

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 12, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Michael J. Hipple, Vice Chairman, Powhatan District
Ruth M. Larson, Berkeley District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
James O. Icenhour, Jr., Chairman, Jamestown District

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

ADOPTED

JAN 14 2020

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Ellie Gassner, a 3rd-grade student at Norge Elementary School and a resident of the Powhatan District, led the Board and citizens in the Pledge of Allegiance

E. PRESENTATIONS

1. Proclamation Presentation

Mr. Icenhour read aloud a proclamation which proclaimed November 10 as Adelle Roudels Day in James City County. He noted Ms. Roudel was unable to attend the meeting; however, he would deliver the proclamation to her the following day.

The Board and audience members applauded.

2. Service Project Recognition

Ms. Larson referenced the Eagle Scout Service Project Recognition. She stated Mr. Phelan Daum, a sophomore at Lafayette High School, spruced up a butterfly garden located on the Billsburg Brewery property as a service project to attain Eagle Scout status. She noted details involved in the project, and remarked the Coastal Virginia Wildlife Observatory used the garden to study butterflies and the plants inside the garden were selected to attract the insects. She expressed her appreciation to Mr. Daum and his family as well as his troop for their contributions in the effort.

The Board and audience members applauded.

3. Retiree Recognition - Al Catlett, Jr., Fire Rescue Battalion Chief

Mr. Icenhour noted Mr. Catlett was unable to attend the meeting and deferred the recognition to a future meeting.

F. PUBLIC COMMENT

1. Ms. Peg Boarman, Clean County Commission Chair, 17 Settlers Lane, addressed the Board in regard to "trash to treasures." She referenced the James City Ruritan Club and gave a brief synopsis. She noted a celebration would be held November 16 from 3-5 p.m. at the Stonehouse Presbyterian Church. She listed several past presidents of the James City Ruritan Club and remarked the focus was on serving the environment. She mentioned trash and recycling and noted that on November 9, 2019, the Clean County Commission held its annual Litter and Recycling Expo. She reviewed the details of the event and expressed her gratitude to the volunteers who attended.

G. CONSENT CALENDAR

1. Minutes Adoption

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The motion for Approval of the minutes included the following meetings:

- September 24, 2019 Work Session
- October 8, 2019 Regular Meeting
- October 22, 2019 Work Session

2. Grant Award - Medicaid Expansion - \$3,000

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

3. Grant Award - Justice Assistance - \$10,710

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

4. Grant Award - Four-for-Life Fund Adjustment - \$15,423

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

5. Grant Award - Radiological Emergency Preparedness - \$30,000

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

6. Grant Award - Bulletproof Vest Partnership - \$34,997

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

7. Grant Awards - State Homeland Security Program - \$38,600

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

8. Grant Award - Commonwealth Attorney - Virginia Domestic Violence Victim Fund - \$65,473

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

9. Contract Award - Child Health Initiative Management System - \$116,540

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

10. Grant Award - Virginia Fire Programs Fund - \$244,057

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

11. Contract Award - Replacement Fire Pumper - \$708,937

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

12. Grant Award - Urban Areas Security Initiative - \$279,148

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

13. Grant Award - Virginia Environmental Endowment James River Water Quality Improvement Fund - \$396,000

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Larson expressed her kudos for the amount of grants that staff regularly pursues as well as their attendance at the meetings regarding those grants.

H. PUBLIC HEARING(S)

1. Case No. SUP-19-0016. 3021 Ironbound Road Tourist Home

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

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

Ms. Terry Costello, Deputy Zoning Administrator, gave an overview of the staff report and resolution included in the Agenda Packet. She stated staff recommended approval of the application subject to the conditions listed in the resolution.

Mr. McGlennon inquired about dealing with a reapplication due to failure to meet the condition of things being done within a 12-month timeframe and asked if that timeframe would be an issue.

Ms. Costello replied the applicant had already applied for a building permit and was waiting for this Special Use Permit (SUP) to be approved, after which an inspection could be obtained.

Mr. Jack Haldeman, Planning Commission Chair, stated the Planning Commission voted unanimously and without discussion for the Board to approve this tourist home application.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

2. Ordinance to Amend County Code Section 15-5 to Require Fencing around Junkyards

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

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

Ms. Elizabeth Parman, Assistant County Attorney, gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. McGlennon expressed his appreciation to staff for working on this issue as it would aid citizens dealing with visual blight in their communities and help address non-conforming junkyards still remaining in developed neighborhoods.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

3. Conveyance of Real Property - 1653 Green Mount Parkway

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

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

Ms. Parman gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

4. Amendment of James City County Code 13-13.1 and to Create 13-13.2 to Regulate Motorized Skateboards and Scooters

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Kinsman gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Ms. Larson expressed her appreciation to Mr. Kinsman for looking into this issue.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

5. Case No. AFD-19-0001. 7150 Richmond Road, Hill Pleasant Farm AFD Withdrawal

This item is combined with Item No. 6.

6. Case No. SUP-19-0017. Hill Pleasant Farm Solar Farm

A motion to Approve the removal of the Agricultural and Forestal District was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS:0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

A motion to Approve SUP-19-0017 Solar Farm was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS:0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Icenhour stated that Item Nos. 5 and 6 would be combined.

