

AGENDA
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
March 24, 2026
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATION(S)

1. Introduction of Deputy Chief of Police
2. VPCC Annual Update

D. CONSENT CALENDAR

1. Contract Award - \$135,200 - Little Creek Reservoir Park Building Renovation
2. Contract Award - \$161,794 - Professional Standards Software
3. Dedication of the Streets in Land Bay 5 of the Stonehouse Subdivision
4. Dedication of the Streets in the Village at Candle Station Subdivision
5. Minutes Adoption

E. BOARD DISCUSSIONS

1. Government Center Update
2. Appeal of Planning Commission Decision: Conceptual Plan No. 25-002, Bush Springs Road

F. BOARD CONSIDERATION(S)

1. Initiation of Consideration of Amendments to the Zoning Ordinance and Subdivision Ordinance regarding Requirements for the Submittal of an Archaeological Study as Part of a Site Plan or Subdivision Application
2. Initiation of Consideration of Amendments to the Zoning Ordinance and Subdivision Ordinance regarding Requirements for the Submittal of a Natural Resources Inventory as Part of a Site Plan or Subdivision Application
3. Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Exterior Signs

G. BOARD REQUESTS AND DIRECTIVES

H. REPORTS OF THE COUNTY ADMINISTRATOR

I. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia
 - a. Parks and Recreation Advisory Committee Appointments
 - b. Appointment to the Board of Zoning Appeals
2. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia and pertaining to the Olde Towne Medical Center.
3. Certification of Closed Session

J. ADJOURNMENT

1. Adjourn until 5 pm on April 14, 2026 for the Regular Meeting



**VIRGINIA
PENINSULA**
COMMUNITY COLLEGE

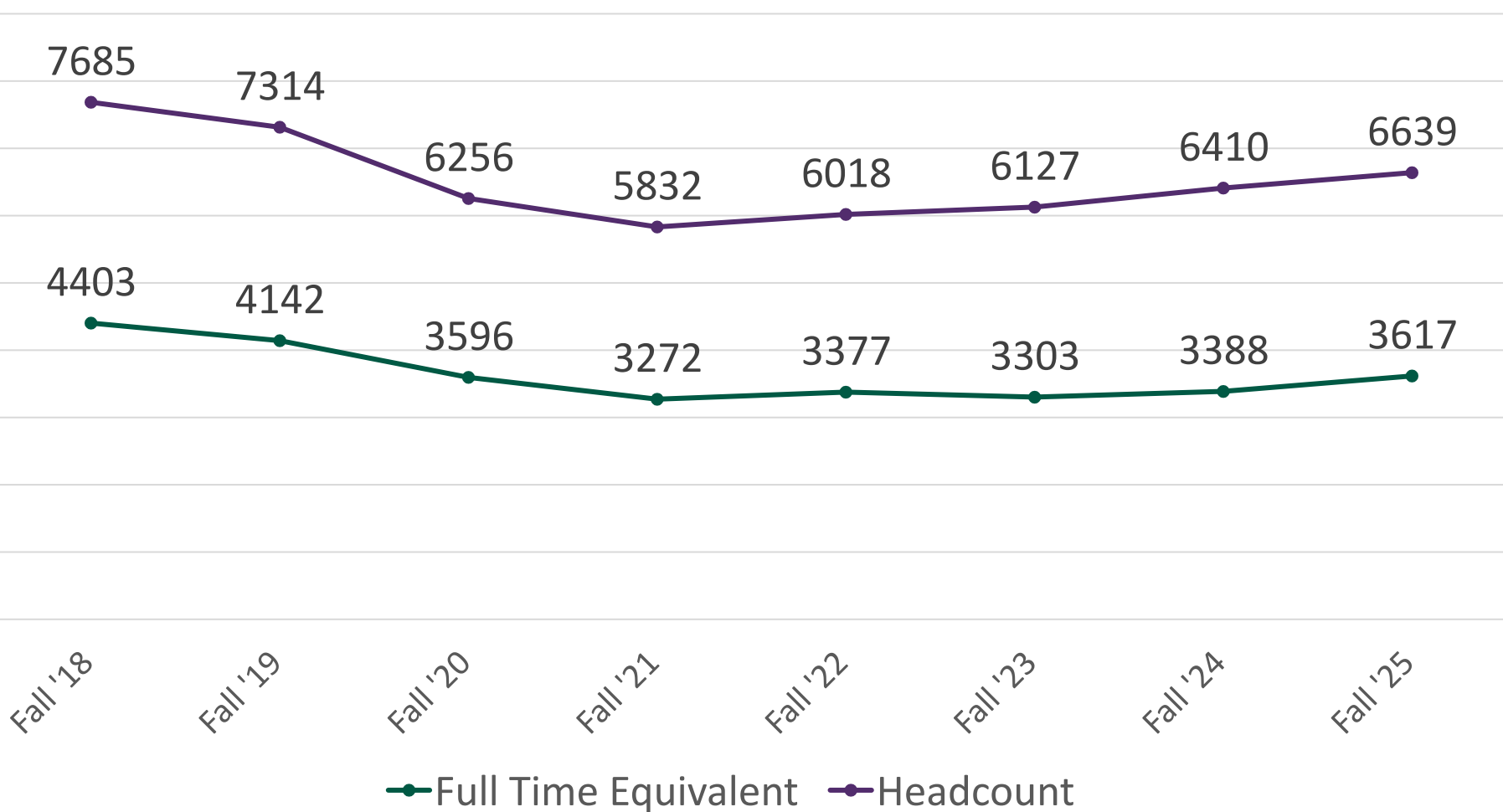
OUR MISSION: YOUR SUCCESS.

2026 State of the College Update



VPCC Enrollment Trends

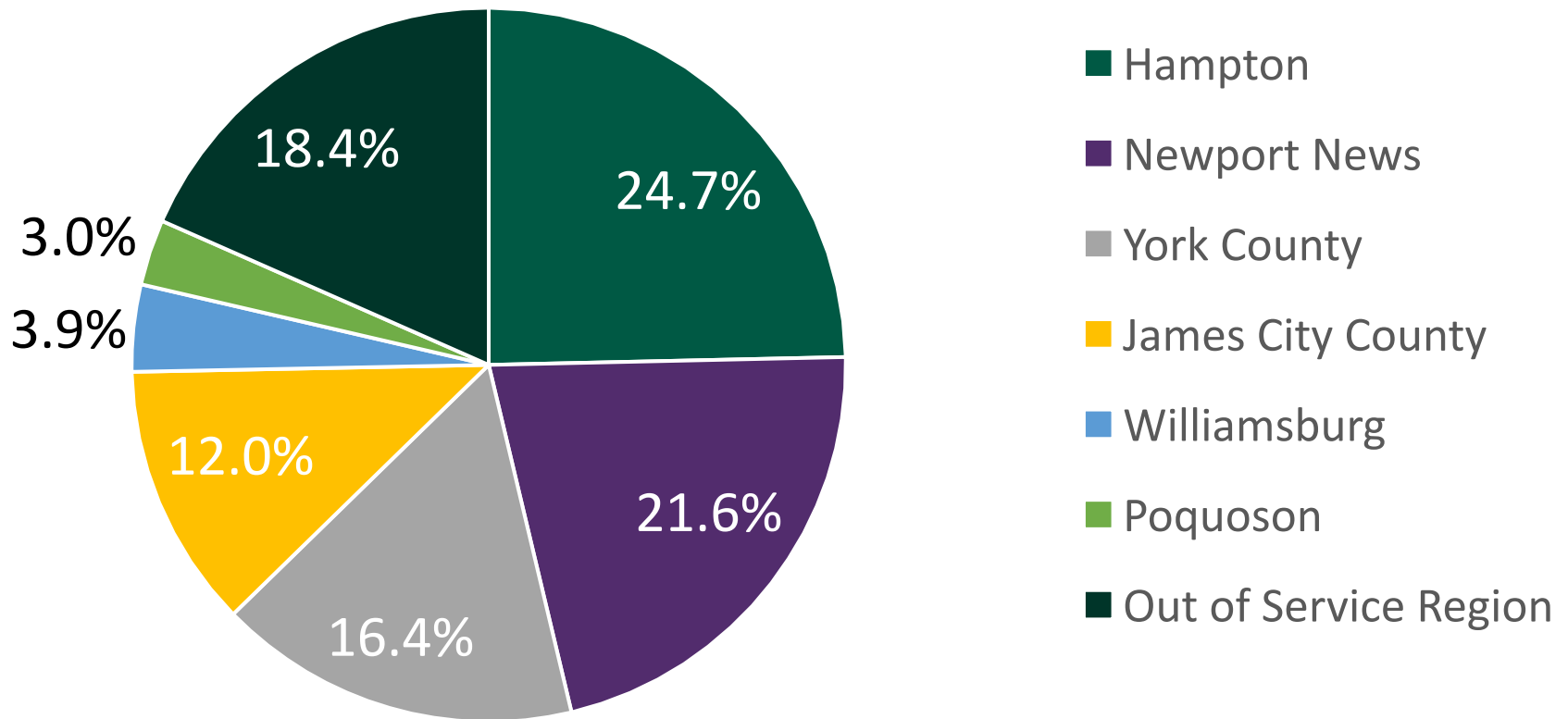
Fall Enrollment for Traditional Academic Credit Students



VPCC Enrollment 2024-25

Enrollment for Traditional Academic Credit Students

Enrollment by Locality 2024-25



FastForward Funding

FastForward Allocation vs. Payouts over time

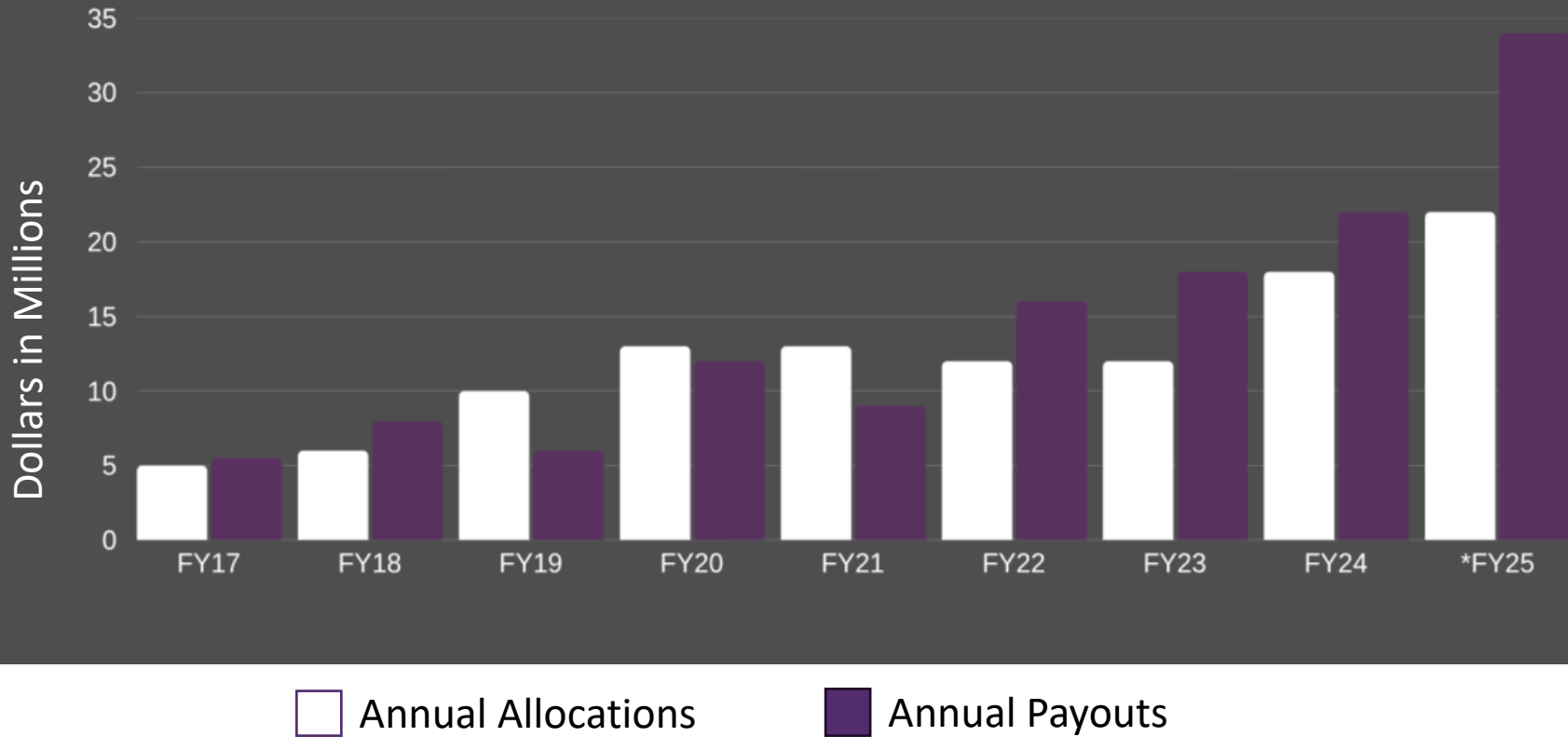


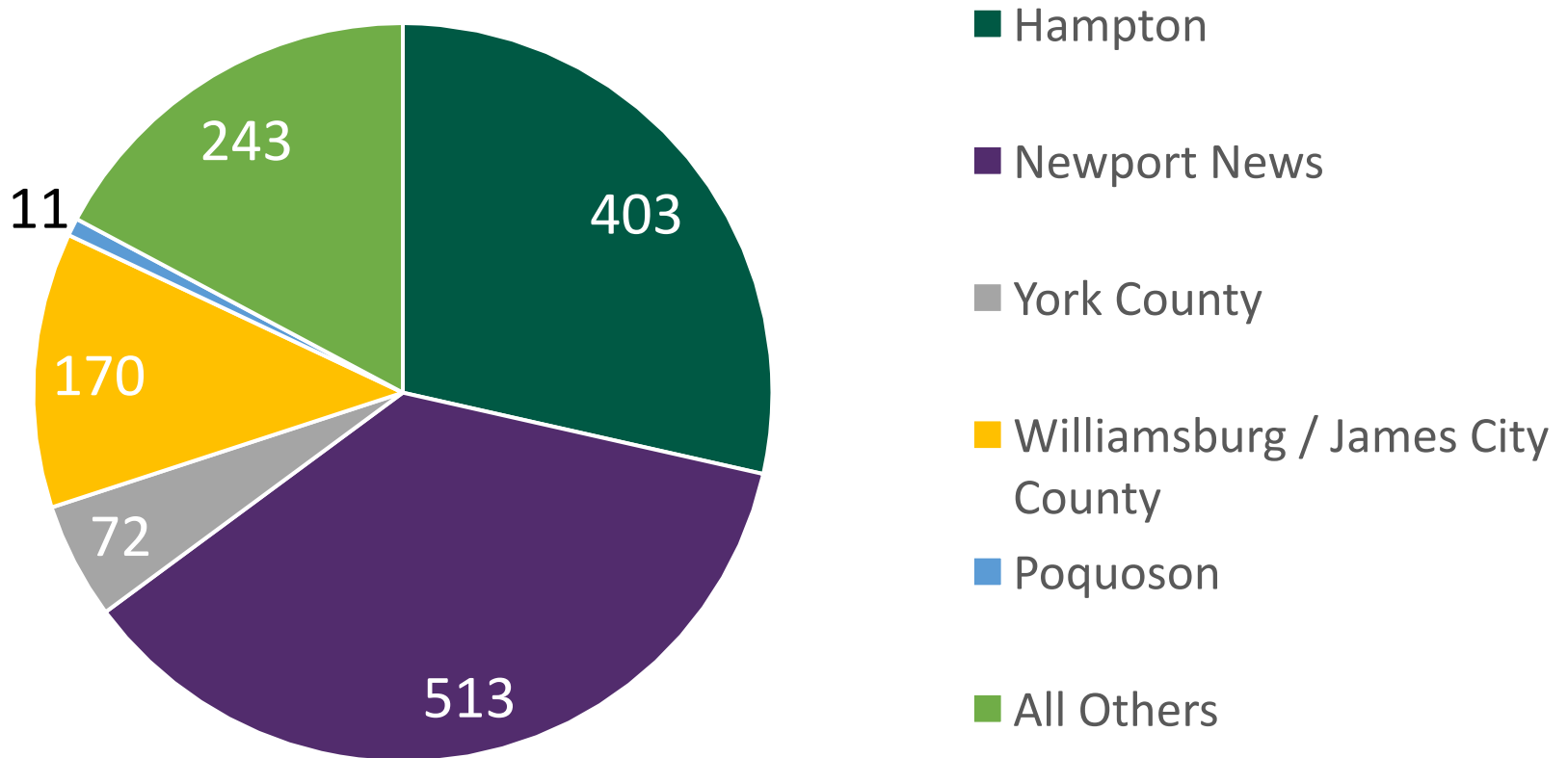
Chart shows information for Commonwealth of Virginia. Not VPCC specifically.

*FY25 WCG payouts paused in late spring. Actual demand was higher.

FastForward Enrollment

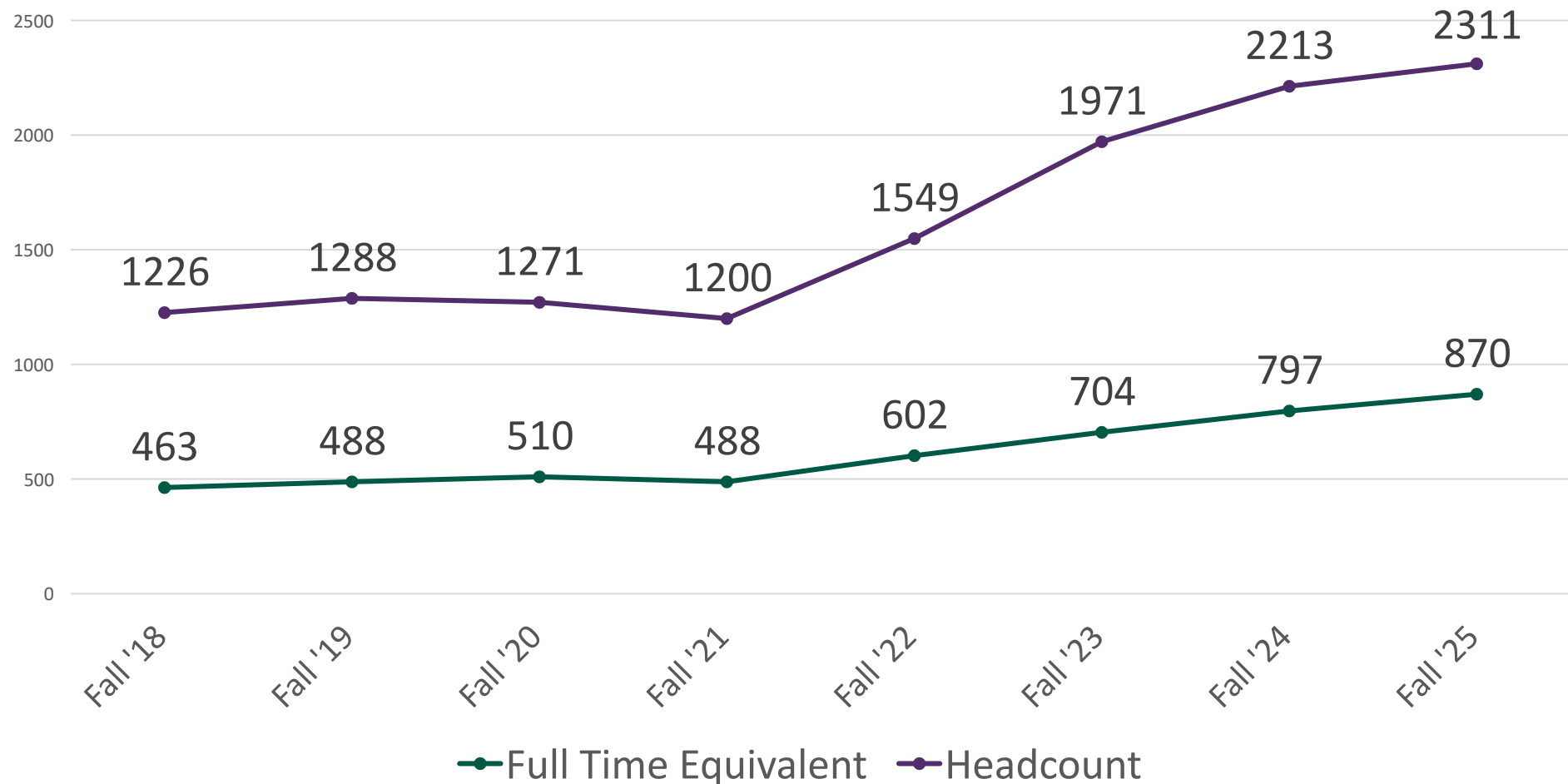
Enrollment for Non-Credit, FastForward Programs

Workforce FastForward Enrollment 2024-25



Dual Enrollment Trends

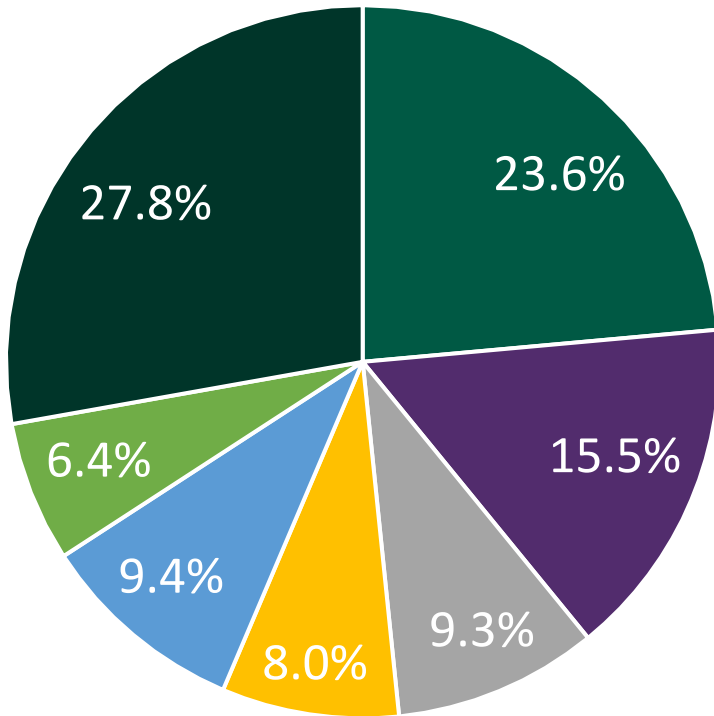
Fall Enrollment of All High School Dual Enrollment Students



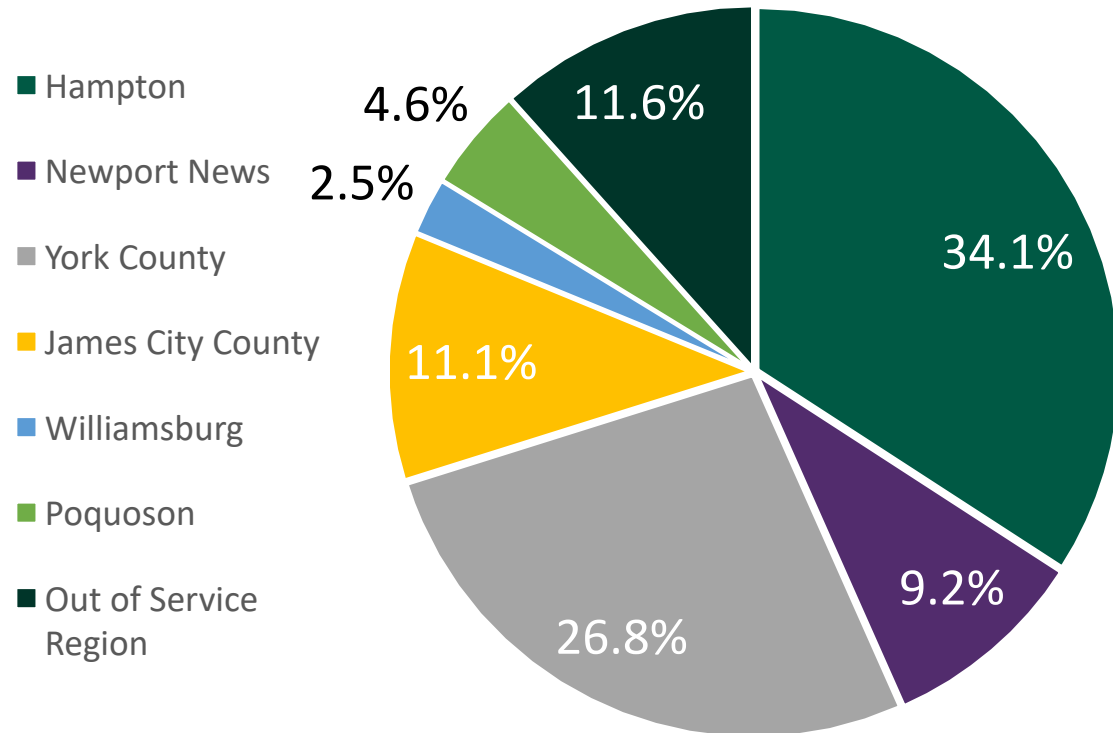
Dual Enrollment by Locality

Enrollment of All High School Dual Enrollment Students

2021-22



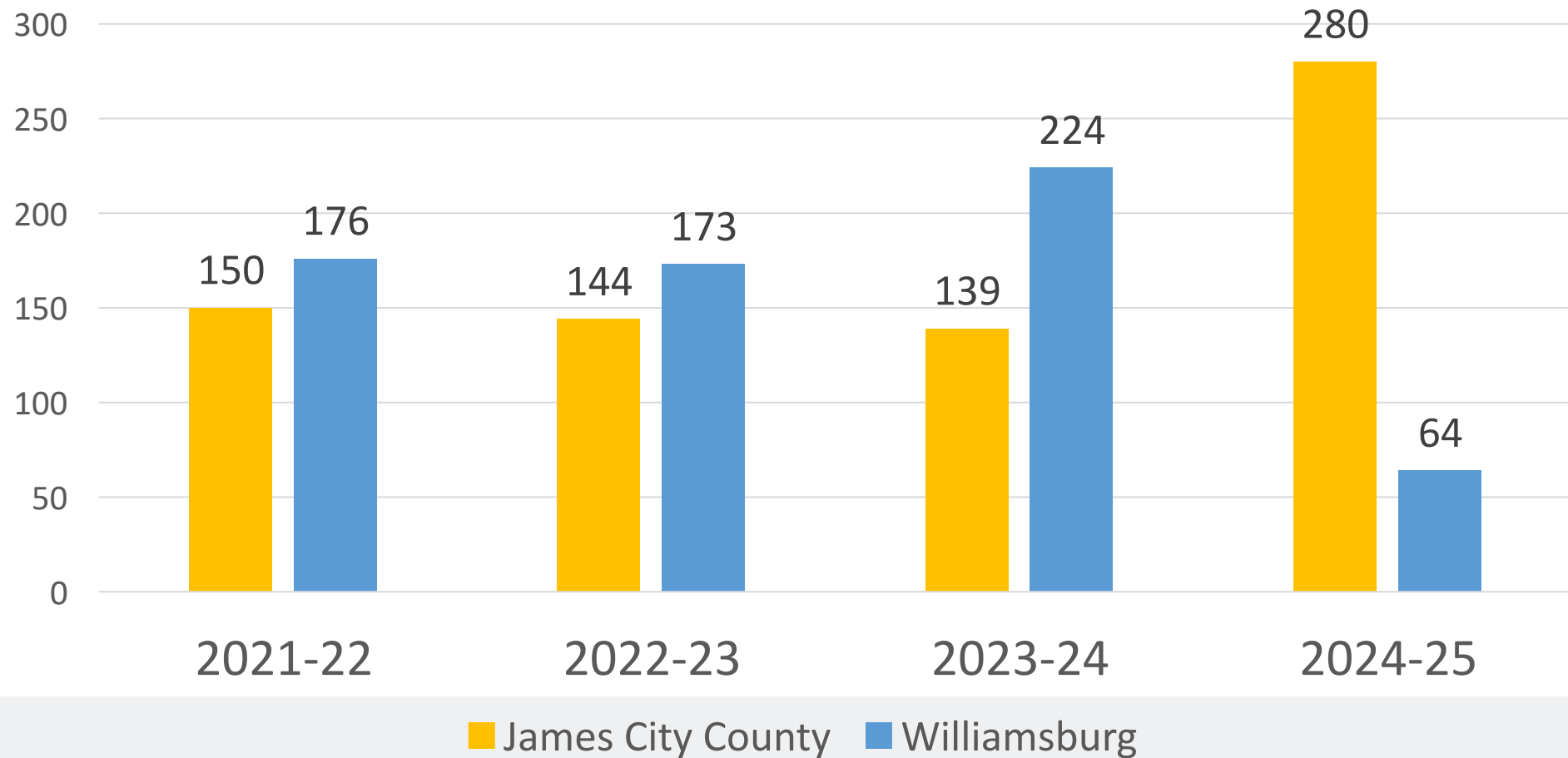
2024-25



Dual Enrollment - WJCC

Williamsburg / James City County Schools

Annual Enrollment



Student Retention and Completion



+5%

Fall-to-Fall
Retention Rates
Compared to Prior Year

*Data Source: VPCC Office of Analytics &
Planning Reports, Fall 2023 and 2024
Cohorts*



+4%

Degrees and
Certificates Awarded
Compared to Prior Year

*Data Source: Virginia Community College
System Official Graduate and Awards
Conferred Reports, 2023-24 and 2024-25*



+19%

Short Term
FastForward
Completers
Compared to Prior Year

*Data Source: VCCS WCG/FastForward
Enrollment Summary Reports, 2023-24
and 2024-25*

Graduate Mobility Study

Academic Years: 2007-08 to 2017-18

The SCHEV Graduate Mobility Study identified the extent to which 2008 graduates of Virginia's colleges and universities remained within Virginia to contribute to its economy and civic life ten years later in 2018.

57%



All VA 4-Year
Colleges/Universities

78%



VIRGINIA
PENINSULA
COMMUNITY COLLEGE

OUR MISSION: YOUR SUCCESS.

**Virginia Peninsula Community College graduates remain
in Virginia at significantly higher rates.**

Employed After Program Completion

72.4%

College Transfer
Graduates Employed
within 18 Months

80.9%

Career Technical
Graduates Employed
within 18 Months

77.7%

Short-term FastForward
Completers Employed
within 6 Months

Physical Improvements

- Renovation of Student Spaces
- Reopening the Dr. Mary T. Christian Theatre
- Opening of the Newport News Trades Center
- Construction of New Hampton Campus Academic Building



Student Satisfaction

“This is my last semester here before I graduate and overall I had **a great experience** and met **very good people and teachers**. If I need to come back and get another degree of some sort I’ll choose you.”

“**I love the professors**. They have been **advocates, educators**, and more. They've gone **beyond the call of duty** to ensure academic success. I am grateful for the staff members at VPCC... “

“I’m grateful to VPCC for respecting my long-term enrollment ... being patient with me constantly re-enrolling. (The College) has been very accommodating through all of my changes and my growth.”

“Looking back, I truly appreciate how **helpful and understanding** everyone at the college has been. They have shown that they **care** about students not just academically, but personally as well. Because of their **support**, I’ve been able to **stay focused, make informed choices**, and **feel confident** in my path. I’m grateful for the **positive experience** and **proud** to be part of this college community.”

**Future Hampton Campus
Academic Building.**



Thank you for your time.

**Additional questions may be forwarded to
president@vpcc.edu**

MEMORANDUM

DATE: March 24, 2026

TO: The Board of Supervisors

FROM: Jeffrey A. Louke, Operations Project Coordinator

SUBJECT: Contract Award - \$135,200 - Little Creek Reservoir Park Building Renovation

The Little Creek Reservoir Park Building Renovation will consist of the addition of office space and a reconfigured entrance to allow for a service window. The renovation on the interior includes the addition of an ADA compliant restroom, new electrical, plumbing, and an HVAC system. On the exterior the renovation includes a new architectural shingle roof, siding, trim, and windows that include a service area.

The following two construction firms submitted bids to be considered for contract award:

<u>Firm</u>	<u>Amount</u>
Bay River Contracting, LLC	\$135,200
United Unlimited Construction, Inc.	\$137,346

Bay River Contracting, LLC, was determined to be the lowest qualified, responsive, and responsible bidder. This project is part of the approved Capital Improvement Program budget for James City County and funds are available for this project.

Staff recommends approval of the attached resolution authorizing the contract award to Bay River Contracting, LLC.

JAL/ap
CA-LilCrkBldgReno-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$135,200 - LITTLE CREEK RESERVOIR

PARK BUILDING RENOVATION

WHEREAS, James City County received competitive bids for the Little Creek Reservoir Park Building Renovation; and

WHEREAS, two bids were considered for award and Bay River Contracting, LLC, was the lowest qualified, responsive, and responsible bidder; and

WHEREAS, previously approved Capital Improvement Program budget funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$135,200 to Bay River Contracting, LLC, for the Little Creek Reservoir Park Building Renovation.

John J. McGlennon
Chair, Board of Supervisors

ATTEST:

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

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of March, 2026.

CA-LilCrkBldgReno-res

MEMORANDUM

DATE: March 24, 2026

TO: The Board of Supervisors

FROM: Mark L. Jamison, Chief of Police

SUBJECT: Contract Award - \$161,794 - Professional Standards Software

The James City County Police Department (JCCPD) is requesting approval to enter into a five-year contract with NEOGOV for Professional Standards Software totaling \$161,794. This software will update the current paper process to an electronic process and integrate with existing department systems including computer-aided dispatch, the records management system, and policy management software PowerDMS. This software will improve efficiency, enhance accountability, and allow citizens the option to submit a complaint or compliment via a web-based or QR code application.

A Request for Proposals was solicited and six vendors responded. Based on the evaluation of submissions, three vendors were selected as finalists and invited to provide product demonstrations. Following evaluation of the demonstrations and review of proposal qualifications, NEOGOV was determined to be the best suited vendor to meet the County's operational and technical requirements. This competitive process ensures compliance with the JCC Purchasing Policy and the Virginia Public Procurement Act.

Funding for the first year of the contract is available within the JCCPD's current budget. Funding for years two and three has been requested in the budget requests for Fiscal Years (FY) 2027-2028, and funding for years four and five will be requested in future FY budgets.

The five-year contract total is \$161,794, with annual costs as follows:

<u>Year</u>	<u>Amount</u>
Year 1	\$30,579
Year 2	\$26,990
Year 3	\$33,191
Year 4	\$34,742
Year 5	\$36,292

Adoption of the attached resolution will allow County Administration, in collaboration with the Purchasing Division, to enter into a five-year contract with NEOGOV for the purchase of Professional Standards Software.

Staff recommends adoption of the attached resolution authorizing the contract award to NEOGOV, in the amount of \$161,794 for the procurement of Professional Standards Software for the JCCPD.

MLJ/tm
CA-ProfStdSftware-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$161,794 - PROFESSIONAL STANDARDS SOFTWARE

WHEREAS, the James City County Police Department (JCCPD) seeks to improve efficiency, accountability, and transparency by implementing Professional Standards Software to replace existing paper-based processes and integrate with current department systems, including computer-aided dispatch, the records management system, and policy management software; and

WHEREAS, JCCPD and Purchasing Division staff conducted a competitive Request for Proposals process in accordance with the JCC Purchasing Policy and the Virginia Public Procurement Act, and NEOGOV was determined to be the best suited vendor based on evaluation of proposals and product demonstrations; and

WHEREAS, the total cost of the five-year contract is \$161,794, with first-year funding available within the JCCPD's current budget and funding for subsequent years to be requested and appropriated through future fiscal year budgets; and

WHEREAS, this software will enhance administrative efficiency, improve documentation and reporting capabilities, and provide citizens with accessible electronic options for submitting complaints or compliments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a five-year contract with NEOGOV, for Professional Standards Software in the amount of \$161,794, subject to annual appropriation of funds.

John J. McGlennon
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

WAINWRIGHT
NULL
ICENHOUR
LARSON
MCGLENNON

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 24th day of March, 2026.

CA-ProfStndSftware-res

THIS IS NOT AN INVOICE

Contract Records		Order Details	
Account Number:	A-2964	Order #:	Q-448918
Customer:	James City County Police Department (VA)	Valid Until:	3/31/2026
Effective Employee Count:	120		
Sales Rep:	Jordan Burns		

Customer Contact		Shipping Contact	
Billing Contact:	James City County Police Department (VA) Honacy Beco	Shipping Contact :	James City County Police Department (VA) Anthony Dallman
Billing Address:	Accounts Payable PO Box 8784 Williamsburg, VA 23187-8784	Shipping Address:	4600 Opportunity Way Williamsburg, VA 23188
Billing Contact Email:	honacy.beco@jamescitycountyva.gov	Shipping Contact Email:	tony.dallman@jamescitycountyva.gov
Billing Phone:	7572595155	Shipping Phone:	757-259-5169

Payment Terms		Notes:
Payment Term:	Net 30	
PO Number:		

Subscription Service

Year 1

Item	Type	Start Date	End Date	License Type	Total (USD)
PowerIA Subscription	Recurring	7/1/2026	6/30/2027	Employee Based	\$6,201.00
The PowerIA Annual subscription provides an agency-specific license for the use of the PowerIA modules for Internal Affairs case management and internal and external complaint management and tracking					
PowerIA Setup	Services			Employee Based	\$3,780.00
The one-time implementation fee to build the site includes access to online resources , system configuration training, train the trainer, legacy data import from CSV, user-materials, and an implementation consultant.					
PowerAction Subscription	Recurring	7/1/2026	6/30/2027	Employee Based	\$6,201.00
The PowerAction Annual subscription provides an agency-specific license for the use of the PowerAction modules for collecting, tracking and reporting on actions taken by officers from a standard library of reports, that can be tailored to agency needs.					
PowerAction Setup	Services			Employee Based	\$3,780.00
The one-time implementation fee to build the site includes access to online resources , system configuration training, train the trainer, user-materials, and an implementation consultant.					
PowerVitals Subscription	Recurring	7/1/2026	6/30/2027	Employee Based	\$6,201.00
The PowerVitals Annual subscription provides an agency-specific license for the use the PowerVitals module that provides tracking of indicators, alerts and assistance plans for early indication and intervention of officers by supervisors.					
PowerVitals Setup	Services			Employee Based	\$3,780.00
The one-time implementation fee to build the site includes access to online resources , system configuration training, train the trainer,user-materials, and an implementation consultant.					

Item	Type	Start Date	End Date	License Type	Total (USD)
PowerLine Subscription (Attach)	Recurring	7/1/2026	6/30/2027	Employee Based	\$0.00
The PowerLine annual subscription provides and agency-wide license for access to the Android and iOS wellness application. Includes access to the nationwide peer volunteer network, library of wellness content and ability to access department-loaded local wellness resources.					
PowerPolicy SSO	Recurring	7/1/2026	6/30/2027	Employee Based	\$636.00
Single Sign On Service Subscription					
PowerPolicy SSO Setup	Services			Quantity Based	\$0.00
PowerLine Setup	Services			Employee Based	\$0.00
Includes the onboarding services to assist in the implementation and set up of the PowerLine product. Includes the workshops and services described in the Statement of Work.					
Year 1 TOTAL:					\$30,579.00

Year 2

Item	Type	Start Date	End Date	License Type	Total (USD)
PowerIA Subscription	Recurring	7/1/2027	6/30/2028	Employee Based	\$8,784.75
The PowerIA Annual subscription provides an agency-specific license for the use of the PowerIA modules for Internal Affairs case management and internal and external complaint management and tracking					
PowerAction Subscription	Recurring	7/1/2027	6/30/2028	Employee Based	\$8,784.75
The PowerAction Annual subscription provides an agency-specific license for the use of the PowerAction modules for collecting, tracking and reporting on actions taken by officers from a standard library of reports, that can be tailored to agency needs.					
PowerVitals Subscription	Recurring	7/1/2027	6/30/2028	Employee Based	\$8,784.75
The PowerVitals Annual subscription provides an agency-specific license for the use the PowerVitals module that provides tracking of indicators, alerts and assistance plans for early indication and intervention of officers by supervisors.					
PowerLine Subscription (Attach)	Recurring	7/1/2027	6/30/2028	Employee Based	\$0.00
The PowerLine annual subscription provides and agency-wide license for access to the Android and iOS wellness application. Includes access to the nationwide peer volunteer network, library of wellness content and ability to access department-loaded local wellness resources.					
PowerPolicy SSO	Recurring	7/1/2027	6/30/2028	Employee Based	\$636.00
Single Sign On Service Subscription					
Year 2 TOTAL:					\$26,990.25

Year 3

Item	Type	Start Date	End Date	License Type	Total (USD)
PowerIA Subscription	Recurring	7/1/2028	6/30/2029	Employee Based	\$10,851.75
The PowerIA Annual subscription provides an agency-specific license for the use of the PowerIA modules for Internal Affairs case management and internal and external complaint management and tracking					
PowerAction Subscription	Recurring	7/1/2028	6/30/2029	Employee Based	\$10,851.75
The PowerAction Annual subscription provides an agency-specific license for the use of the PowerAction modules for collecting, tracking and reporting on actions taken by officers from a standard library of reports, that can be tailored to agency needs.					
PowerVitals Subscription	Recurring	7/1/2028	6/30/2029	Employee Based	\$10,851.75
The PowerVitals Annual subscription provides an agency-specific license for the use the PowerVitals module that provides tracking of indicators, alerts and assistance plans for early indication and intervention of officers by supervisors.					
PowerLine Subscription (Attach)	Recurring	7/1/2028	6/30/2029	Employee Based	\$0.00
The PowerLine annual subscription provides and agency-wide license for access to the Android and iOS wellness application. Includes access to the nationwide peer volunteer network, library of wellness content and ability to access department-loaded local wellness resources.					
PowerPolicy SSO	Recurring	7/1/2028	6/30/2029	Employee Based	\$636.00
Single Sign On Service Subscription					
Year 3 TOTAL:					\$33,191.25

Year 4

Item	Type	Start Date	End Date	License Type	Total (USD)
PowerIA Subscription	Recurring	7/1/2029	6/30/2030	Employee Based	\$11,368.50
The PowerIA Annual subscription provides an agency-specific license for the use of the PowerIA modules for Internal Affairs case management and internal and external complaint management and tracking					
PowerAction Subscription	Recurring	7/1/2029	6/30/2030	Employee Based	\$11,368.50
The PowerAction Annual subscription provides an agency-specific license for the use of the PowerAction modules for collecting, tracking and reporting on actions taken by officers from a standard library of reports, that can be tailored to agency needs.					
PowerVitals Subscription	Recurring	7/1/2029	6/30/2030	Employee Based	\$11,368.50
The PowerVitals Annual subscription provides an agency-specific license for the use the PowerVitals module that provides tracking of indicators, alerts and assistance plans for early indication and intervention of officers by supervisors.					
PowerLine Subscription (Attach)	Recurring	7/1/2029	6/30/2030	Employee Based	\$0.00
The PowerLine annual subscription provides and agency-wide license for access to the Android and iOS wellness application. Includes access to the nationwide peer volunteer network, library of wellness content and ability to access department-loaded local wellness resources.					
PowerPolicy SSO	Recurring	7/1/2029	6/30/2030	Employee Based	\$636.00

Item	Type	Start Date	End Date	License Type	Total (USD)
Single Sign On Service Subscription					
Year 4 TOTAL:					\$34,741.50

Year 5

Item	Type	Start Date	End Date	License Type	Total (USD)
PowerIA Subscription	Recurring	7/1/2030	6/30/2031	Employee Based	\$11,885.25
The PowerIA Annual subscription provides an agency-specific license for the use of the PowerIA modules for Internal Affairs case management and internal and external complaint management and tracking					
PowerAction Subscription	Recurring	7/1/2030	6/30/2031	Employee Based	\$11,885.25
The PowerAction Annual subscription provides an agency-specific license for the use of the PowerAction modules for collecting, tracking and reporting on actions taken by officers from a standard library of reports, that can be tailored to agency needs.					
PowerVitals Subscription	Recurring	7/1/2030	6/30/2031	Employee Based	\$11,885.25
The PowerVitals Annual subscription provides an agency-specific license for the use the PowerVitals module that provides tracking of indicators, alerts and assistance plans for early indication and intervention of officers by supervisors.					
PowerLine Subscription (Attach)	Recurring	7/1/2030	6/30/2031	Employee Based	\$0.00
The PowerLine annual subscription provides and agency-wide license for access to the Android and iOS wellness application. Includes access to the nationwide peer volunteer network, library of wellness content and ability to access department-loaded local wellness resources.					
PowerPolicy SSO	Recurring	7/1/2030	6/30/2031	Employee Based	\$636.00
Single Sign On Service Subscription					
Year 5 TOTAL:					\$36,291.75
Total: \$161,793.75					

This price does NOT include any sales tax. Total in USD

Additional Terms and Conditions

License Terms: Enterprise license denotes that Customer has purchased an enterprise wide license up to the employee count specified above. User based license denotes that Customer has purchased the number of licenses set forth in the quantity column. Item count denotes the number of items that Customer has licensed as set forth in the quantity column.

