIFIED	COMPLETE	1		0.0		67
2-ST	2R13			MIRON		NAIL WIRE	HEAD AND PARTIAL SHANK	1		0.0		66
2-ST	2R13			PCOAL		COAL	FRAGMENT	3		3.7		68
2-ST	2R13			SGLASS	GLASS AQUA LIGHT	HOLLOWWARE	BODY FRAGMENT	4		0.0		64
2-ST	2R13			SGLASS	GLASS AQUA LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		65
2-ST	2R13			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	2		0.0		63
2-ST	2R13E			CEARTHENWARE	WHITE IRONSTONE/GRANITE	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0		75
2-ST	2R13E			CSTONEWARE	STONE ALBANY SLIP	CROCK	RIM/BODY FRAGMENT	1		0.0		76
2-ST	2R13E			MIRON		PLATE	MARLY/BOUGE FRAGMENT	1		0.0		74
2-ST	2R13N			CEARTHENWARE	WHITE IRONSTONE/GRANITE	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0	Burned	77
2-ST	2R13N			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	1		0.0		78
2-ST	2S13			CBRICK		BRICK	FRAGMENT	1		1.9		71
2-ST	2S13			CSTONEWARE	STONE ALBANY SLIP	HOLLOWWARE	BODY FRAGMENT	1		0.0		69
2-ST	2S13			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	1		0.0		70
2-ST	2S13N			CEARTHENWARE	WHITE IRONSTONE/GRANITE	UNIDENTIFIED FORM	BODY/FOOTRING FRAGMENT	1		0.0		79
2-ST	2S13N			MIRON		NAIL WIRE	COMPLETE	1		0.0		84
2-ST	2S13N			SGLASS	GLASS COLORLESS	BOTTLE	BODY FRAGMENT	1		0.0	Embossed letters on the exterior.	83

State Site # 44JC1369

Provenience:										Wgt (g)	Notes	Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size			
2-ST	2S13N			SGLASS	GLASS COLORLESS	HOLLOWWARE	BODY FRAGMENT	3		0.0		81
2-ST	2S13N			SGLASS	GLASS COLORLESS	LAMP CHIMNEY	BODY FRAGMENT	1		0.0		82
2-ST	2S13N			SGLASS	GLASS COLORLESS, SOLARIZED	HOLLOWWARE	BODY FRAGMENT	1		0.0		80
2-ST	2T13			MIRON		NAIL CUT	HEAD AND PARTIAL SHANK	1		0.0		72
2-ST	2T13			MIRON		NAIL WIRE	SHANK	1		0.0		73
2-ST	2W13			MIRON		BOLT	HEAD AND PARTIAL SHANK	1		0.0		153
2-ST	2W13			MIRON		HARDWARE UNIDENTIFIED	FRAGMENT	4		0.0	Possible architectural hardware with relief-molded heart and scroll motif on one fragment.	155
2-ST	2W13			MIRON		NAIL CUT	COMPLETE	1		0.0		150
2-ST	2W13			MIRON		NAIL UNIDENTIFIED	HEAD AND PARTIAL SHANK	1		0.0		152
2-ST	2W13			MIRON		NAIL WIRE	COMPLETE	1		0.0		151
2-ST	2W13			MIRON		SCRAP METAL	FRAGMENT	4		0.0	Discarded	154
2-ST	2W13			PCOAL		COAL	FRAGMENT	1		2.4		156
2-ST	2W13			SGLASS	GLASS COLORLESS	BOTTLE	BASE/BODY FRAGMENT	1		0.0		148
2-ST	2W13			SGLASS	GLASS COLORLESS	BOTTLE	BODY FRAGMENT	2		0.0		149

State Site # 44JC1370

Provenience:										Wgt (g)	Notes	Artifact No.
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size			
2-ST	2Z3			CEARTHENWARE	WHITE	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0	Partially burned	59
2-ST	2Z3E			SGLASS	GLASS GREEN LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		85
2-ST	2Z3NE			MIRON		HARDWARE UNIDENTIFIED	FRAGMENT	1		0.0		86
2-ST	2Z3NE			MIRON		NAIL UNIDENTIFIED	HEAD AND PARTIAL SHANK	1		0.0		87
2-ST	2Z3S			CBRICK		BRICK	FRAGMENT	1		10.0		91

State Site # 44JC1370

Provenience:												Artifact
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	No.
2-ST	2Z3SE			CEARTHENWARE	WHITE	UNIDENTIFIED FORM	FRAGMENT CURVED	1		0.0		92
2-ST	2Z3W			MIRON		NAIL CUT	HEAD AND PARTIAL SHANK	1		0.0		89
2-ST	2Z3W			MIRON		NAIL CUT	SHANK	1		0.0		90
2-ST	2Z3W			SGLASS	GLASS GREEN LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		88

State Site # 44JC1371

Provenience:												Artifact
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	No.
2-ST	3K7			SGLASS	GLASS GREEN LIGHT	WINDOW GLASS	FRAGMENT	1		0.0		157
2-ST	3K7E			CBRICK		BRICK	FRAGMENT	2		3.6		167
2-ST	3K7E			MIRON		NAIL UNIDENTIFIED	SHANK	2		0.0		166
2-ST	3K7E			MSLAG		SLAG/CLINKER	FRAGMENT	4		12.8		169
2-ST	3K7E			PCOAL		COAL	FRAGMENT	20		21.8		168
2-ST	3K7W			CBRICK		BRICK	FRAGMENT	4		144.0		163
2-ST	3K7W			MIRON		NAIL UNIDENTIFIED	SHANK	1		0.0		162
2-ST	3K8			CEARTHENWARE	WHITE	TEAPOT	LID	1		0.0		158
2-ST	3K8E			CBRICK		BRICK	FRAGMENT	2		3.8		164
2-ST	3K9			CEARTHENWARE	WHITE UNDERGLAZE	HOLLOWWARE	BODY FRAGMENT	1		0.0	Unidentified dark pink motif on the exterior.	159
2-ST	3K9N			SGLASS	GLASS OLIVE GREEN	BOTTLE WINE	BODY FRAGMENT	2		0.0	Fragments mend	165

State Site # Location 1

Provenience:												Artifact
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	No.
2-ST	3H15			CCOARSEWARE	COARSE	UNIDENTIFIED FORM	FRAGMENT	3		0.0	Light orange fabric. Glaze missing.	160

State Site # Location 2

Provenience:												Artifact
Type	Context	Layer	Other	Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	No.

SC: Surface Collection ST: Shovel Test TU: Test Unit Fe: Feature Tr: Trench AT: Auger Test MD: Metal Detection

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State Site # Location 2

Provenience:				Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	Artifact No.
Type	Context	Layer	Other									
2-ST	3X8			RABORIGINAL LITHIC	AB LITHIC QUARTZITE	AB TOOL BIFACE PROJECTILE POINT	COMPLETE	1		0.0	Clarksville- Late Woodland period, 1400-1700 CE.	161

State Site # Noted but not retained

Provenience:				Material 1	Material 2	Form	Portion/Element	Qty	Size	Wgt (g)	Notes	Artifact No.
Type	Context	Layer	Other									
2-ST	B103			PCOAL		COAL	FRAGMENT	2		5.4	Discarded	1
2-ST	C111			PCOAL SLAG		COAL SLAG	FRAGMENT	1		46.5	Discarded	2
2-ST	M101			PCOAL		COAL	FRAGMENT	3		32.9	Discarded.	12

APPENDIX B: ARCHAEOLOGICAL SITE RECORDS

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Dwelling, single
Other DHR ID: No Data
Temporary Designation: No Data

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 20
Aspect: Flat
Drainage: James
Slope: 2 - 6
Acreage: 0.570
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Domestic
Site Type: Dwelling, single
Cultural Affiliation: Indeterminate
DHR Time Period: Antebellum Period, Civil War, Early National Period, Reconstruction and Growth
Start Year: No Data
End Year: No Data
Comments: November 2020: Site 44JC0305 was recorded by the DHR in 1984 based on a projection from an 1863 map of James City County, but its location and integrity had not been verified through archaeological testing. JRIA's Phase I shovel testing identified a concentration of historic architectural and domestic artifacts on the elevated landform northeast of the boat landing currently occupied by a picnic shelter and other twentieth-century park amenities. This is approximately the location of the dwelling indicated on the 1863 map and subsequent maps and aerial photographs. Evidently, a "frame house" was still standing at this location as late as 1955, when the Clay Products Corporation deeded the property to the Newport News Shipbuilding and Dry Dock Company.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use	Date of Use	Comments
Park	9/21/2020 12:00:00 AM	At the time of the Phase I survey, the site was located within an actively used picnic area.

Threats to Resource:

None Known

Site Conditions:

No Surface Deposits but With Subsurface Integrity

Survey Strategies:

Historic Map Projection, Subsurface Testing

Specimens Collected:

Yes

Specimens Observed, Not Collected:

No

Artifacts Summary and Diagnostics:

The artifact assemblage included a variety of architectural and domestic materials suggestive of occupation from the eighteenth through twentieth centuries. Architectural items included hand-made brick and mortar fragments, window glass (colorless and light green), clay tile fragments, and nails, including 10 wire type (ca. post-1860) and three unidentifiable. Ceramics included a sherd of creamware (ca. 1762-1820, two each of ironstone whiteware (ca. 1840-present) and decalcomania whiteware (ca. 1880-present), an unidentifiable stoneware sherd, and three sherds of porcelain of indeterminate date. Additional domestic artifacts included bottle glass (amber, colorless, light green), colorless hollowware fragments, colorless lamp chimney glass, iron hardware, and two porcelain figurine fragments. A considerable quantity of obviously modern material, including machine-made brick, coal, plastic, aluminum cans, asphalt/tar, skeet fragments, and amber bottle glass, was also recovered within the site area but was not retained.

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository:

JRIA

Permanent Curation Repository:

James City County

Field Notes:

Yes

Field Notes Repository:

JRIA

Photographic Media:

Digital

Survey Reports:

Yes

Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository:

DHR

DHR Library Reference Number:

No Data

Significance Statement:

Despite some disturbance from the ca. 1950s park facilities, the landform on which Site 44JC0305 is situated is one of the few areas in immediate vicinity of the historic Hog's Neck/Brickyard Landing on the Chickahominy River which was not disturbed by the early twentieth-century brickmaking activities. Further investigation of this site offers to the potential to reveal significant information concerning the history and occupation of the property prior to the establishment of the brickyard in the early twentieth century. As a result, JRIA recommends that Site 44JC0305 should be considered potentially eligible for listing in the National Register under Criterion D.

Surveyor's Eligibility Recommendations:

Recommended Potentially Eligible

Surveyor's NR Criteria Recommendations, :

D

Surveyor's NR Criteria Considerations:

No Data

Event Type: Other

Project Staff/Notes:

No Data

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

Unknown (DSS)

Investigator:

McCartney, Martha

Survey Date:

5/1/1984

Survey Description:

No Data

Threats to Resource:

No Data

Site Conditions:

Site Condition Unknown

Survey Strategies:

Historic Map Projection

Specimens Collected:

No

Specimens Observed, Not Collected:

No

Artifacts Summary and Diagnostics:

No Data

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository:

No Data

Permanent Curation Repository:

No Data

Field Notes:

No

Field Notes Repository:

No Data

Photographic Media:

No Data

Survey Reports:

No Data

Survey Report Information:

Donn and Donn, "Chickahominy River," 1873-4.

Survey Report Repository:

No Data

DHR Library Reference Number:

No Data

Significance Statement:

No Data

Surveyor's Eligibility Recommendations:

No Data

Surveyor's NR Criteria Recommendations, :

No Data

Surveyor's NR Criteria Considerations:

No Data

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Warehouse
Other DHR ID: No Data
Temporary Designation: Site 1

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 10
Aspect: Facing South
Drainage: James
Slope: 2 - 6
Acreage: 0.150
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Commerce/Trade
Site Type: Warehouse
Cultural Affiliation: Euro-American
DHR Time Period: Colony to Nation, Contact Period
Start Year: No Data
End Year: No Data
Comments: This site yielded only a small quantity of historic artifacts, including a sherd of creamware, from an area which may have been at least partially disturbed by twentieth-century activity. However, it is located in the immediate vicinity of the historic Hog's Neck Landing in the Chickahominy River, and may be the only surviving archaeological evidence on the property of the public tobacco warehouse facilities located here from 1730 at least through the 1760s.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use	Date of Use	Comments
Park	9/21/2020 12:00:00 AM	At the time of the Phase I survey, the site was located in an actively used picnic area.

Threats to Resource: None Known

Site Conditions: No Surface Deposits but With Subsurface Integrity

Survey Strategies: Subsurface Testing

Specimens Collected: Yes

Specimens Observed, Not Collected: No

Artifacts Summary and Diagnostics:

Artifacts included a sherd of creamware and an unidentified lead object, along with obviously modern materials such as brick, tile, and plastic debris.

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository: JRIA

Permanent Curation Repository: James City County

Field Notes: Yes

Field Notes Repository: JRIA

Photographic Media: Digital

Survey Reports: Yes

Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository: DHR

DHR Library Reference Number: No Data

Significance Statement:

The site may be the only surviving evidence of the public tobacco warehouse facilities located here from 1730 at least through the 1760s. Any intact artifact deposits or subsurface features associated with the eighteenth-century use and occupation of the Hog's Neck Landing would be highly significant. As a result, JRIA recommends that the site should be

Surveyor's Eligibility Recommendations:	considered potentially eligible for listing in the National Register under Criterion D.
Surveyor's NR Criteria Recommendations, :	Recommended Potentially Eligible
Surveyor's NR Criteria Considerations:	D
	No Data

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Kiln, brick
Other DHR ID: No Data
Temporary Designation: Site 2

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 10
Aspect: Flat
Drainage: James
Slope: 2 - 6
Acreage: 3.340
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Industry/Processing/Extraction
Site Type: Kiln, brick
Cultural Affiliation: Euro-American
DHR Time Period: Reconstruction and Growth, The New Dominion, World War I to World War II
Start Year: No Data
End Year: No Data

Comments: This site represents the projected location of the archaeological remains of the large brick-making facility operated by R.H. Richardson and Sons and the Clay Products Corporation between ca. 1908 and 1953. Phase I archaeological shovel testing within the site area indicated that the soils were heavily disturbed by the demolition of the various industrial facilities after the property was acquired by the Newport News Shipbuilding and Dry Dock Company in 1955. However, the available aerial photographs and a detailed 1955 plan of the property depict a series of circular "beehive" kilns along the Chickahominy riverfront, in addition to several other large buildings.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use	Date of Use	Comments
Park	9/21/2020 12:00:00 AM	At the time of the Phase I survey, the site area consisted of a maintained grassy field.

Threats to Resource: None Known

Site Conditions: Site deliberately buried

Survey Strategies: Historic Map Projection, Subsurface Testing

Specimens Collected: Yes

Specimens Observed, Not Collected: Yes

Artifacts Summary and Diagnostics:

A variety of primarily modern artifacts were recovered from shovel testing, including large quantities of brick and tile fragments, iron hardware, slag/clinker, and window glass.

Summary of Specimens Observed, Not Collected:

A large quantity of twentieth-century brick and tile fragments, and other modern debris, was noted but not collected.

Current Curation Repository: JRIA

Permanent Curation Repository: James City County

Field Notes: Yes

Field Notes Repository: JRIA

Photographic Media: Digital

Survey Reports: Yes

Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository: DHR

DHR Library Reference Number: No Data

Significance Statement: This site represents the projected location of the archaeological remains of the large brick-making facility operated by R.H. Richardson and Sons and the Clay Products Corporation between ca. 1908 and 1953. Phase I archaeological shovel testing within the site area

indicated that the soils were heavily disturbed by the demolition of the various industrial facilities after the property was acquired by the Newport News Shipbuilding and Dry Dock Company in 1955. However, the available aerial photographs and a detailed 1955 plan of the property depict a series of circular “beehive” kilns along the Chickahominy riverfront, in addition to several other large buildings. There is a strong possibility, given the substantial nature of these facilities, that subsurface foundations and other features associated with the brick plant survive intact beneath the overlying fill soils. Further investigation of these remains offers the potential to gain important information concerning this significant early twentieth-century industrial facility. As a result, JRIA recommends that the site is potentially eligible for listing in the National Register under Criterion D.

Surveyor's Eligibility Recommendations:
Surveyor's NR Criteria Recommendations, :
Surveyor's NR Criteria Considerations:

Recommended Potentially Eligible
D
No Data

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Dwelling, single
Other DHR ID: No Data
Temporary Designation: Site 3

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 25
Aspect: Facing South
Drainage: James
Slope: 2 - 6
Acreage: 0.040
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Domestic
Site Type: Dwelling, single
Cultural Affiliation: Indeterminate
DHR Time Period: Antebellum Period, Civil War, Reconstruction and Growth
Start Year: No Data
End Year: No Data
Comments: This small concentration of historic artifacts evidently was associated with activity or occupation in late nineteenth-/early twentieth century; however, the former site area appears to have been largely destroyed by subsequent clay-mining.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use	Date of Use	Comments
Park	9/21/2020 12:00:00 AM	At the time of the Phase I survey, the site was located in a wooded and undeveloped portion of the Brickyard Landing property.

Threats to Resource:	None Known
Site Conditions:	Unknown Portion of Site Destroyed
Survey Strategies:	Subsurface Testing
Specimens Collected:	Yes
Specimens Observed, Not Collected:	No
Artifacts Summary and Diagnostics:	

Artifacts included a sherd of whiteware (ca. 1820-present), a fragment of green window glass, and a machine-made brick fragment.

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository:	JRIA
Permanent Curation Repository:	James City County
Field Notes:	Yes
Field Notes Repository:	JRIA
Photographic Media:	Digital
Survey Reports:	Yes

Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository:	DHR
DHR Library Reference Number:	No Data
Significance Statement:	This small concentration of historic artifacts evidently was associated with activity or occupation in late nineteenth-/early twentieth century; however, the former site area appears to have been largely destroyed by subsequent clay-mining. Considering the apparent lack of integrity and archaeological research potential, JRIA recommends that the site is not eligible

Surveyor's Eligibility Recommendations:	for inclusion in the National Register.
Surveyor's NR Criteria Recommendations, :	Recommended Not Eligible
Surveyor's NR Criteria Considerations:	No Data
	No Data

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Dwelling, single
Other DHR ID: No Data
Temporary Designation: Site 4

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 30
Aspect: Facing South
Drainage: James
Slope: 2 - 6
Acreage: 0.320
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Domestic
Site Type: Dwelling, single
Cultural Affiliation: Indeterminate
DHR Time Period: Antebellum Period, Civil War, Early National Period, Reconstruction and Growth
Start Year: No Data
End Year: No Data
Comments: This site yielded a moderate quantity of architectural and domestic artifacts which suggested that it represented an occupation dating from the nineteenth through early twentieth centuries. The site location generally corresponds with a dwelling depicted on the 1918 U.S.G.S. 15' Toano topographic quadrangle map.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use	Date of Use	Comments
Park	9/21/2020 12:00:00 AM	At the time of the Phase I survey, the site was located within a wooded and undeveloped portion of the Brickyard Landing property.

Threats to Resource: None Known

Site Conditions: Unknown Portion of Site Destroyed

Survey Strategies: Historic Map Projection, Subsurface Testing

Specimens Collected: Yes

Specimens Observed, Not Collected: No

Artifacts Summary and Diagnostics:

Architectural materials included a brick fragment, a light aqua window glass fragment, two cut nails (ca. post-1800), four wire nails (ca. post-1860), and two unidentifiable nails. Ceramics included three sherds of white ironstone/granite (ca. 1840-present), one sherd of decalcomania whiteware (ca. 1880-present), and two sherds of Albany slipped stoneware (ca. 1805-1900). Other domestic artifacts included colorless bottle glass, glass hollowware fragments (colorless and solarized), a fragment of colorless lamp chimney glass, and iron hardware.

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository: JRIA

Permanent Curation Repository: James City County

Field Notes: Yes

Field Notes Repository: JRIA

Photographic Media: Digital

Survey Reports: Yes

Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository: DHR

DHR Library Reference Number: No Data

Significance Statement: The site location generally corresponds with a dwelling depicted on the 1918 U.S.G.S. 15'

Toano topographic quadrangle map. While an adjacent area of clay-mining may have caused some disturbance, soils are generally undisturbed within the immediate site area, and there is potential for the presence of significant artifact deposits and subsurface features. Further investigation of this site has the potential to reveal significant information concerning the smaller freehold farmsteads which occupied the Hog's Neck Landing property prior to its consolidation and industrial use in the early twentieth century. As a result, JRIA recommends that the site is potentially eligible for inclusion in the National Register under Criterion D.

Surveyor's Eligibility Recommendations:

Recommended Potentially Eligible

Surveyor's NR Criteria Recommendations, :

D

Surveyor's NR Criteria Considerations:

No Data

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Dwelling, single
Other DHR ID: No Data
Temporary Designation: Site 5

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 25
Aspect: Facing Southwest
Drainage: James
Slope: 2 - 6
Acreage: 0.210
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Domestic
Site Type: Dwelling, single
Cultural Affiliation: Indeterminate
DHR Time Period: Antebellum Period, Civil War, Early National Period, Reconstruction and Growth
Start Year: No Data
End Year: No Data
Comments:

Based on the results of the Phase I archaeological shovel testing, this site appears to represent the remains of a farmstead occupied during the nineteenth and early twentieth centuries, and likely was associated with one of the several families who owned small freehold farms at the Hog's Neck Landing property before the parcels were acquired and consolidated for the brick-making plant in the early twentieth century.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use	Date of Use	Comments
Park	9/21/2020 12:00:00 AM	At the time of the Phase I survey, the site was located within a wooded and undeveloped portion of the Brickyard Landing property.

Threats to Resource: None Known

Site Conditions: No Surface Deposits but With Subsurface Integrity

Survey Strategies: Subsurface Testing

Specimens Collected: Yes

Specimens Observed, Not Collected: No

Artifacts Summary and Diagnostics:

Architectural materials included a brick fragment, two cut nails (ca. post-1790), one unidentifiable nail, and two fragments of light green window glass. Domestic artifacts consisted of a sherd of whiteware (ca. 1820-present) and an unidentifiable iron hardware fragment.

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository: JRIA

Permanent Curation Repository: James City County

Field Notes: Yes

Field Notes Repository: JRIA

Photographic Media: Digital

Survey Reports: Yes

Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository: DHR

DHR Library Reference Number: No Data

Significance Statement: Based on the results of the Phase I archaeological shovel testing, the site appears to represent the remains of a farmstead occupied during the nineteenth and early twentieth centuries, and likely was associated with one of the several families who owned small

	freehold farms at the Hog’s Neck Landing property before the parcels were acquired and consolidated for the brick-making plant in the early twentieth century. With undisturbed soil stratigraphy and the corresponding potential for subsurface cultural features, this site offers further research potential, and JRIA recommends that it should be considered potentially eligible for listing in the National Register under Criterion D
Surveyor's Eligibility Recommendations:	Recommended Potentially Eligible
Surveyor's NR Criteria Recommendations, :	D
Surveyor's NR Criteria Considerations:	No Data

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Dwelling, single
Other DHR ID: No Data
Temporary Designation: Site 6

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 30
Aspect: Facing South
Drainage: James
Slope: 2 - 6
Acreage: 0.420
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Domestic
Site Type: Dwelling, single
Cultural Affiliation: Indeterminate
DHR Time Period: Antebellum Period, Civil War, Early National Period, Reconstruction and Growth
Start Year: No Data
End Year: No Data
Comments: Testing at this site yielded a moderate quantity of architectural and domestic artifacts indicative of an occupation dating from the nineteenth through early twentieth centuries. The site was not depicted on the 1918 U.S.G.S. 15' Toano topographic quadrangle map, suggesting that it was no longer occupied by that time.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use

Park

Date of Use

9/21/2020 12:00:00 AM

Comments

At the time of the Phase I survey, the site was located within a wooded and undeveloped portion of the Brickyard Landing property.

Threats to Resource:

None Known

Site Conditions:

No Surface Deposits but With Subsurface Integrity

Survey Strategies:

Subsurface Testing

Specimens Collected:

Yes

Specimens Observed, Not Collected:

No

Artifacts Summary and Diagnostics:

Architectural materials recovered from shovel testing included machine-made brick fragments, unidentified nails, and a light green window glass fragment, while domestic items consisted of a whiteware (ca. 1820-present) teapot lid sherd, a fragment of olive green wine bottle glass, coal, and slag

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository:

JRIA

Permanent Curation Repository:

James City County

Field Notes:

Yes

Field Notes Repository:

JRIA

Photographic Media:

Digital

Survey Reports:

Yes

Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository:

DHR

DHR Library Reference Number:

No Data

Significance Statement:

This site offers the potential to provide significant information about the smaller freehold farmsteads which comprised the Hog's Neck Landing lands before they were acquired and

Surveyor's Eligibility Recommendations:	consolidated as part of the industrial development of the property in the early twentieth century. As a result, JRIA recommends that the site is potentially eligible for inclusion in the National Register under Criterion D.
Surveyor's NR Criteria Recommendations, :	Recommended Potentially Eligible
Surveyor's NR Criteria Considerations:	D
	No Data

Snapshot

Date Generated: November 13, 2020

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): No Data
Site Type(s): Artifact scatter
Other DHR ID: No Data
Temporary Designation: Site 7

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: BRANDON
County/Independent City: James City (County)
Physiographic Province: Coastal Plain
Elevation: 20
Aspect: Facing West
Drainage: James
Slope: 2 - 6
Acreage: 0.190
Landform: Terrace
Ownership Status: Local Govt
Government Entity Name: No Data

Site Components

Component 1

Category: Indeterminate
Site Type: Artifact scatter
Cultural Affiliation: Indeterminate
DHR Time Period: The New Dominion
Start Year: No Data
End Year: No Data
Comments: This site consists of a relatively surface trash scatter.

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Survey:Phase I

Project Staff/Notes:

Matthew R. Laird, Ph.D., RPA, served as Principal Investigator for the project. The archaeological fieldwork was conducted under the direction of JRIA Project Archaeologists Allison M. Conner, M.A., RPA, and Anthony W. Smith, M.A., with the assistance of Tommy Kester and Nicholas Seidel. The architectural analysis and documentation were completed by architectural historian Robert J. Taylor, Jr., M.A., of Dutton + Associates, LLC. The artifacts resulting from the archaeological testing were processed by Barry Phelps and cataloged by Curator Sherrie Beaver under the direction of Laboratory Manager Meghan West.

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

James River Institute for Archaeology, Inc.

Investigator:

Matthew Laird

Survey Date:

9/21/2020

Survey Description:

In September-October 2020, the James River Institute for Archaeology, Inc. (JRIA) completed a Phase I cultural resources survey of the 119-acre Brickyard Landing parcel (James City County Parcel ID #1920100018) at 1006 Brickyard Road in James City County, Virginia. The investigation was conducted on behalf of James City County, which purchased the property with the assistance of a Land and Water Conservation Fund Grant from the Virginia Department of Conservation and Recreation. This grant program is funded by the National Park Service, so the Phase I cultural resources survey was required under Section 106 of the National Historic Preservation Act of 1966 (as amended). As a result, the Phase I cultural resources survey included both archaeological testing and reconnaissance-level architectural survey of all historic buildings and structures greater than 50 years old.

The 119-acre Brickyard Landing parcel recently acquired by James City County is located in the western portion of the county, along the Chickahominy River. It surrounds the approximately 0.33-acre river landing and associated road right-of-way (Parcel ID #1920100018A) which was already held by the county. Approximately 53 acres of the newly-acquired parcel is located within a resource protection area (RPA) and thus will remain undisturbed. As a result, the Phase I archaeological survey focused on the remaining 66 acres. No comprehensive archaeological or architectural survey of the property had been conducted prior to the current JRIA investigation. One archaeological site (44JC0305) was recorded on the property by the DHR in 1984 based on a projection from a Civil War-era map. However, the location, extent, and integrity of this site had not been verified in the field.

The research design for the Phase I cultural resources survey was to identify all historic resources, including archaeological sites and historic buildings and structures, present within the defined testing area, and to obtain sufficient information to make recommendations concerning the potential eligibility of each resource for inclusion in the National Register of Historic Places (National Register).

Current Land Use	Date of Use	Comments
Park	9/21/2020 12:00:00 AM	At the time of the Phase I survey, the site was located within a wooded and undeveloped portion of the Brickyard Landing property.

Threats to Resource:	None Known
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Site Conditions:	Surface Deposits
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Survey Strategies:	Observation, Subsurface Testing
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Specimens Collected:	No
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Specimens Observed, Not Collected:	Yes
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Artifacts Summary and Diagnostics:

No Data

Summary of Specimens Observed, Not Collected:

There was a large quantity of modern surface refuse which was noted but not collected.

Current Curation Repository:	No Data
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Permanent Curation Repository:	No Data
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Field Notes:	Yes
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Field Notes Repository:	JRIA
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Photographic Media:	Digital
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Survey Reports:	Yes
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Survey Report Information:

Matthew R. Laird, et al., "Phase I Cultural Resources Survey of the Brickyard Landing Property, James City County, Virginia." James River Institute for Archaeology, Inc., Williamsburg, Virginia.

Survey Report Repository:	DHR
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DHR Library Reference Number:	No Data
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Significance Statement:	This concentration of twentieth-century surface refuse does not represent any prolonged or significant historic occupation or activity, and offers no further archaeological research potential. As such, JRIA recommends that the site is not eligible for inclusion in the National Register.
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Surveyor's Eligibility Recommendations:	Recommended Not Eligible
Surveyor's NR Criteria Recommendations, :	No Data
Surveyor's NR Criteria Considerations:	No Data

APPENDIX C: ARCHITECTURAL RESOURCE RECORD

Property Information

Property Names

Name Explanation	Name
Current Name	Brickyard Landing
Function/Location	Park, 1006 Brickyard Road
Historic	Newport News Shipbuilding and Dry Dock Company Recreation and Picnic Area on the Chickahominy River

Property Evaluation Status

Not Evaluated

Property Addresses

Current - 1006 Brickyard Road

County/Independent City(s): James City (County)

Incorporated Town(s): No Data

Zip Code(s): 23089

Magisterial District(s): No Data

Tax Parcel(s): No Data

USGS Quad(s): BRANDON

Additional Property Information

Architecture Setting: Rural

Acreage: 10

Site Description:

October 2020: The Brickyard Landing property consists of a recreational property and associated buildings and structures located in the Lanexa vicinity of James City County, Virginia. Although situated on a larger property parcel, the park area consists of a roughly 10-acre area at the terminus of Brickyard Road bordering the Chickahominy River. Brickyard Road transitions into a driveway that extends directly to a concrete boat ramp into the river. A gravel parking area is situated to the side of the road near the ramp. Beyond the parking lot is the primary picnic and recreational area of the property with picnic shelters, bbq grills, and restroom facilities. Across the lane from the parking lot is an open field with a small beach along the river as well as a wooden wharf.

Surveyor Assessment:

October 2020: Overall, the Brickyard Landing property represents a typical outdoor park and recreation area from the mid-twentieth century. The property was developed as such in 1956 by the Newport News Shipbuilding and Dry Dock Company as a recreation and picnic area on the Chickahominy River for use by shipyard employees. Prior to that date, and from the early-twentieth century through World War II, the property was the site of a large brickmaking facility operated by Clay Products Corporation of Hampton. The open field bordering the extant wharf was the site of the manufacturing area with a variety of buildings, structures, and kilns; while the rest of the property was used for the extraction of clay for the bricks. As such, much of the landscape has been carved away, except for a ridge along the eastern edge that is believed to be the site of an earlier home. When the Shipyard acquired the property from the brick company in 1955, the brick production facilities were demolished and the raised ridge was utilized for picnic shelters and bbq grills. While a wharf for use by the brickyard for commerce and shipping may have been present, the current wharf is believed to have been built by the shipyard for recreational purposes. By 1956, Newport News Shipbuilding had improved the area with "running water, rest rooms, fireplaces, tables, benches, ice boxes, pots and pans, and athletic equipment." Soon after, the boat dock and ramp was constructed for trailer-hauled boats. The property also boasted a large parking lot, as well as spaces for softball, horseshoe pitching, volleyball, and other games. A telephone was installed in 1962.

At present, the property retains many of these early features, including the picnic shelters, grills, and restrooms; while others, including all the athletic equipment and fields have been cleared. As such, the property continues to retain a moderate degree of historical integrity, but lacks distinction as a common resource type and does not possess any substantial association to historically important themes or events that would qualify it for listing in the NRHP. Therefore, the Brickyard Landing Park is considered not eligible for listing in the NRHP either individually or as part of a historic district.

Surveyor Recommendation: Recommended Not Eligible

Ownership

Ownership Category	Ownership Entity
Local Govt	No Data

Primary Resource Information

Resource Category: Landscape

Resource Type: Park

NR Resource Type: Site

Historic District Status: *No Data*
Date of Construction: 1956
Date Source: Written Data
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Recreation/Arts
Other ID Number: *No Data*
Architectural Style: No discernible style
Form: *No Data*
Number of Stories: *No Data*
Condition: Good
Threats to Resource: None Known

Architectural Description:

October 2020: The property, in its current configuration, was created in 1955, following its acquisition by the Newport News Shipbuilding and Dry Dock Company. The complex includes a boat ramp and wharf in addition to several picnic shelters, outdoor bbq grills, and bathroom/shower facilities. At this time, two picnic shelters, two restroom facilities, three bbq grills, and a number of stand-alone picnic tables are scattered throughout the park. While the picnic tables appear to have been replaced at a more recent date, the other buildings and structures are believed to date from the development of the property in 1956.

Secondary Resource Information

Secondary Resource #1

Resource Category: Social/Recreational
Resource Type: Park/Camp Shelter
Date of Construction: 1956
Date Source: Written Data
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Recreation/Arts
Architectural Style: Contemporary
Form: *No Data*
Condition: Fair
Threats to Resource: Neglect

Architectural Description:

October 2020: Each of the two picnic shelters measures approximately 15-feet by 30-feet and is set on a poured concrete slab. They are bordered by a poured concrete knee wall with two openings along each side. The knee walls are topped by concrete coping on which are set metal posts that support the roof above. The roof is a low-pitch gable with exposed timber framing and covered by sheet metal. Three more recent picnic tables attached to the floor are set in a line down the middle of the picnic shelter interior.

This picnic shelter is set near a bluff overlooking the river, at the edge of a treeline.

Number of Stories: 1

Secondary Resource #2

Resource Category: Social/Recreational
Resource Type: Park/Camp Shelter
Date of Construction: 1956
Date Source: Written Data
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Recreation/Arts
Architectural Style: Contemporary
Form: *No Data*
Condition: Fair
Threats to Resource: Neglect

Architectural Description:

October 2020: Each of the two picnic shelters measures approximately 15-feet by 30-feet and is set on a poured concrete slab. They are bordered by a poured concrete knee wall with two openings along each side. The knee walls are topped by concrete coping on which are set metal posts that support the roof above. The roof is a low-pitch gable with exposed timber framing and covered by sheet metal. Three more recent picnic

tables attached to the floor are set in a line down the middle of the picnic shelter interior.

This picnic shelter is set near the rear of the picnic area, along the edge of a raised knoll.

Number of Stories: 1

Secondary Resource #3

Resource Category: Social/Recreational
Resource Type: Barbecue Pit
Date of Construction: 1956
Date Source: Written Data
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Recreation/Arts
Architectural Style: No discernible style
Form: *No Data*
Condition: Good
Threats to Resource: Neglect

Architectural Description:

October 2020: Set in proximity to each picnic shelter are stand-alone bbq grills. Each grill is built of brick laid in a stretcher bond that encloses a fire box at ground level and has a chimney extending up from the rear. A steel flat top cook surface extends over the fire box and is flanked by stainless steel caps on the outer brick walls to each side. The front of the fire box is enclosed by a metal panel with two doors for feeding the fire within.

Secondary Resource #4

Resource Category: Social/Recreational
Resource Type: Restroom Facility
Date of Construction: 1956
Date Source: Written Data
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Recreation/Arts
Architectural Style: No discernible style
Form: *No Data*
Condition: Fair
Threats to Resource: Neglect

Architectural Description:

October 2020: Set along the eastern edge of the park area, between the two extant picnic shelters, are two restroom facilities set side-by-side. Each contains separate men's and women's restrooms. The northern of the two buildings also contains an enclosed storage room to the rear. The building is masonry clad with stucco. It is topped by a low-pitched, rear-sloping shed roof covered with sheet metal. The roof extends over the front to shelter a small porch area. This area is enclosed along the front with panels of lattice and open to the sides. Set under this covered area are side-by-side doorways into the two restrooms. The interior is unfinished with exposed concrete floors, stucco walls, and roof framing on the ceiling. The two stalls in each are enclosed by plywood panels and all fixtures appear to be later replacements. The rear storage room is accessed by an exterior doorway on the side. It is similarly unfinished and contains a wall-mounted payphone and the pressure tank for plumbing, as well as open storage space.

Number of Stories: 1

Secondary Resource #5

Resource Category: Social/Recreational
Resource Type: Restroom Facility
Date of Construction: 1956
Date Source: Written Data
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Recreation/Arts
Architectural Style: No discernible style
Form: *No Data*
Condition: Fair
Threats to Resource: Neglect

Architectural Description:

October 2020: Set along the eastern edge of the park area, between the two extant picnic shelters, are two restroom facilities set side-by-side.

Each contains separate men's and women's restrooms. The southern of the two buildings is slightly smaller than the northern building and does not contain a rear storage roof. The building is masonry clad with stucco. It is topped by a low-pitched, rear-sloping shed roof covered with sheet metal. The roof extends over the front to shelter a small porch area. This area is enclosed along the front with panels of lattice and open to the sides. Set under this covered area are side-by-side doorways into the two restrooms. The interior is unfinished with exposed concrete floors, stucco walls, and roof framing on the ceiling. The two stalls in each are enclosed by plywood panels and all fixtures appear to be later replacements.

Number of Stories: 1

Secondary Resource #6

Resource Category: Transportation
Resource Type: Wharf/Pier
Date of Construction: 1956
Date Source: Written Data
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Recreation/Arts
Architectural Style: No discernible style
Form: *No Data*
Condition: Deteriorated
Threats to Resource: Neglect

Architectural Description:

October 2020: Across the parking lot from the main picnic area along the waterfront bordering an open field is a wooden wharf. This structure appears to have been built sometime soon after the development of the park in 1956. The large structure is approximately 15-feet wide and extends 80 feet along the shoreline. It is built with round timber pilings and a wood board deck. There are the remains of tie-down points along the front edge.

Historic District Information

Historic District Name: *No Data*
Local Historic District Name: *No Data*
Historic District Significance: *No Data*

CRM Events

Event Type: Survey:Phase I/Reconnaissance

Project Review File Number: *No Data*
Investigator: Robert Taylor
Organization/Company: Dutton + Associates, LLC
Photographic Media: Digital
Survey Date: 10/5/2020
Dhr Library Report Number: *No Data*
Project Staff/Notes:

Survey and documentation prepared by D+A Architectural History staff.

Project Bibliographic Information:

JRIA. Phase I Survey of the Brickyard Landing Project Area. October 2020.

"Busy Summer at Chickahominy," Shipyard Bulletin, Vol. 21 (1961), pp. 4-5, 18.

"Picnic Area Ready for New Season," Shipyard Bulletin, Vol. 22 (1962), p. 9.

Bibliographic Information

Bibliography:

"Busy Summer at Chickahominy," Shipyard Bulletin, Vol. 21 (1961), pp. 4-5, 18.

"Picnic Area Ready for New Season," Shipyard Bulletin, Vol. 22 (1962), p. 9.

Property Notes:

No Data



Brickyard Landing Park Master Plan

In an effort to address strategy PR 1.3 in the James City County Comprehensive Plan, “Update and develop master plans for County-owned parks to coordinate construction phasing and validate capital improvement requests,” as well as PR 4.2 “Develop recreational components of...Brickyard Landing in accordance with approved Master Plans,” the Parks & Recreation department has set out to develop a master plan to guide the long term development of Brickyard Landing Park. Parks & Recreation staff have developed an initial draft plan to share with the Parks & Recreation Advisory Commission.

Unlike site plans that are exact engineered drawings to show building footprints, utilities, drainage and other layouts prior to construction, master plans are crafted to serve as long-term planning documents. These maps provide a conceptual layout to guide the future growth of each park and are adaptable to changes. While consideration was given to incorporate building codes, environmental and zoning requirements, it should be noted that the elements in the maps are not drawn to scale nor located in their exact future position.



Existing view of entrance to Brickyard Landing Park

Park History & Background

Brickyard Landing has a unique history. The area was formerly known as Hog Neck, and from 1646 – 1760s it was used as a tobacco inspection site, warehouses, wharfs and for shipping. In the late 1800s the property was used to make and store cordwood and railroad ties shipping products via the Chickahominy and James rivers. From the early 1900s, the land’s clay rich soil was used by several brick making companies until 1953. From 1955 until 1997, Newport News Shipbuilding owned the property and used it as an employee recreation area with restrooms, fireplaces, athletic equipment and picnic shelters. During the period Newport News Shipbuilding owned the property it was named the Shipyard Recreation and Picnic Area on the Chickahominy River, but became commonly referred to as Brickyard Landing due to the properties’ most recent history. James City County has owned and operated the boat ramp onsite for several decades, and in 2020 purchased the entire 119-acre property for use as a public park through a Land and Water Conservation Fund grant.

Existing and Proposed Amenities

Some recreational amenities from the shipyard years were still present on the property. Existing picnic shelters have been restored, and the existing pier was repaired and expanded to serve as a tending pier for the boat ramp. Restroom facilities on site were no longer structurally sound and are in the process of being removed. The existing boat ramp is the focal point of the park, but lacks suitable parking for boat trailers. Additional parking will also be needed to support other included amenities.

Using this as a starting point, staff developed an initial draft master plan utilizing citizen feedback and data from the 2017 Parks & Recreation Master Plan and the 2018 Virginia Outdoors Plan as a guide to potential future amenities. The Parks & Recreation Master Plan classifies Brickyard Landing Park as a special use park, primarily serving residents at the upper end of the County, specifically boaters using the boat ramp. The Parks & Recreation Master Plan identified a lack of several park amenities in this region, notably hard and soft surface trails. The Virginia Outdoors Plan additionally identified trails and access to water as high priority for citizens in this region.

Community Input

Over 250 citizens and visitors participated in the Brickyard Landing Park master plan update process - based on the feedback received, the map was updated to include an additional fixed pier area designated for fishing (L), an accessible paddlecraft launch for canoes and kayaks (M), and an area for primitive camping for youth organizations (N).

Parks & Recreation Advisory Commission

On July 19, 2023, the plan was presented to the Parks & Recreation Advisory Commission. The Commission requested that an area be shown for a future parking expansion should it be needed, and approved the plan contingent upon that addition. The area shown for potential future parking expansion is shown on the map as "O".

A. Tending Pier

- Existing tending pier along boat ramp, turning 90 degrees and running parallel to shoreline. Pier is used for tying off boats that are using the ramp, fishing and wildlife viewing.

B. Boat Ramp

- Existing concrete boat ramp used for launching trailered boats in the Chickahominy River.

C. Picnic Shelters

- Two repaired and existing picnic shelters with picnic tables can accommodate 20-25 users each.

D. Utility Shed

- Utility shed to be constructed over a portion of an old bathhouse site. The shed will be used to protect electrical panels, and well pump that were located in the back room of the bathhouse.

E. Boat trailer parking

- Approx. 25-30 parking spaces for boat trailers using the boat ramp.

F. Car parking lot

- Approx. 25-30 parking spaces for cars, with two ADA Accessible parking spaces.