Mr. Tom Leininger, Planner, gave an overview of documents regarding Item Nos. 5 and 6 included in the Agenda Packet.

Mr. McGlennon expressed his appreciation for the research involved in this case. He briefly discussed two situations where such withdrawals had been approved and in both instances the first two conditions were not met.

Mr. Haldeman stated the Planning Commission also considered these items together and recommended withdrawal by a 4-2 vote, as there was one absence at that meeting. He further stated the Commission recommended approving the SUP at a 5-1 vote and noted the applicant agreed to work with staff to add a condition to guarantee the planting of low growth pollinators, such as clover, within the 125-acre solar panel array and to guarantee replantings as necessary for the duration of the lease. He stated the Commission voted 5-1 that the application was consistent with the Comprehensive Plan. He noted the Commissioners who voted in favor of these issues made the following points: 1) the Agricultural and Forestal District (AFD) policy discouraged but did not prohibit early withdrawal; 2) renewable and solar energy were for public good and would benefit the community; and 3) the solar provider Strata Solar Development has a strong reputation in a good location shielded from Richmond Road by the railroad tracks, consistent with rural economic policies, and meets three of the four conditions for the withdrawal. He further noted the Commissioner who voted against these proposals made the point it was not consistent with the Comprehensive Plan because it

reduced the development potential in the County core for substantial time, and the lease eventually could have been anticipated on the date of the last day of renewal. He remarked the Planning Commission also recommended the Board of Supervisors resolve the question of what would happen if the withdrawal was approved but the SUP was later denied. He asked if the property owner would need to apply to have his property be readmitted to the AFD.

Mr. Icenhour opened the Public Hearing on both Item Nos. 5 and 6.

1. Mr. Greg Davis, Kaufman & Canoles, P.C., 4801 Courthouse Street, representing the applicant Strata Solar LLC, acknowledged Mr. Don Hunt of Hill Pleasant Farm, Inc. in the audience. He discussed a PowerPoint slideshow which included the following topics: Project Team; Background; SUP; Pollinator Habitat; AFD Withdrawal Policy Four Factors; Circumstances Changed; and Public Purpose. Mr. Davis concluded with the following points: Hill Pleasant Farm is the perfect location: no negative impacts; AFD removal is justified, recommended by AFD Advisory Committee and Planning Commission; and Applicant request - Act on cases together. He commented if the SUP was not to be granted, it would be a great detriment to the landowner to have the property removed from the AFD.

Ms. Larson referenced traffic on Rochambeau Drive and asked what might be expected during construction.

Mr. Davis replied there would be truck and construction worker traffic while developing and grading approximately 120 acres with some tree removal.

Mr. Jackson Naftel, Director of Development with Strata Solar LLC, stated a project of this size would take approximately six months with the core of the truck traffic over in approximately six weeks.

Ms. Larson expressed her concern that Rochambeau Drive was a narrow, winding road.

Ms. Sadler stated she attended the AFD Advisory Committee meeting. She referenced the July 25, 2019, meeting minutes and noted that while at that meeting she asked if the Committee felt the withdrawal criteria had been met.

Mr. Hipple referenced the safety issue on Rochambeau Drive and briefly discussed previous logging trucks which had used that route.

Mr. Davis stated the SUP conditions included a requirement for construction management and mitigation plan and could be addressed by staff at the site plan stage.

Mr. McGlennon inquired about the pedestrian and bicycle accommodations that would be part of this project.

Mr. Davis stated the Ordinance would require a bike path be constructed on the frontage of the property and his client was aware of that and understood it would be a condition of site plan approval.

Mr. McGlennon expressed concern regarding the increased number of tourists traveling by train and referenced buffering and visibility of the solar farm from trains.

General discussion ensued.

Mr. Icenhour referenced the staff report and stated it indicated this was about \pm 190 acres for the solar farm, that the AFD withdrawal was about half of the Hill Pleasant Farm, and the remainder was predominately on the north side.

Mr. Davis replied that was correct.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

Mr. Icenhour addressed Mr. Kinsman and referenced the AFD withdrawal and inquired about a rollback of a tax advantage listed as \$80,000.

Mr. Kinsman replied he spoke to the Commissioner of the Revenue and it would depend upon how much was cleared on the property; therefore, the Commissioner was estimating between \$30,000 and \$50,000.

Mr. Icenhour stated it was his understanding when this was approved and built, then this was no longer taxed at rural lands value and it would become more of an industrial type of tax use base.

Mr. Kinsman replied that was correct, it was no longer agricultural.

Mr. Icenhour commented in that respect it did represent a benefit. He further commented there was a proliferation of heavy metals and whatnot in those panels and at the end the decommissioning of the recycling could be an environmentally sensitive issue. He stated there currently was a surety required on this with an ability over a 30- or 40-year period to be adjusted for inflation. He addressed the applicant regarding recycling and assurance that those materials would not be a problem.

Mr. Davis discussed the materials composition and the recycling market.

General discussion ensued.

Mr. Icenhour asked Mr. Kinsman if these items could be voted on simultaneously.

