

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 23RD DAY OF JANUARY, NINETEEN HUNDRED EIGHTY-NINE, AT 1:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Thomas D. Mahone, Chairman, Jamestown District
Stewart U. Taylor, Vice-Chairman, Stonehouse District

Jack D. Edwards, Berkeley District
Perry M. DePue, Powhatan District
Thomas K. Norment, Jr., Roberts District
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - January 9, 1989

Mr. Mahone asked if there were corrections or additions to the minutes.

Mr. Taylor made a motion to approve the minutes as presented.

On a roll call, the vote was AYE: Norment, Taylor, Edwards, DePue, Mahone (5). NAY: (0).

C. PRESENTATION

1. Certificate of Appreciation - Victoria Gussman

Mr. Mahone read the resolution and presented the certificate of appreciation to Ms. Victoria Gussman.

R E S O L U T I O N

CERTIFICATE OF APPRECIATION

VICTORIA GUSSMAN

WHEREAS, VICTORIA GUSSMAN has served James City County since 1979, during a period of unprecedented growth for the County; and

WHEREAS, Tory has shown astute judgment, technical knowledge, and incisive problem solving skills in complex planning and development issues; and

WHEREAS, her attributes have been recognized as she assumed a position in the Planning Department in January 1980, was promoted to Planning Director in September 1984, and appointed the County's first Manager, Development Management in August 1987; and

WHEREAS, Tory, displaying a quiet strength, has contributed to the quality growth of this community through her leadership in projects such as the 1981 Update of the Comprehensive Plan, the 1985 Zoning Ordinance Revision, the Richmond Road Study, and the Ware Creek Reservoir project, culminating in the Corps of Engineers statement of intent to issue a permit and certification from the State Water Control Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby recognizes and expresses its gratitude to

VICTORIA GUSSMAN

for her past service to the citizens of James City County, and wishes her well as she assumes a new position that will continue to serve the community.

2. Hampton Roads Sanitation District - James R. Borberg, General Manager

Mr. James R. Borberg, General Manager of Hampton Roads Sanitation District reported on the recent sewer force main rupture and resulting spill, giving chronological order of events, and stating the breakdown occurred because of improper construction at time of installation.

In response to questions concerning timely repair and equipment availability, Mr. Borberg replied that the repair time would have been the same even if the event had happened during a week day, although repair work could have been started earlier. He also stated that all equipment needed was available, except for specific parts that had to be made.

D. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer for Virginia Department of Transportation, stated that bids will be taken on the Longhill Connector Road on February 21, with construction beginning approximately 45 days thereafter.

Mr. Norment asked about the status of a traffic analysis on speed limit in the Grove community.

Mr. Hall replied that the study will be made in two to three weeks.

Mr. Mahone asked if the Highway Department might consider raising the ticket charge for the Jamestown-Scotland ferry.

Mr. Hall responded that he was unaware of a study at this time. He further stated that the Commissioner of Virginia Department of Transportation would be requesting approval of additional staff for ferry service from the current General Assembly.

E. PUBLIC HEARINGS

Mr. Marvin Sowers, Director of Planning, introduced a new employee, Donald E. Davis, Principal Planner, who came from the City of Jacksonville, North Carolina.

1. Case No. SUP-47-88. George Richardson

Mr. Sowers stated that Mr. George Richardson had submitted an application for a special use permit to allow the replacement of his manufactured home on 3.988 acres, which he owns, located at 3227 Chickahominy Road.

Staff recommended approval of the special use permit with the conditions listed in the resolution.

Mr. Mahone opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

On a roll call, the vote was AYE: Norment, Taylor, Edwards, DePue, Mahone (5). NAY: (0).

R E S O L U T I O N

CASE NO. SUP-47-88. George Richardson

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special Use Permit be granted for the placement of a mobile home on property owned and developed by the applicant as described below and on the attached site location map.

| | |
|-------------------------|------------------------|
| Applicant: | George Richardson |
| Real Estate Tax Map ID: | 10-1 |
| Parcel No.: | 1-35 |
| Address: | 3227 Chickahominy Road |
| District: | Stonehouse |

Zoning:

A-1

Conditions:

1. This permit shall be valid only for a manufactured home applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised within one year from the date of approval, it shall become void.
2. The manufactured home shall be skirted and shall meet requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
3. The number of bedrooms shall not exceed two.
4. There shall be no tree cutting or land clearing activity on the site more than 200 feet in depth from the front property line, except as approved in writing by the County Engineer.
5. Existing vegetation shall be maintained within 20 feet of all property lines except where clearing is required for utilities and necessary entrances.
6. The existing manufactured home shall be removed from the site within 30 days of the placement of the manufactured home approved by this special use permit.