G. Restroom Facility

- Restroom facilities to support recreation amenities.

H. Multiuse Trail

- 0.25 Mile ADA accessible asphalt multiuse trail with connections to park amenities. Opportunities for interpretation of park site history and environmental education.

I. Playground

- Standard park playground with mulch surfacing, separate playground features for different age groups.

J. Meadow

- Natural area/meadow featuring native/pollinator plants and riparian plantings

K. Hiking/Mountain Biking Trails

- Approximately 2-4 miles of hiking and/or mountain biking trails, opportunities for interpretation of park site history and environmental education

L. Fishing pier/Area

- Extension of fixed pier along the shoreline, to include an area specifically designated for fishing

M. Paddlecraft Launch

- Floating paddlecraft launch for canoes and kayaks with accessible gangway from fixed pier

N. Primitive Camping for Youth Organizations

- Area designated for primitive “leave no trace” camping for youth organizations

O. Potential Parking Expansion

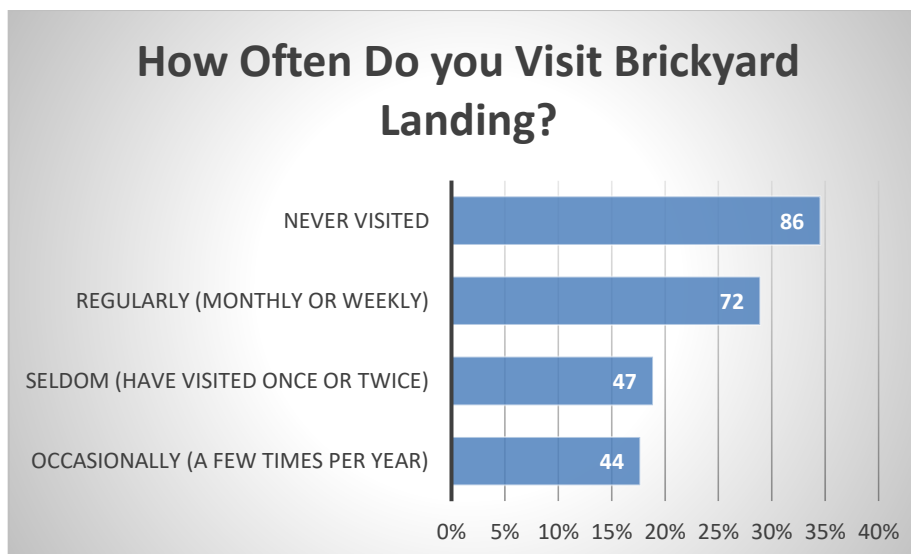
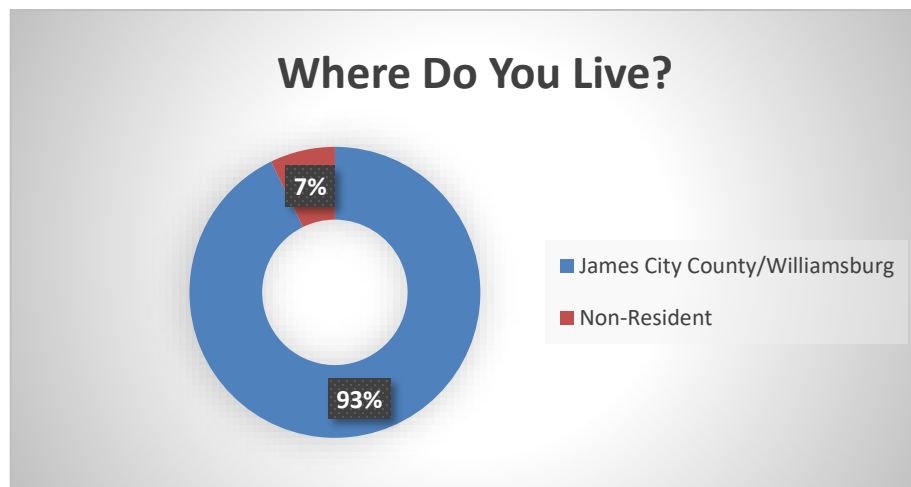
- Area designated for a potential future expansion for boat trailer parking

Community Input Period Results

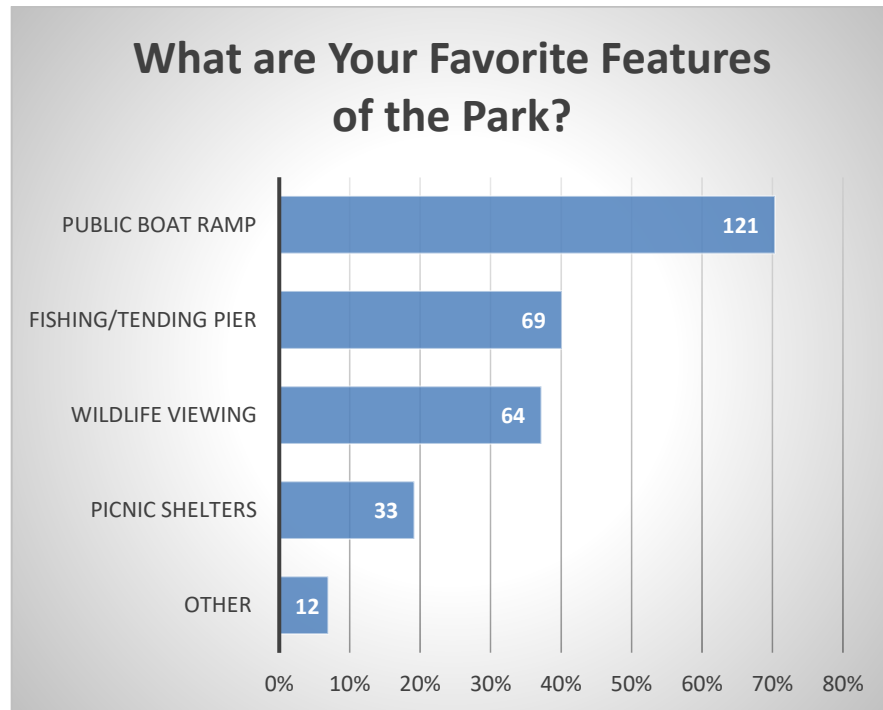
From June 5 to June 30, 2023, a community input period was held to solicit feedback on the draft master plan.

Feedback was received through online surveys, in-person survey stations at the James City County Library and the James City County Recreation Center, and attendance at a community meeting held on June 28 at the James City County Library. Additionally calls, letters and emails were received by the Department throughout the period. Over 250 citizens and visitors participated in the Brickyard Landing Park master plan update process, with 249 online and paper surveys submitted and 16 in attendance for the community meeting.

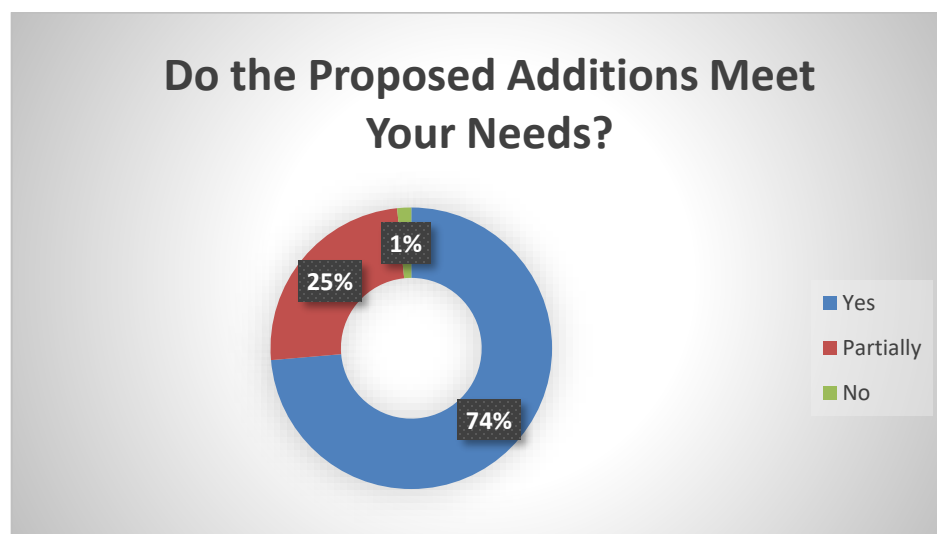
Of the survey respondents, the vast majority were residents of James City County or Williamsburg. While many who responded had either never visited the park before or infrequently, 72 participants were regular users of the park visiting on a weekly or monthly basis:



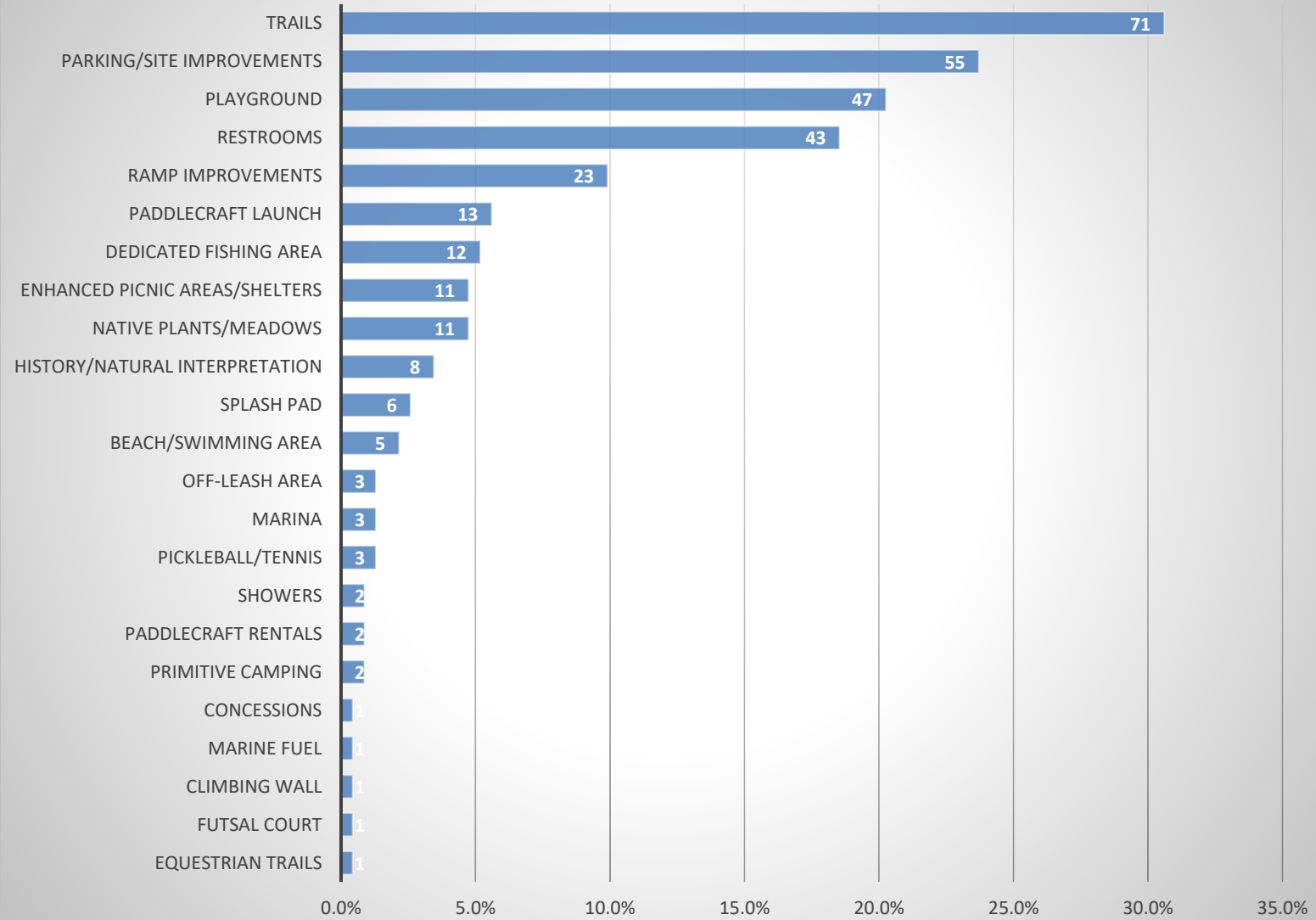
The public boat ramp was the overwhelmingly favorite feature of the park for respondents, and the fishing/tending pier and wildlife viewing were closely grouped together in second and third place, respectively. Some other features mentioned included the scenery and river view, stargazing and wading in the river.



Hiking and mountain biking trails, parking and ramp improvements, a playground and restrooms were the top needs identified in the survey, and many of the needs identified were operational improvements that can be made outside of the Master Plan process. Notable amenities requested that were not shown on the draft plan included a paddlecraft launch, a dedicated fishing pier or area, and enhanced picnic facilities. 46 participants felt that the proposed plan only partially met their needs, with most citing parking and site improvements and the lack of a paddlecraft launch as the only reason they didn't fully endorse the plan.



What Changes Would You Like to See?



RESOLUTION

VIRGINIA CODE 15.2-2232 ACTION ON CASE NO. Z-23-0006/SUP-23-0025. 990 & 1006
BRICKYARD ROAD REZONING AND SPECIAL USE PERMIT

WHEREAS, in accordance with Section 15.2-2232 of the Code of Virginia, parks or other public areas, whether publicly or privately owned, shall not be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and

WHEREAS, James City County (the "Owner"), owns properties located at 990 and 1006 Brickyard Road and further identified as James City County Real Estate Tax Map Parcel Nos. 1920100018 and 1920100018A (the "Properties"), which are zoned General Agricultural, A-1 and Public Lands, PL; and

WHEREAS, Mr. Alister Perkinson on behalf of the Owner, has applied for a Rezoning and Special Use Permit to rezone 1006 Brickyard Road to Public Lands, PL, with a Special Use Permit to allow for community recreation facilities, as shown on a plan titled "Brickyard Landing Park Master Plan" and dated July, 2023; and

WHEREAS, in accordance with 15.2-2204 of the Code of Virginia and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. Z-23-0006/SUP-23-0025.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, finds that the general or approximate location, character and extent of the public facility shown in Case No. Z-23-0006/SUP-23-0025 are substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.

ATTEST:


Susan Istenes, Secretary


Frank Polster
Chair, Planning Commission

Adopted by the Planning Commission of James City County, Virginia, this 6th day of December 2023.

**Approved Minutes of the December 6, 2023,
Planning Commission Regular Meeting**

Z-23-0006/SUP-23-0025. Brickyard Landing Park Rezoning and Special Use Permit

Mr. Loppacker addressed the Commission regarding the details of the application. He noted Mr. Alister Perkinson, Parks Administrator for the County's Parks & Recreation Department, was the applicant. Mr. Loppacker stated no citizen complaints had been received and staff recommended approval to the Planning Commission for approval recommendation to the Board of Supervisors, subject to the proposed conditions. He noted Mr. Perkinson was available for any questions.

Mr. Polster noted he had several questions for Mr. Perkinson.

Mr. Perkinson noted he had a presentation available for the Commission. He highlighted the Master Plan process for the park. Mr. Perkinson noted the unique history of the Brickyard Landing Park which dated back to the 18th century. He highlighted park improvements made since the County acquired the park and future plans. Mr. Perkinson noted the volume of public input received regarding future plans for the park's development. He added some enhancements were included, but the general theme was maintained. Mr. Perkinson noted the Master Plan would be incorporated into the Capital Improvements Program based on available funding in addition to pursuing grants for funding assistance.

Mr. Rose questioned Mr. Perkinson's reference to community park and if this park was for public access or a specific community.

Mr. Perkinson confirmed it was for public access and available to everyone.

Mr. Rose asked if vehicles could drive down and drop off paddleboards or kayaks.

Mr. Perkinson noted if the paddlecraft launch was constructed, it would need to be accessible. He referenced the launch which had been added at the James City County Marina. Mr. Perkinson noted it would be a floating launch with accessibility.

Mr. Polster noted his questions were directed more toward the Master Plan details. He stated the level of detail from the James River Archaeology Report from the area. Mr. Polster referenced two specific areas designated for the Phase II component. He asked if Phase II was moving forward or would those two areas remain undisturbed.

Mr. Perkinson responded if development was done in that area, Phase II would be done in a contained area to minimize disturbance.

Mr. Polster referenced other County parks and their respective histories. He hoped a similar historical importance of the park could be displayed at Brickyard Landing Park.

Mr. Polster opened the Public Hearing.

Ms. Harriett Meader, Goochland County, Virginia, addressed the Commission noting her family had resided in James City County since the 1600s. She stated her family owned the land north and east of Brickyard Landing Park. Ms. Meader noted her family had no objections to the park development, but she added the only revenue for the family's 364-acre property was duck and land hunting. Ms. Meader addressed concerns for buffering and environmental impacts. She emphasized the importance of an environmental site manager for the project to ensure protection of the land and the species there. Ms. Meader clarified the family property for the Commission.

As there were no additional speakers, Mr. Polster closed the Public Hearing.

Mr. Polster asked Mr. Loppacker and Mr. Perkinson to confer with the County Attorney regarding engagement rules on the adjoining property and the hunting component.

Mr. Haldeman noted this park project was terrific, adding the southeastern part of the County needed such a project. He stated that point was noted in the Parks & Recreation Master Plan.

Mr. Krapf made a motion recommending approval of Z-23-0006 and SUP-23-0025. Brickyard Landing Park Rezoning and Special Use Permit and the associated conditions with that application.

Mr. Polster clarified a second motion for consistency with the Comprehensive Plan would be required. He noted the first motion would be for consistency.

Mr. Krapf made a motion for consistency with the Comprehensive Plan.

On a roll call vote, the Commission voted to recommend approval. (7-0)

Mr. Krapf made a motion recommending approval of the rezoning and SUP along with the associated conditions for Brickyard Landing Park.

On a roll call vote, the Commission voted to recommend approval. (7-0)

MEMORANDUM

DATE: February 13, 2024

TO: The Board of Supervisors

FROM: Paxton Condon, Deputy Zoning Administrator/Senior Planner

SUBJECT: S-22-0027. 4525 William Bedford Parcel Designation Change

Mr. Vernon Geddy has submitted a request on behalf of Mrs. Joanna Coronado to vacate the “Recreation Area” designation, as shown on the subdivision plat entitled “CHANCO’S GRANT SECTION II SUBDIVISION PLAT” and recorded in the Clerk’s Office of the Circuit Court of James City County, Virginia on May 29, 1987, at Plat Book 45, Pages 58 and 59 (the “Plat”). The attached exhibit of the vacation plat prepared by LandTech Resources, Inc., and dated March 10, 2009, identifies the Recreation Area subject to this application. Should the Board approve this plat vacation the applicant will be required to provide an updated plat showing the vacated lot for recordation. This application is made for the purpose of constructing a single-family dwelling on the property.

The Recreation Area is a 0.75-acre parcel located at 4525 William Bedford in the Chanco’s Grant subdivision and can be further identified as Parcel ID No. 4710800035A. Chanco’s Grant is an established residential development located along Ironbound Road, and zoned R-8, Rural Residential.

A Declaration of Covenants and Restrictions for Chanco’s Grant Section II was recorded, along with the Plat, on May 29, 1987 (the “Declaration”). Article III of the Declaration states that the common area was to be managed and controlled by a homeowners association (HOA). It is staff’s understanding that an HOA for Chanco’s Grant was never established.

The developer of Chanco’s Grant Section II (DCI, Inc.) retained ownership of this parcel until 2004, at which time the current owners purchased the lot at public auction. The parcel was never developed as a recreation area. Mr. and Mrs. Coronado previously requested to vacate the Plat in 2009 and it was denied on October 27, 2009. The primary reason the Board of Supervisors denied the 2009 request was that it believed that the homeowners in Chanco’s Grant had an expectation of a recreational lot within the subdivision. Furthermore, it was encouraged that a voluntary HOA be formed to take over the maintenance of the property and resolve the existing ownership issue.

Pursuant to Code of Virginia Section 15.2-2272, a portion of a recorded plat may be vacated “by ordinance of the governing body of the locality in which the land shown on the plat or part thereof to be vacated lies.”

Approval of the vacation of the Recreation Area designation would alter the Plat so that the Recreation Area would instead be a numbered lot labeled “Lot 35-A.” Staff recommends that the Board of Supervisors approve the request to vacate the Recreation Area in Section II of Chanco’s Grant, as shown in the attached exhibit. Should the Board wish to approve this application, an Ordinance vacating the Recreation Area designation on the Plat is attached.

PC/md
S22-27_4525WmBdfird-rev-mem

Attachments:

1. Ordinance of Plat Vacation
2. Location Map

S-22-0027. 4525 William Bedford Parcel Designation Change

February 13, 2024

Page 2

3. Recorded Subdivision Plat
4. Vacation Plat Exhibit
5. Applicant's Written Statement
6. S-0012-2009 Materials from Board of Supervisors Meeting July 14, 2009
7. S-0012-2009 Materials from Board of Supervisors Meeting October 27, 2009
8. October 27, 2009, Board of Supervisors Minutes

ORDINANCE NO. _____

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED "CHANCO'S GRANT SECTION II SUBDIVISION PLAT PHASE II JAMES CITY COUNTY, VIRGINIA" AND MORE PARTICULARLY DESCRIBED AS THE VACATION OF THE RECREATION AREA DESIGNATION AT 4525 WILLIAM BEDFORD IN CHANCO'S GRANT.

WHEREAS, Ms. Joanna Coronado (the "Applicant") owns a parcel of property located at 4525 William Bedford and further identified as James City County Real Estate Tax Map Parcel No. 4710800035A (the "Property"); and

WHEREAS, the Property is designated as "RECREATION AREA" on a plat titled "CHANCO'S GRANT SECTION II SUBDIVISION PLAT PHASE II JAMES CITY COUNTY, VIRGINIA," dated April 2, 1987, and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia on May 29, 1987, at Plat Book 45, Pages 58 and 59; and

WHEREAS, the Applicant has submitted an application to vacate certain lines, words, numbers, and symbols on the Plat; and

WHEREAS, notice that the Board of Supervisors of the County of James City, Virginia, would consider such application has been given pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended; and

WHEREAS, pursuant to such notice, the Board of Supervisors held a public hearing and considered such application and the Board of Supervisors was of the opinion that the vacation would not result in any inconvenience, will not cause irreparable damage to any owner of any lot shown on the plat, and is in the interest of public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that a portion of that certain plat titled "CHANCO'S GRANT SECTION II SUBDIVISION PLAT PHASE II JAMES CITY COUNTY, VIRGINIA," and recorded on May 29, 1987, in the Clerk's Office of the Circuit Court of James City County, Virginia, at Plat Book 45, Pages 58 and 59, be vacated to permit the recordation of a new plat that will serve to remove certain lines, words, numbers, and symbols, thereby vacating the designation of "RECREATION AREA" on the above-referenced plat.

BE IT FURTHER ORDAINED that a new plat titled "PLAT TO CHANGE PARCEL DESIGNATION FROM "RECREATION AREA" TO "LOT 35-A" CHANCO'S GRANT, SECTION II STANDING IN THE NAMES OF GUALBERTO T., JOANNA M., & JENNIFER CORONADO LOCATED IN THE BERKELEY DISTRICT JAMES CITY COUNTY, VIRGINIA," be prepared and approved by the subdivision agent and hereby made a part of this Ordinance, be put to record in the aforesaid Clerk's Office.

This Ordinance shall be in full force and effect from the date of its adoption.

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

NULL
HIPPLE
MCGLENNON
ICENHOUR
LARSON

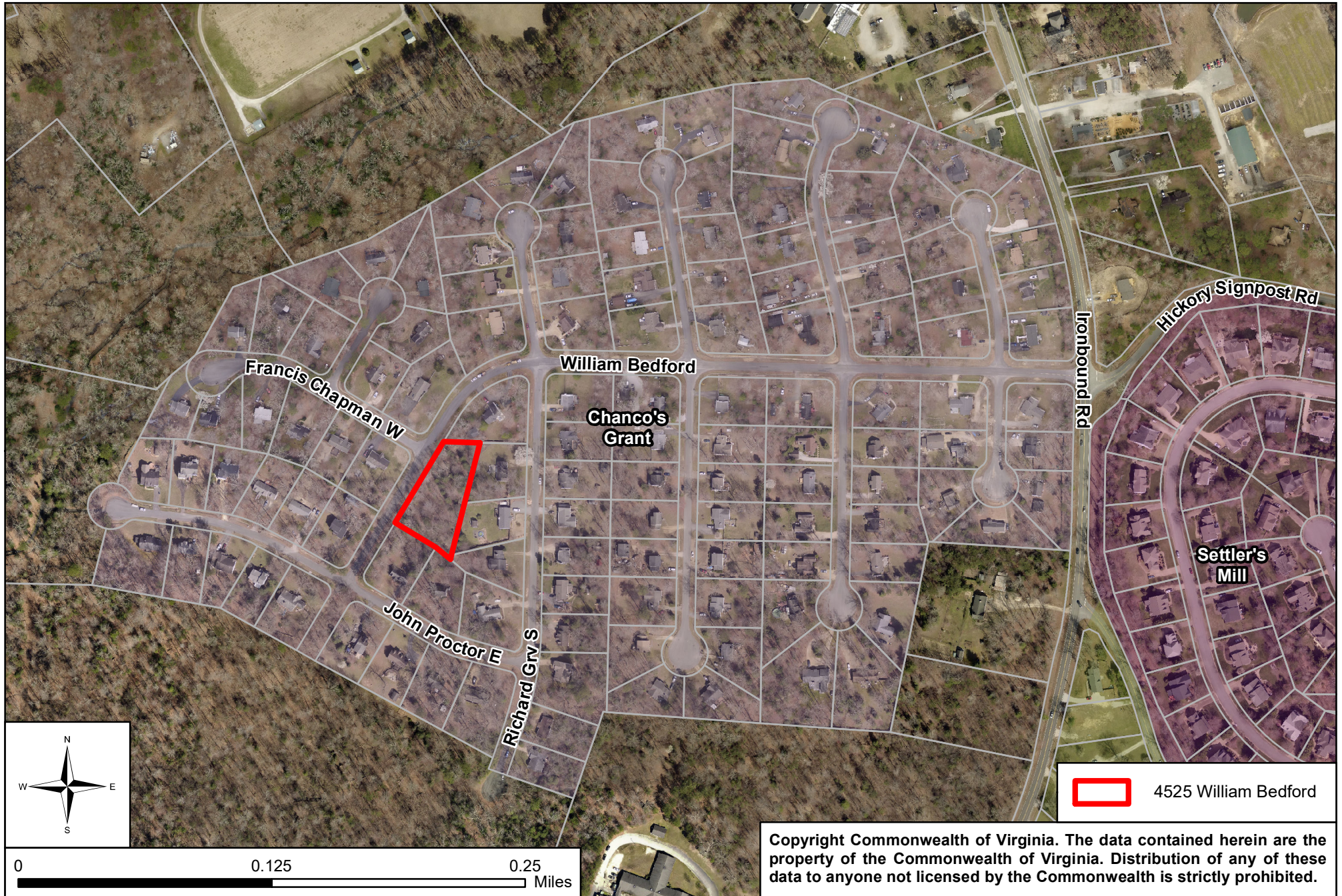
VOTES			
<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

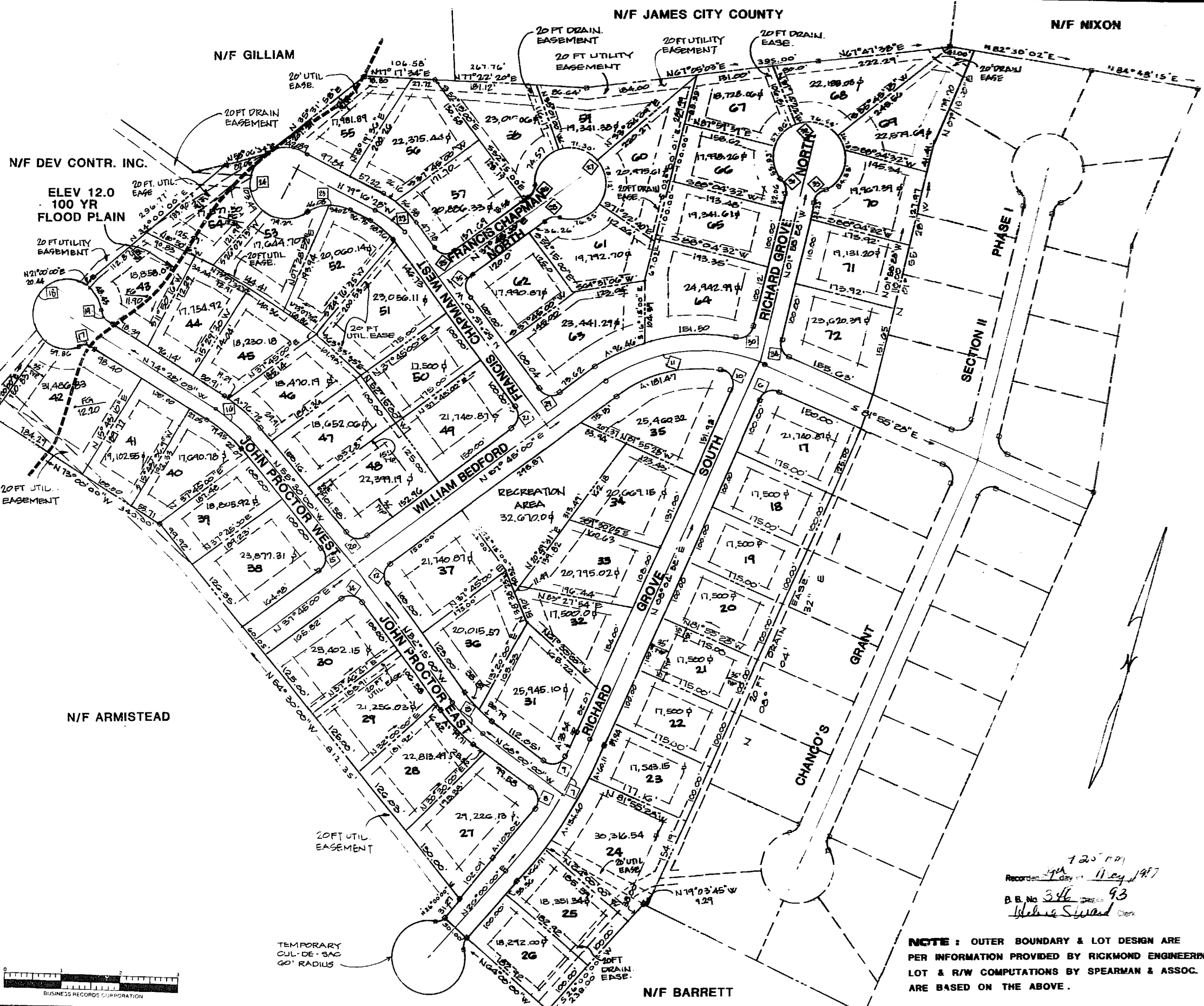
Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of February, 2024.

S22-27_4525WmBdfrd-rev-ord

JCC S-22-0027

4525 William Bedford Parcel Designation Change





N/F DEV CONTR. INC.

ELEV 12.0
100 YR
FLOOD PLAIN

N/F GILLIAM

N/F JAMES CITY COUNTY

N/F NIXON

N/F BARRETT

N/F ARMISTEAD

RICKMOND ENGINEERING INC.

CIVIL ENGINEERING
ENVIRONMENTAL ENGINEERING
LAND DEVELOPMENT PLANNING
808-C, RICHMOND COURT
WILLIAMSBURG, VA 23185
(804) 833-8333

DWN. CDR
CPT. CDR
1ST LIEUT.
1ST LIEUT.
1ST LIEUT.

CHANGO'S GRANT SECTION II

SUBDIVISION PLAT

PHASE II

JAMES CITY COUNTY VIRGINIA

125' 10"
Recorded 11/04/1997
B.B. No. 346 93
John Seward Clerk

NOTE: OUTER BOUNDARY & LOT DESIGN ARE
PER INFORMATION PROVIDED BY RICKMOND ENGINEERING.
LOT & R/W COMPUTATIONS BY SPEARMAN & ASSOC.
ARE BASED ON THE ABOVE.

OWNERS CERTIFICATE

THE LAND AS SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

GUALBERTO T. CORONADO

DATE

JOANNA M. CORONADO

DATE

JENNIFER CORONADO

DATE

CERTIFICATE OF NOTARIZATION (GUALBERTO T. CORONADO)

STATE OF VIRGINIA
CITY/COUNTY OF _____, I,
A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME IS SIGNED TO THE
FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE
CITY/COUNTY AFORESAID. GIVEN UNDER MY HAND THIS _____ DAY
OF _____, 2009.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

REGISTRATION NO.

CERTIFICATE OF NOTARIZATION (JOANNA M. CORONADO)

STATE OF VIRGINIA
CITY/COUNTY OF _____, I,
A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME IS SIGNED TO THE
FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE
CITY/COUNTY AFORESAID. GIVEN UNDER MY HAND THIS _____ DAY
OF _____, 2009.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

REGISTRATION NO.

CERTIFICATE OF NOTARIZATION (JENNIFER CORONADO)

STATE OF VIRGINIA
CITY/COUNTY OF _____, I,
A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME IS SIGNED TO THE
FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE
CITY/COUNTY AFORESAID. GIVEN UNDER MY HAND THIS _____ DAY
OF _____, 2009.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

REGISTRATION NO.

GENERAL NOTES

1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL ENCUMBRANCES, SETBACKS, AND EASEMENTS AFFECTING THE PROPERTY.
2. THIS PLAT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY OF THE PARCELS SHOWN. EXTERIOR PROPERTY LINES WERE ESTABLISHED FROM THE RECORD PLAT AS NOTED.
3. IMPROVEMENTS, IF ANY, ARE NOT SHOWN.
4. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
5. UNLESS OTHERWISE NOTED, ALL DRAINAGE EASEMENTS DESIGNATED ON THIS PLAT SHALL REMAIN PRIVATE.
6. ALL NEW UTILITIES SHALL BE LOCATED UNDERGROUND.
7. ANY EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.
8. PARCEL SHALL BE SERVED BY PUBLIC WATER AND SEWER.
9. THIS PARCEL LIES IN F.I.R.M. ZONE 'X' ACCORDING TO COMMUNITY PANEL #51095C185C, DATED SEPTEMBER 28, 2007.

STATE OF VIRGINIA, JAMES CITY COUNTY

IN THE CLERKS OFFICE OF THE CIRCUIT COURT FOR THE COUNTY OF JAMES CITY THIS _____ DAY OF _____, 2009.
THIS PLAT WAS PRESENTED AND ADMITTED TO RECORD AS THE LAW
DIRECTS AT _____ A.M./P.M.

INSTRUMENT # _____

TESTE _____
CLERK

CERTIFICATE OF SOURCE OF TITLE

THE PROPERTY SHOWN ON THIS PLAT WAS CONVEYED BY DCI HOMES, INC. TO GUALBERTO T., JOANNA M., AND JENNIFER CORONADO BY DEED DATED OCTOBER 6TH, 2004 AND RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY IN INSTRUMENT# 040025415.

ENGINEERS OR SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE OR BELIEF, THIS PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY.

CHARLES A. CALHOUN, LIC. NO. 2554

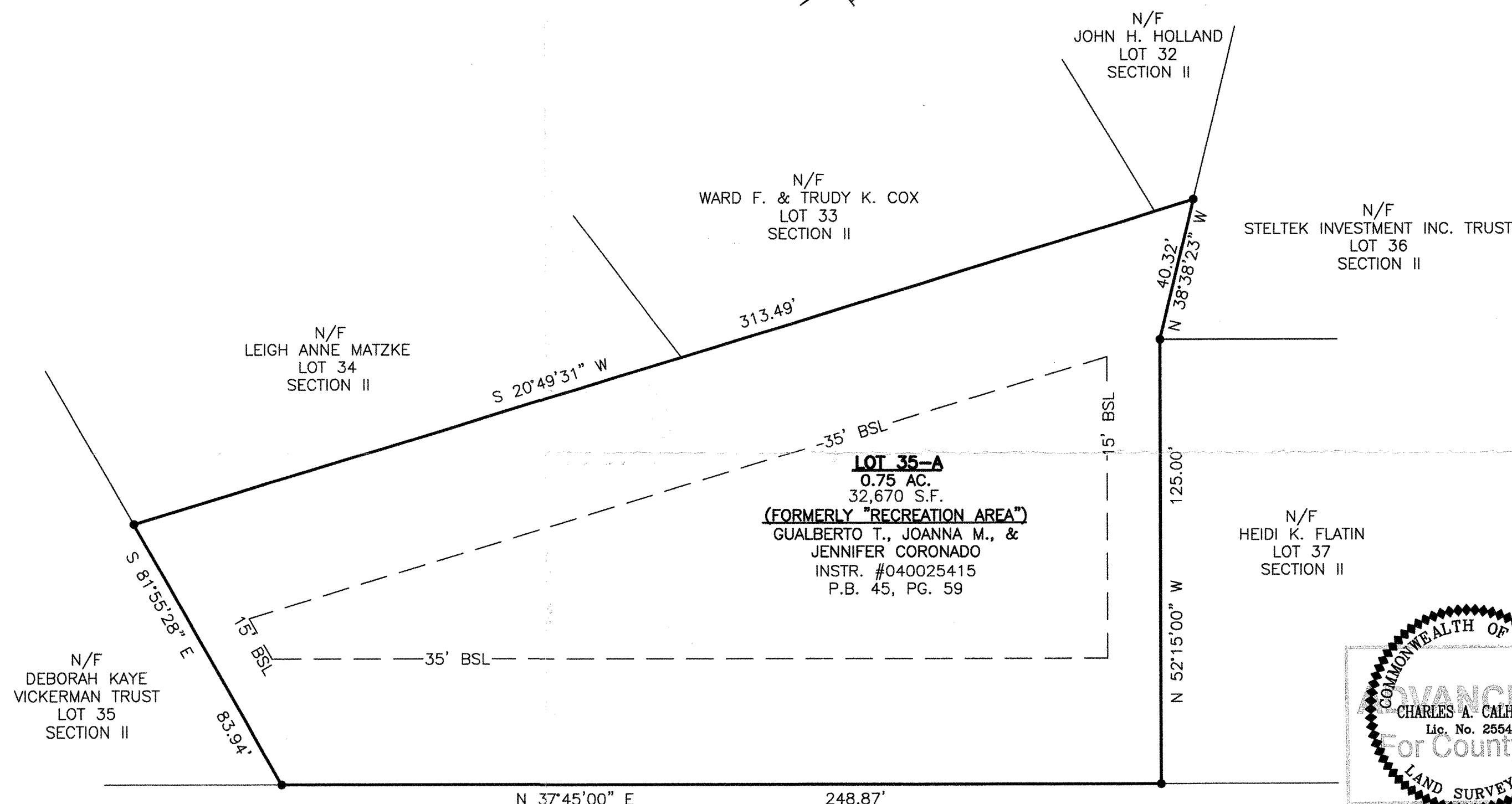
DATE

CERTIFICATE OF APPROVAL

THIS SUBDIVISION IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

SUBDIVISION AGENT OF JAMES CITY COUNTY

DATE

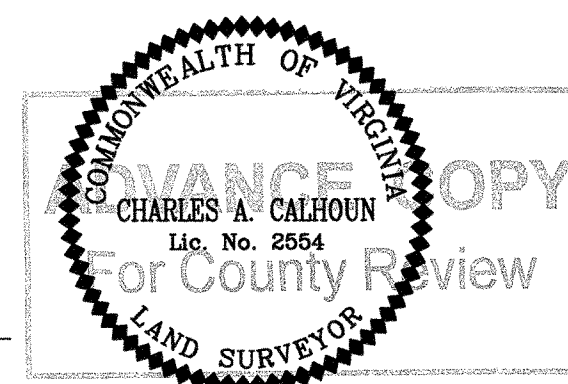
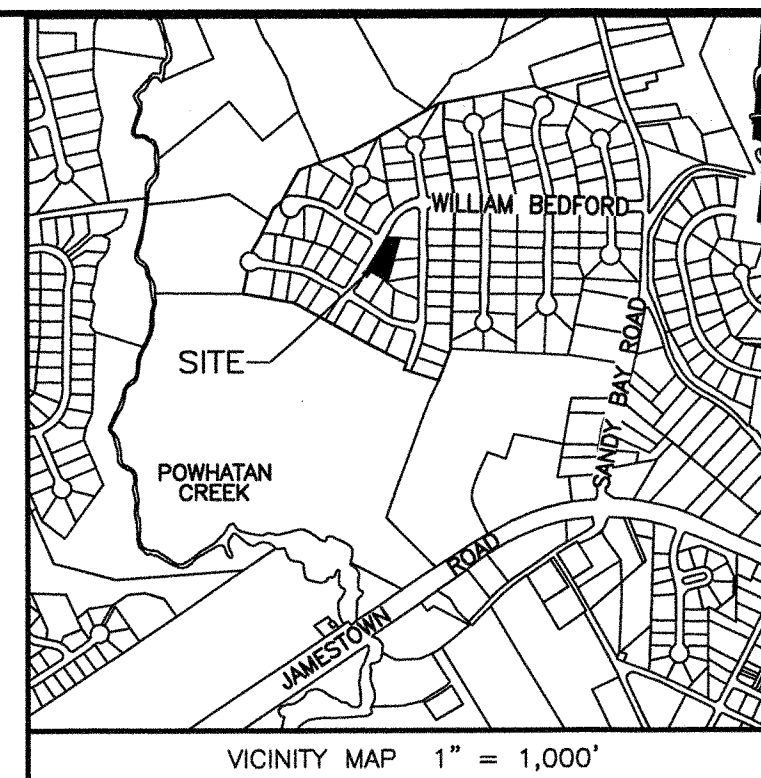
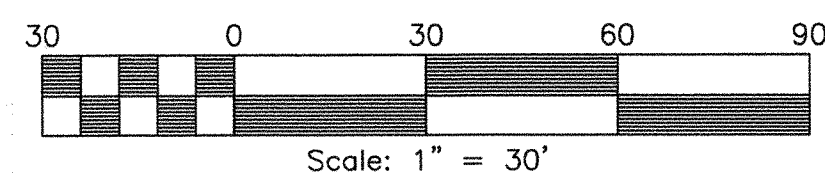


WILLIAM BEDFORD
(60' R/W)

THE PURPOSE OF THIS PLAT IS TO CHANGE THE
PARCEL DESIGNATION FROM THE "RECREATION AREA"
TO "LOT 35-A."

PROPERTY INFORMATION

TOTAL AREA: 32,670 S.F. / 0.75 ACRES
PARCEL ID: 4710800035A
ZONING DISTRICT: R-8
BUILDING SETBACK (SBL)
FRONT = 35'
REAR = 35'
SIDE = 15'
*PER JCC ZONING ORDINANCE



PLAT TO CHANGE PARCEL DESIGNATION FROM
"RECREATION AREA"
TO "LOT 35-A"
CHANCO'S GRANT, SECTION II
STANDING IN THE NAMES OF
GUALBERTO T., JOANNA M., & JENNIFER CORONADO
LOCATED IN THE BERKELEY DISTRICT
JAMES CITY COUNTY, VIRGINIA

DATE: 03/10/09 SCALE 1" = 30' JOB: 09-015
SHEET 1 OF 1

LandTech
Resources, Inc.