Mr. Kinsman replied they needed to be done separately, with the AFD first and the SUP second.

Mr. McGlennon stated he would not approve the AFD withdrawal unless he was planning on voting for the application.

Mr. Hipple stated the reason the AFD was put in there was to keep this in the family and keep it in a natural state by introducing the solar farm for the next 30 years. He commented the land was being protected by being in the solar farm, allowing the ability in the future for the land to go back into farming if so desired. He stated two of the requirements needed to be reviewed by the Board and the wording examined.

Ms. Larson stated she met with Mr. Davis to discuss this item and appreciated the thought that went into the application as well as the Hunts' contributions to the County over the years. She expressed concern over the previous discussion regarding recycling and assurance that materials would not be a problem and was glad to hear a better product was going to be used.

7. Case No. Z-18-0002/Z-19-0010/MP-18-0002. Stonehouse Rezoning and Proffer and Master Plan Amendment

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Nays: Larson

Ms. Ellen Cook, Principal Planner, gave an overview of the staff report, Ordinances, and resolution included in the Agenda Packet.

Mr. Hipple inquired about the 130,000 square feet of Commercial A-1 use and asked if there would be an SUP for any of that use.

Ms. Cook replied there were certain limited uses that were prevented by-right in A-1, but for any other use listed as a Specially Permitted Use that would be required to be in place before those uses could occur.

Mr. Hipple asked if there would be a Virginia Department of Transportation (VDOT) or traffic study during that SUP process depending on the use of the land.

Ms. Cook replied yes, all proposals would be reviewed by VDOT. She stated the need for a traffic study, as required by the Ordinance, would be determined based on the level of trips that were generated. She further stated it had to be below a certain level to not have a traffic study required, if it was above that level then one would be required.

Mr. Hipple inquired if a traffic study was done and if it was determined that the road needed to be widened, who would make that decision.

Ms. Cook replied the traffic study would list certain recommended improvements for the Board to consider as part of the application.

Mr. Hipple inquired if there would be any way the County would be 'on the hook' for something like that and noted he realized this was a tough question.

Ms. Cook replied she felt the Board would be aware of what impacts any SUP application would have, and could make a determination of whether they were being mitigated with that particular application.

Mr. McGlennon stated this was overall a large project and recognized it had previously been approved and gone through the master plan process a few times. He felt it was unreasonable to suggest the proposal needed to meet all the current policies and was curious if there might be some recalibration to reflect the changing circumstances of this application. He stipulated he was pleased at the proposal to significantly reduce the total number of units. He referenced the school site and noted it was originally proffered at 179 acres of which 113 was developable. He noted this particular one was 89 acres of which 33 acres were developable, which was an 80-acre reduction in school site.

Ms. Cook confirmed his calculations.

Mr. McGlennon stated the proposal for the new site involved compacting since it was previously a landfill and asked if it would increase the net developable land.

Ms. Cook replied the non-developable land was based on the environmental features.

General discussion ensued.

Mr. McGlennon recognized a proffer for cash in-lieu of that land and remarked it may be a better option for the County. He stated the area probably needed traffic signalization and if a middle school was added to the other side of the street, there would definitely be a need for signalization which would add additional cost. He inquired about public transportation and

asked if any effort was made to suggest and encourage alternate forms of transportation, in particular the bus system.

Ms. Cook replied no, not public transit.

Mr. McGlennon briefly discussed affordable workforce housing in regard to this case. He asked Ms. Cook to clarify the current terms of contributions per unit to affordable housing costs.

Ms. Cook replied \$1,254.

Mr. McGlennon stated that in a previous discussion with Mr. Tim Trant, Applicant Representative, Kaufman & Canoles, P.C., the figure had been closer to \$15,000.

Ms. Cook replied she would verify in the proffers.

Mr. McGlennon apologized for the questions, but noted the large size of the meeting's Agenda Packet which included a lot of information to review.

Ms. Larson referenced the 33 acres noted for a middle school and inquired if it had been confirmed with the Williamsburg-James City County (WJCC) schools and if that was the suggested acreage for a middle school.

Ms. Cook replied yes, they had been aware of the application and noted the layout was not a firm or definite layout, but rather an example layout.

Ms. Larson repeated if that was the acreage wanted for a middle school.

Ms. Cook replied the acreage was listed in the Comprehensive Plan for each level of school.

Ms. Sadler stated if this was approved and the school did go on that particular site, she would like the County to continue working with VDOT for a traffic signal. She commented this was a very congested area and would be something that needed to continue being pushed and reviewed.

Mr. Hipple noted that every traffic signal cost \$500,000.

