

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 23, 2015
6:30 PM

A. CALL TO ORDER

B. ROLL CALL

Board of Supervisors

Mary K. Jones, Berkeley District

John J. McGlennon, Roberts District

Kevin D. Onizuk, Vice Chairman, Jamestown District

James G. Kennedy, Stonehouse District

Michael J. Hipple, Chairman, Powhatan District

Bryan J. Hill, County Administrator (absent)

Adam R. Kinsman, Assistant County Administrator

ADOPTED

SEP 11 2018

**Board of Supervisors
James City County, VA**

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. **Pledge Leader - Anderson Lee, a rising 9th grade student at Lafayette High School and a resident of the Berkeley District**

E. PRESENTATIONS

None

F. PUBLIC COMMENT - Until 7 p.m.

1. Mr. Joseph Swanenburg, 3026 The Point Drive, addressed the Board concerning development of properties and cited statistics of population and taxes over the past years. He stressed that the government needed to evaluate future costs for necessities and not luxuries. He noted a basic formula was not realistic as different locations have different needs and expenses. He emphasized to the Board during discussion to keep these things in mind.

Mr. Hipple closed the Public Comment period and asked for a motion to recess until 7 p.m. and hold the James City Service Authority (JCSA) Board meeting during that interim time. The Board concurred.

G. CONSENT CALENDAR

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

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

Ayes: Hipple, Jones, Kennedy, McGlennon, Onizuk.

1. **MOU General Registrar/Electoral Board**
2. **Minutes Adoption - April 14, 2015 Regular Meeting**
3. **Refunding of Outstanding County Bonds**
4. **Approval of Riverside Healthcare Association, Inc. Revenue Bonds through another Jurisdiction**

H. PUBLIC HEARING(S)

1. **Jamestown D Polling Place Change**

A motion to Approve was made by Kevin Onizuk and the motion result was Passed.

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

Ayes: Hipple, Jones, Kennedy, McGlennon, Onizuk.

Mr. Max Hlavin, Assistant County Attorney, noted the General Registrar had requested the polling place change in Jamestown D to accommodate residents.

Mr. Onizuk asked if the change was due to citizen concerns, noting the polling place was in his district.

Mr. A.J. Cole, General Registrar, confirmed it was, as confusion and parking were issues. He noted the split in the polling place request addressed them. He noted the law also specified proximity and district restrictions, which impacted this change.

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

2. **Ordinance to Vacate the Well Site Designation at 181 John Rolfe Lane in Shellbank Woods**

A motion to Approve was made by James Kennedy and the motion result was Passed.

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

Ayes: Hipple, Jones, Kennedy, McGlennon, Onizuk.

Mr. Hlavin noted an application from two citizens to vacate the well site designation on a plat for combination, in conjunction with a previously purchased lot, as the site of a single-family dwelling.

Mr. McGlennon asked for confirmation that the well site was not needed.

Mr. Hlavin confirmed that and noted JCSA had deeded the property, which had previously been JCSA property, over to the citizens.

Mr. Hipple closed the Public Hearing as there were no speakers.

3. **Application for new Enterprise Zone**

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

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

Ayes: Hipple, Jones, Kennedy, McGlennon, Onizuk.

Ms. Kate Sipes, Business Development & Retention Coordinator, addressed the Board regarding the pending expiration of the James City County New Enterprise Zone. She noted state and local incentives were available and indicated staff wanted to submit the application, which would be valid for 10 years. She added this would be a joint application with the City of Williamsburg for grants.

Mr. McGlennon asked for clarification of location of commercial corridors as noted in the packet.

Mr. Onizuk asked for the timeline on the award and other options if no award is given to James City County.

Ms. Sipes cited the timeline as well as available option if no award.

Mr. Hipple suggested contacting the General Assembly for assistance with the zoning ventures. He requested Mr. Kinsman draft a letter to the General Assembly on the Board's behalf.