Surveying • Engineering • GPS

205-E Bulifants Boulevard, Williamsburg, VA 23188
Phone: (757) 565-1677 Fax: (757) 565-0782
web: landtechresources.com

S-0012-2009

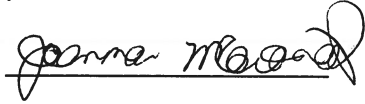
September 22, 2022

James City County Attorney:
Williamsburg, VA 23188

I, Joanna Coronado, am formally requesting to vacate and amend the Chanco's Grant Subdivisi on plat in order to change the designation and description of my parcel on William Bedford to a numbered lot. The lot is currently entitled "Recreation Area Lot Chanco's Grant" and legally described as: REC AREA S2 CHANCO'S GRANT. I would like this amendment in order to be able to construct a single-family dwelling on the lot with James City County approval.

Thank you for your kind consideration regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joanna Coronado", is written over a horizontal line.

Joanna Coronado

3932 Vass Lane
Williamsburg, VA 23188

**SUBDIVISION S-0012-2009. Chanco's Grant Vacation of Recreation Area Designation
Staff Report for the July 14, 2009, 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

Board of Supervisors:

Building F Board Room; County Government Complex

July 14, 2009, 7:00 p.m.

SUMMARY FACTS

Applicant:

Gualberto and Joanna Coronado

Land Owner:

Gualberto Tulod Coronado, Joanna M. Coronado, and Jennifer Coronado

Proposal:

Mr. and Mrs. Coronado are requesting to vacate and amend the "Recreation Area" designation, as shown on subdivision plat entitled "CHANCO'S GRANT SECTION II SUBDIVISION PLAT," dated April 4, 1987, recorded in Plat Book 45, Pages 58-59, prepared by Rickmond Engineering, Inc. on May 29, 1987. The property owners request the designation be changed to "Lot 35-A" as shown on a new plat entitled "Plat To Change Parcel Designation From "Recreation Area" to "Lot 35-A" Chanco's Grant, Section II, Standing In The Names of Gualberto T., Joanna M., and Jennifer Coronado", prepared by Land Tech Resources, Inc. and dated March 10, 2009. This request is made for the purpose of constructing a single-family dwelling on the property.

Location:

4525 William Bedford

Tax Map/Parcel Nos.:

(47-1)(08-0-0035-A)

Parcel Size:

32,670 square feet or 0.75 acres

Zoning:

R-8, Rural Residential

Comprehensive Plan:

Low Density Residential

Primary Service Area:

Inside

STAFF RECOMMENDATION

Staff finds the proposal consistent with the Comprehensive Plan and recommends the Board of Supervisors adopt the attached ordinance vacating the recreational area to allow for the construction of one housing unit. Due to the private ownership and absence of a Homeowners Association, the realistic possibility of this lot being developed as a recreation area is small. Staff does not believe that approval of this request will set a negative precedent and the proposed use is consistent with surrounding properties.

Staff Contact: Christy Parrish

Phone: 253-6685

PROJECT DESCRIPTION

Mr. and Mrs. Coronado have submitted a request to vacate the “Recreation Area” designation, as shown on subdivision plat entitled “CHANCO’S GRANT SECTION II SUBDIVISION PLAT” to a numbered lot. This request is made for the purpose of constructing a single-family dwelling on the property. The existing 32,670-square-foot parcel is located at 4525 William Bedford in the existing Chanco’s Grant subdivision and can be further identified as Parcel No. (08-0-0035-A) on the James City County Real Estate Tax Map No. (47-1).

This parcel was platted as part of Chanco’s Grant Section II and designated as a “Recreation Area” in 1987. The recreation area met the Subdivision Ordinance standards and was approved by the James City County Subdivision Review Committee. The developer of Chanco’s Grant, Section II (DCI, Inc.) retained ownership of this area until 2004, at which time the current owners purchased this area at public auction. The property was never developed as a recreation area and is currently wooded and undisturbed.

The property is located in the R-8, Rural Residential District. The Chanco’s Grant Subdivision is non-conforming due to current R-8 lot size requirements of three acres. At the time of subdivision, the property was zoned A-2 and the minimum lot size requirement was 17,500 square feet. It has been determined by the Zoning Administrator that the proposed use of the lot is permitted in the current zoning district and this request does not affect the non-conforming lot size status.

A Declaration of Covenants and Restrictions for Chanco’s Grant Section II were recorded on May 29, 1987 (the “Declaration”). Article III, Section 2 of the Declaration states that the common area was to be transferred to an Association and “every Member shall have a right of enjoyment in and to the Common Area which shall be appurtenant to and shall pass with the title to every Lot or Unit.” It is staff’s understanding that a Homeowners Association for Chanco’s Grant was never established and the Recreation Area was never transferred to a Homeowners Association. Article VI, Section 2(a) of the Declaration states that “All Lots or Units within the Property shall be developed and maintained in accordance with the approved subdivision and site plan.” Approval of the vacation of the “Recreation Area” designation would alter the recorded plat so that the “Recreation Area” would instead be a numbered lot labeled “Lot 35-A”.

Staff has received several inquiries regarding this case. However, formal written opposition or support for this case has not been received at this time. Staff will bring forward all correspondence as it is received.

PUBLIC IMPACTS

Environmental

Staff Comments: The Environmental Division has reviewed the plan and has no concerns. Erosion and sediment control measures will be handled at the single-family development stage.

Virginia Department of Transportation

Staff Comments: The Virginia Department of Transportation has no concerns. A driveway access permit will be required.

COMPREHENSIVE PLAN

Land Use Map Designation

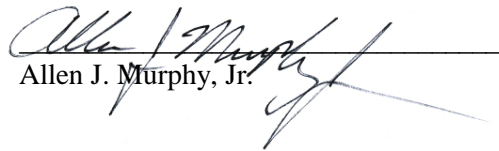
This property is designated Low Density Residential in the 2003 Comprehensive Plan. Low density areas are residential developments or land suitable for such developments with gross densities up to one dwelling unit per acre depending on the character and density of surrounding development, physical attributes of the property, buffers, the number of dwellings in the proposed development, and the degree to which the development is consistent with the Comprehensive Plan. Residential development with a gross density greater than one unit per acre and up to four units per acre may be considered if public benefits to the community, such as affordable housing, are present.

RECOMMENDATION

Staff finds the proposal consistent with the Comprehensive Plan and recommends that the Board of Supervisors adopt the attached ordinance vacating the recreational area to allow for the construction of one housing unit. Due to the private ownership and absence of a Homeowners Association, the realistic possibility of this lot being developed as a recreation area is small. Staff does not believe that approval of this request will set a negative precedent and the proposed use is consistent with surrounding properties.

Christy Parrish

CONCUR:



Allen J. Murphy, Jr.

CP/nb
S_12_09ChnoGrt

ATTACHMENTS:

1. Location Map
2. Recorded Subdivision Plat
3. Ordinance of Plat Vacation

ORDINANCE NO. _____

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT

ENTITLED “CHANCO’S GRANT SECTION II” AND MORE PARTICULARLY DESCRIBED AS

THE VACATION OF THE WORDS “RECREATION AREA” AND ADD “LOT 35-A”

WHEREAS, Gualberto Tulod Coronado, Joanna M. Coronado, and Jennifer Coronado (the “Owners”) currently own a parcel of property identified as James City County Real Estate Tax Map Parcel No. (47-1)(08-0-0035-A) and known as 4525 William Bedford (the “Property”) which is designated as a “Recreation Area” on a plat entitled “Chanco’s Grant Section II Subdivision Plat” and dated May 29, 1987 (the “Plat”); and

WHEREAS, the Owners desire to construct a single-family dwelling unit upon the Property; and

WHEREAS, the Property may not be used for residential uses unless the words “Recreation Area” are vacated from the Plat; and

WHEREAS, an application has been made by Gualberto and Joanna Coronado to vacate the words “Recreation Area” from the Plat and add “Lot 35-A” to the Plat; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Sections 15.2-2272 and 15.2-2204 of the Code of Virginia as amended; and

WHEREAS, the Board of Supervisors held a public hearing and considered such application on the 14th day of July 2009, pursuant to such notice and the Board of Supervisors was of the opinion that the vacation would not result in any inconvenience and is in the interest of the public welfare.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the words “Recreation Area” shown on the plat be so vacated and add “Lot 35-A” to permit the construction of a single-family dwelling unit.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of July, 2009.

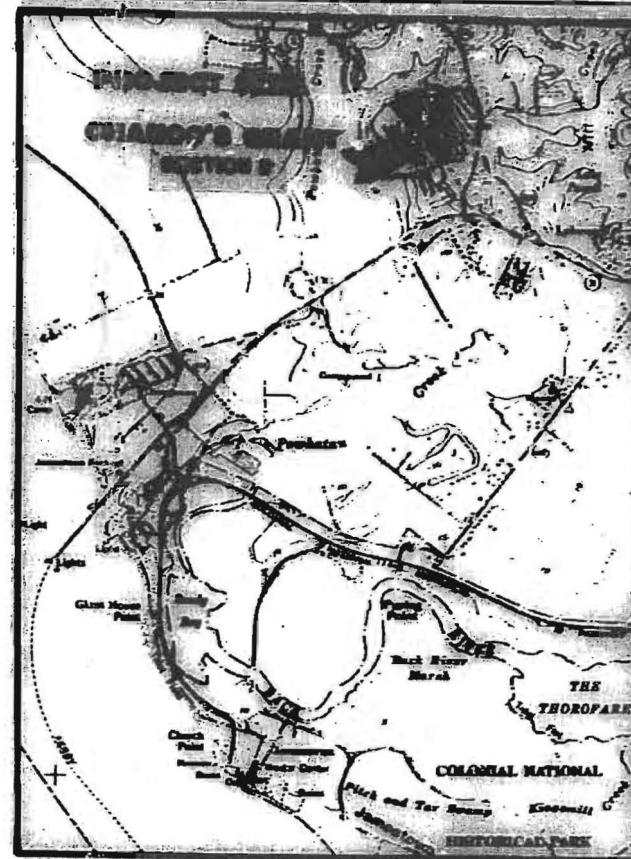
S_12_09ChnoGrt_res

JCC-S-0012-2009

CHANCO'S GRANT VACATION OF RECREATION AREA DESIGNATION



NO	DELTA	RADIUS	TANGENT	ARC	CHORD	CHD BEARING
6	90°00'00"	25.00	25.00	39.27	35.36	S63°04'52"W
7	17°56'28"	810.00	127.74	253.40	252.37	S17°02'18"W
8	86°28'51"	25.00	23.51	37.73	34.25	N24°40'34"W
9	101°07'32"	25.00	30.40	44.12	38.82	S81°28'14"W
10	108°19'15"	25.00	33.37	48.38	40.02	S45°05'00"E
11	80°19'32"	255.00	184.00	279.01	266.10	N67°54'46"E
12	90°00'00"	25.00	25.00	39.27	35.36	N07°18'00"W
13	15°45'00"	255.00	36.85	72.89	72.82	N60°07'30"W
14	89°59'40"	25.00	25.00	39.27	35.36	N82°45'11"E
15	90°15'00"	25.00	25.00	40.88	36.34	S08°52'15"E
16	18°30'05"	255.00	44.26	87.33	87.33	N64°59'03"W
17	53°58'05"	25.00	12.72	23.34	22.68	N78°32'52"E
18	287°56'10"	30.00	—	30.00	70.88	S85°34'58"W
19	53°58'05"	25.00	12.73	23.34	22.68	N87°02'16"W
20	86°44'04"	25.00	23.82	37.85	34.34	S81°07'30"W
21	90°00'00"	25.00	25.00	39.27	35.36	S07°18'00"E
22	27°01'28"	150.00	38.05	70.75	70.09	N89°49'27"E
23	50°44'37"	75.00	38.57	66.43	64.88	S64°11'55"W
24	229°30'08"	60.00	—	272.09	92.08	S29°11'53"E
25	90°00'00"	25.00	25.00	39.27	35.36	S82°45'03"W
26	53°58'05"	25.00	12.73	23.35	22.69	S10°45'57"W
27	287°56'12"	40.00	—	301.53	70.59	S52°15'00"E
28	53°58'05"	25.00	12.73	23.35	22.69	N64°44'03"E
29	90°00'00"	25.00	25.00	39.27	35.36	S88°48'00"W
30	84°56'00"	25.00	22.89	33.07	33.77	S88°48'00"W
31	53°57'57"	25.00	12.73	23.35	22.69	S28°54'18"E
32	287°56'12"	60.00	43.64	301.53	70.59	S88°04'32"W
33	53°58'25"	25.00	12.73	23.35	22.69	N25°03'11"E
34	80°00'00"	25.00	20.98	34.81	32.14	N41°34'28"W
35	90°00'00"	25.00	25.00	39.27	35.36	S7°15'00"W



OWNER'S CONSENT & DEDICATION

THIS SUBDIVISION IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF THE UNDERSIGNED OWNERS AND EMPLOYEES.

TITLE TO THE LAND HEREIN IS VESTED IN DCI HOMES

IN THE CLERK'S OFFICE OF JAMES CITY COUNTY

VIRGINIA
BY Steve K. Riddle

BY _____

STATE OF VIRGINIA

I, Steve K. Riddle, A DEPUTY PUBLIC DO CERTIFY THAT THE FOREGOING MAPS HAVE BEEN FORWARDED TO THE FOREGOING NOTARY PUBLIC AND HAVE BEEN RECORDED IN HIS CITY AND COUNTY RECORDS.

GIVEN UNDER MY HAND THIS 8th DAY OF May, 1987.

MY COMMISSION EXPIRES July 14, 1989

STATE OF VIRGINIA, COUNTY OF James City County

IN THE CLERK'S OFFICE OF THE CLERK OF THE COUNTY OF James City County THIS 29th DAY OF May, 1987. THIS MAP WAS FORWARDED AND RECORDED TO THE RECORDS AS THE LAW DIRECTS.

TESTE: Belene Steward CLERK

PLAN BOOK 45 PAGE 58 & 59.

CERTIFICATE OF APPROVAL

THIS SUBDIVISION BEING AS Chance's Grant, Section II

IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE SUBMITTED TO RECORD.

DATE 4-6-87 [Signature] HIGHWAY

DATE 4-3-87 [Signature] HEALTH OFFICER

DATE 5/1/87 [Signature] CLERK OF COURTING

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE CODE OF SUBDIVISIONS & ORDINANCES OF THE COUNTY OF James City County HAVE BEEN COMPLIED WITH AND THE MAPS HAVE BEEN RECORDED IN THE COUNTY RECORDS.

GIVEN UNDER MY HAND THIS 5th DAY OF April, 1987.

BY: [Signature]



SPEARMAN & ASSOC., INC. - LAND SURVEYING
P.O. BOX 4-1244
WILLIAMSBURG, VIRGINIA - 23187
(804) 585-1518

9125
224
316
Blue Field Clerk

RICHMOND ENGINEERING INC.		DATE	4/2/87
BY: <u>[Signature]</u>		FOR	
CHECKED BY: <u>[Signature]</u>		OK	
REVISION			
CHANCE'S GRANT SECTION II			
SUBDIVISION PLAT			
JAMES CITY COUNTY			
VIRGINIA			
80130			1

MEMORANDUM

DATE: October 27, 2009

TO: The Board of Supervisors

FROM: Christy H. Parrish, Proffer Administrator
Angela M. King, Assistant County Attorney

SUBJECT: Case No. S-0012-2009. Chanco's Grant Vacation of Recreation Area Designation

PROJECT DESCRIPTION

Mr. and Mrs. Coronado have submitted a request to vacate the "Recreation Area" designation, as shown on subdivision plat entitled "CHANCO'S GRANT SECTION II SUBDIVISION PLAT" to a numbered lot. This request is made for the purpose of constructing a single-family dwelling on the property. The existing 32,670-square-foot parcel is located at 4525 William Bedford in the existing Chanco's Grant subdivision and can be further identified as Parcel No. (08-0-0035-A) on James City County Real Estate Tax Map No. (47-1).

PROJECT UPDATE

The Board of Supervisors held a public hearing on July 14, 2009, and deferred the request to allow time for additional research regarding the delinquent tax sale and disbursement of funds and to allow the residents of Chanco's Grant to meet and discuss the matter. Below is a summary of the research and events since that time:

Sale History

The recreation lot was sold for the delinquent real estate taxes in 2003 and then again in 2004. Our research found that the individual lot owners in Chanco's Grant (Subdivision 2, Section 2, Phase 2) were served with notice regarding sale of the property before it was sold in 2003. Notice was made by a private process service. A subsequent court order, which set aside the first sale and authorized the special commissioners to re-sell the property, specifically provided that there was no need to re-notify the individual lot owners in relation to the new sale. The property was subsequently purchased by the current owners.

Disbursement of Funds

On April 4, 2005, a Decree of Disbursements was entered to dispose of funds deposited with the court from the sale of the property to the current owners. The deposited funds totaled \$32,643.33, this being the sum of the purchase price (\$31,000); recording costs (\$143.33); and a deposit made pursuant to the order setting aside the first sale (\$1,500). The funds were distributed as follows:

- Auction Fee \$3,100.00
- Guardian ad Litem \$550.00
 - In November 2001, a Guardian ad Litem was appointed for all defendants under a disability, as defined by State Code, and for all defendants served by publication.
- Commissioner in Chancery \$517.50
- Edward Crum \$750.00
- Kaufman and Canoles, P.C. \$7,244.57
 - This amount includes attorney's fees; reimbursement for ad to sell fees, title search fees, filing fee, service fee, appraisal fee, court reporter fee, order of publication, recording fees, and grantors tax; and additional amounts paid pursuant to a January 25, 2005, court order.
- JCC Treasurer \$3,274.60

- Surplus held by Clerk \$17,206.66
 - The Clerk held the surplus funds as required by State Code. As no claims were made for the surplus funds, the surplus was paid to the County.

The Surplus Funds

The Treasurer petitioned the Board to earmark proceeds received from tax-delinquent property sales (which included the proceeds from the sale to the current owners) for allocation to Housing and Community Development projects. Specifically, the proceeds would be used in the redevelopment of low-income neighborhoods in the County. On September 26, 2006, the Board adopted a resolution reinvesting such proceeds in affordable housing or residential redevelopment projects targeting lower-income County residents.

Neighborhood Meeting

Chanco's Grant held an informational meeting on October 8, 2009, to discuss the neighborhood's interest in the recreation lot and prepare a plan to present to the Board at the October 27, 2009, meeting. Twelve citizens attended the meeting along with Neighborhood Connections staff. In addition, Mr. and Mrs. Mike Mason, from the Adam's Hunt Conservation League, presented information on how to form a civic association. The residents in attendance agreed to conduct a neighborhood survey to determine the neighborhood's interest in the recreation lot and organizing a group association. Another meeting was scheduled for October 22, 2009, to finalize their plans.

Project Background

This parcel was platted as part of Chanco's Grant Section II and designated as a "Recreation Area" in 1987. The recreation area met the Subdivision Ordinance standards and was approved by the James City County Subdivision Review Committee. The developer of Chanco's Grant, Section II (DCI, Inc.) retained ownership of this area until 2004, at which time the current owners purchased this area at public auction. The property was never developed as a recreation area and is currently wooded and undisturbed.

The property is located in the R-8, Rural Residential, District. The Chanco's Grant Subdivision is non-conforming due to current R-8 lot size requirements of three acres. At the time of subdivision, the property was zoned A-2 and the minimum lot size requirement was 17,500 square feet. It has been determined by the Zoning Administrator that the proposed use of the lot is permitted in the current zoning district and this request does not affect the non-conforming lot size status.

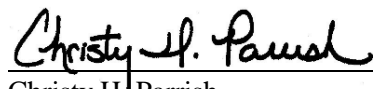
A Declaration of Covenants and Restrictions for Chanco's Grant, Section 2 were recorded on May 29, 1987 (the "Declaration"). Article III, Section II of the Declaration states that the common area was to be transferred to an Association and "every Member shall have a right of enjoyment in and to the Common Area which shall be appurtenant to and shall pass with the title to every Lot or Unit." It is our understanding that a Homeowners Association for Chanco's Grant was never established and the Recreation Area was never transferred to a Homeowners Association. Article VI, Section 2(a) of the Declaration states that "All Lots or Units within the Property shall be developed and maintained in accordance with the approved subdivision and site plan." Approval of the vacation of the "Recreation Area" designation would alter the recorded plat so that the "Recreation Area" would instead be a numbered lot labeled "Lot 35-A."

Project Action

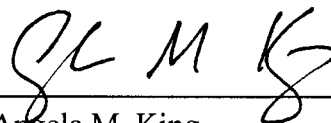
Section 19-12, Vacation of recorded plat states that "any recorded plan, or part thereof, may be vacated pursuant to section 15.2-2271 through section 15.2-2276 of the Code of Virginia as amended." Should the Board wish to approve this request, an ordinance has been prepared.

October 27, 2009

Page 3



Christy H. Parrish



Angela M. King

CONCUR:



Leo P. Rogers

CHP/AMK/nb

S_12_09ChnoGr2_mem

Attachment

ORDINANCE NO. _____

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT

ENTITLED “CHANCO’S GRANT SECTION II” AND MORE PARTICULARLY DESCRIBED AS

THE VACATION OF THE WORDS “RECREATION AREA” AND ADD “LOT 35-A”

WHEREAS, Gualberto Tulod Coronado, Joanna M. Coronado, and Jennifer Coronado (the “Owners”) currently own a parcel of property identified as James City County Real Estate Tax Map Parcel No. (47-1)(08-0-0035-A) and known as 4525 William Bedford (the “Property”) which is designated as a “Recreation Area” on a plat entitled “Chanco’s Grant Section II Subdivision Plat” and dated May 29, 1987 (the “Plat”); and

WHEREAS, the Owners desire to construct a single-family dwelling unit upon the Property; and

WHEREAS, the Property may not be used for residential uses unless the words “Recreation Area” are vacated from the Plat; and

WHEREAS, an application has been made by Gualberto and Joanna Coronado to vacate the words “Recreation Area” from the Plat and add “Lot 35-A” to the Plat; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Sections 15.2-2272 and 15.2-2204 of the Code of Virginia as amended; and

WHEREAS, the Board of Supervisors held a public hearing and considered such application on the 14th day of July 2009, pursuant to such notice and the Board of Supervisors was of the opinion that the vacation would not result in any inconvenience and is in the interest of the public welfare.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the words “Recreation Area” shown on the plat be so vacated and add “Lot 35-A” to permit the construction of a single-family dwelling unit.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of October, 2009.

JCC-S-0012-2009

CHANCO'S GRANT VACATION OF RECREATION AREA DESIGNATION



AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 27TH DAY OF OCTOBER 2009, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Mary Jones, Vice Chair, Berkeley District
Bruce C. Goodson, Roberts District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District

Sanford B. Wanner, County Administrator
Leo P. Rogers, County Attorney

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE – Ms. Sarah Kadec led the Board and citizens in the Pledge of Allegiance.

D. HIGHWAY MATTERS

Mr. Todd Halacy, Virginia Department of Transportation (VDOT) Williamsburg Residency Administrator, stated on October 15, 2009, the Commonwealth Transportation Board (CTB) approved the 2010 Revenue Sharing Projects including one for James City County consisting of the installation of an emergency signal at Fire Station 2 on Pocahontas Trail.

E. PUBLIC COMMENT

1. Mr. Randy O'Neill, 109 Sheffield Road, commented on public health in the local community for young adults. He requested that the County partner with businesses and nonprofit groups to encourage public health.

2. Mr. Robert Richardson, 2786 Lake Powell Road, commented on the light on Jamestown Road in the commercial area near the shopping center. He requested that a speed study be done to see if a lower speed is justified. He commented on the Airport Feasibility Site Study and stated that he was in support of continuing the operation of the airport. He commented on the water purchase contract with Newport News Water Works and stated he wished the James City Service Authority (JCSA) Board of Directors would break the contract. He commented on the closure of the paper mill in Franklin and stated water could be drawn from there. He commented on the Planning Commission Job Descriptions and asked that the Board consider different language to address growth in relation to the Planning Commission. He stated he had not heard any opinions on the proposed coal plant in Surry County.

3. Mr. Ed Oyer, 139 Indian Circle, commented on Requests for Proposals for low-profile projects; left-turn lane near Lee Hall on Route 60 East; County-owned property; commended the Board for not pursuing the operation of the airport; traffic improvements on Route 60 East; and decreased interest and dividends equate to drastically decreased revenues.

4. Ms. Nicole Woods, on behalf of Mr. and Mrs. Melvin Woods, 506 Ironbound Road, commented on communication with citizens regarding the improvements on Ironbound Road.

F. CONSENT CALENDAR

Mr. Kennedy asked to pull Item No. 5, Authorization to Expend Funds for the Ironbound Road Widening Project - \$197,000.

Mr. McGlennon made a motion to adopt the remaining items on the Consent Calendar with the amendments to the Regular Meeting minutes of October 13, 2009.

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

1. Minutes - October 13, 2009, Regular Meeting
2. Resolution of Recognition - James City County Citizen Involvement

RESOLUTION

RESOLUTION OF RECOGNITION – JAMES CITY COUNTY CITIZEN INVOLVEMENT

WHEREAS, 2009 marks the 10th Anniversary of the formation of the Friends of the Powhatan Creek Watershed and the 20th Anniversary of the formation of the Historic Route 5 Association; and

WHEREAS, the community involvement and participation of these groups has helped shape government policy to meet the needs of its citizens and to protect the character of the County; and

WHEREAS, this year marks a significant milestone in the history of these organizations; and

WHEREAS, James City County would like to recognize the efforts of these groups and others such as the James City County Citizens' Coalition (J4C), the Friends of Forge Road and Toano (FORT), and the Stonehouse Community Association (SCA).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby recognize the 10th Anniversary of the Friends of the Powhatan Creek Watershed and the 20th Anniversary of the Historic Route 5 Association, and other citizen organizations that enrich our community through citizen involvement.

3. Grant Award - Kiwanis Club of Williamsburg - \$250

RESOLUTION

GRANT AWARD - KIWANIS CLUB OF WILLIAMSBURG - \$250

WHEREAS, the James City County Fire Department has been awarded a grant for \$250 from the Kiwanis Club of Williamsburg; and

WHEREAS, the funds are to be used for the purchase of two educational packages to augment fire education programs: "Fire Safety for Older Adults" and "All Ways Fire Safe at Home Toolbox;" and

WHEREAS, the grant requires no match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and authorizes the following budget appropriation to the Special Projects/Grants fund:

Revenue:

Kiwanis FY 2010	<u>\$250</u>
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Expenditure:

Kiwanis FY 2010	<u>\$250</u>
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4. Grant Award - Criminal Justice Systems Improvement - \$37,700

RESOLUTION

GRANT AWARD – CRIMINAL JUSTICE SYSTEMS IMPROVEMENT – \$37,700

WHEREAS, the Virginia Department of Criminal Justice Services (DCJS) has awarded the James City County Police Department a Criminal Justice Systems Improvement grant in the amount of \$37,700 (\$28,275 DCJS; \$9,425 local match); and

WHEREAS, the funds will be used to expand on the current "e-summons" automated traffic summons project as well as to purchase hardware and software associated with an automated property control system; and

WHEREAS, the matching funds are available in the County's Grant Match account.

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

Revenues:

DCJS – Automated Traffic Summons	\$28,275
County’s Grant Match account	<u>9,425</u>
Total	<u>\$37,700</u>

Expenditures:

DCJS – Property Control	\$ 9,500
“e-summons” Automated Traffic Summons Project	<u>28,200</u>
Total	<u>\$37,700</u>

6. Airport Site Selection Study

RESOLUTION

AIRPORT SITE SELECTION STUDY

WHEREAS, in August 2006 the Board of Supervisor initiated an Airport Feasibility Study as a result of the current owner of Williamsburg-Jamestown Airport (JGG) indicating a desire to sell the property; and

WHEREAS, as part of the Study process the Board of Supervisors established a Community Airport Committee (CAC) with the following members: Carl Gerhold, Digby Solomon, Tim Caviness, Mark Willis, Steve Montgomery, Steven Hicks with James City County, and Tucker Edmonds as Chair; and

WHEREAS, during the Study process, input and discussion was coordinated with Kimball Consultants, CAC, Federal Aviation Administration, Virginia Department of Aviation (DOAV), and the general public; and

WHEREAS, a public workshop was held on October 27, 2008, with public comments included as part of the Airport Feasibility Study; and

WHEREAS, the Airport Feasibility Study and CAC’s recommendations were presented at the May 26, 2009, Board of Supervisors Work Session requesting that the County adopt a role as a facilitator to identify an appropriate Airport Sponsors and to review the JGG’s existing expansion restrictions; and

WHEREAS, DOAV has advised the County a resolution is needed to be an Airport Sponsor to pursue a Site Selection Study.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, based on reviewing CAC’s recommendations, that James City County will not be an Airport Sponsor and will not pursue a Site Selection Study based on the limited amount of land available within the Primary Service Area, the criteria for a new airport, and current limitations on JGG.

7. County/State Project Administration Agreement, American Recovery and Reinvestment Act, Overlay/Resurfacing Various Routes Countywide

RESOLUTION

COUNTY/STATE PROJECT ADMINISTRATION AGREEMENT, AMERICAN RECOVERY

AND REINVESTMENT ACT, OVERLAY/RESURFACING VARIOUS ROUTES

COUNTYWIDE (UPC NO. 95044)

WHEREAS, in accordance with the Code of Virginia to provide localities the opportunity to administer projects finance by American Recovery and Reinvestment Act (ARRA) in accordance with the Guide for Local Administration of Virginia Department of Transportation (VDOT); and

WHEREAS, the Board of Supervisors of James City County, Virginia, has expressed its desire to administer the work of the overlay/resurfacing contract UPC No. 95044 in the amount of \$518,394.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the Project Administration Agreement for the Overlay/Resurfacing Contract UPC No. 95044.

5. Authorization to Expend Funds for the Ironbound Road Widening Project - \$197,000

Mr. Wanner stated that the authorization to expend funds for the Ironbound Road widening is \$197,000. He stated that the widening of Ironbound Road to a slower-speed boulevard began over ten years ago. He stated that part of the project included plans to put overhead utilities underground from Strawberry Plains Road to Longhill Connector Road. He stated that due to revised VDOT cost estimates and insufficient funding, the County decided to place the utilities above ground from Magazine Road to Longhill Connector Road. He stated that the decision to keep the utilities aboveground saved the County approximately \$1.1 million. Staff recently learned that Verizon and Cox must assume responsibility to place their utilities underground, which reduced the County's cost to lay the underground utilities to \$570,000. Mr. Wanner noted that since part of this section of Ironbound Road is located within the City of Williamsburg, the City has agreed to contribute half of the cost of the section within the City limits. He stated the total County contribution is \$394,000 and the City's share was \$176,000. He stated half of the funds, \$197,000, are due within 90 days of approval and the remaining half would be due in one year.

Mr. Wanner indicated the delay in the project has been due to the requirement to escrow the funds through the State. He stated that it has taken this long to amass the money for the project. He stated that the project is scheduled to go to bid in spring 2010. He recommended approval of the resolution.

Mr. McGlennon stated that he felt this was an important improvement not only for the community appearance, but also to improve utility service in the area. He stated he was uneasy with the funding source as the funds were coming from the Greenspace fund. He stated that he felt it was consistent with the purpose of the Greenspace fund, but he that he would advocate a restoration of the funding for utility undergrounding as the economy improves, and that he felt it was important to act on this project in the meantime.

Ms. Jones thanked the citizens who attended the community meeting and helped encourage dialogue among the homeowners, the County, and the City of Williamsburg. She commented that staff from the City of Williamsburg and Mr. Halacy from VDOT has worked to find a solution to allow for undergrounding the utilities. She stated the importance of communicating the decisions for the project.

Ms. Jones made a motion to adopt the resolution.

Mr. Kennedy commented that he was also concerned that the Greenspace fund was used for this project. He stated that the Greenspace fund should be evaluated to make it more flexible.

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

RESOLUTION

AUTHORIZATION TO EXPEND FUNDS FOR

IRONBOUND ROAD WIDENING PROJECT - \$197,000

WHEREAS, the Board of Supervisors has approved a road-widening project on Ironbound Road; and

WHEREAS, current plans do not include underground utilities for the part of the project from Magazine Road to the Ironbound Road and Longhill Connector Road intersection; and

WHEREAS, the Board desires underground utilities along this section of Ironbound Road to minimize impact on private property owners and improve visual appearance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes an expenditure of \$197,000 in FY 2010 from the Greenspace Fund.

G. PUBLIC HEARINGS

Mr. Kennedy recognized Mr. Rich Krapf, Planning Commission Chairman, in attendance.

1. Case No. SUP-0020-2009. Vossel and Gross Family Subdivision Amendment

Ms. Leanne Reidenbach, Senior Planner, stated that Mr. Charles Calhoun has applied on behalf of the Vossel and Gross families to amend an existing Special Use Permit (SUP) to allow adjustment of the boundary line between their properties. The original SUP-0026-2004 was granted to allow the creation of two lots, each less than three acres, for family residential use. Lot 1A is owned by Michael and Melina Gross while lot 1B is owned by Mrs. Gross' parents, Richard and Linda Vossel. The conditions of the 2004 SUP specified the exact size of each new lot as 2.269 acres and 2.74 acres respectively. The Vossels applied for a boundary line adjustment in June 2009, and the County Attorney's office determined that an SUP amendment was required to change the aforementioned lot sizes specified by the original conditions. The purpose of the boundary line adjustment is to provide an increased buffer between the property line and existing residence on lot 1B. After the boundary line adjustment and right-of-way dedication, both lots will remain under three acres. The lots currently use a shared 20-foot access easement and gravel driveway, which will remain the primary point of access.

Ms. Reidenbach stated that the property is located in the A-1, General Agricultural, District. The minimum lot size in A-1 for single-family detached units is three acres. Section 24-214 Paragraph (d) of the Zoning Ordinance allows for a minimum lot size of less than three acres, but more than one acre, if the creation of said lot is for use by a member of the owner's immediate family (children 18 years of age or older or parents of an owner) and an SUP is issued. The Zoning Ordinance requires the Board of Supervisors to review and approve this type of application. She noted the application submitted is for an SUP only; should the Board approve the SUP, the applicant will need to resubmit the proposed boundary line adjustment plat for further administrative review and comment.

Staff found the proposal to be compatible with surrounding land uses and consistent with Section 19-17 of the James City County Subdivision Ordinance.

Staff recommended approval of the resolution.

Mr. Goodson asked for confirmation that the sizes of the lots were inadequate when the property line was being placed.

Ms. Reidenbach stated that the purpose of the amendment was to create more of a buffer between the front property line and the house on the rear parcel.

Mr. Goodson asked if there was a plat at the time that it was approved previously.

Ms. Reidenbach stated the plat existed when the case was previously approved, which provided the specific lot sizes that were written into the conditions.

Mr. Goodson asked if there was an easier way to make these slight adjustments without forcing the applicant to go through the entire SUP process again.

Ms. Reidenbach stated that typically that is the case, but this case and the subsequent subdivision case have amended language for the condition indicating that any subdivision be generally in accordance with the plat submitted. She stated that staff feels that would permit flexibility with boundary line adjustments.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Goodson made a motion to adopt the resolution.

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

RESOLUTION

CASE NO. SUP-0020-2009. VOSSEL AND GROSS FAMILY SUBDIVISION AMENDMENT

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 (SUP) process; and

WHEREAS, the applicants have requested an SUP to allow for a boundary line adjustment of an existing family subdivision in an A-1, General Agricultural District, located at 9040 and 9050 Barnes Road, further identified as James City County Real Estate Tax Map Nos. 1020200001A and 1020200001B; and

WHEREAS, the Board of Supervisors, following a public hearing, are of the opinion that the SUP to allow for the above-mentioned family subdivision boundary line adjustment should be approved.

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-0020-2009 as described herein with the following conditions:

1. This SUP is valid for a boundary line adjustment for an existing family subdivision, which originally created two lots. The adjustment shall be generally as shown on the plan drawn by LandTech Resources, Inc., titled "Proposed Boundary Line Adjustment Between Parcels 1A and 1B Sunny Mane Crest Located on Barnes Road," and dated September 18, 2009.
2. Only one entrance serving both lots shall be allowed onto Barnes Road
3. Final subdivision approval must be received from the County within 12 months from the issuance of this SUP or the permit shall become void.
4. The SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

2. Case No. SUP-0018-2009. Robinson Family Subdivision

Mr. Jose Ribeiro, Senior Planner, stated that Mr. Herman Robinson has applied for an SUP to allow for a family subdivision of a parent parcel of 3.72 acres. The proposed subdivision would create a new lot of 1.00 acre, leaving a parent parcel of 2.72 acres. The subject parcel is zoned A-1, General Agriculture, and is located at 8788 Richmond Road. The property has been in the name of Elizabeth Wise Robinson since January 2008, as an heir to the Victoria Wise Estate. The 3.72-acre parcel has maintained its current configuration since 1967 when it was last subdivided.

Mr. Ribeiro stated the subject property is partially wooded and currently contains two dwelling units and two metal sheds. A stream crosses the eastern portion of the property and part of its 100-foot Resource Protection Area (RPA) buffer area crosses the eastern edge of the proposed 1.00 acre parcel. Currently, vehicular access from the parent parcel to Richmond Road is achieved via an existing gravel driveway. A 25-foot-wide ingress/egress easement for the benefit of the new 1.00-acre parcel is being proposed. A shared driveway agreement between these parcels will ensure that there will only be one entrance onto Richmond Road. A 10-foot-wide, all-weather driveway, placed within this easement, would be required to provide access to the lots, pursuant to Section 19-17(4) of the James City County Subdivision Ordinance. The majority of the surrounding properties to the north and east of the subject parcel are three acres or larger in size and zoned A-1. However, west of the subject parcel, properties are less than three acres in size. These properties, further identified as James City County Real Estate Tax Map Nos. 112010020A, 1120100021, and 1120100022 were once part of a larger parcel but were subdivided in 1962. All surrounding properties are being used for single-family residences and agricultural uses.

Mr. Ribeiro stated if the proposed family subdivision is approved, the 1.00-acre parcel (Parcel A-2) would be conveyed to Mr. Herman Robinson and used for a single-family residence. No new residential structure is proposed to be built as Mr. Robinson has lived in an existing dwelling unit on the proposed 1.00-

acre parcel since approximately 1980. The minimum lot size in the A-1 Zoning District for single-family dwellings is three acres. Section 24-214(d), however, allows for a minimum lot size of less than three acres (but not less than one) if the creation of said lot is for use by a member of the owner's immediate family, (children 18 years of age or older, or parents of an owner), with the issuance of an SUP by the Board of Supervisors.

Staff found the proposal to be compatible with surrounding land uses and consistent with Section 19-17 of the James City County Subdivision Ordinance.

Staff recommended approval of the resolution.

Mr. Goodson commented that this was a grandfathered zoning situation and the current zoning would not allow this.

Mr. Ribeiro stated that was correct.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. McGlennon made a motion to adopt the resolution.

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

RESOLUTION

CASE NO. SUP-0018-2009. ROBINSON FAMILY SUBDIVISION

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 (SUP) process; and

WHEREAS, the applicant has requested an SUP to allow for a family subdivision on a lot zoned A-1 General Agriculture, located at 8788 Richmond Road, further identified as James City County Real Estate Tax Map/Parcel No. 1120100020; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing held on Case SUP-0018-2009; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that the SUP to allow for the above-mentioned family subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP No. 0018-2009 as described herein with the following conditions:

1. This SUP is valid for a family subdivision which creates one new lot generally as shown on the exhibit submitted with this application titled "Family Subdivision Being Part of the

Property Owned by Elizabeth Wise Robinson,” prepared by AES Consulting Engineers, and dated October 1, 2009.

2. Final subdivision approval must be received from the County within 12 months from the issuance of this SUP or this permit shall become void.
3. Only one entrance shall be allowed onto Richmond Road. A shared driveway agreement for these parcels shall be completed prior to final subdivision approval and submitted to the County attorney for review and approval.
4. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

3. Case No. S-0012-200. Chanco's Grant Vacation of Recreation Area Designation

Ms. Christy Parrish, Proffer Administrator, stated Mr. and Mrs. Coronado have submitted a request to vacate the “Recreation Area” designation, as shown on subdivision plat entitled “CHANCO’S GRANT SECTION II SUBDIVISION PLAT” to a numbered lot. This request is made for the purpose of constructing a single-family dwelling on the property. The existing 32,670-square-foot parcel is located at 4525 William Bedford in the existing Chanco’s Grant subdivision and can be further identified as Parcel No. (08-0-0035-A) on James City County Real Estate Tax Map No. (47-1). The Board of Supervisors held a public hearing on July 14, 2009, and deferred the request to allow time for additional research regarding the delinquent tax sale and disbursement of funds and to allow the residents of Chanco’s Grant to meet and discuss the matter.

Ms. Parrish outlined the history of the parcel, including the development, the sale history, the disbursement of funds, and the allocation of surplus funds. She stated there was a neighborhood meeting in Chanco’s Grant on October 8, 2009, to discuss the views of the neighborhood residents in relation to the lot. She stated that an ordinance to vacate the recreation area designation has been prepared for the Board’s consideration.

Mr. Kennedy opened the Public Hearing.

1. Ms. Barb Carell, 2908 Richard Buck North, thanked the Board and staff for helping organize the neighborhood in relation to the case. She commented that Chanco’s Grant was required to have a recreation parcel deeded to the homeowners; however, when the parcel was sold the citizens were unaware of whom to contact.

2. Ms. Darlene Prevish, 2900 Francis Chapman West, stated that since the last Board meeting when this item was considered, the neighborhood had contacted the Neighborhood Connections office. She stated a community meeting was held on October 8, 2009, and they decided to survey the residents in the neighborhood. She reviewed the results of the survey of about 120 homes. She noted that at least 12 are rental homes and survey responses were received from 60 of the residents. She stated that 10 residents wished to have a home built on the property, four people had no interest, and eight wished for the County to buy the property and maintain it. She stated the majority of the residents wished to have the property rehabilitated and left as open space.

3. Mr. Ryan Fitzgerald, 2906 John Proctor East, commented that 48 percent of residents responded, and 64 percent were in favor of a legal entity taking control of the lot. He stated that 42 percent wanted the

parcel to be cleaned up for open space and 36 percent felt that it should be left as-is. He stated that 63 percent of respondents were willing to pay an annual fee to maintain the property. He stated the residents of Chanco's Grant request that the Board deny the ordinance to vacate the property.

4. Mr. Gualberto Coronado, 3932 Vass Lane, property owner, stated he and his family do not plan to create a recreational area on this property. He stated that the residents of Chanco's Grant should have purchased the property if they wished to maintain it as a community space. He stated the Board should reimburse his expenses in preparing the property for a residential lot if this item is not approved.

5. Mr. Mark DellaPosta, 3807 Longhill Road, on behalf of the applicant, stated the residents of Chanco's Grant should have acted previously on this matter. He stated that the property was sold and taxed as a residential lot. He stated that his clients want to build a green-built residence on the lot. He requested approval of the vacation of the recreation designation.

6. Mr. Robert Richardson, 2786 Lake Powell Road, commented on the value of greenspace and its impact on health in closer proximity. He stated that greenspace within residential communities was important to people's health.

7. Ms. Mary Pugh, 2908 Francis Chapman West, stated that she understood that the recreation area was required for her subdivision. She stated that she was afraid that the County would require the residents to purchase another parcel of property. She stated concern that her deed was not valid.

8. Mr. Todd Cox, 2908 Richard Grove South, commented that there were other residential neighborhoods where a residence could be built and the residents of Chanco's Grant have interest in the property in question. He stated concern about the disruption that construction would cause to the community.

9. Ms. Michelle Fitzgerald, 2906 John Proctor East, commented on notice given when the property was sold previously. She questioned if the recreation designation existed on the lot when the property was sold. She commented that the proposed home would not fit into the character of the neighborhood. She asked if the children in the neighborhood had rights to go onto the property.