Payment Terms: All invoices issued hereunder are due upon the invoice due date. If the Order is for a period longer than one year, the fees for the first period shown shall be invoiced immediately and the fees for future years/periods shall be invoiced annually in advance of each 12 month period shown on the Order, but regardless of the billing cycle, Customer is responsible for the fees for the entire Order. The fees set forth in this Service Order are exclusive of all applicable taxes, levies, or duties imposed by taxing authorities and Customer shall be responsible for payment of any such applicable taxes, levies, or duties. All payment obligations are non-cancellable, and all fees paid are non-refundable. Payment for services ordered hereunder shall be made to PowerDMS, Inc. a wholly owned subsidiary of Governmentjobs.com, Inc. (D/B/A NEOGOV).

Terms & Conditions: This Order Form creates a legally binding contract on the parties. Unless otherwise agreed in a written agreement between GovernmentJobs.com, Inc. (D/B/A/ NEOGOV), parent company of PowerDMS, Inc., Cuehit, Inc., Ragnasoft LLC (D/B/A/ PlanIT Schedule), and Design PD, LLC (D/B/A Agency360) (collectively, "NEOGOV") and Customer, this Order Form and the services to be furnished pursuant to this Order Form are subject to the terms and conditions set forth here: <https://www.neogov.com/service-specifications>.

Special Condition:

If this Order Form is executed and/or returned to NEOGOV by the Customer after the Subscription Start Date stated in this Order Form, NEOGOV may adjust the Subscription Start Date and the corresponding Subscription End Date, without increasing the total fees, based on the date NEOGOV activates the subscription, provided the total length of the subscription term does not change. Following activation, any adjustments to such Subscription Start Date and Subscription End Date may be confirmed by reference to the invoice sent by NEOGOV.

Your signature below constitutes acceptance of terms herein and contractual commitment to purchase the items listed above.

Accepted and Agreed By Authorized Representative of:
James City County Police Department (VA)

Signature: _____

Printed Name: _____

Title: _____

Date _____

THE INFORMATION AND PRICING CONTAINED IN THIS ORDER FORM IS STRICTLY CONFIDENTIAL.

MEMORANDUM

DATE: March 24, 2026

TO: The Board of Supervisors

FROM: Toni E. Small, Director of Stormwater and Resource Protection Division

SUBJECT: Dedication of the Streets in Land Bay 5 of the Stonehouse Subdivision

Attached is a resolution requesting acceptance of the streets in Land Bay 5 of the Stonehouse Subdivision which are proposed as public rights-of-way into the State Secondary Highway System. The streets proposed for acceptance are Daydreamer Court, Imagination Avenue, Tranquil Trail, Twilight Court, and Stillness Path. They are shown in red on the attached map. The streets have been inspected and approved by representatives of the Virginia Department of Transportation (VDOT) as meeting the minimum requirements for secondary roadways.

VDOT's Secondary Street Acceptance Requirements (SSAR), effective March 2009 and updated December 2011, outline processes on how streets are designed, constructed, and officially accepted for maintenance as part of the Secondary System of State Highways. Upon the satisfactory completion of construction of streets, VDOT advises and coordinates with the local governing body of the street's readiness for acceptance through the use of VDOT's Form AM-4.3. As part of the initial acceptance process, the County Board of Supervisors must request, by resolution, that VDOT accept the street for maintenance as part of the Secondary System of State Highways. Administrative procedures outlined in the SSAR/24VAC30-92-70 lists criteria for street acceptance and what information is required on the local resolution. Once the resolution is approved, the signed Form AM-4.3 and the resolution are then returned to VDOT. VDOT then officially notifies the locality of the street's acceptance into the Secondary System of State Highways and the effective date of such action. This notification serves as the start of VDOT maintenance responsibility. As part of the process, the County will hold an appropriate amount of subdivision or public improvement surety for the roadway, as required by local Ordinances, until the acceptance process is complete. Also, within 30 days of the local governing body's request (resolution), VDOT requires a maintenance surety to be posted by the developer to guarantee performance of the street for one year from the date of acceptance.

Staff recommends the adoption of the attached resolution.

TES/ap
DedStStonehouseLB5-mem

Attachments:

1. Resolution
2. AM-4.3
3. Map

RESOLUTION

DEDICATION OF THE STREETS IN LAND BAY 5

OF THE STONEHOUSE SUBDIVISION

WHEREAS, Route 802, Daydreamer Court, Route 803, Imagination Avenue, Route 804, Tranquil Trail, Route 805, Twilight Court, and Route 806, Stillness Path have been completed; and

WHEREAS, the roads were constructed to Virginia Department of Transportation (VDOT) standards; and

WHEREAS, the development sketch and VDOT Form AM-4.3, attached and incorporated herein as part of this resolution, define additions required in the Secondary System of State Highways as a result of construction; and

WHEREAS, certain segments identified on the incorporated Form AM-4.3 are ready to be accepted into the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED that this Board requests VDOT to add the segments identified on the incorporated Form AM-4.3 to the Secondary System of State Highways, pursuant to § 33.2-705 of the *Code of Virginia*, for which segments this Board hereby guarantees the right-of-way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to VDOT.

John J. McGlennon
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>
WAINWRIGHT	_____	_____	_____	_____
NULL	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____
LARSON	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of March, 2026.

DedStStnehseLB5-res



COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
Form AM 4.3

In James City County

by Resolution of the governing body adopted March 24, 2026

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

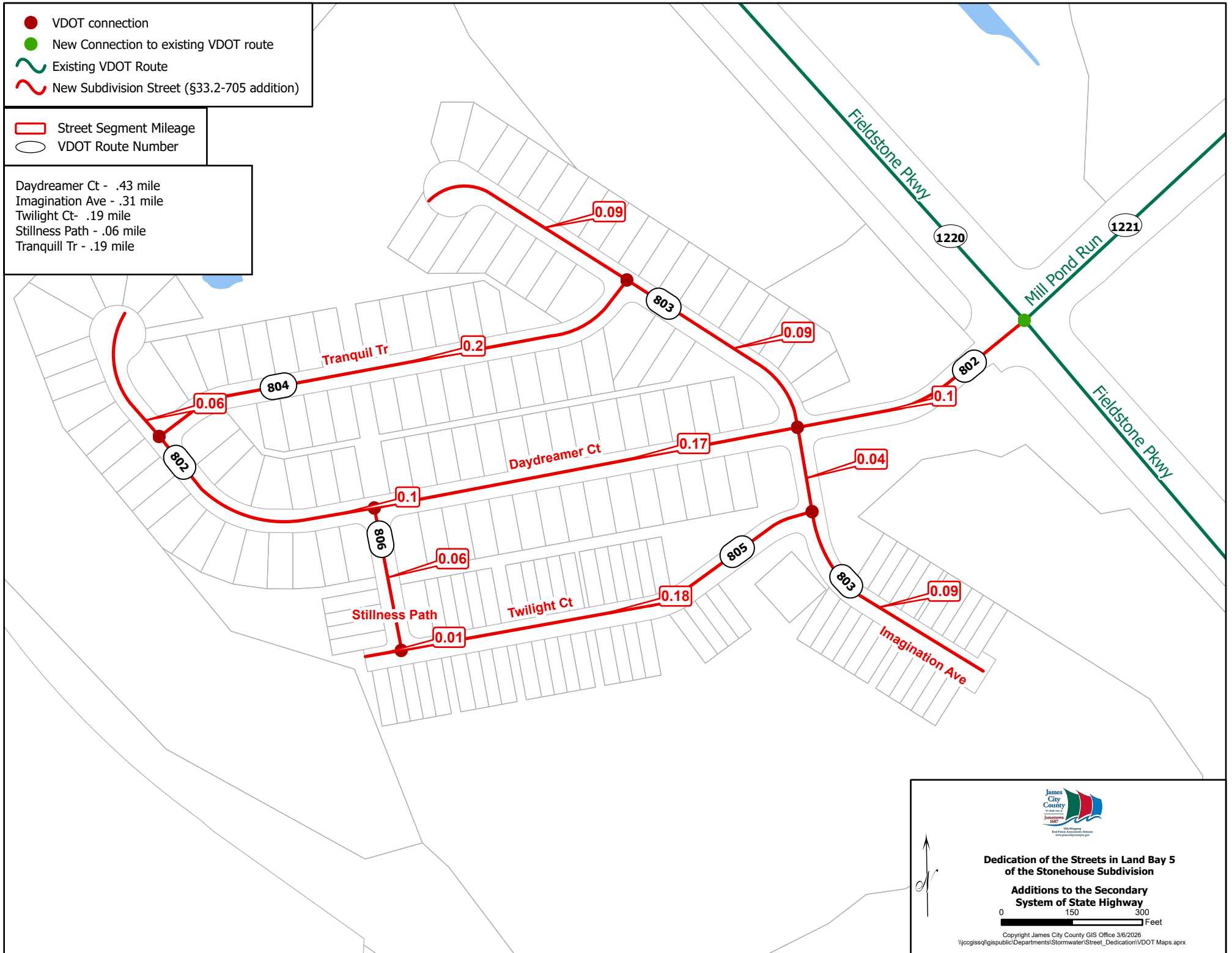
Project/Subdivision: Stonehouse Land Bay 5

CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDAT ION REFERENC E	ROW WIDTH
Addition	Rt. 802 - Daydreamer Court	New subdivision street §33.2-705	Tranquil Trail	cul de sac	0.06	2		50
Addition	Rt. 802 - Daydreamer Court	New subdivision street §33.2-705	Imagination Avenue	Stillness Path	0.17	2		50
Addition	Rt. 802 - Daydreamer Court	New subdivision street §33.2-705	Stillness Path	Tranquil Trail	0.10	2		50
Addition	Rt. 802 - Daydreamer Court	New subdivision street §33.2-705	Fieldstone Parkway	Imagination Avenue	0.08	2		50
Addition	Rt. 803 - Imagination Avenue	New subdivision street §33.2-705	Tranquil Trail	Daydreamer Court	0.09	2		50
Addition	Rt. 803 - Imagination Avenue	New subdivision street §33.2-705	Twilight Court	Turnaround	0.09	2		50
Addition	Rt. 803 - Imagination Avenue	New subdivision street §33.2-705	Daydreamer Court	Twilight Court	0.04	2		50
Addition	Rt. 803 - Imagination Avenue	New subdivision street §33.2-705	cul de sac	Tranquil Trail	0.09	2		50
Addition	Rt. 804 - Tranquil Trail	New subdivision street §33.2-705	Imagination Avenue	Daydreamer Court	0.20	2		50
Addition	Rt. 805 - Twilight Court	New subdivision street §33.2-705	Stillness Path	End	0.01	2		50
Addition	Rt. 805 - Twilight Court	New subdivision street §33.2-705	Imagination Avenue	Stillness Path	0.18	2		50
Addition	Rt. 806 - Stillness Path	New subdivision street §33.2-705	Daydreamer Court	Twilight Court	0.06	2		50

- VDOT connection
- New Connection to existing VDOT route
- ~ Existing VDOT Route
- ~ New Subdivision Street (§33.2-705 addition)

- ▭ Street Segment Mileage
- VDOT Route Number

Daydreamer Ct - .43 mile
 Imagination Ave - .31 mile
 Twilight Ct- .19 mile
 Stillness Path - .06 mile
 Tranquill Tr - .19 mile



Dedication of the Streets in Land Bay 5 of the Stonehouse Subdivision

Additions to the Secondary System of State Highway

0 150 300 Feet

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MEMORANDUM

DATE: March 24, 2026

TO: The Board of Supervisors

FROM: Toni E. Small, Director of Stormwater and Resource Protection Division

SUBJECT: Dedication of the Streets in the Village at Candle Station Subdivision

Attached is a resolution requesting acceptance of the streets in the Village at Candle Station Subdivision which are proposed as public rights-of-way into the State Secondary Highway System. The streets proposed for acceptance are the extension of Pricket Road and Wicks Road. They are shown in red on the attached map. The streets have been inspected and approved by representatives of the Virginia Department of Transportation (VDOT) as meeting the minimum requirements for secondary roadways.

VDOT's Secondary Street Acceptance Requirements (SSAR), effective March 2009 and updated December 2011, outline processes on how streets are designed, constructed, and officially accepted for maintenance as part of the Secondary System of State Highways. Upon the satisfactory completion of construction of streets, VDOT advises and coordinates with the local governing body of the street's readiness for acceptance through the use of VDOT's Form AM-4.3. As part of the initial acceptance process, the County Board of Supervisors must request, by resolution, that VDOT accept the street for maintenance as part of the Secondary System of State Highways. Administrative procedures outlined in the SSAR/24VAC30-92-70 lists criteria for street acceptance and what information is required on the local resolution. Once the resolution is approved, the signed Form AM-4.3 and the resolution are then returned to VDOT. VDOT then officially notifies the locality of the street's acceptance into the Secondary System of State Highways and the effective date of such action. This notification serves as the start of VDOT maintenance responsibility. As part of the process, the County will hold an appropriate amount of subdivision or public improvement surety for the roadway, as required by local Ordinances, until the acceptance process is complete. Also, within 30 days of the local governing body's request (resolution), VDOT requires a maintenance surety to be posted by the developer to guarantee performance of the street for one year from the date of acceptance.

Staff recommends the adoption of the attached resolution.

TES/ap
DedStVillCndleSta-mem

Attachments:

1. Resolution
2. AM-4.3
3. Map

RESOLUTION

DEDICATION OF THE STREETS IN THE VILLAGE

AT CANDLE STATION SUBDIVISION

WHEREAS, Route 1748, an extension Pricket Road, Route 1749, Wicks Road have been completed; and

WHEREAS, the roads were constructed to Virginia Department of Transportation (VDOT) standards; and

WHEREAS, the development sketch and VDOT Form AM-4.3, attached and incorporated herein as part of this resolution, define additions required in the Secondary System of State Highways as a result of construction; and

WHEREAS, certain segments identified on the incorporated Form AM-4.3 are ready to be accepted into the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED that this Board requests VDOT to add the segments identified on the incorporated Form AM-4.3 to the Secondary System of State Highways, pursuant to § 33.2-705 of the *Code of Virginia*, for which segments this Board hereby guarantees the right-of-way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to VDOT.

John J. McGlennon
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

WAINWRIGHT
NULL
ICENHOUR
LARSON
MCGLENNON

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 24th day of March, 2026.

DedStVillCndleSta-res



COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
Form AM 4.3

In James City County

by Resolution of the governing body adopted

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

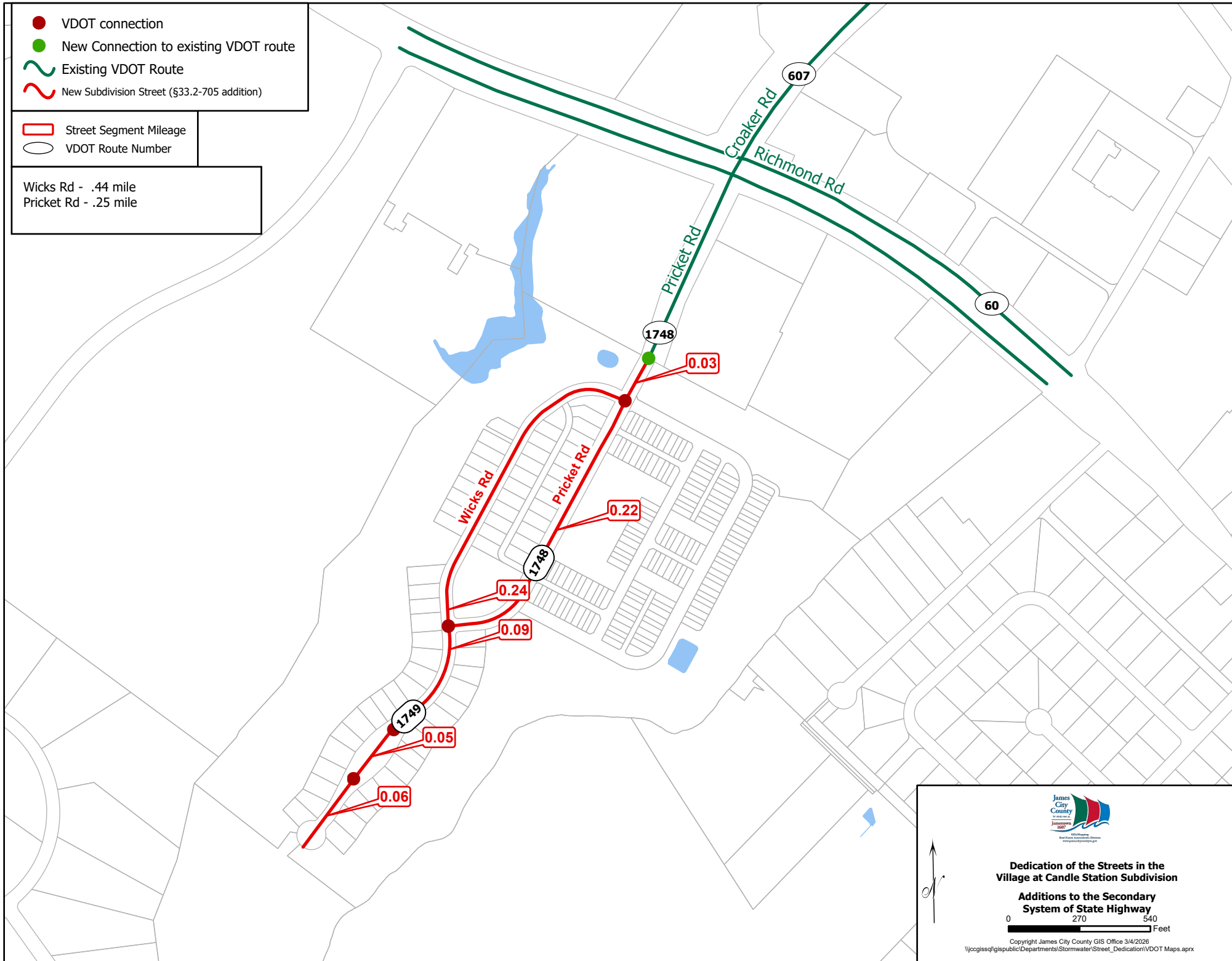
Project/Subdivision: Village at Candle Station

CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDATION REFERENCE	ROW WIDTH
Addition	Rt. 1748 - Pricket Road	New subdivision street §33.2-705	607	Wick's Road	0.06	2		60
Addition	Rt. 1748 - Prickett Road	New subdivision street §33.2-705	Wick's Road (1749)	Wick's Road	0.22	2		60
Addition	Rt. 1749 - Wick's Road	New subdivision street §33.2-705	Node 2	CDS	0.06	2		50
Addition	Rt. 1749 - Wick's Road	New subdivision street §33.2-705	Node 1	Node 2	0.06	2		50
Addition	Rt. 1749 - Wick's Road	New subdivision street §33.2-705	Pricket Road (1748)	Pricket Road (1748)	0.24	2		50
Addition	Rt. 1749 - Wick's Road	New subdivision street §33.2-705	Pricket Road (1748)	Node	0.09	2		50

- VDOT connection
- New Connection to existing VDOT route
- ~ Existing VDOT Route
- ~ New Subdivision Street (§33.2-705 addition)

- Street Segment Mileage
- VDOT Route Number

Wicks Rd - .44 mile
Pricket Rd - .25 mile



Dedication of the Streets in the Village at Candle Station Subdivision

Additions to the Secondary System of State Highway

0 270 540 Feet

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MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
VACo LOCAL GOVERNMENT DAY
VIRGINIA GENERAL ASSEMBLY BUILDING
201 N 9TH STREET, RICHMOND, VA 23219
FEBRUARY 05, 2026
8:30 A.M.

A. ATTENDANCE

Tracy L. Wainwright, Powhatan District
Barbara E. Null, Stonehouse District
James O. Icenhour, Jr., Jamestown District
Ruth M. Larson, Vice Chair, Berkeley District
John J. McGlennon, Chair, Roberts District

Scott A. Stevens, County Administrator

Supervisor Larson had VACo duties to attend to and did not join the rest of the Board Members until the luncheon.

B. GOVERNMENT DAY BUSINESS

The Board convened together at 8:30 a.m. at the Virginia General Assembly Building. The Board met with Senator J.D. Diggs, Senator Ryan McDougle, and Delegate Jessica Anderson to discuss current legislation moving through the General Assembly.

After the meetings, the Board attended the VACo luncheon (see attached agenda). At approximately 2 p.m., after the luncheon and program, Supervisor Wainwright and Supervisor Null left the event.

Chair McGlennon, Supervisor Icenhour, and Supervisor Larson attended the Coalition of High Growth Meeting.

C. ADJOURNMENT

1. At approximately 3 pm, the remaining Board members left the event and adjourned.

Thursday, February 5, 2026

Omni Richmond Hotel

Virginia Association of Counties invites all elected officials to the Local Government Day. This is the day when all localities come together and advocate on behalf of our communities. Join us for Local Government Day at the General Assembly!

Date: Thursday, February 5, 2026

Who should attend: ALL Elected Officials and staff are encouraged to register and attend.

Registration Fee

- **\$100** | Includes Day Briefing (Noon – 2pm) and Reception (430pm – 630pm)

Agenda

- **9am** | VACo Board of Directors Meeting
- **10am** | Registration
- **1130am** | Lunch
- **Noon** | VACo Local Government Day
- **Afternoon** | Visit the Capitol to speak with legislators
- **4pm-630pm** | VACo Legislative Reception | Omni Richmond Hotel
Welcoming Remarks: **Governor Abigail Spanberger**

Please email Valerie Russell at vrussell@vaco.org with questions.

VACo Associate Members – please contact Karie Walker at kwalker@vaco.org with sponsorship questions.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
February 10, 2026
5:00 PM

A. CALL TO ORDER

Mr. McGlennon called the meeting to order at approximately 5:12 p.m. following the James City Service Authority (JCSA) Board of Directors Regular Meeting.

B. ROLL CALL

Tracy L. Wainwright, Powhatan District
Barbara E. Null, Stonehouse District
James O. Icenhour, Jr., Jamestown District
Ruth M. Larson, Vice Chair, Berkeley District
John J. McGlennon, Chair, Roberts District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

Mr. McGlennon invited the student winners of the Historical Commission contest to lead the Board and citizens in the Pledge of Allegiance, following the Moment of Silence.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

The Historical Commission contest student winners led the Board and citizens in the Pledge of Allegiance.

Mr. McGlennon stated that the applicant had requested a postponement of Public Hearing(s) Item No. 3 Z-23-0004/MP-23-0001. Westwood Park Rezoning. He mentioned for public notification purposes that since the Public Hearing had been advertised the Public Hearing would be opened at this meeting and remain open until the deferral date. Mr. McGlennon advised that any individuals who signed up to speak would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed.

E. PRESENTATION

1. Fall 2025 Historical Commission Student Essay Contest Awards

Mr. Mark Jakobowski, Chair of the Historical Commission, addressed the Board highlighting the annual Historical Commission Student Essay Contest. He noted that this presentation focused on fall submissions received and was tailored for students from private, homeschool, and Williamsburg-James City County (WJCC) Public Schools. Mr. Jakobowski began by presenting the third-place award to Mr. Asher Sohani of Jamestown High School. He then

recognized the absent second-place winner Ms. Ghulam Fizza from Lafayette High School, and announced the first-place winner Ms. Eleanor Chen from Warhill High School. Mr. Jakobowski stated that he would facilitate the delivery of the certificate and scholarship funds to the second-place winner. He thanked the Board of Supervisors.

F. PUBLIC COMMENT

1. Ms. Donnie McDaniel, Executive Director of Community of Faith Mission (COFM), P.O. Box 6357, addressed the Board noting that the organization administers the emergency shelter program for the Greater Williamsburg area. She noted that due to recent ice and snow storms, COFM adjusted its normal 6 p.m.-7 a.m. operating hours. The facility remained open for approximately three days during the ice storm and for an additional day during the snowstorm. Ms. McDaniel was relieved to announce that the shelter maintained power, keeping all shelter occupants warm and safe during the storms. She noted that, to date, 104 individuals had utilized the emergency shelter, and 39% of those individuals were residents of JCC. Ms. McDaniel detailed the gender and age demographics of the shelter occupants, noting that funding constraints required precise age-range reporting. She welcomed a Board discussion to explore solutions for the limitations affecting most emergency shelter residents. Ms. McDaniel highlighted the Heads Up Program's role in housing and diversion, noting that it had successfully diverted 12 individuals and was currently assisting 21 individuals with housing needs. She reported that COFM had been at its 30-person capacity for two weeks, highlighting a critical funding shortage for sheltering individuals when the facility was full. Ms. McDaniel requested the Board to consider funding solutions for the displaced, as current resources were insufficient.

Mr. McGlennon expressed his gratitude to Ms. McDaniel and COFM for their essential work in assisting the community's less fortunate.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board highlighting the critical, full-capacity emergency shelter operations at Bruton Parish Episcopal Church last week, noting his role in providing necessary snow removal and pretreatment. He emphasized the urgency and significance of the ongoing shelter crisis. Mr. Henderson requested that the Board allocate funds to COFM to increase its capacity and meet the current need. He highlighted a Route 60 hotel for sale, suggesting it could be converted into a permanent emergency shelter for the community. Mr. Henderson extended congratulations to one of Mr. McGlennon's former students, Mr. Jeffrey Ryer, who was elected as the Chairman of the Republican Party of Virginia, and highlighted the significance of having a local resident in that role. He noted his discussion with the County Administrator regarding neighborhood connectivity to main roads, highlighting that limited exit routes posed emergency risks. Mr. Henderson requested future Board consideration on this matter. He noted that Mississippi, Louisiana, and Alabama were achieving remarkable progress in reading and math, with several schools leading the nation. Mr. Henderson suggested that the WJCC School Administration reach out to these successful districts to model their practices.

G. CONSENT CALENDAR

None.

H. PUBLIC HEARING(S)

Mr. McGlennon indicated that Mr. Jack Haldeman was the Planning Commission representative for the meeting.

1. SUP-25-0012. 6015 Richmond Rd. Forest Heights Senior Independent Living Facility

A motion to Approve was made by James Icenhour, the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

Ms. Allison Jackura, Senior Planner, addressed the Board noting that Mr. Doug Harbin of Wayne Harbin Builder, Inc., had applied for a Special Use Permit (SUP) to allow for a 50-unit senior independent living facility located at 6015 Richmond Road. She cited the specifics of the SUP application included in the Agenda Packet. Ms. Jackura explained that the SUP was specifically limited to the front of the property as shown outlined in red in the PowerPoint presentation. She noted that the rear of the property was already under construction for approved, proffered townhome units. Ms. Jackura advised that the SUP previously approved for this development expired because construction did not commence within the required 36-month period; therefore, this was a request to reapprove the same proposal. She noted that staff recommended approval of the application and welcomed any questions the Board might have.

Mr. Haldeman addressed the Board noting that at its January 7, 2026, Planning Commission, meeting, the Commission unanimously recommended approval of the application. He reaffirmed that the project was identical to the 2019 approved proposal. Mr. Haldeman noted that one speaker expressed support for the proposal but raised specific concerns about the lack of buffering between their property and the new project. He acknowledged inquiries regarding the project's commencement delay, attributing it to the COVID-19 pandemic and various complicating factors. Mr. Haldeman noted questions about the affordable unit rents, stating that such details were premature until financing was finalized. He stated that one Planning Commissioner requested that the proposed park and playground be open to the Forest Heights neighborhood. Mr. Haldeman highlighted the positive reception to incorporating a Williamsburg Area Transit Authority (WATA) bus stop into the project. He emphasized the project's importance in meeting an urgent demand in the County and welcomed any questions the Board might have.

Mr. McGlennon opened the Public Hearing.

1. Mr. Chase Grogg, Applicant, Landtech Resources, Inc., addressed the Board. He stated that he was representing Wayne Harbin Builder, Inc., regarding the proposed reapproval of the SUP. He noted his involvement with the project since 2017 and his close collaboration with Mr. Harbin. Mr. Grogg expressed encouragement regarding the process of the townhomes. He pointed out that the senior living facility was part of the 2019 rezoning plan and that the Harbin family was working with Bay Aging to develop it. Mr. Grogg reported that construction on the first townhome was underway, with the model unit expected to be finished in three to four months. He attributed significant development delays to pandemic-related challenges and confirmed that all 50 proposed units were designated as 100% affordable under the County's Housing Opportunity Program. Mr. Grogg acknowledged the presence of Mr. Alan Walker, Assistant Director of Multifamily Housing Development for Bay Aging, noting that Mr. Walker would speak further on these efforts later in the meeting. Mr. Grogg stated that projected preliminary rates were \$800-\$1,200 for one-bedroom and \$1,000-\$1,500 for two-bedroom units, with the range designed to accommodate varying income levels. He then discussed the Master Plan, noting that revisions were made to reflect the final layout of the townhomes under construction and the senior living facility. Mr. Grogg noted that because the property lies within the Powhatan Creek watershed, it must meet special stormwater requirements. The tentative site plan involved stormwater management via two on-site bioretention basins, which would pipe into the originally planned Best Management Practice (BMP) under Forest Heights Road. He stated that maintenance of that BMP would be shared by the two homeowners associations. Additionally, the northern portion of the site would drain to the bioretention facility that had already been constructed as part of the townhome development. Mr. Grogg stated that the playground and park were restricted to the residents of the townhome and senior living developments. Regarding WATA bus stop access, he noted two existing bus stops on Route 60 near Forest Heights Road. Although the bus stops currently lacked shelters, County staff confirmed shelters were included in the five-year construction schedule. Mr. Grogg discussed the projected maximum costs associated with the townhomes. He recommended the Board

approve the application.

Mr. McGlennon thanked Mr. Grogg and highlighted the crucial need to preserve affordable housing for the future.

2. Mr. Alan Walker, Assistant Director of Multifamily Housing Development for Bay Aging, 5306 Old Virginia Street, Urbana, VA, addressed the Board providing a brief overview of the nonprofit organization and its offerings. He highlighted Parker View Senior Apartments, a senior living community established in 2009 through a collaboration between Bay Aging, JCC, and the Peninsula Agency on Aging, Inc. Mr. Walker pointed out that Bay Aging maintained ownership and management of the facility. Mr. Walker noted that Forest Heights continued that tradition as a three-story, 50-unit affordable housing community for seniors aged 55 and older, with incomes at or below 60% of the Area Median Income (AMI). He highlighted the significant barrier that rising market-rate housing posed for seniors relying on fixed incomes or part-time work. Forest Heights was specifically designed to bridge the affordability gap and help seniors remain in their community. Mr. Walker elaborated on the application in further detail.

3. Mr. Doug Harbin, Wayne Harbin Builder, Inc., addressed the Board. He highlighted his firm's long-standing history as a custom home builder in JCC. Mr. Harbin outlined the project's history and pandemic-related challenges, noting the organization proceeded once prices began to stabilize. Mr. Harbin reported that the first model court was being framed and townhome infrastructure was 90% complete. Consequently, he requested the Board reapprove the SUP application.

4. Mr. Chris Henderson, 101 Keystone, addressed the Board in support of this application. He emphasized the project's immense value and necessity, urging the Board to financially support Bay Aging if needed. He thanked the Board for its time.

Mr. McGlennon closed the Public Hearing as there were no additional speakers.

Mr. Icenhour expressed his support for the application.

Mr. McGlennon commended Mr. Harbin and his firm for their work, highlighting their partnership with the County's Neighborhood Development Division to execute scattered-site renovations and reconstructions. He further praised the company's commitment to providing housing options across various income levels.

Before resuming the Agenda, Mr. McGlennon noted that Mr. Jakobowski would present the Historical Commission Essay second-place award to Ms. Ghulam Fizza from Lafayette High School.

2. Z-26-0006/MP-25-0004. Proffer and Master Plan Amendment for Ford's Colony Master Plan (Ford's Village)

A motion to Postpone until the Board's May 12, 2026, Regular Meeting, was made by Ruth Larson, the motion result was Passed.

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

Ms. Morgan Risinger, Senior Planner, addressed the Board noting that Mr. Graham Corson of AES Consulting Engineers, and Mr. Vernon Geddy of Geddy & Franck, LLP, had applied on behalf of Ford's Village, LLC, to amend the Proffers and Master Plan for the Ford's Village development located at 3889 News Road. She cited the specifics of the SUP application included in the Agenda Packet. Ms. Risinger stated that the Ford's Village Master Plan and Proffers were previously amended in 2022 which allowed a total of 470 independent units and

assisted living, memory care, and skilled nursing units; specifically, 270 independent living units were shown in the Continuing Care Retirement Community (CCRC) A, B, and C land area and 75 independent living apartments and 125 assisted living, memory care, and skilled nursing units were shown in the CCRC-D land area. She explained that the current application request aimed to amend Proffer No. 3 and the Master Plan to permit a maximum of 160 independent living units and a minimum of 40 assisted living/memory care rooms in the CCRC-D area. Ms. Risinger clarified that the CCRC-D area would maintain a limit of 200 independent living and assisted living, memory care, and skilled nursing rooms, and the property would continue to have no more than 470 units and/or rooms. She noted that the application proposed modifying the recreational amenities and Proffer No. 13 for CCRC-D. Specifically, it made beauty salons, barber shops, and libraries optional, removed the requirement for courtyards, and excluded physician's offices, home health, and pharmacy services from the optional amenities list. Ms. Risinger stated that the application proposed amending Proffer No. 17 to increase the number of building permits allowed in CCRC areas A, B, and C to 100 before construction commenced in CCRC-D, up from the current limit of 50. She clarified that although cash contribution rates in Proffer No. 5 were unchanged, the increased projected proportion of independent living units would raise the total cash contribution. Ms. Risinger indicated that the revisions were expected to sustain a positive overall financial impact. Ms. Risinger noted that regarding traffic impacts, the Traffic Impact Analysis submitted with the initial version of the 2022 application accounted for a total of 516 units and rooms. Ms. Risinger further noted that as shown in Attachment No. 6, the applicant's traffic engineer presented a comparison between the estimated trips with 516 units and the estimated trips for a scenario with 470 units comprised of 75 independent living apartments and 125 assisted living/memory care/skilled nursing rooms, which the comparison showed a decrease of 8 AM peak hour trips and 20 PM peak hour trips. Ms. Risinger explained that per the Institute of Transportation Engineers 11th Edition *Trip Generation Manual*, assisted living/memory care/skilled nursing rooms were estimated to generate more trips compared to the independent living apartments meaning that a unit mixture which included more independent living units would be expected to have less trips generated. Ms. Risinger reported that staff anticipated the project to benefit the community without increasing school enrollment or traffic volume, while also providing adequate amenities. Ms. Risinger highlighted that the proposal did not align with the Comprehensive Plan's recommendation regarding 20% affordability for the 0%-80% AMI range. Ms. Risinger stated that at its November 5, 2025, meeting, the Planning Commission recommended approval of the application by a vote of 5-1. She stated that overall staff found that the application was generally consistent with the Zoning Ordinance, applicable policies, and the Comprehensive Plan. Ms. Risinger indicated that staff supported approval of the application, contingent on the proposed proffers. Concluding her remarks, she invited questions from the Board and noted that the applicant was also available.

Mr. McGlennon asked if the Board had any questions for staff.

Mr. Icenhour asked for the total annual financial impact.

Ms. Risinger confirmed the annual amount was \$1,887,000.

Mr. Haldeman informed the Board that this was the third public hearing for the item, noting the Planning Commission recommended approval with a 5-1 vote. He added that of the three public comments received (two speakers and one letter), two supported the application and one opposed it. Mr. Haldeman pointed out that while the project lacked designed affordable housing, two assisted living beds were set aside for Medicaid-qualified individuals. The Planning Commission discussed the inclusion of new Special Stormwater Criteria in the property's site plan. Additionally, Planning Commissioners questioned the reduction in proposed assisted living/skilled nursing rooms from 125 to 40, clarifying that this lower number was a flexible proffer meant to accommodate potential market shifts. Mr. Haldeman reported that while a Commissioner was impressed with the proffer regarding contributions for News Road and Cold Springs Swamp flooding, concerns were raised regarding the broader traffic impact on News Road and Monticello Avenue. Another Commissioner questioned the

suitability of such a large project on a narrow, two-lane road and expressed concerns about increased congestion on Monticello Avenue. Mr. Haldeman concluded his remarks and welcomed any questions the Board might have.

Mr. McGlennon opened the Public Hearing.

1. Mr. Vernon Geddy, 1177 Jamestown Road, addressed the Board noting that he was in attendance on behalf of the applicant. He provided a brief overview of Frye Properties, Inc., and its work in the PowerPoint presentation. Mr. Geddy outlined the project's development schedule and revisions. He emphasized that Frye Properties, Inc., was dedicated to creating a walkable, vibrant 55+ community. The project aimed to support the County's aging population by promoting wellness and independence through diverse, affordable housing options. Mr. Geddy pointed out that the Master Plan relied on traditional town planning, featuring narrow streets, alley-loaded garages, and plenty of parks and walking paths. Mr. Geddy stated that Frye Properties, Inc., aimed to build a high-quality community at Ford's Village. He highlighted that the project would offer superior design, comprehensive amenities, and shared services designed to enhance the long-term living experience for all residents. Mr. Geddy detailed the community's amenities, which featured a clubhouse with gathering spaces, a fitness center, pool, pickleball courts, and trails, alongside senior-specific perks like dining, transportation, a spa, and organized social activities. He clarified that the application was resubmitted following Retirement Unlimited, Inc.'s exit in December 2024, which was necessitated by post-pandemic market and financial conditions. Mr. Geddy explained that the approved proffer's strict unit mix was no longer viable for today's market. After eight months of outreach to over 40 operators and brokers, it was determined that greater flexibility between independent and assisted living was required, particularly given current financing conditions. He outlined the requirement for Master Plan and Proffer amendments to align with the revised proposal. Mr. Geddy also addressed raising the building permit limit from 50 to 100 prior to pouring the senior living foundation. He noted that this change would help attract more high-quality local builders, accelerate the development of a sense of place in Ford's Village, and supported local tradespeople. Mr. Geddy announced that Pembroke Realty Group was selected as the preferred owner and operator, providing a brief overview of its credentials. He turned the presentation over to the Pembroke Realty Group President.

Mr. Ramsey Smith, President of Pembroke Realty Group, addressed the Board. He showcased various local projects via a PowerPoint presentation, expressing strong confidence in the model's financial viability. Mr. Smith described the organization as a high-quality provider of independent, assisted, and memory care living tailored for middle-income Americans, notably without a large entrance fee. Furthermore, he highlighted the management expertise of partner Greenbrier Senior Living and emphasized a commitment to resident well-being through robust amenities and flexible unit options. Mr. Smith passed the presentation over to the Greenbrier Senior Living President.

Mr. Michael Mays, President of Greenbrier Senior Living, addressed the Board noting that the organization was a full-service management company. He stated that the organization operated 37 communities totaling approximately 3,400 units, with a portfolio mix of 50% independent living and 40% assisted living/memory care. Mr. Mays emphasized a "people-first" approach combined with strong financial stewardship. Furthermore, Mr. Mays highlighted a commitment to resident well-being through robust lifestyle programming and tailored dining services, while noting the company's proven success in developing and operating new communities.

Mr. Icenhour asked for the average monthly costs of independent and assisted living units.

Mr. Mays explained that pricing varied by unit type, size, and occupancy. He cited Aviva, a comparable community, where independent living started at approximately \$4,500-\$5,000+ monthly, with assisted living costing an additional \$2,000+ per month.

Mr. McGlennon asked if the Board had any other questions.

The Board declined.

Mr. Geddy noted that the landscape had fundamentally changed since 2019 due to the COVID-19 pandemic, high inflation, rising construction costs, and tighter financing. He mentioned that despite efforts to move forward with the original plan, evolving requirements for senior living necessitated greater flexibility in unit types. Mr. Geddy stated that the mission remained focused on providing a comprehensive, all-inclusive senior living community to serve the County's aging population. He highlighted that traffic and density levels were unchanged, the site was cleared, and a top-tier local developer was prepared to proceed pending approval.

Ms. Null inquired about a buy-in for these units.

Mr. Geddy stated there was a minor community fee.

Ms. Null inquired about the approximate cost.

Mr. Geddy indicated a range of \$7,500-\$10,000.

2. Mr. Doug Harbin, 3705 Strawberry Plains Road, Suite D, addressed the Board. He mentioned only learning about Frye Properties, Inc., a few years ago when this project emerged, noting that Frye Properties, Inc., had approached Wayne Harbin Builder, Inc. to potentially collaborate. Mr. Harbin praised the architecture, character, and attention to detail in the Frye Properties, Inc., project he visited at East Beach. Mr. Harbin stated that the revisions rendered the proposal more suitable and less invasive, while also addressing a crucial community need. He encouraged the Board to approve the Master Plan and Proffer amendments.

3. Mr. Chris Henderson, 101 Keystone, addressed the Board in support of the application. Mr. Henderson endorsed the project and Frye Properties, Inc., track record, emphasizing the community's urgent need for it. While inquiring about the inclusion of skilled nursing beds, he ultimately expressed support for the proposal and the use of local custom builders. Mr. McGlennon closed the Public Hearing as there were no additional speakers.

Mr. Icenhour noted that, to his knowledge, multifamily townhome prices were priced at approximately \$550,000 and single-family dwellings were approximately \$750,000, and asked for confirmation whether these figures still aligned with current market projections.

Mr. Jeff Wermers, President of Frye Properties, Inc., informed the Board that pricing varied by unit type, noting that the 600-square-foot Bungalow was priced below the mentioned range.

Ms. Larson requested details regarding the unit count and inquired about the potential impact on project continuation if that quota was not met.

Mr. Geddy noted that construction of the senior living facility must start (footers poured) before the 100th building permit could be issued, though there were no restrictions at 75 units.

Ms. Larson raised concerns regarding the failure to meet the unit count and the lack of follow-through on the senior living facility.

Mr. Wermers stated that the project's success did not depend on whether there were 50 or 99 units. Instead, he emphasized securing builders for the guild to ensure they had a reliable inventory of lots. He noted that if the project was successful, builders would have the opportunity to purchase and build additional units.

Ms. Wainwright noted the 40-unit minimum and asked if all 200 units were convertible to

assisted living or memory care to support aging in place.

Mr. Mays outlined a continuum of care including independent living, assisted living, and memory care, noting that the latter two shared the same regulatory guidelines. He highlighted the flexibility of the community, stating that independent living units could be converted to assisted living if necessary, and that outside home care partners could provide services to residents in independent living. Finally, he emphasized that transitions between care levels were based on resident preference rather than rigid, restrictive policies.

Mr. McGlennon inquired about the availability of skilled nursing services.

Mr. Mays stated that skilled nursing services would not be offered, noting that many residents bypass that level of care and move directly to hospice.

Mr. Geddy indicated that Virginia was reducing its skilled nursing services.

Discussion ensued.