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

4. **Adoption of the James City County Comprehensive Plan, Toward 2035: Leading the Way**

A motion to Approve was made by Kevin Onizuk and the motion result was Passed.

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

Ayes: Hipple, Jones, Kennedy, McGlennon, Onizuk.

Ms. Tammy Rosario, Planning, presented the Board with a draft of the Comprehensive Plan, *Toward 2035: Leading the Way*.

Mr. Hipple noted that the Board would vote on each component of the Plan individually, followed by a vote on the entire plan with revisions noted in the errata sheet.

Mr. Tim Trant, Kaufman & Canoles, 4801 Courthouse Road, Suite 300, addressed the Board on behalf of the Land Use Application 0006 2014 and the Hazelwood Farms, LLC. He noted approximately 360 acres around the Barhamsville exit and further noted the economic development of that property and its potential in conjunction with County vision. He thanked staff for its assistance and stressed the importance of an immediate decision on including all the area listed within the Primary Service Area (PSA). He stressed the remaining portion was part of the overall economic opportunity, and noted the questionable eligibility on that portion with regard to public utilities. He said a study had been done by AES Corporation to show the feasibility of connecting public water and other utilities.

Mr. Vernon Geddy, Geddy, Harris, Franck & Hickman, LLP, 1177 Jamestown Road, introduced Mr. Carlton Abbott, Carlton Abbott & Associates, 402 Duke of Gloucester Street, and addressed the Board on behalf of BASF Property. Mr. Geddy identified the property with statistical information and detailed implementation of environmental protection programs. He noted the BASF site had been identified as a "redevelopment opportunity".

Mr. Abbott gave a presentation on a conceptual mixed-use land use plan. He noted potential public amenities and environmental significance.

Mr. Geddy noted the BASF property, despite extensive marketing over the past two decades, had not provided an industrial opportunity due to the requirements on the property. He noted several potential buyers if the Land Use Designation was changed. He cited projected tax revenue if the change was implemented. He noted no impact on the maritime operations at Ft. Eustis.

Mr. Kennedy questioned the access to citizens at Grove and redevelopment plans in relation to retail.

General discussion ensued on this subject.

Mr. Hipple opened a Public Hearing.

1. Mr. Dick Ashe, 307 Shackleford Road, noted he owned part of 5A and totally agreed with the designation as stated in the Comprehensive Plan. He expressed concern on the left-side land parcel of Point O'Woods and its extension up to Child Development Resources, to which he had donated an acre of land previously. He noted another piece of land he also owned in the Norge area, designated as community character. He asked the Board to consider that area as Mixed Use also with connectivity for the community and offered his assistance.

2. Mr. Thomas Shields, 132 Indian Circle, noted an inequitable growth development in the Grove area compared to other areas. He stated the historical importance of the Grove and the growth in that area, but stressed the Board's decisions for that area and future development.

3. Mr. Howard Ware, on behalf of Preserve the Carter's Grove Country Road, 46 Whittakers Mill, asked the Board which way the Comprehensive Plan was leading. He noted the stormwater issue, tax revenue and cumulative impact analysis on Land Use (LU). He added the cumulative impact should be addressed for all the areas noted in the Comprehensive Plan, particularly the Carter's Grove Country Road. He stressed the importance of maintaining Resource Protection Areas. He complimented the Planning Commission for its work. He hoped the Board denied LU0007 2014 based on conflicts with County Ordinances and policy.

4. Mr. Will Holt, Kaufman & Canoles, 4801 Courthouse Street, spoke on behalf of Colonial Heritage for support of LU003 2014. He thanked the Planning staff for its work. His presentation gave a breakdown of the property on both sides of the PSA. He noted the application centered on moving the current PSA to the proposed new site as shown in the presentation. He cited it was not cost-effective to operate a public water system for a subdivision of less than 100 lots and noted the JCSA would maintain the well. He addressed concern that the relocation of the PSA indicated new development potential to some, but that was not the intent. He highlighted the existing restrictions on Colonial Heritage Proffers

and Master Plan.