10. Mr. Todd Freneaux, 2911 Richard Grove South, requested that the Board maintain the recreation designation on the property in the best interest of the majority of residents.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Goodson stated that he was unaware that all the deeds in Section II referred to the lot. He stated he felt that each homeowner with a deeded lot in the section had a stake in the parcel.

Mr. Rogers stated that reference in the deed did not assign ownership interest in the lot. He stated it was referred to as a community amenity.

Mr. Goodson asked if the deeds would need to be changed if the lot designation was vacated.

Mr. Rogers stated that it would not change the deed or affect the property rights to the resident's own house. He said it would impact the neighborhood.

Mr. Goodson asked for confirmation that even though the notation of a recreation lot was indicated on the deeds, the property owners had no rights to the property.

Mr. Rogers stated that was correct. He stated the developer would have to transfer the lot to the community.

Mr. Goodson asked if the property owners had any right to the recreation area since it was included in the deed as a right given when they bought their properties.

Mr. Rogers stated that in order for the property owners to have any ownership rights to the property, the deed would have to indicate a percentage share of the lot transferred from the developer to a particular lot to a homeowner and then the lot would be owned in common by the community.

Mr. Goodson stated he was unaware until presently that the parcel was referred to in all the deeds.

Mr. Icenhour stated that he is in a similar situation wherein he owns property that guarantees him access to a public boat dock. He stated there is no mention of that amenity in the deed. He stated the only reference was on the plat indicating that it was a public boat dock. He stated that he felt this was a similar vested legal right of use of that property. He stated that he felt that it should have been clear to the purchaser that the lot was for recreational use. He stated that the County sold the property and notice was not given that the residents lost their rights to access the designated recreation area.

Mr. Rogers stated that this item did not slip unnoticed through the court system. He stated that it was noted as a recreation lot. He stated that since the developer did not turn the parcel over to the community, it was taxed and after 20 years, it was put up for sale to recover back taxes. He stated there was notice given in the newspaper and each property owner that was determined to have an interest was served with notice. He stated that the purchaser was given notice that the lot had a recreation designation. He stated that when the development was developed, the developer should have established an association to handle the recreation area, but did not. He stated the land was taxable and was ultimately put up for sale. He stated that the recreation designation stayed with the property through the sale.

Mr. Goodson asked which section or phase of the development received notice of the sale.

Ms. Parrish stated that the residents within Section II received notice.

Mr. Goodson asked who had interest in the property.

Ms. Parrish stated that the lot was within Section II of Chanco's Grant.

Mr. Goodson asked if all the lots in Chanco's Grant had the recreation area listed as an amenity in their deeds.

Mr. Rogers stated that he was unaware if all the deeds had the amenity listed, but the court looked at the property in 2003 to see what lots required notice. He stated that since the lot was located in Section II, the court gave notice to all lot owners in Section II since they would have bought their properties with the expectation of a recreation lot.

Mr. Goodson asked if all property owners in Section II received notice.

Mr. Rogers stated that was correct.

Mr. Goodson stated that there was confusion about the section or phase that was referenced in the documentation. He asked what the difference was and who ultimately received notice of the sale.

Ms. Parrish indicated that the area referenced was Section II, of which all property owners received notice.

Mr. Rogers noted that Judge Powell appointed a special commissioner to determine who had property rights and who should receive notice of the sale. He stated the commission decided that the residents in Section II should receive notice. Mr. Rogers indicated he had a listing of all the individuals who were served with notice in the case provided by Kaufman and Canoles, which conducted the sale.

Mr. Goodson stated if he knew that some people who had the designation in their plats were not given notice, he felt that would change his opinion on the case.

Mr. Rogers stated he could not provide that information at this time.

Ms. Jones stated that the purpose of this Board item was to determine whether the property should be designated as a recreation lot or if the designation should be vacated.

Mr. Rogers stated that was correct. He stated that this was not a question of ownership. He stated it was a matter of whether a recreation designation should be maintained as part of a subdivision plat or if that designation should be vacated.

Ms. Jones commented on future decisions that would need to be made if the Board decided to have the recreation designation remain.

Mr. McGlennon asked if the property owners were notified that the parcel was going to be auctioned.

Mr. Rogers stated that was correct.

Mr. McGlennon asked if they would have been notified that the designation of the lot as a recreation area would be changed.

Mr. Rogers stated that they would not. He stated that it was sold with the designation as a recreation lot. He stated the court could not make that decision.

Mr. McGlennon stated that this would have changed a resident's reaction because the property owners who received the notice may not have anticipated the change in designation of the lot even if the ownership changed. He stated his sympathy for the purchaser of the lot who likely assumed he would be able to build a home on the lot. He stated that the type of home to possibly be built was irrelevant at this point. He asked if there was any way to resolve the issue of how the property would be considered for the future.

Mr. Icenhour stated he was concerned about how the sale of the property was handled. He stated he was not in favor of vacating the designation.

Mr. McGlennon asked if in the event a homeowners association (HOA) had been formed, the property could have been tax-exempt under General Assembly legislation from 2004.

Mr. Rogers stated if there was a mandatory HOA, the property would be tax-exempt anyway and if there was a voluntary HOA, the property could become tax-exempt under the 2004 legislation.

Mr. McGlennon noted that the developer was a player in the process that resulted in this situation.

Ms. Jones stated that there was no guarantee that the zoning would change. She stated that she was hesitant to spend County money to reimburse the property owner, but she was interested in a resolution and thankful for the collaboration of the community. She stated she was not inclined to vacate the recreation area designation. She stated she felt that would be a step backward for the community.

Mr. Goodson stated that he did not see any reason why the residents of Chanco's Grant do not have a vested interest in this property. He stated he would be happy to consider a deferral for more information.

Mr. McGlennon stated that the issue of ownership would warrant continued discussion. He stated there were two competing owners through the ownership and the right of use of the property. He asked for further discussion between staff and the applicant to come to a resolution.

Mr. Kennedy stated his concern that there were essentially two property owners. He stated that through no fault of their own, there is an issue. He stated there was information lacking and only Phase II was the only area required to be notified. He stated he would like to see if Phase II was the only area that was allowed access. He stated he was unaware if there was any fee required. He stated that there were the issues of back taxes and fees that were on the property. He stated he was unsure if the fees and taxes could be waived when other homeowners associations were charged taxes prior to the 2004 legislation took effect.

Mr. Rogers stated that the 2004 law allowed the County to make a property non-taxable. He stated that the County never took action on this property because it was sold before the 2004 legislation took effect.

Mr. Kennedy stated that he understood, but if the property was to remain a recreation lot, there was still an issue of back taxes. He stated that many residents indicated they were willing to pay an annual fee for the use of the recreation lot and he was unsure if that would mitigate the delinquent taxes. He stated that information was lacking. He stated that the Board could vote not to take action on this item.

Mr. McGlennon stated that the issue of back taxes has been resolved through the sale.

Mr. Kennedy stated if the lot was given back to the residents of Chanco's Grant, the taxes would still apply.

Mr. McGlennon stated that was a consideration if the property was purchased back. He stated he would ideally like to see the energy of the community result in a voluntary homeowners association that would take over the maintenance of the property in order to clarify who was responsible for the property. He stated that was an incentive to continue discussion to resolve ownership issues.

Ms. Jones stated that it would be useful to determine whether or not to vacate the recreation lot.

Mr. Goodson stated he would support a motion not to act on this item at this time to avoid impeding any resolution to the question of ownership.

Ms. Jones noted that this case only changed the lot's designation.

Mr. Rogers stated that this was not a rezoning case, so a denial would not prohibit the case from coming forward again at a later date. He noted that tax matter has been resolved and the court has resolved the land title ownership interest. He stated in 2003 the special commissioner was appointed, notices were sent out, Judge Powell held hearings on the matter, and determined that the court had to issue the deed through the foreclosure which would clear the title of the property to the current property owner. He stated that once the

court has issued its order, which is the order that follows for the title. The Board could only determine the lot designation.

Mr. Goodson stated the homeowners have a right to a recreational lot regardless of who owns the property.

Mr. Rogers agreed. He stated that whether it was in the deed or subdivision plat, there was an expectation of a recreation lot in the subdivision. He stated that expectation would be taken away by removing the designation.

Mr. Kennedy asked if the property owner who bought the property at auction would be required to furnish a recreation area for Section II of Chanco's Grant.

Mr. Rogers stated that the purchaser bought the lot with notice that it was a recreation lot and the understanding that the designation would have to be vacated by the Board of Supervisors if there was to be a residential home built on the parcel. He stated that if the recreation designation lot was not removed, that was the consequence of purchasing the property at a foreclosure sale with a recreation designation.

Mr. Goodson asked if the designation was on the deed of the lot.

Mr. Rogers stated he was unsure since there was a foreclosure deed that he has not seen, but it was on the plat which was referenced by the deed.

Mr. Goodson made a motion to deny the vacation of the recreation lot designation.

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

The ordinance was not approved.

4. Authorization of Conveyance of Matoaka Elementary School Property to Williamsburg-James City County Public Schools

Mr. Rogers stated the County acquired the property on Brick Bat Road for construction. He stated the school was open and operating. He stated the County now needed to turn the property over to the schools. He stated the resolution would authorize the County Administrator to execute the necessary documents to convey the property to Williamsburg-James City County Public Schools.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Icenhour made a motion to adopt the resolution.

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

RESOLUTION

AUTHORIZATION OF CONVEYANCE OF MATOAKA ELEMENTARY SCHOOL PROPERTY

TO WILLIAMSBURG-JAMES CITY COUNTY PUBLIC SCHOOLS

WHEREAS, the County is the owner of certain real property identified as Parcel No. 3630100001A on the James City County Real Estate Tax Map (the "Property"); and

WHEREAS, the County desires to transfer ownership of the Property to the Williamsburg-James City County Public Schools (the "Schools") under certain terms and conditions to be set forth by deed; and

WHEREAS, the Property to be conveyed contains 40.285 acres and is more commonly known as 4001 Brick Bat Road, Williamsburg, Virginia 23188, on which Matoaka Elementary School has been operating since September 2007; and

WHEREAS, the Board of Supervisors of James City County, following a public hearing, is of the opinion that it is in the public interest to convey the Property to the Schools.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute any and all documents necessary to convey the Property to the Schools.

5. Restrictive Covenants - Warhill Stream Restoration - Parcel No. 3210100012 (in part)

Ms. Fran Geissler, Stormwater Director, stated a restrictive covenant was a condition of the Ironbound Square Regional Stormwater Management Facility Army Corps of Engineers permit due to aquatic impacts since the facility is located in an RPA. She stated that the facility could not be kept out of the RPA to locate the pond to serve the expansion of Ironbound Road and additional housing in Ironbound Square. She stated the Army Corps of Engineers have requested that the County undertake a means of mitigation of the encroachment on the RPA through stream restoration project within the James River Watershed. She stated a variable width conservation easement was located on the Warhill property near the stadium and Williamsburg Indoor Sports Complex (WISC) building beside the utility easement next to Warhill High School. She stated the stream restoration was on County-owned property of about 500 linear feet. She stated this mitigated the stormwater facility being located in an RPA.

Ms. Jones asked how the location of the easement was chosen.

Ms. Geissler stated the property needed stream restoration and it was in a part of the parcel that was already protected by RPA and Wetlands designations.

Mr. Kennedy stated there have been challenges with Ironbound Square through the years with various issues. He stated he was unhappy with the project and the additional costs.

Ms. Jones stated she agreed with Mr. Kennedy's concerns.

Mr. McGlennon noted the stormwater management facility would benefit the neighborhood significantly. He stated that previously the stormwater was not being treated. He stated in addition, an existing

stream bed would be improved. He stated the creation of the stormwater treatment facility and the restoration of the stream bed were very positive aspects of the project.

Mr. Kennedy stated he agreed with Mr. McGlennon's comments, but he was unhappy with the process that took place.

Mr. Wanner stated the stormwater basin was required for the road widening.

Mr. McGlennon stated that he felt that great pride would be taken in the revitalization of Ironbound Road.

Mr. Goodson asked about the cost of the stream restoration.

Ms. Geissler stated that roughly \$750,000 was set aside for the construction of the Best Management Practice (BMP) and the stream restoration project at Warhill as well as other associated construction costs.

Mr. Icenhour asked if the funding for this was all part of the Ironbound Square project.

Ms. Geissler stated that the funds were in the Water Quality Capital Fund.

Mr. Icenhour confirmed that the property would be kept natural and the stream restoration would be done as part of the stream bed restoration project.

Ms. Geissler stated that was correct.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. McGlennon made a motion to adopt the resolution.

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

RESOLUTION

RESTRICTIVE COVENANT – WARHILL STREAM RESTORATION –

PARCEL NO. 3210100012 (IN PART)

WHEREAS, James City County owns 7.604 acres located at the Warhill Sports Complex, designated as Parcel No. 3210100012 on James City County Real Estate Tax Map/Parcel No. 3210100012, Page 32, Lot No. 12 (the Property); and

WHEREAS, James City County has agreed to restore a portion of an unnamed tributary to Powhatan Creek as part of construction of the Ironbound Square Regional Stormwater Management Facility; and

WHEREAS, the United States Army Corps of Engineers requires a restrictive covenant on the stream restoration site to ensure that the area remains in a natural state; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that it is in the public's interest to establish the restrictive covenants.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute any and all documents necessary to establish a restrictive covenant maintaining 7.604 acres in a natural state.

6. Ordinance to Amend James City County Code, Chapter 20, Taxation, by Adding Section 20-7.6, Probate and Administration Tax

Mr. Wanner stated that the ordinance amendment proposed would allow for a local tax to be imposed for probate or grant administration of a will in order to provide resources to the Clerk of the Circuit Court. He noted that the funding contributions to this office have been significantly reduced by the State and he felt they would continue to decline. He stated the amount of the tax would be one-third of the State tax levied for such purposes. He noted that State tax is 10 cents for every \$100 of estate value. He stated the County would then impose a tax of 3 and 1/3 cents for every \$100 of estate value. He stated if the tax was imposed, the clerk would receive an estimated \$25,000 annually to offset costs for technology improvements. He stated that the County was working in partnership with the City of Williamsburg since this was a shared office and to ensure that any local estate tax would be uniformly enforced.

Mr. Wanner stated the City Council of Williamsburg tabled action on this item on October 8, 2009, pending Board of Supervisors action. He recommended that the Board table this item pending FY 2011 budget guidance to the County Administrator in January.

Mr. Kennedy opened the Public Hearing.

1. Mr. Robert Spencer, 9123 Three Bushel Drive, stated that the probate charge would not affect people who receive property through trust. He stated that was unfair and that he did not believe that there would be a significant amount of revenue. He stated his opposition. He further stated that court fees should be increased in order to generate revenue for the Clerk of the Circuit Court's office.

2. Mr. Ed Oyer, 139 Indian Circle, stated that even if \$25,000 was collected, the cost of administration of the tax would exceed the revenue. He stated his opposition.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. McGlennon stated that Mr. Spencer and Mr. Oyer raised significant issues. He noted that the Clerk of the Circuit Court's office has had significantly reduced contributions from the State. He stated that a more logical action would be to increase fees. He stated that the General Assembly would not allow the increase of fees, but would only allow this type of additional tax to defray the cost. He stated that he did not agree with this particular method, but he noted that he did not feel the general taxpayer should pay the operation costs of the Clerk of the Circuit Court in these cases.

Mr. Icenhour made a motion to defer action pending FY 2011 budget guidance.

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

H. BOARD CONSIDERATION

1. Planning Commission Job Description

Mr. Wanner stated that in September 2009 the Board of Supervisors considered the matter of the Planning Commission Job description. He stated that following the meeting, staff met with Chairman Krapf to make adjustments to the language of the job description. He stated that the item was back for the Board's consideration as requested.

Mr. Icenhour stated he was in favor of a Job Description, but he felt that it would be more appropriate to handle the description as a Board policy. He stated concern about the role of negotiating proffers and conditions to allow professional staff to take on that responsibility. He stated he felt that would be better addressed through a separate Board policy. He commented on the requirements on the working relationship with staff and stated that the request should move through the proper chain of commands. He stated that he felt the request should move through the County Administrator. He stated that he felt it was important to require disclosure when meeting with developers. He wished to separate the matters to deal with the issues as Board policies.

Mr. McGlennon stated he felt the best Planning Commissioners do not need this tool to do the job well. He stated it would put unnecessary restrictions on Planning Commissioners as well as on the Board, to meet with individuals and discuss development proposals. He stated he was reluctant to adopt the item presented.

Ms. Jones stated that the effort was to ensure openness and clarity in operations. She stated that this item was deferred to allow for communication and collaboration. She stated her concern with the requirement that the Planning Commission Chairman authorize commissioners to meet with individuals about developments. She stated she did not agree that a staff person be required to meet with them and any developer. She said she agreed with notification of the meeting and a briefing.

Mr. Goodson stated that he felt the County should have a Board policy indicating how a Planning Commissioner should conduct themselves when acting as a member of the Planning Commission.

Mr. Kennedy stated his appreciation for the work staff put into this matter and stated that he was a proponent of openness and clarity in operations. He stated that he did not feel it was an intrusion to discuss who he met with in relation to a development and he felt that staff may need to be included. He stated that some localities have a sheet that indicates who met and the discussion topic. He stated that it would be applicable if a specific case or a specific piece of development was a reasonable expectation. He stated he felt a job description was necessary and needed with growth in the community.

This item was deferred indefinitely.

I. PUBLIC COMMENT

1. Mr. Robert Richardson, 2786 Lake Powell Road, stated that he was in favor of the Planning Commission Job Description and stated that many of the issues were addressed in the Code of Ethics. He stated there needed to be a review of ethics violations.

2. Mr. Robert Spencer, 9123 Three Bushel Drive, commented that there should be a policy implemented in relation to the Planning Commission's duties. He stated that all meetings should have at least three people present to ensure accuracy.

3. Mr. Ed Oyer, 139 Indian Circle, commented on Verizon fiber optic cable and stated the contractor, MasTec, was very respectful of the property owners' lawns. He commented that rules for the Planning Commissioners should have consequences attached.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner stated that Williamsburg Landing celebrated its 25-year anniversary and at its anniversary the County was honored for its contributions to the facility. He stated that he attended the Virginia Municipal League Annual Conference in Roanoke, Virginia, and stated that Mr. Goodson was recognized as a Certified Local Government Official. He stated that when the Board completed its business, it should recess to 4 p.m. on November 10, 2009, for a special work session on the Comprehensive Plan, which would be considered as a public hearing during the regular meeting that evening at 7:00 p.m.

K. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour nominated Mr. Goodson to be the primary voting delegate for the Virginia Association of Counties (VACo) Annual Conference.

Mr. Goodson nominated Mr. Icenhour to serve as the alternate voting delegate for the VACo Annual Conference.

Mr. Goodson asked that the motions be considered together.

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

Mr. Icenhour commented on the resolution of issues with the clearing of sewer easements in Longhill Station and noted that he and the residents were pleased with the results. He thanked Mr. Foster and Officer McMichael for their contributions to the matter. He thanked Mr. Steven Hicks and Ms. Stephanie Luton for following up with the necessary road repairs at the Villages of Westminster. He noted that he had received a memorandum from Prime Outlets regarding the progress of plans for Black Friday and was pleased with the suggestions to protect the surrounding community's quality of life. He stated that signage would be placed to indicate that a parking area was full and to direct motorists to auxiliary parking lots. He said police would be stationed at the entrance of Chisel Run to prevent shoppers from parking in the neighborhood. He asked about a temporary ordinance to prohibit on-street parking during Black Friday.

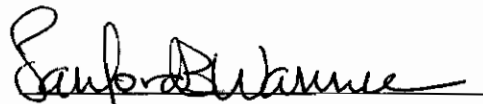
Mr. Powell stated that it was under discussion and may not be necessary. He stated that if needed, it would come before the Board at its November 24, 2009, meeting.

Ms. Jones stated she attended the Youth Aeronautical Education Foundation fund-raiser which highlighted students in the program. She stated she attended her last Regional Issues Committee (RIC) meeting as chair and Chesapeake Bank President Marshall Warner addressed the RIC about the economic outlook.

Mr. McGlennon stated he attended the Williamsburg Landing anniversary celebration, the Friends of Greensprings Day to see how much is in place for the historical significance of the site, and represented the Board at the AVID Medical expansion at Stonehouse Commerce Park. He noted that several hundred jobs would be created with this new expansion and that AVID Medical was very thankful to the County for its assistance with the expansion.

L. RECESS to 4 p.m. on November 10, 2009.

At 9:03 p.m., Mr. Kennedy recessed the Board until 4 p.m. on November 10, 2009.


Sanford B. Wanner
Clerk to the Board

102709bos_min

**SPECIAL USE PERMIT-23-0022. Westport Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

SUMMARY FACTS

Applicant: Ms. Karlyn Owens

Landowner: James City Service Authority (JCSA)

Proposal: To install approximately 250 feet of new water main to connect the existing, independent water system for the Westport neighborhood to public water as part of the central JCSA system.

Location: 4891 Centerville Road

Tax Map/Parcel No.: 3040100007A
Westport Subdivision Road Right-of-Way

Project Acreage: ± 1.91 acres

Current Zoning: A-1, General Agricultural

Comprehensive Plan: Low Density Residential and Rural Lands

Primary Service Area (PSA): Inside and Outside

Staff Contact: Terry Costello, Senior Planner

PUBLIC HEARING DATES

Planning Commission: December 6, 2023, 6:00 p.m.

Board of Supervisors: February 13, 2024, 5:00 p.m.

FACTORS FAVORABLE

1. Should this application be approved, staff finds the proposed conditions would mitigate potential impacts and prevent further expansion of public water and sewer outside of the County's designated growth area.
2. Impacts: See Impact Analysis on Page 6.

FACTORS UNFAVORABLE

1. The proposed installation of the water main located outside the PSA is inconsistent with the County's Utility Policy and the growth management principles within the adopted 2045 Comprehensive Plan.
2. Impacts: See Impact Analysis on Page 6.

SUMMARY STAFF RECOMMENDATION

Staff finds that the extension of a public utility outside the PSA is inconsistent with the Land Use Goals, Strategies, and Actions of the Comprehensive Plan and the Public Utilities Policy adopted as part of the Comprehensive Plan. Approval of this application may also set a precedent for similarly situated independent water systems and properties outside the PSA where property owners seek connections to nearby public utilities regardless of cost or need, especially along Centerville Road. Such precedent may have the effect of weakening or artificially expanding the PSA and undermine the County's ability to have a credible basis with which to deny any future application. Due to inconsistency with the adopted 2045 Comprehensive Plan staff are unable to recommend approval of this application.

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.

**SPECIAL USE PERMIT-23-0022. Westport Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

PLANNING COMMISSION RECOMMENDATION

At its December 6, 2023, meeting, the Planning Commission approved, by a vote of 5-2, a resolution to find the proposal consistent with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (Attachment No. 4). Also, the Planning Commission voted to recommend approval of this Special Use Permit (SUP) application by a vote of 5-2.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

This proposal is to install approximately 250 feet of a new 12-inch water main within the Westport right-of-way. The purpose of this installation is to connect the central well system serving the Westport neighborhood to the main JCSA system (Attachment No. 3).

JCSA has requested to connect this facility, which is currently operated and owned by JCSA, to the broader system for several reasons. For context, JCSA is nearing completion of a \$2.1 million construction project to add zinc orthophosphate at six remote well facilities (zinc orthophosphate is used for corrosion inhibition). The initial design for the project included the addition of zinc orthophosphate at a seventh well facility, JCSA's Pottery Well Facility (designated as Facility W-4).

According to JCSA, the Pottery Well Facility needs rehabilitation to address structural damage to the storage tank as well as removal of an old fire pump system. In addition, the Pottery Facility has other long-term reliability and access issues. By connecting Westport and Liberty Ridge at this time, JCSA will have adequate capacity in the central system to take the Pottery Well Facility offline, saving a

significant amount of money on rehabilitation, and eliminating the need for a \$350,000 investment in a corrosion control feed system for the Pottery Well Facility. Furthermore, this connection provides a health and safety benefit to customers because of increased system reliability and increased available fire flows.

Per JCSA, the following benefits will result from permitting this connection:

- Additional redundancy and available fire flows for Liberty Ridge and Westport.
- Two fewer Department of Environmental Quality (DEQ) groundwater permits to maintain and a reduction in reporting to DEQ.
- Adding the Westport and Liberty Ridge systems is expected to increase the Virginia Department of Health permitted capacity. This would result in two fewer permits to manage and would streamline sampling and reporting requirements.
- Water from Westport and Liberty Ridge is less costly to produce compared to the water at the Five Forks Water Treatment Plant (FFWTP) and will reduce the load on the FFWTP.
- Will allow JCSA to remove the W-4 Facility from service, eliminating significant investment in rehabilitation.

If the application is not approved, JCSA will continue to operate the system as is and be required to rehabilitate the Pottery Well Facility. The central system can remain. If approved, the piping work will be entirely within the Virginia Department of Transportation right-of-way and outages will be minimal. When construction is complete and the tie-in is made, there may be a partial day outage for some customers.

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.

PLANNING AND ZONING HISTORY

The Westport at Ford's Colony is a "by-right" major subdivision that has been in the process of development since the first subdivision submittal in 2003. Since 2003, the design for Westport at Ford's Colony has been modified and changed, having been reviewed by the County's staff, Development Review Committee (DRC), and Planning Commission (PC). Since this is a major subdivision located outside of the PSA, it is required to have an independent water system serving its lots.

Based on the concept presented to the DRC and PC in 2012, there was a total of 87 single-family lots planned for the Westport subdivision (see Attachment No. 6 for exhibit). However, to date, approximately 44 lots have been recorded as part of this concept. The conceptual lot layout proposed to the north has not been the subject of any plat submittals or intended plans.

Currently, the independent water system serves 30 residential connections. The independent water system consists of two production wells, two booster pumps for domestic use, two high-service pumps for fire flows, a hydropneumatics (pressure) tank, ground storage tanks, chemical feed system (disinfection), emergency generator, building, electrical components, and distribution piping.

SURROUNDING ZONING AND DEVELOPMENT

- North, South, and West: A-1, General Agricultural, including the platted Westport subdivision.
- East: The existing Ford's Colony development, zoned R-4, Residential Planned Community, and located on the other side of Centerville Road.

2045 COMPREHENSIVE PLAN

Most of the area for the proposed installation of the water main is designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. Recommended primary uses for Low Density Residential include single-family and multifamily units, accessory units, cluster housing, and recreation areas.

A portion of the installation area located outside of the PSA is designated Rural Lands on the 2045 Comprehensive Plan Land Use Map, where a lower level of public service delivery exists or where utilities and urban services do not exist and are not planned for in the future. Recommended primary uses for Rural Lands include agricultural and forestal activities, agri-tourism, rural-support businesses, and certain commercial uses which require very low-intensity settings. Residential development is not a recommended land use and is discouraged outside the PSA in the Rural Lands.

The County's Utility Policy strongly discourages utility extensions outside the PSA. Extensions of water and sewer facilities outside the PSA have predominantly served a significant public purpose, addressed health and safety situations for existing communities, or improved utility service inside the PSA.

The PSA Policy is James City County's long-standing principal tool for managing growth. As a growth management tool, it attempts to direct growth in one area (where public facilities and services are planned) and away from another (where the majority of agricultural and forestal activities occur). The PSA, first established in 1975, utilizes many of the same principles as Urban Growth Boundaries or Urban Service Areas found in other localities. They are all concepts for promoting growth in a defined geographical area in order to accomplish the following goals:

**SPECIAL USE PERMIT-23-0022. Westport Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

- To encourage efficient utilization of public facilities and services (water and sewer, roadways, schools, fire and police stations, libraries, etc.);
- To help ensure such facilities and services are available where and when needed;
- To increase public benefit per dollar spent;
- To promote public health and safety through improved emergency response time;
- To minimize well and septic failures; and
- To preserve rural lands.

The PSA is most effective when it is tied to the provision of public utilities. Connecting developments to public utilities facilitates development and increases the need for associated peripheral uses. Extending utilities to the rural lands encourages previously farmed for forested lands to convert to development. Development pressures could entice more rural landowners into selling their lands, which could increase the pace of development and increase the amount of forest and farmland developed.

The effectiveness of the PSA as a policy tool is affected as more housing and amenities are allowed. More intensive expansion outside the PSA boundary creates a need for additional core services, such as health facilities, supermarkets, post offices, and so forth. While the County does not necessarily directly bear the cost of providing these types of services, there are indirect effects: the new services require staffing, which brings traffic to the Rural Lands; the creation of new businesses and services in the Rural Lands increases the demand for new housing. As more new houses are built, the demand for businesses, services, and amenities increases, creating a cycle of “providing amenities leading to demanding additional amenities.” The net effect of this cycle is that the PSA boundary could quickly become an ineffectual way of controlling or limiting growth.

Any extension of utilities beyond the PSA boundary is essentially an artificial expansion of the PSA. The incremental expansion of public utilities outside the PSA undermines the County’s growth management efforts. Should this application be approved, a precedent may be set and the County would lack a credible basis to deny any future applications. This undermines the County’s ability to ensure growth proceeds in a logical and orderly fashion.

Examples of Previously Approved Water and Sewer Extensions Outside the PSA:

One of the basic legal tenets of land use planning is that similarly situated parcels must be treated similarly. For this reason, allowing any extension of public utilities outside the PSA must be carefully considered to avoid setting a precedent for other landowners to make a similar request. During the 2009 update, the County’s land use consultant recommended if the Board elects to expand the PSA or allow for a utility extension outside the PSA, it should outline the unique reasons why such an extension is appropriate for a particular site and what public purpose is met by the extension. Furthermore, the consultant stated utility extensions for environmental or health reasons or to serve public facilities will generally have the least potential to weaken the PSA concept, while extensions for economic development or to encourage a specific private development have greater potential to weaken the PSA concept more because they can be extended more generally to adjacent, similarly situated properties.

The Board has often followed this guidance. The following are specific examples where utility lines were extended outside the PSA for a public purpose or for a health issue:

Jolly Pond Road Water and Sewer Extension - This extension was to serve Lois S. Hornsby Middle School and J. Blaine Blayton Elementary School. This is an example of an extension to serve a public benefit.

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.

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Brick Bat Road Water and Sewer Extension - This extension was to serve Matoaka Elementary School. This is an example of an extension to serve a public benefit.

Greensprings Mobile Home Park - In this instance, the mobile home park's aging septic system was failing. This is an example of extending service to address a public health, safety, and welfare issue.

Riverview Plantation - This extension was approved to address a failing water system within the development that was maintained by the JCSA. This is an example of extending service for a public health issue.

Chickahominy Road - The intent of constructing the lines was to improve the quality of housing and living conditions for the existing residents of that area, many of whom did not have indoor plumbing. This extension was also to help protect the reservoir from aging septic systems.

Cranston's Mill Pond Road - This transmission line was constructed to connect to the Jolly Pond Road line. This loop provided the Centerville Road area with a more reliable water source.

In the instances mentioned above, the Board made the judgment that sufficient and significant public benefit existed to permit extensions of public utilities to occur outside the PSA, with minimal impact due to limitations placed on additional connections to the utilities. This rationale is consistent with the consultant's recommendations.

For this current request and application, should the Board of Supervisors find that a sufficient and significant public benefit exists to permit an extension outside of public utilities outside the PSA, with minimal impact due to limitations placed on additional connections to

the utilities, staff has proposed SUP conditions to prohibit further extension of public water and sewer into the portions of the parcels designated for Rural Lands.

FINDING OF CONSISTENCY

Section 15.2-2232 of the Code of Virginia states, in part, that no public facility be allowed unless the Planning Commission finds the location of the facility "substantially" consistent with the adopted 2045 Comprehensive Plan. As previously stated, the proposed location of the water main includes installation located outside the PSA, which prevents this proposal from being substantially consistent from the staff's perspective. At its December 6, 2023, meeting, the Planning Commission approved, by a vote of 5-2, a resolution to find the proposal consistent with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia.

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.

SPECIAL USE PERMIT-23-0022. Westport Subdivision Tie-In to James City Service Authority
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Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	- No transportation improvements are required.
<u>Public Transportation: Pedestrian/Bicycle</u>	<u>No Mitigation Required</u>	- Pedestrian/bicycle accommodations are not necessitated because of this proposed use.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
<u>Public Schools</u>	<u>No Mitigation Required</u>	- The proposal is not expected to generate any schoolchildren.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- The proposal is not expected to generate any impacts to public parks and recreation.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to groundwater and drinking water resources.
<u>Watersheds, Streams, and Reservoirs</u>	<u>No Mitigation Required</u>	- The proposed infrastructure is not expected to impact Resource Protection Area or wetlands.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- The proposed infrastructure is not located within any identified historic or cultural resources.
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	- The proposal is not anticipated to impact neighboring properties. Proposed Condition No. 1 prohibits public water and sewer from being extended into the parcels designated Rural Lands. This condition is anticipated to protect the character of the Rural Lands portion of the properties.
<u>Community Character</u>	<u>Mitigated</u>	
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	- The applicant has verified that she is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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.

**SPECIAL USE PERMIT-23-0022. Westport Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

PROPOSED SUP CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Overall, staff finds the proposal to be inconsistent with the County's adopted Comprehensive Plan. As such, staff is unable to recommend approval of this application to the Board of Supervisors. Should the Board of Supervisors approve this application, staff has included proposed conditions to mitigate impacts, as well as a consistency determination resolution finding it substantially in accord with the adopted 2045 Comprehensive Plan as Attachment No. 4.

TC/ap
SUP23-22_Westprt

Attachments:

1. Resolution
2. Location Map
3. Community Impact Statement and Master Plan
4. Resolution Finding the Application Consistent with the Adopted Comprehensive Plan, per Section 15.2-2232
5. James City County Utility Policy
6. Conceptual Layout
7. Approved Minutes of the December 6, 2023, Planning Commission Meeting

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.

RESOLUTION

CASE NO. SUP-23-0022. WESTPORT SUBDIVISION TIE-IN

TO JAMES CITY SERVICE AUTHORITY

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

WHEREAS, Ms. Karlyn Owens of the James City Service Authority (JCSA), has applied for an SUP to allow for the installation of a water main to connect the existing independent water system for the Westport subdivision to public water as part of the central JCSA system. The central well is located at 4891 Centerville Road and further identified as James City County Real Estate Tax Map Parcel No. 3040100007A (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on December 6, 2023, recommended approval of Case No. SUP-23-0022 by a vote of 5-2; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-23-0022; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-23-0022 as described herein with the following conditions:

1. Master Plan. This Special Use Permit (the "SUP") shall be valid for the installation of a water main with a diameter of three (3) inches or greater in accordance with the Master Plan entitled "JCSA Master Plan" prepared by JCSA, dated November 15, 2023 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the James City County Zoning Ordinance, as amended.
2. Connections Outside of the Primary Service Area (PSA). No connections shall be made to the existing water system located within the Westport Subdivision, including its connection to Well Facility W-41, which would serve any property located outside the PSA with the exception of one connection no larger than a 1-1/4-inch service line for each platted lot in the Westport Subdivision, recorded in the James City County Circuit Court Clerk's Office as of December 1, 2023.
3. Construction Hours. The hours of construction shall be limited to daylight hours, Monday through Friday.
4. Commencement. Final approval of the site plan shall be obtained within 24 months of issuance of this SUP or the SUP shall become void.
5. Severability. The SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

NULL
HIPPLE
MCGLENNON
ICENHOUR
LARSON

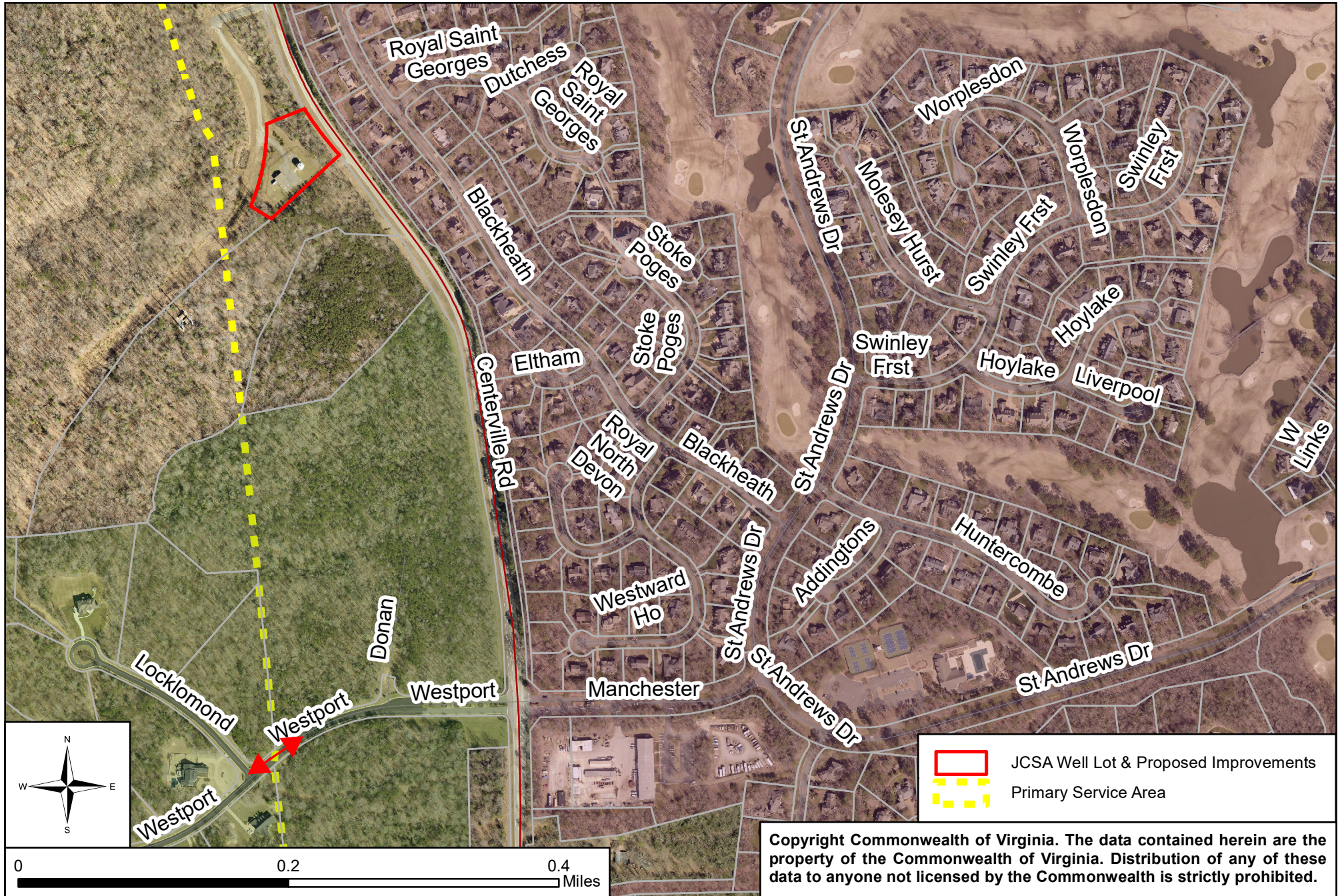
VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of February, 2024.

SUP23-22_Westprt-res

SUP 23-0022. Westport JCSEA Tie-In





Community Impact Statement for Connection of Westport Independent System to JCSA Central Water System

June 22, 2023

Project Need and Background:

JCSA's water system consists of a larger Central System that provides water service mostly inside of the Primary Service Area (PSA), and 8 smaller independent water systems that serve developments outside of the PSA. Due to the limited number of customers served by independent water systems, and the complex nature of the facilities required to serve these developments, these water systems generally operate at a loss and cannot be financially supported by the limited customer base alone. Recent changes to County land development ordinances limit the potential for future independent water systems.

As part of a review of the Central System water treatment facility needs, JCSA staff has identified potential benefits of combining the Liberty Ridge and Westport independent well facilities with the Central System. The Liberty Ridge and Westport systems are located in close proximity to the Central System. Connecting these independent systems to the Central System would provide the following benefits:

- The systems would be combined into the Central System DEQ groundwater withdrawal permit. No change to the limits of the Central System withdrawal permit is anticipated. This would result in 2 fewer GW permits to manage and streamline reporting requirements.
- The systems would be combined into VDH Central System operations permit. It is expected that this would increase the VDH permitted capacity. This would result in 2 fewer permits to manage, and it would also streamline sampling and reporting requirements as these would no longer be treated as separate water systems.
- Improves reliability/redundancy to Liberty Ridge and Westport by providing an additional water source.
- Adds two newer well facilities with excess capacity to the Central System, which provides opportunities to reevaluate needed improvements at some of the older Central System well facilities. For example, the well facility at the Pottery is in need of rehabilitation to address structural damage to the 500,000 gallon storage tank and removal of an old fire pump system. Adding the two additional well facilities will allow JCSA to abandon the Potter facility, thus avoiding significant investments to make the necessary improvements to a 40+ year old facility. This can be done without negatively impacting our DEQ or VDH permits.
- Water from these independent well facilities is less costly to produce compared to Five Forks Water Treatment Plant (FFWTP) will reduce the load on FFWTP.

Several developments outside of the PSA have been connected to the Central System in the past, most notably, Governors Land and Greensprings West. In addition, Stonehouse was originally constructed as an Independent System, but was eventually connected to the Central System.

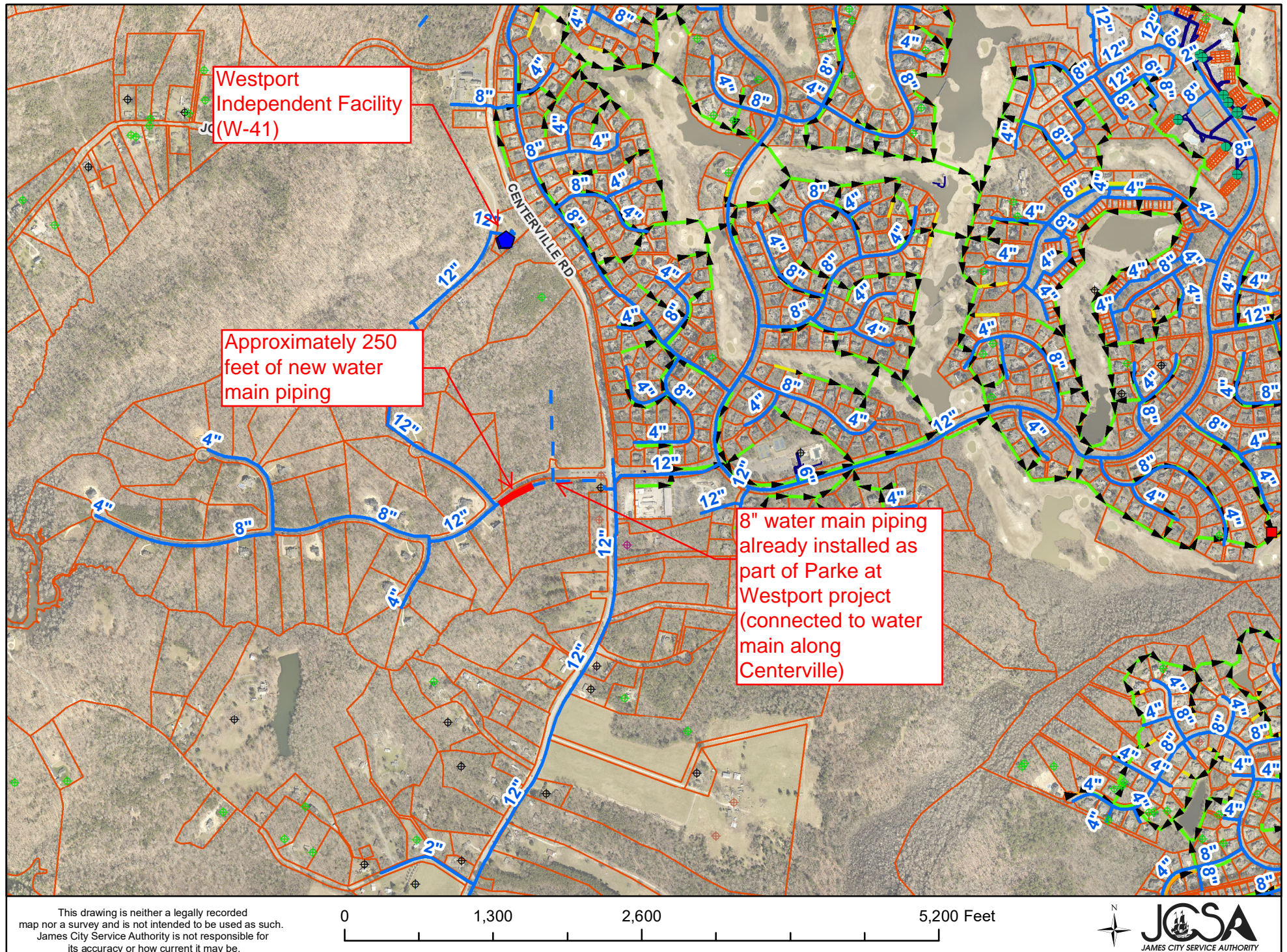
A conceptual plan (C-23-0026) was submitted in May 2023. Based on direction from JCC Planning, a Special Use Permit would be required to connect these systems.