Mr. Icenhour noted his consistent opposition to this proposal, having voted against it in 2008 and 2022, and intending to do so again. He recounted the 2008 history, explaining that the Board previously rejected placing the Westport subdivision inside the Primary Service Area (PSA). Consequently, it was developed by-right on three-acre lots without compatible zoning for the Master Plan, though it joined the Ford's Colony Homeowners Association (HOA). Mr. Icenhour contrasted this with the Ford's Village proposal, which he argued was an artificial attempt to gain higher density than the Comprehensive Plan allowed by utilizing the existing Master Plan, despite being contrary to the low-density zoning designated for that property. He mentioned that he recalled this proposal initially calling for 700+ units. Mr. Icenhour asked County staff how many units could be on the property while keeping the density at or below two units per acre in Ford's Colony, and was told the answer was 1,226 units. He argued that the proposal sought to exploit the system to surpass the Comprehensive Plan density limits, which was a primary reason to vote against the proposal. Turning to the 2022 amendment, he commended the applicant for implementing significant improvements, including a reduction in both the number and scale of the proposed buildings. Mr. Icenhour emphasized that while the County was well-supplied with luxury residences, there was a critical shortage of affordable housing. Ultimately, he noted that the inclusion of the assisted living facility was the project's primary advantage. Mr. Icenhour noted that the current proposal was nearly identical to the one he opposed four years ago, now reduced to 40 units with flexible swapping capabilities and no penalties for changes. While acknowledging the developer's market-driven advantages, he questioned the community benefit and urged the Board to carefully scrutinize the written proffers. Finally, he expressed concern that approving the amendment could allow the applicant to abandon the senior living facility, leaving the Board back at square one. He elaborated on his point in greater detail. Mr. Icenhour highlighted that Subwatershed 209 already exceeded the 25% threshold in its current state and detailed the significant adverse effects the proposed development would cause. He expressed apprehension regarding traffic impacts, referencing current daily trip volumes in that area. Mr. Icenhour indicated his opposition to the application.

Ms. Null raised concerns regarding the safety implications of only having one entrance to the development.

Mr. McGlennon stated that he would not support the application, noting it was less desirable than the 2022 version he previously opposed. Key concerns included the absence of affordable housing and the fact that prior proffers had become optional.

Ms. Wainwright inquired about the removal of the stream restoration proffer.

Ms. Risinger noted that the Stormwater and Resource Protection Division reviewed the stream

restoration proffer and determined that erosion concerns would be managed throughout the development process, including the Master Stormwater Plan, site plan, and inspections.

Mr. Geddy stated that the project featured an approved, fully engineered Master Stormwater Plan that adhered to current environmental regulations and project proffers. He added that the development was designed with two entrances.

Ms. Wainwright asked if the entrance was guaranteed without the Virginia Department of Transportation (VDOT) approval.

Mr. Icenhour noted that the proffer stated that the second property entrance, located as shown on the Master Plan, would be gated and restricted to emergency access only. Full access would not be permitted unless a new traffic plan was submitted to, and approved by, VDOT and the County.

Mr. Paul Holt, Director of Community Development, addressed the Board noting that he lacked an update on that component and required a review of the VDOT-approved construction plans.

Mr. McGlennon asked the Board to indicate how it wished to proceed with the item, whether by approving, denying, or deferring it.

Ms. Larson requested that the item be postponed until the Board's May 12, 2026, Regular Meeting.

3. Z-23-0004/MP-23-0001. Westwood Park Rezoning

Mr. McGlennon indicated that there would not be a presentation on this item this evening. He mentioned for public notification purposes that since the Public Hearing had been advertised the Public Hearing would be opened at this meeting and remain open until the deferral date. Mr. McGlennon advised that any individuals who signed up to speak would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed.

Mr. McGlennon opened the Public Hearing and indicated that it would remain open until the Board's April 14, 2026, Regular Meeting.

4. Short-Term Rental Compliance Review for Certain Special Use Permits

Ms. Christy Parrish, Zoning Administrator, addressed the Board. She indicated that the Board had approved Special Use Permits (SUPs) for six short-term rentals and confirmed the specific properties involved. Ms. Parrish stated that the Board adopted a condition for each application requiring a compliance review at the February 2026 public hearing, which would be held at no cost to the property owners. As required, each property owner or their agent requested a continuance of their SUP prior to November 28, 2025, and confirmed that the property remained in compliance with all conditions. Ms. Parrish indicated that staff had reviewed each property, with comprehensive details included in the memorandum in the Agenda Packet. As of today, 2884 Chickahominy Road and 2868 Lake Powell Road were still out of compliance, per the Commissioner of the Revenue, but the owners had been contacted. Ms. Parrish explained that after the public hearing, the Board would either initiate proceedings to revoke the SUP (based on safety, welfare, or violation of conditions) or establish a new date for a compliance review. She pointed out that updated Virginia law allowed local jurisdictions to add sunset clauses to short-term rental SUPs, a change occurring after the original approvals. Ms. Parrish concluded her remarks and welcomed any questions the Board might have.

Ms. Larson thanked Ms. Parrish for the report. She noted written correspondence from a property owner stating they had not received any coupon books.

Ms. Parrish stated that the process would go through the Commissioner of the Revenue's Office, though she admitted limited familiarity with the procedure. She noted confusion regarding whether Airbnb handled the tax payments or if the property owners were responsible for submitting coupon books and taxes.

Ms. Larson requested a follow-up report in one year. While she did not intend to revoke the SUP, she expressed concerns regarding the two noncompliant properties and requested further investigation into those issues.

Ms. Parrish suggested staff contact the property owners to allow them to rectify the issue before the next resolution was adopted, giving them a few weeks to comply.

Mr. Icenhour indicated that there was a lack of information but to him it appeared like nothing had been paid.

Ms. Parrish confirmed this was her understanding but noted she could not speak for the Commissioner of the Revenue. While she acknowledged the business license was received, she noted a lapse in sending the monthly filing coupon books. Ms. Parrish assured she would address this communication gap to ensure compliance.

Ms. Null asked if the Board should defer the public hearing for approximately 30 days.

Ms. Parrish suggested a deferral of the public hearing and recommended that staff bring back the resolutions for the Board's consideration and by that time she would have a report whether or not those two properties had rectified all their issues with the Commissioner of the Revenue's Office.

Mr. Icenhour asked if there would be individual resolutions for each property.

Ms. Parrish replied yes.

Discussion ensued.

Mr. McGlennon opened the Public Hearing and would remain open until the Board's March 10, 2026, Regular Meeting.

1. Ms. Heather Wiant, 4711 Rochambeau Drive, addressed the Board. Ms. Wiant expressed her desire to continue operating short-term rentals, noting that she enjoyed the experience as a property owner. She noted that she was present to answer any questions.

2. Ms. Jill Russett chose to speak at the deferral date.

3. Ms. Dena Waltrip, 2884 Lake Powell Road, addressed the Board requesting continued support of the SUP issued to her in 2023. Ms. Waltrip requested a renewal of her SUP, noting that while she had limited rentals in 2024, her home was not rented at all in 2025 due to a major surgery. She stated that she returned to work at JCSA after 10 months, where she had been employed for over 25 years. Additionally, Ms. Waltrip highlighted that she had been in compliance with all rules and regulations for the past three years and had received no complaints or concerns. She thanked the Board for its time.

4. Ms. Emily Martel, 2886 Lake Powell Road, addressed the Board. She thanked the Board for approving her short-term rental in 2023. Ms. Martel mentioned her full compliance and noted that she would continue to do so with whatever comes forth this evening. She noted she was present requesting renewal of her SUP. She expressed her desire to make a statement on the coupon books.

Mr. McGlennon provided permission.

Ms. Martel highlighted that the coupon books were confusing and difficult to use, specifically noting that the required in-person or mail-in process was not user-friendly. She stated that there was a 5% local tax, 7% state tax, and a \$2 per-room fee, Airbnb already deducts these taxes and fees for property owners. Consequently, she indicated that filling out these coupons for the rental period and number of occupants results in a zero balance, as the taxes were already handled.

Mr. McGlennon proposed a meeting between short-term rental operators and the Commissioner of the Revenue to gather crucial feedback for improving process efficiency.

I. BOARD CONSIDERATION(S)

None.

J. BOARD REQUESTS AND DIRECTIVES

Ms. Wainwright reported a decrease in busyness, though training remained consistent. She stated she met with the final two County departments, Information Resources Management and Fire, the latter of which included a comprehensive two-hour meeting with Fire Chief Ryan Ashe and a tour of Fire Station 3. Additionally, she highlighted the Board's productive participation in Local Government Day at the Virginia General Assembly and the opportunity to meet local representatives.

Ms. Null noted that she attended the Virginia Association of Counties (VACo) event and Local Government Day at the Virginia General Assembly.

Mr. Icenhour noted that he attended The Hound's Tale ribbon-cutting ceremony on January 30, highlighting its move into the former Baker's Crust location. Describing it as an interesting venue, he encouraged the public to visit the new spot.

Ms. Null confirmed that she also attended the event.

Mr. Icenhour reported speaking to about 50-60 of The Mews HOA residents on February 2 regarding the Cardinal Ridge proposal, noting high attendance, a streaming option, and significant constituent concerns. He added that he spoke to the Kiwanis Club of Colonial Capital on February 4.

Ms. Larson reported that she, Ms. Wainwright, and Mr. Stevens attended a School Liaison meeting, where a budget update was received in addition to attending the WJCC Schools Joint meeting. She noted that a presentation regarding the Ambler House would be provided at the Board's next meeting. Ms. Larson advised that she and Mr. McGlennon had a meeting with Mr. Kevin Lembke, Park President of Busch Gardens & Water Country. She noted that she was in Richmond last Wednesday for the VACo Board meeting, Legislative Day, and the Chairpersons' Institute. Ms. Larson expressed concern about upcoming legislation and anticipated a meeting in Richmond this Friday to collaborate on local impact decisions. She also raised concerns about the new congressional map and its potential impacts, turning to Mr. McGlennon for clarification.

Mr. McGlennon replied that the map remained tentative pending final signature and approval.

Ms. Larson emphasized that the public must educate themselves and use available resources, noting that staying engaged was vital given current federal-level actions.

Mr. McGlennon noted that Ms. Larson raised excellent points. He stated that redistricting had

often diluted the County's local voice. Mr. McGlennon highlighted that the County was not the dominant population in its own state senate district and that the House of Delegates delegation splits the County, with a population equivalent to only one seat. He emphasized that the local Board must pay closer attention to these influential political decisions, whether made by citizen commissions or legislative action. He praised the Board's engagement at Local Government Day and thanked Senator J.D. Diggs and Delegate Jessica Anderson for sponsoring legislation granting JCC and York County the authority to levy an admissions tax. Pending the Governor's signature, this action ensured fair treatment for the two jurisdictions, which were previously the only ones in the state without this right. Mr. McGlennon mentioned his attendance at both a VACo presentation and a Coalition of High Growth Communities meeting, where he engaged in active discussions on land use matters. He noted the productive collaboration at a recent, informative WJCC Schools Joint meeting he attended.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens announced the reopening of the JCC Recreation Center pool on February 2, thanking patrons for their patience during the slightly delayed project. He highlighted the updated, more functional space and positive initial feedback. Mr. Stevens advised that a ribbon-cutting ceremony was scheduled for Friday, February 20 at 12:30 p.m. Mr. Stevens announced the launch of the JCC Fix It app, a new tool available for mobile devices and desktop designed for residents and visitors to report non-emergency community issues, such as litter, park maintenance, and uneven sidewalks. He noted that the app enabled users to track the progress of their reports, provide real-time updates from County departments as issues were assessed and resolved, and was available for download now.

Mr. McGlennon noted that the Board would take a five-minute recess before entering into Closed Session.

At approximately 7:30 p.m., the Board recessed for a short break.

At approximately 7:36 p.m., the Board reconvened.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Ruth Larson, the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

At approximately 7:37 p.m., the Board entered Closed Session.

At approximately 7:59 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those items indicated that it would speak about in Closed Session was made by Ruth Larson, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

1. Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia and pertaining to 111 Grove Heights Ave, Williamsburg, VA
2. Certification of Closed Session

M. ADJOURNMENT

1. Adjourn until 1 pm on February 12, 2026 for the Board Retreat

A motion to Adjourn was made by Barbara Null, the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

At approximately 8 p.m., Mr. McGlennon adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
RETREAT
JAMES CITY COUNTY OFFICE OF ELECTIONS
4095 IRONBOUND ROAD
WILLIAMSBURG, VA 23188
February 12, 2026
1:00 PM

A. CALL TO ORDER

Mr. McGlennon called the meeting to order at 1:02 p.m.

B. ROLL CALL

Tracy L. Wainwright, Powhatan District
Barbara E. Null, Stonehouse District
James O. Icenhour, Jr., Jamestown District
Ruth M. Larson, Vice Chair, Berkeley District
John J. McGlennon, Chair, Roberts District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

C. BOARD DISCUSSIONS / GUIDANCE

1. Innerwill Facilitated Discussion

Mr. Stevens, County Administrator, addressed the Board noting discussion on various topics. He stated that Ms. Britten Parker of InnerWill Leadership Institute, was available to facilitate the discussion.

Ms. Parker introduced herself and thanked the County for its partnership with InnerWill Leadership Institute. Ms. Parker indicated that the discussion would address key considerations for both individual Board members and the Board as a whole. Ms. Parker detailed the outline for the Board's discussion to garner information.

The Board participated in several team-building exercises to foster strong working relationships.

Ms. Parker inquired as to which values each Board member deemed critical for the Board of Supervisors (BOS).

Board members responded with respect, collaboration, and diligence.

Discussion ensued.

Ms. Parker acknowledged that treating others well was central to respect, she encouraged the Board to explore a more comprehensive definition.

Mr. McGlennon emphasized the importance of listening to and accepting differing viewpoints,

noting that agreement on everything was not necessary.

Ms. Null agreed with Mr. McGlennon, highlighting that the Board members maintained mutual respect, friendship, and harmony despite holding differing opinions.

Ms. Wainwright commented on the exceptional personalized welcome she received from the Board upon joining.

Ms. Null indicated that constructive Board engagement directly benefited the community.

Discussion ensued.

Ms. Parker inquired about key polarities involved in serving on the BOS.

Mr. Icenhour highlighted the inherent tension between inevitable future growth and preserving the existing character, emphasizing the need for a balanced decision-making process.

Ms. Larson stated empathy and responsibility.

Ms. Null emphasized that Board members had a duty to act in good faith according to their conscience for the betterment of the County.

Ms. Parker posed a question about what lay on the other end of the pole if growth was on one side.

Mr. McGlennon stated the quality of life.

She underscored the necessity of a tempered strategy, finding the optimal balance between extremes.

Discussion ensued.

After outlining the key takeaways, Ms. Parker thanked the Board for its time and concluded her presentation.

2. FY 2027 Budget Discussion

Mr. Stevens clarified that the discussion was for information-sharing only, with no decisions finalized. He noted the purpose was to update the Board on the current budget status and pending requests. He turned the presentation over to Ms. Sharon McCarthy, Director of Financial and Management Services (FMS).

Ms. McCarthy provided the Board with a high-level overview of the new two-year budget cycle, noting that Fiscal Year (FY) 2027 was the current focus for appropriations. She outlined a year-round development process, beginning with internal and procedural reviews, followed by prioritizing capital projects and personnel. Ms. McCarthy indicated that public engagement and departmental reviews took place between January and April, leading up to the County Administrator's proposed budget release and final adoption in early May. She detailed the FY27 personnel requests, noting that most were not recommended solely due to budget constraints.

Mr. Stevens reviewed outside agency requests and justified the requested amounts.

Discussion ensued.

Due to a high volume of requests, Mr. McGlennon suggested developing a policy for outside agencies. He noted that nonprofit organizations were struggling with reduced resources,

emphasizing that the goal was not to bridge funding gaps, but to ensure the organizations could still operate effectively.

Ms. McCarthy endorsed the development of the policy, highlighting its potential value. She recommended engaging with outside agencies to assist with capital planning and noted that this partnership would strengthen budget oversight, offer strategic guidance, and facilitate the implementation of key initiatives.

Discussion ensued.

Mr. McGlennon informed the Board of new legislation introduced in the Virginia General Assembly that could significantly increase funding for public transportation.

Ms. McCarthy introduced the real estate assessments segment, turning the presentation over to Mr. Dayle Gallagher, Director of the Real Estate Assessments Division.

Mr. Gallagher defined several key terms regarding fair market value. He explained that the County utilized mass appraisals to analyze sales data and identify market trends. Furthermore, he noted that property assessments occurred biennially, with a two-year review of sales records to verify data accuracy and establish fair market values for local neighborhoods. Mr. Gallagher stated that written notices, containing FY27 assessment updates, comparative data from FY25-26, and public hearing information, would be distributed to the affected property owners. He advised that residents had until March 30, 2026, to inquire with the Real Estate Assessments Division, which would verify records through database records or on-site evaluations of property condition and features. Mr. Gallagher noted that if disputes remained after the review, the homeowner could file a formal appeal with the Board of Equalization.

Discussion ensued.

Mr. Icenhour encouraged homeowners to take action if they disagreed with their property reassessments. Sharing his own experience, he explained that the Real Estate Assessments Division conducted an on-site evaluation, resulting in a valuation adjustment. He noted that proximity to other homes or a specific neighborhood did not guarantee direct comparability, as individual circumstances could cause valuation variations.

Ms. McCarthy highlighted the abundance of available information, noting that the County developed its FAQs based on phone calls received for a podcast last year. She emphasized that this initiative served as a mutual learning opportunity.

Discussion ensued.

Ms. McCarthy detailed the anticipated revenue and expenditures for the proposed budget.

Mr. Stevens outlined the Board's options for revenue authority and potential adjustments.

Discussion ensued.

Ms. McCarthy introduced Mr. Greg Snow of USI Insurance Services to brief the Board on current local and national trends in the health and dental sectors.

Mr. Snow reported projected cost increases of 9% for healthcare and 2.5% for dental, noting that negotiations had successfully reduced the original 14% projection. He attributed these rising costs to several factors, including technology, pharmacy expenses, specialty and GLP-1 drugs, administrative overhead, and tariff-related expenses. Mr. Snow highlighted the negative impact of significant Medicaid and Medicare cuts on healthcare. He reported a 40% increase in large claims (\$100,000-\$200,000) over the past two years. Mr. Snow added that this surge in

high-cost claims had driven up overall premiums. He highlighted a significant rise in behavioral health needs following the COVID-19 pandemic, noting that this trend had persisted. Mr. Snow outlined the various negotiations and the resulting cost savings.

Discussion ensued.

Mr. Stevens advised that Ms. Cheryl Holland, Assistant Director of FMS, would discuss the FY2027-2031 Capital Improvement Program (CIP) requests.

Ms. Holland emphasized that the discussion focused on project requests, noting that all CIP requests had already been reviewed during January's Business Meeting. She added that all Department Directors were present to answer questions. Ms. Holland outlined the five-year County CIP, noting that FY27 was the first year of the appropriation, while the remaining years served as a future planning guide. She reported the CIP consisted of 28 Capital Projects and 84 Capital Maintenance requests, with some projects potentially requiring alternative, more cost-effective solutions. Ms. Holland discussed changes to certain CIP requests. Ms. Holland presented several CIP requests, highlighting a continued need for projects deferred from previous years. Administration Department: focused on the new Consolidated Government Center; Parks & Recreation Department: submitted various location-specific requests, including some previously deferred items; Public Works Department (formerly General Services): requested a new Headquarters Building and stormwater infrastructure projects; Fire Department: proposed replacing Fire Station 3 and initiating Fire Station 6; and the Police Department: requested a Law Enforcement Center (LEC) expansion, a prefabricated Range classroom, vehicle covered parking, and a Drone First Responder launch site.

Mr. Stevens noted that the LEC expansion request was for informational purposes only, not immediate action.

Ms. Holland reviewed the Williamsburg-James City County School Division CIP requests, noting that costs now reflected the new joint contract. Under this agreement, James City County (JCC) was responsible for 100% of capital project costs for schools located within the County, while shared-use facilities were funded proportionally based on student enrollment. She stated that the first two school bus canopy projects in JCC were funded at 100% cost, while the last two were at 90.03%.

Discussion ensued.

Ms. Holland discussed the Williamsburg Regional Library CIP requests, which highlighted the new library within the Consolidated Government Center and the Grove Library project. She noted that the Community Development Department's CIP requests included ongoing transportation match funding to support transportation initiatives throughout the County. Ms. Holland presented the Board with a list of Capital Maintenance requests for FY27-31.

Mr. Stevens indicated that further details regarding the Capital Maintenance requests could be supplied later, if necessary. He facilitated a project ranking exercise with the Board.

The discussion concluded.

Mr. Stevens noted a swap in the Agenda order: Item Nos. 3 and 4 were swapped.

3. Tree Initiative

Mr. Jason Purse, Assistant County Administrator, informed the Board that the discussion was initiated to support Mr. McGlennon's goal of planting 100,000 trees over 10 years. He expressed confidence in the developed plan to honor this mission and presented it to the Board for review. He noted that the program focused on education, strategic community planting, and

the preservation of existing County trees. Mr. Purse identified several municipal models for the County to emulate. He emphasized several initiatives designed to educate the community and encourage participation in the program.

Discussion ensued.

Mr. Purse sought guidance from the Board on the program's parameters, indicating that further resources and revisions to County Ordinances may be necessary to accommodate the offerings.

Mr. McGlennon noted that the County could begin with a volunteer-focused approach, with the expectation that further resources would be secured as the program gained traction.

Ms. Larson mentioned that improper species selection led to the destruction of various buffer plantings.

Mr. Purse agreed, highlighting that an arborist was better equipped to determine which plants were acceptable.

Mr. McGlennon suggested leveraging existing resources such as tree stewards and the Master Gardeners for that information.

Discussion ensued.

Ms. Wainwright endorsed the volunteer-driven program, highlighting its opportunity for public engagement.

Ms. Larson supported the volunteer approach but believed a part-time arborist would be beneficial.

4. Parks and Recreation Master Plan

Ms. Arlana Fauntleroy, Director of Parks & Recreation, informed the Board that the department launched its Master Plan in July 2025. She noted that while the last comprehensive formal process occurred in 2009, the most recent update was completed in 2017. Ms. Fauntleroy emphasized the necessity of a post-pandemic update to gauge citizen sentiment, providing the County with essential feedback to guide Parks & Recreation services, capital improvements, and organizational restructuring. She highlighted the department's collaboration with BerryDunn, noting that the lead consultant was present to discuss the process and progress to date. Ms. Fauntleroy introduced Mr. James Mickle of BerryDunn and turned the presentation over to Mr. Mickle.

Mr. Mickle outlined a five-phase project structure, beginning with a Discovery phase focused on analyzing documentation, budgets, and demographics to assess local needs. Following a second phase centered on Engagement (to be detailed later), the firm was currently in Phase 3, Analysis, which involved evaluating data regarding operations, facilities, and programming. The process moved to Phase 4, Visioning, which blended quantitative data and key findings with industry best practices to define the project's direction. Mr. Mickle reported on Phase 2: Engagement, noting that a statistical survey with over 405 responses was conducted. With a 96% confidence level and a +/- margin of error, the results indicated that if the survey were repeated 100 times this year, the data would remain consistent. He referenced five key words regarding the Engagement phase which included immersive, customized, convenient, inclusive, and dependable. Mr. Mickle highlighted the firm's commitment to accessible community engagement, ensuring residents could see their own input reflected in the final Master Plan. He cited various County events to foster public engagement and solicit feedback. Mr. Mickle reported excellent engagement from County citizens. He noted that a full assessment of the County's parks, trails, and facilities had been completed. Mr. Mickle stated that the firm was

tasked with developing a phased (short, middle, and long-term) action plan and identifying potential alternative funding opportunities.

Mr. Mickle facilitated a strategic workshop with the Board to identify three key County Parks & Recreation priorities for the next five years.

Mr. McGlennon outlined his top three priorities: expanding access to Parks & Recreation facilities, acquiring land for new recreational opportunities, and improving access to quality childcare for families.

Ms. Larson highlighted her three primary goals: increased usage by residents and visitors, completion of the Grove Park project, and improving the softball fields.

Mr. Icenhour stated his priorities were ensuring the completion of Grove Park, promoting equitable park requests, and establishing a structured, long-term (five-to-15-year) priority framework for facility renovations.

Discussion ensued.

Mr. Mickle continued engagement exercises with the Board.

Discussion ensued.

Mr. Mickle outlined next steps and thanked the Board for its time.

Ms. Larson inquired if the remaining discussion items could be deferred to the Board's next Business Meeting.

While confirming that the Landscape Ordinance discussion could be deferred to the next Business Meeting, Mr. Stevens requested to proceed with a couple of brief items if the Board concurred.

The Board agreed.

5. Landscape Ordinance

The item was deferred to the Board's February 24, 2026, Business Meeting.

6. County Property

Mr. Purse noted that numerous County departments would utilize the new Consolidated Government Center, prompting a discussion to evaluate current County-owned properties and he requested Board feedback. He opened the discussion by highlighting the Human Services Building, which currently housed the County's Social Services Department and the Olde Towne Medical & Dental Center (OTMDC). He noted the facility's age, its ongoing maintenance needs, and the associated CIP requests. Mr. Purse inquired whether Mr. Stevens wished to discuss potential future opportunities regarding the property.

Mr. Stevens confirmed OTMDC's long-term tenancy in the Human Services Building and provided a brief history of the property. He noted that as the Social Services Department vacated, the County intended to sell the building, with OTMDC as the primary buyer. Confirming OTMDC's interest, he requested feedback from the Board.

Mr. Icenhour favored the proposal.

Ms. Null noted that OTMDC had three options regarding the property: acquisition, continued

leasing, or divestment.

Ms. Larson expressed her belief that the County had not yet disclosed a purchase price.

Mr. Stevens reported that the County had not.

Mr. Purse indicated that these discussions were in the preliminary stages.

Mr. Stevens reported that OTMDC was operating on a one-year lease. Mr. Stevens and the Board reviewed the pros and cons of renewing the lease versus selling the property.

The Board came to a consensus.

Mr. Stevens committed to developing a proposal with OTMDC for Board review.

Mr. Purse moved to discuss the Palmer Lane buildings, noting their age but highlighting approximately 15,000 square feet of available office space. He sought Board approval to contact realtors regarding potential buyers.

Mr. McGlennon asked if the state had any desire to purchase the property.

Mr. Stevens stated that the state was not interested in purchasing the property, noting a preference for leasing over buying. He recommended a partial-occupancy sale, asserting that the combination of an active lease and a County lease-back on the remaining buildings presented a better investment opportunity than a fully vacant property. Mr. Stevens stressed that any sale terms must secure the County's tenancy until a full exit, which he noted was anticipated in 2028.

Ms. Wainwright noted a potential rezoning.

Discussion ensued.

Mr. Purse indicated that the discussion regarding the Mounts Bay Road campus was informational rather than action-oriented. He highlighted the total acreage and explored the development potential of the property.

Ms. Larson inquired about the required acreage for school sites (elementary, middle, and high schools).

Mr. Purse projected a need for approximately 25-35+ acres.

Discussion ensued.

Ms. Larson stated that the County should retain the property for future educational use.

Mr. Stevens stated the discussion focused on potential uses for the undeveloped land surrounding the Mounts Bay Road campus and its current conditions.

Mr. McGlennon noted that the property should remain public land and not be subdivided.

Ms. Wainwright requested 25-year school enrollment projections, citing that, based on current population and homeschooling rates, enrollment had plateaued with no expected upward trend.

Discussion ensued.

The discussion concluded. Mr. Stevens advised that Agenda Item Nos. 5 and 7 would be deferred until the Board's February 24, 2026, Business Meeting.

7. Community Land Trust

The item was deferred to the Board's February 24, 2026, Business Meeting.

D. CLOSED SESSION

None.

E. ADJOURNMENT

1. Adjourn until 1 pm on February 24, 2026 for the Business Meeting

A motion to Adjourn was made by Tracy Wainwright the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

At approximately 4:54 p.m., Mr. McGlennon adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
February 24, 2026
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

Tracy L. Wainwright, Powhatan District
Barbara E. Null, Stonehouse District
James O. Icenhour, Jr. Jamestown District
Ruth M. Larson, Vice Chair, Berkeley District
John J. McGlennon, Chair, Roberts District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

A motion to Amend the Agenda to add a proclamation in honor of Mr. Frank Shatz and to authorize a Closed Session regarding briefing from staff members pertaining to probable litigation was made by Barbara Null, the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

C. PRESENTATION(S)

1. Proclamation - Larry Waltrip

Mr. McGlennon read the proclamation aloud, noting that Mr. Waltrip had faithfully served the citizens of James City County (JCC) as a dedicated member of the Wetlands Board from September 1994 through February 2026. He emphasized that Mr. Waltrip had provided thoughtful leadership and sound judgment in helping to preserve the County's natural resources and coastal ecosystem. Mr. McGlennon also noted that Mr. Waltrip had served on the Chesapeake Bay Board from January 2024 until February 2026, where he helped advance key environmental stewardship initiatives that strengthened the protection and sustainability of the Bay and its tributaries. He went on to share that Mr. Waltrip had been well known throughout the region as the owner and operator of the Waltrip Williamsburg Executive Airport, formerly the Williamsburg-Jamestown Airport. Mr. Waltrip developed the airport in 1970 and managed it for more than five decades, fostering aviation opportunities, supporting local tourism, and encouraging community engagement. In addition to his aviation work, he founded and operated Waltrip Recycling Incorporated, established in 1991, which supported the County's commitment to responsible waste management practices, environmental sustainability, and local economic development. Over the years, he dedicated his time, expertise, and civic spirit to numerous community activities and projects, earning the respect and gratitude of colleagues, neighbors, and residents. Mr. McGlennon honored and commended Mr. Waltrip for his many years of public service, entrepreneurial leadership, and lasting contributions to the wellbeing of

the community. He expressed sincere appreciation and best wishes from JCC for Mr. Waltrip's continued success and fulfillment in his future endeavors.

Mr. Waltrip expressed his gratitude for the recognition from the County, the Board of Supervisors (BOS), and the Wetlands Board, specifically acknowledging Mr. Mike Woolson, Section Chief, Stormwater Resource and Protection Division. He shared that he had enjoyed working with everyone and, although retired, would continue to make himself available. He hoped he had left a positive impression and had helped many people through his service and his votes. He stated that he had done all he could during his time with the County and intended to remain available to assist anyone who might need his help.

The Board thanked Mr. Waltrip.

Those in attendance applauded.

Mr. McGlennon then presented the proclamation honoring Mr. Frank Shatz on his 100th birthday, declaring February 26, 2026, as Frank Shatz Day in JCC. He described Mr. Shatz as a beloved resident of the Greater Williamsburg area whose century of life had been marked by courage, integrity, and compassion. After immigrating to the United States in 1958 with his wife, Mr. Shatz had built a distinguished career as an international journalist and, beginning in 1980, had become a celebrated columnist for The Virginia Gazette through his long-running "World Focus" column. His writing had offered insight into world affairs, history, and the enduring importance of resilience, understanding, and peace, enriching the cultural and intellectual life of the Williamsburg community. Mr. McGlennon also highlighted Mr. Shatz's role in helping to establish the Reves Center for International Studies at the College of William & Mary, creating a lasting institution dedicated to global understanding and cooperation. He praised Mr. Shatz for inspiring neighbors and readers with his integrity, empathy, wit, and unwavering commitment to making the world a better place. In closing, he again declared February 26, 2026, as Frank Shatz Day in JCC, celebrating his 100th birthday, honoring his legacy, and expressing deep gratitude for the wisdom and humility he continued to share. He encouraged residents to join in celebrating Mr. Shatz's milestone.

Mr. Shatz addressed the Board and stated that he was honored to follow Mr. Waltrip. He recognized Mr. Waltrip's distinguished career and contributions to the County. He introduced himself to those present, noting his age and reflecting on his survival of Nazi concentration and slave-labor camps. He shared an African proverb that he felt captured his life's journey: "If you want to walk fast, walk alone; but if you want to have a long walk, walk with other people." He explained that he had embraced this principle, choosing not to focus solely on self-preservation but instead on helping others. He hoped he had succeeded in doing so, stating that this was the greatest accomplishment of his life. He expressed heartfelt gratitude to the community and to America for the life he had been able to build since arriving in the country.

Those in attendance applauded.

2. James City Clean County Commission 2025 Annual Report

Ms. Peg Boarman, Chair of the Clean County Commission (CCC), addressed the Board. She thanked Board members and recognized Mr. Kevin Radcliffe, Vice Chair of the CCC, who was also in attendance. She also expressed her appreciation to County staff, specifically noting, Ms. Grace Boone, Director of General Services; Ms. JoAnna Ripley, Assistant Director of General Services; Ms. Andrea Case, Sustainability Coordinator; and Ms. Regina Jackson, Administrative Coordinator. She stated that their support made the Commission's work possible. Ms. Boarman introduced the members of the CCC through a PowerPoint presentation, noting each Commissioner's district and responsibilities. She then described the Community Cleanups and Outreach Events held three times a year. She explained that the Great American Cleanup usually took place in March, the County-wide Litter Cleanup had celebrated its 47th

year the previous year, and the Clean the Bay Day event, typically held in June, was expected to occur in May this year. She reported that those efforts brought together 190 volunteers who collected more than 5,000 pounds of litter and contributed 442 volunteer hours. She noted that the CCC also offered ongoing cleanup and litter-prevention programs, including Adopt-A-Spot and the Litter League program run by the Williamsburg Regional Library (WRL). She added that Commissioners and staff participated in many outreach and educational events throughout the year, such as Harvest Fest, Boo Bash, and the WRL Summer Reading Kickoff, and that the Commission provided presentations and resources to community groups. Ms. Boarman then discussed the Beautification: Good Neighbor Grants for Gardens and Pollinators. She reported that nine projects had been completed successfully and referred to the PowerPoint presentation, which showed projects located within the Chickahominy Community, Ford's Colony, Indigo Park, La Fontaine Condominiums, Lake Toano Estates, Landfall at Jamestown, Raleigh Woods Condominiums, Riverview Plantation, and Williamsburg Landing. She added that the CCC continued to support the Water Wise Garden at the JCC Human Services Center and the pollinator garden at Veterans Park, and that the Commission sponsored the annual Arbor Day Plant-A-Tree event each April. She went on to describe the Virginia Peninsula Clean Business Forum Awards, presented quarterly in partnership with York County and the Cities of Williamsburg, Newport News, and Hampton. The PowerPoint presentation highlighted the 2025 winners: Craft 31 in the Jamestown District, Bricks & Minifigs in the Powhatan District, Thread Local 360 in the Berkeley District, and James River Equipment in the Stonehouse District. She noted that no applications were received for 2026 but encouraged businesses interested in sustainability to apply online at jamestowncitycountyva.gov/609. She emphasized that many practices, such as improving energy efficiency, planting native species, and reducing plastic use could qualify for recognition. Turning to recycling, Ms. Boarman highlighted the Glass-only Recycling Program, which offered curbside service and encouraged residents to bring glass to the purple bins located at County convenience centers. She explained that the collected glass was sent to the Owens-Illinois (O-I Glass) plant in Toano, which made quarterly charitable donations through its GLASS4GOOD program to the United Way of the Virginia Peninsula (UWVP). She shared that in June, O-I Glass hosted an Instagram selfie competition for World Environmental Day. Commissioners, staff, and others participated, resulting in JCC winning an additional \$500 donation. With 131 tons of glass collected, more than \$9,000 was donated to UWVP. She described the Repair Fair & Recycling Expo at Warhill High School (WHS) as the highlight of the year and likely the most popular program. Despite rain and wind, more than 250 cars came through. Sixty-two items were repaired and saved from the landfill, surpassing the previous year's record. The event also collected 74 tires, 200 pounds of glass, and 268 pounds of soft plastic. She commended Ms. Rachel West, a CCC Commissioner, who worked through the rain to collect plastic even though her vehicle was not suited for the volume. She added that 93 pairs of shoes were donated and that food scraps and pumpkins were composted. Several new volunteers, including a WHS student, had joined the team, and more specialists were preparing for the next event in November 2026. Ms. Boarman then spoke about Will Barnes Day, celebrated with a picnic honoring Mr. Will Barnes, who served as a CCC Commissioner from 1999 to 2016. She explained that the event recognized all volunteers and provided a fun way to express appreciation. During the celebration, the James City Ruritan Club presented the Jim Robertson and Will Barnes Scholarships. She noted that Mr. Jim Robertson had been the first Chair of the CCC and acknowledged the attendance of Ms. Barbara Barnes. In closing, she thanked all volunteers for their involvement. She referred to the PowerPoint presentation, that showed 1,479 volunteer hours, \$24,980 in avoided costs to taxpayers, and 2,500 event attendees. She encouraged residents to participate in upcoming events and noted that residents could sign up for the newsletter at jamestowncitycountyva.gov/3823. She added that more volunteers were needed for the Repair Fair & Recycling Expo and that the Good Neighbor Grant cycle would open in May. She also mentioned the Commission's meeting schedule and briefly discussed the Tree Seedling Giveaway Program, which had exceeded expectations. She concluded by offering to answer any questions from the Board.

Ms. Larson thanked Ms. Boarman for the Commission's work, emphasizing its importance to residents and visitors and its role in promoting environmental cleanliness and safety.

Ms. Boarman thanked the Board for its continued support.

Mr. McGlennon remarked that some of the busiest individuals in the community had chosen to volunteer with the CCC and had done excellent work. He noted that many residents took pride in improving the community, recycling, and repairing items. He added that he enjoyed the Repair Fair, which allowed people to share their skills in various crafts and trades, something he found inspiring.

3. Presentation - Laura Hill

Ms. Laura Hill, President and Executive Director of the Virginia Racial Healing Institute (VRHI), addressed the Board to present a new idea aimed at increasing the visibility of the Amblers House and raising community awareness of its historical significance, with the goal of generating funds to complete both interior and exterior renovations. She shared how she first learned about the Amblers House, noting that although she had lived in the County for 25 years, she had not known about the property until three years ago, and only by accident. After reviewing the research report used to obtain the historic landmark designation, she discovered references indicating that the property had ties to slavery. She added that a William & Mary student had spent 10 weeks researching the site and had created the PowerPoint presentation she was sharing. Ms. Hill began the presentation by explaining why the Amblers House should be restored. She stated that restoration was not only about preserving a structure but also about truth telling, honoring the legacy of the enslaved individuals who lived and labored there, reclaiming and contextualizing the site's full 19th-century history, and supporting racial healing and community education. She then discussed the history of the home, noting that it was a mid-19th-century farmstead built in 1852 and that its picturesque architectural style was rare for the region. She also noted that the property was listed on the National Register of Historic Places. She explained that her organization's research team wanted to understand more than the architecture; the organization wanted to learn about the people who had called the property home. Their research focused on the period, the community, the cultural context, and the individuals connected to the site. She then discussed Mr. John Coke, who served as High Sheriff of JCC and purchased the 375 acres on which he "built" the Amblers House in 1852. She noted his ties to many organizations and institutions that still existed. Ms. Hill went on to discuss JCC and slavery in the 1850s, explaining that the County relied heavily on enslaved labor and that nearly every large household owned enslaved people, noting that Virginia held the highest enslaved population in the nation at that time. She emphasized that the Amblers House stood at the center of this system, making its restoration essential for understanding the historical context. She then referenced the 1860 Federal Slave Schedule, which listed Mr. Coke as enslaving 13 individuals and maintaining six slave dwellings. She stated that his status as a slaveholder was central to the site's history and legacy. She also discussed the Coke family's connections to Bruton Parish Church, the College of William & Mary, and JCC government. She noted that although the High Sheriff role was largely symbolic at the time, Mr. Coke's influence was significant. She noted that after completing the PowerPoint presentation, her organization also learned that Mr. Coke had ties to Eastern State Hospital, where he served on the Board of Directors (BOD). She briefly reviewed the Coke family lineage. Ms. Hill then moved to the section of her PowerPoint presentation titled "Lives Built into the Brick and Soil," explaining that every brick at the Amblers House carried traces of the people who built and sustained it. She described this as the emotional core of the project, stating that the restoration was not only structural but moral, intended to restore dignity to those whose lives were literally built into the site. Referring to the PowerPoint presentation, she identified a smokehouse and a second structure believed to have been used as quarters for enslaved individuals. She emphasized the need for a historical marker, noting that although there were four markers across the street located on Jamestown Road, she noted that none of the markers acknowledged the Amblers House or its ties to slavery. She referenced Freedom Park, which commemorated free Black settlements, but pointed out that nothing in JCC yet interpreted enslaved life in the 19th century. A marker at the Amblers House, she stated, would help bridge that gap and

support public education. Ms. Hill shared that the VRHI BOD's had voted to sponsor a historical marker focused on the site's ties to slavery and had submitted an application to the Virginia Department of Historic Resources, with a final decision expected next month. She stressed that history mattered because the work was not only about the past but also about healing, restoring dignity, building community connections, and creating a model for inclusive preservation, one that sought to repair, not simply record. She then outlined the next steps for restoring the Amblers House and its surrounding property. She stated that the house stood as a living testament to a complex past and that its restoration would honor both the architecture and the ancestry of the people who lived there. She stated that opening the site for educational programs and tours could help individuals learn from the legacies of slavery. She added that the project offered a blueprint for healing through history by engaging descendants, educators, and residents. She expressed that the Amblers House could serve as a model for other sites by centering truth, equity, and transformation. Ms. Hill mentioned that the organization had met with descendants of the Amblers House, including a woman of African ancestry with ties to the property. She described the story of the house as one of JCC's best kept secrets. In closing, she stated that the mission of her organization was to share the story of the Amblers House in a way that fostered reconciliation and healing from the wounds of the past. She thanked the Board.

Mr. McGlennon asked if the Board had any questions for Ms. Hill.

Ms. Null stated that she believed it was wonderful that the property was being restored and emphasized its importance.

Mr. McGlennon thanked Ms. Hill for her work on the project and stated that he looked forward to future developments and to seeing how the site could become a place where individuals could confront the past and move forward in the present.

4. Presentation - Colonial Behavioral Health

Mr. David Coe, Executive Director of Colonial Behavioral Health (CBH), addressed the Board and noted that it was a privilege to be present, adding that the last update had occurred before the COVID-19 pandemic. He stated that CBH was grateful for the County's support and looked forward to continued collaboration. He then provided a brief overview of the organization, noting that CBH was founded in 1971 and operated as a statutory agency in Virginia. He also identified other localities served by CBH, including York County (fiscal agent), the City of Williamsburg, and the City of Poquoson. He stated that CBH was a public agency as well as an unincorporated 501(c)(3) nonprofit. Mr. Coe noted that CBH had a 15-member BOD, with five appointees representing JCC. He stated that Mr. Ryan Ashe, Fire Chief, served as Board Chair; Ms. Donyale Wells, Executive Pastor and Administrator of Kingdom Life Christian Church, served on the Executive Committee; and Mr. Roy Witham, Superintendent of the Virginia Peninsula Regional Jail (VPRJ), and Ms. Lynette Diaz, Assistant Director of Social Services, also served on the BOD. He then reviewed service demographics over a five-year period, covering Fiscal Years (FY) 2021-2025, and reiterated CBH's mission to serve individuals with mental health and mental illness challenges, substance use disorders, and intellectual and developmental disabilities. He noted that the number of JCC residents served by CBH had declined after 2021, attributing the decrease to the COVID-19 pandemic, workforce shortages, and other operational changes. Using a PowerPoint presentation, he displayed demographic percentages for individuals served between FY 2021 and FY 2025. He noted that in FY 2023, 6% of those served from JCC identified as Hispanic/Latino, 24% as Black/African American, 1% as Asian, 64% as White/Caucasian, and 5% as other classifications. Mr. Coe then discussed existing and newly added services. He highlighted the addition of Mobile Crisis services, which allowed intervention to occur before an individual reached a point requiring hospitalization. He explained that the service enabled dispatch of assistance to locations such as homes or schools and had grown steadily over the past two years, serving individuals aged three and older. He also described Permanent Supportive Housing, another new service, funded primarily through state dollars for individuals with serious mental illnesses who were transitioning from state

hospitals or incarceration. He noted that additional slots were supported through continuity-of-care funding and that some slots were available outside special designations. Mr. Coe stated that CBH operated two four-bed group homes, both located in York County. He added that the Day Support Program, Opportunities Unlimited, was located on Merrimac Trail and offered transportation assistance, and that Day Support services through People's Place were available for individuals with serious mental illnesses. He noted that CBH served as the fiscal agent for Part C/Early Intervention Services provided by Child Development Resources. He also described Recovery Support services offered in partnership with SpiritWorks Foundation and Forensic Discharge Planning services available to assist with discharge coordination at VPRJ, with staff embedded at the Merrimac Detention Center. Mr. Coe then provided an overview of CBH's local coordination efforts, including its involvement in the Marcus Alert plan development. He stated that the plan had been submitted to the state and that CBH was seeking funding to implement required protocols. He noted that CBH had received state funding to assist individuals previously supported by the Williamsburg House of Mercy after that agency lost its funding. He also highlighted ongoing work with the Historic Triangle Drug Prevention Coalition (HTDPC) and CBH's involvement in planning for the Williamsburg-James City County (WJCC) Behavioral Health Court Docket. He described CBH's role as a senior partner in National Drug Take-Back Days, noting that the HTDPC provided tangible and educational resources to the community twice each year. He also discussed outreach efforts, referencing a PowerPoint presentation slide displaying the 988/Lock and Talk Pizza Box initiative. He explained that during Suicide Awareness Month and Mental Health Awareness Month, participating pizza locations used boxes printed with the 988 Suicide & Crisis Lifeline number, CBH contact information, and Lock & Talk Virginia messaging, which promoted firearm safety. He added that Lock & Talk banners were also displayed in the community, including one currently located in Jamestown. Mr. Coe then reviewed major service trends, noting that service utilization had decreased during and after the COVID-19 pandemic. However, he stated that the complexity of cases had increased, leading CBH to expand its focus on trauma-informed care and prevention and wellness initiatives. He outlined current projects underway, including the Marcus Alert implementation, integrated primary care and behavioral health services, and the opportunity for Virginia Community Services Boards to become Certified Community Behavioral Health Clinics. He noted that CBH was working with the state to submit an application. Looking ahead to 2026, he described plans for a new CBH building adjacent to Eastern State Hospital, which would house the Center for Support and Wellness. He thanked the Board for attending the groundbreaking ceremony and expressed appreciation to County staff, stating that the project would not have been possible without their assistance. He stated that the Center would include four Crisis Intervention Team assessment slots, 12 23-hour recliners, and eight residential crisis stabilization beds for stays of two to 10 days, with hopes of opening the facility in the fall. He added that CBH was planning supported employment services for adults, a revised psychosocial rehabilitation model for adults with mental illnesses, expanded integrated care partnerships, and continued Marcus Alert implementation. In closing, he stated that CBH was proud of its work and welcomed tours, visits, and inquiries at any time. He stated that he would be happy to answer any questions or hear comments from the Board.

