

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
December 14, 2021
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

Mr. Hipple requested a motion to amend the Agenda to add two items to the Consent Calendar for the Guardianship Navigator Program Grant Award in the amount of \$73,000 and Appropriation for the Williamsburg-James City County School Division in the amount of \$2,799,920.

A motion to Amend the Agenda 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

1. Chairman's Awards Presentation

Mr. Hipple noted prior to the Chairman's Awards he asked Mr. Thumper Newman to address the Board in reference to a project he had been working on for the past 20+ years. Mr. Hipple welcomed Mr. Newman.

Mr. Newman, Founder of A Gift From Ben, addressed the Board advising he runs a food bank in the community called A Gift From Ben. Mr. Newman mentioned the charity had started approximately 20 years ago when he lost his son in a car accident on Centerville Road/Monticello Avenue. Mr. Newman stated after the accident he went and visited Sister Berenice at Saint Bede's Catholic Church, adding the church had a ministry which picked up food from local businesses and delivered it to the community. Mr. Newman stated that prior to the car accident he strived for a sybarite lifestyle, adding he did not take notice of the less fortunate and the number of less fortunate in the local community. Mr. Newman remarked in January of 2002 he had participated with the ministry on a food delivery to Burnt Ordinary Village Apartments, adding approximately 35-40 individuals were standing outside in the cold waiting for the food. Mr. Newman expressed his astonishment as he did not anticipate the number of individuals waiting for the food delivery. Mr. Newman noted he went home that evening and told his family about the significant impact and how many less fortunate individuals the food had helped. Mr. Newman stated he went through the Internal Revenue Service procedure to become a non-profit organization. Mr. Newman stated that once finalized, he

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

received a phone call from St. Bede's Catholic Church advising the church wanted to terminate its operation and allow Mr. Newman to take over. Mr. Newman explained he felt this was his purpose to move food to the less fortunate in the community, adding which he had done for the past 20 years, and the effort continued. Mr. Newman commented the need is still great in the community. Mr. Newman expressed his gratitude to the local businesses including Food Lion(s), Trader Joes, Harris Teeter, EarthFare, Fresh Market, and Manhattan Bagel for their participation. Mr. Newman noted the nonprofit organization had moved approximately 60,000 pounds of food a month on average for the past 20 years. Mr. Newman further noted the pros and cons involved in the effort, adding we were very fortunate to live in a community with an abundant amount of food and the ability to give to those in need. Mr. Newman expressed how thankful he was to be able to serve the community for the past 20 years.

Mr. Hipple mentioned the Board was fortunate to recognize citizens in the community. Mr. Hipple noted on behalf of the Board he wanted to recognize Mr. Newman. Mr. Hipple read and highlighted the work of A Gift From Ben in the community, adding A Gift From Ben started as a way to honor his son's memory and his passion to help feed the hungry. Mr. Hipple pointed out today, A Gift From Ben has become one of the community's largest food charities. Mr. Hipple presented Mr. Newman with an award on behalf of the Board for his dedication, service to the County, and to the community.

Mr. Newman thanked the Board.

The Board thanked Mr. Newman for his efforts.

Mr. Hipple stated the next presentation was for Ms. Bernadette Williams, Administrative Coordinator for James City County (JCC) Fire Department. Mr. Hipple read and highlighted the work of Ms. Williams in supporting operational readiness of the Fire Department, adding to ensure the Firefighters of JCC were properly equipped to perform their duties. Mr. Hipple noted Ms. Williams often responded to major incidents outside of regular working hours. Mr. Hipple further noted Ms. Williams selflessly donated a kidney to the late District Chief, Buster Canaday. Mr. Hipple mentioned Ms. Williams also played a vital role in the logistics and operations of the Greater Williamsburg Vaccination Clinic which administered over 22,000 vaccines to County residents and employees. Mr. Hipple presented Ms. Williams with an award on behalf of the Board for her dedication, service to the County, and to the community. Mr. Hipple commented Ms. Williams had been exceptional to both the volunteer and regular staff of the Fire Department, adding her dedication and support to the JCC Fire Department was commendable. Mr. Hipple expressed his gratitude and felt Ms. Williams very much deserved this award.