Mr. Kennedy asked about the number of lots.

Mr. Holt indicated that there was an existing 50-lot restriction already in place.

Mr. McGlennon asked if the property, served under public water, would be considered for more intensive development.

Mr. Holt noted possibly if this was a new site, but not in the existing use. He noted restrictions under current Proffers and Master Plan.

Further discussion ensued on this matter.

5. Mr. James Curtis, 8405 Pocahontas Trail, spoke on the BASF project and acknowledged Mr. McGlennon's concerns on the property. He cited job opportunities in the Grove area.

6. Mr. Stephen Romeo, 115 Tides Run, partner at VHB Engineers and representing Powhatan Land Enterprises, requested redesignation to medium density residential zoning of the property on 4450 Powhatan Parkway.

7. Ms. Roseanne Reddine, 4700 Presidents Court, thanked Mr. Swanenburg for his earlier comments on the Hazelwood property. She addressed several items before the Board with the Comprehensive Plan citing the BASF property sale as a boon to the Grove.

8. Lieutenant Colonel Joseph Ladner, 1154 Dodd Boulevard, spoke on behalf of Joint Base Langley-Eustis (JBLE) Air Force Base. He noted the installation was a joint mission base and stated JBLE recognized the importance of economic development. He further noted JBLE, in conjunction with James City County, supported a Land Use Study to assist surrounding neighbors understand the effects of different development on military missions. He stated JBLE's concerns with the BASF property and the County's proposed use of a possible resort. He added the noise level from the active military base as a concern. He also noted potential recreational watercraft vehicles created operational concerns around the base's waterways.

Mr. Hipple thanked Lieutenant Colonel Ladner and all service personnel for their service to the United States.

9. Mr. Sasha Digges, 3612 Ironbound Road, expressed concerns for a potential resort on the BASF property. He cautioned against rezoning.

10. Ms. Mary Catherine Digges, 3612 Ironbound Road, spoke against the rezoning of the BASF property. She mentioned cutting the tax base by adding timeshares with the zoning change. She noted maintaining the industrial zoning and encouraged the potential jobs that could result from it.

11. Mr. Larry Hazelwood, 904 Jodi Lynn Trail, thanked the Planning Commission for assistance at Hazelwood Farms. He noted his father's vision for the farm and his pride in the County. He expressed concern about the future of the County and stressed tax revenue generated from shifting the farm to development.

12. Ms. Rebecca Smith, 163 Indian Circle, noted small revenue over the past 20 years with the BASF property. She supported the Mixed Use to promote usage of the property for upcoming generations of County residents.

13. Ms. Petra Nadal, 106 Indian Circle, spoke on the future of Grove and the best interest for the area's residents. She said Mr. Geddy gave options in the presentation, but stressed the rezoning change offered suggestions to the Board for future use, and not particularly as a resort.

14. Mr. Stewart Taylor, 4610 N. Waterside Drive, spoke on approval for incorporation of the entire parcel at 8491 Richmond Road as economic growth development.

15. Mr. John Niland, 503 Rivers Drive, addressed the Board on BASF and development of the Woods Course. He questioned if the developer rights had been sold and wondered if Xantera had notified Kingsmill residents. He noted rezoning concerns about both properties, citing BASF as a possible resort and its impact on Kingsmill. He stressed long-term consideration on plans.

16. Mr. Claude Gilmer, 112 Woodside Drive, spoke about the BASF site and the traffic issues in Grove. He stressed Grove be viewed as part of the County and revenue for it in the overview.

17. Mr. Randy Taylor, 3920 Bournemouth Bend, spoke on 8491 Richmond Road and the status of the decision on the property. He noted an expansion of the PSA line to encompass the entire property for economic opportunity. He further noted rural economic support would not be the right choice for that property.