Mr. Icenhour noted that it was phenomenal to know that the new center was being built and would be opening this year.

Ms. Larson stated that she had attended the National Association of Counties (NACo) Federal Conference and noted the strong focus on behavioral health at the local, state, and national levels. She stated that behavioral health remained a priority for the Board and CBH and that it was one of the initiatives receiving bipartisan support. She added that members were seeking additional funding to increase the number of available beds. She thanked Mr. Coe and CBH for their efforts and hard work and stated that she looked forward to the opening of the facility near Eastern State Hospital.

Mr. McGlennon asked about the previously presented slide that reflected services provided and asked whether the numbers represented percentages.

Mr. Coe confirmed that they did.

Mr. McGlennon stated that the slide clearly showed a pattern of decline in services provided to JCC residents. He asked whether this trend was also occurring across other jurisdictions and requested that Mr. Coe speak briefly on the matter, noting that he believed there had been growing recognition of the increased need for services due to stress and critical situations and that he had hoped more individuals would seek assistance.

Mr. Coe agreed with Mr. McGlennon's observations. He stated that the number of individuals served in each locality had decreased, although some localities experienced occasional peaks. He noted that the overall trend lines were similar and that the primary cause of the decline was difficulty recruiting and retaining provider staff. He stated that this trend was beginning to improve. He explained that in previous years, CBH had faced significant challenges in hiring and retaining licensed staff. However, individuals who sought services were still served by qualified providers, even if not always through CBH, due to staffing limitations. He added that underinsured or uninsured individuals continued to receive services through CBH. He stated that retention and recruitment numbers had improved and that the organization had been restructured to strengthen access at the front door and reduce barriers to care.

The Board thanked Mr. Coe for his presentation.

D. CONSENT CALENDAR

Mr. McGlennon asked if any Board member wished to pull any items. No items were pulled.

1. Acceptance of Funds - \$544 - Federal Asset Forfeiture Program

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

2. Grant Award - \$47,797 - Commonwealth's Attorney - V-STOP Grant Program Fund

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

3. Grant Award - \$20,000 - Virginia DEQ CBPA Support Grant 2026

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

4. Grant Award - \$20,000 - Virginia Housing Community Impact Planning Grant

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

5. Grant Award - \$573,641 - Virginia Stormwater Local Assistance Fund

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

6. Contract Awards - Annual Engineering Services

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

7. Contract Award - \$172,600 - Chickahominy Riverfront Park Slope Repair

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

8. Contract Award — \$238,273 — Police Firing Range Lighting and Electrical Installation

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

Ms. Larson noted that she had a follow-up question regarding the item. She asked whether the project was part of the Capital Improvement Program (CIP) and inquired about what remained to be constructed.

Mr. Stevens stated that the project involved a classroom and asked whether the design included restrooms or if the restrooms would be separate.

Mr. Mark Jamison, Police Chief, addressed the Board and stated that if the classroom were approved, it would include electrical work and restrooms.

Mr. Stevens credited Police Chief Jamison and noted that he had previously included a similar building in a past CIP cycle.

Chief Jamison stated that the proposed classroom would resemble a standard school classroom and noted that the estimate had been provided by the Department of General Services.

Ms. Larson thanked Police Chief Jamison for the information.

Mr. Mark Abbott, Capital Projects Coordinator for the Department of General Services, addressed the Board to clarify that the tower also included a restroom that would be constructed as part of the project.

9. Contract Award — \$385,106.52 — Police Firing Range Tower and Pavilion Construction

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

10. Contract Award - \$625,772 - Law Enforcement Center Outdoor Air Rooftop Replacement

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

11. Minutes Adoption

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

The Minutes Approved for Adoption included the following meetings:

- January 13, 2026, Regular Meeting
- January 27, 2026, Business Meeting

12. Revisions to Chapter 4 of the James City County Personnel Policies and Procedures Manual

A motion to Approve was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

E. BOARD DISCUSSIONS

1. Government Center Update

Mr. Bradley Rinehimer, Assistant County Administrator, addressed the Board to provide an update on the Consolidated Government Center. He noted that recent weather conditions had made site work challenging, as there were several weeks during which contractors could not access the site. He stated that, as mentioned by Mr. Stevens during the January update, the contractors had completed grading for the underground parking garage. However, work on the rigid inclusions and deep foundations, originally scheduled for the current week, had been delayed until the first week of March due to weather. He reported that the Construction Management Company, McDonough Bolyard Peck (MBP), was now under contract and was assisting with document review as questions and concerns arose. He explained that the team was working through detailed elements of the building design, such as hardware for restroom stall doors, access control for outdoor spaces, and camera systems. He noted that MBP had completed its review of the 50% construction documents the previous week. Mr. Rinehimer stated that a meeting had been held with The Builder Group to address approximately 75 questions identified during the review. He added that the 100% construction documents were expected within the next few weeks. He noted that the 50% set consisted of 377 pages and that the final set would be of similar or greater size. Once received, the documents would be reviewed by County staff, who would provide comments and suggested revisions. He emphasized that there was extensive coordination among County staff, MBP, and The Builder Group to ensure issues were addressed early and to minimize change orders once construction began. He informed the Board that a Power Purchase Agreement had been signed with Dominion Energy (Dominion) for the installation of solar panels on the Emergency Operations Center side of the Government Center roof. He stated that this raised a related issue for Board consideration. He reminded the Board that early in the process, Leadership in Energy and Environmental Design (LEED) certification had been discussed, along with the County Code requirement that the building achieve LEED Certified or an equivalent standard. He noted that the Board had expressed support for pursuing a higher certification level of Silver, Gold, or Platinum, but also expressed his concern about cost. Mr. Rinehimer explained that the County had anticipated receiving LEED energy credits for the solar installation; however, because Dominion owned the panels, Dominion retained the credits. Without those credits, the project remained within the LEED Certified range but fell short of Silver. He stated that the County could purchase the credits back from Dominion, but doing so would cost between \$150,000 and \$200,000. He noted that he had advised the project team that he did not believe the Board would support that expenditure solely to achieve a higher certification level, but he asked the Board whether there were differing views.

Mr. Icenhour asked whether the credits were tied to the physical use of electricity.

Mr. Rinehimer explained that the LEED scoring system was based on a point structure. He stated that approximately 40 points were required for Certified, 50 for Silver, 60-70 for Gold, and 100 for Platinum. He noted that the County's initial scorecard included nine points for solar energy use, but those points were retained by Dominion. He added that the County could obtain the credits, but doing so would increase the hourly kilowatt cost.

Mr. Icenhour asked whether there was a direct connection between the credits and the cost.

Mr. Rinehimer confirmed that there was. He stated that the County could receive the nine LEED points, but only at a cost of \$150,000 to \$200,000.

Mr. McGlennon asked whether all nine points were necessary to reach the Silver level.

Mr. Rinehimer stated that it was likely that all nine points were needed.

Mr. McGlennon noted that he had previously been involved in a LEED certification process and stated that points could also be earned through other features, such as providing shower facilities in the building. He recalled preparing a PowerPoint presentation to help others understand the LEED process and asked whether there were alternative ways to reach Silver. He stated that he did not believe the additional cost was justified and that achieving LEED Certified status would be sufficient if Silver could not be reached without purchasing the credits.

Ms. Wainwright asked what the benefit was of being LEED Certified versus achieving Silver.

Mr. Rinehimer stated that he did not believe Silver certification provided any tangible benefit beyond demonstrating that the building was more energy-efficient and environmentally responsible. He explained that points were awarded for features such as bike racks, which encouraged environmentally friendly commuting, but the certification itself did not provide a direct operational advantage.

Ms. Wainwright asked whether the building would be equally energy-efficient even without the Silver certification.

Mr. Rinehimer confirmed that it would. He then reported that work on the outdoor space continued and that the Outdoor Space Committee had made significant progress. He added that an internal working group was being formed to address art installations within the building. He stated that he was available to answer any questions from the Board.

Mr. Icenhour asked when the 100% design documents and the not-to-exceed price would be brought back to the Board.

Mr. Rinehimer stated that the not-to-exceed amount had been maintained throughout the process. He explained that the Guaranteed Maximum Price (GMP) would be provided once the 100% construction documents were completed, reviewed, and revised as needed. He stated that the GMP was expected between April and May, after which the next phase of the Comprehensive Agreement would proceed. He emphasized that operations continued under the established not-to-exceed amount.

The Board thanked Mr. Rinehimer for his presentation.

2. James City County Community Land Trust (CLT) Key Decisions

Ms. Tammy Rosario, Assistant Director of Community Development, addressed the Board and stated that she had been pleased to work with the Neighborhood Development Division and the consultant on the CLT project over the past year. She expressed appreciation for the opportunity to continue the discussion on establishing a CLT for JCC and noted that several key decisions

required BOS approval before formal action in the coming months. She presented a PowerPoint presentation outlining the goals of the presentation, which included recapping work completed to date, reviewing items requiring BOS input prior to CLT establishment, providing an overview of next steps and the project timeline, and addressing questions while receiving direction. Ms. Rosario provided a recap of Phase 1, explaining that staff, the consultant, and the Board had explored the CLT concept to determine whether it would be an effective tool to address affordable and workforce housing challenges in JCC while protecting long-term public investment. A feasibility study was then conducted to assess whether a CLT would be a good fit for the County. She stated that the Board's feedback supported moving forward, with the understanding that staff would return for guidance on key decisions. With that direction, staff entered Phase 2 and worked with a team composed of staff from the following departments and divisions: Community Development, Financial and Management Services (FMS), the County Attorney's Office, Housing, and a citizen representative from the Housing Rehabilitation Board. She explained that the focus had been on laying the groundwork to establish the CLT as a nonprofit, including budgeting, drafting bylaws, preparing Articles of Incorporation, forming a BOD, and conducting community engagement. She noted that the project remained on track to launch the CLT in the summer and to receive its first unit from the Clark Lane development (now known as The Moore's) by the end of 2027. Referring to the PowerPoint presentation, Ms. Rosario highlighted progress on preparing and filing the Articles of Incorporation, recruiting and forming the BOD, and drafting bylaws. She stated that staff had worked diligently to reflect the Board's priorities in the financial and legal framework of the nonprofit, emphasizing that these details would shape the CLT's long-term structure. She added that although staff initially believed the Board would have many structural choices, state and federal requirements, along with financial reporting standards, made one approach clearly the best practice. She then outlined three key decisions requiring Board direction: establishing the CLT in a manner that would allow it to pursue Community Housing Development Organization (CHDO) designation; confirming the Board's comfort with provisions in the organizing documents; and indicating readiness for staff to begin BOD recruitment. She explained that CHDO status would provide access to set-aside funding and regulatory support, reducing the CLT's reliance on County funding. She noted that certification typically took two to three years, which would serve as a transition period for the new organization. Ms. Rosario next addressed the organizing documents, noting that the Articles of Incorporation were targeted for filing on July 1 and that the 501(c)(3) application was planned for fall 2026. She explained that both documents required a stated purpose aligned with CHDO and nonprofit requirements. The proposed purpose was to provide decent, quality housing affordable to low- and moderate-income (LMI) households, with the additional ability to serve households earning up to 120% of Area Median Income (AMI) to support neighborhood stability and mixed-income communities. She stated that the CLT would be a member-based organization with a tripartite BOD consisting of JCC appointees, CLT homeowners, and general community members. Although more complex, this structure helped prevent mission drift, broadened community engagement, created a leadership pipeline, and supported CHDO requirements. She noted that the initial BOD would consist of nine directors appointed by the BOS, serving staggered one- to three-year terms. Over time, the BOD would transition so that two-thirds of its members were elected by the CLT membership, as required for CHDO status. Ms. Rosario then reviewed the next steps for BOD recruitment. She noted that staff planned to begin recruitment in the spring, with selected members seated by summer. She went on to state that an application had been drafted to assess candidates' skills in financial management, legal expertise, fundraising, and connections to LMI communities. A website had been created and an open house was tentatively scheduled to provide additional information. She further stated that recruitment efforts would include news releases and direct outreach to individuals involved in similar initiatives. She noted that the application portal would open in March and remain available through April, after which appointments would be submitted to the Board in May, enabling the CLT BOD to begin training and initial decision-making by August. She also noted that a logo concept had been developed featuring an infinity symbol representing housing across generations, with blue symbolizing trust and stability and green representing growth and prosperity. In closing, Ms. Rosario summarized the key decisions and requested Board feedback.

Mr. Icenhour stated that he supported the tripartite structure that had been presented; however, he expressed concerns regarding the long-term sustainability of nonprofit organizations. He noted that nonprofits often experienced a life cycle in which interest from both the Board and the public declined over time, making it difficult to maintain engagement and stability. He referenced his experience with the Community Services Coalition, which struggled due to insufficient long-term funding. He also referenced challenges faced by United Way of Greater Williamsburg and the WJCC Community Action Agency during periods of restructuring. He asked whether Ms. Rosario believed the CLT would have greater longevity than the average nonprofit.

Ms. Rosario responded that while she was not an expert in creating or sustaining nonprofits, the working group had incorporated significant insight from individuals with extensive nonprofit experience. She noted that the consultants from Burlington Associates, who managed the Athens CLT, had provided guidance on structuring the organization to support long-term stability. She explained that the member-based structure would help maintain engagement by creating a pipeline of interested individuals from within the CLT homeowner base and the broader community.

Mr. Icenhour then asked about initial land allocation and whether JCC would be responsible for providing funds for land acquisition. Ms. Rosario explained that, as discussed at the BOS meeting in September, this issue had been evaluated through the feasibility study and a 10-year Pro Forma. She stated that the goal was to time the CLT's operational launch with the Clark Lane (The Moore's) development so that units could immediately be incorporated into the CLT, ensuring that the land would serve as a perpetual affordable housing resource. She added that additional developments were already in progress and that private developer interest was expected to expand the CLT over time.

Ms. Wainwright asked for clarification regarding the County's long-term involvement with the CLT, specifically whether the CLT would purchase land from the County or whether the land would remain permanently within the CLT.

Ms. Rosario stated that the working group had discussed the transition process and anticipated that the County would provide initial funding support until the CLT was fully incorporated. After that point, funding would be provided through the County's standard budget process, similar to other nonprofits. She explained that the 10-year Pro Forma anticipated greater County support in the early years, with the CLT gradually increasing its reliance on donations, fees, and grants. Regarding land, she stated that the expectation was for the County to convey land to the CLT in perpetuity and to continue doing so as additional units were developed.

Mr. McGlennon asked for clarification regarding the sources of funding used to acquire the properties.

Ms. Rosario stated that a combination of local, state, and federal funds had been used and invited Mr. Vaughn Poller, Neighborhood Development Administrator, to provide additional details.

Mr. Poller explained that the acquisition of The Moore's property had been funded through the Affordable Housing Incentive Program (AHIP), which consisted of residual funds accumulated over approximately 25 years from the sale of properties developed through past Community Development Block Grant projects. He recalled that the initial purchase price was approximately \$500,000. He added that additional development costs for The Moore's would be supported by AHIP funds, with primary funding coming from Stonehouse proffer contributions.

Mr. McGlennon noted that the Stonehouse proffer required a contribution of \$1,000 per unit for approximately 2,000 units, resulting in a total of approximately \$2 million for the housing trust.

Ms. Null asked whether the general public representatives on the CLT BOD would be appointed through a process similar to other County Boards, such as the Chesapeake Bay Board, and whether appointments would go through the BOS.

Ms. Rosario explained that the process would involve both the CLT membership and the BOD. She stated that an application process had been developed and would be presented to the Board for feedback. The initial BOD would be appointed by the BOS, but subsequent members would apply to the existing BOD, with the Executive Director involved in the screening process. She anticipated that the CLT membership would vote on future appointees.

Ms. Null expressed concern about the voluntary nature of the general public seats, noting that it was often difficult to recruit volunteers willing to commit significant time and effort. She stated that vacancies already existed on other committees and questioned whether individuals would be willing to serve on the CLT BOD. She emphasized the importance of the public-appointed third of the Board, as the other two-thirds would always be filled, but the public seats depended on volunteer participation.

Ms. Larson asked for confirmation that the tripartite structure was required for CHDO eligibility. She stated that she shared Ms. Null's concerns about volunteer commitment and questioned how to ensure that selected members would remain engaged. She emphasized the importance of the structure but acknowledged that it raised concerns.

Mr. McGlennon offered a counterpoint, noting that the County had experience with similar organizations that occasionally struggled to achieve a quorum. He stated that selecting individuals with a demonstrated commitment to the mission helped maintain stability. He expressed confidence that affordable housing was an issue that inspired strong interest and that the CLT would attract dedicated participants, though he acknowledged the concerns raised.

Mr. Icenhour stated that the strength of the CLT model was the involvement of residents, which made it unique. He believed that the community included many individuals passionate about affordable housing and that recruitment would not be difficult. He noted that the general public representatives would constitute only one-third of the BOD.

Ms. Null reiterated her concern, noting that her experience with other committees showed that some individuals did not consistently attend meetings. She stated that her worry centered on the reliability of general public participation.

Mr. Icenhour then asked about oversight of CLT funds.

Mr. Poller explained that the Virginia Department of Housing and Community Development (DHCD) provided oversight for CHDOs, as state funds flowed through the agency. He stated that CHDOs were subject to audits and oversight requirements and that mortgage assistance programs would involve local banks. He added that the CLT would need to conduct fundraising and maintain audited financial records when applying for funding.

Ms. Wainwright stated that she envisioned including attendance requirements in the BOD appointment process, similar to other organizations where members could lose their seat or voting privileges after missing a certain number of meetings. She emphasized that this was a bipartisan issue and recommended including language outlining expectations and removal procedures.

Ms. Rosario stated that staff could incorporate this information into the CLT website to ensure that applicants understood the time commitment and responsibilities associated with serving on the BOD. She added that the Board's recommendations could be conveyed to the BOD as it developed its bylaws with the consultant.

Mr. McGlennon then moved the discussion to the Board's decisions.

Ms. Rosario asked whether the Board concurred with establishing the CLT in a manner that would allow it to pursue CHDO designation for access to special funding and resources.

There were no objections.

Ms. Rosario then asked whether the Board was comfortable with the proposed purpose statement, which prioritized providing decent, quality housing affordable to LMI households, with the additional ability to serve households earning up to 120% of AMI to support neighborhood stability and mixed-income communities.

Ms. Wainwright asked whether the AMI threshold could be set lower, such as 70%, noting that 80% seemed high. She stated that she understood the threshold came from the U.S. Department of Housing and Urban Development but questioned whether the County could adjust it.

Mr. Poller explained that 80% represented the upper bound for affordability programs and that the first eight units in The Moore's development, built in partnership with Habitat for Humanity Peninsula and Greater Williamsburg, were expected to serve households between 40%-60% AMI. He noted that homeownership became difficult to sustain below 30% AMI, where rental subsidies were typically required. He added that homeownership programs generally served households between 60%-80% AMI, with higher levels associated with workforce housing.

There were no objections to the purpose statement.

Ms. Rosario then reviewed the proposed structure, reiterating that the CLT would be a member-based organization with a tripartite BOD. The initial nine directors would be appointed by the BOS, with staggered terms of one to three years. Over time, the BOD would transition so that two-thirds of its members were elected by the CLT membership.

There were no objections.

Ms. Rosario then asked whether the Board was ready for staff to begin the BOD recruitment process. She stated that staff planned to begin marketing through news releases, direct mailings, and other outreach efforts. She encouraged Board members to contact individuals they believed would be strong candidates. She noted that the application would be available online in the coming weeks and that an open house was planned for the end of March.

There were no objections.

Mr. McGlennon suggested offering a presentation to the public, noting that individuals might be interested but unsure whether the opportunity was right for them.

Mr. Icenhour agreed, stating that an educational approach would be beneficial.

Ms. Larson recommended recruiting a broad spectrum of individuals, including younger residents who might be first-time homebuyers, noting that first-time homebuyers were now often in their mid-40s. She emphasized the importance of casting a wide net.

Ms. Wainwright asked whether staff had reached out to the Williamsburg Area Association of REALTORS or communicated with the organization, noting that the agency were strong advocates for housing programs.

Ms. Rosario stated that Mr. Poller had been in contact with Ms. Susan Gaston, Legislative Consultant, and that the organization was supportive of the concept.

Mr. Icenhour added that during interviews with realtors, the CLT concept had been one of the topics most discussed.

Ms. Rosario added that the Williamsburg Community Foundation had received a presentation on the concept and expressed considerable enthusiasm. She stated that staff would continue targeted outreach to build interest in the CLT and promote participation on the BOD.

Mr. McGlennon thanked staff for the presentation.

3. Landscape Ordinance

Mr. Paul Holt, Director of Community Development, thanked the Board for its decisions on the previous topic, noting the extensive work that had taken place behind the scenes and expressing confidence that the program would make a meaningful difference. He then addressed the Board regarding the County's Landscape Ordinance, reminding members that an overview had been provided on October 28 at a previous BOS meeting. He noted that a PowerPoint presentation was included in the Agenda Packet for reference. He explained that the purpose of the discussion was to provide a follow-up opportunity for staff to receive consensus and direction from the Board should it wish to pursue any changes to the current Code. Based on feedback received to date, he stated that a tiered waiver process could be developed using objective factors such as whether a property was located along a Community Character Corridor, within a Community Character Area, used for industrial purposes, or involved new development versus infill redevelopment. He emphasized that any changes would not affect previously approved legislative cases; instead, they would be incorporated into the Zoning Ordinance and apply only to new or amended by-right cases moving forward. He then invited questions and discussion from the Board.

Ms. Larson stated that she understood the changes would not apply to previous cases but used Frothy Moon Brewhouse as an example. She explained that if a tow truck operator moved into that location, situated along a Community Character Corridor, the business would not be subject to landscaping requirements because it represented a change in use. She expressed concern that this created an imbalance, noting that the property was attractive and had been well maintained, and she sought a compromise that would not penalize new occupants. She added that the Board had discussed water usage and alternative landscaping options at the Retreat and reiterated her frustration with the current approach.

Mr. Holt acknowledged that the Landscaping section of the Zoning Ordinance was complex. He clarified that landscaping requirements were generally proportional to the level of development proposed. Using Ms. Larson's example, he explained that a tow truck company operating by-right would not trigger landscaping requirements unless it added an outdoor storage yard, which would require screening under the Ordinance. He agreed that the language could be clarified through statements of intent and applicability to better set expectations and noted that such refinements could be made administratively.

Ms. Larson stated that she sought a more holistic approach and hoped to identify areas where adjustments could be made to better balance the needs of the County and business owners.

Ms. Wainwright added that the goal was to find balance, preserving community character without prohibiting the reuse of properties for different purposes.

Ms. Null referenced a property on Fenton Mill Road that was zoned A-1 and not located on a Community Character Corridor. She explained that the business owner was required to install 300 new shrubs because a building was being placed at the rear of the property. She stated that the owner was willing to add more landscaping at the front but questioned the necessity of extensive plantings at the rear. She added that the same owner was purchasing property on

Route 30, which sat far back from the road, and that the landscaping requirements for that site were estimated at approximately \$20,000. She expressed concern about the number of trees required per square foot and the financial burden placed on businesses that contributed to the County's tax base. She cautioned that excessive requirements could drive businesses to other localities and urged consideration of factors such as location, impact, and visibility rather than imposing overly burdensome standards.

Mr. Holt stated that this was precisely the type of direction staff needed from the Board. He noted that the PowerPoint presentation summary categorized the various landscaping requirements applicable to different portions of a site. He explained that the Ordinance currently required landscaping along road frontages, including a mix of trees and shrubs, although feedback from the Development Review Committee suggested that shrubs were not always desirable where mature trees already existed. He added that the Ordinance also included separate requirements for side and rear property lines, which increased based on buffer width, as well as requirements for parking lot landscaping, Best Management Practice screening, and building perimeter plantings regardless of a building's distance from the road. He emphasized that although the Ordinance allowed flexibility through credits and substitutions, staff did not have the authority to reduce minimum requirements. He noted that industrial properties already had reduced standards but stated that if the Board wished to consider fewer plantings in specific areas, staff could prepare options for review.

Ms. Larson suggested that individuals interested in the issue might benefit from meeting with Mr. Holt directly to review the Ordinance and better understand available options, noting that seeing the requirements in person could be helpful.

Mr. McGlennon suggested a workshop, observing that the Ordinance attempted to address multiple objectives simultaneously. He noted that visitors frequently commented on how green and attractive the County was, in part because landscaping helped screen certain developments, particularly residential areas along Community Character Corridors and industrial sites not intended to attract customers. He suggested that the County explore creative solutions, such as allowing commercial properties seeking visibility to use more welcoming plantings rather than full buffers. He emphasized the need to balance aesthetic goals with the financial realities faced by businesses and asked Mr. Holt whether staff could explore alternative approaches.

Mr. Holt confirmed that staff could do so and stated that options could be prepared within 30 days.

Mr. Icenhour stated that staff had indicated the Ordinance did not provide sufficient flexibility in certain areas, and he expressed interest in hearing more about this. He emphasized the importance of objective criteria, noting that consistency became difficult when waiver authority was too subjective. He stated that he wanted to understand what tools staff needed to address issues effectively while maintaining the County's standards.

Discussion ensued.

Ms. Wainwright summarized that the Board wished staff to draft a tiered waiver process and expressed hope that business owners would engage in the conversation to help prevent them from relocating to other localities. She stated that such engagement was an important part of the solution.

Mr. Holt stated that once staff gathered the necessary information, staff could return to the Board for further direction and noted that more specific guidance would be especially helpful.

Ms. Null clarified that her concerns related primarily to non-residential properties. She also noted that water was a significant issue in the County and that the sewer system was nearing capacity. She questioned whether the requirement to irrigate landscaping should be

reconsidered, noting that the Stonehouse development did not allow irrigation.

Mr. Holt explained that most developments were required to enter into a Water Conservation Agreement with the James City Service Authority (JCSA). He noted that while the Ordinance did require the use of native plants, some plant choices selected by property owners naturally required more water than others.

Ms. Null went on to note that approximately 25% of the County's water consumption was used for irrigation.

The Board thanked Mr. Holt for his presentation.

4. Budget Discussion

Mr. Icenhour opened the discussion by reviewing the County-wide average reassessment percentage, which he noted was 12% and significant. He emphasized that, as usual, there would be a wide range of changes across the County. He explained that after absorbing a substantial increase during the previous two-year period, the impact had been considerable. He stated that it would be beneficial to consider how the required advertisement for the revenue-neutral tax rate was calculated, noting that it was based on the prior year's taxes and adjusted for book value to determine the rate needed to generate the same revenue. He recalled that last year the revenue-neutral rate was approximately \$0.74. He explained that one item discussed earlier in the year had not passed, had been referred to a committee for further study, and would return the following year without accounting for the impact of inflation. He emphasized that when discussing revenue, the focus should be on purchasing power rather than absolute dollars, as absolute dollars were never constant. He stated that the revenue-neutral rate should be adjusted to account for inflation, which he noted was 2.7% last year. He further explained that the revenue-neutral calculation removed growth so that growth was realized on the net book value and compensated accordingly. He stated that inflation and growth were the minimum two factors that needed to be considered when setting the tax rate. He expressed that the resulting rate would still be considerably lower than the current \$0.83. He cautioned that if the rate remained unchanged and the Board later decided to reduce it, significant adjustments would be required across the budget rather than building gradually. He recommended approaching any changes incrementally. He also suggested that once the budget was released, instead of reviewing it line-by-line, the Board should review it page-by-page or by department. He described how the process had been handled in the past and how it allowed decisions and value judgments to be made throughout the review. He expressed concern that if the Board did not provide input and direction before the budget was built, it would be difficult to make changes later.

Ms. Null stated that she believed starting at the revenue-neutral rate was acceptable and expressed that the tax rate needed to be reduced below \$0.83. She noted that her preference was \$0.75.

Mr. Icenhour added that one of the major areas requiring attention was the WJCC School Division, as much of the budget impact could depend on state decisions. He stated that whatever was ultimately decided would need to be justified.

Ms. Wainwright asked whether a target needed to be set for staff, given that staff would be presenting the budget to the Board. She stated that it appeared staff needed firm direction, as the presentations were scheduled for the end of the month.

Mr. Stevens stated that the budget would be released to the public in March for discussion, with presentations scheduled for April.

Ms. Wainwright then asked Ms. Cheryl Holland, Assistant Director of FMS, whether staff

would prefer direction now if the Board wanted a budget based on a \$0.74-\$0.75 tax rate rather than \$0.83.

Ms. Holland expressed her appreciation for any guidance and stated that she would like to present all available options, including the implications of cutting certain items and the effects of reducing the tax rate. She noted that departmental meetings would conclude this week and emphasized their importance, as they provided an opportunity to explore alternative funding sources, savings, and expenditures. She added that at the April 14 Board meeting, the public hearing on the tax rate would be held, and the revenue-neutral rate would be calculated in March.

Ms. Null referenced an activity previously completed by the Board and requested the results.

Mr. Stevens stated that he had not brought the results with him, but he had reviewed them and intended to use them to help prioritize elements of the CIP. He noted that the process was not strictly data driven. He recalled that during the Retreat, staff shared that approximately \$15 million in new revenue was expected if the tax rate remained unchanged and no other tax adjustments were made. He explained that if \$13.5 million of that amount were removed, and with \$30 million in new departmental requests, reductions would be necessary. He stated that in past years, staff began with departmental requests and then presented what was not included so the Board could clearly see what portions of the \$30 million were excluded. He noted that \$3 million of the requests were for new positions and that a 4% employee raise would cost an additional \$3 million. He stated that the raise could be reduced to 1%, but doing so would hinder the County's ability to remain competitive, which would affect staffing. He added that staffing levels were currently in a good place due to significant recent investments, which had made a meaningful difference. He further noted that school operations would require an additional \$5 million this year, meaning that \$5 million of the \$30 million in requests was already contractually committed to the School Division. He stated that if costs truly needed to be reduced, the reductions would ultimately come from personnel, which represented 31% of the budget, and from outside agencies, including the School Division, which represented 61%. He explained that the operating budget accounted for only 8-9% of overall costs. He stated that reviewing the operating budget department by department would reveal expenses such as equipment maintenance, fuel, and insurance, those being items with limited flexibility. He noted that while \$100,000 could be cut relatively easily, \$5 million could not. He emphasized that reductions would have to come from outside agency support and personnel. He stated that staff had worked hard to reflect reductions in the proposed budget and that departmental requests consistently exceeded available revenue, which was always a challenge. He noted that the Board could adjust any portion of the budget and provide direction on where funds should be removed, but doing so would likely mean no new positions next year and reductions in ongoing recurring costs. He added that while the CIP influenced the budget, recurring costs required annual planning, unlike one-time expenditures.

Ms. Null referenced JCSA's annual raise structure, noting that employees received yearly increases. She stated that she did not understand why raises were expected every year and referenced the cost-of-living adjustment (COLA), suggesting that this could be used annually instead.

Mr. Stevens explained that raises were generally provided annually as general wage increases rather than merit-based increases. He noted that the County did not have a step system with automatic increases, whereas JCSA had recently implemented one. He stated that he did not believe the County could afford such a system and had not recommended it in the last pay study. He added that wage increases in recent years had been 4-5% to remain competitive with surrounding localities and retain staff.

Ms. Null stated that she was not suggesting employees did not deserve raises, but that the County might consider reducing the number of new hires.

Mr. McGlennon stated that he would take a different approach. He noted that while everyone would like to see the personal property tax rate reduced, given the recent increases, he also wanted the professional judgment of the County Administrator. He stated that he wanted to hear the Administrator's recommendations for this year's budget before making decisions. He referenced the presentation from CBH, which reported losing staff, and asked whether similar pressures were being brought to the Board's attention. He noted that many moving pieces would determine available funding. He added that the County certainly wanted to address the School Division's compensation concerns, but guidance from the County Administrator would be helpful.

Ms. Larson stated that her colleagues in other Virginia localities had already received their budgets. She was unsure whether it was possible to move the timeline up this year, as doing so would allow more time to examine the details. She stated that she was not in favor of setting a tax rate at this time and preferred to see current numbers and determine what would need to be removed to reduce the rate to \$0.74-\$0.75. She noted that the required reductions would be significant and she was not willing to take that approach at this time.

Ms. Holland stated that she understood the goal of providing information to the Board earlier and that the process had begun in the summer in previous years. She noted that staff had been working with departments since then to determine needs, review details, and incorporate information from the state and other sources, which often arrived later in the process. She stated that the budget team intended to continue moving toward an earlier timeline.

Mr. McGlennon reminded the Board that action had been taken a few years ago to reduce the tax rate by \$0.05 by using surplus funds from the prior year to offset the impact of assessments. He stated that he did not believe the County had that luxury this year.

Ms. Larson reiterated her support for the School Division's compensation needs. She noted that the Division had presented a compensation study showing that they lagged behind the City of Newport News, York County, and New Kent County. She stated that the Division's personnel actions reflected the loss of staff to other localities. She said that she could not, in good conscience, fail to support the compensation study or the employees of JCC, and she did not believe a 2% COLA was sufficient. She also raised the issue of collective bargaining, noting that legislation had passed the Senate and would affect the tax rate. She stated that this could not be ignored for either the School Division or the County and should be considered during budget discussions.

5. Development Oversight

Mr. Holt addressed the Board and noted that there were no decision points associated with this item. He provided an update on the County's surety process, which he explained was designed to ensure that required public improvements and permits were installed as reflected on approved development plans for site plans or residential subdivisions. He noted that a couple of years ago, the Board had allocated additional resources to allow staff to better manage and track the surety process and the completion of required public improvements. These resources included a dedicated staff member within the Stormwater and Resource Protection Division and the adoption of an enhanced fee structure for annual surety renewals, which discouraged sureties from being renewed long-term. With these additional resources, over the past year staff was able to reprioritize the surety database to focus on resolving older projects first, revise staff workflows to proactively reach out to developers in advance of their surety renewal dates, and require that anticipated project completion timelines be shared with staff. He highlighted the partnership with the Virginia Department of Transportation (VDOT) to clarify the street acceptance process, noting that the process had been documented in new flowcharts and publications shared with developers. He added that VDOT had recently implemented several structural process changes within the Williamsburg Residency to better facilitate and support

street acceptance. Mr. Holt further explained that staff had created a new annual proactive process, used in coordination with the County Attorney's Office, to elevate outstanding issues beyond the developer when necessary and involve bonding and financial institutions. He stated that over the last 12 months staff had worked with the County Attorney's Office to comprehensively overhaul and update all surety agreement templates and financial guarantee document templates with the goal of setting clearer expectations. He stated that these proactive approaches, combined with the resources provided by the Board, had also improved the As-Built process by requiring developers to identify responsible land disturbers and document who would be responsible for completing the As-Built requirements following construction. He reported that these efforts had produced significant results over the last 36 months, including the completion and close out of more than 24 projects that were over 10 years old and at least 10 projects that were between five and 10 years old. He noted that the total value of resolved sureties was close to \$5 million, and the final amount could be higher. Overall, he stated that the changes, efforts, and Board support were making a tremendous proactive difference significantly improving the County's effectiveness. He concluded by stating that he was happy to answer any questions the Board might have.

Mr. Icenhour congratulated staff on their work, noting that stormwater issues and street acceptances were predominantly being resolved. He stated that the approach staff had taken had cleared up many longstanding issues and expressed his appreciation.

F. BOARD CONSIDERATION(S)

1. Fiscal Year 2025 School Year-End Spending Plan Appropriation - \$2,169,906

A motion to Approve the resolution was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

Ms. Holland, Assistant Director of FMS, addressed the Board to present a resolution regarding the WJCC School Division's remaining FY25 surplus. She noted that according to the Code of Virginia, if a school division had unexpended local funds at the end of a fiscal year, those funds were returned to the applicable locality. She explained that the joint agreement for WJCC Schools specified that for any school surplus, JCC and the City of Williamsburg would dedicate 90% of their respective shares for future school use, with the remaining 10% retained by the locality. She reported that for FY25, WJCC's year-end surplus totaled approximately \$6.4 million, which was divided between the two localities based on their proportionate shares of enrollment at that time. For FY25, the County's proportionate share was 89.73%, resulting in approximately \$5.74 million being returned to JCC and \$657,000 to the City of Williamsburg. In accordance with the joint agreement, the County retained 10% of its \$5.74 million share, while the remaining 90%, or \$5,169,906, was committed to future school use. Of the committed funds, the County had already appropriated \$1 million as part of the FY26 Adopted Budget to increase the County's contribution to school operations for the current fiscal year. An additional \$2 million of the surplus had been incorporated into the planned CIP to support school capital needs in future fiscal years, specifically FY27. After accounting for these planned uses, the County's remaining share of the FY25 surplus was \$2,169,906. Ms. Holland noted that the School Division had requested funds to establish a healthcare reserve to support its transition to a self-funded health insurance plan. The Division requested \$4.5 million for this purpose, representing approximately two months of anticipated claims costs, along with an additional \$650,000 for textbooks. She stated that the County's proportional share of these needs would be approximately \$4.6 million. She reiterated that the remaining FY25 surplus available to the County was \$2.17 million and advised the Board that the resolution before them appropriated

this remaining amount into the County's FY26 General Fund Budget to support the School Division's healthcare reserve. She added that, separate from the resolution, the Board could consider using any FY26 surplus the schools might generate to help fund the remainder of the healthcare reserve and textbook needs. She noted that no estimate of FY26 surplus was currently available, but once one was received, staff would work to incorporate the potential use of those funds.

Mr. Stevens provided further clarification, noting that the action before the Board was to reappropriate the \$2.1 million returned to the County. He stated that the School Division still needed additional funding for its healthcare reserve and emphasized that the \$4 million request had not previously been included in the County's funding plan. He explained that staff had encouraged the School Division to move its own year-end surplus toward these needs, which would reduce the amount returned to the County and eliminate the need for future Board action. He noted that this approach had been shared with the Superintendent and expressed his belief that the School Division needed the reserve for healthcare and textbooks. He asked the Board if there were any concerns.

Mr. McGlennon asked whether this approach was reflected in the resolution.

Mr. Stevens responded that it was not included in the resolution because, once the School Division received the funding, it could allocate the funds for the stated purposes. He added that if the School Division chose to do so, he wanted the Superintendent to be aware of the Board's position, whether the Board supported or did not support that action.

Mr. McGlennon stated that the Board had encouraged the School Division to take this approach for several years in hopes of reducing future expenditures.

Mr. Stevens also noted that he had encouraged the School Division to transition from a fully funded to a self-insured health insurance model, which was implemented this year.

Mr. Icenhour stated that he was pleased the surplus was available and believed it was a wise use of funds. He expressed his support.

G. BOARD REQUESTS AND DIRECTIVES

Ms. Wainwright noted that during the BOS Retreat, a significant amount of information had been received and many productive conversations had taken place. She stated that she continued her Virginia Association of Counties (VACo) budget training and had attended another VPRJ Board meeting. She added that her schedule the previous week had been full, consisting largely of meetings with citizens regarding concerns and questions, as well as meetings with community members to build relationships. She highlighted the collective bargaining bills moving through the Virginia General Assembly and the impact they would have on the County's budget. She referred to unfunded state mandates that would cost the County millions of dollars and emphasized the need for citizens and voters to be aware of these issues. She expressed grave concern about additional legislation that would limit the Board's authority over zoning and development within the County. Referring back to a discussion held at the BOS Retreat, she noted that the County had done a good job conserving water, as usage had not increased; however, the sewer system was at capacity. She expressed concern that if the County were required to allow certain levels of by-right development each year, the system would be excessively strained. She encouraged communication with state representatives regarding this issue. She also referenced discussions about the upcoming April vote related to a Virginia Constitutional Amendment. She noted that the Virginia Constitution prohibited placing a measure before voters until 90 days after a bill passed the General Assembly. She suggested considering a resolution stating that the state was asking the County to take an action that would violate state law, burden the local Elections Office, and conflict with constitutional requirements. She stated that, as representatives who had taken an oath to uphold the

Constitution, the Board should voice concern.

Mr. McGlennon asked Ms. Wainwright whether she had a resolution she wished to propose.

Ms. Wainwright stated that she had drafts based on actions taken by other localities. She was unsure of the process but would email the drafts to Board members for feedback.

Mr. McGlennon stated that she could share the draft; however, he was unsure whether a Board vote would have any impact. He noted that there was a question as to whether the interpretation offered by those supporting the resolution was accurate. He added that the Supreme Court of Virginia had already ordered that the process move forward on the proposed amendment, indicating that the Court understood the timeline and would likely act before March.

Ms. Wainwright stated that although the action might not change the outcome, sworn representatives sometimes had a duty to voice opposition regardless of the effect.

Mr. McGlennon stated that he did not believe there was clear evidence of a constitutional violation and that the issue appeared to involve a statute that had been appealed.

Ms. Wainwright stated that there was currently a new hold on voting.

Mr. McGlennon noted that the hold originated from Tazewell County.

Ms. Wainwright confirmed this but stated that it affected the entire state.

Mr. McGlennon stated that because the matter had been appealed, he expected the Supreme Court to act before early voting began.

Ms. Wainwright stated that no such indication had been given. She clarified that she was expressing her opinion and reiterated that, as sworn officers, the Board had a duty to uphold the state constitution.

Mr. McGlennon stated that the Board was responsible for acting within its own authority in a manner consistent with constitutional requirements. He questioned whether it was the Board's responsibility to call out others for perceived failures to uphold constitutional provisions.

Ms. Wainwright noted that the County would be responsible for paying for the election, reiterating her perspective. She stated that she would send the draft resolution to Board members.

Ms. Null stated that she had attended the Olde Towne Medical & Dental Center meeting and reported that four new members had joined the Board.

Mr. Icenhour stated that he had met with the Ford's Colony Green Team and noted that he and Ms. Wainwright had the opportunity to speak with residents of Ford's Colony.

Ms. Larson stated that she attended the special ribbon-cutting ceremony for the refurbished JCC Recreation Center pool. She commented on the improved appearance, noting that it was bright and that an excellent job had been done. She thanked those involved. She added that she spent the weekend at the NACo Legislative Conference, where she learned a great deal. She expressed frustration that little progress was being made in Congress despite many important issues requiring attention. She encouraged continued communication with state and federal representatives and commended Senator Ryan McDougale and Delegates Mark Downey and Jessica Anderson for their responsiveness. She urged Board members to continue responding to VACo alerts, noting the significant impact that pending legislation could have on the locality. She stated that she would attend the Hampton Roads Alliance meeting on Thursday.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens thanked the Board for its participation in the BOS Retreat workshop, noting the value of the information shared and the worthwhile discussions that took place. He expressed his appreciation for the members' time. He reported that the JCC Fire Department (JCCFD) was promoting the County's Burn Law, which prohibited open burning before 4 p.m. through the end of April. He noted that questions could be directed to JCCFD at 757-220-0626. He also announced that the Parks & Recreation Department would be hosting a job fair and encouraged Board members to share the information with individuals seeking summer employment. He noted that while many applicants were typically youth, the event was open to anyone interested in a summer job. He noted that the job fair would be held on Saturday, March 7 from 10 a.m. to 1 p.m. at the JCC Recreation Center located on Longhill Road. Mr. Stevens then informed the Board that JCC had lost a long-time employee, Ms. Lorraine Taylor, Real Estate Administrative Coordinator. He noted that she had served the County for more than 26 years and had passed away the previous week. He asked that her family, friends, and co-workers be kept in thoughts and prayers.

