

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 13TH DAY OF APRIL, 2004, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. Goodson, Chairman, Roberts District  
Michael J. Brown, Vice Chairman, Powhatan District  
John J. McGlennon, Jamestown District  
M. Anderson Bradshaw, Stonehouse District  
Jay T. Harrison, Sr., Chairman, Berkeley District

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

B. MOMENT OF SILENCE

Mr. Goodson requested the Board and citizens observe a moment of silence,

C. PLEDGE OF ALLEGIANCE

J. Michael Boley and Chase Boley, students at Toano Middle School, led the Board and citizens in the Pledge of Allegiance.

Mr. Goodson recess the Board for a Williamsburg Area Transport Board of Directors meeting at 7:04 p.m.

Mr. Goodson reconvened the Board at 7:30 p.m.

D. RECOGNITION

1. James City County Volunteer Recognition Week, April 18-24, 2004

Ms. Carol Schenk, Personnel Assistant, accepted a resolution on behalf of the volunteers for their commitment and hard work to make a difference in the lives of their fellow citizens.

E. PRESENTATION

1. Community Reforestation Project - Brian Noyes, Colonial Soil and Water Conservation District

Mr. Brian Noyes, Colonial Soil and Water Conservation District, introduced Ms. Leanne DuBois, Virginia Cooperative Extension.

Ms. Dubois provided an overview of the contributors and sponsors of the Community Reforestation Project, overview of the project's outcome, and stated that the level of interest in the project resulted in the need to order additional trees.

Mr. Noyes provided an overview of the workshops offered, stated that over 20,000 trees were distributed, environment and conservation benefits of projects such as the Community Reforestation, and thanked the Board for its support.

Mr. Brown stated that citizens from the Powhatan District had provided favorable feedback on the initiative and the workshop, and thanked Mr. Noyes for the effort to assist the community recovery from the Hurricane Isabel experience.

Mr. Noyes stated that an opportunity has presented itself to work with Homeowners' Associations to plant trees in neighborhoods.

Mr. Goodson stated that he also got favorable feedback on the project.

## **F. PUBLIC COMMENT**

1. Ms. Linda Rice, 2394 Forge Road, spoke on behalf of the Friends of Forge Road regarding the proposed closure of the Recycle Convenience Center at the Emergency Operations Center, stated that residents in the County request easy access to solid waste disposal and recycling in the County, stated that if the Center is closed, citizens may have to drive 20 miles round-trip to dispose of garbage and recyclable items and that not all citizens can elect curbside service; commented that the lack of convenient recycling will result in more littering; stated that the Comprehensive Plan supports the recycling program and its expansion and that the closure of the Recycle Convenience Center does not support those plans, proposed that moving the Convenience Center next to the Toano Women's Club was not appropriate, and urged the Board to relocate the Convenience Center to another site in Stonehouse.

2. Mr. Ed Oyer, 139 Indian Circle, inquired if Public/Private Partnerships are beneficial to the County; suggested that the Board use one percent from the lodging and food taxes against debt service; commented on the County's demographics for health care and that projections do not indicate a growing youth population; commented on a recent *Daily Press* awards and that none of the awards were presented to James City County; and commented on a recent *Wall Street Journal* article on teachers working in small classrooms and small classroom impacts on student education.

## **G. CONSENT CALENDAR**

Mr. Harrison made a motion to adopt the items on the Consent Calendar.

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

### 1. Minutes

- a. March 23, 2004 - Work Session
- b. March 23, 2004 - Regular Meeting

2. James City County Volunteer Recognition Week, April 18-24,2004

**RESOLUTION**

**JAMES CITY COUNTY VOLUNTEER RECOGNITION WEEK. APRIL 18–24.2004**

WHEREAS, volunteerism offers opportunities to every citizen to participate in his/her government in order to meet community needs; and

WHEREAS, volunteers enhance our quality of life, promote community involvement, generate civic pride, restore our neighborhoods, and support our families; and

WHEREAS, the citizens of James City County are deserving of recognition for their commitment and hard work to make a real difference in the lives of their fellow citizens; and

WHEREAS, volunteers are a valuable partnership with James City County staff and in 2004 contributed 77,854 hours valued at \$1,287,705.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby designates the week of April 18–24,2004, as Volunteer Recognition Week and calls its significance to all of our citizens.

3. Child Abuse Prevention Month – April

**RESOLUTION**

**CHILD ABUSE PREVENTION MONTH - APRIL**

WHEREAS, every child is a precious gift, full of promise and potential; and

WHEREAS, child abuse and neglect is a serious problem in Virginia; and

WHEREAS, the prevention of child abuse is crucial to the preservation of health and well-being of Virginia's families and can be accomplished by providing support and information to families as well as through increased community awareness; and

WHEREAS, all children learn **from role** models at home, at church, at school, and in their communities and all children benefit from the love and leadership displayed by caring and responsible adults; and

WHEREAS, children are our most precious resource and we are committed to keeping the children of this great Commonwealth safe and happy.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby proclaims the month of April 2004 as Child Abuse Prevention Month in James City County and calls its significance to the attention of all our citizens.

4. Rescind Declaration of Local Emergency - Hurricane Isabel

**RESOLUTION**

**RESCIND DECLARATION OF LOCAL EMERGENCY - HURRICANE ISABEL**

WHEREAS, the Board of Supervisors of James City County, Virginia, declared a local state of emergency for Hurricane Isabel on September 20, 2003; and

WHEREAS, the County has now completed its missions related to the Hurricane.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a local emergency no longer exists and the declaration is hereby rescinded.

5. Department of Motor Vehicles Mini-Grant Awards

**RESOLUTION**

**DEPARTMENT OF MOTOR VEHICLES MINI-GRANT AWARDS**

WHEREAS, the Department of Motor Vehicles (DMV) has approved two mini-grants in the amount of \$1,500 each to the Police Department for Driving Under the Influence (DUI) enforcement and Bicycle Safety Program equipment; and

WHEREAS, the grants are administered by the DMV according to the Federal government fiscal year, which runs from October 1 through September 30, thus allowing any unexpected funds as of June 30, 2004, to be carried forward to James City County's next fiscal year.

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

Revenues:

DMV - DUI Enforcement Mini-Grant	\$1,500
DMV - Bicycle Safety Mini-Grant	\$1,500

Expenditures:

DMV - DUI Enforcement Mini-Grant	\$1,500
DMV - Bicycle Safety Mini-Grant	\$1,500

6. Street Name Change: "Wellesley Way" to "Bournemouth Bend"

R E S O L U T I O N

STREET NAME CHANGE: "WELLESLEY WAY" TO "BOURNEMOUTH BEND"

WHEREAS, Section 19-54 (B) of the James City County Subdivision Ordinance provides for street names to be changed upon approval by the Board of Supervisors; and

WHEREAS, the proposed street name change has been discussed with the Fire Department, Police Department, Planning Division, Williamsburg Post Office, and Real Estate Assessment and these agencies have found it acceptable.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve renaming the street "Wellesley Way" to "Bournemouth Bend."