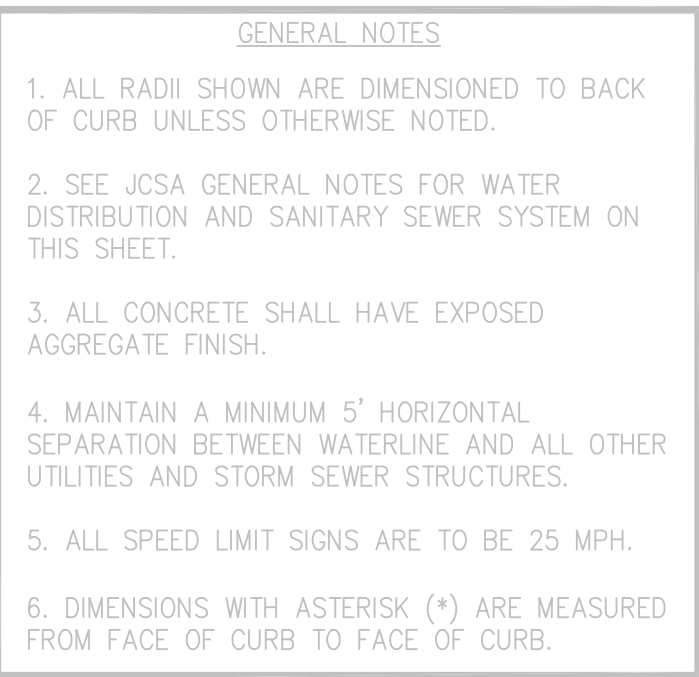
Project Impacts

- **Traffic:** The proposed project will not increase the amount of traffic generated.
- **Water and Sewer:** As stated above, the proposed project will provide positive improvements to the JCSA Water System. There will not be any impacts to sewer as part of the project.
- **Environmental/Site/SRP:** Water main installation will take place within existing VDOT right of way. SRP comments on the conceptual plan stated that a land disturbance permit would not be required for the project.


Master Plan


- See attached for proposed improvements.







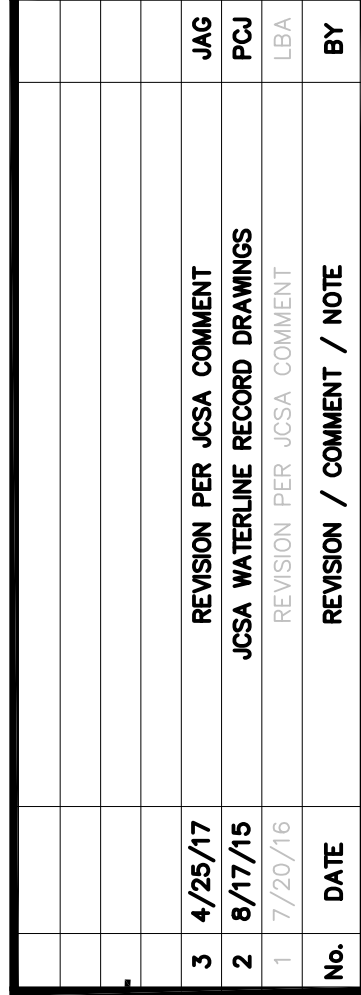
LEGEND

 PAVEMENT SECTION "A" (SEE SHEET 26)

 PAVEMENT SECTION "B" (SEE SHEET 26)

 PROPOSED STREETLIGHT

 ITEMS TO DEMOLISHED



"THE AS-BUILT LOCATIONS AND GRADES SHOWN ON THESE DRAWINGS, ARE ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND I CERTIFY THAT I, OR MY AGENT, HAVE MADE SUFFICIENT INSPECTION TO ENSURE THE ACCURACY OF THIS STATEMENT."

JASON A. GRIMES, P.E.

DATE

4/25/17

PROFESSIONAL ENGINEER
JASON A. GRIMES
Lic. No. 40170
STATE OF CALIFORNIA

AIDS CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

5248 Old Towne Road, Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 253-0040
 Fax: (757) 220-8864
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RECORD ROAD AND UTILITY PLAN JCSA WATERLINE RECORD DRAWINGS FOR WESTPORT SUBDIVISION FORD'S COLONY AT WILLIAMSBURG SECTION XXXV, LOTS 1-87		VIRGINIA POWhatan District JAMES CITY County
Designed CBR/QAM	Drawn LBA/DLD	
Scale 1"=50'	Date 5/15/14	
Project No. 5652-21		
Drawing No. R6		

RESOLUTION

VIRGINIA CODE 15.2-2232 ACTION ON CASE NO. SUP-23-0022. 4891 CENTERVILLE

ROAD WESTPORT WATER SYSTEM TIE-IN

WHEREAS, in accordance with Section 15.2-2232 of the Code of Virginia, a public utility facility, whether publicly or privately owned, shall not be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and

WHEREAS, James City Service Authority (the "Owner") owns property located at 4891 Centerville Road and further identified as James City County Real Estate Tax Map Parcel No. 3040100007A (the "Property"), which is zoned A-1, General Agricultural; and

WHEREAS, Ms. Karlyn Owens on behalf of the Owner, has applied for a Special Use Permit to install 250 feet of a new 12-inch water main within the Westport right-of-way as shown on a plan titled "JCSA Master Plan" and dated November 15, 2023; and

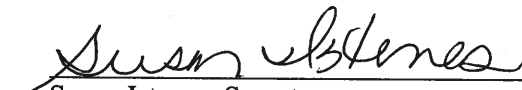
WHEREAS, in accordance with 15.2-2204 of the Code of Virginia and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. SUP-23-0022.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, finds that the general or approximate location, character, and extent of the public facility shown in Case No. SUP-23-0022 are substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.



Frank Polster
Chairman, Planning Commission

ATTEST:


Susan Istenes, Secretary

Adopted by the Planning Commission of James City County, Virginia, this 6th day of December, 2023.

SUP23-22_Wstprt-res


Primary Service Area - Utility Policy

James City County's Utility Policy plays a major role in limiting growth to areas within the PSA. The following outlines the County's pertinent water and sewer requirements, which are explained in more detail in the County's Zoning Ordinance and Subdivision Ordinance, and in the regulations governing utility service provided by the James City Service Authority (JCSA).

Generally speaking, most existing development inside the PSA is connected to public water and sewer, and new development must connect if it is a major residential subdivision or within 55-feet of JCSA infrastructure that is accessible through an applicable and existing right-of-way and/or JCSA water or sanitary sewer easement. Most developments desire to be served by public water and sewer to achieve a higher density and reduce the infrastructure costs. Outside the PSA, subdividers of major subdivisions are required by the Subdivision Ordinance to construct an independent water system, but can use individual onsite sewage disposal systems. Subdividers of minor subdivisions are permitted to use individual well and sewage disposal systems.

An SUP is required for extensions of major water and sewer mains. SUPs for utility extensions within the PSA occur infrequently due to the extensive network of utility lines already in place. The PSA concept strongly discourages extension of utilities outside the PSA. Over past years, there have been certain limited locations that have received SUPs for extension of utilities. Other than two exceptions for neighborhoods (Governors Land on John Tyler Highway and Deer Lake Rural Cluster adjacent to Colonial Heritage), the extensions have been to serve a significant public purpose (school sites), address health and safety situations (Chickahominy Road Community Development Block Grant area, Riverview Plantation, and Greensprings Mobile Home Park), or improve utility service inside the PSA (Cranston's Mill Pond Road and Jolly Pond Road mains, and the JCSA College Creek Pipeline). In keeping with the Utility Policy included as part of the 1997 Comprehensive Plan, all of the SUPs associated with these mains include conditions that place clear limits on connections to directly adjacent properties, a policy that should continue into the future.

Finally, the developer is responsible for paying the cost of providing water and sewer service to and within new subdivisions. JCSA may contribute to the costs to upsize water or sewer lines to serve additional areas. Any decisions about changes to the Utility Policy and the PSA must be carefully examined in conjunction with decisions about Rural Lands policy, which is discussed above.



CONSULTING ENGINEERS

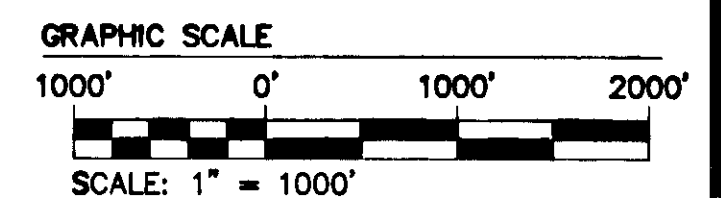
WILLIAMSBURG • RICHMOND • GLOUCESTER

PLAT OF SUBDIVISION
LOTS 5 - 22; 25 - 47, SECTION XXXV
FORD'S COLONY
@ WILLIAMSBURG

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

4	2/28/08	REVISED PER COUNTY COMMENTS	JAG	AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG	GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG	AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG	AWT
No.	DATE	REVISION / COMMENT / NOTE	BY	

Designed JAG	Drawn AES
Scale 1"=1000'	Date 3/5/08
Project No. 5652-21	
Drawing No. 1 of 10	



CERTIFICATION OF SOURCE OF TITLE

THE PROPERTY SHOWN ON THIS SUBDIVISION PLAT WAS CONVEYED BY GORDON CREEK CORPORATION, A VIRGINIA CORPORATION TO REALTEC, INCORPORATED, A NORTH CAROLINA CORPORATION BY DEED DATED MARCH 31, 2005 AND RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 050007368 ON APRIL 1, 2005.

THE PROPERTY SHOWN ON THIS SUBDIVISION PLAT WAS CONVEYED BY THEODORA GREENHOW WILSON TO REALTEC, INCORPORATED, A NORTH CAROLINA CORPORATION BY DEED DATED FEBRUARY 16, 2006 AND RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 060008988 ON APRIL 19, 2006.

OWNER'S CERTIFICATE

THE SUBDIVISION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND OR TRUSTEES.

[Signature] 2/28/08
FOR REALTEC, INCORPORATED DATE

DREW R. MULHARE
PRINTED NAME

CERTIFICATE OF NOTARIZATION

STATE OF VIRGINIA
CITY/COUNTY OF JAMES CITY I, GWEN C. SCHATZMAN
A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO
HEREBY CERTIFY THAT THE PERSON WHOSE NAME IS SIGNED TO THE FOREGOING
WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY
AFORESAID.
GIVEN UNDER MY NAME THIS DAY 28th OF FEBRUARY, 2008.

MY COMMISSION EXPIRES 11/30/09

[Signature] 361448
SIGNATURE



REFERENCES:

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT
COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND
ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA, REGARDING THE PLATTING
OF SUBDIVISIONS WITHIN THE COUNTY.

[Signature] 2/28/08
THOMAS C. SUBLETT L.S. #1886 DATE

GENERAL NOTES

1. TAX MAP PARCEL TO BE SUBDIVIDED (36-2)(1-1), (36-2)(1-1B), (36-2)(1-2), AND (36-2)(1-3); ADDITIONALLY A JCSA UTILITY EASEMENT IS SHOWN ON PARCELS (36-2)(1-1A), (36-2)(1-56), AND (30-3)(1-2).
2. PROPERTY AS SHOWN IS CURRENTLY ZONED "A1" - GENERAL AGRICULTURAL DISTRICT.
3. BUILDING SETBACKS SHOWN ARE AS DESCRIBED IN THE CURRENT JCC ORDINANCE. DECLARANT RESERVES THE RIGHT TO MODIFY SETBACKS AS ALLOWED BY JAMES CITY COUNTY.
FRONT = 75'
FRONT (SIDE STREET) = 50'
SIDE = 15' (MAIN STRUCTURE); 5' (ACCESSORY BUILDING)
REAR = 35' (MAIN STRUCTURE); 5' (ACCESSORY BUILDING)
4. THIS PLAT IS BASED UPON RECORD INFORMATION AND FIELD SURVEYS PREVIOUSLY PERFORMED BY AES CONSULTING ENGINEERS AND DOES NOT REPRESENT A CURRENT FIELD SURVEY. EASEMENTS OF RECORD MAY EXIST BUT ARE NOT SHOWN ON THIS PLAT. THIS PLAT PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
5. C/L OF STREAMS AND THE EDGE OF WATER OF GORDON'S CREEK WERE TAKEN FROM DIGITAL AERIAL TOPOGRAPHY AND MAPPING, DATED JUNE, 2002 BY WINGS AERIAL MAPPING CO., INC. THE MEAN LOW WATER OF GORDON'S CREEK AS SHOWN IS APPROXIMATE, THE ACTUAL MEAN LOW WATER OF GORDON'S CREEK IS THE PROPERTY LINE.
6. AREAS ARE COMPUTED TO CENTERLINE STREAM, OR ALONG MEAN LOW WATER OF GORDON'S CREEK AS NOTED ON PLAT. SURVEY TIE LINES ARE FOR CLOSURE PURPOSES ONLY.
7. THE PARCELS WITHIN THE PSA SHALL BE SERVED BY PUBLIC SEWER AND WATER SYSTEMS OF THE JAMES CITY SERVICE AUTHORITY. LOTS OUTSIDE THE PSA SHALL BE SERVED BY PRIVATE SEPTIC SYSTEMS AND A COMMUNITY WELL.
8. SEPTIC TANK AND SOILS INFORMATION SHOULD BE VERIFIED AND REEVALUATED BY THE HEALTH DEPARTMENT PRIOR TO ANY NEW CONSTRUCTION.
9. THE DRAINFIELD LOCATIONS SHOWN ON THIS DRAWING HAVE BEEN PROVIDED AND FIELD LOCATED BY ENVIRO UTILITIES. TELEPHONE # (804) 796-1090
10. UNLESS OTHERWISE NOTED, ALL DRAINAGE EASEMENTS DESIGNATED ON THIS PLAT SHALL BE PRIVATE.
11. ALL UTILITIES SHALL BE PLACED UNDERGROUND IN ACCORDANCE WITH SECTION 19-33 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
12. UTILITY EASEMENTS DENOTED AS "JCSA UTILITY EASEMENTS" ARE FOR THE EXCLUSIVE USE OF THE JCSA AND THE PROPERTY OWNER. OTHER UTILITY SERVICE PROVIDERS DESIRING TO USE THESE EASEMENTS WITH THE EXCEPTION OF PERPENDICULAR UTILITY CROSSINGS MUST OBTAIN AUTHORIZATION FOR ACCESS AND USE FROM THE JCSA AND THE PROPERTY OWNER. ADDITIONALLY, JCSA SHALL NOT BE HELD RESPONSIBLE FOR ANY DAMAGE TO IMPROVEMENTS WITHIN THIS EASEMENT, FROM ANY CAUSE.
13. THE CENTERLINE OF THE SANITARY SEWER AND WATER LINE PIPE IS THE CENTERLINE OF THE JCSA EASEMENT.
14. ANY EXISTING, UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.
15. PORTIONS OF THIS PROPERTY LIE WITHIN RPA (RESOURCE PROTECTION AREAS) AND ARE SUBJECT TO REGULATION UNDER THE CHESAPEAKE BAY PRESERVATION ORDINANCE.
16. WETLANDS AND LAND WITHIN RESOURCE PROTECTION AREAS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES PERMITTED BY SECTION 23-7(c)(1) OF THE JAMES CITY COUNTY CODE. WETLANDS LOCATIONS WERE DELINEATED BY KOONTZ BRYANT, P.C., CONFIRMED BY THE ARMY CORPS OF ENGINEERS, AND LOCATED BY FIELD SURVEY.
17. OWNERS AND BUILDERS ARE REFERRED TO THE "DECLARATION OF PROTECTIVE COVENANTS AND THE SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS, SECTION XXXV, FORD'S COLONY AT WILLIAMSBURG" FOR ADDITIONAL BUILDING RESTRICTIONS AND REGULATIONS IMPOSED BY THE DEVELOPER AND OR HIS ASSIGNS.
18. NEW MONUMENTS SHALL BE SET IN ACCORDANCE WITH SECTIONS 19-34 THRU 19-36 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
19. THIS PROPERTY LIES WITHIN ZONES X AND AE AS SHOWN ON F.I.M.A. FLOOD MAPS 510201 115C AND 120C, DATED SEPTEMBER 28, 2007. THE BASE FLOOD ELEVATION OF 7.5 FEET IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) WHICH CORRESPONDS TO ELEVATION 8.5 FEET ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) WHICH THIS PROJECT TOPOGRAPHY IS BASED.
20. RPA SIGNS ARE TO BE INSTALLED IN ACCORDANCE WITH SECTION 23-7(c) OF THE CHESAPEAKE BAY PRESERVATION ORDINANCE AND THE JAMES CITY COUNTY CODE.
21. IN ACCORDANCE WITH SECTION 19-29H OF THE JAMES CITY COUNTY ZONING ORDINANCE, THE NATURAL OPEN SPACE EASEMENTS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES PERMITTED BY SECTION 23-7 (C)(1) OF THE JAMES CITY COUNTY CODE.

GENERAL NOTES (CONTINUED):

22. THIS PROPERTY LIES WITHIN ZONES X AND AE AS SHOWN ON F.I.M.A. FLOOD MAPS 510201 115C AND 120C, DATED SEPTEMBER 28, 2007. THE BASE FLOOD ELEVATION OF 7.5 FEET IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) WHICH CORRESPONDS TO ELEVATION 8.5 FEET ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) WHICH THIS PROJECT TOPOGRAPHY IS BASED.
23. THE STREETS WITHIN THE SUBDIVISION WILL BE DEDICATED FOR PUBLIC USE.
24. JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE APPROVED EXTENDING CUL-DE-SAC RIGHT-OF-WAY LENGTHS FOR THE FOLLOWING ROADS (FOR DESCRIBED LENGTHS): ESKERHILLS (1,153'); WESTPORT (1,619'); DUNHUGH (1,502'); FOREST OF ARDON (1,053'); TAYMOUTH CASTLE (3,451').
25. A 15' PRINCIPAL DWELLING FOUNDATION SETBACK EXISTS OFF ALL RPA BUFFERS AND CONSERVATION EASEMENTS. THIS SETBACK PROHIBITS THE INSTALLATION OF BUILDING FOUNDATIONS ASSOCIATED WITH THE PRIMARY DWELLING AND DOES NOT PROHIBIT THE INSTALLATION OF DECKS, PATIOS OR OTHER STRUCTURES NOT REQUIRING A FOUNDATION.

AREA TABULATION

	S.E.±	ACRES±
TOTAL AREA OF RESIDENTIAL LOTS	6,738,043	154.88
FUTURE DEVELOPMENT AREAS (1-3)	2,473,709	56.79
TOTAL AREA OF R/W	427,717	9.82
TOTAL AREA OF COMMON AREA	171,060	3.93
NEIGHBORHOOD		
TOTAL AREA OF SECTION XXXV (SEE NOTE 6)	9,810,529	225.22
TOTAL NUMBER OF LOTS SECTION XXXV	41	
AVERAGE LOT SIZE	188,451 S.F.	3.87
GROSS LOTS PER ACRE	0.18 LOTS/ACRE	
TOTAL AREA OF CONSERVATION EASEMENT	83,584	1.46
TOTAL LENGTH OF ROADS	7,350 L.F.	

LEGEND

---	RIGHT-OF-WAY LINE	•	IRON ROD SET
---	PROPERTY LINE	■	CONCRETE MONUMENT FOUND
---	CENTER LINE	RPA	RESOURCE PROTECTION AREA
---	TRAVERSE LINE	PRM	PRIMARY DRAINFIELD
---	EASEMENT	RES	RESERVE DRAINFIELD
---	BUILDING SETBACK LINE (B.S.L. TYP.)	C/L	CENTERLINE
---	WETLANDS LINE	P/L	PROPERTY LINE
---	RPA BUFFER LINE		
---	STREAM		

CERTIFICATE OF APPROVAL

THIS SUBDIVISION IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

[Signature] 3/19/08
VIRGINIA DEPARTMENT OF TRANSPORTATION DATE

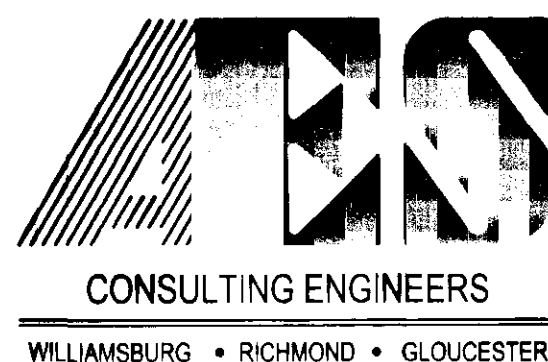
[Signature] 3/18/08
VIRGINIA DEPARTMENT OF HEALTH DATE

[Signature] 3/16/08
SUBDIVISION AGENT OF JAMES CITY COUNTY DATE

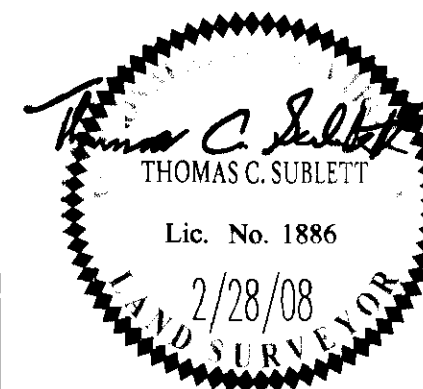
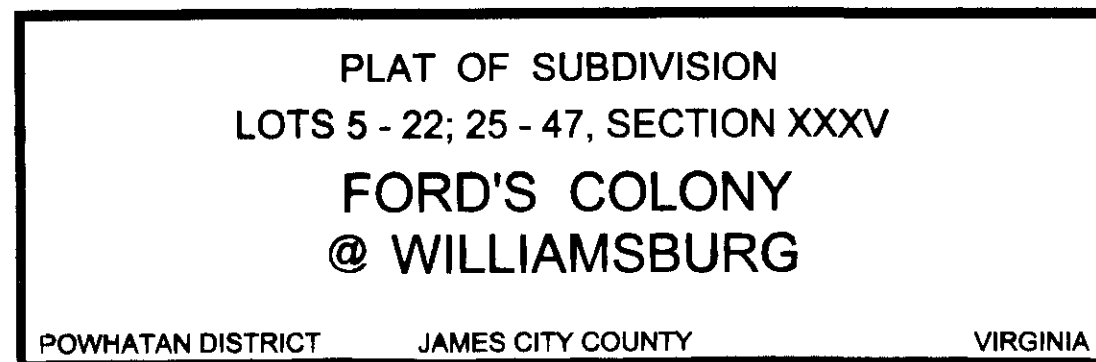
10 Large/Small Plat(s) Recorded
herewith as # 080008539

STATE OF VIRGINIA
CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT COURT.
THIS 27 DAY OF March, 2008.
THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED TO THE
RECORD AS THE LAW DIRECTS. @ 2:16 PM
INSTRUMENT # 080008539

TESTE: BETSY B. WOOLRIDGE, CLERK
BETSY B. WOOLRIDGE, CLERK By: *[Signature]*
Deputy



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8994



No.	DATE	REVISION / COMMENT / NOTE	BY
4	2/28/08	REVISED PER COUNTY COMMENTS	JAG AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG AWI
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG AWI

Designed JAG	Drawn AES
Scale N/A	Date 3/5/08
Project No. 5652-21	
Drawing No. 2 of 10	

08000 8539

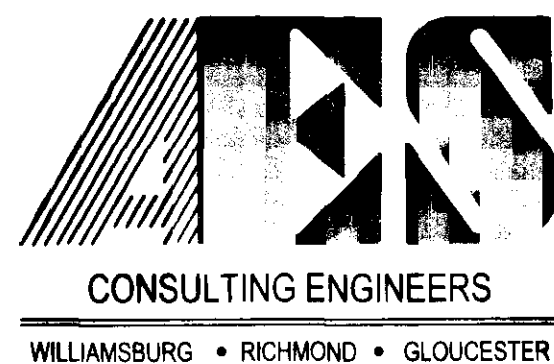
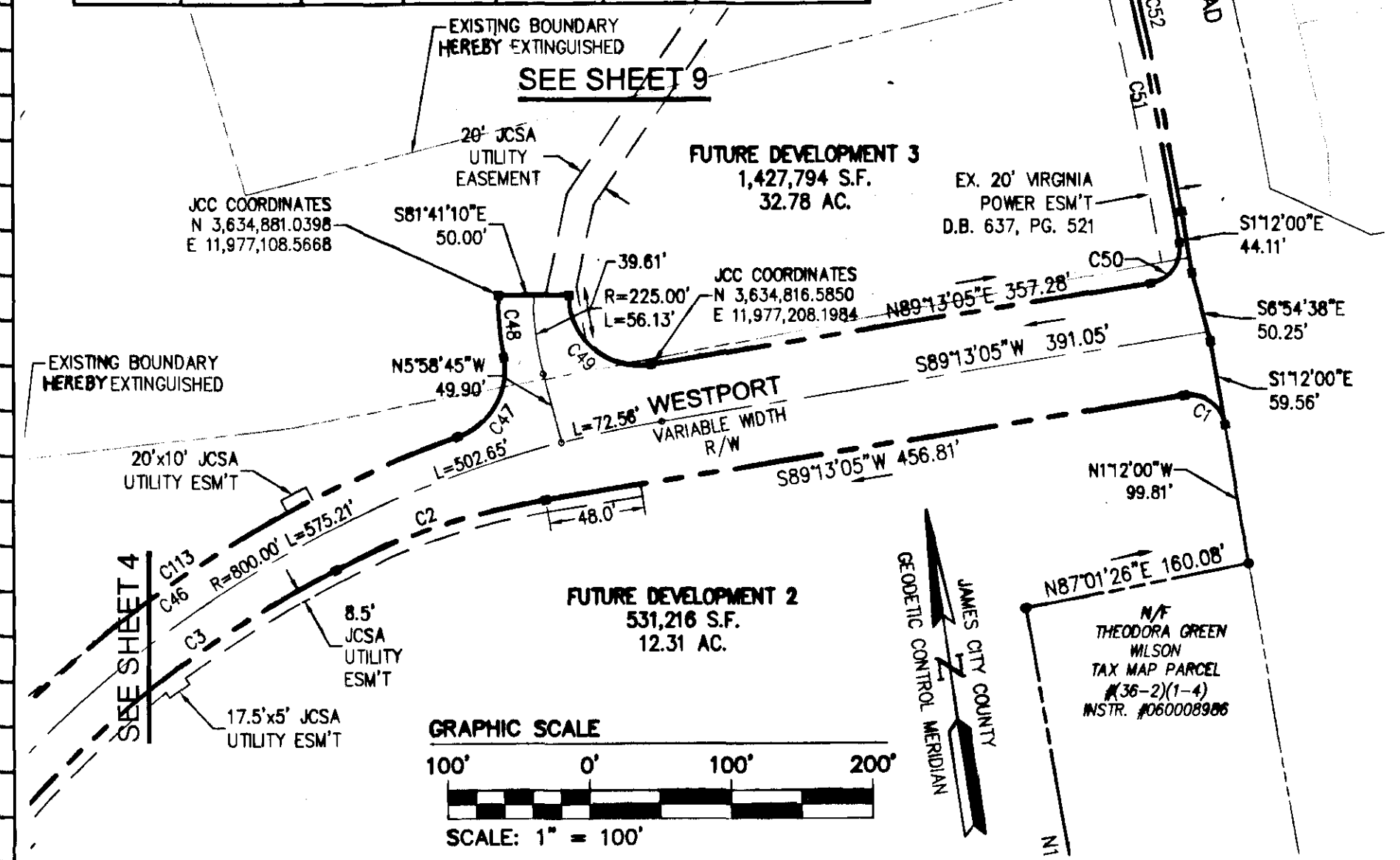
CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	89°34'55"	25.00'	39.09'	24.82'	35.23'	N45°59'28"W
C2	18°23'16"	488.89'	156.90'	79.13'	156.23'	S80°01'27"W
C3	23°48'01"	735.30'	305.44'	154.95'	303.25'	S59°55'29"W
C4	35°20'07"	700.00'	431.70'	222.96'	424.89'	N65°41'22"E
C5	82°59'56"	50.00'	72.43'	44.24'	66.26'	N41°51'27"E
C6	35°14'40"	425.00'	261.43'	135.00'	257.33'	N17°58'49"E
C7	10°02'47"	725.00'	127.12'	63.72'	126.96'	S30°34'46"W
C8	53°12'59"	50.00'	46.44'	25.05'	44.79'	S1°03'07"E
C9	280°34'05"	67.50'	330.54'		86.26'	S67°22'34"E
C10	47°53'07"	50.00'	41.79'	22.20'	40.58'	N48°57'55"E
C11	10°34'47"	775.00'	143.11'	71.76'	142.90'	S30°18'46"W
C12	34°39'46"	375.00'	226.87'	117.03'	223.42'	N18°16'16"E
C13	86°06'01"	50.00'	75.14'	46.71'	68.26'	N42°06'38"W
C14	25°49'45"	700.00'	315.56'	160.51'	312.90'	S72°14'46"E
C15	57°03'27"	550.00'	547.71'	298.98'	525.36'	N87°51'37"W
C16	33°42'27"	625.00'	367.69'	189.34'	362.41'	N80°27'53"E
C17	24°31'21"	950.00'	406.60'	206.46'	403.50'	S85°03'26"W
C18	42°33'09"	1300.00'	965.48'	506.23'	943.44'	S85°55'40"E
C19	50°20'06"	50.00'	43.93'	23.49'	42.53'	N89°49'09"W
C20	280°40'41"	67.50'	330.67'		86.16'	S25°21'08"W
C21	50°19'27"	50.00'	43.92'	23.49'	42.52'	S39°29'22"E
C22	42°33'08"	1250.00'	928.34'	486.76'	907.16'	S85°55'40"E
C23	13°28'47"	1000.00'	235.27'	118.18'	234.72'	S79°32'10"W
C24	85°54'14"	50.00'	74.97'	46.55'	68.14'	N43°19'26"E
C25	4°44'13"	500.00'	41.34'	20.68'	41.33'	N1°59'48"W
C26	88°09'49"	275.00'	423.15'	266.32'	382.63'	N48°26'49"W
C27	29°47'48"	325.00'	169.02'	86.47'	167.12'	S77°37'49"E
C28	80°48'49"	40.00'	56.42'	34.05'	51.86'	S76°51'40"W
C29	255°03'16"	67.50'	300.48'		107.06'	S16°01'07"E
C30	29°47'48"	275.00'	143.01'	73.16'	141.41'	S77°37'49"E
C31	88°09'49"	325.00'	500.09'	314.75'	452.20'	N48°26'49"W
C32	4°44'13"	550.00'	45.47'	22.75'	45.46'	N1°59'48"W
C33	85°54'14"	50.00'	74.97'	46.55'	68.14'	S42°34'48"E
C34	2°51'02"	1000.00'	49.75'	24.88'	49.75'	N84°06'24"W
C35	33°42'27"	575.00'	338.28'	174.19'	333.42'	N80°27'53"E
C36	57°03'27"	600.00'	597.51'	326.16'	573.12'	N87°51'37"W
C37	72°38'49"	650.00'	824.15'	477.88'	770.05'	N84°20'43"E
C38	90°00'00"	50.00'	78.54'	50.00'	70.71'	N3°01'18"E
C39	22°22'52"	975.00'	380.86'	192.89'	378.44'	N53°10'08"W
C40	48°11'23"	60.00'	50.46'	26.83'	48.99'	N88°27'15"W
C41	276°22'46"	67.50'	325.60'		90.00'	S25°38'26"W
C42	48°11'23"	60.00'	50.46'	26.83'	48.99'	S40°15'52"E
C43	10°30'20"	67.50'	12.38'	6.21'	12.36'	N72°42'13"E
C44	22°22'52"	1025.00'	400.39'	202.78'	397.85'	N53°10'08"W

CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C45	90°00'00"	50.00'	78.54'	50.00'	70.71'	S86°58'42"E
C46	31°08'06"	825.00'	448.31'	229.84'	442.82'	S63°35'21"W
C47	80°56'25"	50.00'	70.63'	42.66'	64.91'	N38°41'12"E
C48	10°05'50"	250.00'	44.06'	22.09'	44.00'	S31°55'55"W
C49	99°05'45"	50.00'	86.48'	58.64'	76.09'	S41°14'03"E
C50	90°00'53"	25.00'	39.28'	25.01'	35.36'	N44°12'38"E
C51	4°07'05"	2842.00'	204.26'	102.18'	204.22'	N2°51'21"W
C52	5°44'00"	2829.79'	283.17'	141.70'	283.05'	N4°04'00"W
C53	8°58'07"	700.00'	109.57'	54.90'	109.46'	N52°30'22"E
C54	19°30'16"	700.00'	238.29'	120.31'	237.14'	N66°44'34"E
C55	6°51'43"	700.00'	83.83'	41.97'	83.78'	N79°55'34"E
C56	1°24'26"	725.00'	17.80'	8.90'	17.80'	S34°53'57"W
C57	8°38'21"	725.00'	109.32'	54.76'	109.21'	S29°52'33"W
C58	68°59'32"	67.50'	81.28'	46.38'	76.46'	N6°50'10"E
C59	63°08'21"	67.50'	74.38'	41.48'	70.68'	N72°54'06"E
C60	52°42'41"	67.50'	62.10'	33.44'	59.93'	N49°10'22"W
C61	95°43'31"	67.50'	112.77'	74.61'	100.11'	S25°02'44"W
C62	3°08'36"	775.00'	42.52'	21.26'	42.51'	S26°35'40"W
C63	7°26'11"	775.00'	100.59'	50.36'	100.52'	S31°53'04"W
C64	22°53'53"	700.00'	279.75'	141.77'	277.90'	S73°42'42"E
C65	2°55'52"	700.00'	35.81'	17.91'	35.81'	S60°47'49"E
C66	36°50'48"	550.00'	353.70'	183.21'	347.64'	N77°45'17"W
C67	20°12'39"	550.00'	194.01'	98.02'	193.01'	N73°42'59"E
C68	11°03'35"	625.00'	12.83'	6.42'	12.83'	N64°11'57"E
C69	18°51'27"	625.00'	205.70'	103.79'	204.78'	N74°12'58"E
C70	13°40'26"	625.00'	149.16'	74.93'	148.80'	S89°31'06"E
C71	3°08'54"	950.00'	52.20'	26.11'	52.20'	N84°15'20"W
C72	12°05'20"	950.00'	200.44'	100.59'	200.07'	S88°07'33"W
C73	9°17'07"	950.00'	153.95'	77.15'	153.79'	S77°26'19"W
C74	3°38'19"	1300.00'	82.55'	41.29'	82.54'	S74°36'55"W
C75	13°16'05"	1300.00'	301.05'	151.20'	300.37'	N83°04'07"E
C76	7°54'32"	1300.00'	179.44'	89.87'	179.30'	S86°20'34"E
C77	14°04'06"	1300.00'	319.20'	160.41'	318.40'	S75°21'15"E
C78	3°40'06"	1300.00'	83.23'	41.63'	83.22'	S66°29'09"E
C79						
C80	51°58'57"	67.50'	61.24'	32.91'	59.16'	S88°59'43"E
C81	45°03'36"	67.50'	53.08'	28.00'	51.73'	S40°28'27"E
C82	146°40'58"	67.50'	172.81'	225.58'	129.33'	S55°23'50"W
C83	36°57'09"	67.50'	43.53'	22.55'	42.78'	N32°47'06"W
C84	12°02'47"	1250.00'	262.81'	131.89'	262.33'	S70°40'30"E
C85	17°08'55"	1250.00'	374.12'	188.47'	372.73'	S85°16'21"E
C86	13°21'26"	1250.00'	291.41'	146.37'	290.75'	N79°28'29"E
C87	17°00'47"	325.00'	96.50'	48.61'	96.15'	S84°01'20"E
C88	12°47'01"	325.00'	72.51'	36.41'	72.36'	S69°07'26"E

CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C89	126°09'25"	67.50'	148.63'	132.93'	120.37'	S80°28'02"E
C90	26°59'00"	67.50'	31.79'	16.19'	31.50'	S3°53'49"E
C91	35°16'15"	67.50'	41.55'	21.46'	40.90'	S27°13'48"W
C92	66°38'35"	67.50'	78.51'	44.38'	74.16'	S78°11'14"W
C93	29°47'48"	275.00'	143.01'	73.16'	141.41'	S77°37'49"E
C96	10°59'17"	325.00'	62.33'	31.26'	62.23'	N55°56'31"W
C97	6°23'55"	325.00'	36.29'	18.17'	36.28'	N47°14'55"W
C98	28°47'20"	325.00'	163.30'	83.41'	161.59'	N29°39'18"W
C99	10°53'44"	325.00'	61.80'	31.00'	61.71'	N9°48'46"W
C100	30°22'49"	575.00'	304.88'	156.12'	301.33'	N82°07'43"E
C101	3°19'39"	575.00'	33.39'	16.70'	33.39'	S65°16'29"W
C102	25°18'41"	600.00'	265.06'	134.73'	262.91'	S76°16'00"W
C103	25°15'13"	600.00'	264.45'	134.41'	262.32'	N78°27'03"W
C104	6°29'33"	600.00'	67.99'	34.03'	67.95'	N62°34'40"W
C105	55°10'54"	650.00'	626.01'	339.68'	602.10'	S86°55'20"E
C106	17°27'55"	650.00'	198.14'	99.84'	197.37'	N56°45'16"E
C107	127°41'03"	67.50'	150.42'	137.43'	121.17'	S38°12'05"E
C108	22°11'55"	67.50'	26.15'	13.24'	25.99'	S36°44'24"W
C109	115°59'27"	67.50'	136.65'	108.00'	114.48'	N74°09'55"W
C110	5°38'28"	1025.00'	100.92'	50.50'	100.88'	N61°32'20"W
C111	16°44'24"	1025.00'	299.47'	150.81'	298.41'	N50°20'54"W
C112	2°08'35"	825.00'	30.86'	15.43'	30.86'	S49°05'36"W
C113	28°59'31"	825.00'	417.45'	213.30'	413.01'	S64°39'38"W
C114	1°08'22"	1125.00'	22.37'	11.19'	22.37'	N67°55'18"W
C115	4°37'15"	1125.00'	90.71'	45.39'	90.69'	N65°02'31"W

City of Williamsburg & County of James City
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DOCUMENT # 080008539
BETSY B. WOOLRIDGE, CLERK
Betsy B. Woolridge Clerk

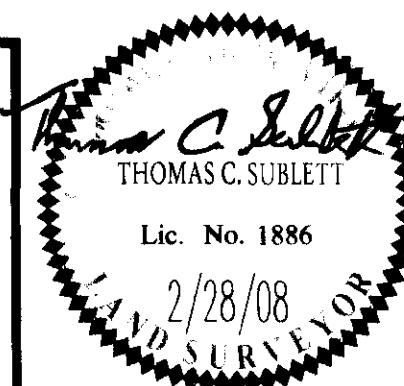
10 Large/Small Plots Recorded
herewith as # 080008539



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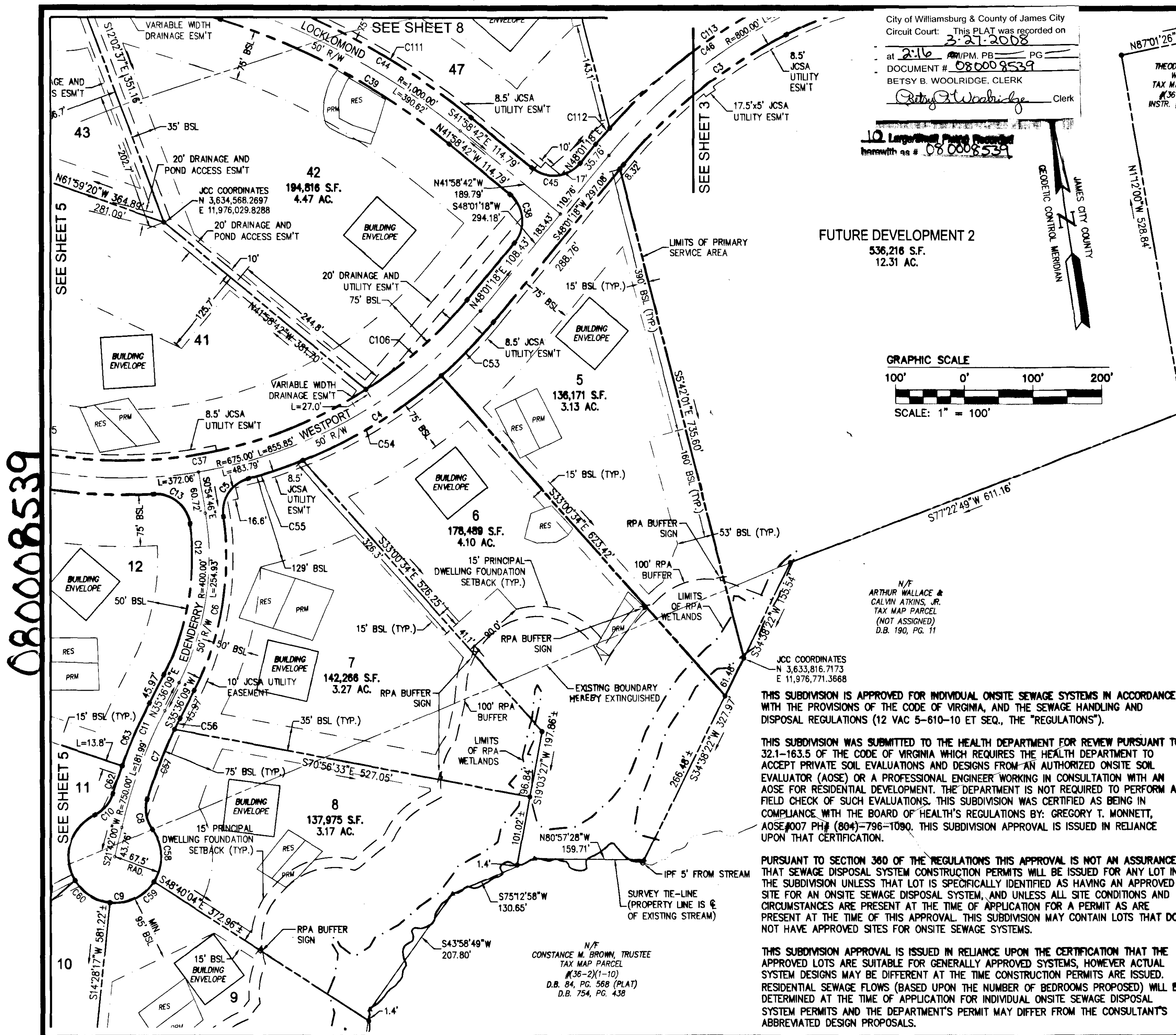
PLAT OF SUBDIVISION
LOTS 5 - 22; 25 - 47, SECTION XXXV
FORD'S COLONY
WILLIAMSBURG

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA



No.	DATE	REVISION / COMMENT / NOTE	REVISED BY	REVIEWED BY
4	2/28/08	REVISED PER COUNTY COMMENTS	JAG	AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG	GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG	AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG	AWT

Designed JAG	Drawn AES
Scale 1"=100'	Date 3/5/08
Project No. 5652-21	
Drawing No. 3 of 10	



City of Williamsburg & County of James City
Circuit Court: This PLAT was recorded on
3-27-2008
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Betsy B. Woolridge Clerk

N/F
THEODORA GREEN
WILSON
TAX MAP PARCEL
#(36-2)(1-4)
INSTR. #060008988

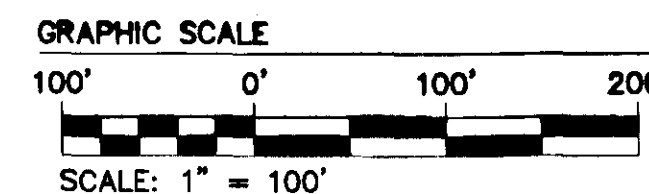
SEE SHEET 3 FOR
CURVE DATA

THIS SHEET ADDRESSES
LOTS 5 - 8

LINE TABLE		
LINE	BEARING	LENGTH
L1	S61°35'32"E	18.24
L2	S84°38'33"E	53.56
L3	S5°21'27"W	21.67
L4	S62°06'58"E	10.29
L5	S33°42'17"E	14.69
L6	S40°00'09"E	13.74
L7	S1°03'41"E	18.34
L8	S23°58'28"E	10.03
L9	N84°42'07"W	165.48
L10	N20°21'34"E	34.65
L11	N5°21'27"E	40.35
L12	S84°38'33"E	18.46
L13	N50°57'45"E	16.76
L14	S81°38'19"E	11.67
L15	N82°37'35"E	28.60
L16	N90°00'00"E	13.32
L17	N85°00'46"E	16.85
L18	S82°20'17"E	6.99
L19	S60°01'55"E	4.00
L20	S19°48'31"E	3.54
L21	S2°15'19"W	16.93
L22	S21°09'17"E	13.18
L23	S3°58'01"W	4.18
L24	S56°26'31"W	13.68
L25	S17°30'49"W	13.00
L26	S40°03'33"W	8.77
L27	S59°46'58"W	27.25
L28	N21°24'40"W	80.43
L29	N64°04'27"W	9.39
L30	N42°08'47"W	14.69
L31	N49°30'13"W	38.10
L32	N82°26'34"W	14.03
L33	N35°44'03"E	18.04
L34	N29°00'11"W	36.87
L35	N39°36'19"W	34.22
L36	N23°07'33"W	8.24
L37	N2°17'30"E	11.57

LINE TABLE		
LINE	BEARING	LENGTH
L38	N27°04'01"E	25.78'
L39	S55°54'37"E	24.27'
L40	S65°48'24"E	15.33'
L41	S74°43'30"E	28.67'
L42	S45°37'52"E	23.38'
L43	S40°14'25"E	18.73'
L44	S45°35'37"E	17.99'
L45	S38°58'50"E	26.21'
L46	S30°17'52"W	76.31'
L47	N67°48'39"W	10.64'
L48	N42°38'32"W	33.70'
L49	N57°57'34"W	64.97'
L50	N74°23'12"W	33.45'
L51	N76°10'18"W	21.47'
L52	N63°47'23"W	13.93'
L53	N84°02'35"W	24.67'
L54	N70°11'23"W	18.24'
L55	N85°01'43"W	24.05'
L56	N61°47'37"W	8.54'
L57	N33°42'22"W	1.01'
L58	N36°29'03"E	16.25'
L59	N41°39'37"W	33.30'
L60	N59°31'00"E	11.62'
L61	N88°29'26"E	12.08'
L62	S82°01'50"E	8.69'
L63	N77°03'02"E	23.02'
L64	S87°19'27"E	38.23'
L65	N85°12'17"E	40.67'
L66	S88°59'19"E	49.00'
L67	N52°32'40"E	28.88'
L68	N21°55'25"E	37.47'
L69	N68°45'36"E	1.84'
L70	S54°42'17"E	1.71'
L71	S35°18'48"E	37.98'
L72	S4°22'28"E	38.99'
L73	S57°23'38"E	19.27'
L74	S14°05'05"W	109.82'

FUTURE DEVELOPMENT 2
536,216 S.F.
12.31 AC.