18. Ms. Heather Cordasco, 113 Alexander Place, stressed the land use designation and the importance of Grove and its future.

19. Mr. Lenny Berl, 105 William Richmond, spoke on Woods Course and no rezoning at the present time until after its sale. He cautioned rushing a decision until the new ownership took place and definite development plans were known. He noted that mindset should be viewed across the County with any development.

Mr. Hipple closed the Public Hearing.

Mr. Hipple noted Ms. Robin Bledsoe, Chair, Planning Commission, was present to answer any questions.

At approximately 9:30 p.m., the Board recessed for a break.

At approximately 9:35 p.m., the Board reconvened.

Mr. Jason Purse, Zoning Administrator, noted each LU case would be presented to the Board.

A. Case No. LU-0001-2014, 7089 Croaker Road, also known as the Massey Application Including the Ashe Properties

A motion to Approve was made by Mary Jones, the motion result was Passed.

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Mr. McGlennon asked for clarification why the Planning Commission recommended against the staff recommendation regarding the Massey application and incorporation of the Ashe property.

Ms. Bledsoe explained the Planning Commission Working Group voted on the application and then the application and that vote went before the Planning Commission for a separate vote. She noted she would be referencing the two votes based on this information. She explained the mixed use zoning and the collaborative effort between adjoining landowners to maximize better land management and access point. She added the Planning Commission endorsed the Working Group's vote.

Ms. Jones supported the Planning Commission recommendation to approve the change to the Massey property and two adjoining properties to mixed use.

B. Case No. LU-0002-2014, 8491 Richmond Road also known as the Taylor Farm Property

A motion to Table until the December meeting was made by John McGlennon, the motion result was Passed

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Ms. Leanne Pollock, Senior Planner, presented the second application case.

Mr. Kennedy asked about the Rural Economy Support Designation request for that property.

Ms. Pollock noted it stemmed from the Rural Economic Development Committee (REDC) study. REDC noted what facilities could support farming economy currently existing in the County. She noted prime farm soil samples showed viable, but increasingly scarcer areas and further noted a possible lighter use that would utilize public utilities inside the PSA.

Discussion ensued on this matter.

Ms. Bledsoe addressed concerns regarding the rezoning, the expansion of the PSA and land uses. She noted deferment on the decision.

Mr. Hipple noted this application needed further work between the owner and staff.

Mr. McGlennon noted a consistent approach to changing any PSA.

Ms. Jones stated these considerations should be part of the Comprehensive Plan. She questioned staff's decision regarding the property and noted the property owners' consideration remain. Discussion ensued regarding the timeline for the deferral and the Department of Environmental Quality.

C. Case No. LU-0003-2014, 499 Jolly Pond Road, also known as the Colonial Heritage 50-Lot Rural Cluster PSA Expansion

A motion for Approval was made by Mary Jones, the motion result was Passed.

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, Onizuk, Kennedy, Hipple Nays: McGlennon

Mr. McGlennon noted at the previous meeting that a change of this land designation would allow for a maximum of four houses in this area.

Mr. Kennedy asked if assurance was guaranteed for no more than 50 lots.

Mr. Purse noted a development plan had not been submitted at this time and when done, it would need administrative approval.

Mr. McGlennon asked about procedural change in the policy, despite the zoning, if the Board agreed.

Mr. Ozinuk echoed sentiment regarding the PSA and change of ownership or change of plans for additional units.

Discussion ensued on this matter.

Ms. Bledsoe echoed the Board's split support of this application, noting that the applicant could change the number of units, PSA expansion and other factors as reviewed by the Planning Commission. She cited statistics detailing expenses and the cost of a central well.

Mr. McGlennon disclosed he had no conversation with the applicant prior to the evening's meeting.

D. Case No. LU-0004-2014, 4450 Powhatan Parkway

A motion to Deny was made by Kevin Onizuk, the motion result was Passed.