7. Dedication of Streets in Stonehouse. Phase I. Section 3: Stonehouse. Phase I, Section 4A; Stonehouse. Phase I. Section 4B

R E S O L U T I O N

DEDICATION OF STREETS IN STONEHOUSE. PHASE 1. SECTION 3A;

STONEHOUSE. PHASE 1. SECTION 4A; AND STONEHOUSE. PHASE 1, SECTION 4B

WHEREAS, the streets described on the attached Additions Forms SR-5(A)s, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on July 1, 1994, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A)s to the secondary system of State highways, pursuant to § 33.1-229 of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage.

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

8. Streetscape Guidelines Policy Revision

R E S O L U T I O N

STREETSCAPE GUIDELINES POLICY REVISION

WHEREAS, the Streetscape Guidelines Policy was originally created to preserve or establish street trees in new residential areas of James City County during the special use permit and rezoning process; and

WHEREAS, the 2003 Comprehensive Plan identified the need for a revision of the Streetscape Guidelines Policy to allow flexibility with the choice of plant material and location of street trees due to site constraints such as utilities; and

WHEREAS, the Policy Committee recommended endorsement of the Streetscape Guidelines Policy revision to the Planning Commission on February 17, 2004; and

WHEREAS, the James City County Planning Commission endorsed the revisions to the Streetscape Guidelines Policy on March 1, 2004.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby endorse the following:

STREETSCAPE GUIDELINES POLICY

Goal

To preserve and/or establish tree canopies along residential streets, subdivision entrances, and common areas. Plant new trees appropriate to the climate and soils of James City County, enhancing existing healthy, durable, and mature trees in these areas.

Tree **preservation/planting** shall be accomplished such that, within 20 years growing time, the minimum tree canopy over residential streets shall be 20%. The environmental and aesthetic benefits from tree planting enhance the quality, character, and health of the community.

Guidelines for Street Trees

**In** all residential subdivisions, deciduous shade trees and/or shrubs shall be planted along all rights-of-way within and abutting the subdivision. Street tree plans shall be prepared by a Virginia Landscape Architect and shall be reviewed and approved by the Director of Planning. The street tree plans shall adhere to the following guidelines:

Trees **and/or** shrubs shall be located within a minimum five-foot landscape preservation easement contiguous to such right-of-way. Every effort should be made to avoid conflict between the landscape preservation easement and the utilities during the design phase of the subdivision. If a conflict cannot be avoided, the landscape preservation easement shall be placed as close to the right-of-way as the design allows.

The easement shall contain, at a minimum, one tree per an average 40 linear feet of street on each side of the street or one shrub per an average 20 linear feet of street on each side of the street. The mix of trees and shrubs shall be approved by the Planning Director.

Trees and/or shrubs shall be spaced no greater than 75 feet apart along 60% of the street frontage.

All trees that are planted shall be native species or street trees commonly planted in the James City County area that are adapted to the soils and climate. At the time of planting, trees shall have a minimum caliper of 1 ½". Shrubs are to be a minimum of 22" in height at the time of planting. Please refer to the Table 1 for street tree suggestions. Although plant material is not restricted to the list provided, any trees or shrubs that are invasive or require extensive maintenance for disease or pest control will not be approved.

Existing trees which are within 20 feet of the edge of the right-of-way, and which are protected and preserved in accordance with the requirements of the Zoning Ordinance, may be used to satisfy this planting requirement if approved by the Planning Director. Canopies that are a mixture of existing and planted trees or shrubs shall have similar or complementary branch characteristics.

Plantings are to occur between November 1 and March 31 while the plant material is dormant to reduce the stress of transplanting. Prior to final site plan approval, the plantings and installation are to be bonded.

Upon completion of installation, a Virginia Landscape Architect shall verify, in writing, that the specified trees or shrubs were installed in the locations shown on the plans. A signed letter from the Landscape Architect shall be submitted to the Planning Division at the time of verification.

### **Guidelines for Entrances and Common Areas**

Entrances shall be landscaped with native and/or climate and soil appropriate trees, shrubs, grasses, and ground covers except where the existing mature trees have been preserved or protected in such areas. Plant material to be used in these areas shall be specified from Table 2 or, if not on the list, meet the above criteria. Unless the Director of Planning or his designee determines that such landscape treatment is unnecessary, impractical, or in conflict with drainage, utilities, sight distance, or other required features of the subdivision, the cleared portions of the entrances and associated common areas in a residential subdivision shall be landscaped with a minimum of 1 tree and 3 shrubs per 400 square feet exclusive of roadways, sidewalks, recreation facilities or other impervious areas.

In wooded areas, entrance features including walls, fences and signs shall be minimized to reduce the amount of clearing to accommodate entrance roads. In no case shall clearing for entrance roads and abutting utility easements exceed 60 feet in width.

Table 1. Suggested Street Trees

*Acer campestre*, Hedge Maple  
*Acer rubrum*, Red Maple  
*Fraxinus pennsylvanica*, Green Ash (seedless cultivars)  
*Ginkgo biloba*, Maidenhair Tree (male cultivars)  
*Nyssa sylvatica*, Black Tupelo  
*Ostrya virginiana*, American Hophornbeam  
*Quercus phellos*, Willow Oak  
*Quercus shumardii*, Shumard Oak  
*Ulmus parvifolia*, Lacebark Elm  
*Zelkova serrata*, Japanese Zelkova

This list is suggested. Trees used are not required to be from this list.

Table 2. Suggested Plant Material for Entrances and Common Areas

Trees

*Betula nigra*, River Birch  
*Carya ovata*, Shagbark Hickory  
*Cercis Canadensis*, Eastern Redbud  
*Cornus kousa*, Kousa Dogwood  
*Juniperus virginiana*, Eastern Redcedar  
*Pinus taeda*, Loblolly Pine

Shrubs

*Hamamelis virginiana*, Witch Hazel  
*Ilex opaca*, Inkberry  
*Ilex vomitoria*, Yaupon Holly  
*Myrica cerifera*, Wax Myrtle  
*Viburnum dentatum*, Arrowwood Viburnum

Groundcovers and other Herbaceous Plants

*Calamagrostis acutiflora*, Feather Reed Grass  
*Ceratostigma plumbaginoides*, **Plumbago**  
*Coreopsis verticillata*, Threadleaf Coreopsis  
*Deschampsia caespitosa*, Tufted Hair Grass  
*Festuca cinerea*, Blue Fescue  
*Helictotrichon sempervirens*, Blue Oat Grass  
*Hemerocallis*, Daylily  
*Hypericum calycinum*, St. **Johnswort**  
*Liriope muscari*, Blue Lily-turf  
*Miscanthus sinensis*, Japanese Silver Grass  
*Panicum virgatum*, Switch Grass  
*Potentilla fruticosa*, Bush Cinquefoil

This list is suggested. Plants used are not required to be from this list.