F. CONSENT CALENDAR

Mr. Mahone asked if any Board member wished to remove any item from the Consent Calendar.

Mr. Edwards made a motion to approve the Consent Calendar.

On a roll call, the vote was AYE: Norment, Taylor, Edwards, DePue, Mahone (5). NAY: (0).

1. Dedication of Streets in Chanco's Grant, Section IIR E S O L U T I O NDEDICATION OF STREETS IN CHANCO'S GRANT, SECTION II

WHEREAS, the developer of Chanco's Grant, Section II has requested the Board of Supervisors to include certain streets in the State Secondary Highway System; and

WHEREAS, the Board of Supervisors desires certain streets in Chanco's Grant, Section II to be included in the State Secondary Highway System, provided these streets meet with the requirements of the Virginia Department of Transportation, and providing that any alterations, corrections, or other matters that might be found desirable by the Virginia Department of Transportation are made within a ninety (90) day period from the date that the Virginia Department of Transportation makes its final inspection.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Virginia Department of Transportation be, and is hereby respectfully requested, contingent on the above, to include the following streets in Chanco's Grant, Section II, Jamestown, Election District, James City County, in the State Secondary Highway System:

1. Williams Bedford, 60 foot right-of-way
From: Intersection of Richard Pace
To: Intersection of John Proctor
Distance: 0.29 miles
2. Richard Buck North, 50 foot right-of-way
From: William Bedford
To: End of cul-de-sac
Distance: 0.10 miles
3. Richard Buck South, 50 foot right-of-way
From: William Bedford
To: End of cul-de-sac
Distance: 0.15 miles
4. Richard Grove North, 50 foot right-of-way
From: William Bedford
To: End of cul-de-sac
Distance: 0.08 miles

- 5. Richard Grove South, 50 foot right-of-way
From: William Bedford
To: End of cul-de-sac
Distance: 0.22 miles
- 6. Francis Chapman West, 50 foot right-of-way
From: William Bedford
To: End of cul-de-sac
Distance: 0.13 miles
- 7. Francis Chapman North, 50 foot right-of-way
From: Francis Chapman West
To: End of cul-de-sac
Distance: 0.05 miles
- 8. John Proctor West, 50 foot right-of-way
From: William Bedford
To: End of cul-de-sac
Distance: 0.11 miles
- 9. John Proctor East, 50 foot right-of-way
From: William Bedford
To: End of cul-de-sac
Distance: 0.10 miles

The rights-of-way of 50 and 60 feet, along with drainage easements, are guaranteed as evidenced by the following plats of record:

Chanco's Grant, Section II, Phase I, recorded in Plat Book 44, page 26, dated December 18, 1986; Chanco's Grant Section II, Phase II, recorded in Plat Book 45, page 58, dated May 29, 1987; and Chanco's Grant Section I, recorded in Plat Book 42, page 60, dated May 13, 1986.

BE IT FURTHER RESOLVED that this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

2. Jamestown-Scotland Ferry System

R E S O L U T I O N

JAMESTOWN - SCOTLAND FERRY SYSTEM

WHEREAS, the Virginia Department of Transportation operates the Jamestown-Scotland Ferry system which has experienced tremendous growth in commuter and tourist traffic use over the last decade; and

WHEREAS, the Board of Supervisors of James City County supports the maintenance and expansion of the current level of service to commuters and tourist provided by the Jamestown-Scotland Ferry system; and

WHEREAS, this growth without a corresponding expansion of the equipment and service is impairing the ferry system's ability to adequately serve its users in an efficient and timely manner.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests the 1989 Virginia General Assembly to provide adequate funding to upgrade the ferry service to a level adequate to meet growing demands of an expanding growth in commuter and tourist traffic.