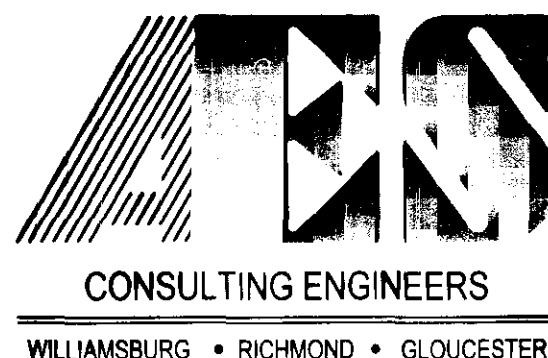
N/F
ARTHUR WALLACE &
CALVIN ATKINS, JR.
TAX MAP PARCEL
(NOT ASSIGNED)
D.B. 190, PG. 11

THIS SUBDIVISION IS APPROVED FOR INDIVIDUAL ONSITE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF VIRGINIA, AND THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (12 VAC 5-610-10 ET SEQ., THE "REGULATIONS").

THIS SUBDIVISION WAS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO 32.1-163.5 OF THE CODE OF VIRGINIA WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM AN AUTHORIZED ONSITE SOIL EVALUATOR (AOSE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AN AOSE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO PERFORM A FIELD CHECK OF SUCH EVALUATIONS. THIS SUBDIVISION WAS CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY: GREGORY T. MONNETT, AOSE #007 PH# (804)-796-1090. THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION.

PURSUANT TO SECTION 360 OF THE REGULATIONS THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL SITE CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF THIS APPROVAL THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE SYSTEMS.

THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THE CERTIFICATION THAT THE APPROVED LOTS ARE SUITABLE FOR GENERALLY APPROVED SYSTEMS, HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED. RESIDENTIAL SEWAGE FLOWS (BASED UPON THE NUMBER OF BEDROOMS PROPOSED) WILL BE DETERMINED AT THE TIME OF APPLICATION FOR INDIVIDUAL ONSITE SEWAGE DISPOSAL SYSTEM PERMITS AND THE DEPARTMENT'S PERMIT MAY DIFFER FROM THE CONSULTANT'S ABBREVIATED DESIGN PROPOSALS.



**5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8994**

PLAT OF SUBDIVISION
LOTS 5 - 22; 25 - 47, SECTION XXXV
FORD'S COLONY
WILLIAMSBURG

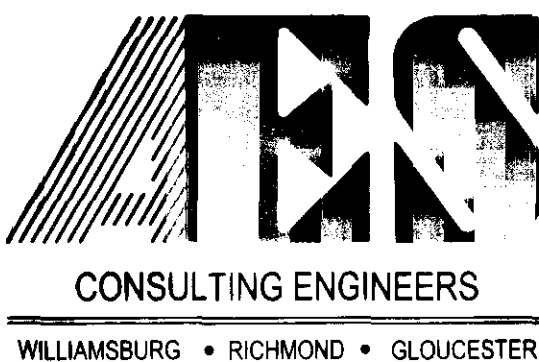
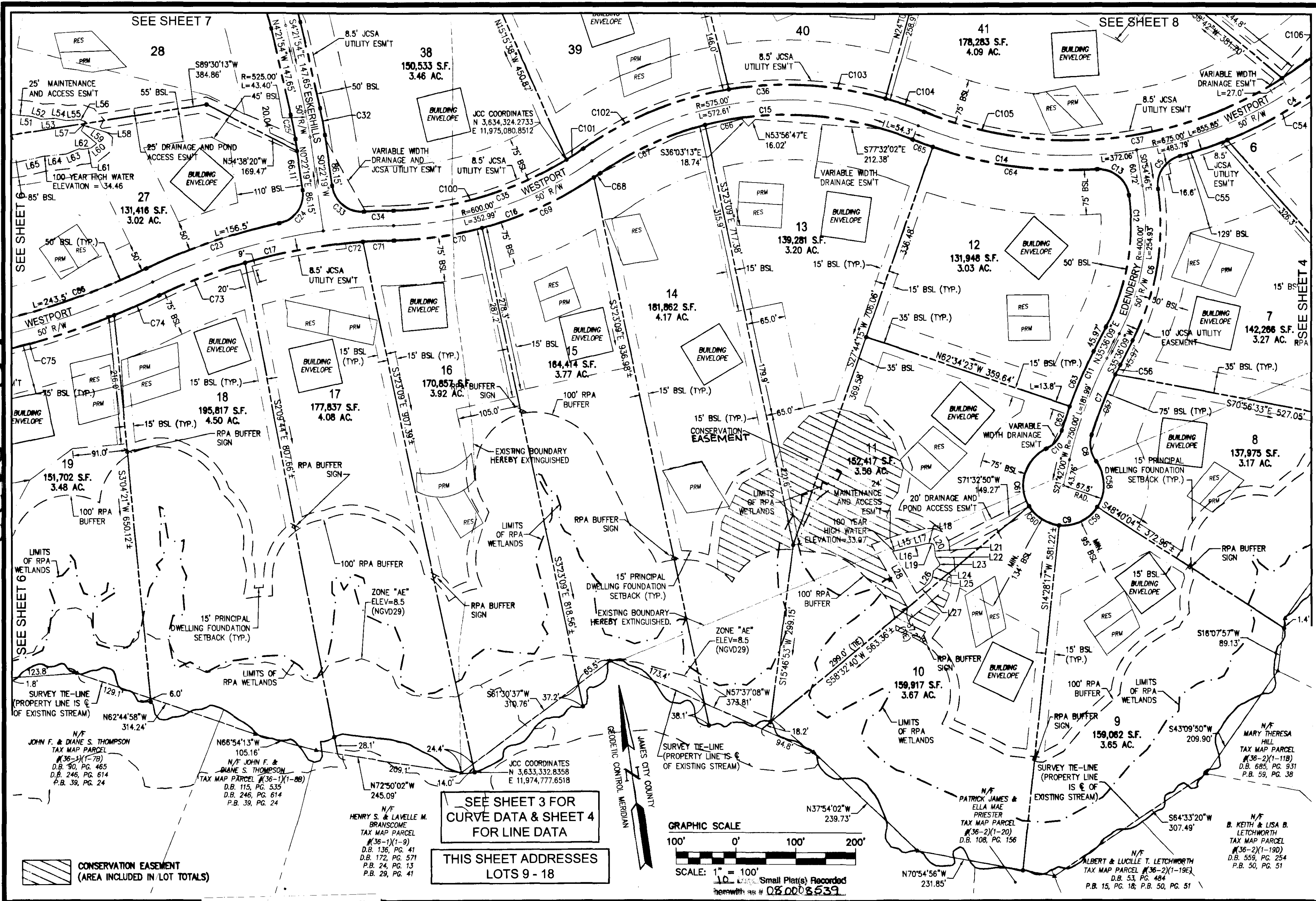
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Thomas C. Sublett
THOMAS C. SUBLETT
Lic. No. 1886
2/28/08
LAND SURVEYOR

4	2/28/08	REVISED PER COUNTY COMMENTS	JAG	AMC
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG	GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG	AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG	AWT
No.	DATE	REVISION / COMMENT / NOTE	REMOVED BY	REVIEWED BY

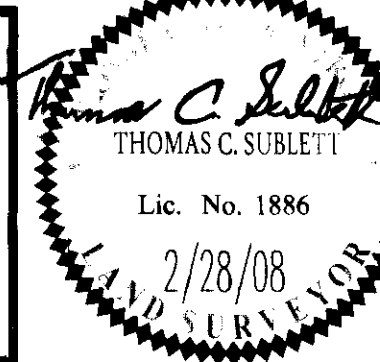
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Scale 1"=100'	Date 3/5/08
Project No. 5652-21	
Drawing No. 4 of 10	

080008539



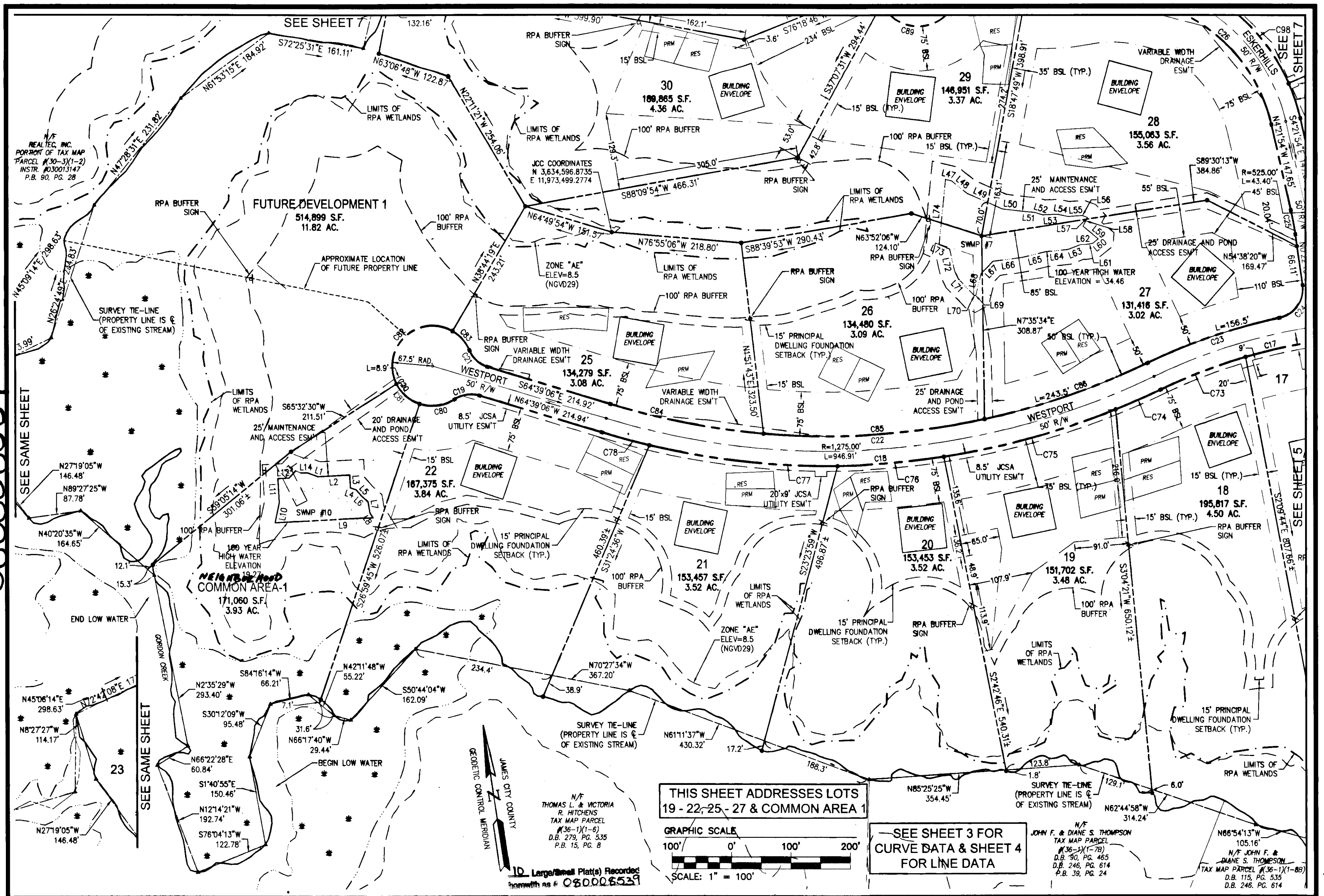
City of Williamsburg & County of James City
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 DOCUMENT # 080008539
 BETSY B. WOOLRIDGE, CLERK
 Betsy B. Woolridge, Clerk

PLAT OF SUBDIVISION
 LOTS 5 - 22; 25 - 47, SECTION XXXV
**FORD'S COLONY
 WILLIAMSBURG**
 POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA



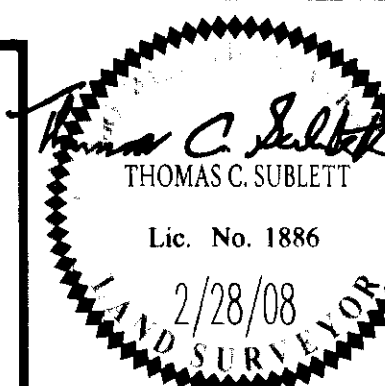
No.	DATE	REVISION / COMMENT / NOTE	REVIEWED BY	REVIEWED BY
4	2/28/08	REVISED PER COUNTY COMMENTS	JAG	AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG	GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG	AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG	AWT

Designed JAG	Drawn AES
Scale 1"=100'	Date 3/5/08
Project No. 5652-21	
Drawing No. 5 of 10	



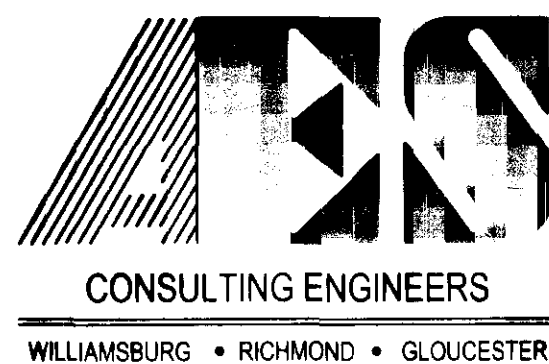
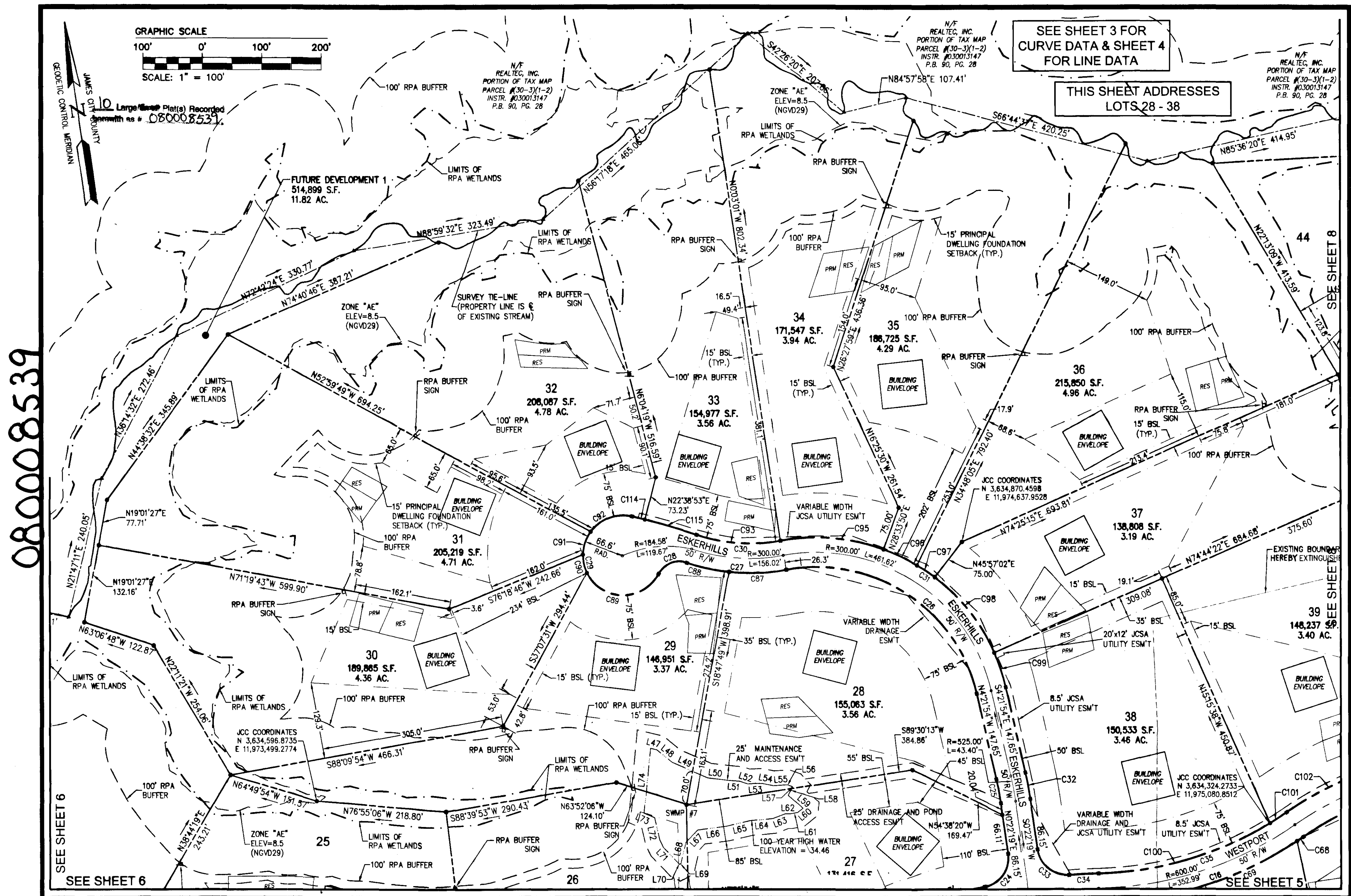
City of Williamsburg & County of James City
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BETSY B. WOOLRIDGE, CLERK
Betsy B. Woolridge Clerk

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA



4	2/28/08	REVISED PER COUNTY COMMENTS	JAG	AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG	GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG	AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG	AWT
No.	DATE	REVISION / COMMENT / NOTE	REVIEWED BY	REVIEWED BY

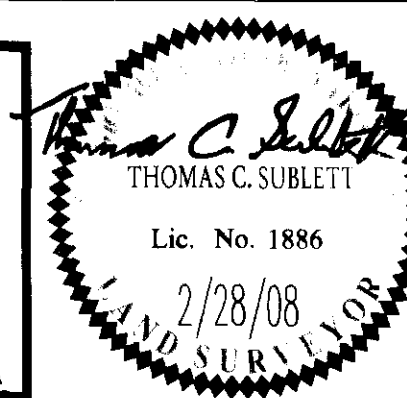
Designed JAG	Drawn AES
Scale 1"=100'	Date 3/5/08
Project No. 5652-21	
Drawing No. 6 of 10	



City of Williamsburg & County of James City
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PLAT OF SUBDIVISION
LOTS 5 - 22; 25 - 47, SECTION XXXV
FORD'S COLONY
WILLIAMSBURG

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA



4	2/28/08	REVISED PER COUNTY COMMENTS	JAG	AMR	
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG	GVC	
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG	AWT	
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG	AWT	
No.	DATE	REVISION / COMMENT / NOTE	REVISED BY	REVIEW BY	

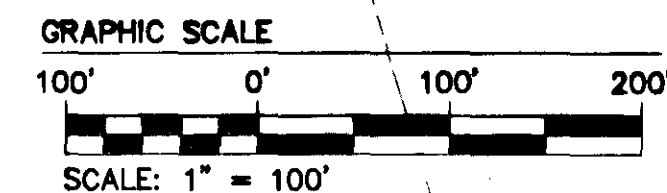
Designed JAG	Drawn AES
Scale 1"=100'	Date 3/5/08
Project No. 5652-21	
Drawing No. 7 of 10	

SEE SHEET 3 FOR
CURVE DATA & SHEET 4
FOR LINE DATA

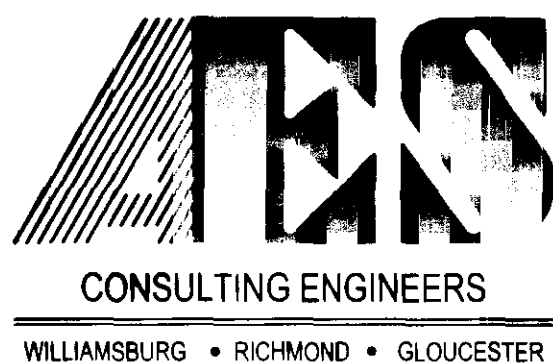
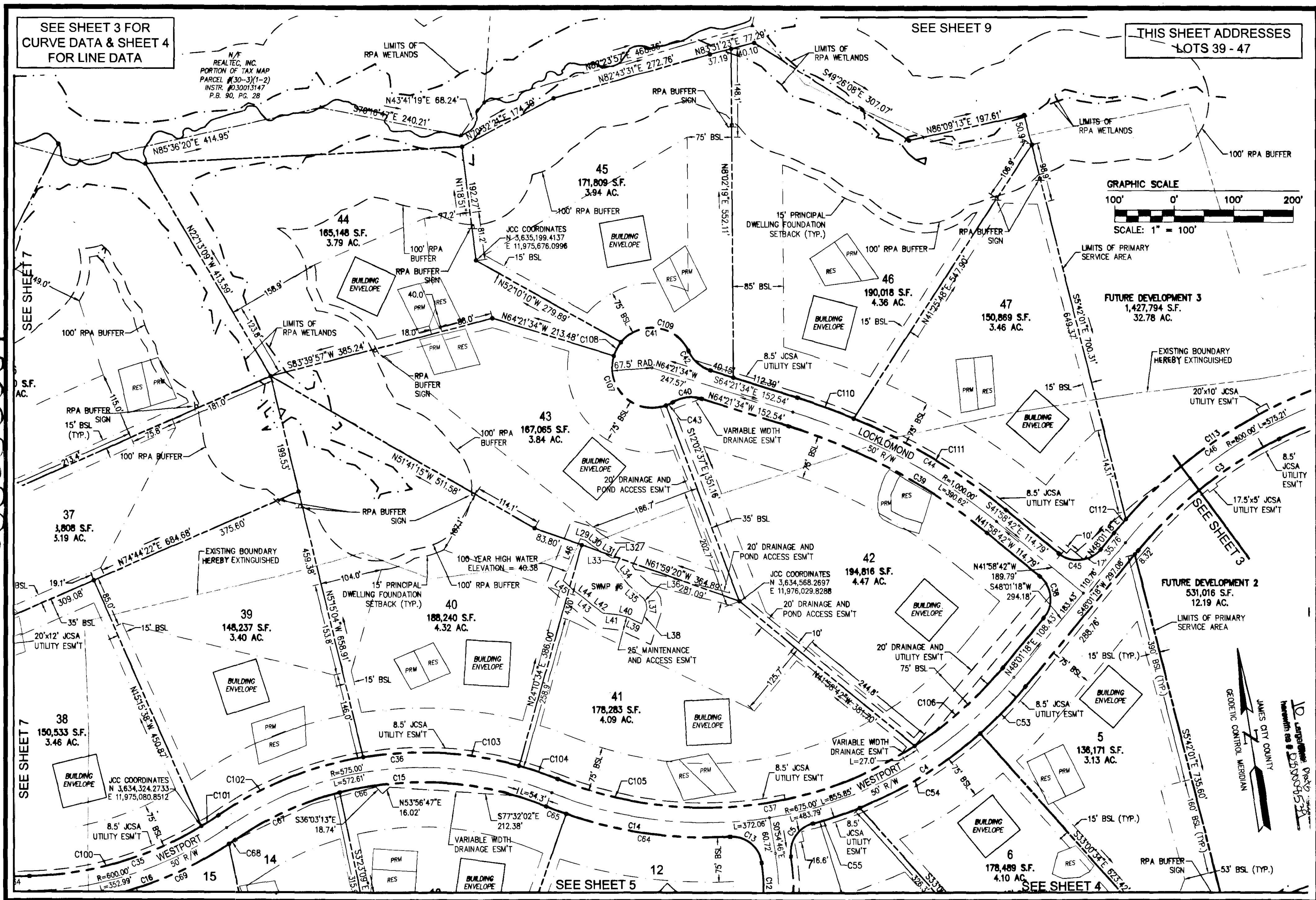
SEE SHEET 9

THIS SHEET ADDRESSES
LOTS 39 - 47

N/A
REALTEC, INC.
PORTION OF TAX MAP
PARCEL #30-3(1-2)
INSTR. #030013147
P.B. 90, PG. 28

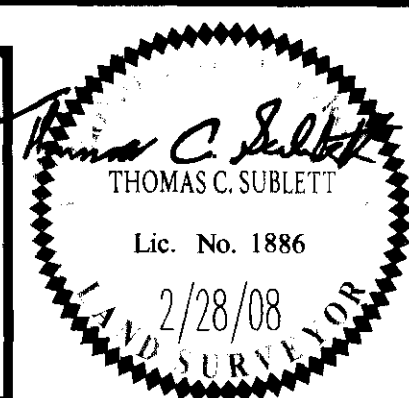


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City of Williamsburg & County of James City
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PLAT OF SUBDIVISION
LOTS 5 - 22; 25 - 47, SECTION XXXV
FORD'S COLONY
WILLIAMSBURG
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

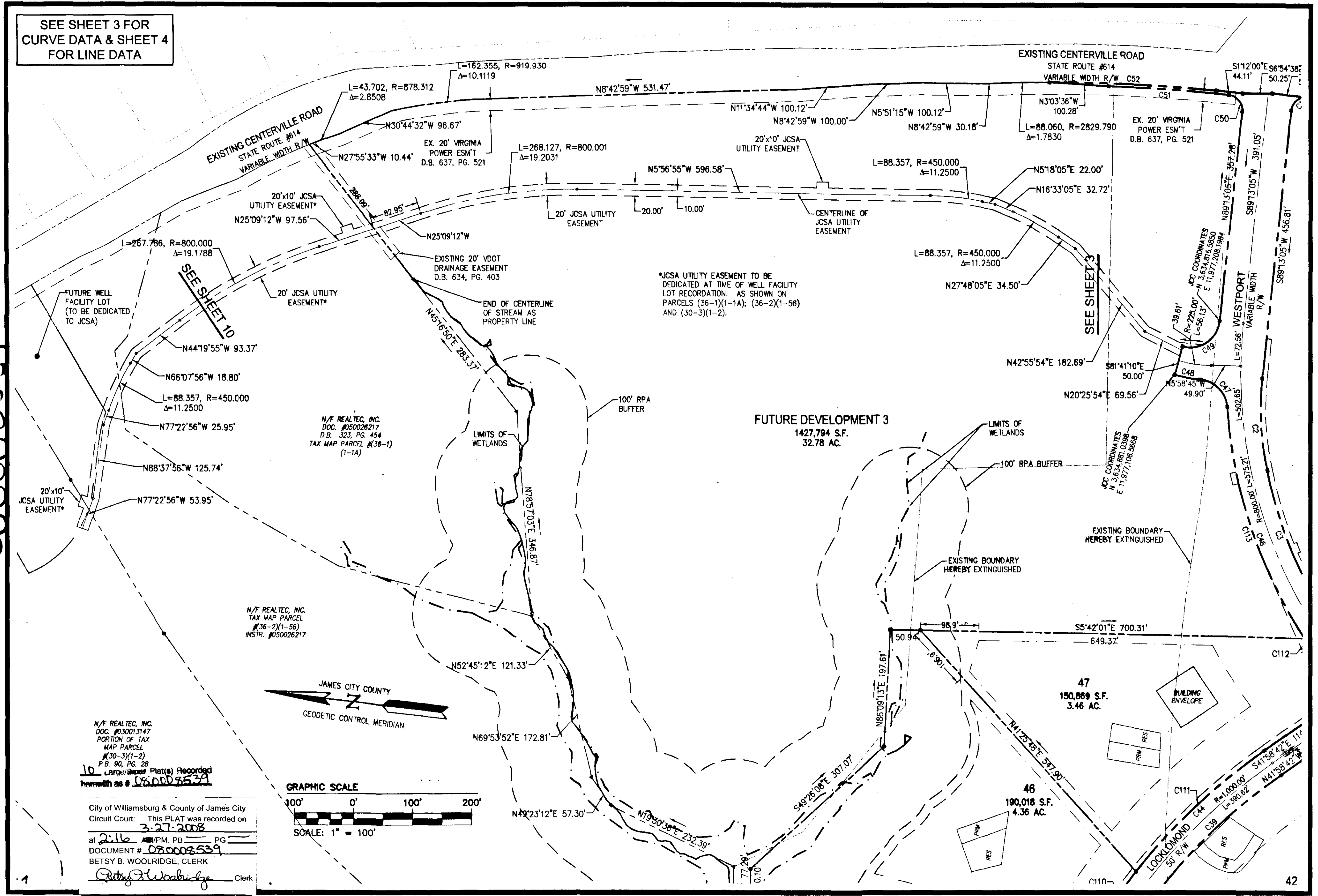


No.	DATE	REVISION / COMMENT / NOTE	REVIEWED BY
4	2/28/08	REVISED PER COUNTY COMMENTS	JAG AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG AWT

Designed JAG	Drawn AES
Scale 1"=100'	Date 3/5/08
Project No. 5652-21	
Drawing No. 8 of 10	

SEE SHEET 3 FOR
CURVE DATA & SHEET 4
FOR LINE DATA

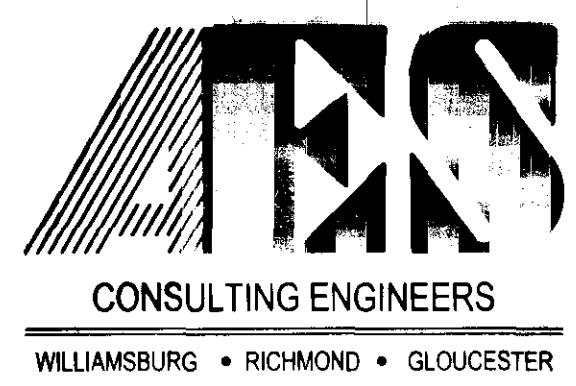
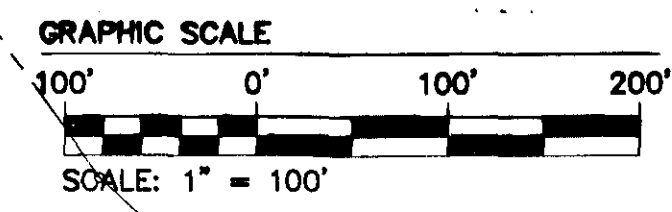
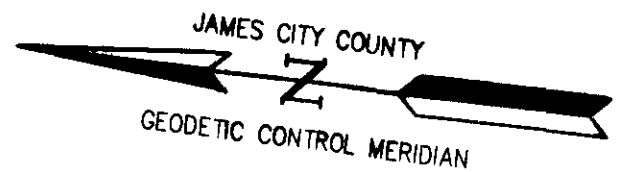
080008539



N/F REALTEC, INC.
DOC. #030013147
PORTION OF TAX
MAP PARCEL
#(30-3)(1-2)
P.B. 90, PG. 28
Large Plat(s) Recorded
herein as # 080008539

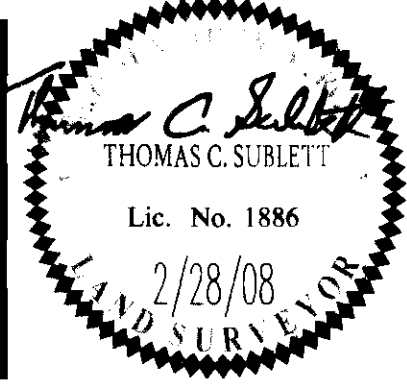
City of Williamsburg & County of James City
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at 2:16 P.M. PG. 1
DOCUMENT # 080008539
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Betsy B. Woolridge Clerk

N/F REALTEC, INC.
TAX MAP PARCEL
#(36-2)(1-56)
INSTR. #050026217



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Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8994

PLAT OF SUBDIVISION
LOTS 5 - 22; 25 - 47, SECTION XXXV
**FORD'S COLONY
WILLIAMSBURG**
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA



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4	2/28/08	REVISED PER COUNTY COMMENTS	JAG	AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG	GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG	AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG	AWT

Designed JAG	Drawn AES
Scale 1"=100'	Date 3/5/08
Project No. 5652-21	Drawing No. 9 of 10

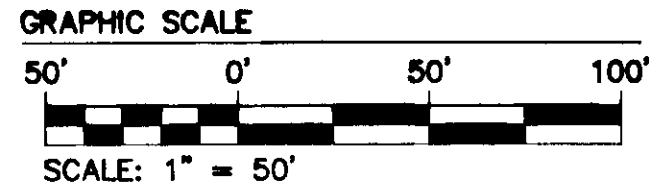
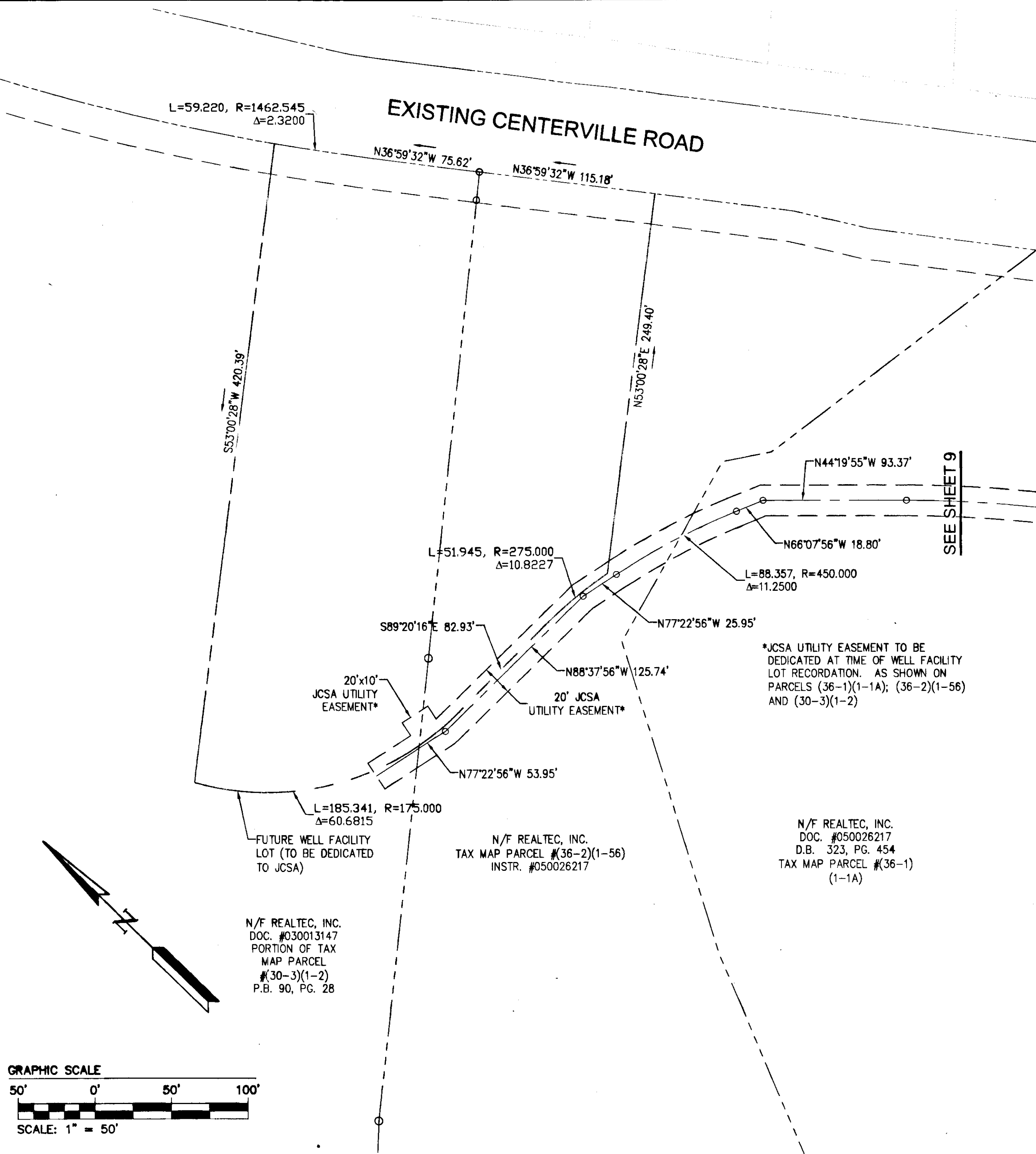
080008539

THIS SUBDIVISION IS APPROVED FOR INDIVIDUAL ONSITE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF VIRGINIA, AND THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (12 VAC 5-610-10 ET SEQ., THE "REGULATIONS").

THIS SUBDIVISION WAS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO 32.1-163.5 OF THE CODE OF VIRGINIA WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM AN AUTHORIZED ONSITE SOIL EVALUATOR (AOSE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AN AOSE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO PERFORM A FIELD CHECK OF SUCH EVALUATIONS. THIS SUBDIVISION WAS CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY: GREGORY T. MONNETT, AOSE #007. THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION.

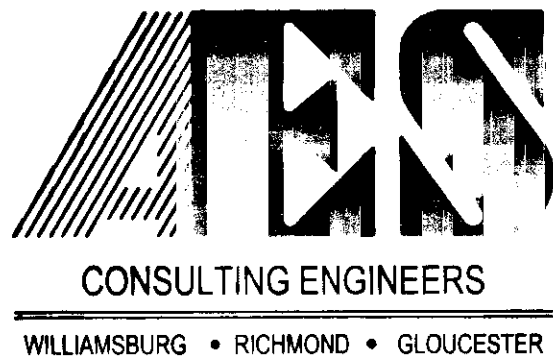
PURSUANT TO SECTION 380 OF THE REGULATIONS THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL SITE CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF THIS APPROVAL. THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE SYSTEMS.

THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THE CERTIFICATION THAT THE APPROVED LOTS ARE SUITABLE FOR GENERALLY APPROVED SYSTEMS, HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED. RESIDENTIAL SEWAGE FLOWS (BASED UPON THE NUMBER OF BEDROOMS PROPOSED) WILL BE DETERMINED AT THE TIME OF APPLICATION FOR INDIVIDUAL ONSITE SEWAGE DISPOSAL SYSTEM PERMITS AND THE DEPARTMENT'S PERMIT MAY DIFFER FROM THE CONSULTANT'S ABBREVIATED DESIGN PROPOSALS.