9. Reappointment of the County Administrator and the Appointment of Alternate to Virginia Peninsulas Public Service Authority Board

**RESOLUTION**

**REAPPOINTMENT OF THE COUNTY ADMINISTRATOR AND THE APPOINTMENT OF  
ALTERNATE TO VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY BOARD**

WHEREAS, traditionally the County Administrator is appointed as the County's representative on the Virginia Peninsulas Public Service Authority (VPPSA) Board of Directors; and

WHEREAS, there are occasions that the representative is unable to attend VPPSA meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is reappointed to the VPPSA Board and the Assistant County Administrator/Acting Assistant County Administrator is appointed as the County's alternate to the VPPSA Board.

10. Peninsula Public Sports Facility Authority Board - Reappointment of County Administrator and Appointment of Assistant County Administrator as the Alternate

**RESOLUTION**

**PENINSULA PUBLIC SPORTS FACILITY AUTHORITY BOARD -**

**REAPPOINTMENT OF THE COUNTY ADMINISTRATOR AND THE APPOINTMENT OF  
ASSISTANT COUNTY ADMINISTRATOR AS THE ALTERNATE**

WHEREAS, traditionally the County Administrator is appointed as the County's representative on the Peninsula Public Sports Facility Authority (PPSFA) Board; and

WHEREAS, there are occasions that the representative is unable to attend PPSFA meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is reappointed to the PPSFA Board and the Assistant County Administrator/Acting Assistant County Administrator is appointed as the County's alternate to the PPSFA Board.

**H. PUBLIC HEARINGS**

1. Case Nos. Z-15-03/MP-13-03/HW-2-03. Stonehouse Station at Noree

Mr. Christopher Johnson, Senior Planner, stated that Ms. Lou Rowland, on behalf of Stonehouse Station L. P., has submitted an application to rezone approximately 10.167 acres located at 7721 Croaker

Road and further identified as Parcel No. (1-21) on James City County Real Estate Tax Map No. (13-4) from B-1, General Business, to R-5, Multifamily Residential, with proffers, for the construction of a new affordable apartment housing complex. Additionally, a height limitation waiver is requested for the proposed three-story apartment buildings that will exceed 35 feet in height.

Staff found that with the submitted proffers, the proposal will not negatively impact surrounding property.

Staff found the proposal consistent with the Land Use and Housing policies of the Comprehensive Plan and consistent with the Comprehensive Plan Land Use Map designation.

Staff also found the affordable housing will be an added benefit in meeting the needs of the County.

At its meeting on March 1, 2004, the Planning Commission recommended denial of the proposal by a vote of 6-1.

Mr. Johnson stated that the applicant has requested deferral of this item and staff has no objection to the deferral request.

Mr. Goodson opened the Public Hearing.

As no one wished to speak to this matter at this time, and without objection from the Board, Mr. Goodson would continue the Public Hearing to May 11, 2004.

2. Case No. SUP-1-04. STAT Services, Inc.

Mr. Christopher Johnson, Senior Planner, stated that Mark Kaisand applied on behalf of Powhatan Springs, LLC, for a Special Use Permit (SUP) to allow the construction of an approximately 12,000-square-foot contractor's office building, parking area, and an additional area of approximately 6,800 square feet in size for outdoor storage of containers and equipment on 2.126 acres zoned R-8, Rural Residential, located at 133 Powhatan Springs Road, further identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (46-2).

Staff found the proposal for the contractor's office and associated equipment storage area to be generally inconsistent with the residential character of the surrounding area; however, with conditions, staff found the proposal to be an improvement over the most recent uses on the site and a positive improvement for the surrounding residential area.

On March 1, 2004, the Planning Commission recommended approval of the application by a vote of 7-0.

Staff recommended approval of the application with conditions.

Mr. Goodson inquired if this application has the same conditions as the one submitted two years ago.

Mr. Johnson stated that it is the same application with no changes to the case or conditions.

Mr. Goodson opened the Public Hearing.

1. Mr. Bob Oliver, Jamestown Management Company, requested the Board approve the application.

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

Mr. **McGlennon** made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Bradshaw, Harrison, Brown, **McGlennon**, **Goodson** (5).  
NAY: (0).

## **RESOLUTION**

### **CASE NO. SUP-1-04, STAT SERVICES, INC.**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, business, government, and professional office buildings are a specially permitted use in the R-8, Rural Residential, zoning district; and

WHEREAS, the Planning Commission of James City County, following its Public Hearing on March 1, 2004, recommended approval of Case No. SUP-1-04 by a unanimous vote to permit the construction of an approximately 12,000-square-foot office building located at 133 **Powhatan** Springs Road and further identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (46-2).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit **No.1-04** as described herein with the following conditions:

1. **Construction.** If construction has not begun on the project within 24 months of the issuance of the special use permit, it shall become void. Construction shall be defined as securing permits for land disturbance and building construction.
2. **Master Plan.** Development of the site shall be generally in accordance with the "Master Plan, A-Stat Restoration **Services,**" prepared by Morris Mason and dated January 8, 2002, with such accessory structures and minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
3. **Tank Removal.** Prior to obtaining a Certificate of Occupancy, the owner shall remove the gas pump and underground fuel tank from the Property.
4. **Lot Line Extinguishment.** Prior to final site plan approval, the owner shall receive approval of and record a subdivision plat which extinguishes the lot line separating Parcels A and Parcel B on the Property identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (46-2).

5. **Landscaping.** A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The owner shall provide enhanced landscaping for the area along the property frontage on **Powhatan Springs Road**, along the portions of the property adjacent to residential homes, and along areas designated on the Master Plan for parking. Enhanced landscaping shall be defined as 133 percent of the Zoning Ordinance landscape requirements.
6. **Signs. Signage** on the site shall be limited to a single ground-mounted, monument-style, freestanding sign further limited to a maximum of 16 square feet along the **Powhatan Springs Road** right-of-way. The sign shall be externally illuminated and shall be approved by the Planning Director or his designee prior to final site plan approval.
7. **Fence.** Any existing perimeter fence which is removed as part of the development shall be replaced with a black or dark green colored chain-link fence or solid-wood fence and identified on the development plans and approved by the Planning Director or his designee prior to final site plan approval.
8. **Dumpsters.** All dumpsters on the Property shall be screened by landscaping and fencing in a location approved by the Planning Director or his designee prior to final site plan approval.
9. **Water Conservation.** The owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials, including the use of **drought-tolerant** plants if and where appropriate and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources. The water conservation standards shall be approved by the James City Service Authority prior to final site plan approval.
10. **Lighting.** All exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee which indicates no glare outside the property lines. All light poles shall not exceed 20 feet in height unless otherwise approved by the Director of Planning prior to final site plan approval. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source **from** the adjoining residential properties.
11. **Architecture.** Prior to final site plan approval, the Planning Director shall review and approve the final building elevations and architectural design of the office building. Such approval as **determined** by the Planning Director shall ensure that the design, building materials, color, and scale of the office building and any future building additions are compatible with the surrounding residential area.
12. **Severability.** This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