I. CLOSED SESSION

At approximately 4:14 p.m., the Board recessed.

At approximately 4:21 p.m., the Board reconvened.

Mr. McGlennon noted that a third Closed Session item was added for the consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body pursuant to Section 2.2-3711(A)(7) of the Code of Virginia.

A motion to Enter a Closed Session was made by Ruth Larson, the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

At approximately 4:23 p.m., the Board entered Closed Session.

At approximately 5:01 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those items indicated that it would speak about in Closed Session was made by Ruth Larson, the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

1. Discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure, pursuant to Section 2.2-3711(A)(19) of the Code of Virginia.
2. Consideration of a personnel matter, the appointment of individuals to County Board and/or Commissions, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia
 - a. Appointments – Parks and Recreation Advisory Commission

No discussion regarding the appointment took place.

b. Appointments - Wetlands Board and Chesapeake Bay Board

A motion for the Appointment of Mr. Mark McElroy for a Full Member term, expiring December 31, 2031, and that the vacant alternate position be filled by Mr. Curtis Remple for a term, expiring March 31, 2030, was made by James Icenhour Jr., the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

3. Certification of Closed Session

J. ADJOURNMENT

1. Adjourn until 5 pm on March 10, 2026 for the Regular Meeting

A motion to Adjourn was made by Tracy Wainwright, the motion result was Passed.

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

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

At approximately 5:05 p.m., Mr. McGlennon adjourned the Board of Supervisors.

September 26, 2025

James City County Board of Supervisors
101 Mounts Bay Road
Williamsburg, VA 23185

Re: Appeal of Planning Commission and Staff Interpretation Requiring Public Utility Extension- Conceptional Plan -25-0002 Subdivision Ordinance Exception to extend Bush Springs Toad Without Extending Public Water and Sewer

Dear Members of the Board of Supervisors:

On behalf of Health-E-Community Enterprises of Virginia, Inc. (the "Applicant"), I respectfully submit this appeal to the Board of Supervisors pursuant to James City County Subdivision Ordinance § 19-8 and Virginia Code § 15.2-2311. This appeal challenges the adverse determinations of staff, the Design Review Committee (DRC), and the Planning Commission that the proposed Bush Springs Road Extension constitutes a "major subdivision inside the PSA," thereby requiring extension of public water and sewer.

This interpretation is inconsistent with the plain text of the Subdivision Ordinance, contradicts County precedent, and violates Virginia statutory law limiting local authority. The requirement also wrongly forced the Applicant into a waiver/exception process that was never necessary. For these reasons, the Applicant seeks reversal of these determinations.

Grounds for Appeal

1. Ordinance Misapplied

§ 19-21(B) defines 'major subdivision' for procedural purposes only. It does not impose substantive utility obligations. Staff misused this definition to trigger §§ 19-59 and 19-61, even though no lots are created inside the PSA.

2. Rights-of-Way Do Not Trigger Utility Obligations

A road dedication is not a 'lot' under § 19-2. Since no PSA lots are created, §§ 19-59 and 19-61 cannot apply. Attorney Timothy Trant's letter further confirms this interpretation.

3. Outside-PSA Standards Govern

All 38 proposed lots are outside the PSA and may be lawfully served by wells and septic systems under §§ 19-60 and 19-62. Staff's contrary position conflicts with ordinance text and Comprehensive Plan protections.

4. Precedent – Consistent County Treatment

In Liberty Ridge and Westport, rights-of-way in the PSA did not convert outside-PSA subdivisions into PSA projects. Both proceeded with wells and septic. Staff's contrary interpretation here is arbitrary.

5. Waiver Was Improperly Required

The Applicant was forced into a waiver process only because of staff's misinterpretation. No waiver was required: all lots are outside the PSA, wells and septic are expressly permitted, and PSA utility extension is prohibited. Commissioner Rogers and Commissioner Halderman opposed the denial, resulting in a 4-2 vote rather than unanimous denial.

6. State Law Violations – Unauthorized Exactions

Virginia Code § 15.2-2260 prohibits localities from imposing conditions not authorized by statute. Requiring PSA utility extension from Toano Woods Drive is an unlawful exaction. Virginia Code § 15.2-2288.1 also prohibits conditioning approval on off-site improvements not required by law. These statutory violations are detailed in the Appendix of Authorities.

Policy Considerations

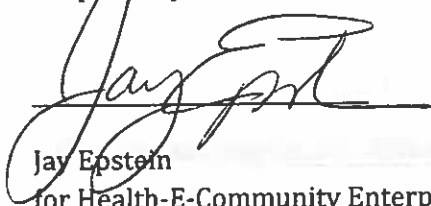
Extending PSA utilities outside the PSA contradicts the Comprehensive Plan and undermines Rural Lands protections. It creates uncertainty for applicants, discourages investment, and exposes the County to litigation. By contrast, upholding the Applicant's interpretation reinforces PSA boundaries and ensures compliance with state law.

Relief Requested

For these reasons, the Applicant respectfully requests that the Board of Supervisors:

1. Reverse the adverse determinations of staff, the DRC, and the Planning Commission;
2. Confirm that the Bush Springs Road dedication does not trigger §§ 19-59 or 19-61;
3. Confirm that all lots outside the PSA are governed by §§ 19-60 and 19-62;
4. Find that the waiver/exception process was improperly required;
5. Direct staff to process the subdivision under the correct outside-PSA standards.

Respectfully submitted,



Jay Epstein
for Health-E-Community Enterprises of Virginia, Inc.

Authorities Attached for Reference

Copy to Adam Kinsman

County Attorney

101 Mounts Bay Road

Building D

Williamsburg, VA 23185

Authorities

Chapter 19 Subdivision

Section 19-2 Definitions

Street. An existing or platted right-of-way dedicated for the use of the general public, or portions thereof, either accepted by the transportation department or approved as a private transportation system under the zoning ordinance. A street shall provide access to property by vehicular and pedestrian traffic for all purposes of travel transportation or parking to which it is adopted and devoted. This term is synonymous with road, lane, drive, avenue, right-of-way, highway, or any other thoroughfare.

Sec. 19-21. - Classification of subdivisions

(b)

Major subdivision. A major subdivision shall be any division of a parent parcel into six or more parcels or any division which creates a new street or extends any existing street. However, where additional lots are being created for the sole purpose of permanent open space or for the purpose of being dedicated to a conservation organization, as evidenced by documentation acceptable to the planning director, the subdivision may be reviewed as, and meet the requirements of, a minor subdivision.

Sec. 19-59. - Water facilities.

(a)

Major subdivisions inside the primary service area must connect to the service authority or Newport News Waterworks water system. Minor subdivisions inside the primary service area must connect to the service authority or Newport News Waterworks water system if public water is available.

(b)

For applications submitted prior to October 11, 2022, major subdivisions outside the primary service area shall construct a central water system including distribution lines, storage, treatment and supply facilities within the subdivision. Central water service shall be extended to all lots within a subdivision, including recreation lots. Upon completion and acceptance of the improvements, the water system, together with all necessary easements and rights-of way, including the well lot, shall be dedicated to the service authority by deed and an accompanying plat.

Individual on-site sewage disposal systems for each lot must be approved by the health department and shall be a soil absorption system of conventional or alternative design.

(2)

The plans for such subdivisions shall include specific on-site sewage disposal system locations, including primary and reserve drainfields and soils information, as well as appropriate notation as required in section 19-29(l) and (m). The immediate area in and around each proposed system must be shown using a contour interval not greater than two feet; the contour area shown outside the system should be sufficient to establish the relationship of the area to relevant topographic features such as, but not limited to, drainage ways, sink holes, road cuts, and steep slopes. The record plat shall clearly designate each lot which has been approved by a soil absorption system of alternate design and shall contain a note which clearly discloses that such alternate systems may entail additional expenses.

(3)

For the purpose of subdivision of new lots, the on-site sewage disposal system must meet health department regulations that enable the health department to approve the system in perpetuity through a certification letter. For these new proposed lots, the applicant shall obtain subdivision approval from the county prior to health department issuance of any construction permits.

Any proposed lots not suitable for the installation of on-site sewage disposal systems shall be combined with lots that are suitable.

(Ord. No. 30A-15, 1-9-89; Ord. No. 30A-27, 12-15-99; Ord. No. 30A-31, 4-13-04; Ord. No. 30A-41, 12-11-12; Ord. No. 30A-52, 10-11-22)

Virginia Code 15.2-2260

§ 15.2-2260. Localities may provide for submission of preliminary subdivision plats; how long valid.

A. Nothing in this article shall be deemed to prohibit the local governing body from providing in its ordinance for the mandatory submission of preliminary subdivision plats for tentative approval for plats involving more than 50 lots, provided that any such ordinance provides for the submission of a preliminary subdivision plat for tentative approval at the option of the landowner for plats involving 50 or fewer lots. The designated agent shall complete action on the preliminary subdivision plats within 45 days of submission. However, if approval of a feature or features of the preliminary subdivision plat by a state agency or public authority authorized by state law is necessary, the designated agent shall forward the preliminary subdivision plat to the appropriate state agency or

authority for review within five business days of receipt of such preliminary subdivision plat.

B. Any state agency or public authority authorized by state law making a review of a preliminary subdivision plat forwarded to it under this section, including, without limitation, the Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.), shall complete its review within 30 days of receipt of the preliminary subdivision plat upon first submission and within 30 days for any proposed plat that has previously been disapproved, provided, however, that the time period set forth in § 15.2-2222.1 shall apply to plats triggering the applicability of said section. The Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.) shall allow use of public rights-of-way for public street purposes for placement of utilities by permit when practical and shall not unreasonably deny plat approval. If a state agency or public authority authorized by state law does not approve the plat, it shall comply with the requirements, and be subject to the restrictions, set forth in subsection A of § 15.2-2259 with the exception of the time period therein specified. Upon receipt of the approvals from all state agencies, the designated agent shall act upon a preliminary subdivision plat within 20 days.

C. The designated agent shall act on the plat within 30 days after receiving approval from all state agencies. If the designated agent does not approve the preliminary subdivision plat, the designated agent shall (i) set forth in writing all deficiencies in the plat that caused the disapproval by referencing to specific duly adopted ordinances, regulations, or policies and (ii) identify modifications or corrections that will permit approval of the plat. With regard to plats involving commercial or residential property, as those terms are defined in subdivision A 2 of § 15.2-2259, the review process for such plats shall be the same as provided in subdivisions A 2 and A 3 of § 15.2-2259. All actions on preliminary subdivision plats shall be completed by the designated agent and, if necessary, state agencies, within a total of 90 days of submission to the designated agent.

D. If the designated agent fails to approve or disapprove the preliminary subdivision plat within 90 days after it has been officially submitted for approval, the subdivider after 10 days' written notice to the designated agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located to enter an order with respect thereto as it deems proper, which may include directing approval of the plat.

E. If a designated agent disapproves a preliminary subdivision plat and the subdivider contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, he may appeal to the circuit court having jurisdiction of such land and the court shall hear and determine the case as soon as may be, provided that his appeal is filed with the circuit court within 60 days of the written disapproval by the designated agent.

F. Once a preliminary subdivision plat is approved, it shall be valid for a period of five years, provided the subdivider (i) submits a final subdivision plat for all or a portion of the

property within one year of such approval or such longer period as may be prescribed by local ordinance, and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three years following such preliminary subdivision plat approval, and upon 90 days' written notice by certified mail to the subdivider, the designated agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

G. Once an approved final subdivision plat for all or a portion of the property is recorded pursuant to § 15.2-2261, the underlying preliminary plat shall remain valid for a period of five years from the date of the latest recorded plat of subdivision for the property. The five year period of validity shall extend from the date of the last recorded plat.

Code 1950, §§ 15-789, 15-967.10; 1952, c. 333; 1962, c. 407, § 15.1-475; 1964, c. 498; 1975, c. 641; 1977, c. 10; 1978, c. 283; 1979, c. 111; 1980, c. 73; 1986, c. 483; 1989, cc. 471, 495; 1990, c. 171; 1992, c. 843; 1993, c. 846; 1996, c. 353; 1997, c.; 2002, c. 530; 2006, c. 461; 2007, c. 202; 2008, cc. 426, 718, 855; 2009, c. 194; 2014, c. 393; 2024, c. 346; 2025, cc. 100, 594.

Virginia Code 15.2-2288.1

§ 15.2-2288.1. Localities may not require a special use permit for certain residential uses.

No local ordinance shall require as a condition of approval of a subdivision plat, site plan, or plan of development, or issuance of a building permit, that a special exception, special use, or conditional use permit be obtained for the development and construction of residential dwellings at the use, height and density permitted by right under the local zoning ordinance. Nothing herein shall restrict the use of the special exception, special use, or conditional use permit process on application of a property owner for (i) a cluster or town center as an optional form of residential development at a density greater than that permitted by right, or otherwise permitted by local ordinance; (ii) use in an area designated for steep slope mountain development; (iii) use as a utility facility to serve a residential development; or (iv) nonresidential uses including but not limited to home businesses, home occupations, day care centers, bed and breakfast inns, lodging houses, private boarding schools, and shelters established for the purpose of providing human services to the occupants thereof.

1999, c. 1041; 2002, c. 703.

MEMORANDUM

DATE: September 3, 2025

TO: The Planning Commission

FROM: Morgan Risinger, Senior Planner

SUBJECT: Development Review Committee Action Item: C-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request

Mr. Jay Epstein, HEALTH-E-COMMUNITY ENTERPRISES OF VIRGINIA, INC., is requesting an exception from the Subdivision Ordinance's requirement for major subdivisions to connect to public water and sewer systems if they are located inside the PSA.

Reason for Development Review Committee (DRC) Review: Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. The proposed subdivision of the property into 38 single-family residential lots is a major subdivision and would involve extending the Bush Springs Road right-of-way through parcels inside the PSA, meaning the subdivision would be required to connect to public water and sewer systems. The developer would like to construct this subdivision without connecting to public water and sewer. Therefore, pursuant to Section 19-18 of the Subdivision Ordinance, an exception request has been submitted to allow the proposed lots to be served by individual wells and individual on-site sewage disposal systems.

On August 20, 2025, the DRC voted to recommend denial of the request by a vote of 4-0.

MR/tlc
C250002_SolaraWds_mem

Attachments:

1. August 20, 2025, Development Review Committee Packet Materials
2. May 21, 2025, Development Review Committee Packet Materials
3. Location Map
4. Solara Woods Subdivision Layout

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the August 20, 2025, Development Review Committee Meeting

SUMMARY FACTS

Applicant: Mr. Jay Epstein, HEALTH-E-COMMUNITY ENTERPRISES OF VIRGINIA, INC.

Landowner: MARSTON, LLC HEALTH-E COMMUNITY

Proposal: An exception request to allow for a major subdivision that utilizes land within the Primary Service Area (PSA) to be served by individual wells and individual on-site sewage disposal systems.

Locations: 242 Bush Springs Road
268 Bush Springs Road
275 Bush Springs Road
282 Bush Springs Road
290 Bush Springs Road
291 Bush Springs Road
308 Bush Springs Road

Tax Map/Parcel Nos.: 2220100038
2220100037
2220100033
2220100036
2220100035
2220100090
2220100034

Project Acreage: ± 82.16 acres

Current Zoning: R-1, Limited Residential

Comprehensive Plan: Low Density Residential
Rural Lands

Primary Service Area

(PSA): Inside (parcels designated Low Density Residential)
Outside (parcels designated Rural Lands)

Staff Contact: Morgan Risinger, Senior Planner

REASON FOR DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. The proposed subdivision of the property into 38 single-family residential lots is more than five lots and would involve extending the Bush Springs Road right-of-way through parcels inside the PSA, meaning the subdivision would be required to connect to public water and sewer systems. The developer would like to construct this subdivision without connecting to public water and sewer. Therefore, pursuant to Section 19-18 of the Subdivision Ordinance, an exception request has been submitted to allow the proposed lots to be served by individual wells and individual on-site sewage disposal systems.

FACTORS FAVORABLE

1. The Virginia Department of Health (VDH) and the Virginia Department of Transportation (VDOT) have stated no objection to this exception request.

FACTORS UNFAVORABLE

1. The Fire Department has stated its preference would be for the subdivision to connect to the public water system. This would allow fire hydrants to be located throughout the subdivision, per current standards.

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.

**CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the August 20, 2025, Development Review Committee Meeting**

2. Staff finds that the long-term inspections and maintenance of the in-home fire sprinkler systems could not be practically or reasonably enforced by the County and does not support the use of a perpetual surety to the County.
3. In addition, staff finds the developers proposal for enforcement guarantees via a perpetual surety would represent a substantial burden on the County's resources and staff.
4. In addition, the County's fee structure and costs for managing and holding onto sureties for an extended length of time would also represent an ongoing burden and expense to the homeowners.
5. Staff further finds that the proposed exception request does not fully meet the criteria found in Section 19-18 of the Subdivision Ordinance.
6. Further, staff finds that rather than the DRC and Planning Commission potentially approving an exception request via the Subdivision Ordinance, staff recommends the developer continue to pursue providing public water and adequate fire protection to this proposed development via the extension of a James City Service Authority (JCSA) public water main via the Special Use Permit (SUP) process, as originally sought via SUP-21-0023, which was considered by the Planning Commission on February 2, 2022, and March 2, 2022.

CHANGES SINCE THE MAY 21, 2025, DEVELOPMENT REVIEW COMMITTEE MEETING

A meeting was held between the development team and County staff on July 17, 2025, to discuss the proposed in-home fire sprinkler systems. Discussion included the intent of the systems as a life safety measure protecting the means of egress from a home in the event of a

fire. Discussion also included the potential for long-term maintenance and enforcement provisions for the systems.

Following this meeting, the developer has provided a narrative, proposed condition language, and homeowner's and resale disclosures for the DRC's consideration. (see Attachment Nos. 4-7) The developer's proposed condition references draft covenant language which would require the homeowners association (HOA) to retain a third-party property management company, require the HOA to complete annual inspections and maintenance of the in-home fire sprinkler systems and provide a record of the inspections to the County annually, and for the HOA to maintain a surety with the County. The purpose of the surety would be for the County to complete inspections and maintenance of the in-home fire sprinkler systems in the event that the HOA and third-party property management company have not completed the required inspections and maintenance. The surety proposed by the developer would have an initial amount of \$50,000, would be adjusted for inflation every five years, and be replenished for any amount used by the County for ensuring inspections and maintenance of the systems.

Staff continues to find that the ongoing maintenance and inspections of the in-home fire sprinkler systems could not be practically or reasonably enforced by the County. Typically, sureties are held by the County for the purpose of ensuring completion of public improvements, erosion and sediment control measures, installation of required landscaping, and similar features and impacts of approved development plans. These sureties are intended to be held only until project completion, or be drawn upon by the County should the project be abandoned and actions are required to either complete the work or stabilize the site.

As proposed by the developer, the surety for the in-home fire sprinkler systems would be held by the County in perpetuity. This would require County resources and staff time both for annual reviews of the

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the August 20, 2025, Development Review Committee Meeting

inspection reports submitted to the County and for maintaining the surety. Further, should the HOA and third-party property management company no longer be in place for the subdivision, the County would then be obligated to contract with a third-party company to complete the inspections and maintenance inside of the privately-owned homes. Staff consulted with the County Attorney and finds that the developer's proposed condition would be a *substantial* burden on the County's resources and staff and does not support its use in affording the developer an exception from the development standards in the Subdivision Ordinance. The County's fee structure and costs for managing and holding onto sureties for an extended length of time would also represent an ongoing burden and expense to the homeowners.

The applicant has also provided an exhibit for the proposed drainage plan for the portion of the road extension which is along neighboring properties (see Attachment No. 8) in response to discussion at the May 21, 2025, DRC meeting.

Staff has also received correspondence from members of the Bush Springs Road neighborhood which is included for the DRC's reference (see Attachment No. 9).

STAFF ANALYSIS

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. Staff's review of the proposed major subdivision determined that extending the Bush Springs Road right-of-way requires the use of properties inside the PSA which necessitates the subdivision's connection to public water and sewer systems. The requirement to connect to public water and sewer systems was established on December 11, 2012, when the Board of Supervisors approved an amendment to the Subdivision Ordinance. While there are two notable major subdivisions, Liberty Ridge and

Westport, that involved creating rights-of-way through property inside the PSA to create lots outside of the PSA that were not connected to public water and sewer, both were approved prior to the establishment of the requirement for major subdivisions to connect to public water and sewer in 2012.

The analysis below provides information on each of the criteria listed in Section 19-18 of the Subdivision Ordinance:

"The Commission shall not approve any exception unless it first receives a recommendation from the DRC and unless it finds that":

- a. "Strict adherence to the ordinance requirement will cause substantial injustice or hardship;"

Staff finds that adherence to this Ordinance requirement would not create a substantial hardship for the property owner, given that the property owner is choosing to pursue a more intensive development of the property and retains the ability to use the property for residential purposes as they currently exist.

- b. "The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others;"

Subject to the installation of residential sprinkler systems in each home, staff finds that the granting of the exception request may not be detrimental to public safety, health, or welfare, and may not adversely affect the property of others. However, as previously stated, staff finds that such a condition could not practically or reasonably be enforced by the County.

- c. "The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter;"

**CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the August 20, 2025, Development Review Committee Meeting**

Staff finds that a portion of the subject properties are zoned for residential uses while being designated as Rural Lands and located outside the PSA which is unique and not generally applicable to other undeveloped properties in the County.

- d. “No objection to the exception has been received in writing from the transportation department, health department, or fire chief.”

*The VDH and VDOT did not object to the exception request. However, the Fire Department initially objected to the exception request (see Attachment No. 5) due to the fact that granting the exception request would mean that no fire hydrants would be installed in the subdivision. To mitigate this concern, individual in-home sprinkler systems have been proposed by the developer. While the requirement for the initial construction of an in-home sprinkler system could be ensured via the building permit process, the Virginia Statewide Fire Prevention Code does **not** (emphasis added) require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance and operation of residential sprinkler systems would require a means outside of typical code enforcement.*

- e. “The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.”

Staff finds that while the situation of the properties being zoned for residential uses but designated as Rural Lands and located outside the PSA is unusual, the proposal to create a more intensive use of the property by creating a major subdivision of 38 lots which requires the extension of the Bush Springs Road right-of-way and public water and sewer systems represents a self-inflicted hardship.

STAFF RECOMMENDATION

Staff recommends that the DRC recommend denial of this exception request to the Planning Commission. Should the DRC recommend approval of this exception request to the Planning Commission, staff does not recommend the inclusion of conditions to require the installation of residential sprinkler systems in each home and for inspections and maintenance to be enforced by the HOA (see Attachment No. 1).

It is significant to note that staff finds that such a condition could not practically or reasonably be enforced by the County.

Staff further finds the developers’ proposal for enforcement guarantees via a perpetual surety would represent a substantial burden on the County’s resources and staff.

Staff further finds the County’s fee structure and costs for managing and holding onto sureties for an extended length of time would also represent an ongoing burden and expense to the homeowners.

Finally, rather than the DRC and Planning Commission potentially approving an exception request via the Subdivision Ordinance, staff recommends the developer continue to pursue providing public water and adequate fire protection to this proposed development via the extension of a JCSA public water main via the SUP process, as originally sought via SUP-21-0023, which was considered by the Planning Commission on February 2, 2022, and March 2, 2022. The ability to address and mitigate impacts of development via the Subdivision Ordinance exception process is limited compared to that of the legislative process. Further, while the Subdivision Ordinance exception process is publicly noticed to adjacent property owners, it is not the same as the public hearing process that occurs consistent with the review of an SUP. Staff finds that consideration of a request of whether or not impacts can be appropriately mitigated, in all contexts,

**CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the August 20, 2025, Development Review Committee Meeting**

can be better considered and accommodated for via the legislative process and public hearings.

MR/ap
CP25-2_SolaraWds

Attachments:

1. Proposed Conditions
2. Location Map
3. Solara Woods Subdivision Layout
4. Applicant's Narrative
5. Applicant's Proposed Condition
6. Applicant's Proposed Homeowner Disclosure
7. Applicant's Proposed Resale Disclosure
8. Road Extension Drainage Plan
9. Citizen Correspondence
10. May 21, 2025, Development Review Committee Packet Materials

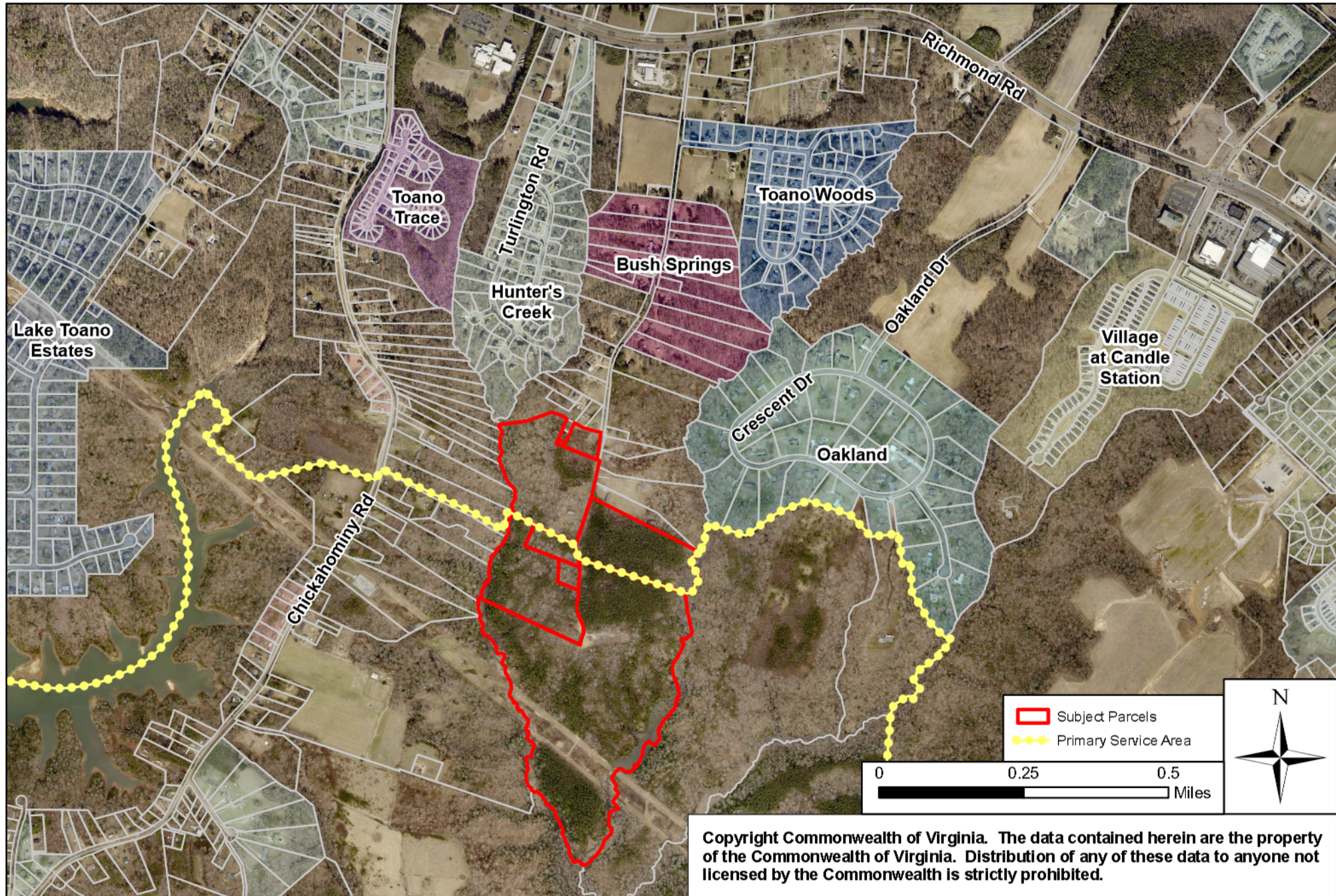
This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

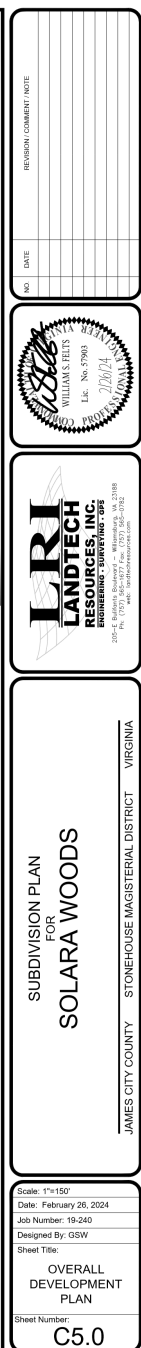
PROPOSED CONDITIONS FOR C-25-0002.

SOLARA WOODS - WATER AND SEWER SUBDIVISION EXCEPTION REQUEST

1. *Subdivision Layout.* This exception to Section 19-59(a) and Section 19-61 of the Subdivision Ordinance shall be valid for the subdivision of property located at 242, 268, 275, 282, 290, 291, and 308 Bush Springs Road and further identified as James City County Real Estate Tax Map Parcel Nos. 2220100038, 2220100037, 2220100033, 2220100036, 2220100035, 2220100090, and 2220100034, respectively (collectively, the “Properties”). The subdivision of the Properties shall be substantially in accordance with the proposed subdivision layout titled “Subdivision Plan for Solara Woods” prepared by Landtech Resources, Inc., and dated February 26, 2024 (the “Master Plan”), with any deviations to be reviewed and approved by the Director of Planning.
2. *Fire Protection.* Each new dwelling unit shall include a residential sprinkler system in accordance with National Fire Protection Association (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes*, and such details shall be approved by the Director of Building Safety and Permits or designee prior to the issuance of a building permit for each dwelling unit. The homeowners association (HOA) shall enforce annual inspections and maintenance for each residential sprinkler system and such provisions shall be included with the HOA documents required in accordance with Section 19-70 of the Subdivision Ordinance.

JCC C-25-0002, Solara Woods Water and Sewer Subdivision Exception Request



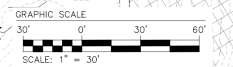




LEGEND

- PRIVATE WELL
- P PRIMARY DRAINFIELD
- R RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECSS-3 STRAW/COCONUT TURF REINFORCING MATING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)



NO.	DATE	REVISION / COMMENTS / NOTES



LRI LANDTECH
 LANDSCAPE ARCHITECT
 205-4 ...
 ...

SUBDIVISION PLAN FOR SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
 Date: February 26, 2024
 Job Number: 19-240
 Designed By: QSW
 Sheet Title: DEVELOPMENT PLAN AND PHASE 2 E&S PLAN
 Sheet Number: C5.3

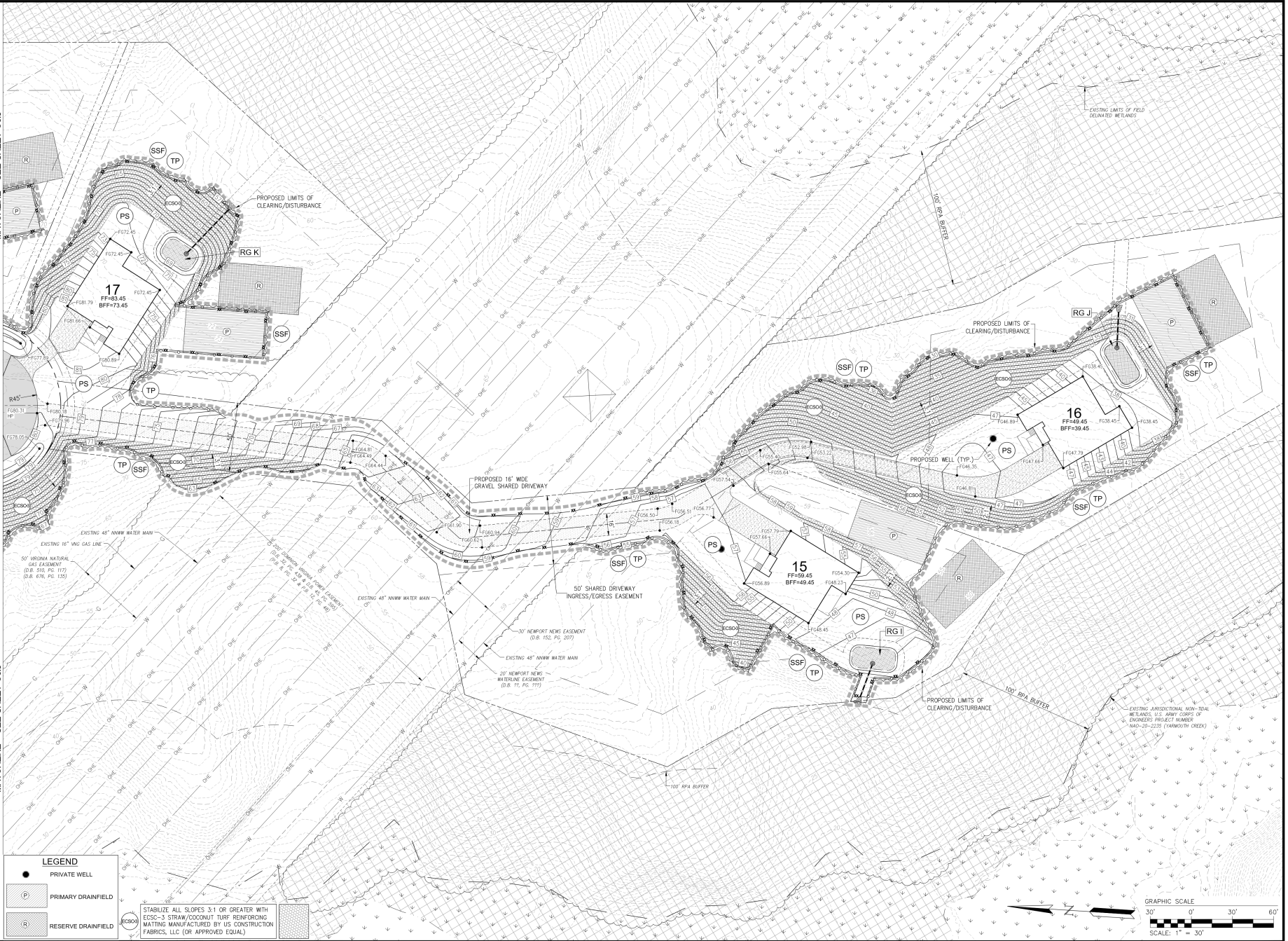
MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53

LEGEND

- PRIVATE WELL
- (P) PRIMARY DRAINFIELD
- (R) RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH
EC509-3 STRAW/COCONUT TURF REINFORCING
MATTING MANUFACTURED BY US CONSTRUCTION
FABRICS, LLC (OR APPROVED EQUAL)



REVISION CURRENT / DATE

DATE



SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: OSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**

Sheet Number:
C5.4

MATCHLINE - SEE SHEET C61

MATCHLINE - SEE SHEET C52

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C60

STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECOC-3 STRAW/COCO/UNIT TURF REINFORCING MATTING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)

LEGEND

- PRIVATE WELL
- PRIMARY DRAINFIELD
- RESERVE DRAINFIELD

REVISION NUMBER / DATE



LRI
LANDTECH
RESOURCE CENTER, INC.
205-E. Sylvania Boulevard
Martinsburg, VA 25148
410-336-4400
www.lri-landtech.com

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

SUBDIVISION PLAN FOR SOLARA WOODS

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: QSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.5



Narrative – Updates Since the May DRC Meeting

Following the DRC meeting in May, we took the feedback from DRC members and neighbors on Bush Springs Road and immediately focused on two objectives:

1. Develop a long-term maintenance plan for the in-home fire suppression systems that would address public safety concerns and gain the support of the Building & Safety Department, Fire Department, and Planning Department.
2. Engage directly with Bush Springs Road residents to discuss concerns, share our plans, and foster a positive relationship as future neighbors.

Fire Suppression System Maintenance Plan

On July 17th, we met with representatives from the Building & Safety Department, Fire Department, Planning Department, and Zoning to present our proposed long-term maintenance protocol for in-home fire suppression systems.

To provide expert insight, we invited Hooper Loscomb—President of the Virginia Chapter Fire Association and Account Manager at Eagle Fire, a company specializing in fire suppression system design and installation. Mr. Loscomb was able to answer technical questions from each department and will also attend the August 20th DRC meeting.

The meeting was productive and collaborative. The primary concern raised was enforcement in the event that the HOA fails to comply with the Declaration requirements to inspect and maintain the systems. It is the developer's intent to ensure that the HOA is well managed and properly funded with reserves to mitigate the risk of that outcome. However, in the unlikely event that the HOA fails to comply and the County elects to enforce its rights under the Declaration, the developer has proposed the requirement of maintaining a substantial surety with the County to cover the cost of any enforcement action.

We have submitted the updated protocol to Ms. Risinger and uploaded it to PermitLink. We are confident that this plan significantly enhances public safety.

Community Engagement with Bush Springs Road Residents

On August 7th, we met with Bush Springs Road homeowners at the Toano Women's Club. This was an open and constructive discussion where concerns were voiced and the various mitigation measures that are in place were discussed, and we were candid about limitations.

The meeting concluded with strengthened relationships—contact information was exchanged, and there was mutual agreement to work together if this community is able to proceed. Our goal is to have our new neighborhood join the broader Bush Springs Road community as a positive and contributing component.

PROPOSED CONDITION

C-25-0002

The Declaration of Covenants and Restrictions for the subdivision shall include language that is substantially similar to the following language which shall be applicable to all of the lots and binding upon the owners thereof, and which Declaration of Covenants and Restrictions shall be submitted to the County Attorney for review and approval prior to final subdivision plat approval:

Solara Woods Homeowners Association

Provisions for incorporation in the Declaration of Covenants

Mandatory Professional Management

The Association shall retain a licensed, third-party property management company at all times once the Declarant has transitioned control of the Association to the homeowners. The requirement for third-party professional management and for the existence, inspection, and maintenance of Fire Suppression Systems shall be perpetual and may not be amended or repealed without the written consent of 100% of all Association Members and the express written approval of James City County (the "County").

Fire Suppression System Requirements

Each residence within the community shall be equipped with a NFPA 13D system (or such successor system as the Board of Directors and the County may approve) (a "Fire Suppression System"). The Association shall oversee inspection tracking, maintenance compliance, and enforcement of the inspection and maintenance of all Fire Suppression Systems within the community.

Annual Inspection and Reporting

The Association shall conduct annual inspections of each Fire Suppression System with licensed contractors. The Association shall also oversee the performance of any required maintenance of the Fire Suppression Systems with licensed contractors. An easement is hereby established over and upon each Lot in favor of the Association for the limited purpose of performing the inspection and maintenance of the Fire Suppression Systems specified herein. Homeowners upon receipt of at least 15 days advance notice shall cooperate with the Association and its contractors to provide the requisite access to their system during the scheduled inspection and for any required maintenance. The County shall have no obligations hereunder but is hereby established as a beneficiary of the foregoing easement, in the event it desires to verify and/or ensure compliance.

The Association shall provide an annual report to the County Fire Marshal, Building Safety Department, or other County designee which confirms compliance with the inspection and maintenance obligations associated with the Fire Suppression Systems.

Enforcement and Penalties

The failure of a homeowner to maintain its Fire Suppression System in good order and repair and/or to provide access to the Association and its contractors to ensure the same shall constitute a violation of the Declaration of Covenants. In such event, the Association is authorized to impose a monthly fine of up to \$500.00 until compliance

is achieved. Additional enforcement measures may include suspension of common area privileges, injunctive relief, and placement of a lien on the Lot to recover fines and enforcement costs.

Disclosure Requirements

Upon initial sale and resale of a home, the requirement of having a Fire Suppression System and the associated inspection and maintenance obligations shall be disclosed to the purchaser in the HOA disclosure packet.

Surety

To ensure ongoing compliance with the Fire Suppression System requirements of this Declaration, the Association shall establish and maintain with the County surety in the amount of \$50,000.00 in a form acceptable to the County Attorney, which amount shall be adjusted every 5 years in accordance with the Marshall & Swift Building Cost Index (or such comparable successor index as the County may determine). This surety may be drawn upon by the County as necessary to fund any measures taken by the County to confirm or establish compliance with the Fire Suppression inspection and maintenance obligations hereunder, which amounts shall be immediately restored by the Association.

Disclaimer

The County shall have no responsibility for inspection, maintenance, or operation of any Fire Suppression System or for enforcement of the terms of this Declaration. Any rights afforded the County hereunder are exercisable at the County's sole and absolute discretion without obligation of any kind.

FIRE SPRINKLER SYSTEM HOMEOWNER DISCLOSURE

Keeping Your Home Safe in Solara Woods

James City County's 1st NFPA 13D Residential Fire Sprinkler System Community : Like having a firefighter living in your home!

Your Home is Equipped with a Life-Saving Feature:

Your new home is protected by a **residential fire sprinkler system** installed under **NFPA 13D** standards. This system is designed to detect and suppress fires automatically, giving you and your loved ones critical time to escape safely—and potentially stopping a fire before it spreads.

Homeowner Responsibilities

To keep your system working as intended:

1. Annual Inspection Required

The fire sprinkler system must be inspected and certified by a licensed contractor annually. The Solara Woods Homeowners Association shall be responsible for scheduling and coordinating the required inspections. Homeowners are required to provide access to their property to allow the HOA's designated third-party contractor to conduct the inspection. Inspection Reports will be supplied to the James City County Fire Marshall annually.

2. Keep the System Active

Do not disconnect, tamper with, or remove the system or its components unless you are replacing or repairing them with approval and proper permits.

Why This Matters

- **Safety:** The system can stop a fire in its earliest stage—protecting your home, family, and neighbors.
 - **Insurance:** Many insurers offer discounts for having a sprinkler system—maintaining it keeps you eligible.
 - **Community Compliance:** This is a required part of your HOA agreement and deed covenant.
-

 Need Help?

We recommend the following licensed contractors for service repairs:

Eagle Fire

7459 White Pine Rd

Richmond, VA 23237

P: [\(804\) 743-2500](tel:(804)743-2500)

Solara Woods Fire Sprinkler System Maintenance Covenant Disclosure

This disclosure is provided as part of the HOA Resale Package for the property listed below. Solara Woods is a community in which each home is equipped with a residential fire sprinkler system designed and installed in accordance with NFPA 13D standards. This system is governed by a recorded covenant and subject to HOA enforcement.

Property Information

Property Address: _____

Lot #: _____ Section: _____ Tax ID: _____

Owner Responsibilities

1. The fire sprinkler system must be inspected and certified by a licensed contractor annually. The Solara Woods Homeowners Association shall be responsible for scheduling and coordinating the required inspections. Homeowners are required to provide access to their property to allow the HOA's designated third-party contractor to conduct the inspection.
2. Failure to comply with these requirements may result in enforcement action by the HOA, including fines of no more than \$500 per month of noncompliance, suspension of community privileges, or placement of a lien on the property.

Buyer Acknowledgment

By signing below, the undersigned Buyer acknowledges receipt of this disclosure and agrees to comply with the ongoing obligations as stated above.