Mr. Haldeman stated the Planning Commission voted 4-2 to recommend approval of these applications and the master plan amendment, with the recommendation that the Board of Supervisors endorse the applicant's suggestion of a single buyer for the Stonehouse reserve parcel through a conservation easement of property under the Commonwealth of Virginia Conservation Agency. He further stated the Commission had a number of questions for the applicant, and under discussion the Commissioners who voted in favor of this made the following points: 1) 1,100 reduction in housing units and a substantial reduction in non-residential development removed considerable pressure from the water use, traffic, infrastructure, and schools; 2) the Commission felt it promoted the quality of life within the County; 3) the application promoted better land conservation by seeking a single buyer for the Stonehouse preserve; 4) one Commissioner noted the state approached the applicant about buying this parcel; 5) by selling the property to the state or conservation agency, the homes and commercial uses would likely not be developed; 6) this parcel has been recognized as a high core area and was part of the Governor's vision for preserving Virginia; 7) a significant reduction in roads and turn lanes reduced impervious surface and pollution; and 8) there were a number of residents who spoke to the condition and width of Sycamore Landing Road and Croaker Road and noted the Commissioners felt that was a separate issue from this case; however, the concerns were legitimate. He remarked the Commissioners who voted against

this application pointed out: 1) there were a lot of unknowns regarding this application; 2) the County would receive only one school site and no public safety site versus the existing proffer with two school sites and one public safety site; 3) residents in that area currently have a long public safety response time already; 4) removing the housing units could put growth pressure in the wrong areas of the County when Stonehouse was well situated with access to the interstate; 5) putting affordable housing in a Planned Unit Development (PUD) was not always successful because of the maintenance cost and was not always affordable long term; and 6) decisions had been made on the Comprehensive Plan and other cases based on the density of the project. He noted the Commission had a discussion regarding the affordability of these units.

General discussion ensued.

Mr. Icenhour addressed Mr. Kinsman and discussed page 24 of the proffer document and spoke about external road connections.

Mr. Icenhour opened the Public Hearing.

1. Mr. Tim Trant, Applicant Representative, Kaufman & Canoles, P.C., 4801 Courthouse Street, Suite 300, addressed the Board in regard to Stonehouse rezoning and Proffer and Master Plan amendment. He gave an overview of a PowerPoint slideshow. He introduced representatives of the ownership group, project management team, as well as a fellow colleague from Kaufman & Canoles, P.C. He expressed his appreciation to Ms. Cook for her efforts in pulling this application together. He discussed the project background, proposed master plan, highlights of proposed changes, highlights of proposed changes - PUD, preservation square, and highlights of proposed changes - A1. He discussed whereas his firm had been asked by some of the residents to eliminate or phase the commercial activity on the Stonehouse preserve. He stated with regard to the school site the change in the location of the school site was in part driven by the reduced school impact, reduced number of school children, and the extent of the residential development. He further stated the neighborhood schools no longer seemed prudent and appropriate to draw in buses and traffic from other places in the County. He discussed the proposed master plan and the per unit school cash proffer currently in the proffers. In conclusion, Mr. Trant discussed potential uses for the developable property on the school site as well as the commitment of affordable housing proffers. He noted the \$300,000 number was the 2019 number that was represented in the current proffers.

Ms. Larson inquired about the size of the previous school site.

Mr. McGlennon replied 179 acres with 113 developable.

Ms. Larson briefly discussed the possibility of a middle school and redistricting.

General discussion ensued regarding the details of the proposed school site property.

Mr. Hipple inquired if the \$1.6 million could be negotiated and asked if there was a site included that would accommodate a high school and take the school issue totally off the table. He noted the County would then have what it needed to put in there and asked if the County could take the \$1.6 million and parlay it back to the developer and buy a piece of land that would take care of the County school site.

Mr. Trant replied he did not believe there was a site within the PUD as it would be reconfigured that would be readily available for accommodating a high school. He felt it would involve taking the \$1.6 million and finding a site elsewhere in the area.

Mr. McGlennon stated this 179 acres was a very valuable piece of property inside the development. He stipulated he did like this proposal and felt it could be a win-win situation. He further stated the question of where a school site could be found for \$1.6 million in the County was a bit of a challenge. He commented he felt this project would signal the need for signalization. He briefly discussed the original approved plan.

Mr. Trant stated the delivery of the school site, commitment to improve it to the County specifications, and the \$800,000 cash more than offset the balance.

Mr. McGlennon replied correct and he respected it was just a matter of the right balance.

Ms. Larson disagreed and discussed the proposed school site. She stated she did not want to be misunderstood; she said there needed to be a high school site because she did not know if this would work out for the School Board and a different acreage limited what could be provided for a school.

Mr. Hipple stated he looked at it differently and commented the County would be getting a smaller site but would also be getting a smaller community.

General discussion ensued on this subject.

Mr. Hipple pointed out the significant cost savings for the County not to have to pay for clearing the land and getting it pad ready. He stated he felt the Board was getting hung around the axle on this school site and not looking at the larger picture of traffic, schools, fire, and EMS. He remarked that currently it was hard to keep up with school buses and mentioned the travel, fuel costs, and additional buses for the upper end of the County. He further stated the area in a nature preserve would be a benefit in the future and felt this was very close to some of the things the Board had been seeking.

Ms. Sadler inquired about the school site and possible uses.

The project development manager stated there were other portions of the property that were developable that were not part of the schematic layout of the school. He noted the schematic layout was done with just the intent of the school use itself and not evaluated for multiple uses.

Mr. Hipple referenced site readiness and inquired about the costs for making the site pad ready.