3. Case No. AFD-7-86. Mill Creek - Gulden Addition

Mr. Christopher Johnson, Senior Planner, stated that Randolph Gulden applied to add approximately 87.201 acres, zoned A-I, Rural Lands, to the Mill Creek Agricultural and Forestal District. The parcel is located at 126 Camp Road and can be further identified as Parcel No. (1-12) on James City County Real Estate Tax Map No. (10-2).

Staff found the proposed addition met the minimum area and proximity requirements for inclusion into the Agricultural and Forestal District and to be consistent with surrounding zoning and development and the 2003 Comprehensive Plan.

At its meeting on February 18, 2004, the Agricultural and Forestal District Advisory Committee recommended approval by a vote of 6-0.

At its meeting on March 1, 2004, the Planning Commission voted 7-0 to recommend approval of the application.

Staff recommended approval of the addition to the District subject to the conditions of the existing District as listed in the resolution.

Mr. Goodson opened the Public Hearing.

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

Mr. Bradshaw made a motion to adopt the Ordinance.

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

4. Case Nos. SW-3-04 & -4-04. Temporary Classroom Trailers. Jamestown High School and Lafayette High School (Continued from March 9, 2004)

Mr. Christopher Johnson, Senior Planner, stated that Bruce Abbott of AES Consulting Engineers, has applied for special use permits on behalf of the Williamsburg-James City County Public Schools to allow the placement of temporary classroom trailers at Jamestown High School and Lafayette High School, at 4460 Longhill Road and 3751 John Tyler Highway, further identified as Parcel Nos. (1-1) and (1-2D) on James City County Real Estate Tax Map Nos. (32-3) and (46-1).

Mr. Johnson stated that these applications were deferred at the Board's meeting on March 9, 2004, in order to allow the School Division additional time to evaluate space utilization alternatives.

Staff found the proposals to be consistent with the surrounding zoning and development, and consistent with the Comprehensive Plan.

Staff recommended approval of the proposals with conditions,

Mr. Anderson inquired if the location of the requested trailers will impact the location of the proposed trailers for the Child Development Resource program to come before the Board on April 27, 2004.

Mr. Johnson stated that the trailer location would not impact the ability to locate additional trailers on the site.

Mr. Goodson inquired if staff has concerns about the upcoming request for two additional trailers on the Lafayette High School site.

Mr. Johnson stated that staff does not have a problem with the proposals.

Mr. Goodson opened the Public Hearing.

1. Mr. Bruce Abbott, AES Consulting Engineers, was available to answer any questions.
2. Mr. Michael E. Thomson, Assistant Superintendent of Finance & Administrative Services, was available to answer questions from the Board.

Mr. Brown stated that the Schools, subsequent to this proposal, have proposed to consolidate the CDR day care into two trailers to be located at Lafayette High School. Mr. Brown inquired why the schools are still asking for the initial trailers at Lafayette High School if classroom space has been opened up by consolidating CDR.

Mr. Thornton stated that as a result of the actual enrollment number this year and projected enrollment number for the next year, there is an indication that a need still exists for additional classroom space as a result of programmatic needs and relocation of a Special Need's class from the James Blair Middle School.

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

Mr. McGlennon made a motion to adopt the resolution

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

## **RESOLUTION**

### **CASE NO. SUP-3-04. LAFAYETTE HIGH SCHOOL**

### **CASE NO. SUP-4-04. JAMESTOWN HIGH SCHOOL**

### **TEMPORARY CLASSROOM TRAILERS**

WHEREAS, all conditions for the consideration of these special use permit applications have been met; and

WHEREAS, temporary classroom trailers accessory to an existing school may be permitted upon the issuance of a special use permit by the Board of Supervisors; and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow one new temporary classroom trailer and extend the expiration date of two existing temporary classroom trailers at Lafayette High School on property owned and developed by the applicant located at 4460 Longhill Road, and further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (32-3); and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow one new temporary classroom trailer and extend the expiration date of one temporary classroom trailer at Jamestown High School on property owned and developed by the applicant located at 3751 John Tyler Highway, and further identified as Parcel No. (1-2D) on James City County Real Estate Tax Map No. (46-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of special use permits for the placement of temporary classroom trailers as described above and on the attached site location maps with the following condition:

1. These permits shall be valid until July 1, 2007.

5. Case No. SO-1-04. Amendment to Section 19-60. Individual Sewer

Mr. David Anderson, Senior Planner, stated that the Planning Commission has requested an Subdivision Ordinance amendment to permit the use of alternative septic drainage systems that are approved by the Health Department without Planning Commission review and approval.

Mr. Anderson presented an amended ordinance for the Board's consideration that includes recommendations from Mr. Bradshaw and Mr. Morton.

Staff found that the proposed amendment recognizes the technological advancements of alternate septic drainfield systems and the environmental benefits stemming from these advancements, while maintaining the larger development standards set forth in the ordinance and Comprehensive Plan.

At its meeting on March 1, 2004, the Planning Commission voted 7-0 to recommend approval of the ordinance amendment.

Staff recommended the Board approve the ordinance amendment,

Mr. McGlennon inquired as to how many waiver requests to the existing ordinance are requested each year.

Mr. Anderson stated that less than six cases for a waiver come before the Planning Commission.

Mr. Goodson opened the Public Hearing.

1. Mr. Marc Bennett, AES Consulting Engineers, provided an overview of the differences in the maintenance and repair of soil absorption systems versus standard septic systems.

As no one else wished to speak, Mr. Goodson closed the Public Hearing.

Mr. Bradshaw invited Dave Jordan from the Department of Environmental Quality to comment on the proposal and answer questions from the Board.

Mr. Jordan concurred with staff recommendations and concurred with Mr. Bennett's analysis of the differences in the two systems, and stated the soil absorption system is an improvement and does require a higher degree of maintenance.

Mr. Brown inquired if the alternative system is maintained with periodic filter change, and if it would be better for the environment as it provides cleaner effluent return to soil.

Mr. Jordan stated that the septic system is designed to fail in 20-40 years; the soil absorption system heats the effluent before it enters the soil; and then it is cleaner and more readily accepted by the soil and can last for an indefinite period of time as long as it is maintained.