Ms. Williams expressed her thanks and appreciation. She added it was an honor to serve the County, adding she loved her job.

Mr. Hipple expressed recognizing County staff and citizens in his opinion was the best part of being a Board member.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Lydia Moore, a 4th grade student from Laurel Lane Elementary School

E. PUBLIC COMMENT

None.

F. CONSENT CALENDAR

Mr. Hipple asked if any Board member wished to pull an item. He noted he would like to pull Item No. 5.

1. Minutes Adoption

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

The Minutes Approved for Adoption included the following:

-October 12, 2021, Regular Meeting

-November 9, 2021, Regular Meeting

2. Budget Appropriation of Funds Received for the Disposition of James City County Property for the Widening of Croaker Road - \$60,540

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

3. Contract Award – Interview Room Recording System Replacement – \$168,877

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

4. Grant Award - Kinship Navigator Program - \$46,566

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

5. Memorandum of Agreement – Upgrades to Joint Public Safety/Public Service Radio Communication System between James City County, York County and Gloucester County

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. Hipple asked Fire Chief Ryan Ashe to come before the Board.

Chief Ashe addressed the Board to discuss upgrades to the County's public service radio system. Chief Ashe advised he included a PowerPoint presentation for the Board. Chief Ashe indicated it had been five years since the last phase upgrade, adding he wanted to provide an overview of what Phase 1 entailed and what would be expected for Phase 2. Chief Ashe reviewed the public service radio system history timeline on the presentation. Chief Ashe pointed out in 2000/2001 the County's radio system needed assessment as there was

inadequate radio coverage, the concern of age and life expectancy of the current system, and through an independent study, a regional radio system was recommended. Chief Ashe added York County also had an independent study conducted and a regional system was also recommended, which in turn created a partnership between James City County (JCC) and York County. Chief Ashe reported in 2004 the JCC/York County 800 MHz Regional Radio System, adding all costs were split 50/50. Chief Ashe noted Gloucester County was in a similar situation with its radio system, adding an independent study was conducted and recommended to reach out to other regional partners. Chief Ashe further noted Gloucester County then reached out to the County to join partnership, adding their buy-in then allowed for a needed software upgrade. Chief Ashe mentioned the partnership with Gloucester also reduced the maintenance costs for JCC and York County, adding this allowed for expanded coverage. Chief Ashe noted in 2016 the County contacted Suffolk and Isle of Wight County, adding Isle of Wight was joining Suffolk's radio system. Chief Ashe further noted the beneficial components to partnering with Suffolk as it would allow coverage across the river and connection of the two systems to create redundancy. Chief Ashe confirmed the partnership with Suffolk was then formed. Chief Ashe highlighted the Lifecycle Management plan in the PowerPoint which included all the Phase 1 upgrades and the costs associated. Chief Ashe highlighted the Phase 2 upgrades on the PowerPoint, adding these upgrades were more infrastructure related opposed to Phase 1 which was based more on the technology components. Chief Ashe listed the following upgrades necessary for Phase 2 as followed: emergency generators, HVAC equipment, microwave transmission systems, 911 call handling equipment, radio/phone recording systems, and public safety vehicle mounted radios which are used in all emergency vehicles. Chief Ashe discussed the costs associated with these upgrades, adding the County's share was approximately \$5 million. Chief Ashe recommended a lease-purchase agreement which would allow approximately \$1 million to be paid annually for the next five years. Chief Ashe mentioned the Phase 2 upgrades were already included in the budget, adding payments would not be made until Fiscal Year 2023. Chief Ashe noted York County would serve as the fiscal agent, adding the approval of the resolution would authorize the County's commitment to the shared lease-purchase agreement.

Ms. Larson asked if Chief Ashe had referenced the Sheriff's Department.

Chief Ashe confirmed yes, adding the Williamsburg-James City County Sheriff's Office vehicles also had the mobile radios in them.

Ms. Larson asked if those radios in the Sheriff's Office would be upgraded as well.

Chief Ashe confirmed yes.

Ms. Larson asked if JCC was responsible for the entirety of the costs associated with the vehicle-mounted radios.

Mr. Stevens believed the costs would be reimbursed to the County through operating costs.

Ms. Larson thanked Mr. Stevens for the explanation.