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Ms. Pollock addressed the Board for questions.

There were no questions from the Board.

Ms. Bledsoe noted the Planning Commission had denied the application noting conservation easement.

E. Case No. LU-0005-2014, 133 Powhatan Springs Road

A motion to Approve was made by Mary Jones, the motion result was Passed.

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Mr. Purse addressed the Board for questions.

There were no questions from the Board.

Ms. Bledsoe noted the Planning Commission's endorsement with a language notation that included limited industrial type uses and intensity for the mixed land use.

F. Case No. LU-0006-2014, 9400 Barnes Road, also known as the Hazelwood Farm

A motion to Approve on the northern part as mixed use as approved by the Planning Commission was made by Kevin Onizuk, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

A motion to Approve on the southern part as mixed use as approved by the Planning Commission was made by James Kennedy, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

A motion to Approve the PSA expansion was made by James Kennedy, the motion result was Passed.
AYES: 5 NAYS: 1 ABSTAIN: 0 ABSENT: 0
Ayes: Jones, Onizuk, Kennedy, Hipple Nays: McGlennon

Ms. Pollock addressed the Board for questions.

Mr. Hipple noted there were three votes within this application, with individual vote on the northern property, southern property and deferral of the PSA expansion, respectively.

Mr. Onizuk asked if the applicant was acceptable to the deferral.

Ms. Pollock noted she would let the applicant answer that point. It was noted the applicant was present.

Discussion ensued on this matter.

Ms. Bledsoe noted the Planning Commission was in favor, but stressed the DEQ issue.

Mr. Kennedy noted the DEQ issue fell on the applicant.

Mr. McGlennon wanted to defer on the PSA piece.

Discussion ensued on this matter.

G. Case No. LU-0007-2014, 8581 Pocahontas Trail and Kingsmill/Woods Course

A motion to Deny was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Ms. Pollock addressed the Board for questions.

Mr. McGlennon noted the recommendation from the Planning Commission was prior to Xantera's decision to sell the golf course.

Mr. Kennedy noted previously Xantera had stated no plans to develop any golf course on that property. He added that based on that statement alone, he was not in support of the application.

Ms. Bledsoe noted staff comments on the application and the land designation changes. She added endorsement from the Working Group and the Planning Commission.

Mr. McGlennon recommended denial of the application based on the property, which was on the market for sale, and possibility of a new owner with different development plans.

Mr. Hipple concurred.

H. Case No. LU-0009-2014, 8961 Pocahontas Trail, also known as the BASF Property.

A motion to Approve was made by Mary Jones, the motion result was Failed.

AYES: 1 NAYS: 4 ABSTAIN: 0 ABSENT: 0

Ayes: Jones Nays: McGlennon, Onizuk, Kennedy, Hipple

Ms. Pollock addressed the Board for questions.

Mr. McGlennon asked Mr. Russell Seymour, EDA Chair, about the availability of industrial land in the County and if there was a surplus.

Mr. Seymour noted there was no problem, but rather property did not match demand. He further noted there was no surplus of buildings. He contacted the state to match how municipalities were searching for property and how the County ranked in that match. He noted that buildings, 20-30 acre maximum pad sites and other variables played into the ranking. He also noted that the County tended to be an "importer of employees" outside of the area. He stated that the size of the BASF parcel had been a detriment as it remained an undivided plat.

Discussion ensued on this matter.

Ms. Bledsoe noted the Planning Commission and Working Group's positive and negative comments for possible use of the property. She stated the Planning Commission voted down the land use change.

Mr. Kennedy stated it was a challenge to provide employees for jobs throughout the County. He noted there was no sale on the property, only a request for a land use designation change. He further added he was not in support of the change.

Ms. Jones noted land use change without a sale and referenced the Hazelwood property. She supported the change and cited future projects. She favored the multi-use opportunities at the BASF property. She requested a joint work study between BASF and the Armed Forces.