3. Budget Transfer - School Capital Projects

R E S O L U T I O N

CLARA BAKER SCHOOL

WHEREAS, the Board of Supervisors of James City County has been requested by the Williamsburg/James City County School Board to transfer \$172,125 from Air Conditioning, Lafayette Roof and Gutter Repair Capital Projects to the construction budget for Clara Baker School.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following budget transfer:

Capital Projects Fund

| | | |
|-------|--------------------------|------------|
| From: | Air Conditioning - Rawls | |
| | Byrd and Matthew Whaley | \$ 3,298 |
| | Lafayette Roof Repair | 168,066 |
| | Matthew Whaley Gutters | <u>761</u> |
| | | \$172,125 |
| To: | Clara Baker School | |
| | Construction | \$172,125 |

4. Multifamily Rehabilitation and Energy Conservation Loan Program

R E S O L U T I O N

AUTHORIZATION TO SUBMIT AN APPLICATION FOR A

RESERVATION OF VHPF

MULTIFAMILY REHABILITATION AND ENERGY CONSERVATION LOANS

WHEREAS, the Commonwealth of Virginia Department of Housing and Community Development has issued a Notice of Funding Availability and Request for Proposals under the Virginia Housing Partnership Fund Multifamily Rehabilitation and Energy Conservation Loan Program; and

WHEREAS, there is a demonstrated need for low interest financing to rehabilitate and preserve the County's supply of existing moderately priced rental housing; and

WHEREAS, the James City County Office of Community Development has the required background to administer this program.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to apply for and accept a reservation of \$75,000 of VHPF Multifamily Rehabilitation and Energy Conservation Loan funds.

BE IT FURTHER RESOLVED THAT the County Administrator shall be authorized to apply for designation of the Office of Community Development as the Local Administrator of this program within James City County.

5. Acquisition of Voting Machines

R E S O L U T I O N

VOTING MACHINES

WHEREAS, the County Electoral Board has advised the Board of Supervisors of James City County, Virginia, of the need for seven voting machines to keep pace with increasing voter registration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the transfer of \$11,865 from Operating Contingency to the budget of the Electoral Board to allow the acquisition of seven voting machines.

6. Terms and Appointment of the James City Service Authority Board of Directors

R E S O L U T I O N

APPOINTMENT AND TERMS OF JAMES CITY SERVICE AUTHORITY

BOARD OF DIRECTORS

WHEREAS, the Board of Supervisors of James City County deems it appropriate to appoint the members of the James City Service Authority (JCSA) and set their terms.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby appoints the following to the Board of Directors of the JCSA:

Term to expire:

| | |
|------------------------|-------------------|
| Thomas D. Mahone | December 31, 1989 |
| Perry M. DePue | December 31, 1989 |
| Jack D. Edwards | December 31, 1991 |
| Stewart U. Taylor | December 31, 1991 |
| Thomas K. Norment, Jr. | December 31, 1991 |

F. BOARD CONSIDERATIONS

1. Vacation of Right-of-Way - .072 Acres Adjacent to Midlands Road

Mr. Edwards requested that the Vacation Ordinance, postponed from the January 9, 1989 Board of Supervisors meeting, be considered.

Mr. Larry W. Davis, Assistant County Attorney, had reported at the January 9 meeting that Mr. Joseph S. Terrell, on behalf of himself and Essie G. Terrell, had applied for a certain .072 acre triangle of right-of-way adjacent to property owned by them be vacated and returned to their ownership.

Mr. Edwards made a motion to approve the ordinance.

On a roll call, the vote was AYE: Norment, Taylor, Edwards, DePue, Mahone (5). NAY: (0).

G. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David Norman, County Administrator, requested an executive session on land acquisition, and noted a work session with the Planning Commission was scheduled for 2:00 p.m.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone stated that his established office hours would be 3:00 - 5:00 p.m. on Thursdays in Building C at the Government Complex.

Mr. Mahone indicated his intention of continuing the luncheon meetings with Mayor John Hodges, City of Williamsburg.

Mr. Mahone encouraged Board members to give reports from the meetings of Boards and Commissions on which they serve.

Mr. Mahone expressed regret that, at the last meeting, he neglected to recognize former Chairman Edwards' service during a difficult two-year period. On behalf of the Board, Mr. Mahone thanked Mr. Edwards for his service to the Board and local government.