Mr. McGlennon asked if there had been any experiences in which the County had benefited from the redundancy with Isle of Wight and Suffolk.

Chief Ashe replied not yet, adding the system was operational currently, adding reprogramming was getting ready to be conducted to ensure all devices were live on that link. Chief Ashe mentioned some practice testing had been performed.

Ms. Sadler wished Chief Ashe a Merry Christmas and thanked him for his service.

6. Suspension of Convenience Fees for Remainder of Fiscal Year 2022

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

7. Grant Award - Guardianship Navigator Program - \$73,000

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

8. Williamsburg-James City County School Division Appropriation - \$2,799,920

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

G. PUBLIC HEARING(S)

1. ORD-20-0015. Zoning Ordinance Amendments to Address the Keeping of Bees in Non-Residential Districts

A motion to Adopt the Ordinance 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

Ms. Terry Costello, Planner II, addressed the Board regarding beekeeping. Ms. Costello reported on September 8, 2020, the Board of Supervisors adopted a resolution directing staff to address beekeeping in Non-Residential areas. Ms. Costello noted the keeping of bees were currently permitted in Residential and Agricultural Districts, adding since Mixed Use had the potential for both Commercial and Residential uses it was included in the analysis. Ms. Costello further noted staff conducted research on other localities similar to what was done during the Residential Districts review, adding for the limited localities who permitted this use in Non-Residential Districts, the standards were the same for both Residential and Non-Residential. Ms. Costello mentioned a draft Ordinance was reviewed during a series of Policy Committee meetings, adding on its September 9 meeting the Policy Committee unanimously recommended approval of the draft Ordinance to the Planning Commission. Ms. Costello reported on its November 3 meeting the Planning Commission unanimously recommended approval of the Ordinance to the Board of Supervisors by a vote of 6-0, adding staff recommended approval of the Ordinance amendment. Ms. Costello welcomed any questions the Board might have.

Mr. Polster, Planning Commission representative, addressed the Board to further discuss beekeeping. Mr. Polster reported the Board of Supervisors approved Sec. 24-47.1 Standards for beekeeping, adding the Board requested the Planning Commission examine the Non-Residential zoning areas for beekeeping. Mr. Polster noted like the prior Ordinance staff conducted three sessions with the Policy Committee, adding at the Policy Committee's September meeting the requirement of notification to adjacent property owners was discussed. Mr. Polster stated that requirement was removed from the Ordinance due to the regulation being unenforceable. Mr. Polster reported on the November Planning Commission meeting there were no speakers at the Public Hearing, adding there was no discussions between the Commissioners on the Special Use Permit (SUP). Mr. Polster highlighted the Roll Call vote of 6-0, adding staff recommended approval of the Ordinance for beekeeping in Non-Residential

Districts. Mr. Polster commented he was happy to answer any questions.

Mr. Icenhour asked, based on the analysis and other jurisdictions who participated in Non-Residential beekeeping, how often was it used.

Mr. Polster responded the jurisdiction which staff looked at was the City of Williamsburg, adding staff inquired on the process of the meadery which was located on the roof of the building. Mr. Polster noted to his knowledge this was the only jurisdiction staff was aware of which participated.

Mr. Icenhour inquired if beekeeping was not a very common practice.

Mr. Polster replied apparently not.

Mr. Hipple opened the Public Hearing.

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

2. SUP-21-0016. Williamsburg Unitarian Universalists Church School

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. Costello addressed the Board advising Mr. Joe Cross of Williamsburg Unitarian Universalists Church had applied for a Special Use Permit (SUP) to allow for a school within the existing church located at 3051 Ironbound Road. Ms. Costello noted the church was zoned R-8, Rural Residential, adding the property was designated as Low Density Residential on the Comprehensive Land Use Map which is located within the Primary Service Area (PSA). Ms. Costello reported an SUP was approved previously in January 2015 to expand the building, parking, and permit the other two structures on the property as an accessory to the church. Ms. Costello noted the school would have a maximum of 30 children in addition to five staff members. Ms. Costello further noted the age range of the children would be Pre-K-Kindergarten, adding the hours of operation would be from 7:30 a.m.-6 p.m. Monday-Friday. Ms. Costello mentioned the instruction hours would be 8:30 a.m.-3 p.m., adding a limited number of children would participate in before/after daycare; however, the majority would be picked up via car line pick-up. Ms. Costello indicated the school would operate within the current facility in addition to utilizing the outdoor play area. Ms. Costello noted staff recommended approval of this application as it was compatible with other surrounding developments in addition to being consistent with the 2045 Comprehensive Plan and Zoning Ordinance. Ms. Costello further noted the Planning Commission's November 3 meeting staff recommended approval of this application by a vote of 6-0. Ms. Costello welcomed any questions, adding the Applicant was present as well.