The project development manager estimated \$800,000 to \$1 million to make the site pad ready.

The Board entered a recess at approximately 7:12 p.m.

The Board reconvened at approximately 7:20 p.m.

Mr. Icenhour reviewed the Public Hearing rules for audience members.

2. Mr. Art Michel, 9420 Ottoway Court, addressed the Board in regard to Item No. 7. He stated he resided in Stonehouse Glen and remarked he was pleased to see the setting aside of this part of the proposal, rezoning, and proffers, etc. He commented on the amount of wildlife in the area and their habitat being continually squeezed out and noted his support on the effort of changing the Master Plan.

3. Mr. Ron Grossman, 9936 Swallow Ridge, addressed the Board in regard to Stonehouse at Mill Pond and noted he was the Vice President of the Association. He referenced the

Stonehouse at Mill Pond Board meeting and highlighted the issues discussed. He remarked the Stonehouse at Mill Pond Homeowners Association fully supported the proposed changes to the master plan agreement proffer amendment and rezoning review and encouraged approval of the applications.

4. Mr. Richard Costello, 10020 Sycamore Landing Road, addressed the Board in regard to Case No. Z-18-0002/Z-19-0010/MP-18-0002. He spoke on behalf of the Sycamore Landing concerned citizens and briefly surmised their comments. He requested the Board defer the case and direct staff to work with Stonehouse to address four additional conditions Sycamore Landing residents felt should be added to the rezoning documents.

5. Mr. Mark Rinaldi, 10022 Sycamore Landing Road, addressed the Board in regard to the Stonehouse Rezoning and Proffer and Master Plan Amendment. He stated he was speaking for many older neighborhood residents who could not attend due to weather conditions. He noted concerns of traffic and potential cumulative impacts of some land purchased by the state and the remaining land bought by private development as well as discussed the removal of 1,100 units being a public benefit.

6. Mr. Mark Rinaldi, 10022 Sycamore Landing Road, addressed the Board in regard to registered speaker Ms. Janet Whiteside, 10036 Sycamore Landing Road. He stated Ms. Whiteside was his neighbor who was unable to attend and whom asked that he read her email verbatim to the Board. The email referenced Item No. 7 and discussed traffic concerns.

7. Ms. Kelly Fulton, 9888 Sycamore Landing Road, addressed the Board in regard to the Stonehouse Rezoning and Proffer and Master Plan Amendment. She stated she was in attendance for herself and her neighbor Mr. Sam Cupp, 10213 Sycamore Landing Road, as well as Ms. Mary Mitchell, neighbor. She discussed neighborhood concerns and gave the Board a flash drive with a video displaying problems encountered in regard to the width of the road.

8. Mr. W. Scott Mowry, 10210 Sycamore Landing Road, addressed the Board in regard to Case No. Z-18-0002/Z-19-0010/MP-18-0002. He handed out photos to the Board. He briefly discussed the background of the road noting its present conditions and stated planning needed to be done for the safety of the road.

9. Ms. Nancy Baughan, 10124 Sycamore Landing Road, addressed the Board in regard to Case No. Z-18-0002/Z-19-0010/MP-18-0002. She briefly described the history of Sycamore Landing Road, the community it had served over the years, and traffic condition concerns.

10. Ms. Jo Brooks, 10117 Sycamore Landing Road, addressed the Board in regard to the Stonehouse Rezoning and Proffer and Master Plan Amendment. She expressed her thanks for the opportunity to speak regarding this item. She commented she represented many neighbors who could not attend and shared their concern for the community in which they resided. She discussed the traffic and Sycamore Landing Road hazards and encouraged Board members to visit the area discussed before making a decision.

11. Mr. James Miller, 10031 Sycamore Landing Road, addressed the Board in regard to Item No. 7. He stated downzoning was fantastic. He discussed concerns such as: road narrowness and safety; traffic; public safety - gaining access to the community and arrival timeframe; and selling the property to the state.

12. Ms. Pam Dannon, 9510 Sycamore Landing Road, addressed the Board in regard to Case No. Z-18-0002/Z-19-0010/MP-18-0002. She discussed dangerous road conditions and stated she was not asking for the road to be improved, just for no more traffic to be added.

She asked the Board to defer the case based on the project size, obtaining more information from the School Board, and more time to review the Agenda Packet to have a better understanding of all the elements.

13. Mr. Thomas Williams, Jr., 10005 Sycamore Landing Road, addressed the Board in regard to the Stonehouse Rezoning and Proffer and Master Plan Amendment. He discussed traffic safety concerns.

14. Mr. Jeff Miller, 10025 Sycamore Landing Road, addressed the Board in regard to Item No. 7. He briefly discussed traffic safety concerns.

15. Mr. Robert Meeker, 10200 Sycamore Landing Road, addressed the Board in regard to Case No. Z-18-0002/Z-19-0010/MP-18-0002. He gave a brief personal history of residing in various neighborhoods in the County over the past years. He referenced 'old' News Road and Barnes Road versus Sycamore Landing Road and Croaker Road and noted a difference was the access and the ability to develop. He stated it was a difficult road to improve and barely capable of maintaining the types of vehicles currently en route. He stated he was in favor of property improvements but requested a deferment for more information and better alternatives. He encouraged Board members to take the opportunity and drive on Sycamore Landing and Croaker Roads.