Mr. DePue acknowledged Mr. Trist McConnell, Councilman from the City of Williamsburg, in the audience, and thanked him for his efforts concerning area growth matters on the Regional Issues Committee.

Mr. DePue also thanked the James City County Fire Department for its quick response to a chimney fire at his residence on Sunday. He urged citizens to have their chimneys cleaned regularly to avoid such emergencies.

Mr. Mahone recessed the Board for a work session with the Planning Commission on Agricultural, Forestal, and Rural Residential Areas at 2:05 p.m.

Planning Commissioners in attendance were Carolyn Lowe, Fred Belden, Alexander Kuras, and A.G. Bradshaw.

Mr. Sowers presented the goals of the project and stated the main issue was that of scattered growth, with the problems created in areas where public services are unavailable. He introduced Mr. John I. Cofer of John I. Cofer & Associates, Inc.

Mr. Cofer explained the process of preparing the report and suggested that the County approach be one of requiring a substantial minimum lot size, design flexibility for subdivisions, and special use permits with Board of Supervisors review.

Discussion followed regarding the effect on moderate income families, difference of A-1 and A-2 districts, minimum lot size requirement, and effect on land value.

Mr. Mahone reconvened the Board into open session at 4:20 p.m.

Mr. Mahone declared the Board in recess for a James City Service Authority Board of Directors meeting at 4:20 p.m.

Mr. Mahone reconvened the Board into open session, and immediately convened the Board into executive session to discuss land acquisition pursuant to Section 2.1-344 (a)(2) of the Code of Virginia, 1950, as amended, at 4:55 p.m.

Mr. Mahone reconvened the Board into open session.

Mr. Taylor made a motion to adjourn.

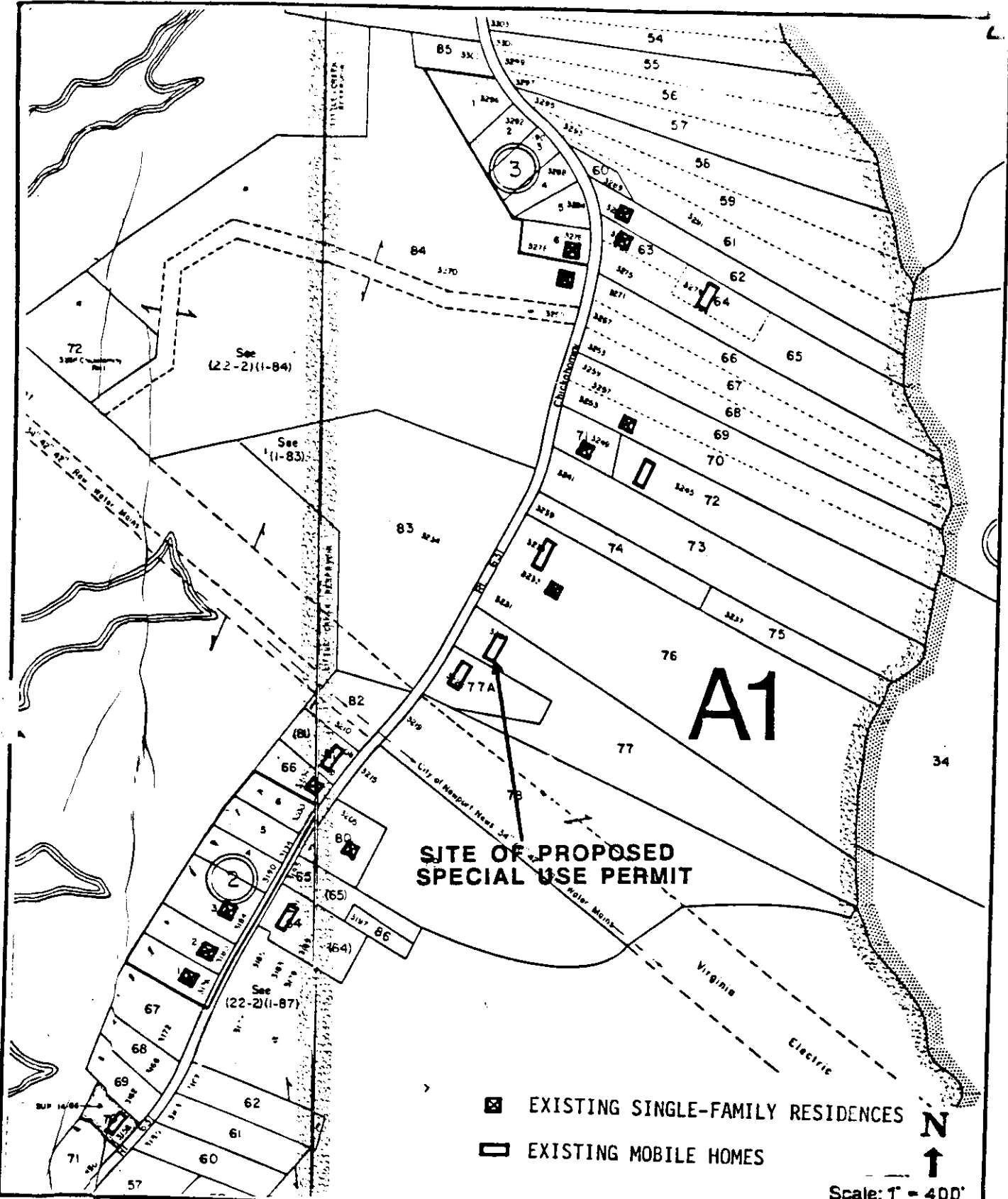
On a roll call, the vote was AYE: Norment, Taylor, Edwards, DePue, Mahone (5). NAY: (0).