Mr. Polster reported at the November 3, Planning Commission meeting there were no speakers, and no Public Hearing was held. Mr. Polster added there was no discussion or questions for staff at the meeting. Mr. Polster reiterated the vote of 6-0 to recommend approval of this SUP to the Board of Supervisors. Mr. Polster welcomed any questions.

Mr. Hipple opened the Public Hearing.

1. Ms. Sharon Dennis, 100 St. Georges Boulevard, stated she had previously applied for an SUP to operate a daycare center.

Mr. Hipple asked for Ms. Dennis' physical address for public record.

Ms. Dennis continued and reiterated a prior SUP she had obtained for a daycare facility; however, the Comprehensive Plan's requirements at the time were not feasible for her to meet which resulted in closure of the daycare facility. Ms. Dennis noted the financial costs associated with the daycare facility. Ms. Dennis further noted her concern of losing the property, adding she decided to rent it out. Ms. Dennis mentioned she later found out she was not receiving payment for rent, adding to keep the property her husband then had to purchase it. Ms. Dennis stated she was in support of the Williamsburg Unitarian Universalists Church School; however, the church was facing the front of her property and her concern was the value of her parcel could potentially depreciate due to the development there. Ms. Dennis requested screenage, adding she did discuss the request with the church directly. Ms. Dennis remarked she had intentions in the near future to build on her parcel. Ms. Dennis looked to the Board for consideration as she intended to come back before the Board with a short-term rental SUP. Ms. Dennis wished the Board a Merry Christmas.

Mr. Hipple responded Merry Christmas and recommended she contact County staff to assist her during the process.

Mr. Hipple closed the Public Hearing.

3. SUP 19-0006. Hazelwood Farms - The Village Center

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

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

Ayes: Hipple, Larson, Sadler

Nays: Icenhour Jr, McGlennon

Mr. Thomas Wysong, Senior Planner, addressed the Board advising Mr. Tim Trant of Kaufman & Canoles, P.C. had applied on behalf of Hazelwood Farms, LLC, and Hazelwood R M III Trustee et ALS for a SUP on approximately 79 acres to permit up to 510,000 square feet of commercial development. Mr. Wysong listed the following permitted uses on the properties: 1) a convenience store that sells and dispenses fuel; 2) extension of public water and sewer facilities; 3) commercial buildings or group of buildings that exceed 10,000 square feet of floor area pursuant to County Code Section 24-11(a)(2) and within the square footage limits shown on the master plan; 4) commercial buildings or groups of buildings, not including office uses, which generate, or would be expected to generate, a total of 100 or more additional trips to and from the site during the peak hour of the operation pursuant to County Code Section 24-11(a)(3); and 5) any buildings, additions, and expansions requiring an SUP pursuant to County Code Section 24-11(b). Mr. Wysong stated the property was located within the PSA; adding it was zoned B-1, General Business and designated for Mixed Use Stonehouse on the 2045 Comprehensive Plan. Mr. Wysong mentioned the County proposed conditions to mitigate impacts associated with the SUP including recommended transportation improvements from the traffic impact analysis that was conducted, enhanced landscape buffering along Barnes Road, Route 30, and I-64 right-of-way, enhanced site design and architectural design for each building in adherence to the master plan guidelines, and other criteria. Mr. Wysong noted staff did not find any negative impacts to surrounding development, adding that the County's proposed conditions would assist with mitigating impacts that would be generated by this proposal. Mr. Wysong further noted the development was consistent with the 2045 Comprehensive Plan, adding at the Planning Commission's October 6, meeting, staff recommended approval of this application with the proposed conditions by a vote of 6-0. Mr. Wysong welcomed any questions, adding the Applicant team was present.