16. Mr. Alan Babb, 10125 Sycamore Landing Road, addressed the Board in regard to Item No. 7. He briefly discussed school bus/road traffic safety concerns on Sycamore Landing Road. He supported the idea of having fewer houses and property being developed as the area needed a closer high school and fire station.

17. Mr. Robert Spencer, 9123 Three Bushel Drive, addressed the Board in regard to the Stonehouse Rezoning and Proffer and Master Plan Amendment. He referenced the end of Field Stone Parkway when getting on Route 30 going south and noted it was a traitorous intersection in need of a traffic control device.

As there were no more speakers, Mr. Icenhour closed the Public Hearing.

Mr. McGlennon asked Ms. Cook if the intersection referenced by Mr. Spencer was affected by the proposal and was there a plan for signalization.

Ms. Cook replied yes, included in the proffers there was a traffic signal at that location when it would be warranted.

General discussion ensued regarding proposed plan aspirations, concerns as well as clarification on which preserve (or both) was to be considered for purchase by the state, and a County legal standpoint regarding the easement.

Ms. Sadler asked Mr. Trant about community meetings. Mr. Trant estimated community meetings were held late winter or early spring 2018 and July or August 2019. Ms. Sadler inquired if the meetings were held in both Stonehouse communities.

Mr. Trant replied yes and discussed various meetings held in regard to this item.

General discussion ensued regarding voting in Stonehouse Glenn and Mill Pond and the original Stonehouse Master Plan.

Ms. Larson inquired about reactions of residents during the Sycamore Landing community meetings.

Mr. Trant noted the major concern was traffic and discussed this issue.

Ms. Sadler referenced a handout and inquired about the number of potential homes that could be built.

Mr. Trant replied the maximum density was 400 multifamily units in that order and a 130,000 square foot of commercial development potential including a marina on Tract 8 the riverfront preserve alone, not including the Stonehouse preserve which would potentially be another \pm 2,500 homes.

Discussion ensued regarding affordable housing in relation to this proposal.

Ms. Larson inquired about a possible by-right that could have gone out to Sycamore Landing Road and asked what the County had in place for road improvements. She noted the proffer seemed to change and asked if there was any plan in place. She asked if we as a County had discussed Sycamore Landing Road and how improvements might be handled.

Mr. Paul Holt, Director of Community Development and Planning, referenced the current Master Plan.

Discussion ensued.

Mr. Holt stated there were roads and intersections like this one all over the County. He further stated the traffic analysis done as part of Stonehouse found there would be additional traffic, approximately 3%, but none appreciable enough to warrant any road improvements.

Mr. Icenhour mentioned a recent drive he took to the end of Sycamore Landing Road. He briefly discussed road conditions, open fields, VDOT controls and restrictions, as well as imagining the possibility of the land being purchased and cut up by-right into three-acre lots, noting the importance of downzoning.

Mr. Hipple stated he knew Sycamore Landing Road fairly well and has traffic concerns. He commented he wanted to make certain that safeguards were in place and spoke of potential traffic on the road.

Discussion ensued regarding by-right uses, A1 SUP uses, and safeguards in place.

Mr. Hipple briefly discussed possible noise pollution if this Stonehouse development moved closer to Sycamore Landing. He reiterated he wanted to make certain there was a safeguard for the neighbors as well as expressed his kudos for the work they had done and again noted their biggest concern was Sycamore Landing Road.

Discussion ensued.

Mr. Hipple stated it was a good plan, but he did not want traffic on that road and wanted to make sure the citizens that live there were protected and can continue the quality of life they currently had. He commented if something major came in and was going to cause a traffic problem, it needed to come before the Board before it could be implemented.

Discussion ensued.

Mr. Icenhour referenced the potential for by-right development of property on Croaker Road to Sycamore Landing Road and stated the owner(s) had the by-right ability to carve the properties up into three-acre lots and nothing could be done about it, making that the biggest threat in his opinion. He further stated he was comfortable the easement would limit the

adverse impact that whatever development occurred would have; however, he felt there was a very real concern for the community and other areas in the County.

Mr. McGlennon stated this was a very difficult situation because it was an opportunity to more thoroughly address a proper school site and expected more in terms of addressing the affordable housing issue. He briefly discussed cash contribution and proffer, reduction of the number of units, as well as the potential of an environmental advance. He remarked there were opportunities to do more; however, he would support the application.

Ms. Sadler stated this had been very difficult for everyone and consisted of many discussions and studies. She noted the Board had received a letter from the Mr. Joe Sanders, Stonehouse Golf Club, who stated he was aware of the changes proposed to the Stonehouse Master Plan and expressed his support. She expressed her appreciation to everyone voicing their opinions and attending the meeting.

Ms. Larson expressed her appreciation to Mr. Trant, Mr. Rinaldi, and Mr. Costello for the time they took with this proposal. She stated this was a tough item and briefly discussed her unhappiness and frustration with the school switch commitment and a road that would not be improved. She commented she was not as confident as her colleagues.