Mr. Brown inquired if the largest disadvantage to alternative septic drainfield systems is that they are more expensive to install and maintain.

Mr. Jordan stated that is correct and the economics of the system is difficult now with approximately \$10,000 to \$20,000 for a new system plus installation.

Mr. Bennett concurred with Mr. Jordan's comments and stated that these systems are the wave of the future.

Mr. Bradshaw made a motion to adopt the proposed ordinances as amended by staff with the phrase "only" stricken from paragraph 2.

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

6. Exchange of Easements with Dominion Virginia Power

Mr. William Porter, Assistant County Administrator, presented a resolution authorizing the County Administrator to execute a Right-of-way agreement with Dominion Virginia Power to convey three 15-foot utility easements to Dominion Virginia Power to increase reliability and add additional capability to the existing power grid in the Longhill Road area and allow James City County to provide adequate drainage for Fire Station No. 2.

Mr. Goodson opened the Public Hearing

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

Mr. Harrison made a motion to adopt the resolution.

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

**RESOLUTION**

**EXCHANGE OF EASEMENTS WITH DOMINION VIRGINIA POWER - FIRE STATION NO. 2**

WHEREAS, Virginia Electric and Power Company and the County wishes to exchange three 15-foot easements for utilities between James City County Real Estate Tax Map No. (3210100012), commonly known as the Warhill Tract for drainage easement for Fire Station No. 2 over James City County Real Estate Tax Map No. (51401007), commonly known as 8415 Pocahontas Trail; and

WHEREAS, Easements will increase reliability and add additional capability to the existing power grid in the Longhill Road area and provide adequate drainage for Fire Station No. 2 on Pocahontas Trail; and



WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that it is in the public interest to make exchange of such easements with Virginia Electric and Power Company for utilities and drainage.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the Right-of-way Agreements and such other documents necessary to convey a utility easement to Dominion Virginia Power.

**I. PUBLIC COMMENT - None**

**J. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner stated that on April 27, at 7 p.m., a Public Hearing will be held on the proposed Fiscal Year 2005 and Fiscal Year 2006 Budget along with ordinance amendments for fees and charges.

Mr. Wanner recommended that when the Board finishes with its agenda, it adjourn to 4 p.m. on April 27 for a Work Session on the James City Service Authority projects update and possible discussion on Adequate Public Facilities.

Mr. Wanner recommended the Board recess briefly for a James City Service Authority Board of Directors meeting and then reconvene to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia for the consideration of the acquisition of a parcel of Real Property, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia for the consideration of the disposition of parcels of Real Property, and pursuant to Section 2.2-3711(A)(1) of the Code of Virginia for the consideration of the appointments of an individuals to the Board of Equalization.

**K. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon stated that he would have items to discuss regarding the Adequate Public Facilities at the Work Session on April 27.

Mr. Goodson recessed the Board for a James City Service Authority Board of Directors meeting at 8:30 p.m.

Mr. Goodson reconvened the Board at 8:46 p.m.

**L. CLOSED SESSION**

Mr. Harrison made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia for the consideration of the acquisition of a parcel of Real Property, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia for the consideration of the disposition of parcels of Real Property, and pursuant to Section 2.2-3711(A)(1) of the Code of Virginia for the consideration of the appointments of an individuals to the Board of Equalization.

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

Mr. Goodson convened the Board into Closed Session at 9:01 p.m.

Mr. Goodson reconvened the Board into Open Session at 9:46 p.m.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

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

## RESOLUTION

### CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(3) to consider the acquisition of a parcel of property; Section 2.2-3711(A)(3) to consider the disposition of a parcel of property; and Section 2.2-3711(A)(1), to consider personnel matters, the appointment of individuals to County boards and/or commissions.

Mr. McGlennon made a motion to adopt the resolution recommending Michael J. Simerlein be appointed by the Circuit Court Judge to the Board of Equalization for a three-year term.

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

## RESOLUTION

### TO RECOMMEND APPOINTEE TO THE JAMES CITY COUNTY

#### BOARD OF EQUALIZATION

WHEREAS, Section 20-30 of the Code of the County of James City, Virginia, requires the Board of Supervisors to recommend to the Circuit Court qualified freeholders of the County for appointment to the James City County Board of Equalization; and

WHEREAS, the term of Darline H. Layer expired on December 31, 2003, and she has served on the Board for 16 consecutive years; and

WHEREAS, the newly enacted legislation concerning Boards of Equalization limits members to nine consecutive years of service on the Board; and

WHEREAS, the Board of Supervisors of James City County seeks to appoint a new member for a three-year term; and

WHEREAS, Michael J. Simerlein is a freeholder of the County and meets the enacted legislation requirements for members of Boards of Equalization.


NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby recommends to the Circuit Court the **appointment** to the James City County Board of Equalization the following qualified freeholder, Michael J. Simerlein, for a three-year term.