Buyer Signature: _____ Date: _____

Buyer Printed Name: _____

Property Address: _____

Please return this signed form to your settlement agent or to:

Solara Woods Homeowners Association

[HOA Mailing Address]

[HOA Email Contact]

1. EXCLOTT WILL BE RESEMED BY A PRIVATE WELL AND SEPTIC DRAINFIELD, TO BE DESIGNED BY THE EXCLOTT FAMILY.
2. ALL WELLS SHALL BE CLASS B PER AMERICAN CITY/COUNTY ORDINANCE.
3. WELLS SHALL BE A MINIMUM OF 100 FEET DEEP.
4. ALL DRAINAGE EASEMENTS ARE TO BE PRIVATE AND ARE TO BE DEDICATED TO THE HOOVER/RODERS ASSOCIATION.
5. EXCLOTT WILL BE RESEMED BY A LOW IMPACT METHOD (E.G., WITHIN A BATH OR TUBITION BASIN OR MICRO INJECTION ON BASIN (HARDWARE), ALL FOOT AREA SHALL BE DEDICATED TO THE EXCLOTT FAMILY OR DESIGNER OF THE UNDERGROUND TOWN LEADERS, OF THE EXCLOTT FAMILY, VIA SHEET PILE OR GRADED WALLS.
6. ALL OF INFRASTRUCTURE (HOME, FOOTPRINT, HOME LOCATIONS, LOTS, DRIVEWAYS, WELLS, FENCES, ETC.) ARE SUBJECT TO CHANGE ONCE THE FINAL PLAN IS APPROVED FOR EXCLOTT.
7. ALL OF INFRASTRUCTURE ARE SHOWN ON THE LOTS NUMBER AND ARE FOR OVERALL DESIGN PURPOSES AND MAY CHANGE LATER WHEN THE LOTS ARE DEVELOPED. THE UNDERGROUND TOWN SHALL ADHERE TO THIS PLAN TO THE GREATEST EXTENT POSSIBLE.
8. LOTS SHALL BE FULLY CONSTRUCTED ONCE ALL OF THE CONTIGUOUS DRAINAGE AREAS HAVE BEEN DESIGNED AND RESPECTED BY THE AMERICAN CITY/COUNTY INSPECTOR, J. AND DRAINAGE IS DESIGNED BY TWO OR MORE LOTS, ALL OF THE LOTS CONTIGUOUS DRAINAGE AREAS WILL BE DEDICATED PRIOR TO THE LOTS INSTALLATION.
9. PRIOR TO THE CONSTRUCTION OF ALL DRAINAGE DESIGN, TECHNICAL AND FINANCIAL TESTS CAN BE PERFORMED TO DETERMINE IF THE DRAINAGE IS NECESSARY. IF THE DRAINAGE IS NOT NECESSARY, THE RATE OF FLOW OF 100 GPM PER HOUR MAY NOT BE OBTAINABLE, THEN AN UNDERGROUND TOWN WILL BE REQUIRED.

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THIS PROJECT.
2. FLAG REMAINING LIMITS OF CLEARING.
3. BEGIN CLEARING THE SITE TO BE ABLE TO INSTALL REMAINING SILT FENCE AND TREE PROTECTION AS SHOWN ON SHEETS C-5.1 TO C-5.5. THE JCC EROSION INSPECTOR SHALL APPROVE FURTHER LAND DESTROYING ACTIVITIES.
4. ONCE PERMITS/SEVERAL CLEARING FACILITIES ARE IN PLACE AND APPROVED, THE CONTRACTOR MAY CONTINUE WITH ALL LOGGING, CLEARING AND GRUBBING ACTIVITIES.
5. STOP TOPSOIL AND PLACE TOP SOIL FOR REUSE AS NEEDED: A STOCKPILE OPERATIONS PLAN WILL BE REQUIRED PER SECTION 24-46 OF THE JCC ZONING ORDINANCE. THE CONTRACTOR SHALL ENSURE THAT THE STOCKPILE IS PROTECTED BY A SILT FENCE AT THE TOE OF SLOPE AND THAT IT IS STABILIZED WITH TEMPORARY SEEDING OR NESTLING DURING CONSTRUCTION.
6. COMPLETE ROUGH GRADING OF SITE.
7. INSTALL STORM SEWER DRAINAGE SYSTEMS AS SHOWN ON THE GRADING AND DRAINAGE PLANS; INSTALL INLET PROTECTION IMMEDIATELY FOLLOWING INSTALLATION.
8. INSTALL STONE BARGE FOR PROPOSED ROADS.
9. PLACE ROAD PAVEMENT.
10. PLACE TOPSOIL IN DESIGNATED AREAS.
11. ONCE THE SITE IS COMPLETELY STABILIZED AND APPROVED BY THE JCC EROSION CONTROL INSPECTOR, REMOVE ACCUMULATED SEDIMENT FROM TEMPORARY SEDIMENT BASIN AND BEGIN CONVERSION TO EXTENDED-DETENTION BASIN.
12. INSTALL BOREHOLE BATHS AS SHOWN ON THE PLANS. THE CONTRACTOR SHALL REFER TO THE INDIVIDUAL SERVICES OF CONSTRUCTION FOR THIS BATH PROVIDED ON SHEET 0.1-3.
13. UPON COMPLETION OF THE WORK AND WITHIN SEVEN (7) DAYS OF FINAL SITE STABILIZATION, THE GENERAL CONTRACTOR SHALL SUBMIT TO EROSION AND SEDIMENT MEASURES FROM THE CITY UPON APPROVAL OF THE REPRESENTATIVE OF JAMES CITY COUNTY.
14. SUBMIT STORM DRAIN AND STORMWATER MANAGEMENT PLAN AS-BUILTS TO JAMES CITY COUNTY.

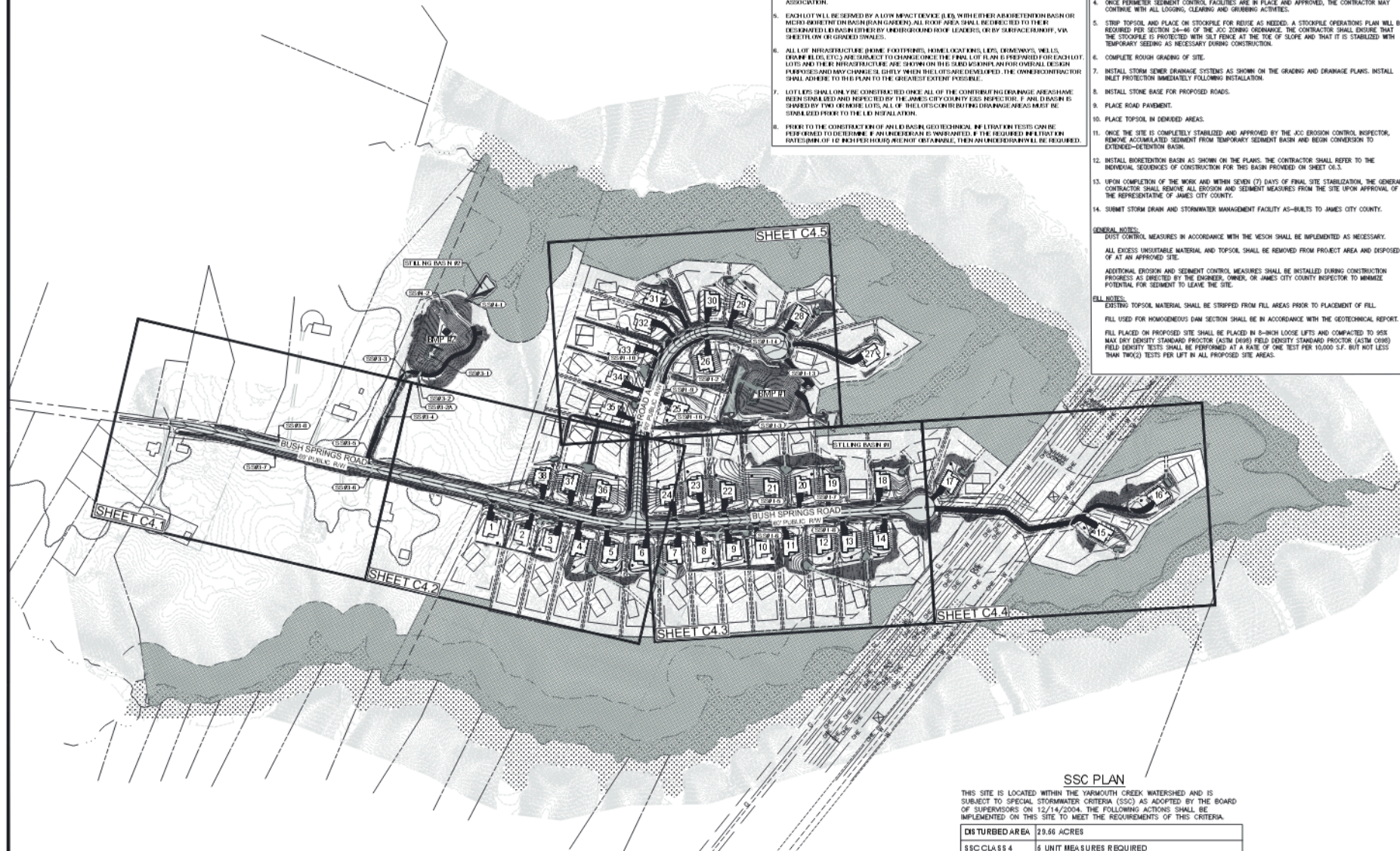
DUST CONTROL MEASURES IN ACCORDANCE WITH THE VESCH SHALL BE IMPLEMENTED AS NECESSARY.

ALL EXCESS UNSUITABLE MATERIAL AND TOPSOIL SHALL BE REMOVED FROM PROJECT AREA AND DISPOSED OF AT AN APPROVED SITE.

ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED DURING CONSTRUCTION PROGRESS AS DIRECTED BY THE ENGINEER, OWNER, OR JAMES CITY COUNTY INSPECTOR TO MINIMIZE POTENTIAL FOR SEDIMENT TO LEAVE THE SITE.

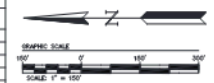
FILL USED FOR HOMOGENEOUS DAM SECTION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.

FILL PLACED ON PROPOSED SITE SHALL BE PLACED IN 8-INCH LOOSE LIFTS AND COMPACTED TO 95% MAX DRY DENSITY STANDARD PROCTOR (ASTM D698) FIELD DENSITY STANDARD PROCTOR (ASTM D698) FIELD DENSITY TESTS SHALL BE PERFORMED AT A RATE OF ONE TEST PER 10,000 S.F. BUT NOT LESS THAN TWO(2) TESTS PER LIFT IN ALL PROPOSED SITE AREAS.



THIS SITE IS LOCATED WITHIN THE YARMOUTH CREEK WATERSHED AND IS SUBJECT TO SPECIAL STORMWATER CRITERIA (SSC) AS ADOPTED BY THE BOARD OF SUPERVISORS ON 12/14/2004. THE FOLLOWING ACTIONS SHALL BE IMPLEMENTED ON THIS SITE TO MEET THE REQUIREMENTS OF THIS CRITERIA.

DISTURBED AREA		29.56 ACRES
SSCCLASS 4		6 UNIT MEASURES REQUIRED
TYPE	UNIT	DESCRIPTION
SSCP #12	1 UNIT	BIORETENTION BASIN
SSCP #14	1/2 UNIT	SUMPED OR BOTTOMLESS INLETS
SSCP #20	1 UNIT	ENHANCED OUTLET PROTECTION
SSCP #25	1 UNIT	ENHANCED SLOPE PROTECTION
SSCP #30	1 UNIT	ON-LOT RAIN GARDENS
SSCP #39	1/2 UNIT	AS-BUILT DRAWINGS FOR ENTIRE STORM DRAINAGE SYSTEM



REVISION / COMMENT / NOTE

NO.	DATE
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SUBDIVISION PLAN
FOR
SOLARA WOODS
PHASE 1

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=150'

Date: February 20, 2024

Job Number: 19-240

Designed By: GSW

Sheet Title:

OVERALL
DEVELOPMENT
PLAN

Sheet Number:

C5.0

August 7, 2025

To: The James City County Development Review Board
Ms. Morgan Epspein, Solara Woods Developer

From: The Current Residents of the Bush Springs Road Community, Toano, VA

Re: Purposed Solara Woods Community, Toano, VA

We, the current Residents of the Bush Springs Road Community, would like to submit the following concerns/dissatisfactions that we have about the Purposed Solara Woods Community:

1. We are NOT in favor of the building/construction of this Community to be located at the very end of Bush Springs Road. Because of the proposed assessed value of these new homes could exceed \$450,000 and up, building this Community with this price range would be the catalyst for increasing our Real Estate Taxes.
2. We are NOT in favor of this proposed project because the current Rural Road will not be able to handle the increased volume of traffic. Thirty-eight (38) homes are proposed for this Community. If each home has two (2) cars – and most families do, if each car is driven each day, that would be an Additional seventy-six (76) cars going out each morning and seventy-six (76) cars coming in in the afternoon.
3. We are also dissatisfied if they construct thirty-eight (38) individual wells on this property, that it will have a negative impact on some of the wells of current residents. Many do not have deep wells. Most have shallow wells.
4. We are also NOT in favor of this proposed project because if it is decided that the better way for this project is to install Public Water and Sewage down Bush Springs Road, then this could impact Residents that have wells very close to Bush Springs Road and the wells would have to be moved. In addition, this could be an enormous expense for them to dig another well.
5. Additionally, if it is decided that Public Water and Sewage is approved and installed, then the Residents could have a Mandatory Connection fee – a fee that would be out of range for most residents, even to borrow.

Ref: Purposed Solara Woods Community, Toano, VA (Continued)

We, the Residents of Bush Springs Road Community, do hereby officially propose the following:

1. First and foremost, We respectfully ask, request and recommend that the James City County Development Review Committee will not and do not APPROVE this Community.
2. If you must approve this project, we request that **before you begin** construction of these homes, that a new road is constructed according to the dimensions of State Route 60 with 2 specific lanes, width and middle stripes. If this is not done at the very beginning of construction or before construction, you will be creating a castastrophic unsafe environment for our Community and all that drive on Bush Springs Road.
3. If you must approve this project and Public Water and Sewage is installed down Bush Springs Road, and it is mandatory that Residents connect, all the expenses will be payable by James City County and/or the Developer of Solara Woods. Residents will not be responsible for fees for any of these connections or modifications.
4. If new wells must be moved and dug, that will be done at the sole expense of James City County or the Developer of Solara Woods.
5. If this project is approved with the individual wells for each home as currently proposed, and any of the current Residents' private wells run dry, then the Developer of Solara Woods would be liable and would be responsible for compensation to the Resident for the moving and digging of a new well.

We would highly recommend that before final approval of this Project that the above conditions (bottom #1 thru #5) are carefully evaluated for the safety and well-being of all citizens.

The Contact Persons for the Bush Springs Road Community are Ms. Janice Jackson (757-719-2970) and Ms. Vivian Morgan at 757-876-5660.

Thank you.

Respectfully Submitted
The Bush Springs Road Community
Toano, VA

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the May 21, 2025, Development Review Committee Meeting

SUMMARY FACTS

Applicant: Mr. Jay Epstein, HEALTH-E-COMMUNITY ENTERPRISES OF VIRGINIA, INC.

Landowner: MARSTON, LLC HEALTH-E COMMUNITY

Proposal: An exception request to allow for a major subdivision that utilizes land within the Primary Service Area (PSA) to be served by individual wells and individual on-site sewage disposal systems.

Locations: 242 Bush Springs Road
268 Bush Springs Road
275 Bush Springs Road
282 Bush Springs Road
290 Bush Springs Road
291 Bush Springs Road
308 Bush Springs Road

Tax Map/Parcel Nos.: 2220100038
2220100037
2220100033
2220100036
2220100035
2220100090
2220100034

Project Acreage: ± 82.16 acres

Current Zoning: R-1, Limited Residential

Comprehensive Plan: Low Density Residential
Rural Lands

Primary Service Area

(PSA): Inside (parcels designated Low Density Residential)
Outside (parcels designated Rural Lands)

Staff Contact: Morgan Risinger, Senior Planner

REASON FOR DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. The proposed subdivision of the property into 38 single-family residential lots is more than five lots and would involve extending the Bush Springs Road right-of-way through parcels inside the PSA, meaning the subdivision would be required to connect to public water and sewer systems. The developer would like to construct this subdivision without connecting to public water and sewer. Therefore, pursuant to Section 19-18 of the Subdivision Ordinance, an exception request has been submitted to allow the proposed lots to be served by individual wells and individual on-site sewage disposal systems.

FACTORS FAVORABLE

1. The Virginia Department of Health (VDH) and the Virginia Department of Transportation (VDOT) have stated no objection to this exception request.

FACTORS UNFAVORABLE

1. The Fire Department has stated its preference would be for the subdivision to connect to the public water system. This would allow fire hydrants to be located throughout the subdivision, per current standards. Without connecting to public water, and

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.

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the May 21, 2025, Development Review Committee Meeting

without fire hydrants, the developer has proposed that each home be constructed with an in-home fire sprinkler system. The water supply for the sprinkler system would come from large water holding tanks, fed by a well, located outside of each house.

The developer has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

However, while the requirement for the initial construction of an in-home sprinkler system could be ensured via the building permit process, the Virginia Statewide Fire Prevention Code (VSFPC) does **not** (emphasis added) require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance and operation of residential sprinkler systems would require a means outside of typical code enforcement.

The developer has proposed that long-term maintenance and operation of these in-home systems would fall under the purview of the homeowners association (HOA), using covenants and deed restrictions, subject to language approved by the County Attorney's Office.

Staff from the Community Development Department and Fire Department find that a requirement to maintain and ensure continual operation of in-home fire sprinkler systems for single-family detached dwellings by the HOA to be nonviable.

More significantly, whether those requirements fall on the HOA or even to an individual homeowner, over the life of the single-family home, staff finds such a requirement to be something that County staff could not practically or reasonably enforce.

2. Staff further finds that the proposed exception request does not fully meet the criteria found in Section 19-18 of the Subdivision Ordinance.

STAFF RECOMMENDATION

Staff recommends that the DRC recommend denial of this exception request to the Planning Commission. Should the DRC recommend approval of this exception request to the Planning Commission, staff recommends the inclusion of conditions to require the installation of residential sprinkler systems in each home and for inspections and maintenance to be enforced by the HOA. (see Attachment No. 1). As previously stated, staff finds that such a condition could not practically or reasonably be enforced by the County.

PROJECT DESCRIPTION

The applicant is requesting an exception from the Subdivision Ordinance's requirement for major subdivisions to connect to public water and sewer systems if they are located inside the PSA (see Attachment No. 2). The proposed subdivision would include extending the Bush Springs Road right-of-way, and is greater than five lots, to create a major subdivision of 38 new residential lots. While the proposed residential lots are shown as being platted outside of the PSA, the right-of-way extension would involve dedication of property located inside the PSA (see Attachment No. 3).

PROJECT HISTORY

- Land use applications have been submitted during previous Comprehensive Plan update processes in 1997, 2003, 2008, and 2021 to request 282 Bush Springs Road, 290 Bush Springs Road, 291 Bush Springs Road, and 308 Bush Springs Road be redesignated to Low Density Residential and be included in the PSA. Each request has been denied and no change has been made to the PSA for these properties during that timeframe.

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
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- In 2021, a Special Use Permit application was submitted for the extension of public water and sewer mains along Bush Springs Road to serve the proposed development. The application was withdrawn prior to consideration by the Board of Supervisors.

SURROUNDING ZONING AND DEVELOPMENT

- The following table lists information on the parcels adjacent to the subject properties:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	R-1, Limited Residential	Single- Family Residential	Low Density Residential
SOUTH	A-1, General Agricultural	Single- Family Residential	Rural Lands
EAST	A-1, General Agricultural	Forested land	Rural Lands
WEST	A-1, General Agricultural; and R-8, Rural Residential	Single- Family Residential	Rural Lands; and Low Density Residential

STAFF ANALYSIS

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. Staff's review of the proposed major subdivision determined that extending the Bush Springs Road right-of-way requires the use of properties inside the PSA which necessitates the subdivision's connection to public water and sewer

systems. The requirement to connect to public water and sewer systems was established on December 11, 2012, when the Board of Supervisors approved an amendment to the Subdivision Ordinance. While there are two notable major subdivisions, Liberty Ridge and Westport, that involved creating rights-of-way through property inside the PSA to create lots outside of the PSA that were not connected to public water and sewer, both were approved prior to the establishment of the requirement for major subdivisions to connect to public water and sewer in 2012.

The analysis below provides information on each of the criteria listed in Section 19-18 of the Subdivision Ordinance:

"The Commission shall not approve any exception unless it first receives a recommendation from the DRC and unless it finds that:"

- a. "Strict adherence to the ordinance requirement will cause substantial injustice or hardship;"

Staff finds that adherence to this Ordinance requirement would not create a substantial hardship for the property owner, given that the property owner is choosing to pursue a more intensive development of the property and retains the ability to use the property for residential purposes as they currently exist.

- b. "The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others;"

Subject to the installation of residential sprinkler systems in each home, staff finds that the granting of the exception request may not be detrimental to public safety, health, or welfare, and may not adversely affect the property of others. However, as previously stated, staff finds that such a condition could not practically or reasonably be enforced by the County.

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.

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
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- c. “The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter;”

Staff finds that a portion of the subject properties are zoned for residential uses while being designated as Rural Lands and located outside the PSA which is unique and not generally applicable to other undeveloped properties in the County.

- d. “No objection to the exception has been received in writing from the transportation department, health department, or fire chief.”

*The VDH and VDOT did not object to the exception request. However, the Fire Department initially objected to the exception request (see Attachment No. 5) due to the fact that granting the exception request would mean that no fire hydrants would be installed in the subdivision. To mitigate this concern, individual in-home sprinkler systems have been proposed by the developer. As noted previously, while the requirement for the initial construction of an in-home sprinkler system could be ensured via the building permit process, the VSFPC does **not** (emphasis added) require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance and operation of residential sprinkler systems would require a means outside of typical code enforcement (see Attachment No. 6).*

- e. “The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.”

Staff finds that while the situation of the properties being zoned for residential uses but designated as Rural Lands and located outside the PSA is unusual, the proposal to create a more intensive use of the

property by creating a major subdivision of 38 lots which requires the extension of the Bush Springs Road right-of-way and public water and sewer systems represents a self-inflicted hardship.

STAFF RECOMMENDATION

Staff recommends that the DRC recommend denial of this exception request to the Planning Commission. Should the DRC recommend approval of this exception request to the Planning Commission, staff recommends the inclusion of conditions to require the installation of residential sprinkler systems in each home and for inspections and maintenance to be enforced by the HOA (see Attachment No. 1). It is significant to note, however, staff finds that such a condition could not practically or reasonably be enforced by the County.

MR/ap
CP25-2SolaraWds

Attachments:

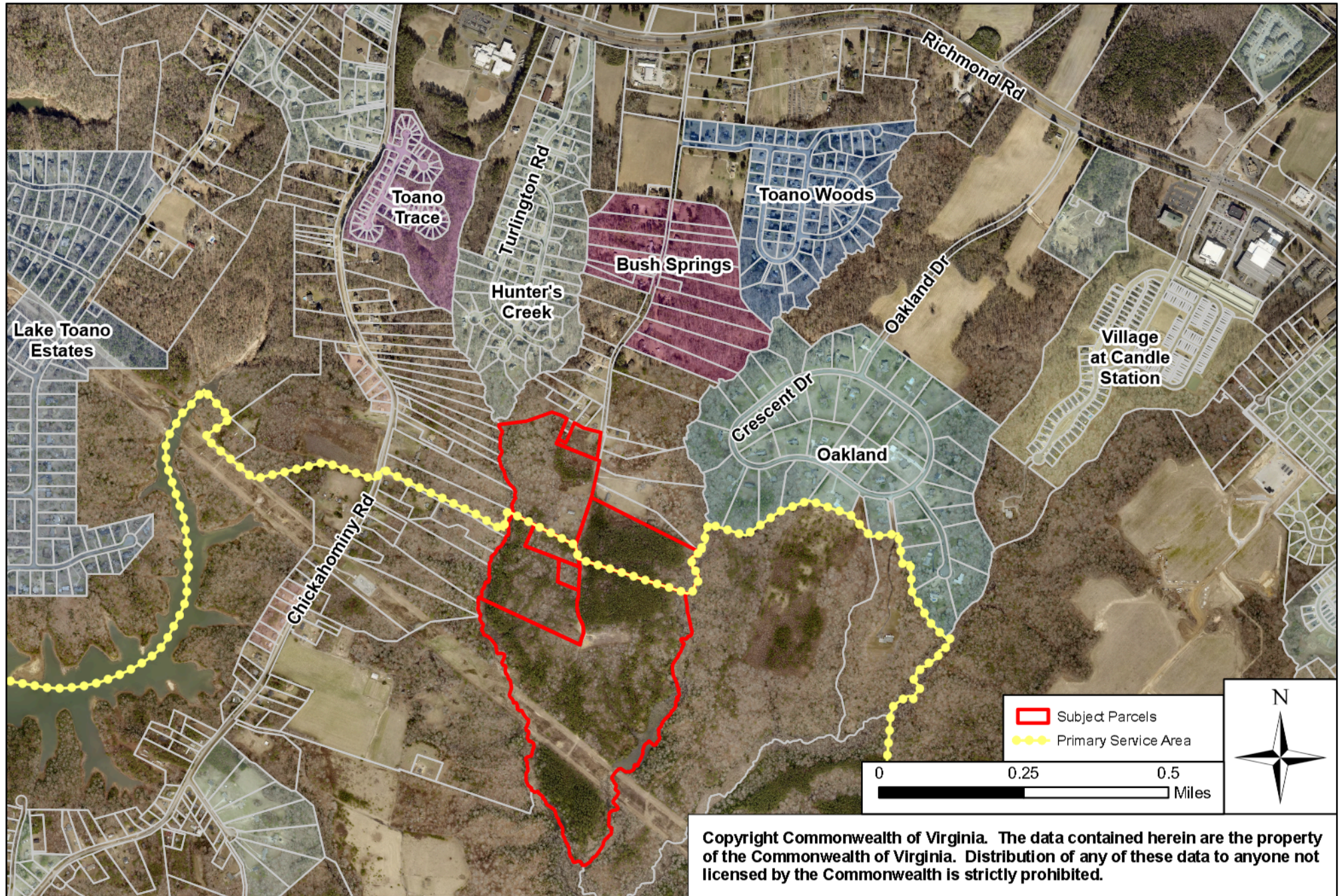
1. Proposed Conditions
2. Location Map
3. Applicant’s Exception Request
4. Solara Woods Subdivision Layout
5. February 4, 2025, Fire Department Comments
6. April 21, 2025, Fire Department Comments

PROPOSED CONDITIONS FOR C-25-0002.

SOLARA WOODS - WATER AND SEWER SUBDIVISION EXCEPTION REQUEST

1. *Subdivision Layout.* This exception to Section 19-59(a) and Section 19-61 of the Subdivision Ordinance shall be valid for the subdivision of property located at 242, 268, 275, 282, 290, 291, and 308 Bush Springs Road and further identified as James City County Real Estate Tax Map Parcel Nos. 2220100038, 2220100037, 2220100033, 2220100036, 2220100035, 2220100090, and 2220100034, respectively (collectively, the “Properties”). The subdivision of the Properties shall be substantially in accordance with the proposed subdivision layout titled “Subdivision Plan for Solara Woods” prepared by Landtech Resources, Inc., and dated February 26, 2024 (the “Master Plan”), with any deviations to be reviewed and approved by the Director of Planning.
2. *Fire Protection.* Each new dwelling unit shall include a residential sprinkler system in accordance with National Fire Protection Association (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes*, and such details shall be approved by the Director of Building Safety and Permits or designee prior to the issuance of a building permit for each dwelling unit. The homeowners association (HOA) shall enforce annual inspections and maintenance for each residential sprinkler system and such provisions shall be included with the HOA documents required in accordance with Section 19-70 of the Subdivision Ordinance.

JCC C-25-0002, Solara Woods Water and Sewer Subdivision Exception Request



PETITION FOR EXCEPTION PURSUANT TO SUBDIVISION ORDINANCE SECTION 19-18

BY MARSTON LLC (“APPLICANT”) – Updated May 2, 2025

The Current Application:

The Applicant desires to develop a major subdivision consisting of approximately 38 Lots on approximately 87 acres of land owned by the Applicant commonly known as at 282, 290, 291, and 308 Bush Springs Road (see attached subdivision plan). The subject property is zoned R1 – Limited Residential and located outside of the Primary Service Area (the “PSA”). The project is proposed as a “by-right” subdivision to be served by individual wells and private septic systems.

In order to develop the project, it is necessary to extend Bush Springs Road from its present terminus across property owned by the Applicant and located within the PSA (268 and 275 Bush Springs Road) to the subject property. The extension of Bush Springs Road through property located within the PSA is deemed, pursuant to Subdivision Ordinance Section 19-21(b), itself a major subdivision and triggers the requirement to extend public water and sewer in connection with such road extension which, in turn, triggers the requirement of a Special Use Permit.

History to support the request for waiver:

On November 29, 2021, the Applicant submitted a Special Use Permit (the “SUP”) application for the extension of public water and sewer along Bush Springs Road to serve the property located at 268 and 275 Bush Springs Road. At that time, the Planning Commission and many of the residents along Bush Springs Road were not supportive of such an extension of public utilities. After receiving a Planning Commission recommendation of denial of the SUP, the Applicant withdrew its application for the SUP. Accordingly, the Applicant refocused its efforts exclusively on a “by right” development of its property located outside of the PSA to be served by individual wells and private septic systems which culminated in the attached subdivision plan.

However, as indicated above, in order to extend Bush Springs Road to the subject property, the Subdivision Ordinance requires the extension of public water and sewer which, in turn, requires an SUP. Recognizing that such an SUP is unlikely to be approved, the Applicant is requesting an exception (pursuant to Section 19-18 of the Subdivision Ordinance) of the requirement to extend public water and sewer in connection with the proposed extension of Bush Spring Road. Please note that approval of this exception request does not permit a major subdivision of the Applicant’s property located within the PSA into lots served by private wells and septic systems. Approval of this exception request merely allows the extension of Bush Springs Road without requiring the extension of public water and sewer. A major subdivision of the Applicant’s property located within the PSA into lots served by private wells and septic systems would require a separate exception.

Request for Exception:

The Applicant requests an exception, pursuant to Section 19-18 of the Subdivision Ordinance, of the requirement to extend public water and sewer in connection with the proposed extension of Bush Spring

Road to property located at 282, 290, 291, and 308 Bush Springs Road in general conformance with the attached subdivision plan.

Justification of Request:

As indicated above, on November 29, 2021, the Applicant submitted a SUP request for the extension of public water and sewer along Bush Springs Road. In connection with such request, the James City Service Authority ("JCSA") indicated that if water and sewer lines were extended, existing structures along the extension would be required to connect to the public system if their existing well or septic systems failed, as per Virginia Department of Health regulations. Future structures would also be required to connect to public water and sewer. Most of the residents along Bush Springs Road opposed the extension due to concerns over the potential mandatory connection requirement and associated fees and costs. On March 2, 2022, the James City County Planning Commission voted to recommend denial of the SUP, and the Applicant subsequently withdrew the SUP request.

The Applicant's property is zoned R1, and has been for over 40 years, creating an expectation that the property would be permitted to be developed consistent with its R1 zoning. The Applicant is proposing a "by right" development of the property to be served by private wells and septic systems. The property is located outside of the PSA and is not permitted to connect to public water and sewer. To require the extension of public water and sewer with the extension of Bush Springs Road to the project is inconsistent with the Planning Commission's previous decision making and inconsistent with the stated interests of the majority of neighboring property owners, and amounts to a substantial injustice because the project would not be permitted to be served by such extended utilities.

Subdivision Ordinance Section 19-18 criteria

The commission may grant an exception to any requirement of the chapter, subject to the following:

(4) The commission shall not approve any exception unless it first receives a recommendation from the development review committee and unless it finds that:

(a) Strict adherence to the ordinance requirement will cause substantial injustice or hardship.

(b) The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others.

(c) The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter

(d) No objection to the exception has been received in writing from the transportation department, health department, or fire chief; and

(e) The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.

Below is the Applicant's justification for satisfaction of each of the foregoing exception criteria along with supporting comments from Staff, Planning Commissioners, and current residents of Bush Springs Road from the March 2, 2022, Planning Commission Meeting.

4(a) Strict adherence to the ordinance requirement will cause substantial injustice or hardship.

Applicant: It is unjust to require the Applicant to expend substantial resources to extend public water and sewer to a development outside of the PSA that will not be permitted to be served by such utilities. Additionally, without any available programs to assist with connection costs, current residents, many of whom are on fixed incomes, could face expenses of up to \$30,000 to connect to public water and sewer when their existing systems fail creating a substantial hardship for neighboring property owners.

Staff from March 2, 2022 Planning Commission Meeting: Morgan Risinger stated "The applicant provided a revised project narrative and additional supplemental documentation regarding the project, the costs of connections to public water and sewer in comparison to well and septic systems and how the project relates to adjacent properties. The James City Service Authority has prepared a memorandum explaining when connections are required and what the costs of connections are. Staff notes that the County and the JCSA do not currently have any programs for assistance with the cost of connections. Finally, at the applicant's suggestion, staff explored if an SUP condition could remove the requirement for adjacent properties to connect to public water and sewer. After consultation with the county attorney's office, it was determined that such an SUP condition would need to explicitly prohibit those connections and not allow those property owners to have that choice. And so, staff does not support that condition."

Planning Commissioner Polster from March 2, 2022 Planning Commission Meeting: "The other point and the concern that I had on the Croaker Road that I applied to the Bush Springs here was I was trying to figure out myself whose properties would be impacted if this project went through in terms of the water and the sewer line given the 15 feet on either side of the road which is a right-of-way and so I looked at seven properties was fortunate enough that the Virginia Department of Health local office here in Williamsburg provided us the information in the short span but I only asked for a certain amount not all of it.

And so, I've heard this evening from at least two other folks that they're concerned about that issue that we're part of the seven. Now the other thing that I think is instructive about the comment from the last gentleman that was up here at 220 Bush Springs is when you go back and take a look at the record that the VDH guys provided us, you're going to see a track record that goes from 78, 77, and 90 to 18.

And whether it's water or it's a rearrangement of secluded field or a replacement of a box. And I go back to the point that I was making before, given the cost of if they have to hook up, given the age of their systems, it's cheaper for them to do the repairs and not to have to hook up if they don't have to.

And so, I think you've asked a bunch of questions in terms of trying to get at the cost of what this is to those applicants versus what it would be. without and so I'm bothered about that and I think we heard this evening about members of this community that are on a fixed income and being one of those people I understand what that means okay and I remember a lady coming here the last time that what put nine thousand dollars into a new system I mean that was a heck of an investment that she had to put out of her pocket for that so I'm still very concerned that we don't know what the impact is on those septic and sewer

and wells and those impacts I mean we just don't know I mean I appreciate the fact that we're able to at least get some idea but all it did in my mind is raise more questions about how many other people were impacted about that and so I'm not supportive and it's the impact onto the community that's not being considered.”

Planning Commissioner Null from March 2, 2022 Planning Commission Meeting: “Just even thinking about putting water and sewer down that road and digging up both sides of the road for however long it takes them to put that in. And then when I added up all these lovely numbers, I came up to \$28,856. That would be an average for people to hook up to it.”

Planning Commissioner Rose from March 2, 2022 Planning Commission Meeting: “Aside from the cost of having to connect to this line when their septic system fails. And we heard that there's options, but at that point, there's no options. And for people on a fixed income, to have to put in \$30,000 to connect based on the estimates that we received, it's just that impact along with what this development is going to mean is just enormously significant. And I can't support this.”

Homeowner James Braxton Jr. (257 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My great grandfather actually started, helped start that community back there. And right there, I would say from Toano Woods on down to the end, the majority of the people that stays on that property are either retired, disability, or, back to being myself, I'm 60, I'm getting ready to retire. So, with the cost of everything that's been coming up, it's been, it's going to be almost impossible if they actually bring the sewer and everything down for these people to, for us to be able to hook up to it and to be able to take care of those costs.”

Homeowner Lori Walker (261 Bush Springs Road) and Homeowner Vivian (156 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “We the majority of the bush springs residents do oppose installing the water public water and sewer down Bush Springs Road, but we do ask if it would go down either Hunters Creek or Oakland Farms.”

Homeowner Jonathan Lemons (164 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My septic tank is brand new. Well as well, so I don't have any problems there. I'm opposed to it as well. I think everybody on the street on Bush Springs Road is happy and content. We're all doing just fine. I think a lot of us right now with inflation as well can't really afford added costs, water bill, sewage bill, the inconvenience.”

Homeowner Charles Brantley (220 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “I'm sorry but you know people don't have that type of money. The road is one thing, but earning a living and trying to pay for your water every month, your sewer every month, but then you come up, you got your septic tank, and your well, you're paying it by what? Can't afford it. I just want to say that pop. Thank you, sir.”

4(b) The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others.

Applicant: Granting the exception would (1) actually avoid the detrimental impacts (noted above and below, e.g., potential damage to existing wells and/or septic systems, financial hardship of the potential requirement for adjacent property owners to connect, etc.) associated with extending public water and sewer, (2) maintain the status quo (meaning no change in the provision of potable water and sewage treatment for the neighboring properties) which, with there being no known present safety, health, or welfare concerns, means the exception is not detrimental to public safety, health, welfare, or the property of others, and (3) not prohibit the extension of public water and sewer service if found in the future to be desirable.

Staff from March 2, 2022 Planning Commission Meeting: Morgan Risinger stated “Staff received questions regarding where existing septic systems are located and what would happen if they were damaged during construction. The county does not maintain records of drain fields. However, the applicant has provided documentation from the Virginia Department of Health. Staff also explored the possibility of adding an SUP condition to require that the applicant be responsible for remediation if a drain field is damaged during construction. However, after consultation with the county attorney's office, it was determined that this condition was not viable.”

Planning Commissioner Null from March 2, 2022 Planning Commission Meeting: “People are going to have trouble accessing their road or even getting out of their driveways during construction, even construction with the houses, but with the water and sewer too. I just don't think we should inconvenience them with doing something like that, that could potentially cost them a lot of money in the long run. So, I will not support this.”

Homeowners Robert and Carol Medford (87 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “They said that they request that the road be vetoed because it would mess up their septic tank and water which is close by the road and also she said that they'd rather for the sewer and hookup to be at the end of Bush Springs Road that way would not be connected at all going straight down Bush Springs Road.”

Homeowner Jimmy Smith (206 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My neighbor, to put the sewage line or water line, be sitting in her front porch. And the thing is that Bush Spring Road is a family knit community. A lot of children play on Bush Springs Road to open the road up in the volume of traffic could be telescopic. I mean, it just only thing I can say is thank God that there's no accidents have happened as of yet.” “We don't know who's going to come in, we don't know how they're going to respond to that condition because a lot of folks, they will say, oh, we've got a wide road now, let's gas on it, that's unacceptable, so as far as widening Busch-Spring Road, I'm against.”

4(c) The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter.

The facts associated with this exception request, compounded in the aggregate, establish a highly unique set of circumstances for the subject property (e.g., the documented detrimental effect on neighboring

property owners of the extension of public water and sewer, the fact that the project giving rise to the public water and sewer extension requirement will not be permitted to be served by such utilities, the property being developed “by right” consistent with its R-1 zoning designation which has been in place for over 40 years, the previous lack of support for a SUP to extend public water and sewer, etc.). Exceptions such as the one requested are very fact specific and are best handled on a case-by-case basis; such exceptions are not amenable to the formulation of a general rule or regulation.

4(d) No objection to the exception has been received in writing from the transportation department, health department, or fire chief.

The request for Waiver received comments from Transportation Department- Health department and Fire Chief

1.Fire Chief- In consideration of meetings, consultations and code research, I am in support of an alternative fire protection measure offered by Solara Builders related to their proposed project, Solara Woods, off Bush Springs Road. This alternative is acceptable if public water is not available or cannot be constructed due to legislative restrictions.

Solara Builders has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

The Virginia Statewide Fire Prevention Code (VSFPC) does not require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance of residential sprinkler systems would require a means outside of typical fire code enforcement. Solara Builders has offered potential HOA enforced maintenance requirements, covenant, and deed restriction language.

Installation and acceptance of the residential sprinkler systems will fall under the purview of the building official. Maintenance of the same systems would fall under the purview of the HOA, attached covenants and deed restrictions. Approval of the maintenance requirement language should be approved by the County Attorney.

Applicant Response "A fireman in each home". We are excited to showcase the fire suppression system that will be mandatory in each home at Solara Woods. This will be the second Zero Energy Ready Home Community in Virginia and the first home sprinkler community in Virginia located in James City County. Innovation and design work hand in hand to make this possible. I look forward to working with Building Safety and the Fire Department documenting this next level in home-building and design.

2. Health Department-VDH has no objections to the exception request, however each lot will be required to have a certification packet submitted to us for review and approval, before we can issue our final approval.

Applicant Response- Youngblood Tyler and Associates has completed the Soil Feasibility Study. Based on this information the developer has located primary and backup septic locations for the 38

lots located on 80 acres. To be submitted in the normal development process for final approval by VDH.

3. **Transportation-** VDOT has completed its review of the conceptual plan received by the VDOT Land Development Office on 23rd Jan 2025.

Following comments from VDOT –

(1) Final Site plan should reflect CG-9B entrance and drainage details on the sheets

(2) A turn lane warrant, auto turn analysis and site distance consideration study should be submitted before commencement of the subdivision work. A comprehensive TIA is not required.

(3) Detailed site plans should reflect all VDOT std items such as stop sign, pavement markings, etc. Where work will be necessary within existing right of way, please provide an engineer's cost estimate with final plans. This will be used to set the surety amount for the Land Use Permit. A Land Use Permit will be required prior to construction within limits or easements (including temporary or permanent driveways and entrances).

Applicant Response – - Items 1 and 3 above will be addressed at subdivision approval process. At VDOT'S request – A autoturn analysis, a turn lane warrant and site distance consideration study at the Rt. 60 Richmond Road/Rt. 649 Bush Springs Road intersection will be submitted before commencement of the subdivision work.

(e) The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.

As indicated above, the injustice giving rise to this exception request is highly unique to the subject property (e.g., the documented detrimental effect on neighboring property owners of the extension of public water and sewer, the fact that the project giving rise to the public water and sewer extension requirement will not be permitted to be served by such utilities, the property being developed “by right” consistent with its R-1 zoning designation which has been in place for over 40 years, the previous lack of support for a SUP to extend public water and sewer, etc.). The injustice effectively prohibits the extension of public right of way (to be designed and constructed at the expense of the Applicant) to the property which, in turn, effectively prohibits its subdivision and meaningful use of the property consistent with its zoning. The injustice is imposed by applicable regulations due to the unique condition and location of the property; it is not a self-inflicted, personal, or financial in nature.

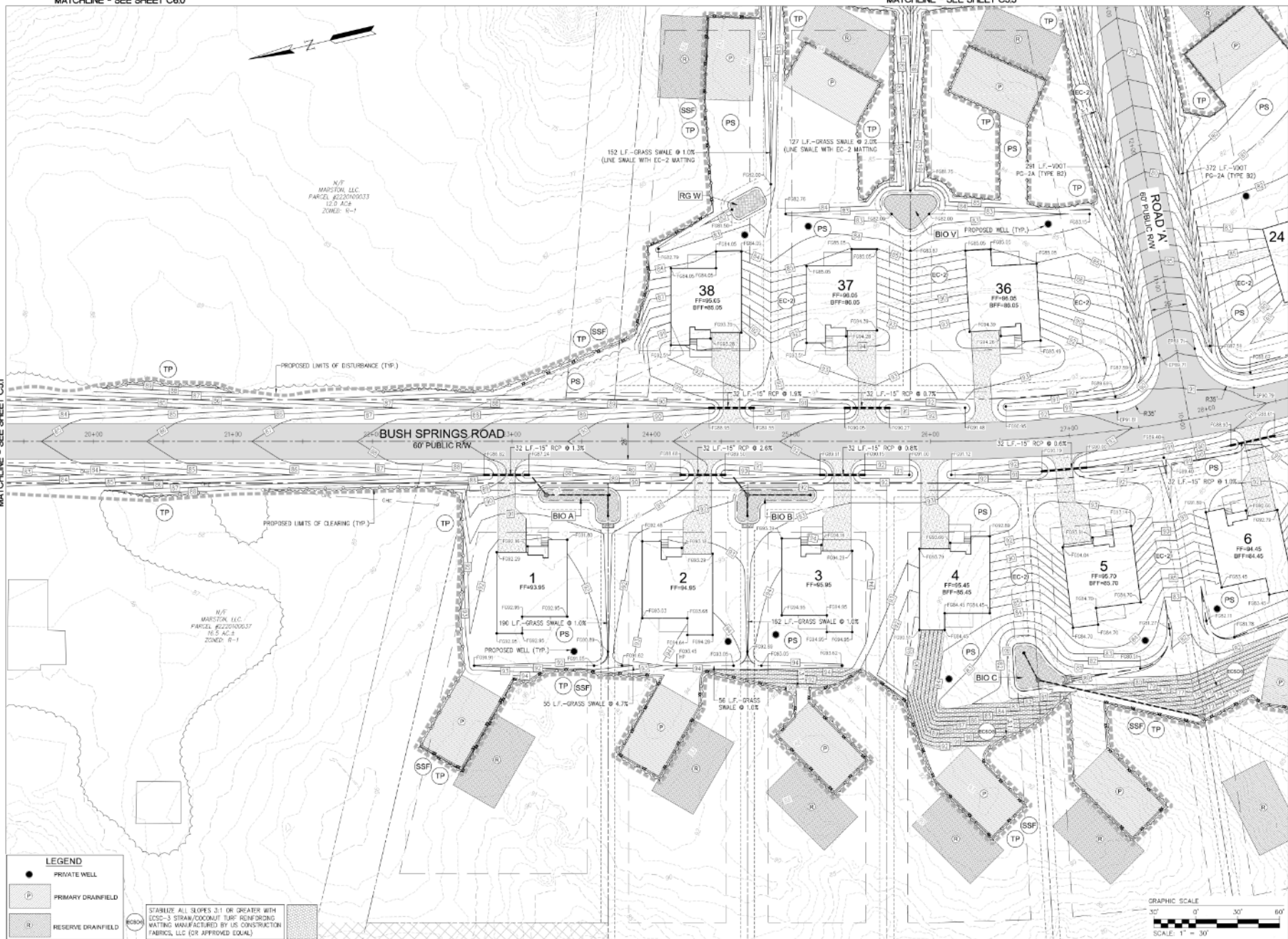
MATCHLINE - SEE SHEET C6.0

MATCHLINE - SEE SHEET C5.5

MATCHLINE - SEE SHEET C5.1

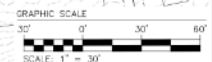
MATCHLINE - SEE SHEET C5.3

MATCHLINE - SEE SHEET C5.3



LEGEND	
	PRIVATE WELL
	PRIMARY DRAINFIELD
	RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH C250-5 STRAW/COCKPIT TURF REINFORCING MATING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)



REVISION COMMENT DATE

NO.