I. BOARD CONSIDERATION(S)

1. 2020 Legislative Agenda

A motion to Approve the 2020 Legislative Agenda with the addition of 2-8 was made by Ruth Larson, the motion result was Passed.

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

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

Mr. Kinsman referenced the last Board of Supervisors work session as well as the James City County 2020 Legislative Program. He stated that at the Chairman's request he drafted a proposed addition to the second page in light of what occurred this evening and handed the Board members the following: "EASTERN STATE HOSPITAL SURPLUS PROPERTY - James City County encourages the Department of General Services, with the cooperation of the Department of Behavioral Health and Developmental Services, to work with the County to identify a minimum of ten acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center. The subject property shall be transferred to James City County upon such terms and conditions as may be agreed to by the parties." He stated Ms. Rebecca Vinroot, Director of Social Services, had been working with legislators and was one who the Honorable Senator Montgomery Mason thought would be helpful in the upcoming session. He further stated at the Chairman's request he drafted a proposed addition to the second page of the handout, in light of what occurred this evening, James City County encouraged the Commonwealth of Virginia to purchase the approximately 2,300-acre property, located in James City County, known as the Stonehouse Preserve for the expansion of Ware Creek Wildlife Management Area or the York River State Park. He noted that would be the Chairman's proposed addition, otherwise, he recommended the Board adopt this new amended 2020 Legislative Program, and then have this presented at the Board's work session in a couple of weeks.

Ms. Larson expressed her appreciation for the additional part regarding Eastern State. She referenced the history of entering into the agreement with Eastern State and asked if this was separate from the property it wanted to develop.

Mr. Kinsman replied that Mr. Holt would be the person to address that question.

Ms. Larson addressed Mr. Holt and asked if he would send her information in regard to her question.

Mr. Kinsman clarified that Mr. Holt and Ms. Vinroot were the two members of staff who had been working on this and could clear it up with an email.

2. Revisions to Chapter 5 of the James City County Personnel Policies and Procedures Manual

A motion to Approve was made by Ruth Larson, the motion result was Passed.

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

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

Mr. Patrick Teague, Director of Human Resources, gave an overview of the memorandum and resolution included in the Agenda Packet.

3. 3877 Strawberry Plains Road: City of Williamsburg Water Service Approval

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

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

Mr. Doug Powell, General Manager of James City Service Authority (JCSA), gave an overview of a memorandum and resolution included in the Agenda Packet.

Mr. McGlennon inquired if there would be seven lots on this parcel.

Mr. Powell replied that was what was proposed.

Mr. McGlennon inquired if the same situation would apply for all the additional lots as they develop.

Mr. Powell replied there was development potential for those lots and the conditions with the JCSA would continue to be the same. He noted the City of Williamsburg did not want to commit to providing water service to anything beyond this and was only willing to agree to serve this parcel.

Mr. Icenhour referenced three lots north of this parcel toward the JCSA water main and asked if they were served by JCSA.

Mr. Powell replied no and stated the lots were either undeveloped or served by wells.

Mr. McGlennon stated it would not be possible to put seven lots in if they were to be served by wells.

Mr. Powell replied correct.

Mr. Icenhour inquired if the ultimate determination of what would fit on the lot would have to come back before the Board by-right, what would be the minimum size lot, as well as the amount of acres.

Discussion ensued regarding this matter.

4. Fiscal Year 2019 School Year-End Spending Plan Appropriation - \$1,697,787

A motion to Defer was made by Sue Sadler, the motion result was Passed.

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

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

Ms. Sharon Day, Director of Financial and Management Services, gave an overview of the memorandum and resolution included in the Agenda Packet.

Ms. Larson pulled the Drivers Education Vehicle Replacement 49424 and asked that the Board vote on it separately.

Mr. McGlennon referenced the school buses and inquired about the smoothing plan and its starting off with a 14 instead of a 10.

Ms. Day replied they had already included the 10 and were asking for an additional four.

Mr. McGlennon inquired about the smoothing plan process and rotation, and if electric buses were part of the plan.

Mr. Icenhour suggested deferring consideration of this item until a work session in order to have members of the School Board and administration in attendance to answer any questions.

Mr. Hipple stated regarding an item such as this, someone from the school system should be present in order to answer any questions the Board may have, rather than having to delay the item. He noted this was becoming a pattern and upset him that if extra funds were wanted, it would seem a representative could find a way to make the meeting and not make the Board of Supervisors wait and have to do it in a work session.

Mr. Icenhour commented there was a school liaison meeting the following day and that would be a good opportunity to have such a discussion with school administration. He stated for the time being it was for everyone's benefit to defer this item.

Ms. Larson stated she felt the school system was having its Capital Improvements Program (CIP) discussion this evening. She further stated possibly the representative presenting the CIP was the same person needed to attend the Board of Supervisors meeting.

Ms. Day stated that was her understanding.

Ms. Larson stated she did not have a question, but was aggravated and not going to vote for the Driver's Education automobile, remarking it was a matter of principal and time to start looking at doing Driver's Education separately.

Mr. McGlennon stated he respected Ms. Larson's perspective on that issue.