**M. ADJOURNMENT**

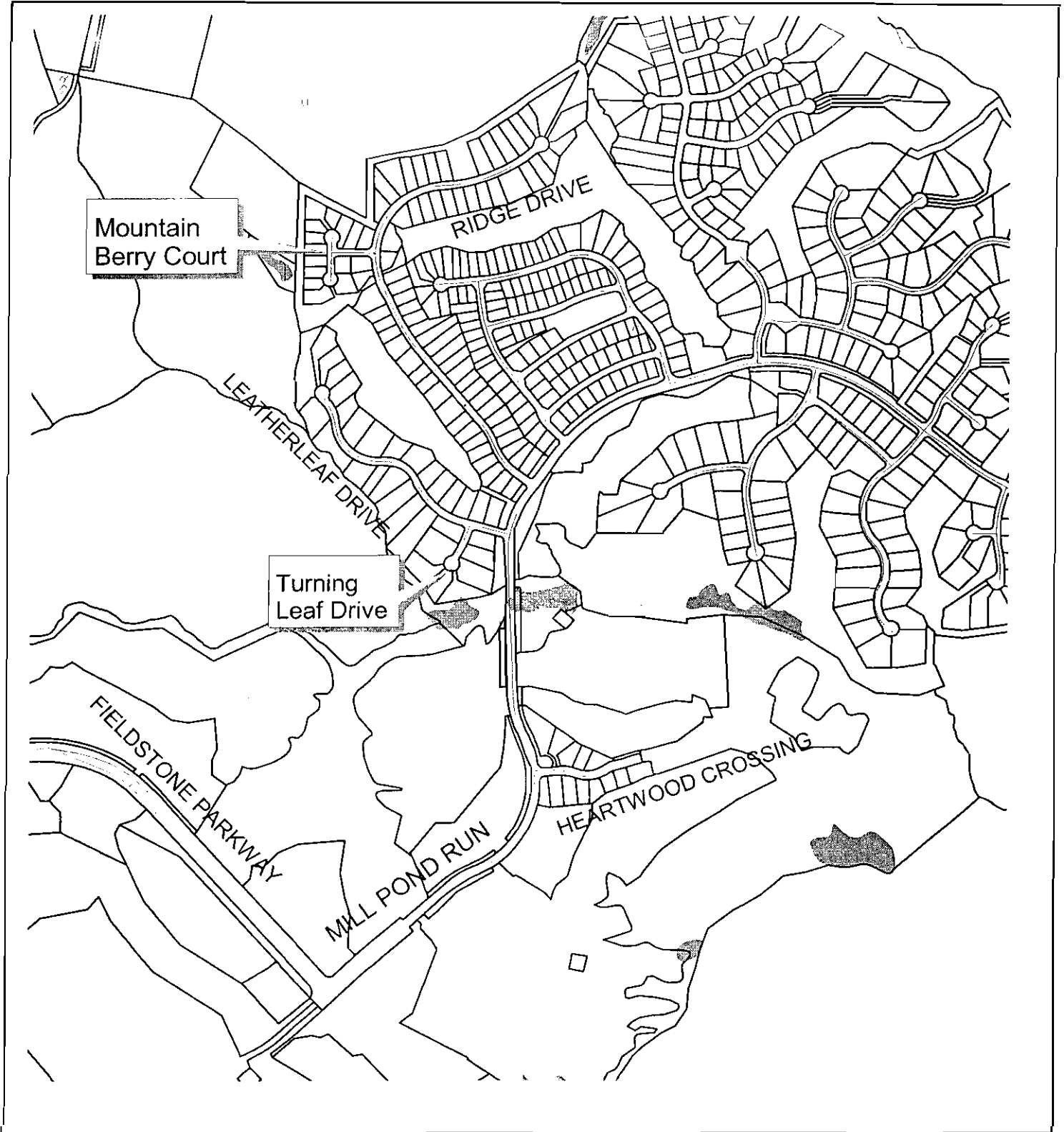
Mr. McGlennon made a motion to adjourn.

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

At 9:47 p.m. Mr. Goodson adjourned the Board until 4 p.m. on April 27, 2004.

  
Sanford B. Wanner  
Clerk to the Board

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# DEDICATION OF STREETS IN STONEHOUSE, PHASE I



Streets Being  
Dedicated

400 0 400 800 1200 Feet

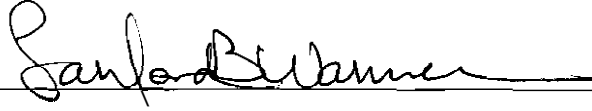


## In the County of James City

By resolution of the governing body adopted April 13, 2004

*The following Form SR-SA is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.*

A Copy Testee Signed (County Official):



### Report of Changes in the Secondary System of State Highways

Form SR-SA  
Secondary Roads Division 511199

Project/Subdivision

**Stonehouse, Phase 1, Section 3A**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition. New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

#### Route Number and/or Street Name

#### **Heartwood Crossing, State Route Number 1222**

Description: **From:** Rt 1221 (Mill Pond Run)

**To:** End of channeled median

A distance of: 0.02 miles.

Right of Way Record: Filed with the Land Records Office on 2/12/1998, Document # 980002508, with a width of 60'

Description: **From:** End of channeled median

**To:** Start of flush painted median

A distance of: 0.01 miles.

Right of Way Record: Filed with the Land Records Office on 2/12/1998, Document # 980002508, with a width of 60'

Description: **From:** Start of flush painted median

**To:** End of flush painted median

A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 2/12/1998, Document # 980002508, with a width of 60'

Description: **From:** End of flush painted median

**To:** End of cul-de-sac

A distance of: 0.10 miles.

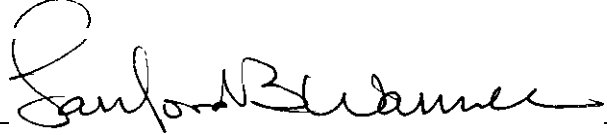
Right of Way Record: Filed with the Land Records Office on 2/12/1998, Document # 980002508, with a width of 60'

## In the County of James City

By resolution of the governing body adopted April 13, 2004

*The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.*

A Copy Testee Signed (County Official):



### Report of Changes in the Secondary System of State Highways

Form SR-5A  
Secondary Roads Division 5/1/99

Project/Subdivision

**Stonehouse, Phase 1, Section 4A**

Type of Change: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition. New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

#### Route Number **and/or** Street Name

Leatherleaf Drive, State Route Number **1223**

Description: **Front:** Rt 1221 (Mill Pond Run)

**To:** Rt 1224 (Turning Leaf Drive)

A distance of: 0.05 miles.

Right of Way Record: Filed with the Land Records Office on 10/7/1997, Document # 970016139, with a width of 50'

Description: **Front:** Rt 1224 (Turning Leaf Drive)

**To:** End of cul-de-sac

A distance of: 0.27 miles.

Right of Way Record: Filed with the Land Records Office on 10/7/1997, Document # 970016139, with a width of 50'

Turning Leaf Drive, State Route Number **1224**

Description: **From:** Rt 1223 (Leatherleaf Drive)

**To:** End of cul-de-sac

A distance of: 0.06 miles.

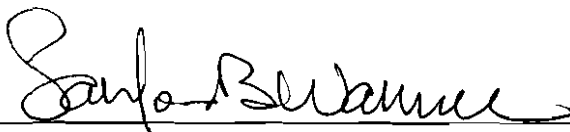
Right of Way Record: Filed with the Land Records Office on 10/7/1997, Document # 970016139, with a width of 50'

# In the County of James City

By resolution of the governing body adopted April 13, 2004

The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official):



## Report of Changes in the Secondary System of State Highways

Form SR-5A  
Secondary Roads Division 511199

Project/Subdivision

**Stonehouse, Phase 1, Section 4B**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

### Route Number and/or Street Name

#### Mountain Berry Court, State Route Number 1226

Description: **From:** Rt 1225 (Ridge Drive)

**To:** Rt 1227 (Mountain Berry Court)

A distance of: 0.05 miles.

Right of Way Record: Filed with the Land Records Office on 10/14/1998, Document #980019619, with a width of 50'

Description: **From:** Rt 1226 (Mountain Berry Court)

**To:** End of cul-de-sac

A distance of: 0.03 miles.

Right of Way Record: Filed with the Land Records Office on 10/14/1998, Document #980019619, with a width of 50'

Description: **From:** Rt 1226 (Mountain Berry Court)

**To:** End of cul-de-sac

A distance of: 0.05 miles.

Right of Way Record: Filed with the Land Records Office on 10/14/1998, Document #980019619, with a width of 50'

#### Ridge Drive, State Route Number 1225

Description: **From:** Rt 1221 (Mill Pond Run)

**To:** Rt 1226 (Mountain Berry Court)

A distance of: 0.35 miles.