Mr. Kennedy noted the opportunity for the military's engagement with the property, but questioned what opportunities. He further inquired about permanent residential facilities.

Ms. Pollock noted there was a line item on the Planning Commission and Working Group's study stating no permanent residential on the property.

Mr. McGlennon asked about the rationale of that decision.

Ms. Pollock noted initial conversation with the property owner indicated no desire

to have permanent residential there. She also noted that based on outstanding questions from DEQ on remediation of the property and clearance for permanent residency.

Mr. McGlennon asked about permanent residency versus a resort.

Mr. Kennedy asked about permanent employees and health issues.

Discussion ensued on this matter.

Ms. Pollock noted that had been one recommendation for denial of the land use application to give DEQ and BASF more time to work through the remediation and potential impacts on the property.

Mr. Onizuk noted this was conceptual in nature and not a concrete idea of what would be located there. He cited the long industrial use of this property. He also noted the waterfront beauty while power lines run through the middle of the property. He stressed the economic impact of this parcel on the area and its impact on Ft. Eustis. He cited a recent memorandum from Mr. John Harvey, Office of the Governor, Secretary of Veterans and Defense Affairs, expressing encroachment near Ft. Eustis. Mr. Onizuk noted the potential economic risk if military forces moved location. He further stated he did not support a land use designation while still only a concept.

Discussion ensued on this matter.

Mr. Hipple noted that several companies have occupied that space and employed local residents, but stressed the EDA looked for buildings to be occupied. He also noted the potential competition against Kingsmill if the land use was changed. He stated more drain on the infrastructure than industrial, lowering the tax rate, having a solid plan with a seller and working more with the military as neighbors in the balance. He did not feel the push to move forward at this time, but welcomed a plan from a developer.

Mr. McGlennon noted that industrial use has significant tax advantages over other uses.

I. Case No. LU-0010-2014, Group One Housekeeping Items which Include Changes to Federal, State and County Land.

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

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Ms. Pollock addressed the Board for questions.

J. Case No. LU-0011-2014, Group Two Housekeeping Items which Include Changes to New Town and Ford's Colony Southport Area.

A motion to Approve was made by Kevin Onizuk, the motion result was Passed.

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

Ms. Pollock addressed the Board for questions.

Mr. Hipple stated that a vote on the entire Comprehensive Plan would also be taken.

5. **Candle Station Rezoning and Master Plan Amendment**

A motion to Approve was made by Mary Jones and the motion result was Other.
AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Jones, Kennedy, Onizuk.
Nays: McGlennon.

Mr. Jose Riberio, Planner, addressed the Board noting the applicant and staff were in attendance for questions.

Ms. Jones asked about inter-connectivity with the parcel behind the location and provisions if required.

Mr. Riberio noted no connectivity shown on the Master Plan.

Ms. Jones inquired about State Code and adjacent properties with inter-connectivity.

Mr. Paul Holt, Planning Director, noted the Master Plan did not reference any connectivity and staff could not require a connection, but said the owners of the adjacent properties could determine amongst themselves if needed. He noted nothing under the Subdivision Ordinance mandated the connection.

Discussion ensued on this matter.

Ms. Bledsoe noted the replacement of the assisted living facility as originally planned. She noted changes in traffic, buffers and land use complimented each other. She stated the majority of the Planning Commission felt strongly about the developer, a County resident, which would prove beneficial in the long term.

Mr. McGlennon raised questions regarding the developer and endorsement.

Discussion ensued on this matter.

Mr. Tim Trant, Kaufman & Canoles, represented the applicant, Candle Development, LLC and its owner, Mr. Pete Henderson. Mr. Trant thanked staff for their work on the project. He presented a PowerPoint of the property and the involvement over time of the Master Plan. He noted the assisted living facility factor was removed from the plan despite aggressive marketing for the facility. He further noted this amendment to the Master Plan was the most economically viable alternate and cited various benefits as well.