Mr. McGlennon asked to elaborate on the language in reference to any future amendments to

the Master Plan in which an SUP would be required.

Mr. Wysong replied if the Board approved the Master Plan and the Applicant made any changes that varied from the Master Plan then an amendment to the Master Plan would be required, adding it would then come back before the Board.

Mr. McGlennon noted the language pertaining to the suggested or proposed uses for the area as the information relayed was vague as to what would initially go into the development. Mr. McGlennon asked if the proposed uses fell within the zoning requirements and usage there would not be an SUP required.

Mr. Wysong confirmed that was correct, adding it would cover the uses that otherwise would require an individual SUP for each building.

Mr. McGlennon inquired on how common individual SUPs were in the County.

Mr. Wysong noted to his knowledge it was not very common. Mr. Wysong referred to Mr. Paul Holt, Director of Community Development and Planning, if he knew of any examples.

Mr. Holt addressed the Board advising individual SUPs were limited. Mr. Holt stated a couple of commercial parcels in front of Colonial Heritage had individual SUPs.

Mr. McGlennon expressed his concern as he felt those were not great examples.

Mr. Holt noted staff had modeled the SUP conditions for more recent commercial projects such as Lightfoot Marketplace as well as recent SUPs for convenience stores with fuel pumps.

Mr. McGlennon asked what the worst-case scenario would be.

Mr. Holt asked in what context.

Mr. McGlennon inquired on potential concerns if considerations did not come before the Board.

Mr. Holt explained the development must adhere to the Master Plan, SUP conditions, and the design guidelines. Mr. Holt listed several examples of which the commercial SUP was required in addition to limitations. Mr. Holt noted staff had proposed conditions to mitigate impacts. Mr. Holt further noted the worst-case scenario would be any inconsistency with the SUP conditions and/or Master Plan would require it to come back before the Board.

Mr. McGlennon inquired if there was any future case of which a new SUP was to be obtained, would that SUP require consideration from the Board.

Mr. Holt advised it would have to come before the Board.

Mr. McGlennon replied ok, thank you.

Ms. Sadler asked if this property was currently zoned B-1.

Mr. Holt confirmed yes.

Ms. Sadler noted to her knowledge every piece of property in the County has a zoning designation, correct.

Mr. Holt confirmed yes.

Ms. Sadler asked for each zoning designation it has allowed uses as a matter of right.

Mr. Holt stated correct.

Ms. Sadler inquired if an individual wanted to build commercial buildings on a B-1 zoning designation the individual would not be required to seek approval from the Board if it was specifically a by-right use.

Mr. Holt stated there are B-1 by-right uses that would not require a SUP, correct.

Ms. Sadler requested a few examples of what would be considered by-right uses.

Mr. Wysong stated business/professional offices, lumber/building supply, and wholesale and warehousing which would include self-storage facilities.

Mr. McGlennon asked if a by-right use that would require an SUP would have to come before the Board, correct.

Mr. Wysong confirmed yes.

Ms. Sadler inquired the list Mr. Wysong just read were considered by-right.

Mr. Wysong replied yes.

Mr. Polster reported at the October 6, Planning Commission meeting there were numerous comments on increased traffic on Route 30 from New Kent Highway south. Mr. Polster elaborated on specific traffic concerns. Mr. Polster noted there was also discussions on the pros in relation to traffic as a traffic study was conducted, which was determined a traffic light and a turning lane would be required on Barhamsville Road. Mr. Polster further noted discussions amongst the Commissioners in reference to the open-ended nature of the commercial building space, adding Mr. John Hopke, the project architect and President at Hopke & Associates, Inc., explained the goal was for the development to appear as an assembly of small buildings. Mr. Polster addressed the visual aesthetic concerns were discussed. Mr. Polster highlighted the continued growth of the Upper County area, adding the development would allow for amenities which were currently unavailable to this part of the County. Mr. Polster remarked on a Roll Call vote of 6-0 the Planning Commission recommended approval to the Board of Supervisors, adding he was happy to answer any questions.

Mr. Icenhour inquired based on the visual of the design guidelines of parcels 1, 2, and 3 facing Route 30 could potentially be individual miniature strip malls.