Right of Way Record: Filed with the Land Records Office on 9/8/1999, Document #990018986, with a width of 50'

Description: **From:** Rt 1226 (Mountain Berry Court)

**To:** End of cul-de-sac

A distance of: 0.27 miles.

Right of Way Record: Filed with the Land Records Office on 10/14/1998, Document #980019619, with a width of 50'

APR 13 2004

ORDINANCE NO. 169A-9

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

MILL CREEK AGRICULTURAL AND FORESTAL DISTRICT -

GULDEN ADDITION (AFD-7-86)

WHEREAS, an Agricultural and Forestal District has been established in the Mill Creek area; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Mill Creek Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its meeting of February 18, 2004, unanimously recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on March 1, 2004, unanimously recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The Mill Creek Agricultural and Forestal District is hereby amended by the addition of the following parcel:

Mr. Randolph Gulden	(10-2)(1-12) 87.201 acres
---------------------	---------------------------

Total:	<u>87.201 acres</u>
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provided, however, that all land within 25 feet of the road right-of-way of Camp Road (Route 699) shall be excluded from the district.

2. Pursuant to the Virginia Code, Sections 15.2-4312 and 15.2-4313, as amended, the Board of Supervisors requires that no parcel in the Mill Creek Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family. Parcels of up to 5 acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment, provided: a). The subdivision does not result in the total acreage of the District to drop below 200 acres; and b). The subdivision does not result in a remnant parcel of less than 25 acres.

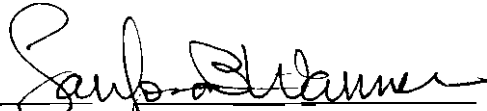


- b. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land inside the PSA and within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996.
  
- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the State Code Section 15.2-4301 et. seq. which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.



Bruce C Goodson  
Chairman, Board of Supervisors

ATTEST:



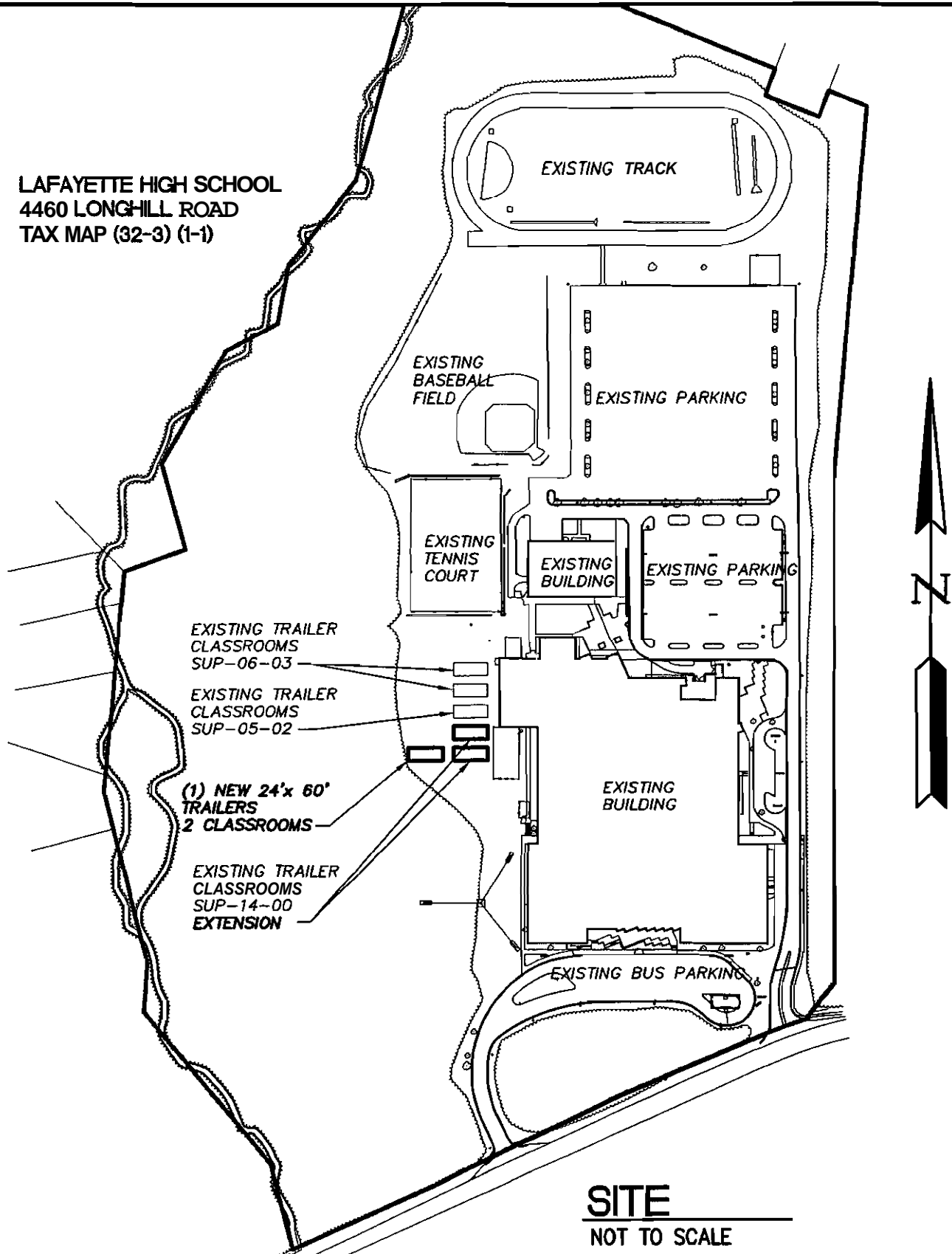
Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCGLENNON	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of April, 2004.

afd-7-86.res

LAFAYETTE HIGH SCHOOL  
4460 LONGHILL ROAD  
TAX MAP (32-3) (1-1)