DATE

SUBDIVISION PLAN FOR SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'

Date: February 26, 2024

Job Number: 19-240

Designed By: GSW

Sheet Title: DEVELOPMENT PLAN AND PHASE 2 E&S PLAN

Sheet Number: C5.2



NO.	DATE	REVISION / COMMENT / NOTE



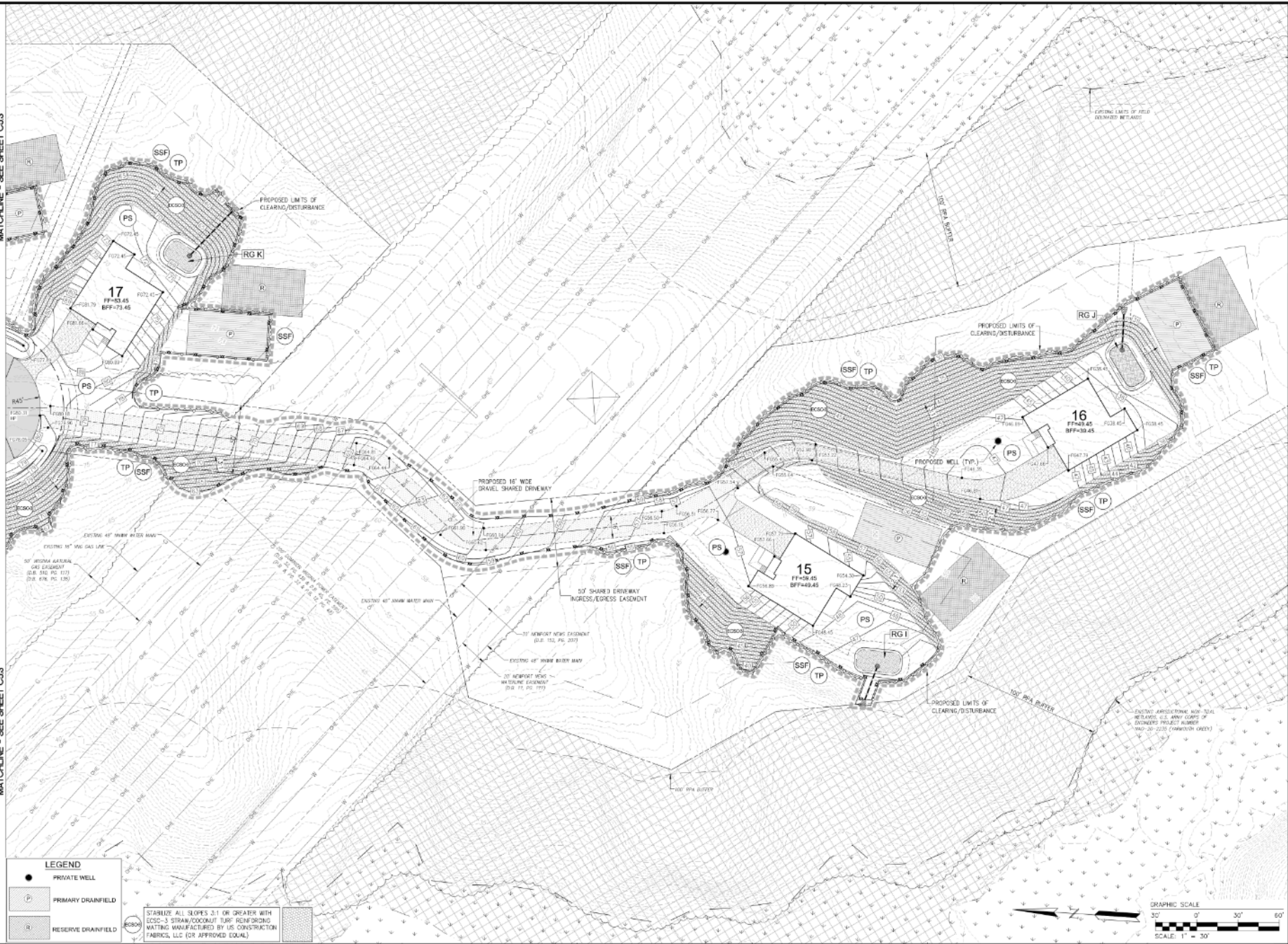
**SUBDIVISION PLAN
FOR
SOLARA WOODS**

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.3

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53



REVISION	DATE	DESCRIPTION



SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.4

MATCHLINE - SEE SHEET C61

MATCHLINE - SEE SHEET C62



MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53

STABILIZE ALL SLOPES 3:1 OR GREATER WITH EROSION CONTROL TURF REINFORCING MATING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)

LEGEND

- PRIVATE WELL
- PRIMARY DRAINFIELD
- RESERVE DRAINFIELD

MATCHLINE - SEE SHEET C60

REVISION COMMENT DATE

DATE

NO.

LRI LANDTECH RESOURCES, INC.
 3504 S. GARDEN AVENUE • WILMINGTON, DE 19806
 TEL: 302.436.1234 FAX: 302.436.1235

SUBDIVISION PLAN FOR SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'

Date: February 26, 2024

Job Number: 19-240

Designed By: GSW

Sheet Title: DEVELOPMENT PLAN AND PHASE 2 E&S PLAN

Sheet Number: C5.5



James City County Fire Marshal's Office
5077 John Tyler Highway
Williamsburg, VA 23185
(F) 757-220-9125 (O) 757-220-0626

FIRE

C-25-0002 Solara Woods-Water and Sewer Subdivision Exception Request

Joseph Davis, Fire Marshal, with Ryan Ashe, Fire Chief, concurring

February 4, 2025

Based on the transmittal instructions, the Fire Chief, among others, is requested to note any objections to the proposed development being served by individual wells. Conversely, if the Fire Chief objects to this exception request, public water (including fire hydrants) will be required to be installed to serve the subject properties.

Currently there are no fire hydrants on Bush Springs Roads except on the northerly end at the intersections of Richmond Road and Toano Woods Road, respectively. If the waterline were extended, a minimum of five fire hydrants serving 40 parcels would be added within the existing PSA. With the proposed conceptual plan, a minimum of three fire hydrants would serve the 38-parcel major subdivision. It is over 6000 feet from the closest existing fire hydrant to the furthest proposed residence.

Fire hydrants providing a minimum required fire flow of 1000 gpm add significantly to any fire department's ability to contain and extinguish residential structure fires. There are marked efficiencies in fire department operations utilizing fire hydrants versus rural water supplies including the transport of water from distant water sources via additional assigned fire engines and tankers. These rural water supply operations often occur on narrower secondary roads.

The addition of a reliable fire protection water supply to the area may provide positive property owner impacts regarding hazard insurance premiums. James City County's ISO Public Protection Class is a split rating of 2/2Y whereas buildings within 1000 feet of a fire hydrant have a better rating than those which do not.

Two comments are made in response to the applicant's request for exception document submitted with the conceptual plans:

Under 4(b), the granting of the exception request maintains status quo relative fire protection, however, not granting the exception would enhance fire protection for approximately 78 parcels.

Under 4(d), no objection to the exception was received in writing from the Fire Chief during the prior SUP process is not representative of the Fire Department position. The Fire Marshal at the time of review of SUP-21-0023, Bush Springs Road Water and Sewer Extension (dated December 6, 2021), noted that the project “must adhere to the JCC and JCSA standards for hydrant spacing” and “add/place fire hydrants to meet JCC requirements.” The submitted plan at the time did not include fire hydrant locations but indicated a 12 inch water main tying into the JCSA system near Toano Woods. The review was based on the project’s intended installation of public water and there was no Fire Department implication that the proposed waterline addition with fire hydrants was not desired or needed.

The Fire Department does object to this exception request.

Comments regarding the conceptual plan outside of the specific exception request are:

- Per Virginia Statewide Fire Prevention Code (VSFPC) Section 503, the proposed roadways and common driveway are considered fire apparatus access roads and are required including the following:
 - minimum 20-foot width (to within 150 ft of furthest accessible point of the building)
 - all weather road surface able to support 82,000-pound fire department vehicles
 - dead end roads in excess of 150 feet are required to accommodate a turnaround for fire apparatus
 - proposed cul-de-sacs require a 45 ft wall-to-wall turning radius.

MEMORANDUM

DATE: April 21, 2025
TO: Paul Holt, Director of Community Development
FROM: Joseph Davis, Fire Marshal 
SUBJECT: Solara Woods

In consideration of meetings, consultations and code research, I am in support of an alternative fire protection measure offered by Solara Builders related to their proposed project, Solara Woods, off Bush Springs Road. This alternative is acceptable if public water is not available or cannot be constructed due to legislative restrictions.

Solara Builders has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

The Virginia Statewide Fire Prevention Code (VSFPC) does not require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance of residential sprinkler systems would require a means outside of typical fire code enforcement. Solara Builders has offered potential HOA enforced maintenance requirements, covenant, and deed restriction language.

Installation and acceptance of the residential sprinkler systems will fall under the purview of the building official. Maintenance of the same systems would fall under the purview of the HOA, attached covenants and deed restrictions. Approval of the maintenance requirement language should be approved by the County Attorney.

I am available for any questions.

CONCUR:


Ryan Ashe, Fire Chief

Attachments

FIRE SPRINKLER SYSTEM NOTICE

Keeping Your Home Safe in Solara Woods

James City County's 1st NFPA 13D Residential Fire Sprinkler System Community : Like having a firefighter living in your home!

Your Home is Equipped with a Life-Saving Feature:

Your new home is protected by a **residential fire sprinkler system** installed under **NFPA 13D** standards. This system is designed to detect and suppress fires automatically, giving you and your loved ones critical time to escape safely—and potentially stopping a fire before it spreads.

Homeowner Responsibilities

To keep your system working as intended:

1. Annual Inspection Required

You must have the system **inspected and tested once per year** by a licensed contractor.

2. Provide Proof of Inspection to the HOA

A copy of the inspection certificate or service report must be submitted to the HOA annually. This ensures community-wide safety compliance.

3. Keep the System Active

Do not disconnect, tamper with, or remove the system or its components unless you are replacing or repairing them with approval and proper permits.

Why This Matters

- **Safety:** The system can stop a fire in its earliest stage—protecting your home, family, and neighbors.
 - **Insurance:** Many insurers offer discounts for having a sprinkler system—maintaining it keeps you eligible.
 - **Community Compliance:** This is a required part of your HOA agreement and deed covenant.
-

 Need Help?

We recommend the following licensed contractors for annual service:

Eagle Fire

7459 White Pine Rd

Richmond, VA 23237

P: (804) 743-2500

 Due Date:

Your first annual inspection is due no later than:

 _____ **– one year from move-in or certificate of occupancy**

13D Fire Sprinkler System Maintenance Enforcement Plan for Solara Woods:

1. HOA-Enforced Maintenance Requirements

Will include sprinkler maintenance language in the **HOA Covenants, Conditions & Restrictions (CC&Rs)**:

- We will require **annual inspection and certification** by a licensed contractor.
 - We will require homeowners to provide **proof of inspection** to the HOA each year with records available to Fire Marshall.
 - We will include language that clearly outlines **non-compliance consequences**, such as fines or liens.
-

2. Recorded Deed Restrictions or Covenants

In addition to HOA rules, we will **record a covenant on each lot** at the time of sale:

- This will require that the in-home sprinkler system be kept **operational and code-compliant**.
 - Even if a home is sold later, this requirement runs with the land.
-

Sample HOA Covenant Language:

Section X: Fire Sprinkler System Maintenance

Each residence within the subdivision is equipped with a residential fire sprinkler system compliant with NFPA 13D standards. To ensure continued safety and effectiveness, the following requirements apply:

1. **Inspection Requirement:** Homeowners shall have their sprinkler systems inspected and tested by a licensed contractor no less than once every twelve (12) months.
2. **Proof of Compliance:** Homeowners shall provide the HOA with written certification from a licensed contractor indicating the system has been inspected, tested, and is in proper working order.
3. **Failure to Comply:** Failure to maintain or test the system as required will result in a written notice of violation. Continued noncompliance after thirty (30) days may result in penalties including fines and/or the placement of a lien, subject to the enforcement provisions of these Covenants.
4. **Alterations Prohibited:** No homeowner shall disable, alter, or remove any part of the sprinkler system without prior approval from the HOA and confirmation that the change complies with all applicable codes.

Sample Deed Restriction Language:

Fire Sprinkler System Operation and Maintenance Requirement

This lot and the residence constructed upon it shall include a residential fire sprinkler system installed in accordance with NFPA 13D standards. The owner of the property shall, at their sole expense, ensure the system remains in working condition and is inspected and certified by a licensed contractor at least once per year and proof of inspection given to HOA. This requirement shall run with the land and bind all successors in title.

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the May 21, 2025, Development Review Committee Meeting

SUMMARY FACTS

Applicant: Mr. Jay Epstein, HEALTH-E-COMMUNITY ENTERPRISES OF VIRGINIA, INC.

Landowner: MARSTON, LLC HEALTH-E COMMUNITY

Proposal: An exception request to allow for a major subdivision that utilizes land within the Primary Service Area (PSA) to be served by individual wells and individual on-site sewage disposal systems.

Locations: 242 Bush Springs Road
268 Bush Springs Road
275 Bush Springs Road
282 Bush Springs Road
290 Bush Springs Road
291 Bush Springs Road
308 Bush Springs Road

Tax Map/Parcel Nos.: 2220100038
2220100037
2220100033
2220100036
2220100035
2220100090
2220100034

Project Acreage: ± 82.16 acres

Current Zoning: R-1, Limited Residential

Comprehensive Plan: Low Density Residential
Rural Lands

Primary Service Area

(PSA): Inside (parcels designated Low Density Residential)
Outside (parcels designated Rural Lands)

Staff Contact: Morgan Risinger, Senior Planner

REASON FOR DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. The proposed subdivision of the property into 38 single-family residential lots is more than five lots and would involve extending the Bush Springs Road right-of-way through parcels inside the PSA, meaning the subdivision would be required to connect to public water and sewer systems. The developer would like to construct this subdivision without connecting to public water and sewer. Therefore, pursuant to Section 19-18 of the Subdivision Ordinance, an exception request has been submitted to allow the proposed lots to be served by individual wells and individual on-site sewage disposal systems.

FACTORS FAVORABLE

1. The Virginia Department of Health (VDH) and the Virginia Department of Transportation (VDOT) have stated no objection to this exception request.

FACTORS UNFAVORABLE

1. The Fire Department has stated its preference would be for the subdivision to connect to the public water system. This would allow fire hydrants to be located throughout the subdivision, per current standards. Without connecting to public water, and

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CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
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without fire hydrants, the developer has proposed that each home be constructed with an in-home fire sprinkler system. The water supply for the sprinkler system would come from large water holding tanks, fed by a well, located outside of each house.

The developer has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

However, while the requirement for the initial construction of an in-home sprinkler system could be ensured via the building permit process, the Virginia Statewide Fire Prevention Code (VSFPC) does **not** (emphasis added) require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance and operation of residential sprinkler systems would require a means outside of typical code enforcement.

The developer has proposed that long-term maintenance and operation of these in-home systems would fall under the purview of the homeowners association (HOA), using covenants and deed restrictions, subject to language approved by the County Attorney's Office.

Staff from the Community Development Department and Fire Department find that a requirement to maintain and ensure continual operation of in-home fire sprinkler systems for single-family detached dwellings by the HOA to be nonviable.

More significantly, whether those requirements fall on the HOA or even to an individual homeowner, over the life of the single-family home, staff finds such a requirement to be something that County staff could not practically or reasonably enforce.

2. Staff further finds that the proposed exception request does not fully meet the criteria found in Section 19-18 of the Subdivision Ordinance.

STAFF RECOMMENDATION

Staff recommends that the DRC recommend denial of this exception request to the Planning Commission. Should the DRC recommend approval of this exception request to the Planning Commission, staff recommends the inclusion of conditions to require the installation of residential sprinkler systems in each home and for inspections and maintenance to be enforced by the HOA. (see Attachment No. 1). As previously stated, staff finds that such a condition could not practically or reasonably be enforced by the County.

PROJECT DESCRIPTION

The applicant is requesting an exception from the Subdivision Ordinance's requirement for major subdivisions to connect to public water and sewer systems if they are located inside the PSA (see Attachment No. 2). The proposed subdivision would include extending the Bush Springs Road right-of-way, and is greater than five lots, to create a major subdivision of 38 new residential lots. While the proposed residential lots are shown as being platted outside of the PSA, the right-of-way extension would involve dedication of property located inside the PSA (see Attachment No. 3).

PROJECT HISTORY

- Land use applications have been submitted during previous Comprehensive Plan update processes in 1997, 2003, 2008, and 2021 to request 282 Bush Springs Road, 290 Bush Springs Road, 291 Bush Springs Road, and 308 Bush Springs Road be redesignated to Low Density Residential and be included in the PSA. Each request has been denied and no change has been made to the PSA for these properties during that timeframe.

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the May 21, 2025, Development Review Committee Meeting

- In 2021, a Special Use Permit application was submitted for the extension of public water and sewer mains along Bush Springs Road to serve the proposed development. The application was withdrawn prior to consideration by the Board of Supervisors.

SURROUNDING ZONING AND DEVELOPMENT

- The following table lists information on the parcels adjacent to the subject properties:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	R-1, Limited Residential	Single- Family Residential	Low Density Residential
SOUTH	A-1, General Agricultural	Single- Family Residential	Rural Lands
EAST	A-1, General Agricultural	Forested land	Rural Lands
WEST	A-1, General Agricultural; and R-8, Rural Residential	Single- Family Residential	Rural Lands; and Low Density Residential

STAFF ANALYSIS

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. Staff's review of the proposed major subdivision determined that extending the Bush Springs Road right-of-way requires the use of properties inside the PSA which necessitates the subdivision's connection to public water and sewer

systems. The requirement to connect to public water and sewer systems was established on December 11, 2012, when the Board of Supervisors approved an amendment to the Subdivision Ordinance. While there are two notable major subdivisions, Liberty Ridge and Westport, that involved creating rights-of-way through property inside the PSA to create lots outside of the PSA that were not connected to public water and sewer, both were approved prior to the establishment of the requirement for major subdivisions to connect to public water and sewer in 2012.

The analysis below provides information on each of the criteria listed in Section 19-18 of the Subdivision Ordinance:

"The Commission shall not approve any exception unless it first receives a recommendation from the DRC and unless it finds that:"

- a. "Strict adherence to the ordinance requirement will cause substantial injustice or hardship;"

Staff finds that adherence to this Ordinance requirement would not create a substantial hardship for the property owner, given that the property owner is choosing to pursue a more intensive development of the property and retains the ability to use the property for residential purposes as they currently exist.

- b. "The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others;"

Subject to the installation of residential sprinkler systems in each home, staff finds that the granting of the exception request may not be detrimental to public safety, health, or welfare, and may not adversely affect the property of others. However, as previously stated, staff finds that such a condition could not practically or reasonably be enforced by the County.

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- c. “The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter;”

Staff finds that a portion of the subject properties are zoned for residential uses while being designated as Rural Lands and located outside the PSA which is unique and not generally applicable to other undeveloped properties in the County.

- d. “No objection to the exception has been received in writing from the transportation department, health department, or fire chief.”

*The VDH and VDOT did not object to the exception request. However, the Fire Department initially objected to the exception request (see Attachment No. 5) due to the fact that granting the exception request would mean that no fire hydrants would be installed in the subdivision. To mitigate this concern, individual in-home sprinkler systems have been proposed by the developer. As noted previously, while the requirement for the initial construction of an in-home sprinkler system could be ensured via the building permit process, the VSFPC does **not** (emphasis added) require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance and operation of residential sprinkler systems would require a means outside of typical code enforcement (see Attachment No. 6).*

- e. “The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.”

Staff finds that while the situation of the properties being zoned for residential uses but designated as Rural Lands and located outside the PSA is unusual, the proposal to create a more intensive use of the

property by creating a major subdivision of 38 lots which requires the extension of the Bush Springs Road right-of-way and public water and sewer systems represents a self-inflicted hardship.

STAFF RECOMMENDATION

Staff recommends that the DRC recommend denial of this exception request to the Planning Commission. Should the DRC recommend approval of this exception request to the Planning Commission, staff recommends the inclusion of conditions to require the installation of residential sprinkler systems in each home and for inspections and maintenance to be enforced by the HOA (see Attachment No. 1). It is significant to note, however, staff finds that such a condition could not practically or reasonably be enforced by the County.

MR/ap
CP25-2SolaraWds

Attachments:

1. Proposed Conditions
2. Location Map
3. Applicant’s Exception Request
4. Solara Woods Subdivision Layout
5. February 4, 2025, Fire Department Comments
6. April 21, 2025, Fire Department Comments

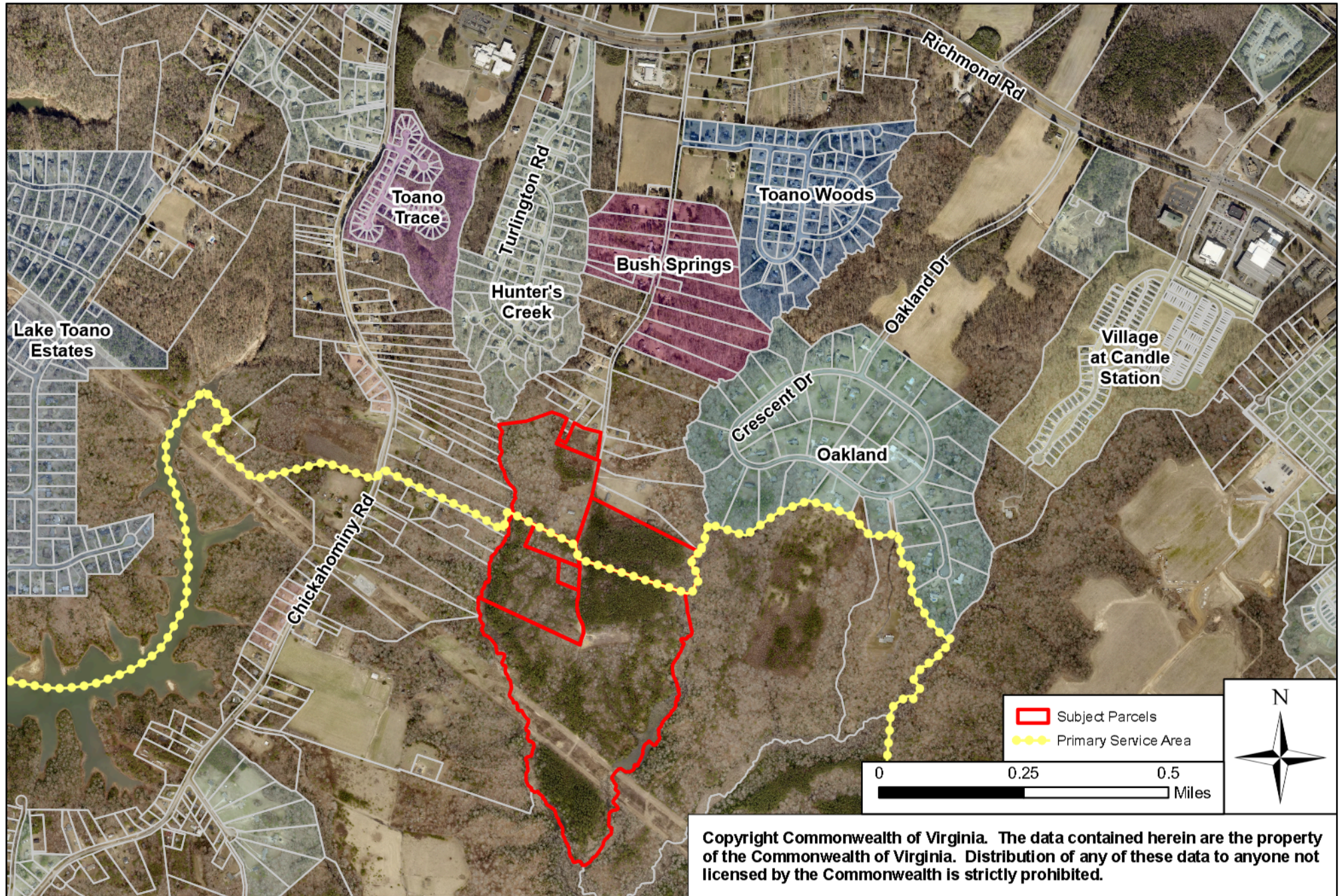
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PROPOSED CONDITIONS FOR C-25-0002.

SOLARA WOODS - WATER AND SEWER SUBDIVISION EXCEPTION REQUEST

1. *Subdivision Layout.* This exception to Section 19-59(a) and Section 19-61 of the Subdivision Ordinance shall be valid for the subdivision of property located at 242, 268, 275, 282, 290, 291, and 308 Bush Springs Road and further identified as James City County Real Estate Tax Map Parcel Nos. 2220100038, 2220100037, 2220100033, 2220100036, 2220100035, 2220100090, and 2220100034, respectively (collectively, the “Properties”). The subdivision of the Properties shall be substantially in accordance with the proposed subdivision layout titled “Subdivision Plan for Solara Woods” prepared by Landtech Resources, Inc., and dated February 26, 2024 (the “Master Plan”), with any deviations to be reviewed and approved by the Director of Planning.
2. *Fire Protection.* Each new dwelling unit shall include a residential sprinkler system in accordance with National Fire Protection Association (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes*, and such details shall be approved by the Director of Building Safety and Permits or designee prior to the issuance of a building permit for each dwelling unit. The homeowners association (HOA) shall enforce annual inspections and maintenance for each residential sprinkler system and such provisions shall be included with the HOA documents required in accordance with Section 19-70 of the Subdivision Ordinance.

JCC C-25-0002, Solara Woods Water and Sewer Subdivision Exception Request



PETITION FOR EXCEPTION PURSUANT TO SUBDIVISION ORDINANCE SECTION 19-18

BY MARSTON LLC (“APPLICANT”) – Updated May 2, 2025

The Current Application:

The Applicant desires to develop a major subdivision consisting of approximately 38 Lots on approximately 87 acres of land owned by the Applicant commonly known as at 282, 290, 291, and 308 Bush Springs Road (see attached subdivision plan). The subject property is zoned R1 – Limited Residential and located outside of the Primary Service Area (the “PSA”). The project is proposed as a “by-right” subdivision to be served by individual wells and private septic systems.

In order to develop the project, it is necessary to extend Bush Springs Road from its present terminus across property owned by the Applicant and located within the PSA (268 and 275 Bush Springs Road) to the subject property. The extension of Bush Springs Road through property located within the PSA is deemed, pursuant to Subdivision Ordinance Section 19-21(b), itself a major subdivision and triggers the requirement to extend public water and sewer in connection with such road extension which, in turn, triggers the requirement of a Special Use Permit.

History to support the request for waiver:

On November 29, 2021, the Applicant submitted a Special Use Permit (the “SUP”) application for the extension of public water and sewer along Bush Springs Road to serve the property located at 268 and 275 Bush Springs Road. At that time, the Planning Commission and many of the residents along Bush Springs Road were not supportive of such an extension of public utilities. After receiving a Planning Commission recommendation of denial of the SUP, the Applicant withdrew its application for the SUP. Accordingly, the Applicant refocused its efforts exclusively on a “by right” development of its property located outside of the PSA to be served by individual wells and private septic systems which culminated in the attached subdivision plan.

However, as indicated above, in order to extend Bush Springs Road to the subject property, the Subdivision Ordinance requires the extension of public water and sewer which, in turn, requires an SUP. Recognizing that such an SUP is unlikely to be approved, the Applicant is requesting an exception (pursuant to Section 19-18 of the Subdivision Ordinance) of the requirement to extend public water and sewer in connection with the proposed extension of Bush Spring Road. Please note that approval of this exception request does not permit a major subdivision of the Applicant’s property located within the PSA into lots served by private wells and septic systems. Approval of this exception request merely allows the extension of Bush Springs Road without requiring the extension of public water and sewer. A major subdivision of the Applicant’s property located within the PSA into lots served by private wells and septic systems would require a separate exception.

Request for Exception:

The Applicant requests an exception, pursuant to Section 19-18 of the Subdivision Ordinance, of the requirement to extend public water and sewer in connection with the proposed extension of Bush Spring

Road to property located at 282, 290, 291, and 308 Bush Springs Road in general conformance with the attached subdivision plan.

Justification of Request:

As indicated above, on November 29, 2021, the Applicant submitted a SUP request for the extension of public water and sewer along Bush Springs Road. In connection with such request, the James City Service Authority ("JCSA") indicated that if water and sewer lines were extended, existing structures along the extension would be required to connect to the public system if their existing well or septic systems failed, as per Virginia Department of Health regulations. Future structures would also be required to connect to public water and sewer. Most of the residents along Bush Springs Road opposed the extension due to concerns over the potential mandatory connection requirement and associated fees and costs. On March 2, 2022, the James City County Planning Commission voted to recommend denial of the SUP, and the Applicant subsequently withdrew the SUP request.

The Applicant's property is zoned R1, and has been for over 40 years, creating an expectation that the property would be permitted to be developed consistent with its R1 zoning. The Applicant is proposing a "by right" development of the property to be served by private wells and septic systems. The property is located outside of the PSA and is not permitted to connect to public water and sewer. To require the extension of public water and sewer with the extension of Bush Springs Road to the project is inconsistent with the Planning Commission's previous decision making and inconsistent with the stated interests of the majority of neighboring property owners, and amounts to a substantial injustice because the project would not be permitted to be served by such extended utilities.

Subdivision Ordinance Section 19-18 criteria

The commission may grant an exception to any requirement of the chapter, subject to the following:

(4) The commission shall not approve any exception unless it first receives a recommendation from the development review committee and unless it finds that:

(a) Strict adherence to the ordinance requirement will cause substantial injustice or hardship.

(b) The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others.

(c) The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter

(d) No objection to the exception has been received in writing from the transportation department, health department, or fire chief; and

(e) The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.

Below is the Applicant's justification for satisfaction of each of the foregoing exception criteria along with supporting comments from Staff, Planning Commissioners, and current residents of Bush Springs Road from the March 2, 2022, Planning Commission Meeting.

4(a) Strict adherence to the ordinance requirement will cause substantial injustice or hardship.

Applicant: It is unjust to require the Applicant to expend substantial resources to extend public water and sewer to a development outside of the PSA that will not be permitted to be served by such utilities. Additionally, without any available programs to assist with connection costs, current residents, many of whom are on fixed incomes, could face expenses of up to \$30,000 to connect to public water and sewer when their existing systems fail creating a substantial hardship for neighboring property owners.

Staff from March 2, 2022 Planning Commission Meeting: Morgan Risinger stated "The applicant provided a revised project narrative and additional supplemental documentation regarding the project, the costs of connections to public water and sewer in comparison to well and septic systems and how the project relates to adjacent properties. The James City Service Authority has prepared a memorandum explaining when connections are required and what the costs of connections are. Staff notes that the County and the JCSA do not currently have any programs for assistance with the cost of connections. Finally, at the applicant's suggestion, staff explored if an SUP condition could remove the requirement for adjacent properties to connect to public water and sewer. After consultation with the county attorney's office, it was determined that such an SUP condition would need to explicitly prohibit those connections and not allow those property owners to have that choice. And so, staff does not support that condition."

Planning Commissioner Polster from March 2, 2022 Planning Commission Meeting: "The other point and the concern that I had on the Croaker Road that I applied to the Bush Springs here was I was trying to figure out myself whose properties would be impacted if this project went through in terms of the water and the sewer line given the 15 feet on either side of the road which is a right-of-way and so I looked at seven properties was fortunate enough that the Virginia Department of Health local office here in Williamsburg provided us the information in the short span but I only asked for a certain amount not all of it.

And so, I've heard this evening from at least two other folks that they're concerned about that issue that we're part of the seven. Now the other thing that I think is instructive about the comment from the last gentleman that was up here at 220 Bush Springs is when you go back and take a look at the record that the VDH guys provided us, you're going to see a track record that goes from 78, 77, and 90 to 18.

And whether it's water or it's a rearrangement of secluded field or a replacement of a box. And I go back to the point that I was making before, given the cost of if they have to hook up, given the age of their systems, it's cheaper for them to do the repairs and not to have to hook up if they don't have to.

And so, I think you've asked a bunch of questions in terms of trying to get at the cost of what this is to those applicants versus what it would be. without and so I'm bothered about that and I think we heard this evening about members of this community that are on a fixed income and being one of those people I understand what that means okay and I remember a lady coming here the last time that what put nine thousand dollars into a new system I mean that was a heck of an investment that she had to put out of her pocket for that so I'm still very concerned that we don't know what the impact is on those septic and sewer

and wells and those impacts I mean we just don't know I mean I appreciate the fact that we're able to at least get some idea but all it did in my mind is raise more questions about how many other people were impacted about that and so I'm not supportive and it's the impact onto the community that's not being considered.”

Planning Commissioner Null from March 2, 2022 Planning Commission Meeting: “Just even thinking about putting water and sewer down that road and digging up both sides of the road for however long it takes them to put that in. And then when I added up all these lovely numbers, I came up to \$28,856. That would be an average for people to hook up to it.”

Planning Commissioner Rose from March 2, 2022 Planning Commission Meeting: “Aside from the cost of having to connect to this line when their septic system fails. And we heard that there's options, but at that point, there's no options. And for people on a fixed income, to have to put in \$30,000 to connect based on the estimates that we received, it's just that impact along with what this development is going to mean is just enormously significant. And I can't support this.”

Homeowner James Braxton Jr. (257 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My great grandfather actually started, helped start that community back there. And right there, I would say from Toano Woods on down to the end, the majority of the people that stays on that property are either retired, disability, or, back to being myself, I'm 60, I'm getting ready to retire. So, with the cost of everything that's been coming up, it's been, it's going to be almost impossible if they actually bring the sewer and everything down for these people to, for us to be able to hook up to it and to be able to take care of those costs.”

Homeowner Lori Walker (261 Bush Springs Road) and Homeowner Vivian (156 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “We the majority of the bush springs residents do oppose installing the water public water and sewer down Bush Springs Road, but we do ask if it would go down either Hunters Creek or Oakland Farms.”

Homeowner Jonathan Lemons (164 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My septic tank is brand new. Well as well, so I don't have any problems there. I'm opposed to it as well. I think everybody on the street on Bush Springs Road is happy and content. We're all doing just fine. I think a lot of us right now with inflation as well can't really afford added costs, water bill, sewage bill, the inconvenience.”

Homeowner Charles Brantley (220 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “I'm sorry but you know people don't have that type of money. The road is one thing, but earning a living and trying to pay for your water every month, your sewer every month, but then you come up, you got your septic tank, and your well, you're paying it by what? Can't afford it. I just want to say that pop. Thank you, sir.”

4(b) The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others.

Applicant: Granting the exception would (1) actually avoid the detrimental impacts (noted above and below, e.g., potential damage to existing wells and/or septic systems, financial hardship of the potential requirement for adjacent property owners to connect, etc.) associated with extending public water and sewer, (2) maintain the status quo (meaning no change in the provision of potable water and sewage treatment for the neighboring properties) which, with there being no known present safety, health, or welfare concerns, means the exception is not detrimental to public safety, health, welfare, or the property of others, and (3) not prohibit the extension of public water and sewer service if found in the future to be desirable.

Staff from March 2, 2022 Planning Commission Meeting: Morgan Risinger stated “Staff received questions regarding where existing septic systems are located and what would happen if they were damaged during construction. The county does not maintain records of drain fields. However, the applicant has provided documentation from the Virginia Department of Health. Staff also explored the possibility of adding an SUP condition to require that the applicant be responsible for remediation if a drain field is damaged during construction. However, after consultation with the county attorney's office, it was determined that this condition was not viable.”

Planning Commissioner Null from March 2, 2022 Planning Commission Meeting: “People are going to have trouble accessing their road or even getting out of their driveways during construction, even construction with the houses, but with the water and sewer too. I just don't think we should inconvenience them with doing something like that, that could potentially cost them a lot of money in the long run. So, I will not support this.”

Homeowners Robert and Carol Medford (87 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “They said that they request that the road be vetoed because it would mess up their septic tank and water which is close by the road and also she said that they'd rather for the sewer and hookup to be at the end of Bush Springs Road that way would not be connected at all going straight down Bush Springs Road.”

Homeowner Jimmy Smith (206 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My neighbor, to put the sewage line or water line, be sitting in her front porch. And the thing is that Bush Spring Road is a family knit community. A lot of children play on Bush Springs Road to open the road up in the volume of traffic could be telescopic. I mean, it just only thing I can say is thank God that there's no accidents have happened as of yet.” “We don't know who's going to come in, we don't know how they're going to respond to that condition because a lot of folks, they will say, oh, we've got a wide road now, let's gas on it, that's unacceptable, so as far as widening Busch-Spring Road, I'm against.”

4(c) The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter.

The facts associated with this exception request, compounded in the aggregate, establish a highly unique set of circumstances for the subject property (e.g., the documented detrimental effect on neighboring

property owners of the extension of public water and sewer, the fact that the project giving rise to the public water and sewer extension requirement will not be permitted to be served by such utilities, the property being developed “by right” consistent with its R-1 zoning designation which has been in place for over 40 years, the previous lack of support for a SUP to extend public water and sewer, etc.). Exceptions such as the one requested are very fact specific and are best handled on a case-by-case basis; such exceptions are not amenable to the formulation of a general rule or regulation.

4(d) No objection to the exception has been received in writing from the transportation department, health department, or fire chief.

The request for Waiver received comments from Transportation Department- Health department and Fire Chief

1.Fire Chief- In consideration of meetings, consultations and code research, I am in support of an alternative fire protection measure offered by Solara Builders related to their proposed project, Solara Woods, off Bush Springs Road. This alternative is acceptable if public water is not available or cannot be constructed due to legislative restrictions.

Solara Builders has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

The Virginia Statewide Fire Prevention Code (VSFPC) does not require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance of residential sprinkler systems would require a means outside of typical fire code enforcement. Solara Builders has offered potential HOA enforced maintenance requirements, covenant, and deed restriction language.

Installation and acceptance of the residential sprinkler systems will fall under the purview of the building official. Maintenance of the same systems would fall under the purview of the HOA, attached covenants and deed restrictions. Approval of the maintenance requirement language should be approved by the County Attorney.

Applicant Response "A fireman in each home". We are excited to showcase the fire suppression system that will be mandatory in each home at Solara Woods. This will be the second Zero Energy Ready Home Community in Virginia and the first home sprinkler community in Virginia located in James City County. Innovation and design work hand in hand to make this possible. I look forward to working with Building Safety and the Fire Department documenting this next level in home-building and design.

2. Health Department-VDH has no objections to the exception request, however each lot will be required to have a certification packet submitted to us for review and approval, before we can issue our final approval.

Applicant Response- Youngblood Tyler and Associates has completed the Soil Feasibility Study. Based on this information the developer has located primary and backup septic locations for the 38

lots located on 80 acres. To be submitted in the normal development process for final approval by VDH.

3. **Transportation-** VDOT has completed its review of the conceptual plan received by the VDOT Land Development Office on 23rd Jan 2025.

Following comments from VDOT –

(1) Final Site plan should reflect CG-9B entrance and drainage details on the sheets

(2) A turn lane warrant, auto turn analysis and site distance consideration study should be submitted before commencement of the subdivision work. A comprehensive TIA is not required.

(3) Detailed site plans should reflect all VDOT std items such as stop sign, pavement markings, etc. Where work will be necessary within existing right of way, please provide an engineer's cost estimate with final plans. This will be used to set the surety amount for the Land Use Permit. A Land Use Permit will be required prior to construction within limits or easements (including temporary or permanent driveways and entrances).

Applicant Response – - Items 1 and 3 above will be addressed at subdivision approval process. At VDOT'S request – A autoturn analysis, a turn lane warrant and site distance consideration study at the Rt. 60 Richmond Road/Rt. 649 Bush Springs Road intersection will be submitted before commencement of the subdivision work.

(e) The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.

As indicated above, the injustice giving rise to this exception request is highly unique to the subject property (e.g., the documented detrimental effect on neighboring property owners of the extension of public water and sewer, the fact that the project giving rise to the public water and sewer extension requirement will not be permitted to be served by such utilities, the property being developed “by right” consistent with its R-1 zoning designation which has been in place for over 40 years, the previous lack of support for a SUP to extend public water and sewer, etc.). The injustice effectively prohibits the extension of public right of way (to be designed and constructed at the expense of the Applicant) to the property which, in turn, effectively prohibits its subdivision and meaningful use of the property consistent with its zoning. The injustice is imposed by applicable regulations due to the unique condition and location of the property; it is not a self-inflicted, personal, or financial in nature.