Mr. Polster responded it could be characterized as such. Mr. Polster noted a couple of examples for comparison purposes which included New Town and Norge Crossing Shopping Center. Mr. Polster expressed he felt those examples mentioned did not visually appear like a strip mall.

Mr. Tim Trant, Attorney of Kaufman & Canoles, P.C., addressed the Board to recognize the project team in addition to provide a PowerPoint presentation for the Board. Mr. Trant noted the landowner was Hazelwood Family, LLC, adding in practice it was the three siblings Larry Hazelwood, Debbie Hazelwood, and R.M. Hazelwood. Mr. Trant noted Larry and Debbie were present. Mr. Trant recognized Mr. Arch Marston, Project Engineer and President of AES Consulting Engineers, adding he would answer any questions the Board might have from an engineering perspective. Mr. Trant mentioned Mr. Hopke, the design project architect and

President at Hopke & Associates, Inc., adding Mr. Dexter Williams, the Traffic Consultant and Owner of DRW Consultants, LLC. Mr. Trant welcomed Mr. Hazelwood to the podium to provide some insight on family background.

Mr. Hipple welcomed Mr. Hazelwood.

Mr. Larry Hazelwood, 2420 Ocean Shore Crescent, Virginia Beach, addressed the Board and noted five years ago the plan had first initially come together. Mr. Hazelwood remarked the Hazelwood family had farmed the property since 1886. Mr. Hazelwood noted the objective was to use this property for a greater purpose in addition to pass along to the next generation. He further noted the land was considered a small farm, adding the State Highway Department ended up splitting the property in half, adding his grandparents land was on one side of the interstate and parents land was on the other, which made it much more difficult to manage. Mr. Hazelwood expressed his family were locals in the County, adding his grandfather was on the School Board and his father was a Board member for the County. Mr. Hazelwood mentioned his family went to school, played, and worked here. Mr. Hazelwood explained it was time to prepare for the future of the next generations. Mr. Hazelwood commended the County staff for all the hard work put into this project.

Mr. Trant addressed the Board including a PowerPoint presentation. Mr. Trant touched on zoning and by-right uses. Mr. Trant referred to the recently adopted 2045 Comprehensive Plan and the Mixed Use description, adding the conceptual plan of the Enterprise Center imitated the elements listed in the 2045 Comprehensive Plan. Mr. Trant noted a strip mall type shopping center was not the vision for the development, adding the 2045 Comprehensive Plan monished against that. Mr. Trant further noted the design guidelines were developed specifically to avoid that appearance. Mr. Trant expressed his confidence that this development would protect the County's aesthetic nature and land use designation guidelines. Mr. Trant explained while there was uncertainty with future end-users there were various proposed conditions to restrict unfavorable factors which had to be adhered to. Mr. Trant highlighted several pros of the development which included providing desired goods and services to the residents at the north end of the County, complemented the Stonehouse District, and ability to generate new tax dollars to the County. Mr. Trant welcomed any questions the Board might have.

Ms. Sadler noted she had questions; however, she chose to wait to hear the discussion first. Mr. Hipple opened the Public Hearing.

1. Mr. Josh Mathias, 3428 Colony Mill Road, addressed the Board to discuss the potential Village Center. Mr. Mathias expressed his concern of developments in the County and the City of Williamsburg which already offered several of these amenities that were listed in the SUP. Mr. Mathias referred to the Farm Fresh in Norge, which had closed a few years ago, adding the property was still vacant. Mr. Mathias questioned the sustainability of the potential future businesses. Mr. Mathias remarked he hoped that the Board would take careful consideration before approving the application. Mr. Mathias adverted to the 2035 Land Use Map noting this area was designated as the Community Character Corridor (CCC). Mr. Mathias referred to a 2019 survey and reviewed the data collected from that survey in which vast majority of residents preferred to preserve the rural lands of the County. Mr. Mathias stated he was not in support of this application.