Mr. McGlennon thanked Mr. Trant for contacting him regarding the property. He also asked about the benefits for the County if the Amendment was approved. He cited four key factors of concern in the revision.

Mr. Hipple asked about the self storage facility and its future potential as economic development and tax revenue.

Mr. Trant noted if the facility was to be reused in an alternate way then a revision to the Master Plan would be needed.

Discussion ensued on this matter.

Mr. Hipple opened the Public Hearing.

1. Mr. Dick Ashe, noted his concerns about the principle regarding the property use and right-of-way citing contact with Mr. Paul Holt, Planning Director. Mr. Ashe showed in a PowerPoint presentation the four access right-of-ways and stressed access out to Croaker Road. He asked for change to accommodate access and inter-connectivity. He noted further correspondence from Mr. Bryan Hill, County Administrator.
2. Mr. Swanenburg cited the 2009 Comprehensive Plan and PSA use highlighting urban growth. He noted verbiage addressing interconnection with roads and new development. He further noted the Candle Station rezoning was not an issue, but stressed the legislative indication to provide inter-connectivity between properties.
3. Ms. Irma Thompson, 160 Old Church Road, noted her property adjoined the Candle Station property with several ravines on it. She expressed her concerns upon hearing of the development. She noted Mr. Trant reached out to meet with the Thompsons and discuss the plan as well as seeking input from them. She further noted the plan worked well in the community and they supported the plan.

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

Mr. Onizuk requested clarification from Ms. Michelle Gowdy, County Attorney, on the inter-connectivity requirements.

Ms. Gowdy noted Case Law discussing if access was available to the individual's property, then access from another parcel was not required. She noted there was no choice on location of inter-connectivity; it must be provided, but choice of where its location was not an option.

Mr. Kennedy asked Mr. Trant if conversation had taken place between the two developers.

Mr. Trant noted Mr. Ashe and Mr. Henderson had met to discuss the inter-connectivity situation. He noted Mr. Henderson's concerns, but also a willingness to provide the interconnection dependent on two conditions: 1) County support, 2) equitable share of cost that Mr. Henderson had incurred. Mr. Ashe declined.

Discussion ensued on this matter.

Mr. McGlennon noted he had not been in support of this proposal when it was presented several years earlier and he continued to not be in support.

Mr. Onizuk noted it did not appeal to him either, but he further noted it was economic necessity and respect for Mr. Henderson that he lent his support.

Mr. Hipple stated no support was unfair to the community and citizens.

I. BOARD CONSIDERATION(S)

None

J. BOARD REQUESTS AND DIRECTIVES

None

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

None at this time.

L. PUBLIC COMMENT

None

M. CLOSED SESSION

Mr. Kinsman noted there were several appointments which expired at month's end.

Mr. Hipple stated that the appointments would be postponed until the July meeting.

1. Reappointments to the Historical Commission

2. Reappointment to the Peninsula Alcohol Safety Action Program Policy Board

3. Reappointment to the Middle Peninsula Juvenile Detention Commission

4. Reappointment to the Colonial Group Home Commission

5. Social Services Advisory Board Appointment

6. Appointments to the Thomas Nelson Community College Local Board

7. Reappointments to the Williamsburg Area Arts Commission

8. Colonial Behavioral Health Board of Directors Appointments

9. Appointment to Williamsburg Regional Library Board of Directors - Staff Appointment

N. ADJOURNMENT

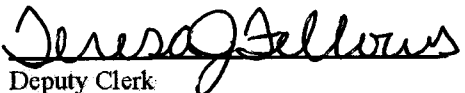
1. Adjourn until 6:30 pm on July 14, 2015 for the Regular Meeting

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

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

Ayes: Hipple, Jones, Kennedy, McGlennon, Onizuk.

At approximately 12:37 a.m., Mr. Hipple adjourned the Board.


Deputy Clerk