Ms. Larson discussed local jurisdictions moving Driver's Education into a separate class as well as student congestion in regard to behind the wheel instruction.

The Board expressed its apologies to Ms. Day for deferring the item after her attendance throughout the meeting.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Hipple briefly discussed revitalizing the Toano project. He noted the new ferry was in operation. He remarked he and Ms. Sadler attended the James City-Bruton Volunteer Fire Department Banquet. He expressed his condolences to the recent passing of two community leaders: Mr. Henderson and Mr. Nice, and asked to keep the families in thoughts and prayers.

Ms. Larson referenced speeding and stated it was a big issue in the community. She expressed her appreciation to Supervisor McGlennon for his efforts with signs and was hopeful they would help with the problem. She noted she received weekly telephone calls regarding speeding and would like to see the County work together with the Police and see what could be done in an effort to curtail speeding. She briefly discussed lighting situations at school polling stations on Election Day after dark. She congratulated Mr. Icenhour on his recent recognition at the Virginia Association of Counties (VACo) for his 10-year award. She stated that earlier in the day she had been sworn in as the Region 2 Representative on the VACo Board. She expressed her appreciation to her fellow Board members for their continued support as she has served on various committees.

The Board members applauded.

Ms. Sadler expressed her congratulations to Ms. Larson and Mr. McGlennon on their victories. She commented on having a similar Election Day experience at Norge Elementary School and noted the lack of evening lighting and uneven pavement. She further expressed congratulations to Ms. Larson for her Region 2 representation and Mr. Icenhour on his 10-year tenure. She commented it was an honor to attend the James City-Bruton Volunteer Fire Department Banquet as it was a wonderful event.

Mr. McGlennon expressed his congratulations to Ms. Sadler on her re-election. He expressed his gratitude to the staff who worked in polling stations and all their work and efforts on a long day with minimal pay. He noted his attendance at the Recycling Expo and stated it was a great event with a lot of useful information. He stated he attended the VACo session along with Mr. Icenhour, Ms. Sadler, and Ms. Larson and commented it was a very productive event. He further stated he presided over the Coalition of High Growth Communities meeting which had a record turnout. He remarked he attended part of the Historic Land Conservancy's annual meeting and noted it was very well attended. He further remarked he had the opportunity to serve as a moderator for Representative Elaine Luria. He inquired about the upcoming school liaison meeting and asked if there could be a briefing on the plans of the school system to deal with pre-kindergarten education, what they anticipate in terms of future enrollment, how they would adapt to a universal pre-kindergarten program, and a sense of what the issues are and how to prepare for the facility needs likely to arise.

Ms. Larson expressed her condolences to the family of Mr. Ron Davis on his recent passing.

Mr. Icenhour stated he recently attended the WJCC Schools Foundation meeting with several of his fellow Board members and had to leave to attend another event. He referenced the Opioid Town Hall meeting held at Legacy Hall and noted it was very worthwhile and informative. He encouraged Board members to attend such a meeting if the opportunity arose. He stated he attended the Mayors and Chairs meeting and raised the issue on focusing on areas such as the Interstate 64 program. He noted he attended the Health Foundation Awards and saw several of his fellow Board members in attendance and also attended the Town Hall meeting that Supervisor McGlennon mediated. He mentioned he met with his Vietnam Veterans' group, before going off to VACo as well as attended a fundraiser at the Post Office for the organization.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens referenced the Comprehensive Plan update and noted Engage 2045: Summit on the Future, November 18, 2019, 6:30-8:30 p.m. He stated this was an opportunity for residents to speak about where they do and do not want development to occur as well as sharing their visions of priorities for James City County. He noted using technology and with the help of WJCC schools, there would be one meeting held simultaneously at six locations throughout the County: James River Elementary School, Jamestown High School, Lois Hornsby Middle School, Toano Middle School, Berkeley Middle School, and the County Government Center Board Room located in Building F as well as tune into Cox Cable Channel 48 or 1048.

Mr. McGlennon inquired if it was the intent for a Board member to be present and serve as a moderator.

Mr. Stevens replied yes. He encouraged the community to come out and participate and if there were questions to call 757-253-6685. He referenced the Shaping Our Shores Master Plan and noted staff was going out to the community and asking residents their vision of what they wanted to see at the James City County Marina, Jamestown Beach Event Park, and Chickahominy Riverfront Park. He further noted these Master Plans were being updated and would like for the community to share its thoughts on what they would like their community to look like going forward. He stated the community meetings would be held November 21 at 2 p.m. at the James City County Recreation Center on Longhill Road as well as on November 25 at 6:30 p.m., and noted an online survey located on the Parks and Recreation website.

L. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia and pertaining to the Economic Development Authority

Mr. McGlennon inquired if the Closed Session item could be postponed until the November 26, 2019 work session meeting.

Mr. Icenhour stated the appointment to the Economic Development Authority item would be postponed until the November 26, 2019 work session.

M. ADJOURNMENT

1. Adjourn until 4 p.m. on November 26, 2019, for the Work Session

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

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

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

At approximately 9:30 p.m., Mr. Icenhour adjourned the Board of Supervisors.


Deputy Clerk