2. Ms. Sharon Oakley, 18555 New Kent Highway, addressed the Board to discuss the potential Village Center. Ms. Oakley expressed her support for the Village Center in some respects as it was a 40-minute round trip to the grocery store, adding there was not any food delivery options where she resided. Ms. Oakley stated while development could be beneficial the concerns of safety and livability needed to be considered. Ms. Oakley expressed her concerns with traffic not being fully mitigated, adding she questioned her faith in Virginia

Department of Transportation (VDOT) due to her previous experiences in the last three years. Ms. Oakley noted VDOT did not require a speed or a crash analysis of New Kent Highway, which was concerning due to the number of citizens who had been involved with VDOT, Ms. Sadler, and Mr. John Lockwood, Board Member of New Kent County, lobbying VDOT to make safety improvements on that corridor due to the above average number of injury/fatality rate. Ms. Oakley shared a photo to the Board of a couple who was killed last year at the Barhamsville Road intersection, adding her reasoning behind her loss of faith in VDOT. Ms. Oakley noted once the double fatality occurred VDOT implemented a 5-mph speed reduction on the road; however, it had not lowered the injury/fatality rate for that specific area. Ms. Oakley further noted her concern of omissions within the Traffic Impact Analysis (TIA) providing details to support her belief. Ms. Oakley mentioned she was curious what speed impacts would be on that road, particularly around Barnes Road intersection towards New Kent County. Ms. Oakley noted using excel and U.S. Department of Transportation Federal Highway Administration Traffic Data Computational Method Handbook she ran some calculations based off the TIA numbers which was conducted by DRW Consultants, LLC, she found that critical speed decreased to 40 mph just based on volume, adding that did not include an additional 16,000 daily trips generated by the shopping center. Ms. Oakley discussed flow speed and various components which would restrict how valid the data was. Ms. Oakley suggested the Board delay this approval until VDOT conducted a speed and crash analysis, adding the road was already dangerous and increasing the volume would only result in more crashes/fatalities.

3. Mr. Kimber Smith, 3051 Heritage Landing Road, addressed the Board to speak in favor of the Village Center. Mr. Smith mentioned he was a longtime friend of the Hazelwood family, adding the importance of this land to the Hazelwoods. Mr. Smith highlighted the efforts the Hazelwood family had put into this project from development, to adhering to the County's 2045 Comprehensive Plan, time, and effort into researching the uses of the land, traffic considerations, engineering, and design guidelines. Mr. Smith expressed his support of the application. Mr. Smith suggested the Board of Supervisors approve this application.

4. Mr. Kyle Seal, 3248 Oak Branch Lane, addressed the Board to speak against the Village Center. Mr. Seal noted he lived in Stonehouse, adding he commuted that intersection daily. Mr. Seal further noted the concerns with traffic currently, which he felt a development would only make the conditions worse. Mr. Seal expressed he did not want development in the Toano area period. Mr. Seal pointed out the New Town area which had many vacancies in the development. Mr. Seal stated his family moved to the Toano area 15 years ago, adding the reason they chose to move here was specifically for the peace and quiet. Mr. Seal recommended the Board of Supervisors move against this application as it was not in the best interest of the citizens who live there.

5. Ms. Darlene Previs, 211 Old Stage Road, addressed the Board against the Village Center. Ms. Previs noted the traffic concerns through this area, adding when accidents occur it only creates more of a traffic jam. Ms. Previs expressed her concerns with the roads being very narrow to the point one of her neighbors had to replace his mailbox three times over the summer due to it being struck by vehicles. Ms. Previs noted additional concerns with noise, lighting, buffering, and bicyclist pathways. Ms. Previs further noted the impacts of the COVID-19 pandemic has not been kind to our local businesses' resulting in many closings, adding online shopping was at an all-time high. Ms. Previs questioned the retail demand in the County. Ms. Previs expressed her concerns of postponing this application until there was further analysis conducted, adding she hoped the Board would take her request into consideration.

Mr. Hipple closed the Public Hearing.

Ms. Larson stated there were a lot of traffic concerns, adding she would like to discuss the

subject. Ms. Larson asked what commitments would be implemented in order to mitigate these traffic concerns if this proposal was to be approved.