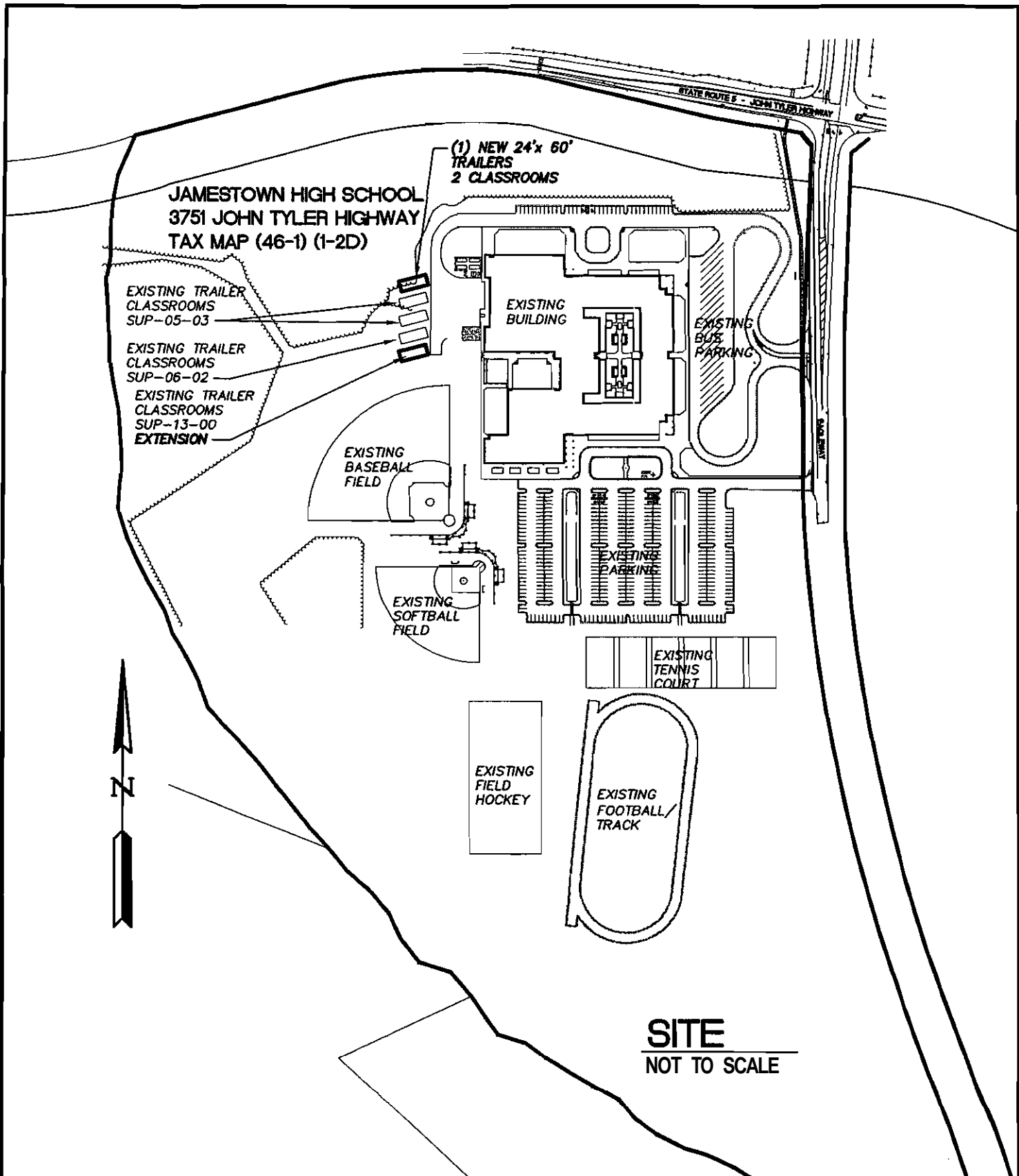


Consulting Engineers

Engineers, Surveyors, Planners

Williamsburg, Virginia

TRAILER CLASSROOM  
**LAFAYETTE HIGH SCHOOL**  
WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS



**Consulting Engineers**

**Engineers, Surveyors, Planners**

**Williamsburg, Virginia**

**TRAILER CLASSROOM**  
**JAMESTOWN HIGH SCHOOL**  
**WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS**

**BERKELEY DISTRICT**

**JAMES CITY COUNTY VIRGINIA**

# ADOPTED

APR 13 2004

ORDINANCE NO. 30A-31

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, SECTION 19-60, INDIVIDUAL SEWER.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Section 19-60, Individual sewer.

## Chapter 19. Subdivisions

### Article III. Requirements for Design and Minimum Improvements

#### **Sec. 19-60. Individual Sewer.**

If public sewer is not available, subdivision lots shall be served by individual septic tank systems in accordance with the following:

(1) Individual septic tank systems for each lot must be approved by the health department and shall be a ~~conventional septic tank system with a distribution box and gravity fed drain field~~ *soil absorption system of conventional or alternate design.*

~~(2) For lots inside the Primary Service Area only, and where lots are not otherwise required to connect to public sewer, where conventional septic tank systems are not feasible, and with a positive recommendation from the health department, the agent may consider allowing one of the following types, as defined by the health department:~~

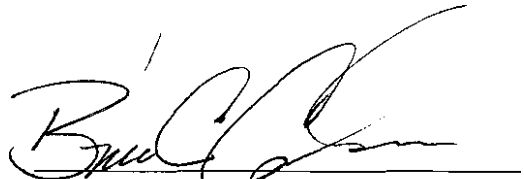
~~— (a) Low pressure distribution; or~~

~~(b) Shallow placed drain field with a sand filter.~~

~~For lots outside the Primary Service Area and only with a positive recommendation from the health department, the alternative septic tank systems above may be used only in a remedial fashion where conventional septic tank systems are failing.~~

(3) (2) The plans for such subdivisions shall include specific septic tank locations, including primary and reserve drain fields and soils information as required by health department regulations, as well as appropriate notation as required in section 19-29 (m). *The record plat shall clearly designate each lot which has been approved to be served by a soil absorption system of alternate design and shall contain a note which clearly discloses that such alternate systems may entail additional expense.*

Any proposed lots not suitable for the installation of septic tank systems shall be combined with lots that are suitable.



Bruce C. Goodson  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCGLENNON	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of April, 2004.

ADOPTED

APR 13 2004

ORDINANCE NO. 30A-30

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, GENERAL PROVISIONS, SECTION 19-2, DEFINITIONS.

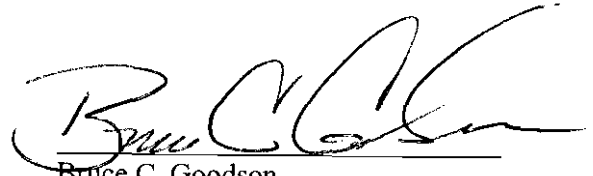
BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Section 19-2, Definitions.

Chapter 19. Subdivisions

Article I. General Provisions

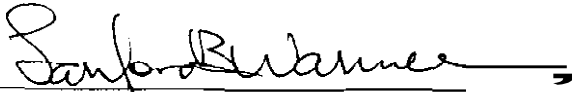
**Sec. 19-2. Definitions.**

*Soil absorption systems. On-site sewage disposal systems which utilize the soil to provide final treatment and disposal of effluent from a septic tank in a manner that does not result in a point-source discharge and does not create a nuisance, health hazard or ground or surface water pollution.*



Bruce C. Goodson  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCLENNON	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of April, 2004.