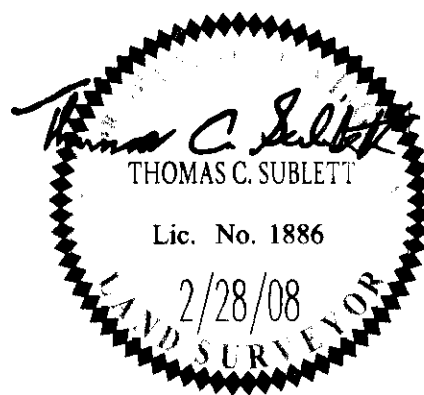
10 Large/Small Plat(s) Recorded
herewith as # 080008539

City of Williamsburg & County of James City
Circuit Court: This PLAT was recorded on
3-27-2008
at 2:16 PM, PG. 1
DOCUMENT # 080008539
BETSY B. WOOLRIDGE, CLERK
Betsy B. Woolridge Clerk



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8994

PLAT OF SUBDIVISION
LOTS 5 - 22; 25 - 47, SECTION XXXV
FORD'S COLONY
@ WILLIAMSBURG
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA



No.	DATE	REVISION / COMMENT / NOTE	BY
4	2/28/08	REVISED PER COUNTY COMMENTS	JAG AMR
3	2/15/08	REVISED PER COUNTY COMMENTS	JAG GVC
2	8/9/07	REVISED PER COUNTY COMMENTS	JAG AWT
1	1/24/07	REVISED PER COUNTY COMMENTS	JAG AWT

Designed JAG	Drawn AES
Scale 1"=50'	Date 3/5/08
Project No. 5652-21	
Drawing No. 10 of 10	

**Approved Minutes of the December 6, 2023,
Planning Commission Regular Meeting**

SUP-23-0022. Westport Subdivision and SUP-23-0023. Liberty Ridge James City Service Authority Water System Tie-Ins

Mr. Polster stated Item Nos. 2 and 3 would be a combination of the Special Use Permits (SUPs) with four votes per application. He noted the votes would be for consistency and approval.

Mr. Thomas Wysong, Principal Planner, addressed the Commission with details of the SUPs. He noted Ms. Karlyn Owens had applied on behalf of the James City Service Authority (JCSA) for two water main connections within the Westport and Liberty Ridge subdivisions, respectively. Mr. Wysong stated the two current, independent well systems would then be connected to JCSA's central system for efficiencies and streamlined permitting. He noted the proposed location of both water main extensions was outside the Primary Service Area (PSA). Mr. Wysong referenced the 2045 Comprehensive Plan and the County's Utility Policy which both strongly discouraged utility expansion outside the PSA. He noted that based on the criteria, Planning staff did not recommend approval of either application. Mr. Wysong referenced the Code of Virginia Section 15.2-2232 and the role of the Planning Commission in its determination of a location deemed to be substantially consistent with the 2045 Comprehensive Plan. He cited the water main locations would be outside the PSA thus preventing consistency. Mr. Wysong noted if the Commission recommended approval of both applications to the Board of Supervisors, then proposed conditions were included to ensure utility expansion limitations. He further noted he was available for questions and a presentation by JCSA would follow.

The Commission requested the JCSA presentation prior to any questions.

Mr. Doug Powell, General Manager, JCSA, addressed the Commission adding he was joined by JCSA's Chief Water Engineer, Mr. Mike Youshock, and Water Engineer, Ms. Karlyn Owens.

Mr. Powell noted he would also address both applications together. He stated that while the applications' circumstances were unique, the benefits to JCSA customers were significant and important. Mr. Powell highlighted JCSA's water system which was comprised of a central system in the PowerPoint presentation. He noted the locations of the eight independent systems, all outside the PSA, of which Liberty Ridge and Westport were included in the presentation.

Mr. Powell noted these two independent systems were directly adjacent to both the central system and the PSA along Centerville Road. He added these systems were the focal point of the SUPs. Mr. Powell continued the presentation detailing the connection process for both locations. He presented the timeline and rationale for the SUP requests. Mr. Powell noted that in considering the SUP applications, utilities already existed outside the PSA in these areas. He added that both subdivisions were already served by public water systems that JCSA owned and operated. Mr.

Powell stated if the SUPs were approved with staff's conditions, no other lots would be able to connect to JCSA's water line unless platted without an SUP amendment. He added that JCSA felt sufficient public benefit existed in these SUP cases thus the project proposal. Mr. Powell cited several benefits in the presentation.

Mr. Polster asked the Commission if there were any questions for staff or the applicant. Mr. Krapf asked Mr. Powell if each subdivision operated on its own central well.

Mr. Powell confirmed yes.

Mr. Krapf questioned the timeline expectation on the central well failures.

Mr. Powell noted both of the wells were fairly new facilities. He added the facilities were oversized as a source of fire protection for the subdivisions. Mr. Powell noted both subdivisions had also not built out to the original projections. He stated the inclusion of those wells into the central system was based on the good condition of both wells.

Mr. Krapf referenced the County's eight independent systems and the connection of these two systems. He questioned if a precedent for connection of the remaining six independent systems would be established in relation to the central system.

Mr. Powell referenced the map in the presentation which showed the other systems further away from the PSA. He added Westport and Liberty Ridge were the only two independent systems close to the PSA. Mr. Powell noted proximity was a benefit but was a prohibitive factor with the other ones. He further noted the other older, smaller wells would not support the central system as effectively.

Mr. Polster addressed questions regarding independent wells during the Comprehensive Plan process in reference to independent wells and a County Subdivision Ordinance which required those systems to be under JCSA maintenance. He addressed costs, overall County water capacity, and other factors.

Mr. Powell noted JCSA operated under two separate permits. He stated increased water capacity could possibly be addressed with the Virginia Department of Health permit. Mr. Powell noted with the Department of Environmental Quality (DEQ) permit there were no guarantees the increase would allow for more water withdrawal.

Mr. O'Connor questioned a 2022 Master Plan revision for Chickahominy Riverfront Park for consideration of a potential water plant.

Mr. Powell confirmed yes.

Mr. O'Connor noted that was a far-reaching future plan. He questioned if this point would benefit these communities with a surface water connection versus a well. Mr. O'Connor asked if there was a future water distribution benefit which would also allow the wells to then be taken offline if an alternative water source was available.

Mr. Powell sought clarification on the question. He noted the capacity would not be needed if a surface water source was available from the Chickahominy River. Mr. Powell stated that was a point for future consideration, but he could not commit presently.

Mr. O'Connor agreed, adding he was referring to long-term plans. He thanked Mr. Powell.

Mr. Rose noted the benefits presented but questioned possible downtime during the connection process.

Mr. Powell responded none from his prospective. He noted from JCSA's perspective there were significant health safety and operational benefits, but no downside.

Mr. Polster referenced Mr. O'Connor's point but questioned if the water source came from Newport News would the wells be able to be taken offline.

Mr. Powell responded if water was purchased from Newport News, it would not be more than needed. He added if water was to be purchased from another entity, JCSA would want to maintain the maximum capacity with its current system.

Mr. Polster noted it would be at a cheaper rate. Mr. Powell confirmed yes.

Mr. Haldeman noted there was no longer a central well requirement in the rural lands. Mr. Powell confirmed yes.

Mr. Haldeman stated the connection of the central well to growth management was no longer valid. He asked if these two neighborhoods were currently being proposed then the need for a central well requirement would not exist and the neighborhoods could hook to JCSA directly.

Mr. Powell stated he would let Planning staff address that question.

Mr. Wysong noted the neighborhoods would be required to meet the minimum lot size therefore the design itself would not take place. He added with the Ordinance amendment, a well per individual lot would be required.

Mr. Haldeman thanked Mr. Wysong.

Mr. Rodgers noted he had a question for Mr. Wysong. He referenced the map and asked if the large land area behind the two neighborhoods, which was adjacent also to land in the PSA, could be considered for future development and connection to JCSA's public water.

Mr. Wysong asked generally or connecting through the well facilities.

Mr. Rodgers noted concern by granting this exception outside the PSA, but still trying to maintain a policy of growth within the PSA. He questioned if more Liberty Ridges and/or Westports would occupy that land.

Mr. Wysong noted outside the PSA that land was zoned agricultural. He stated development would require an SUP. Mr. Wysong reiterated the County's Utility Policy's language which strongly discouraged any connection outside the PSA. He noted despite small connections, Planning staff adhered to the policy that any connection outside the PSA would not be recommended. Mr. Wysong stated a process existed if development potential arose for that land which would involve the Planning Commission and the Board of Supervisors evaluating the request.

Mr. Polster referenced a former County Ordinance which required a major subdivision to have a central well, and if so, the well became JCSA's responsibility. He added that Ordinance was no longer in place.

Mr. Wysong confirmed that had been a previous requirement for a central well in a by-right major subdivision. He added that Ordinance was amended to disallow that requirement.

Mr. Polster noted Colonial Heritage and another development had received approval outside the PSA on Centerville Road with an SUP before the Board of Supervisors. He stated the likelihood of development had happened previously.

Mr. Wysong confirmed extension approvals had occurred in the past.

Mr. O'Connor referenced the map and noted the PSA line was not being redrawn. Mr. Wysong confirmed that was correct.

Mr. O'Connor noted the PSA was not being changed, but rather the use of a utility which was beneficial to all County citizens.

Mr. Polster opened the Public Hearing as the Commissioners had no further questions or comments.

Mr. Wade Vaughn, 3464 Westport, questioned water pressure and possible problems with a connection for two different communities on two separate wells. He questioned possible water quality concerns and the impact when Well 4 (W-4) was removed as highlighted earlier in the presentation.

Mr. Polster thanked Mr. Vaughn, adding he could address those concerns with Mr. Powell. As there were no other speakers, Mr. Polster closed the Public Hearing.

Mr. Krapf noted he had voted in favor of connections outside the PSA previously with those decisions made primarily on safety and health concerns. He referenced the benefits of cost savings and efficiency were major points in this application. Mr. Krapf noted that while the PSA line was not changing with this request, he had concerns that a precedent was being set with approval. He questioned the likelihood of a future request for the remaining six wells to also have online capability. Mr. Krapf noted a great deal of detail had been incorporated into the Comprehensive Plan to address utilities expansion and preservation of land outside the PSA. He stated if the central wells at both locations were robust and showing no signs of failure, he cautioned the potential domino effect as referenced by Mr. Rodgers. Mr. Krapf stated his concern for a precedent being set, adding he was not in support of both requests.

Mr. Haldeman referenced the former central well requirement that discouraged development outside the PSA was the cost of drilling the well. He noted the cost was over \$1 million each in 2005-2006. Mr. Haldeman stated if that requirement was still in place, the developer would be responsible for that cost. He noted the remaining six well locations in relation to operational efficiency which would no longer be applicable. He added the health and safety component could allow for an SUP to be considered. Mr. Haldeman noted his support of the applications, adding he felt the SUPs were favorable for citizens and not a development threat.

Ms. Null referenced a case from two years earlier when a case was not approved. She noted the developer wanted the PSA extended and was denied for these same listed reasons. Ms. Null stated the location was on Bush Springs Road and while the approval was beneficial for the developer, it was not for residents on Bush Springs Road. She noted these two applications benefited both citizens and JCSA and she supported the SUPs.

Mr. O'Connor concurred with Mr. Haldeman, adding there were numerous benefits to the County and JCSA.

Mr. Rose indicated he had no comment.

Mr. Rodgers indicated he was not in support.

Mr. Polster reiterated Mr. Krapf's point on the PSA and the growth policy aspect and referenced the health aspect of the Centerville Road trailer park case. He noted the Comprehensive Plan and the PSA Policy for growth control and four key points. Mr. Polster cited two of those points regarding the efficiency of public utilities and the assurance of such facilities and services when and where needed. He noted the availability of water and how the applications were positives for the overall system with long-term benefits for citizens. Mr. Polster stated he would vote in favor of the SUPs.

Mr. Polster sought a motion on the first SUP. He added four motions would be needed.

Mr. Haldeman recommended approval of SUP-23-0022 with attached conditions.

Mr. Polster noted the consistency motion should be addressed first.

Mr. Haldeman made the motion to recommend SUP-23-0022. Westport was consistent with the 2045 Comprehensive Plan.

On a roll call vote, the Commission voted to recommend approval. (5-2)

Mr. Haldeman made the motion to recommend approval of SUP-23-0022. Westport tie-in with conditions.

On a roll call vote, the Commission voted to recommend approval. (5-2)

Mr. Polster sought a motion for consistency on SUP-23-0023. Liberty Ridge.

Mr. O'Connor made the motion to find SUP-23-0023 consistent with the adopted 2045 Comprehensive Plan.

On a roll call vote, the Commission voted to recommend approval. (5-2)

Mr. O'Connor made the motion on SUP-23-0023 that the Planning Commission recommended approval to the Board of Supervisors.

On a roll call vote, the Commission voted to recommend approval. (5-2)

**SPECIAL USE PERMIT-23-0023. Liberty Ridge Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

SUMMARY FACTS

Applicant:	Ms. Karlyn Owens
Landowner:	James City Service Authority (JCSA)
Proposal:	To install approximately 630 feet of a water main to connect the independent water system for the Liberty Ridge neighborhood to the central JCSA system.
Location:	5207 Colonnade Parkway
Tax Map/Parcel No.:	3030300001A Mallory Place Right-of-Way
Project Acreage:	± 1.91 acres
Current Zoning:	A-1, General Agricultural
Comprehensive Plan:	Rural Lands
Primary Service Area (PSA)	Outside
Staff Contact:	Terry Costello, Senior Planner

PUBLIC HEARING DATES

Planning Commission:	December 6, 2023, 6:00 p.m.
Board of Supervisors:	February 13, 2024, 5:00 p.m.

FACTORS FAVORABLE

1. Should this application be approved, staff finds the proposed conditions would mitigate potential impacts and prevent further expansion of public water and sewer outside of the County's designated growth area.
2. Impacts: See Impact Analysis on Page 6.

FACTORS UNFAVORABLE

1. The proposed installation of the water main located outside the PSA is inconsistent with the County's Utility Policy and the growth management principles within the adopted 2045 Comprehensive Plan.
2. Impacts: See Impact Analysis on Page 6.

SUMMARY STAFF RECOMMENDATION

Staff finds that the extension of a public utility outside the PSA is inconsistent with the Land Use Goals, Strategies, and Actions of the Comprehensive Plan and the Public Utilities Policy adopted as part of the Comprehensive Plan. Approval of this application may also set a precedent for similarly situated independent water systems and properties outside the PSA where property owners seek connections to nearby public utilities regardless of cost or need, especially along Centerville Road. Such precedent may have the effect of weakening or artificially expanding the PSA and undermines the County's ability to have a credible basis with which to deny any future applications. Due to inconsistency with the adopted 2045 Comprehensive Plan staff is unable to recommend approval of this application.

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.

**SPECIAL USE PERMIT-23-0023. Liberty Ridge Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

PLANNING COMMISSION RECOMMENDATION

At its December 6, 2023, meeting, the Planning Commission approved, by a vote of 5-2, a resolution to find the proposal consistent with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (Attachment No. 4). Also, the Planning Commission voted to recommend approval of this Special Use Permit (SUP) application by a vote of 5-2.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

This proposal is to install approximately 630 feet of a new 12-inch water main within the Mallory Place right-of-way. The purpose of this installation is to connect the central well system serving the Liberty Ridge neighborhood to the main JCSA system (Attachment No. 3).

JCSA has requested to connect this facility, which is currently operated and owned by JCSA, to the broader system for several reasons. For context, JCSA is nearing completion of a \$2.1 million construction project to add zinc orthophosphate at six remote well facilities (zinc orthophosphate is used for corrosion inhibition). The initial design for the project included the addition of zinc orthophosphate at a seventh well facility, JCSA's Pottery Well Facility (designated as W-4 Facility).

The Pottery Well Facility needs rehabilitation to address structural damage to the storage tank as well as removal of an old fire pump system. In addition, the Pottery Well Facility has other long-term reliability and access issues. By connecting Westport and Liberty

Ridge at this time, JCSA will have adequate capacity in the central system to take the Pottery Well Facility offline, saving a significant amount of money on rehabilitation, and eliminating the need for a \$350,000 investment in a corrosion control feed system for the Pottery Well Facility. Furthermore, this connection provides a health and safety benefit to customers because of increased system reliability and increased available fire flows.

Per JCSA, the following benefits will result from permitting this connection:

- Additional redundancy and available fire flows for Liberty Ridge and Westport.
- Two fewer Department of Environmental Quality (DEQ) groundwater permits to maintain and a reduction in reporting to DEQ.
- Adding the Westport and Liberty Ridge systems is expected to increase the Virginia Department of Health permitted capacity. This would result in two fewer permits to manage and would streamline sampling and reporting requirements.
- Water from Westport and Liberty Ridge is less costly to produce compared to the water at the Five Forks Water Treatment Plant (FFWTP) and will reduce the load on the FFWTP.
- Will allow JCSA to remove the W-4 Facility from service, eliminating significant investment in rehabilitation.

If the application is not approved, JCSA will continue to operate the system as is and be required to rehabilitate the Pottery Well Facility. The central system can remain. If approved, the piping work will be entirely within the Virginia Department of Transportation right-of-way and outages will be minimal. When construction is complete and the tie-in is made, there may be a partial day outage for some customers.

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.

PLANNING AND ZONING HISTORY

The Liberty Ridge is a “by-right” major subdivision that has been in the process of development since the early 2000s and has a conceptual final build-out of 139 lots. Since 2005, the design for Liberty Ridge has been reviewed by the County’s staff, Development Review Committee, and Planning Commission. Since this is a major subdivision located outside of the PSA, it is required to have an independent water system serving its lots.

The independent water system serving Liberty Ridge is permitted for 139 residential lots, a clubhouse, and a community pool. Approximately 64 lots have been platted within the subdivision, with the independent water system serving 35 residential connections as of April 2020, though several units appear to have been constructed since then. Staff is not aware of any proposals to pursue the platting of the remaining lots within the well capacity.

The independent water system consists of two production wells, two booster pumps for domestic use, two high-service pumps for fire flows, a hydropneumatics (pressure) tank, ground storage tanks, chemical feed system (disinfection), emergency generator, building, electrical components, and distribution piping.

SURROUNDING ZONING AND DEVELOPMENT

- North, South, and West: A-1, General Agricultural, including the platted Westport subdivision.
- East: D.J. Montague Elementary School, zoned Public Lands, and the existing Ford’s Colony development, zoned R-4, Residential Planned Community, are located on the other side of Centerville Road.

2045 COMPREHENSIVE PLAN

A minority of the area for the proposed installation of the water main is designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. Recommended primary uses for Low Density Residential include single-family and multifamily units, accessory units, cluster housing, and recreation areas.

A portion of the installation area is located outside of the PSA and is designated Rural Lands on the 2045 Comprehensive Plan Land Use Map, where a lower level of public service delivery exists or where utilities and urban services do not exist and are not planned for in the future. Recommended primary uses for Rural Lands include agricultural and forestal activities, agri-tourism, rural-support businesses, and certain commercial uses which require very low-intensity settings. Residential development is not a recommended use and is discouraged outside the PSA in the Rural Lands.

The County’s Utility Policy strongly discourages utility extensions outside of the PSA. Extensions of water and sewer facilities outside of the PSA have predominantly served a significant public purpose, addressed health and safety situations for existing communities, or improved utility service inside the PSA.

The PSA Policy is James City County’s long-standing principal tool for managing growth. As a growth management tool, it attempts to direct growth in one area (where public facilities and services are planned) and away from another (where the majority of agricultural and forestal activities occur). The PSA, first established in 1975, utilizes many of the same principles as Urban Growth Boundaries or Urban Service Areas found in other localities. They are all concepts for promoting growth in a defined geographical area in order to accomplish the following goals:

**SPECIAL USE PERMIT-23-0023. Liberty Ridge Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

- To encourage efficient utilization of public facilities and services (water and sewer, roadways, schools, fire and police stations, libraries, etc.);
- To help ensure such facilities and services are available where and when needed;
- To increase public benefit per dollar spent;
- To promote public health and safety through improved emergency response time;
- To minimize well and septic failures; and
- To preserve rural lands.

The PSA is most effective when it is tied to the provision of public utilities. Connecting developments to public utilities facilitates development and increases the need for associated peripheral uses. Extending utilities to the rural lands encourages previously farmed or forested lands to convert to development. Development pressures could entice more rural landowners into selling their lands, which could increase the pace of development and increase the amount of forest and farmland developed.

The effectiveness of the PSA as a policy tool is affected as more housing and amenities are allowed. More intensive expansion outside the PSA boundary creates a need for additional core services, such as health facilities, supermarkets, post offices, and so forth. While the County does not necessarily directly bear the cost of providing these types of services, there are indirect effects: the new services require staffing, which brings traffic to the Rural Lands; the creation of new businesses and services in the Rural Lands increases the demand for new housing. As more new houses are built, the demand for

businesses, services, and amenities increases, creating a cycle of “providing amenities leading to demanding additional amenities.” The net effect of this cycle is that the PSA boundary could quickly become an ineffectual way of controlling or limiting growth.

Any extension of utilities beyond the PSA boundary is essentially an artificial expansion of the PSA. The incremental expansion of public utilities outside the PSA undermines the County’s growth management efforts. Should this application be approved, a precedent may be set and the County would lack a credible basis to deny any future applications. This undermines the County’s ability to ensure growth proceeds in a logical and orderly fashion.

Examples of Previously Approved Water and Sewer Extensions Outside the PSA

One of the basic legal tenets of land use planning is that similarly situated parcels must be treated similarly. For this reason, allowing any extension of public utilities outside the PSA must be carefully considered to avoid setting a precedent for other landowners to make a similar request. During the 2009 update, the County’s land use consultant recommended if the Board elects to expand the PSA or allow for a utility extension outside the PSA, it should outline the unique reasons why such an extension is appropriate for a particular site and what public purpose is met by the extension. Furthermore, the consultant stated utility extensions for environmental or health reasons or to serve public facilities will generally have the least potential to weaken the PSA concept, while extensions for economic development or to encourage a specific private development have greater potential to weaken the PSA concept more because they can be extended more generally to adjacent, similarly situated properties.

The Board has often followed this guidance. The following are specific examples where utility lines were extended outside the PSA for a public purpose or for a health issue:

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.

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Jolly Pond Road Water and Sewer Extension - This extension was to serve Lois S. Hornsby Middle School and J. Blaine Blayton Elementary School. This is an example of an extension to serve a public benefit.

Brick Bat Road Water and Sewer Extension - This extension was to serve Matoaka Elementary School. This is an example of an extension to serve a public benefit.

Greensprings Mobile Home Park - In this instance, the mobile home park's aging septic system was failing. This is an example of extending service to address a public health, safety, and welfare issue.

Riverview Plantation - This extension was approved to address a failing water system within the development that was maintained by the JCSEA. This is an example of extending service for a public health issue.

Chickahominy Road - The intent of constructing the lines was to improve the quality of housing and living conditions for the existing residents of that area, many of whom did not have indoor plumbing. This extension was also to help protect the reservoir from aging septic systems.

Cranston's Mill Pond Road - This transmission line was constructed to connect to the Jolly Pond Road line. This loop provided the Centerville Road area with a more reliable water source.

In the instances mentioned above, the Board made the judgment that sufficient and significant public benefit existed to permit extensions of public utilities to occur outside the PSA, with minimal impact due to limitations placed on additional connections to the utilities. This rationale is consistent with the consultant's recommendations.

For this current request and application, should the Board of Supervisors find that a sufficient and significant public benefit exists to permit an extension outside of public utilities outside the PSA, with minimal impact due to limitations placed on additional connections to the utilities, staff has proposed SUP conditions to prohibit further extension of public water and sewer into the portions of the parcels designated for Rural Lands.

FINDING OF CONSISTENCY

Section 15.2-2232 of the Code of Virginia states, in part, that no public facility be allowed unless the Planning Commission finds the location of the facility "substantially" consistent with the adopted 2045 Comprehensive Plan. As previously stated, the proposed location of the water main includes installation located outside the PSA, which prevents this proposal from being substantially consistent from the staff's perspective. At its December 6, 2023, meeting, the Planning Commission approved, by a vote of 5-2, a resolution to find the proposal consistent with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia.

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.

SPECIAL USE PERMIT-23-0023. Liberty Ridge Subdivision Tie-In to James City Service Authority
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Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	- No transportation improvements are required.
<u>Public Transportation: Pedestrian/Bicycle</u>	<u>No Mitigation Required</u>	- Pedestrian/bicycle accommodations are not necessitated because of this proposed use.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
<u>Public Schools</u>	<u>No Mitigation Required</u>	- The proposal is not expected to generate any schoolchildren.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- The proposal is not expected to generate any impacts to public parks and recreation.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to groundwater and drinking water resources.
<u>Watersheds, Streams, and Reservoirs</u>	<u>No Mitigation Required</u>	- The proposed infrastructure is not expected to impact the Resource Protection Area or wetlands.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- The proposed infrastructure is not located within any identified historic or cultural resources.
<u>Nearby and Surrounding Properties</u>	<u>No Mitigation Required</u>	- The proposal is not anticipated to impact neighboring properties. Proposed Condition No. 1 prohibits public water and sewer from being extended into the parcels designated Rural Lands. This condition is anticipated to protect the character of the Rural Lands portion of the properties.
<u>Community Character</u>	<u>Mitigated</u>	
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	- The applicant has verified that she is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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.

**SPECIAL USE PERMIT-23-0023. Liberty Ridge Subdivision Tie-In to James City Service Authority
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

PROPOSED SUP CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Overall, staff finds the proposal to be inconsistent with the County's adopted Comprehensive Plan. As such, staff is unable to recommend approval of this application to the Board of Supervisors. Should the Board of Supervisors approve this application, staff has included proposed conditions to mitigate impacts, as well as a consistency determination resolution finding it substantially in accord with the adopted Comprehensive Plan as Attachment No. 4.

TC/md
SP23-23_LibRidge

Attachments:

1. Resolution
2. Location Map
3. Community Impact Statement and Master Plan
4. Resolution Finding the Application Consistent with the Adopted Comprehensive Plan, per Section 15.2-2232
5. James City County Utility Policy
6. Approved Minutes from the December 6, 2023, Planning Commission Meeting

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.

RESOLUTION

CASE NO. SUP-23-0023. LIBERTY RIDGE SUBDIVISION TIE-IN

TO JAMES CITY SERVICE AUTHORITY

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

WHEREAS, Ms. Karlyn Owens of the James City Service Authority (JCSA), has applied for an SUP to allow for the installation of a water main to connect the existing independent water system for the Liberty Ridge Subdivision to public water as part of the central JCSA system. The central well is located at 5207 Colonnade Parkway, and further identified as James City County Real Estate Tax Map Parcel No. 3030300001A (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on December 6, 2023, recommended approval of Case No. SUP-23-0023 by a vote of 5-2; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-23-0023; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-23-0023 as described herein with the following conditions:

1. Master Plan. This Special Use Permit (the "SUP") shall be valid for the installation of a water main with a diameter of three (3) inches or greater within the Mallory Place right-of-way. Development of the Property shall require a site plan and shall be generally in accordance with the Master Plan entitled "JCSA Master Plan" prepared by JCSA, dated November 15, 2023 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the James City County Zoning Ordinance, as amended.
2. Connections Outside of the Primary Service Area (PSA). No connections shall be made to the existing water system located in the Liberty Ridge Subdivision, including its connections to Well Facility W-39, which would serve any property located outside the PSA with the exception of one connection no larger than a 1-1/4-inch service line for each platted lot in the Liberty Ridge Subdivision, recorded in the James City County Circuit Court Clerk's Office as of December 1, 2023.
3. Construction Hours. The hours of construction shall be limited to daylight hours, Monday through Friday.
4. Commencement. Final approval of the site plan shall be obtained within 24 months of issuance of this SUP or the SUP shall become void.

5. Severability. The SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

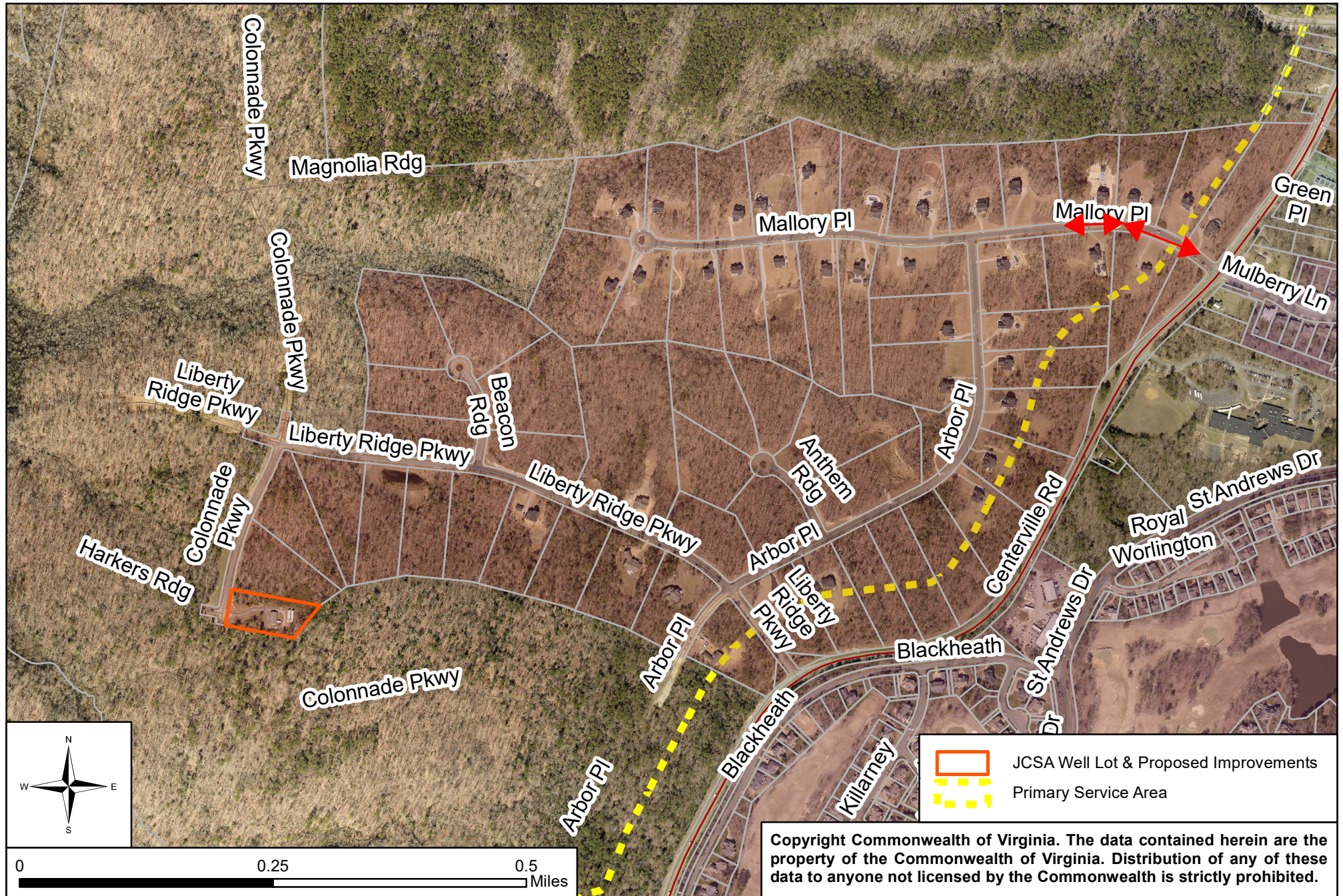
Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

		VOTES				
		<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	
	NULL	_____	_____	_____	_____	
_____ Teresa J. Saeed	HIPPLE	_____	_____	_____	_____	
Deputy Clerk to the Board	MCGLENNON	_____	_____	_____	_____	
	ICENHOUR	_____	_____	_____	_____	
	LARSON	_____	_____	_____	_____	

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of February, 2024.

SUP23-23LibRidge-res





Community Impact Statement for Connection of Liberty Ridge Independent System to JCSA Central Water System

June 22, 2023

Project Need and Background:

JCSA's water system consists of a larger Central System that provides water service mostly inside of the Primary Service Area (PSA), and 8 smaller independent water systems that serve developments outside of the PSA. Due to the limited number of customers served by independent water systems, and the complex nature of the facilities required to serve these developments, these water systems generally operate at a loss and cannot be financially supported by the limited customer base alone. Recent changes to County land development ordinances limit the potential for future independent water systems.

As part of a review of the Central System water treatment facility needs, JCSA staff has identified potential benefits of combining the Liberty Ridge and Westport independent well facilities with the Central System. The Liberty Ridge and Westport systems are located in close proximity to the Central System. Connecting these independent systems to the Central System would provide the following benefits:

- The systems would be combined into the Central System DEQ groundwater withdrawal permit. No change to the limits of the Central System withdrawal permit is anticipated. This would result in 2 fewer GW permits to manage and streamline reporting requirements.
- The systems would be combined into VDH Central System operations permit. It is expected that this would increase the VDH permitted capacity. This would result in 2 fewer permits to manage, and it would also streamline sampling and reporting requirements as these would no longer be treated as separate water systems.
- Improves reliability/redundancy to Liberty Ridge and Westport by providing an additional water source.
- Adds two newer well facilities with excess capacity to the Central System, which provides opportunities to reevaluate needed improvements at some of the older Central System well facilities. For example, the well facility at the Pottery is in need of rehabilitation to address structural damage to the 500,000 gallon storage tank and removal of an old fire pump system. Adding the two additional well facilities will allow JCSA to abandon the Potter facility, thus avoiding significant investments to make the necessary improvements to a 40+ year old facility. This can be done without negatively impacting our DEQ or VDH permits.
- Water from these independent well facilities is less costly to produce compared to Five Forks Water Treatment Plant (FFWTP) will reduce the load on FFWTP.

Several developments outside of the PSA have been connected to the Central System in the past, most notably, Governors Land and Greensprings West. In addition, Stonehouse was originally constructed as an Independent System, but was eventually connected to the Central System.

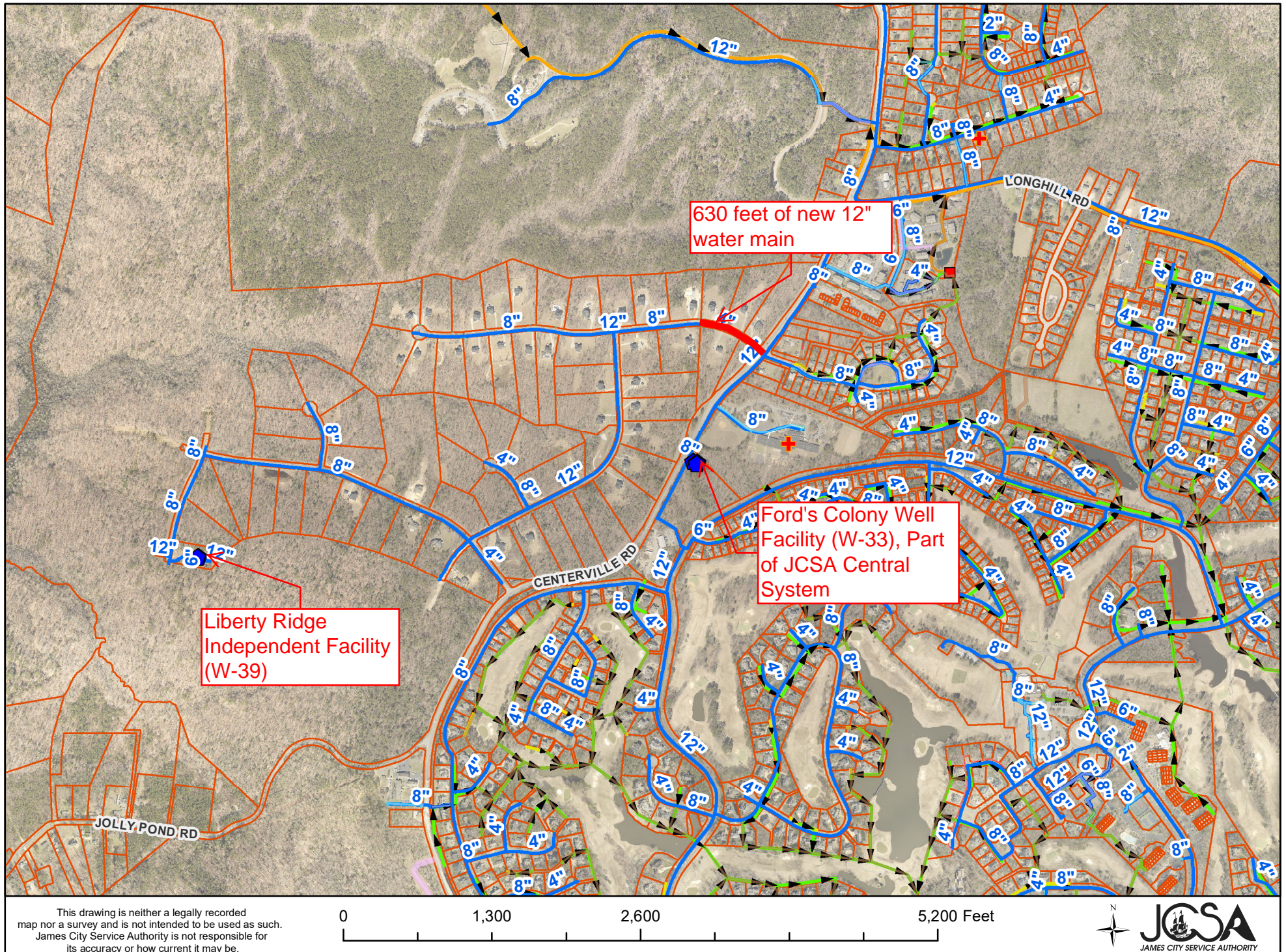
A conceptual plan (C-23-0027) was submitted in May 2023. Based on direction from JCC Planning, a Special Use Permit would be required to connect these systems.

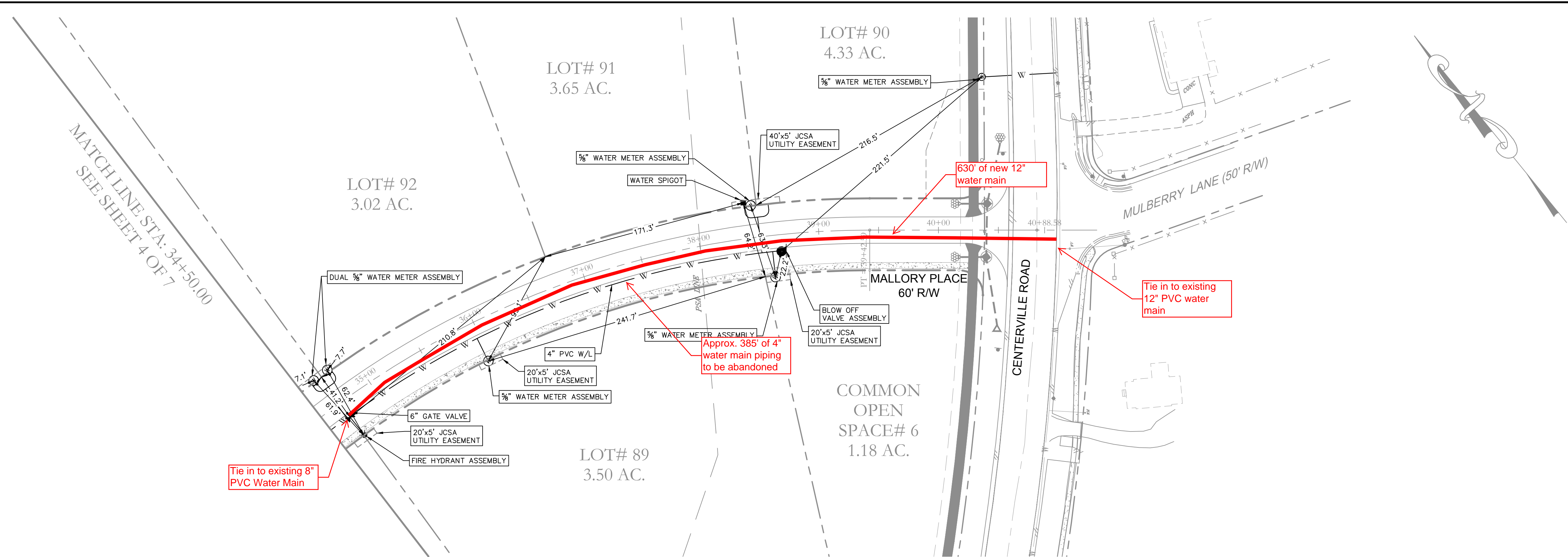
Project Impacts

- **Traffic:** The proposed project will not increase the amount of traffic generated.
- **Water and Sewer:** As stated above, the proposed project will provide positive improvements to the JCSA Water System. There will not be any impacts to sewer as part of the project.
- **Environmental/Site/SRP:** Water main installation will take place within existing VDOT right of way. SRP comments on the conceptual plan stated that a land disturbance permit would not be required for the project.

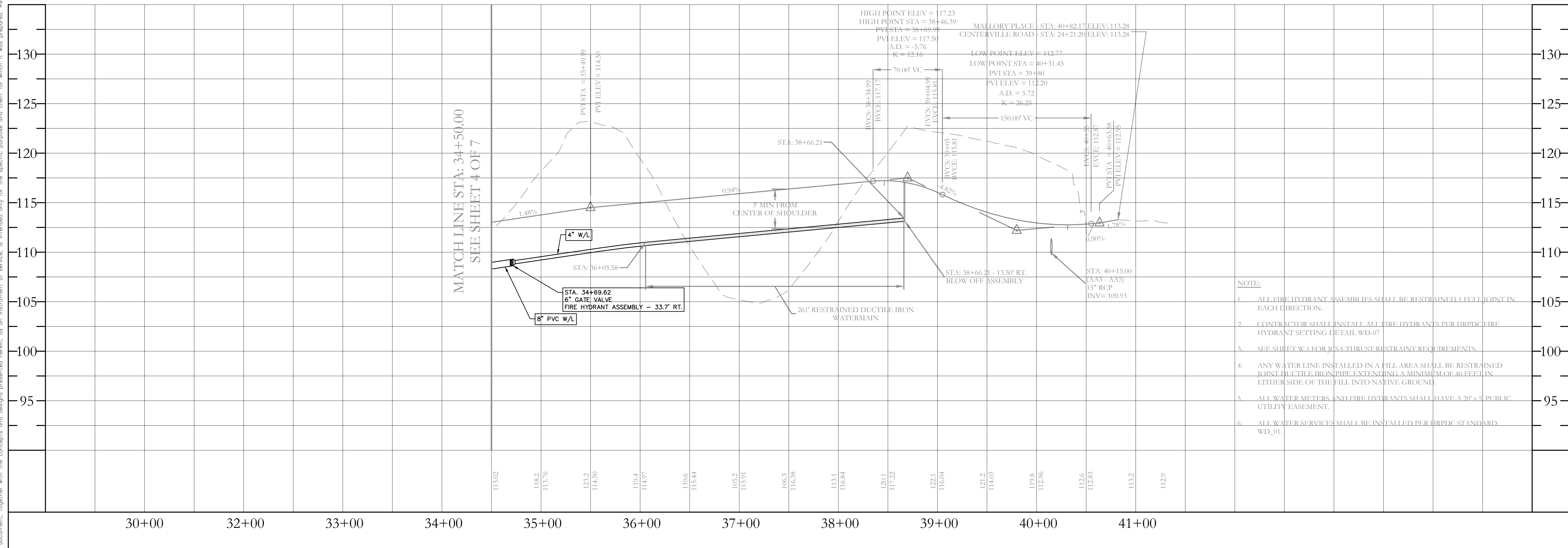
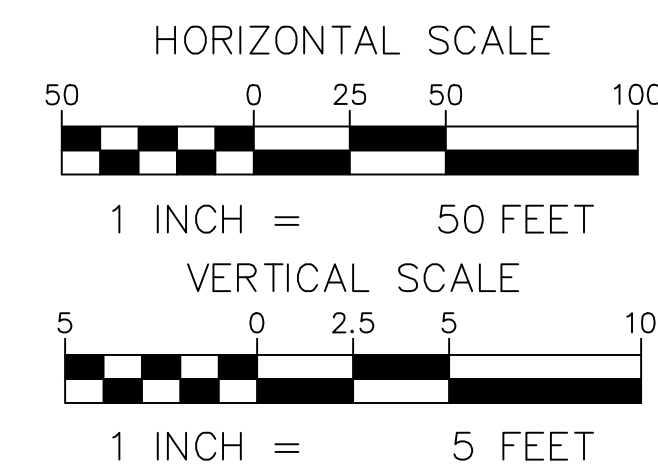
Master Plan

- See attached for proposed improvements.