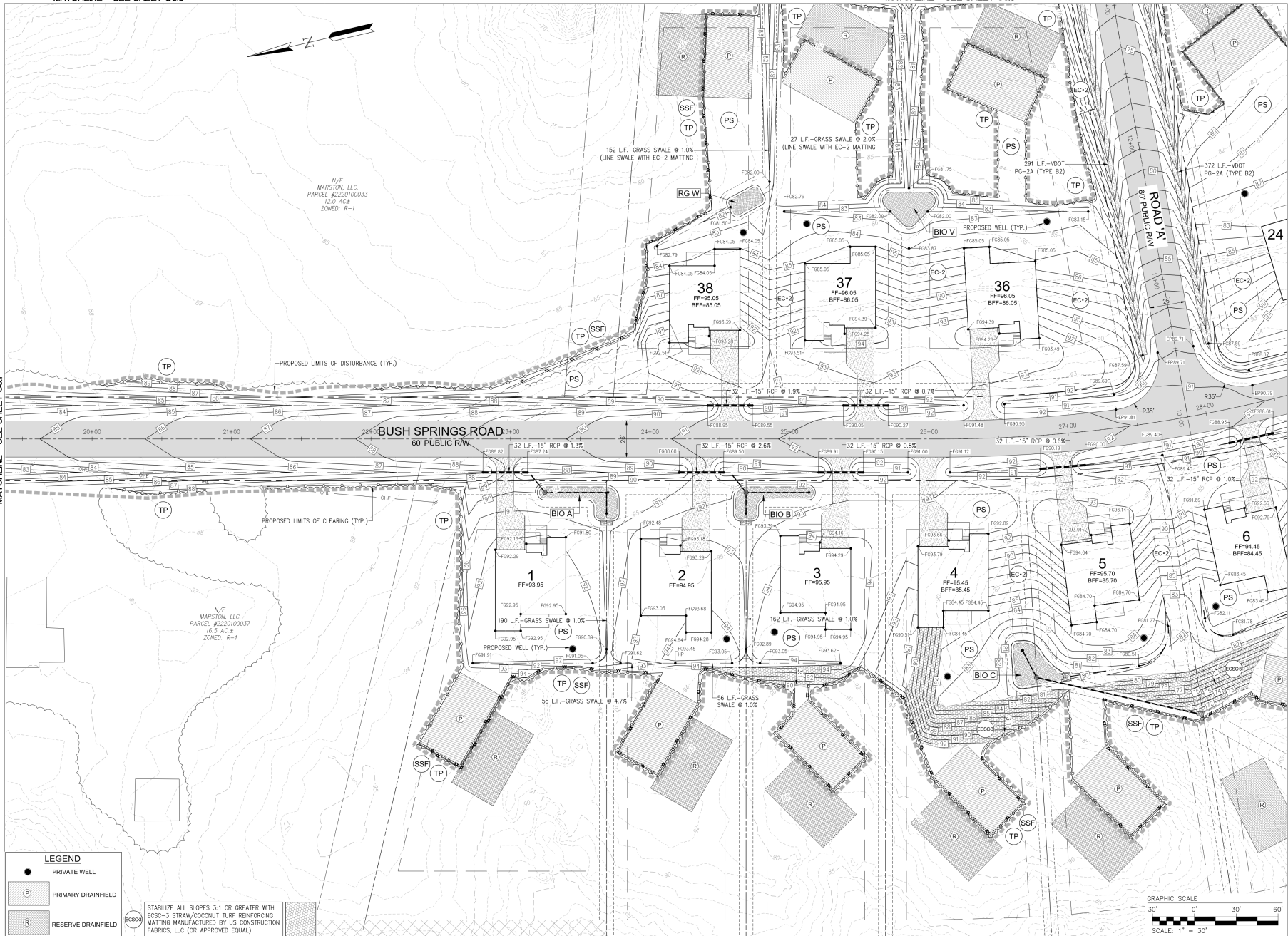
MATCHLINE - SEE SHEET C6.0

MATCHLINE - SEE SHEET C5.5

MATCHLINE - SEE SHEET C5.1

MATCHLINE - SEE SHEET C5.3

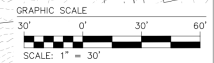
MATCHLINE - SEE SHEET C5.3



LEGEND

- PRIVATE WELL
- (P) PRIMARY DRAINFIELD
- (R) RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH EC50-3 STRAW/COCONUT TURF REINFORCING MATING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)



REVISIONS

DATE



SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: QSW
Sheet Title:
DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN

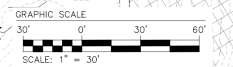
Sheet Number:
C5.2



LEGEND

- PRIVATE WELL
- (P) PRIMARY DRAINFIELD
- (R) RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECSS-3 STRAW/COCONUT TURF REINFORCING MATING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)



NO.	DATE	REVISION / COMMENTS / NOTES



LRI LANDTECH
 LANDSCAPE ARCHITECT
 205-4 E. Main Street, Suite 200, Williamsburg, VA 23188
 800-541-1111
 www.lri-landtech.com

SUBDIVISION PLAN FOR SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
 Date: February 26, 2024
 Job Number: 19-240
 Designed By: QSW
 Sheet Title: DEVELOPMENT PLAN AND PHASE 2 E&S PLAN
 Sheet Number: **C5.3**

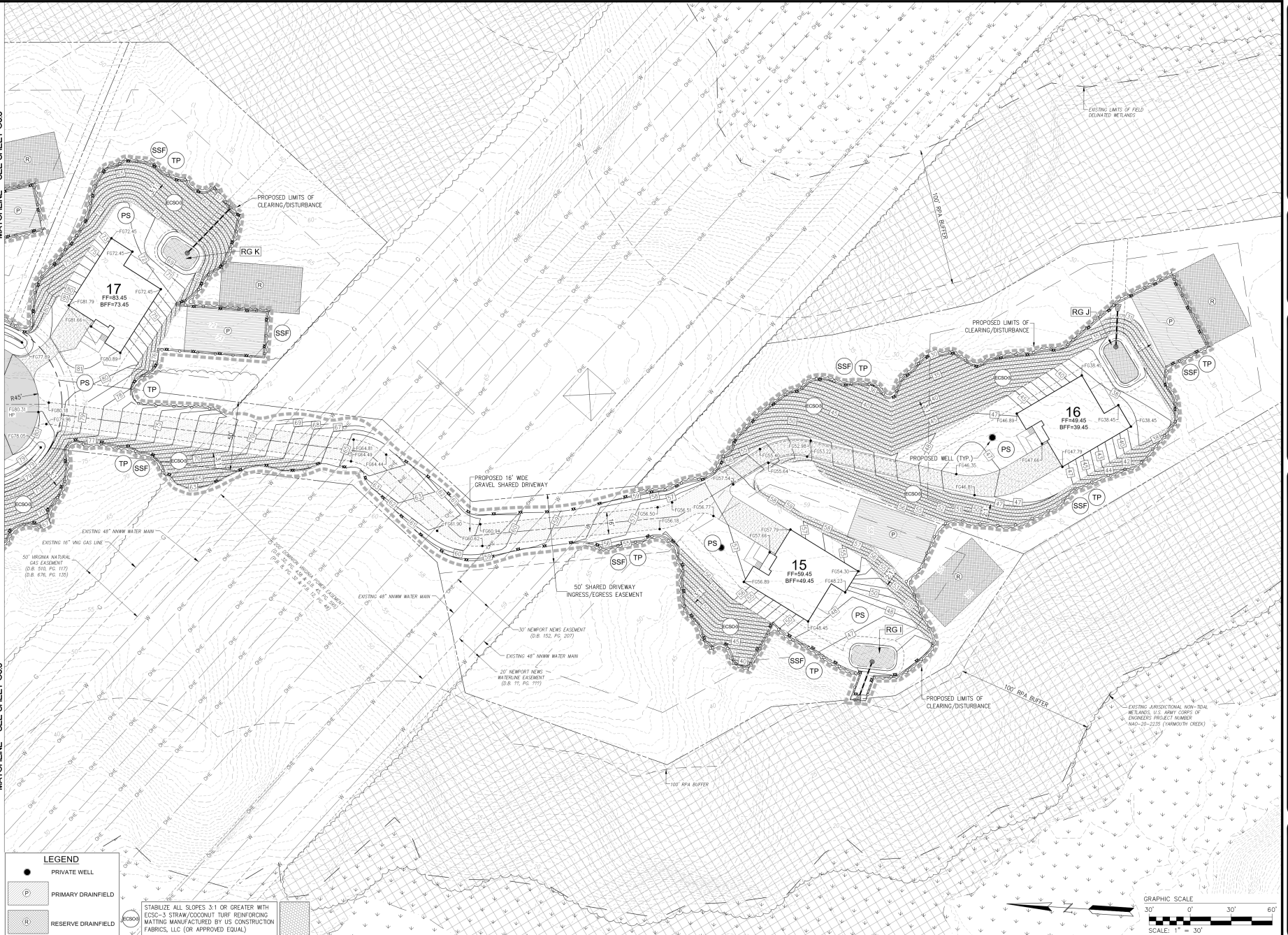
MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53

LEGEND

- PRIVATE WELL
- (P) PRIMARY DRAINFIELD
- (R) RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH
EC509-3 STRAW/COCONUT TURF REINFORCING
MATTING MANUFACTURED BY US CONSTRUCTION
FABRICS, LLC (OR APPROVED EQUAL)



REVISION NUMBER / DATE

DATE



SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: OSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**

Sheet Number:
C5.4

MATCHLINE - SEE SHEET C61

MATCHLINE - SEE SHEET C52

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C60

STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECOC-3 STRAW/COCONUT FIBER REINFORCING MATTING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)

LEGEND

- PRIVATE WELL
- PRIMARY DRAINFIELD
- RESERVE DRAINFIELD

REVISION NUMBER / DATE



SUBDIVISION PLAN
FOR
SOLARA WOODS
JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: QSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.5





James City County Fire Marshal's Office
5077 John Tyler Highway
Williamsburg, VA 23185
(F) 757-220-9125 (O) 757-220-0626

FIRE

C-25-0002 Solara Woods-Water and Sewer Subdivision Exception Request

Joseph Davis, Fire Marshal, with Ryan Ashe, Fire Chief, concurring

February 4, 2025

Based on the transmittal instructions, the Fire Chief, among others, is requested to note any objections to the proposed development being served by individual wells. Conversely, if the Fire Chief objects to this exception request, public water (including fire hydrants) will be required to be installed to serve the subject properties.

Currently there are no fire hydrants on Bush Springs Roads except on the northerly end at the intersections of Richmond Road and Toano Woods Road, respectively. If the waterline were extended, a minimum of five fire hydrants serving 40 parcels would be added within the existing PSA. With the proposed conceptual plan, a minimum of three fire hydrants would serve the 38-parcel major subdivision. It is over 6000 feet from the closest existing fire hydrant to the furthest proposed residence.

Fire hydrants providing a minimum required fire flow of 1000 gpm add significantly to any fire department's ability to contain and extinguish residential structure fires. There are marked efficiencies in fire department operations utilizing fire hydrants versus rural water supplies including the transport of water from distant water sources via additional assigned fire engines and tankers. These rural water supply operations often occur on narrower secondary roads.

The addition of a reliable fire protection water supply to the area may provide positive property owner impacts regarding hazard insurance premiums. James City County's ISO Public Protection Class is a split rating of 2/2Y whereas buildings within 1000 feet of a fire hydrant have a better rating than those which do not.

Two comments are made in response to the applicant's request for exception document submitted with the conceptual plans:

Under 4(b), the granting of the exception request maintains status quo relative fire protection, however, not granting the exception would enhance fire protection for approximately 78 parcels.

Under 4(d), no objection to the exception was received in writing from the Fire Chief during the prior SUP process is not representative of the Fire Department position. The Fire Marshal at the time of review of SUP-21-0023, Bush Springs Road Water and Sewer Extension (dated December 6, 2021), noted that the project “must adhere to the JCC and JCSA standards for hydrant spacing” and “add/place fire hydrants to meet JCC requirements.” The submitted plan at the time did not include fire hydrant locations but indicated a 12 inch water main tying into the JCSA system near Toano Woods. The review was based on the project’s intended installation of public water and there was no Fire Department implication that the proposed waterline addition with fire hydrants was not desired or needed.

The Fire Department does object to this exception request.

Comments regarding the conceptual plan outside of the specific exception request are:

- Per Virginia Statewide Fire Prevention Code (VSFPC) Section 503, the proposed roadways and common driveway are considered fire apparatus access roads and are required including the following:
 - minimum 20-foot width (to within 150 ft of furthest accessible point of the building)
 - all weather road surface able to support 82,000-pound fire department vehicles
 - dead end roads in excess of 150 feet are required to accommodate a turnaround for fire apparatus
 - proposed cul-de-sacs require a 45 ft wall-to-wall turning radius.

MEMORANDUM

DATE: April 21, 2025
TO: Paul Holt, Director of Community Development
FROM: Joseph Davis, Fire Marshal 
SUBJECT: Solara Woods

In consideration of meetings, consultations and code research, I am in support of an alternative fire protection measure offered by Solara Builders related to their proposed project, Solara Woods, off Bush Springs Road. This alternative is acceptable if public water is not available or cannot be constructed due to legislative restrictions.

Solara Builders has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

The Virginia Statewide Fire Prevention Code (VSFPC) does not require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance of residential sprinkler systems would require a means outside of typical fire code enforcement. Solara Builders has offered potential HOA enforced maintenance requirements, covenant, and deed restriction language.

Installation and acceptance of the residential sprinkler systems will fall under the purview of the building official. Maintenance of the same systems would fall under the purview of the HOA, attached covenants and deed restrictions. Approval of the maintenance requirement language should be approved by the County Attorney.

I am available for any questions.

CONCUR:


Ryan Ashe, Fire Chief

Attachments

FIRE SPRINKLER SYSTEM NOTICE

Keeping Your Home Safe in Solara Woods

James City County's 1st NFPA 13D Residential Fire Sprinkler System Community : Like having a firefighter living in your home!

Your Home is Equipped with a Life-Saving Feature:

Your new home is protected by a **residential fire sprinkler system** installed under **NFPA 13D** standards. This system is designed to detect and suppress fires automatically, giving you and your loved ones critical time to escape safely—and potentially stopping a fire before it spreads.

Homeowner Responsibilities

To keep your system working as intended:

1. Annual Inspection Required

You must have the system **inspected and tested once per year** by a licensed contractor.

2. Provide Proof of Inspection to the HOA

A copy of the inspection certificate or service report must be submitted to the HOA annually. This ensures community-wide safety compliance.

3. Keep the System Active

Do not disconnect, tamper with, or remove the system or its components unless you are replacing or repairing them with approval and proper permits.

Why This Matters

- **Safety:** The system can stop a fire in its earliest stage—protecting your home, family, and neighbors.
 - **Insurance:** Many insurers offer discounts for having a sprinkler system—maintaining it keeps you eligible.
 - **Community Compliance:** This is a required part of your HOA agreement and deed covenant.
-

 Need Help?

We recommend the following licensed contractors for annual service:

Eagle Fire

7459 White Pine Rd

Richmond, VA 23237

P: (804) 743-2500

 Due Date:

Your first annual inspection is due no later than:

 _____ **– one year from move-in or certificate of occupancy**

13D Fire Sprinkler System Maintenance Enforcement Plan for Solara Woods:

1. HOA-Enforced Maintenance Requirements

Will include sprinkler maintenance language in the **HOA Covenants, Conditions & Restrictions (CC&Rs)**:

- We will require **annual inspection and certification** by a licensed contractor.
 - We will require homeowners to provide **proof of inspection** to the HOA each year with records available to Fire Marshall.
 - We will include language that clearly outlines **non-compliance consequences**, such as fines or liens.
-

2. Recorded Deed Restrictions or Covenants

In addition to HOA rules, we will **record a covenant on each lot** at the time of sale:

- This will require that the in-home sprinkler system be kept **operational and code-compliant**.
 - Even if a home is sold later, this requirement runs with the land.
-

Sample HOA Covenant Language:

Section X: Fire Sprinkler System Maintenance

Each residence within the subdivision is equipped with a residential fire sprinkler system compliant with NFPA 13D standards. To ensure continued safety and effectiveness, the following requirements apply:

1. **Inspection Requirement:** Homeowners shall have their sprinkler systems inspected and tested by a licensed contractor no less than once every twelve (12) months.
2. **Proof of Compliance:** Homeowners shall provide the HOA with written certification from a licensed contractor indicating the system has been inspected, tested, and is in proper working order.
3. **Failure to Comply:** Failure to maintain or test the system as required will result in a written notice of violation. Continued noncompliance after thirty (30) days may result in penalties including fines and/or the placement of a lien, subject to the enforcement provisions of these Covenants.
4. **Alterations Prohibited:** No homeowner shall disable, alter, or remove any part of the sprinkler system without prior approval from the HOA and confirmation that the change complies with all applicable codes.

Sample Deed Restriction Language:

Fire Sprinkler System Operation and Maintenance Requirement

This lot and the residence constructed upon it shall include a residential fire sprinkler system installed in accordance with NFPA 13D standards. The owner of the property shall, at their sole expense, ensure the system remains in working condition and is inspected and certified by a licensed contractor at least once per year and proof of inspection given to HOA. This requirement shall run with the land and bind all successors in title.

SHEET C4.4

N/F
JAMES CITY COUNTY
PARCEL #233010001B
ZONED: A-1

N/F
JAMES CITY COUNTY
PARCEL #233010001B
ZONED: A-1

N/F
WARREN O. MABLE WYNNE
PARCEL #2220100029
ZONED: R-1

N/F
CHARLES E. &
LORI WALKER
PARCEL #2220100032A
ZONED: R-1

N/F
CLARENCE
WASHINGTON ESTATE
PARCEL #2220100031
ZONED: R-1

N/F
ALICE R. WILSON
PARCEL #2220100041
ZONED: R-1

N/F
JAMES W. BRAXTON, JR.
PARCEL #2220100032C
ZONED: R-1

N/F
JAMES W. BRAXTON, JR.
PARCEL #2220100032B
ZONED: R-1

N/F
RICHARD O'NEAL MOORE
PARCEL #2220100030
ZONED: R-1

N/F
MARSTON, LLC.
PARCEL #2220100038
1.5 AC.±
ZONED: R-1

N/F
ROBERT N. SMITH
PARCEL #2220100042
ZONED: R-1

N/F
EUROHARDT M. TABB
ESTATE
PARCEL #2220100039
ZONED: R-1

N/F
PEACHIE R. HOLLAND &
MARK PAULETTE L.
LANDCASTER
PARCEL #2220100040
ZONED: R-1

N/F
WILLIAM ALBERT
BRAXTON ESTATE
PARCEL #2220100043
ZONED: R-1

N/F
MARSTON, LLC.
PARCEL #2220100033
12.0 AC.±
ZONED: R-1

N/F
MARSTON, LLC.
PARCEL #2220100037
16.5 AC.±
ZONED: R-1

N/F
HIDDEN ACRES FARM, INC.
PARCEL #2330100001
ZONED: A-1

200' DOMINION VIRGINIA POWER EASEMENT
D.B. 32, PG. 438
P.B. 8, PG. 32
D.B. 45, PG. 595
P.B. 12, PG. 48

30' NEWPORT NEWS EASEMENT
D.B. 152, PG. 207

SHEET C4.1

N/F
ANNETTE WISE FLOYD
PARCEL #2220100058
ZONED: R-8

N/F
ANNETTE WISE FLOYD
PARCEL #2220100059
ZONED: R-8

N/F
ANNETTE WISE FLOYD
PARCEL #2220100061
ZONED: R-8

N/F
EUGENIE K. &
DORIS BROWN
PARCEL #2220100062
ZONED: R-8

N/F
THOMAS L. WYNNE, SR.
& ELLEN P. WYNNE
PARCEL #2220100065
ZONED: R-8

N/F
MICHAEL M. GRIMES
PARCEL #2220100066
ZONED: R-8

N/F
EDITH S. BOWMAN
PARCEL #2220100069
ZONED: R-8

N/F
LORRAINE R. HAWKINS &
WALTER WALLACE
PARCEL #2220100074
ZONED: R-8

N/F
LOIS G. REED
PARCEL #2220100073A
ZONED: R-8

N/F
TOP NOTCH BUILDERS, INC.
PARCEL #2220100076C
ZONED: R-8

N/F
KIRK E. ADAMS
PARCEL #2220100077
ZONED: R-8

N/F
VIRGINIA ELECTRIC &
POWER COMPANY
PARCEL #2220100078
ZONED: R-8

50' VIRGINIA NATURAL GAS EASEMENT
D.B. 510, PG. 117
D.B. 676, PG. 135

200' DOMINION VIRGINIA POWER EASEMENT
D.B. 32, PG. 438
P.B. 8, PG. 32
D.B. 45, PG. 595
P.B. 12, PG. 48

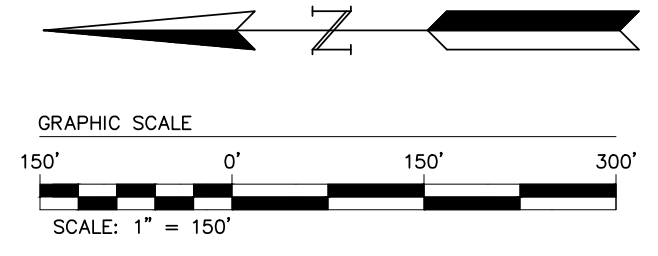
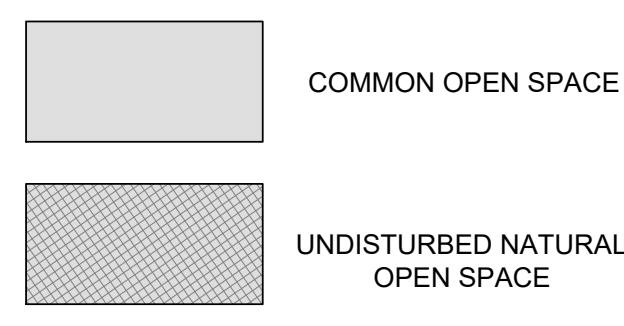
LAND USE SUMMARY

	S.F.	AC.	PERCENTAGE
AREA OF SINGLE-FAMILY LOTS:	1,466,847	33.674	30.4%
AREA OF PUBLIC RIGHT-OF WAY:	230,000	5.280	4.8%
AREA OF COMMON OPEN SPACE:	1,882,023	43.205	38.9%
OVERALL DEVELOPMENT AREA:	3,578,870	82.160	74.1%
NON-DEVELOPABLE AREA:			
WETLANDS:	599,718	13.768	16.8%
RESOURCE PROTECTION AREA:	820,148	18.828	22.9%
UTILITY EASEMENTS:	125,296	2.876	3.5%
SLOPES 25% OR GREATER:	183,748	4.218	5.1%
TOTAL NON-DEVELOPABLE AREA:	1,728,910	39.690	48.3%
TOTAL NET DEVELOPABLE AREA:	1,849,960	42.469	51.7%

UNDISTURBED NATURAL OPEN SPACE:	S.F.	AC.
AREA #1:	532,243	12.219
AREA #2:	337,981	7.759
AREA #3:	623,704	14.318
TOTAL UNDISTURBED NATURAL OPEN SPACE:	1,493,928	34.296

TOTAL NUMBER OF SINGLE-FAMILY LOTS:	38
SMALLEST SINGLE-FAMILY LOT 23	(30,000 S.F. / 0.689 AC.)
LARGEST SINGLE-FAMILY LOT 16	(77,586 S.F. / 1.781 AC.)
AVERAGE LOT SIZE (SFD):	38,677 S.F. / 0.888 AC.
NET DENSITY:	1.12 LOTS PER ACRE (38 LOTS DIVIDED BY 42.469 AC.)

LEGEND

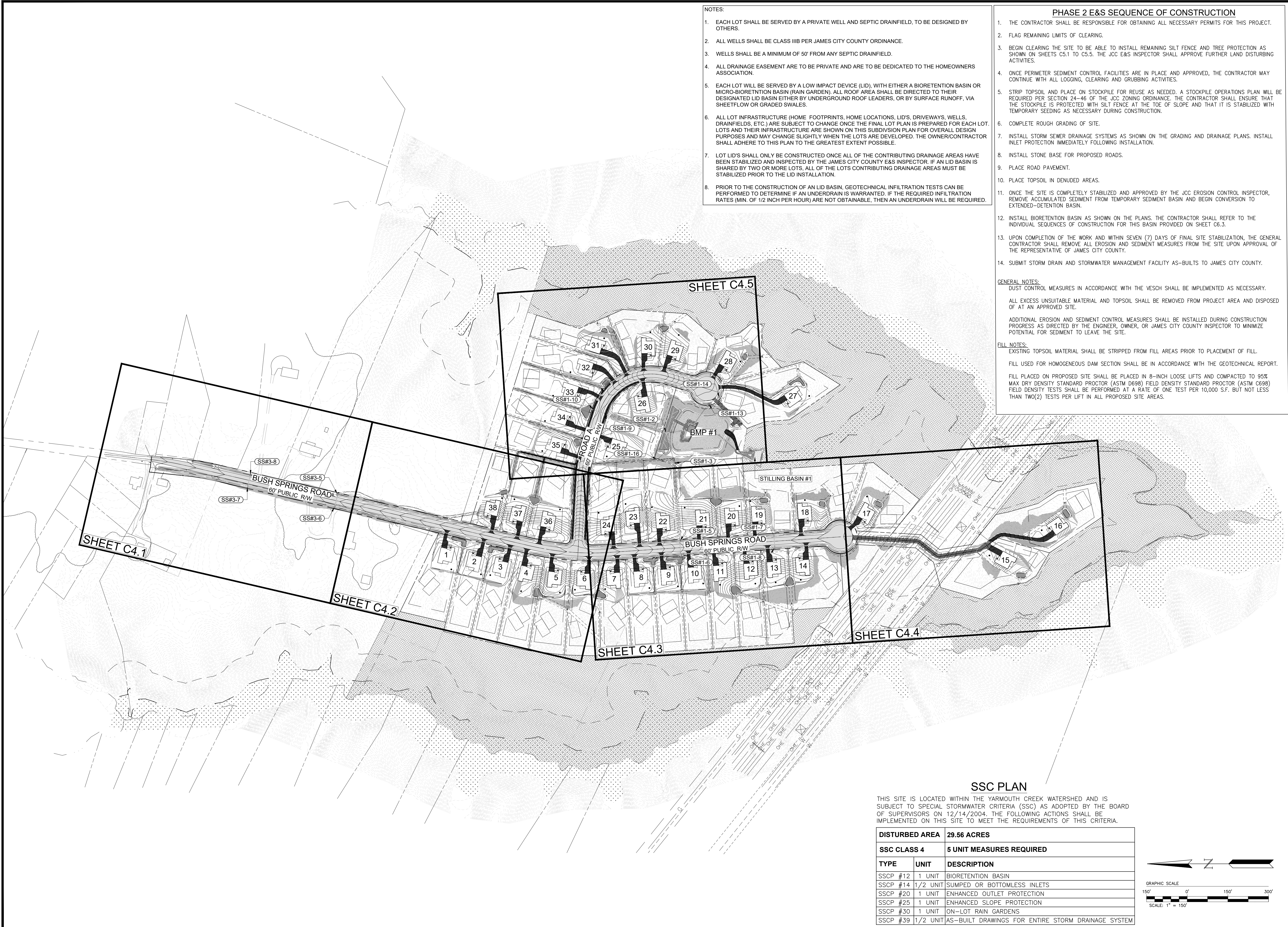


SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=150'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
OVERALL
PRELIMINARY
PLAT
Sheet Number:
C4.0





- NOTES:
1. EACH LOT SHALL BE SERVED BY A PRIVATE WELL AND SEPTIC DRAINFIELD, TO BE DESIGNED BY OTHERS.
 2. ALL WELLS SHALL BE CLASS IIIB PER JAMES CITY COUNTY ORDINANCE.
 3. WELLS SHALL BE A MINIMUM OF 50' FROM ANY SEPTIC DRAINFIELD.
 4. ALL DRAINAGE EASEMENT ARE TO BE PRIVATE AND ARE TO BE DEDICATED TO THE HOMEOWNERS ASSOCIATION.
 5. EACH LOT WILL BE SERVED BY A LOW IMPACT DEVICE (LID), WITH EITHER A BIORETENTION BASIN OR MICRO-BIORETENTION BASIN (RAIN GARDEN). ALL ROOF AREA SHALL BE DIRECTED TO THEIR DESIGNATED LID BASIN EITHER BY UNDERGROUND ROOF LEADERS, OR BY SURFACE RUNOFF, VIA SHEETFLOW OR GRADED SWALES.
 6. ALL LOT INFRASTRUCTURE (HOME FOOTPRINTS, HOME LOCATIONS, LID'S, DRIVEWAYS, WELLS, DRAINFIELDS, ETC.) ARE SUBJECT TO CHANGE ONCE THE FINAL LOT PLAN IS PREPARED FOR EACH LOT. LOTS AND THEIR INFRASTRUCTURE ARE SHOWN ON THIS SUBDIVISION PLAN FOR OVERALL DESIGN PURPOSES AND MAY CHANGE SLIGHTLY WHEN THE LOTS ARE DEVELOPED. THE OWNER/CONTRACTOR SHALL ADHERE TO THIS PLAN TO THE GREATEST EXTENT POSSIBLE.
 7. LOT LID'S SHALL ONLY BE CONSTRUCTED ONCE ALL OF THE CONTRIBUTING DRAINAGE AREAS HAVE BEEN STABILIZED AND INSPECTED BY THE JAMES CITY COUNTY E&S INSPECTOR. IF AN LID BASIN IS SHARED BY TWO OR MORE LOTS, ALL OF THE LOTS CONTRIBUTING DRAINAGE AREAS MUST BE STABILIZED PRIOR TO THE LID INSTALLATION.
 8. PRIOR TO THE CONSTRUCTION OF AN LID BASIN, GEOTECHNICAL INFILTRATION TESTS CAN BE PERFORMED TO DETERMINE IF AN UNDERDRAIN IS WARRANTED. IF THE REQUIRED INFILTRATION RATES (MIN. OF 1/2 INCH PER HOUR) ARE NOT OBTAINABLE, THEN AN UNDERDRAIN WILL BE REQUIRED.

- PHASE 2 E&S SEQUENCE OF CONSTRUCTION
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THIS PROJECT.
 2. FLAG REMAINING LIMITS OF CLEARING.
 3. BEGIN CLEARING THE SITE TO BE ABLE TO INSTALL REMAINING SILT FENCE AND TREE PROTECTION AS SHOWN ON SHEETS C5.1 TO C5.5. THE JCC E&S INSPECTOR SHALL APPROVE FURTHER LAND DISTURBING ACTIVITIES.
 4. ONCE PERIMETER SEDIMENT CONTROL FACILITIES ARE IN PLACE AND APPROVED, THE CONTRACTOR MAY CONTINUE WITH ALL LOGGING, CLEARING AND GRUBBING ACTIVITIES.
 5. STRIP TOPSOIL AND PLACE ON STOCKPILE FOR REUSE AS NEEDED. A STOCKPILE OPERATIONS PLAN WILL BE REQUIRED PER SECTION 24-46 OF THE JCC ZONING ORDINANCE. THE CONTRACTOR SHALL ENSURE THAT THE STOCKPILE IS PROTECTED WITH SILT FENCE AT THE TOE OF SLOPE AND THAT IT IS STABILIZED WITH TEMPORARY SEEDING AS NECESSARY DURING CONSTRUCTION.
 6. COMPLETE ROUGH GRADING OF SITE.
 7. INSTALL STORM SEWER DRAINAGE SYSTEMS AS SHOWN ON THE GRADING AND DRAINAGE PLANS. INSTALL INLET PROTECTION IMMEDIATELY FOLLOWING INSTALLATION.
 8. INSTALL STONE BASE FOR PROPOSED ROADS.
 9. PLACE ROAD PAVEMENT.
 10. PLACE TOPSOIL IN DENUDED AREAS.
 11. ONCE THE SITE IS COMPLETELY STABILIZED AND APPROVED BY THE JCC EROSION CONTROL INSPECTOR, REMOVE ACCUMULATED SEDIMENT FROM TEMPORARY SEDIMENT BASIN AND BEGIN CONVERSION TO EXTENDED-DETENTION BASIN.
 12. INSTALL BIORETENTION BASIN AS SHOWN ON THE PLANS. THE CONTRACTOR SHALL REFER TO THE INDIVIDUAL SEQUENCES OF CONSTRUCTION FOR THIS BASIN PROVIDED ON SHEET C6.3.
 13. UPON COMPLETION OF THE WORK AND WITHIN SEVEN (7) DAYS OF FINAL SITE STABILIZATION, THE GENERAL CONTRACTOR SHALL REMOVE ALL EROSION AND SEDIMENT MEASURES FROM THE SITE UPON APPROVAL OF THE REPRESENTATIVE OF JAMES CITY COUNTY.
 14. SUBMIT STORM DRAIN AND STORMWATER MANAGEMENT FACILITY AS-BUILTS TO JAMES CITY COUNTY.

GENERAL NOTES:

DUST CONTROL MEASURES IN ACCORDANCE WITH THE VESCH SHALL BE IMPLEMENTED AS NECESSARY.

ALL EXCESS UNSUITABLE MATERIAL AND TOPSOIL SHALL BE REMOVED FROM PROJECT AREA AND DISPOSED OF AT AN APPROVED SITE.

ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED DURING CONSTRUCTION PROGRESS AS DIRECTED BY THE ENGINEER, OWNER, OR JAMES CITY COUNTY INSPECTOR TO MINIMIZE POTENTIAL FOR SEDIMENT TO LEAVE THE SITE.

FILL NOTES:

EXISTING TOPSOIL MATERIAL SHALL BE STRIPPED FROM FILL AREAS PRIOR TO PLACEMENT OF FILL.

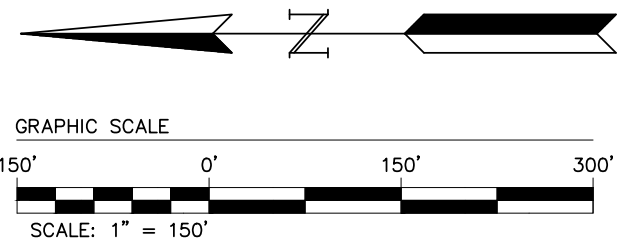
FILL USED FOR HOMOGENEOUS DAM SECTION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.

FILL PLACED ON PROPOSED SITE SHALL BE PLACED IN 8-INCH LOOSE LIFTS AND COMPACTED TO 95% MAX DRY DENSITY STANDARD PROCTOR (ASTM D698) FIELD DENSITY STANDARD PROCTOR (ASTM C698) FIELD DENSITY TESTS SHALL BE PERFORMED AT A RATE OF ONE TEST PER 10,000 S.F. BUT NOT LESS THAN TWO(2) TESTS PER LIFT IN ALL PROPOSED SITE AREAS.

SSC PLAN

THIS SITE IS LOCATED WITHIN THE YARMOUTH CREEK WATERSHED AND IS SUBJECT TO SPECIAL STORMWATER CRITERIA (SSC) AS ADOPTED BY THE BOARD OF SUPERVISORS ON 12/14/2004. THE FOLLOWING ACTIONS SHALL BE IMPLEMENTED ON THIS SITE TO MEET THE REQUIREMENTS OF THIS CRITERIA.

DISTURBED AREA		29.56 ACRES
SSC CLASS 4		5 UNIT MEASURES REQUIRED
TYPE	UNIT	DESCRIPTION
SSCP #12	1 UNIT	BIORETENTION BASIN
SSCP #14	1/2 UNIT	SUMPED OR BOTTOMLESS INLETS
SSCP #20	1 UNIT	ENHANCED OUTLET PROTECTION
SSCP #25	1 UNIT	ENHANCED SLOPE PROTECTION
SSCP #30	1 UNIT	ON-LOT RAIN GARDENS
SSCP #39	1/2 UNIT	AS-BUILT DRAWINGS FOR ENTIRE STORM DRAINAGE SYSTEM



REVISION / COMMENT / NOTE

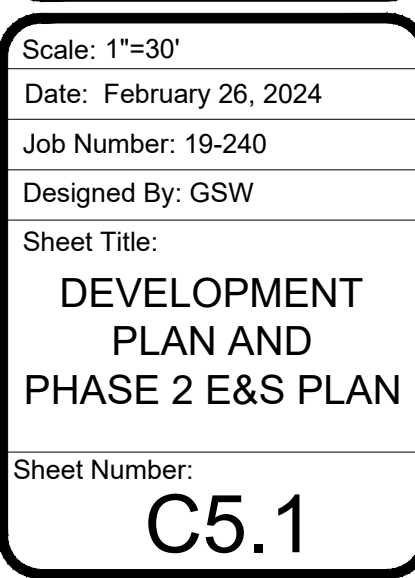
DATE

NO.

SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=150'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
OVERALL
DEVELOPMENT
PLAN
Sheet Number:
C5.0



Sheet Number:
C5.1

MATCHLINE - SEE SHEET C5.5



N/F
MARSTON, LLC.
PARCEL #2220100037
16.5 AC.±
ZONED: R-1

RESERVE DRAINFIELD

(ECSC-3)



Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
DEVELOPMENT PLAN AND PHASE 2 E&S PLA
Sheet Number:
C5.2

LRI
LANDTECH
RESOURCES, INC.
ENGINEERING • SURVEYING • GPS

[illegible]

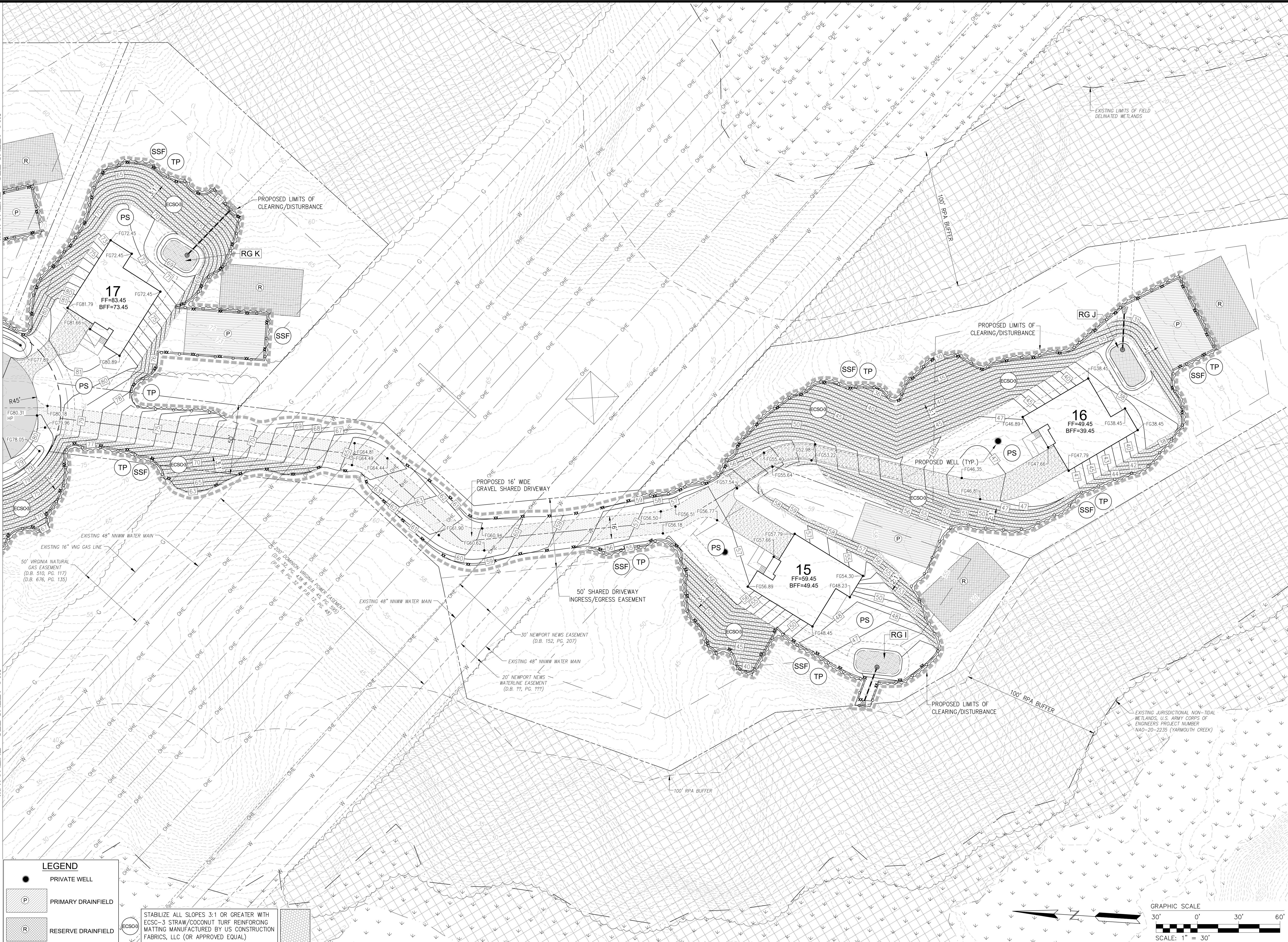
MATCHLINE - SEE SHEET C5.5



Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title: DEVELOPMENT PLAN AND PHASE 2 E&S PLAN
Sheet Number: C5.3

MATCHLINE - SEE SHEET C5.3

MATCHLINE - SEE SHEET C5.3



LEGEND

- PRIVATE WELL
- (P) PRIMARY DRAINFIELD
- (R) RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECSC-3 STRAW/COCONUT TURF REINFORCING MATTING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)

NO.	DATE	REVISION / COMMENT / NOTE



LRI LANDTECH RESOURCES, INC.
ENGINEERING • SURVEYING • GPS
2025 E. Ph. (757) 565-1677 Fax. (757) 565-0792
web: landtechresources.com

SUBDIVISION PLAN FOR SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title: **DEVELOPMENT PLAN AND PHASE 2 E&S PLAN**
Sheet Number: **C5.4**

MATCHLINE - SEE SHEET C61

MATCHLINE - SEE SHEET C52

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C60



REVISION / COMMENT / NOTE

DATE

NO.



SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed by: GSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.5

MEMORANDUM

DATE: March 24, 2025

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Initiation of Consideration of Amendments to the Zoning Ordinance and Subdivision Ordinance regarding Requirements for the Submittal of an Archaeological Study as Part of a Site Plan or Subdivision Application

In 1998, the James City County Board of Supervisors adopted an Archaeological Policy which seeks to identify and protect areas where significant archaeological potential exists.

In 2018, following changes in state code regarding legislative cases, the Board incorporated the Archaeological Policy into the Zoning and Subdivision Ordinances.

At the request of a supervisor at the March 10, 2026, meeting, staff has prepared the attached Initiating Resolution to consider possible amendments to the Zoning Ordinance and Subdivision Ordinance to consider adding additional waiver and exception provisions to the current requirements.

PDH/ap
InitConsArchStdy-mem

Attachment:
1. Resolution

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE REGARDING REQUIREMENTS FOR THE SUBMITTAL OF AN ARCHAEOLOGICAL STUDY AS PART OF A SITE PLAN OR SUBDIVISION APPLICATION

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the “Board”), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, section 15.2-2253 of the Virginia Code and County Code Section 19-10 authorize the Board to request the Planning Commission to prepare and recommend amendments to the Subdivision Ordinance; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance and Subdivision Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning in order to consider adding additional waiver and exception provisions to the current requirements. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request the Planning Commission to prepare and recommend amendments to Chapter 19, Subdivisions, in order to consider adding additional waiver and exception provisions to the current requirements. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Subdivision Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

John J. McGlennon
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

WAINWRIGHT
NULL
ICENHOUR
LARSON
MCGLENNON

VOTES

AYE NAY ABSTAIN ABSENT

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of March, 2026.

InitConsArchStdY-res

MEMORANDUM

DATE: March 24, 2025

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Initiation of Consideration of Amendments to the Zoning Ordinance and Subdivision Ordinance regarding Requirements for the Submittal of a Natural Resources Inventory as Part of a Site Plan or Subdivision Application

In 1999, the James City County Board of Supervisors adopted a Natural Resource Policy which seeks to identify and conserve areas with significant natural resource potential (i.e., Rare, Threatened and Endangered Species).

In 2018, following changes in state code regarding legislative cases, the Board incorporated the Natural Resource Policy into the Zoning and Subdivision Ordinances.

At the request of a supervisor at the March 10, 2026, meeting, staff has prepared the attached Initiating Resolution to consider possible amendments to the Zoning Ordinance and Subdivision Ordinance to consider adding additional waiver and exception provisions to the current requirements.

PDH/ap
InitConsNatResStdy-mem

Attachment:
1. Resolution

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE REGARDING REQUIREMENTS FOR THE SUBMITTAL OF A NATURAL RESOURCES INVENTORY AS PART OF A SITE PLAN OR SUBDIVISION APPLICATION

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the “Board”), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, section 15.2-2253 of the Virginia Code and County Code Section 19-10 authorize the Board to request the Planning Commission to prepare and recommend amendments to the Subdivision Ordinance; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance and Subdivision Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning in order to consider adding additional waiver and exception provisions to the current requirements. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request the Planning Commission to prepare and recommend amendments to Chapter 19, Subdivisions, in order to consider adding additional waiver and exception provisions to the current requirements. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Subdivision Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

John J. McGlennon
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>
WAINWRIGHT	_____	_____	_____	_____
NULL	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____
LARSON	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of March, 2026.

InitConsNatResStdy-res

MEMORANDUM

DATE: March 24, 2025

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Exterior Signs

The County's Sign Ordinance governs the location, erection, enlargement, expansion, alteration, operation, maintenance, relocation, and removal of exterior signs within the County.

At the request of a supervisor at the March 10, 2026, meeting, staff has prepared the attached Initiating Resolution to consider possible amendments to the Zoning Ordinance to consider preventing and/or regulating certain variable message display signs.

PDH/ap
InitConsExtSgns-mem

Attachment:
1. Resolution

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE

ZONING ORDINANCE REGARDING EXTERIOR SIGNS

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the “Board”), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance and Subdivision Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning in order to consider possible amendments to the Zoning Ordinance to consider preventing and/or regulating certain variable message display signs. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

John J. McGlennon
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>
WAINWRIGHT	_____	_____	_____	_____
NULL	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____
LARSON	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of March, 2026.

InitConsExtSgns-res