The Board adjourned at 5:20 p.m.



David B. Norman
Clerk to the Board

0875w



Case #: SUP-47-88

Name: GEORGE RICHARDSON



JAMES CITY COUNTY/DEPARTMENT OF PLANNING & DEVELOPMENT

JAN 23 1989

ORDINANCE # 180

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

211b

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED, "MIDLANDS, SECTION ONE, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA," DATED JULY, 1985, AND MORE PARTICULARLY DESCRIBED AS THAT UNNAMED .072 ACRE TRIANGLE OF RIGHT OF WAY ADJACENT TO THE INTERSECTION OF MIDLANDS ROAD AND STRAWBERRY PLAINS ROAD.

WHEREAS, application has been made by Mr. Joseph S. Terrell and Essie G. Terrell, owners of all property adjacent to right-of-way proposed for vacation, to vacate certain lines, words, numbers and symbols on a plat more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and, 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 9th day of January, 1989, pursuant to such notice and was of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board of supervisors of James City County, Virginia:

1. That a portion of a certain subdivision plat entitled, "Midlands, Section One, Berkeley District, James City County, Virginia," dated July, 1985, prepared by AES, a professional corporation, Williamsburg, Virginia, and recorded in Plat Book 42, Page 51, be vacated so as to permit the recordation of a new plat that will serve to remove certain lines, words, numbers and symbols as more specifically set forth in said plat and thereby vacating that .072 acre triangle of right of way adjacent to the intersection of Midlands Road and Strawberry Plains Road.
2. That a new plat entitled, "Plat of Vacation, Boundary Line Adjustment and Lot Line Extinguishment, Property of Joseph S. and Essie G. Terrell, James City County, Virginia," dated May 19, 1988, prepared by AES, a professional corporation and approved by James City County, be put to record in the Clerk's Office of the Courthouse for the City of Williamsburg and County of James City, Virginia.

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

Thomas D. Mahone
Thomas D. Mahone, Chairman
Board of Supervisors

| SUPERVISOR | VOTE |
|------------|------|
| NORMENT | AYE |
| TAYLOR | AYE |
| EDWARDS | AYE |
| DEPUE | AYE |
| MAHONE | AYE |

ATTEST:

David B. Norman
David B. Norman
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on this 23rd day of January, 1989.

VIRGINIA: City of Williamsburg and County of James City, to Wit:

In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City, this 3 day of March, 1989 this Ordinance & Plat was presented with certificate annexed and admitted to record at 9:37 o'clock

Waste: Helene S. Ward, Clerk
by Helene S. Ward
Deputy Clerk

PLAT RECORDED IN
P.B. NO. 50 PAGE 47