MALLORY PLACE
60' R/W



NOTE:

- | | | | | | |
|---|---|--|--|--|--|
| 1 | ALL FIRE HYDRANT ASSEMBLIES SHALL BE RESTRAINED 1 FOOT JOINT IN EACH DIRECTION. | | | | |
| 2 | CONTRACTOR SHALL INSTALL ALL FIRE HYDRANTS PER HRDPC FIRE HYDRANT SETTING DETAIL WD-07 | | | | |
| 3 | SEE SHEET W-1 FOR JOA THRUST RESTRAINT REQUIREMENTS. | | | | |
| 4 | ANY WATER LINE INSTALLED IN A FILL AREA SHALL BE RESTRAINED JOINT IN CASTLE IRON PIPE EXTENDING A MINIMUM OF 40 FEET IN EITHER SIDE OF THE FILL INTO NATIVE GROUND. | | | | |
| 5 | ALL WATER METERS AND FIRE HYDRANTS SHALL HAVE A 20' x 5' PUBLIC UTILITY EASEMENT. | | | | |
| 6 | ALL WATER SERVICES SHALL BE INSTALLED PER HRDPC STANDARD WD_01. | | | | |

JCSA RECORD DRAWINGS FOR LIBERTY RIDGE SECTION 2	JAMES CITY COUNTY VA.	WATERLINE AS-BUILT PLAN	KHA PROJECT 11318-0000 DATE 12/15/2014 SCALE AS SHOWN DESIGNED BY MRB DRAWN BY MRB CHECKED BY BRB	<p>Kimley»Horn 1700 WILLOW LAWN DR., SUITE 200, RICHMOND, VA 23230 PHONE: 804-673-3882 WWW.KIMLEY-HORN.COM</p>	No.	REVISED PER JCSA COMMENTS	REVISIONS	DATE	BY
SHEET NUMBER 5 OF 7					1			04/01/15 MEB	

RESOLUTION

VIRGINIA CODE 15.2-2232 ACTION ON CASE NO. SUP-23-0023. 5207 COLONNADE

PARKWAY LIBERTY RIDGE WATER SYSTEM TIE-IN

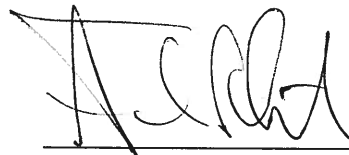
WHEREAS, in accordance with Section 15.2-2232 of the Code of Virginia, a public utility facility, whether publicly or privately owned, shall not be constructed, established, or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof; and

WHEREAS, James City Service Authority (the "Owner"), owns property located at 5207 Colonnade Parkway and further identified as James City County Real Estate Tax Map Parcel No. 3030300001A (the "Property"), which is zoned A-1, General Agricultural; and

WHEREAS, Ms. Karlyn Owens on behalf of the Owner, has applied for a Special Use Permit to install approximately 630 feet of new 12-inch water main within the Mallory Place right-of-way as shown on a plan titled "JCSA Master Plan" and dated November 15, 2023; and

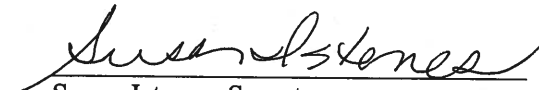
WHEREAS, in accordance with 15.2-2204 of the Code of Virginia and Section 24-9 of the James City County Zoning Ordinance, a public hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case No. SUP-23-0023.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, finds that the general or approximate location, character, and extent of the public facility shown in Case No. SUP-23-0023 are substantially in accord with the adopted Comprehensive Plan and applicable parts thereof.



Frank Polster
Chairman, Planning Commission

ATTEST:


Susan Istenes, Secretary

Adopted by the Planning Commission of James City County, Virginia, this 6th day of December, 2023.

SUP23-23LibRdg-JCSA-res

Primary Service Area - Utility Policy

James City County's Utility Policy plays a major role in limiting growth to areas within the PSA. The following outlines the County's pertinent water and sewer requirements, which are explained in more detail in the County's Zoning Ordinance and Subdivision Ordinance, and in the regulations governing utility service provided by the James City Service Authority (JCSA).

Generally speaking, most existing development inside the PSA is connected to public water and sewer, and new development must connect if it is a major residential subdivision or within 55-feet of JCSA infrastructure that is accessible through an applicable and existing right-of-way and/or JCSA water or sanitary sewer easement. Most developments desire to be served by public water and sewer to achieve a higher density and reduce the infrastructure costs. Outside the PSA, subdividers of major subdivisions are required by the Subdivision Ordinance to construct an independent water system, but can use individual onsite sewage disposal systems. Subdividers of minor subdivisions are permitted to use individual well and sewage disposal systems.

An SUP is required for extensions of major water and sewer mains. SUPs for utility extensions within the PSA occur infrequently due to the extensive network of utility lines already in place. The PSA concept strongly discourages extension of utilities outside the PSA. Over past years, there have been certain limited locations that have received SUPs for extension of utilities. Other than two exceptions for neighborhoods (Governors Land on John Tyler Highway and Deer Lake Rural Cluster adjacent to Colonial Heritage), the extensions have been to serve a significant public purpose (school sites), address health and safety situations (Chickahominy Road Community Development Block Grant area, Riverview Plantation, and Greensprings Mobile Home Park), or improve utility service inside the PSA (Cranston's Mill Pond Road and Jolly Pond Road mains, and the JCSA College Creek Pipeline). In keeping with the Utility Policy included as part of the 1997 Comprehensive Plan, all of the SUPs associated with these mains include conditions that place clear limits on connections to directly adjacent properties, a policy that should continue into the future.

Finally, the developer is responsible for paying the cost of providing water and sewer service to and within new subdivisions. JCSA may contribute to the costs to upsize water or sewer lines to serve additional areas. Any decisions about changes to the Utility Policy and the PSA must be carefully examined in conjunction with decisions about Rural Lands policy, which is discussed above.

**Approved Minutes of the December 6, 2023,
Planning Commission Regular Meeting**

SUP-23-0022. Westport Subdivision and SUP-23-0023. Liberty Ridge James City Service Authority Water System Tie-Ins

Mr. Polster stated Item Nos. 2 and 3 would be a combination of the Special Use Permits (SUPs) with four votes per application. He noted the votes would be for consistency and approval.

Mr. Thomas Wysong, Principal Planner, addressed the Commission with details of the SUPs. He noted Ms. Karlyn Owens had applied on behalf of the James City Service Authority (JCSA) for two water main connections within the Westport and Liberty Ridge subdivisions, respectively. Mr. Wysong stated the two current, independent well systems would then be connected to JCSA's central system for efficiencies and streamlined permitting. He noted the proposed location of both water main extensions was outside the Primary Service Area (PSA). Mr. Wysong referenced the 2045 Comprehensive Plan and the County's Utility Policy which both strongly discouraged utility expansion outside the PSA. He noted that based on the criteria, Planning staff did not recommend approval of either application. Mr. Wysong referenced the Code of Virginia Section 15.2-2232 and the role of the Planning Commission in its determination of a location deemed to be substantially consistent with the 2045 Comprehensive Plan. He cited the water main locations would be outside the PSA thus preventing consistency. Mr. Wysong noted if the Commission recommended approval of both applications to the Board of Supervisors, then proposed conditions were included to ensure utility expansion limitations. He further noted he was available for questions and a presentation by JCSA would follow.

The Commission requested the JCSA presentation prior to any questions.

Mr. Doug Powell, General Manager, JCSA, addressed the Commission adding he was joined by JCSA's Chief Water Engineer, Mr. Mike Youshock, and Water Engineer, Ms. Karlyn Owens.

Mr. Powell noted he would also address both applications together. He stated that while the applications' circumstances were unique, the benefits to JCSA customers were significant and important. Mr. Powell highlighted JCSA's water system which was comprised of a central system in the PowerPoint presentation. He noted the locations of the eight independent systems, all outside the PSA, of which Liberty Ridge and Westport were included in the presentation.

Mr. Powell noted these two independent systems were directly adjacent to both the central system and the PSA along Centerville Road. He added these systems were the focal point of the SUPs. Mr. Powell continued the presentation detailing the connection process for both locations. He presented the timeline and rationale for the SUP requests. Mr. Powell noted that in considering the SUP applications, utilities already existed outside the PSA in these areas. He added that both subdivisions were already served by public water systems that JCSA owned and operated. Mr.

Powell stated if the SUPs were approved with staff's conditions, no other lots would be able to connect to JCSA's water line unless platted without an SUP amendment. He added that JCSA felt sufficient public benefit existed in these SUP cases thus the project proposal. Mr. Powell cited several benefits in the presentation.

Mr. Polster asked the Commission if there were any questions for staff or the applicant. Mr. Krapf asked Mr. Powell if each subdivision operated on its own central well.

Mr. Powell confirmed yes.

Mr. Krapf questioned the timeline expectation on the central well failures.

Mr. Powell noted both of the wells were fairly new facilities. He added the facilities were oversized as a source of fire protection for the subdivisions. Mr. Powell noted both subdivisions had also not built out to the original projections. He stated the inclusion of those wells into the central system was based on the good condition of both wells.

Mr. Krapf referenced the County's eight independent systems and the connection of these two systems. He questioned if a precedent for connection of the remaining six independent systems would be established in relation to the central system.

Mr. Powell referenced the map in the presentation which showed the other systems further away from the PSA. He added Westport and Liberty Ridge were the only two independent systems close to the PSA. Mr. Powell noted proximity was a benefit but was a prohibitive factor with the other ones. He further noted the other older, smaller wells would not support the central system as effectively.

Mr. Polster addressed questions regarding independent wells during the Comprehensive Plan process in reference to independent wells and a County Subdivision Ordinance which required those systems to be under JCSA maintenance. He addressed costs, overall County water capacity, and other factors.

Mr. Powell noted JCSA operated under two separate permits. He stated increased water capacity could possibly be addressed with the Virginia Department of Health permit. Mr. Powell noted with the Department of Environmental Quality (DEQ) permit there were no guarantees the increase would allow for more water withdrawal.

Mr. O'Connor questioned a 2022 Master Plan revision for Chickahominy Riverfront Park for consideration of a potential water plant.

Mr. Powell confirmed yes.

Mr. O'Connor noted that was a far-reaching future plan. He questioned if this point would benefit these communities with a surface water connection versus a well. Mr. O'Connor asked

if there was a future water distribution benefit which would also allow the wells to then be taken offline if an alternative water source was available.

Mr. Powell sought clarification on the question. He noted the capacity would not be needed if a surface water source was available from the Chickahominy River. Mr. Powell stated that was a point for future consideration, but he could not commit presently.

Mr. O'Connor agreed, adding he was referring to long-term plans. He thanked Mr. Powell.

Mr. Rose noted the benefits presented but questioned possible downtime during the connection process.

Mr. Powell responded none from his prospective. He noted from JCSA's perspective there were significant health safety and operational benefits, but no downside.

Mr. Polster referenced Mr. O'Connor's point but questioned if the water source came from Newport News would the wells be able to be taken offline.

Mr. Powell responded if water was purchased from Newport News, it would not be more than needed. He added if water was to be purchased from another entity, JCSA would want to maintain the maximum capacity with its current system.

Mr. Polster noted it would be at a cheaper rate. Mr. Powell confirmed yes.

Mr. Haldeman noted there was no longer a central well requirement in the rural lands. Mr. Powell confirmed yes.

Mr. Haldeman stated the connection of the central well to growth management was no longer valid. He asked if these two neighborhoods were currently being proposed then the need for a central well requirement would not exist and the neighborhoods could hook to JCSA directly.

Mr. Powell stated he would let Planning staff address that question.

Mr. Wysong noted the neighborhoods would be required to meet the minimum lot size therefore the design itself would not take place. He added with the Ordinance amendment, a well per individual lot would be required.

Mr. Haldeman thanked Mr. Wysong.

Mr. Rodgers noted he had a question for Mr. Wysong. He referenced the map and asked if the large land area behind the two neighborhoods, which was adjacent also to land in the PSA, could be considered for future development and connection to JCSEA's public water.

Mr. Wysong asked generally or connecting through the well facilities.

Mr. Rodgers noted concern by granting this exception outside the PSA, but still trying to maintain a policy of growth within the PSA. He questioned if more Liberty Ridges and/or Westports would occupy that land.

Mr. Wysong noted outside the PSA that land was zoned agricultural. He stated development would require an SUP. Mr. Wysong reiterated the County's Utility Policy's language which strongly discouraged any connection outside the PSA. He noted despite small connections, Planning staff adhered to the policy that any connection outside the PSA would not be recommended. Mr. Wysong stated a process existed if development potential arose for that land which would involve the Planning Commission and the Board of Supervisors evaluating the request.

Mr. Polster referenced a former County Ordinance which required a major subdivision to have a central well, and if so, the well became JCSEA's responsibility. He added that Ordinance was no longer in place.

Mr. Wysong confirmed that had been a previous requirement for a central well in a by-right major subdivision. He added that Ordinance was amended to disallow that requirement.

Mr. Polster noted Colonial Heritage and another development had received approval outside the PSA on Centerville Road with an SUP before the Board of Supervisors. He stated the likelihood of development had happened previously.

Mr. Wysong confirmed extension approvals had occurred in the past.

Mr. O'Connor referenced the map and noted the PSA line was not being redrawn. Mr. Wysong confirmed that was correct.

Mr. O'Connor noted the PSA was not being changed, but rather the use of a utility which was beneficial to all County citizens.

Mr. Polster opened the Public Hearing as the Commissioners had no further questions or comments.

Mr. Wade Vaughn, 3464 Westport, questioned water pressure and possible problems with a connection for two different communities on two separate wells. He questioned possible water quality concerns and the impact when Well 4 (W-4) was removed as highlighted earlier in the presentation.

Mr. Polster thanked Mr. Vaughn, adding he could address those concerns with Mr. Powell. As there were no other speakers, Mr. Polster closed the Public Hearing.

Mr. Krapf noted he had voted in favor of connections outside the PSA previously with those decisions made primarily on safety and health concerns. He referenced the benefits of cost savings and efficiency were major points in this application. Mr. Krapf noted that while the PSA line was not changing with this request, he had concerns that a precedent was being set with approval. He questioned the likelihood of a future request for the remaining six wells to also have online capability. Mr. Krapf noted a great deal of detail had been incorporated into the Comprehensive Plan to address utilities expansion and preservation of land outside the PSA. He stated if the central wells at both locations were robust and showing no signs of failure, he cautioned the potential domino effect as referenced by Mr. Rodgers. Mr. Krapf stated his concern for a precedent being set, adding he was not in support of both requests.

Mr. Haldeman referenced the former central well requirement that discouraged development outside the PSA was the cost of drilling the well. He noted the cost was over \$1 million each in 2005-2006. Mr. Haldeman stated if that requirement was still in place, the developer would be responsible for that cost. He noted the remaining six well locations in relation to operational efficiency which would no longer be applicable. He added the health and safety component could allow for an SUP to be considered. Mr. Haldeman noted his support of the applications, adding he felt the SUPs were favorable for citizens and not a development threat.

Ms. Null referenced a case from two years earlier when a case was not approved. She noted the developer wanted the PSA extended and was denied for these same listed reasons. Ms. Null stated the location was on Bush Springs Road and while the approval was beneficial for the developer, it was not for residents on Bush Springs Road. She noted these two applications benefited both citizens and JCSA and she supported the SUPs.

Mr. O'Connor concurred with Mr. Haldeman, adding there were numerous benefits to the County and JCSA.

Mr. Rose indicated he had no comment.

Mr. Rodgers indicated he was not in support.

Mr. Polster reiterated Mr. Krapf's point on the PSA and the growth policy aspect and referenced the health aspect of the Centerville Road trailer park case. He noted the Comprehensive Plan and the PSA Policy for growth control and four key points. Mr. Polster cited two of those points regarding the efficiency of public utilities and the assurance of such facilities and services when and where needed. He noted the availability of water and how the applications were positives for the overall system with long-term benefits for citizens. Mr. Polster stated he would vote in favor of the SUPs.

Mr. Polster sought a motion on the first SUP. He added four motions would be needed.

Mr. Haldeman recommended approval of SUP-23-0022 with attached conditions.

Mr. Polster noted the consistency motion should be addressed first.

Mr. Haldeman made the motion to recommend SUP-23-0022. Westport was consistent with the 2045 Comprehensive Plan.

On a roll call vote, the Commission voted to recommend approval. (5-2)

Mr. Haldeman made the motion to recommend approval of SUP-23-0022. Westport tie-in with conditions.

On a roll call vote, the Commission voted to recommend approval. (5-2)

Mr. Polster sought a motion for consistency on SUP-23-0023. Liberty Ridge.

Mr. O'Connor made the motion to find SUP-23-0023 consistent with the adopted 2045 Comprehensive Plan.

On a roll call vote, the Commission voted to recommend approval. (5-2)

Mr. O'Connor made the motion on SUP-23-0023 that the Planning Commission recommended approval to the Board of Supervisors.

On a roll call vote, the Commission voted to recommend approval. (5-2)

**SPECIAL USE PERMIT-23-0026. 206 The Maine Detached Accessory Apartment
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

SUMMARY FACTS

Applicant: Mr. Jason Buckley, Promark Custom Homes, Inc.

Landowners: Mr. James Keith Ducker and Ms. Johanna M. Kroenlein

Proposal: To build a detached garage to include a 356-square-foot accessory apartment.

Location: 206 The Maine

Tax Map/Parcel No.: 4540200076

Property Acreage: ± 1.35 acres

Zoning: R-1, Limited Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Tess Lynch, Planner II

PUBLIC HEARING DATES

Planning Commission: December 6, 2023, 6:00 p.m.

Board of Supervisors: January 9, 2024, 5:00 p.m. (Postponed)
February 13, 2024, 5:00 p.m.

CHANGES SINCE THE JANUARY 9, 2024, BOARD OF SUPERVISORS MEETING

At its January 9, 2024, meeting, the Board of Supervisors (BOS) raised concerns regarding the occupancy of the detached accessory apartment, and the potential for future occupancy by a non-family member. Consequently, the BOS postponed consideration of the application to the Board's February 13, 2024, Regular Meeting, and requested that staff work with the applicant to address their concerns. As a result, staff added, with the concurrence of the applicant, a new Special Use Permit (SUP) condition addressing occupancy (see Condition No. 5) and staff has confirmed with the applicant, on behalf of the property owners, that they would be willing to limit the occupancy of the single-family dwelling and accessory apartment to family members only.

STAFF RECOMMENDATION

Staff finds the proposal compatible with surrounding zoning and development and consistent with the recommendations of the adopted 2045 Comprehensive Plan.

Staff therefore recommends approval of the proposed SUP, subject to the proposed conditions.

TL/ap
SUP23-26_206TheMeDApt

Attachments:

1. Resolution
2. Staff Report from the January 9, 2024, BOS Meeting
3. Location Map

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.

**SPECIAL USE PERMIT-23-0026. 206 The Maine Detached Accessory Apartment
Staff Report for the February 13, 2024, Board of Supervisors Public Hearing**

4. Master Plan
5. Garage Accessory Apartment Layout
6. Lot Layout
7. Approved Minutes of the December 6, 2023, Planning
Commission Meeting
8. Correspondence with the Applicant

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.

RESOLUTION

CASE NO. SUP-23-0026. 206 THE MAINE DETACHED ACCESSORY APARTMENT

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

WHEREAS, Mr. Jason Buckley, of Promark Custom Homes, Inc., has applied for an SUP on behalf of Mr. James Keith Ducker and Ms. Johanna M. Kroenlein, to build a detached garage to include a 356-square-foot accessory apartment at 206 The Maine and further identified as James City County Real Estate Tax Map Parcel No. 4540200076 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on December 6, 2023, recommended approval of Case No. SUP-23-0026 by a vote of 7-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-23-0026; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code (the "County Code"), does hereby approve the issuance of Case No. SUP-23-0026 as described herein with the following conditions:

1. Master Plan. This Special Use Permit ("SUP") shall be valid for a detached accessory apartment (the "Project") located at 206 The Maine and further identified as James City County Real Estate Tax Map Parcel No. 4540200076 (the "Property"). Development of the Project on the Property shall be in accordance with Section 24-32(b) of the James City County Code (the "County Code"), as amended, and shall occur generally as shown on the exhibit entitled, "206 The Maine Detached Accessory Apartment," dated November 22, 2023 (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the County Code, as amended.
2. Recordation. A certified copy of the Board of Supervisors' SUP resolution shall be recorded against the Property in the Williamsburg/James City County Circuit Court prior to issuance of any Certificate of Occupancy for the Project. Proof of recordation shall be provided to the Zoning Administrator.
3. Certificate of Occupancy. Within 24 months from the issuance of this SUP, a permanent Certificate of Occupancy for the Project shall be issued, or the SUP shall become void.
4. Dwelling Occupied. Within 12 months from the issuance of the Certificate of Occupancy, the property owner(s) shall submit a notarized affidavit to the Director of Planning stating that they or an immediate family member as defined by Section 19-17 of the Subdivision Ordinance intend to reside in either the single-family dwelling or the accessory apartment, or the SUP shall become void.

5. Dwelling Occupants. The occupants of the accessory apartment shall be limited to only immediate family member(s), as defined in Section 19-17 of the Subdivision Ordinance, of the property owner(s) of the single-family dwelling.
6. Access. No new ingress/egress points shall be created to The Maine.
7. Parking. Off-site parking for this use shall be prohibited.
8. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
NULL	_____	_____	_____	_____
HIPPLE	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____
LARSON	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of February, 2024.

SUP23-26_206TheMeDApt-res

SUP-23-0026

206 The Maine Detached Accessory Apartment



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SUP-23-0026, 206 The Maine Detached Accessory Apartment

December 21, 2023

Property Information

4540200076
James Keith Ducker and Johanna M.
Kroenlein
206 The Maine
Williamsburg, VA 23185
Zoning: R-1, Limited Residential
Comp. Plan: Low Density Residential
Acres: 1.35

Sheet Index

1. Cover Page
2. Location Map
3. Site Photos
4. Plat

General Notes

1. Site is served by public water and sewer.
2. Property is located in a FEMA floodplain zone.
3. Property does contain Resource Protection Area.
4. Property has an existing driveway.



Adjacent Properties

4540200077
Rollin E. Collins and Marlene E. Collins
208 The Maine
Williamsburg, VA 23185-1425
R-1, Limited Residential

4540200090
Robert E. Hamilton
201 The Maine
Williamsburg, VA 23185-1458
R-1, Limited Residential

15-1
Swann's Point Plantation
P.O. Box 2700
Newport, RI 02840

4540200089
Barbara Kent Hudgins Trustee and George M. Hudgins, Jr. Trustee
203 The Maine
Williamsburg, VA 23188-1458
R-1, Limited Residential

4540200075
Donald L. Alexander Trustee and Alice Alexander Trustee
9808 Lake Meadow Pl.
Henrico, VA 23238
R-1, Limited Residential

15-1A
National Park Service
1849 C St. NW
Washington, D.C. 20240

SUP-23-0026

206 The Maine Detached Accessory Apartment



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Commonwealth of Virginia, Maxar, Microsoft

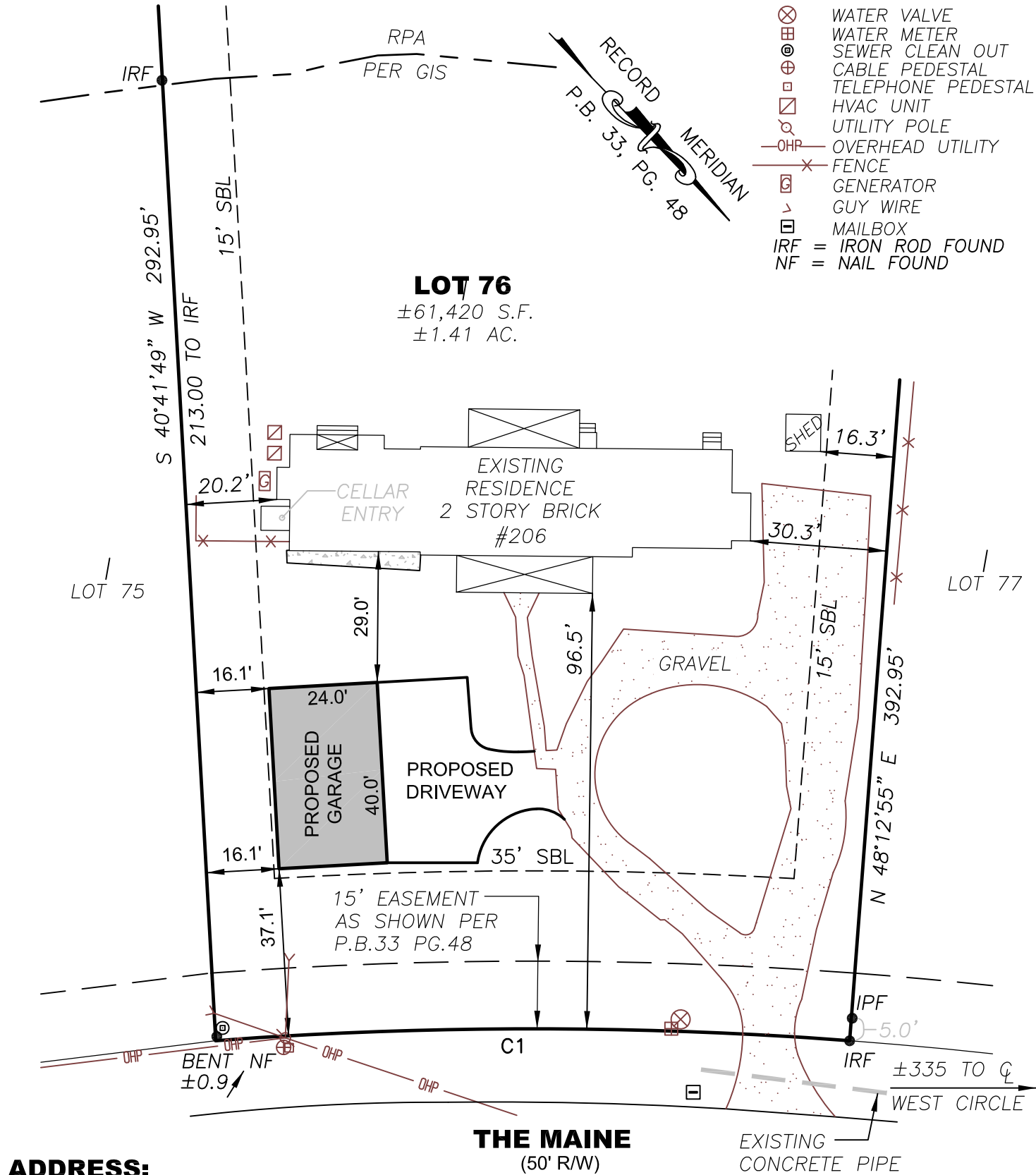


NOTES:

- 1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 33, PG. 48.
- 2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
- 3. LOT LIES IN F.I.R.M. ZONE "X" ZONE "VE" (ELEV 12) ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0181D DATED DECEMBER 16, 2015. PROPOSED GARAGE FALLS IN ZONE "X".
- 4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
- 5. UNDERGROUND UTILITIES WERE NOT LOCATED.
- 6. REAR PROPERTY LINE IS MEAN LOW WATER PER P.B. 33 PG.48.

LEGEND

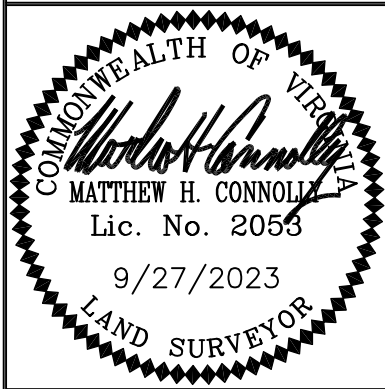
- ⊗ WATER VALVE
- ⊕ WATER METER
- ⊕ SEWER CLEAN OUT
- ⊕ CABLE PEDESTAL
- ⊕ TELEPHONE PEDESTAL
- ⊕ HVAC UNIT
- ⊕ UTILITY POLE
- OHP— OVERHEAD UTILITY
- X— FENCE
- ⊕ GENERATOR
- > GUY WIRE
- ⊕ MAILBOX
- IRF = IRON ROD FOUND
- NF = NAIL FOUND



ADDRESS:

206 THE MAINE
JAMES CITY COUNTY, VIRGINIA

CURVE	ARC LEN.	RADIUS	DELTA	CHORD BEARING	CHORD LEN.
C1	140.58'	941.73'	8°33'10"	S 46°07'20" E	140.45'



REFERENCES:
P.B.33 PG.48
P.B.30 PG.2
P.B.21 PG.9

DATE: 9/27/23
SCALE: 1"=30'
JOB# 23-022
CAD File
23-022.dwg

PARTIAL PHYSICAL SURVEY OF LOT 76, SECTION THREE
SHOWING PROPOSED GARAGE
FIRST COLONY
For:
PROMARK CUSTOM HOMES
JAMES CITY COUNTY VIRGINIA

LandTech Resources, Inc.
Engineering and Surveying Consultants
205 E Bulifants Blvd., Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com

**SPECIAL USE PERMIT-23-0026. 206 The Maine Detached Accessory Apartment
Staff Report for the January 9, 2024, Board of Supervisors Public Hearing**

SUMMARY FACTS

Applicant: Mr. Jason Buckley, Promark Custom Homes, Inc.

Landowners: Mr. James Keith Ducker and Ms. Johanna M. Kroenlein

Proposal: To build a detached garage to include a 356-square-foot accessory apartment.

Location: 206 The Maine

Tax Map/Parcel No.: 4540200076

Property Acreage: ± 1.35 acres

Zoning: R-1, Limited Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Tess Lynch, Planner II

PUBLIC HEARING DATES

Planning Commission: December 6, 2023, 6:00 p.m.

Board of Supervisors: January 9, 2024, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal will not impact the surrounding zoning and development.
2. With the proposed conditions, staff finds the proposal consistent with the recommendations of the 2045 Comprehensive Plan.
3. The proposal meets the requirements of Section 24-32(b) of the Zoning Ordinance.
4. Impacts: See Impact Analysis on Pages 3-4.

FACTORS UNFAVORABLE

1. With the proposed conditions, staff finds no factors unfavorable.

SUMMARY STAFF RECOMMENDATION

Staff recommends approval subject to the proposed conditions.

PLANNING COMMISSION RECOMMENDATION

At its December 6, 2023, meeting, the Planning Commission voted to recommend approval of this application by a vote of 7-0.

CHANGES SINCE PLANNING COMMISSION MEETING

A copy of the plat was added to the Master Plan.

PROJECT DESCRIPTION

Mr. Jason Buckley has applied for a Special Use Permit (SUP) to allow a detached accessory apartment to be constructed within a detached accessory structure. The detached garage will be approximately 1,120 square feet, and the proposed apartment would

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.

**SPECIAL USE PERMIT-23-0026. 206 The Maine Detached Accessory Apartment
Staff Report for the January 9, 2024, Board of Supervisors Public Hearing**

be approximately 356 square feet or approximately 32% of the floor area.

R-1, Limited Residential, allows detached accessory apartments as a specially permitted use in accordance with Section 24-32(b) of the Zoning Ordinance, which states that detached accessory apartments, where approved, shall comply with the following requirements (staff comments in *italics*):

1. Only one accessory apartment shall be created per lot.

Only one accessory apartment is proposed with this application.

2. The accessory apartment may not occupy more than 50% of the floor area of the accessory structure and shall meet all setback, yard, and height regulations applicable to accessory structures in the zoning district in which it is located.

The proposed apartment unit will occupy approximately 32% of the accessory structure's floor area (1,120 square feet).

3. The accessory apartment shall not exceed 400 square feet in size and shall meet all setback, yard, and height regulations applicable to accessory structures in the zoning district in which it is located.

The proposed apartment unit will be approximately 356 square feet.

4. The property owner or an immediate family member as defined in Section 19-17 of the Subdivision Ordinance shall reside in either the single-family dwelling or the accessory apartment.

Per the applicant, the property owners will reside in the single-family dwelling in the future, but do not currently. Condition No. 4 mitigates this by requiring the property owners to provide to the

Director of Planning a notarized affidavit stating that they or an immediate family member intend to reside in the single-family dwelling or the accessory apartment within 12 months from the issuance of the Certificate of Occupancy.

5. Approval from the Virginia Department of Health shall be required where the property is served by an individual well and/or sewer disposal system.

Not applicable. The lot is served by public water/sewer.

6. The accessory structure shall be so designed such that the size and scale of the structure is compatible with surrounding structures.

The apartment will be located within a new detached garage on the same property where a single-family residence currently exists. The single-family structure is approximately 3,759 square feet. Staff finds the proposed garage consistent and compatible with the surrounding residential dwelling units and structures.

7. Off-street parking shall be required in accordance with Section 24-54 of this chapter.

Staff analysis: Section 24-59 states that the minimum off-street parking required for a single-family unit with an accessory apartment is three parking spaces. The detached accessory structure will have a three-car garage in the bottom portion of the structure as well as the driveway, which meets the Ordinance requirement for three parking spaces.

Staff has reviewed the proposed design and finds that all requirements have been met.

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.

**SPECIAL USE PERMIT-23-0026. 206 The Maine Detached Accessory Apartment
Staff Report for the January 9, 2024, Board of Supervisors Public Hearing**

PLANNING AND ZONING HISTORY

- There have been no previous legislative cases associated with this parcel.

SURROUNDING ZONING AND DEVELOPMENT

- Adjacent properties are all zoned R-1, Limited Residential. The property is bound by the James River to the south.
- Properties surrounding this parcel are also designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map.

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - The proposal is not anticipated to generate traffic exceeding a typical residential use. - The subject property is located on a local road.
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Bicycle and pedestrian accommodations are not required per the Pedestrian Accommodation Master Plan.
<u>Public Safety</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Fire Station 5 on Monticello Avenue is approximately 2.9 miles from the proposed detached accessory garage. - Staff finds this project does not generate impacts that require mitigation to the County's Fire Department facilities or services.
<u>Public Schools</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - The property receives public water and sewer. - The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.

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.

**SPECIAL USE PERMIT-23-0026. 206 The Maine Detached Accessory Apartment
Staff Report for the January 9, 2024, Board of Supervisors Public Hearing**

<u>Watersheds, Streams, and Reservoirs</u> Project is located in the College Creek Watershed.	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - The Stormwater and Resource Protection Division has reviewed this application and had no objections. - This project will need to demonstrate full compliance with environmental regulations at the development plan stage, but no other specific environmental impacts have been identified for mitigation. - There are special flood hazard and Resource Protection Areas on the property. However, this project will be located outside of these areas.
Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - The subject property has been previously disturbed and has no known cultural resources on-site.
<u>Nearby and Surrounding Properties</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Traffic is anticipated to be typical of a residential home. The subject property must adhere to the County's Noise Ordinance.
<u>Community Character</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - The Maine is not a Community Character Corridor, and this parcel is not located within a Community Character Area.
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Staff is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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.

**SPECIAL USE PERMIT-23-0026. 206 The Maine Detached Accessory Apartment
Staff Report for the January 9, 2024, Board of Supervisors Public Hearing**

2045 COMPREHENSIVE PLAN

The site is designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. The adopted 2045 Comprehensive Plan includes “single family and multifamily units, accessory units, cluster or cottage homes on small lots, recreation areas” within lands designated Low Density Residential.

Staff finds the proposal is consistent with the recommendations of the adopted 2045 Comprehensive Plan.

PROPOSED SUP CONDITIONS

Proposed conditions are provided in Attachment No. 1.

STAFF RECOMMENDATION

Staff finds the proposal compatible with surrounding zoning and development and consistent with the recommendations of the adopted 2045 Comprehensive Plan.

Staff therefore recommends approval of the proposed SUP subject to the proposed conditions.

TL/md
SUP23-26_206TheMaineDApt

Attachments:

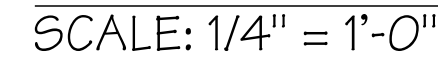
1. Resolution
2. Location Map
3. Master Plan
4. Garage Accessory Apartment Layout
5. Lot Layout

6. Unapproved Minutes of the December 6, 2023 Planning Commission Meeting

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.



SCALE: $3/8" = 1'-0"$



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RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



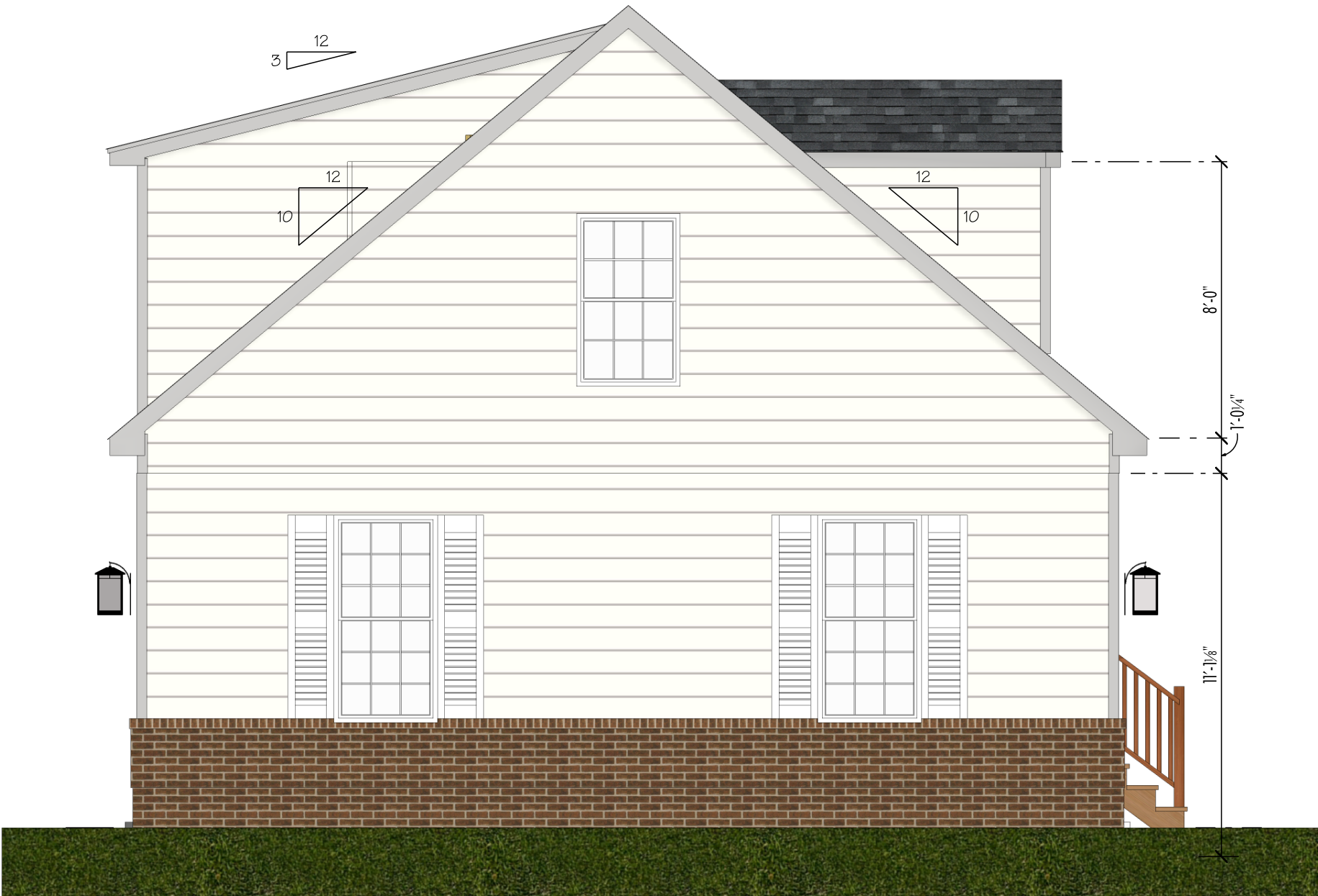
REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

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A I B I D

RDS

Residential Design Solutions

124 Duird Dr. - Williamsburg, VA 23185
804.362.2332
carolcasondesign@aol.com
www.rdsdesign.com

OWNER

MR. & MRS. DUCKER
206 THE MAINE
WILLIAMSBURG, VA

PROJECT NAME:
DUCKER GARAGE

DRAWING TITLE:
EXTERIOR ELEVATIONS

ADDRESS

DRAWN BY:
CAROL CASON
DESIGNER, AIBD

SCALE:
1/4" = 1'-0"

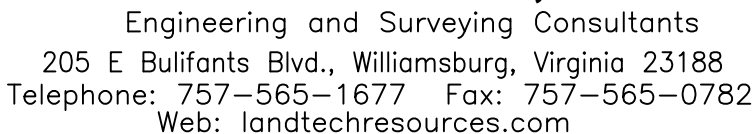
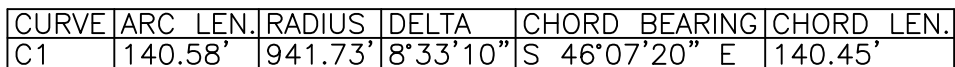
PROJECT:
C22-0729 DUCKER

DATE:
Tuesday, September 26, 2023

SHEET NO.

3.1

1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 33, PG. 48.
2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
3. LOT LIES IN F.I.R.M. ZONE "X" ZONE "VE" (ELEV 12) ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0181D DATED DECEMBER 16, 2015. PROPOSED GARAGE FALLS IN ZONE "X".
4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.
6. REAR PROPERTY LINE IS MEAN LOW WATER PER P.B. 33 PG.48.



**Approved Minutes of the December 6, 2023
Planning Commission Regular Meeting**

SUP-23-0026. 206 The Maine Detached Accessory Apartment

Ms. Tess Lynch, Planner II, addressed the Commission with the details of the application. She noted the property owners currently were not living on-site. Ms. Lynch stated a condition was included requiring the property owners to submit confirmation on their intent to live in the house or in the apartment within 12 months of issuance of the Certificate of Occupancy. She noted staff recommended the Planning Commission's approval of the application with the proposed conditions to the Board of Supervisors.

Mr. Polster opened the Public Hearing.

As there were no speakers, Mr. Polster closed the Public Hearing.

Mr. Krapf made a motion to recommend approval of SUP-23-0026. 206 The Maine Detached Accessory Apartment and associated conditions.

On a roll call vote, the Commission voted to recommend approval of the SUP with conditions. (7-0)

Mr. Haldeman noted accessory housing was a recommendation for the Workforce Housing Taskforce in a desire to make workforce housing more affordable at the lower end. He noted the condition requirement of a family member living in the accessory housing detracted from that policy. Mr. Haldeman stated that component was part of the Ordinance which he had supported, but he was hopeful of more progress toward addressing workforce housing affordability.

Mr. Polster cited an SUP for an accessory apartment which was approved and then later turned into an Airbnb.

Mr. Krapf asked if the requirement was a family member residing in either the main residence or accessory apartment. He questioned if that presented the opportunity for a non-family member to occupy the other dwelling.

Ms. Lynch confirmed yes that the owner only needed to live in one of the structures. Mr. Haldeman expressed his thanks for the clarification.

MEMORANDUM

DATE: February 13, 2024
TO: The Board of Supervisors
FROM: Teresa J. Saeed, Deputy Clerk
SUBJECT: Staff Appointment – Middle Peninsula Juvenile Commission

Ms. Sharon McCarthy, Director of Financial and Management Services, was appointed to represent the County on the Middle Peninsula Juvenile Commission. Her term has since expired.

Staff recommends that Ms. McCarthy be reappointed to a new term beginning immediately and expiring on June 30, 2027.