Mr. Wysong replied he would speak to the process of which the applicant was required to go through. Mr. Wysong explained a project of this size was required to conduct a TIA which looked at the impact of traffic on the surrounding transportation network, adding its reviewed by VDOT, the County, and a Transportation Consultant which was hired to review as well. Mr. Wysong confirmed all three entities approved the TIA. Mr. Wysong explained Planning staff then implemented the improvements from the TIA study into the proposed conditions to mitigate traffic concerns as a condition for approval. Mr. Wysong listed the improvements, adding those proposed conditions must be met before development begun.

Ms. Larson asked if Mr. Wysong mentioned anything in reference to speed.

Mr. Wysong responded he did not, adding he would refer that question to Mr. Williams, the Traffic Consultant.

Ms. Larson replied okay, thank you.

Ms. Sadler requested clarification on the location of the required traffic lights.

Mr. Wysong responded the signalization would be required at Route 30/Fieldstone Parkway intersection and the Route 30/Eastbound I-64 off ramp.

Ms. Sadler inquired about the I-64 Westbound off ramp.

Mr. Wysong advised that would be handled on the Rezoning Hazelwood Farms application. Mr. Wysong explained the reasoning as to why it was handled separately.

Ms. Sadler mentioned approximately 1,800 to 2,000 new homes would be built in Stonehouse. Ms. Sadler inquired on traffic improvements in conjunction with the new homes being built and the potential development.

Mr. Wysong noted there was a Stonehouse proffer that required signalization at the Route 30/Fieldstone Parkway prior to a certain number of residential units being built, adding the developer in Stonehouse would be required to put in the signalization. Mr. Wysong further noted if the Village Center development were to be approved it would also require further signalization to be implemented. Mr. Wysong mentioned residential milestones prompted increased traffic improvements.

Ms. Sadler asked if a traffic light would be installed either way.

Mr. Wysong confirmed yes.

Ms. Sadler expressed her satisfaction with a traffic light being installed. Ms. Sadler inquired on prior crash studies which were conducted and if those studies referenced the same corridor.

Mr. Jason Purse, Assistant County Administrator, advised those studies were separate; however, those studies were taken into consideration when reviewing new plans.

Ms. Sadler asked even with the crash studies it would only allow a reduction of 5 mph.

Mr. Purse confirmed yes, adding as Ms. Sadler and Supervisor Larson mentioned VDOT has very specific standards in which VDOT was reluctant to steer from those engineering standards. Mr. Purse noted in this instance VDOT was not willing to reduce the speed more

than 5 mph. Mr. Purse further noted it could change after reviewing the new application, data, etc.; however, there was no indication of that at this time.

Ms. Sadler asked if requiring signalization on Route 30 coming from New Kent County where the lanes go from two lanes to four lanes would that slow down traffic.

Mr. Purse confirmed yes, it would make people more cognizant.

Ms. Sadler inquired if signalization would be required on Route 30/Fieldstone Parkway and Exit 227 off-ramp via Eastbound.

Mr. Wysong confirmed yes.

Ms. Sadler asked about the synchronization of lights, suggesting the engineer could elaborate on the topic. Ms. Sadler noted she heard many concerns of stop and go traffic with potential signalizations on Route 30.

Mr. Dexter Williams, the Traffic Consultant and Owner of DRW Consultants, LLC, addressed the Board in reference to the concerns Ms. Sadler touched on. Mr. Williams noted this was a long-range plan, adding Stonehouse had been around for approximately 30 years and development was ongoing. Mr. Williams further noted if signalizations were placed, and the development was approved the traffic would decrease.

Ms. Sadler asked if traffic would decrease or slow down.

Mr. Williams remarked the traffic speeds would slow down. Mr. Williams pointed out if it was open country the speed would be approximately 55-60 mph, adding when it was a commercial development the signalization would be spaced every 1,500 feet in which traffic speeds decrease typically to 45 mph. Mr. Williams commented on possible concerns with poor traffic coordination specifically on Monticello Avenue within the past few years. Mr. Williams explained a traffic control system was adopted, adding it was supposed to be automatic; however, it does not coordinate traffic. Mr. Williams advised due to the incompetence of the current system a switch to radio control coordination systems would be executed, which was more reliable and provided the necessary coordination progression. Mr. Williams added the traffic speeds would further decrease when there was a full corridor and capacity limits approach. Mr. Williams discussed the signalizations operation during peak hours, adding typically on weekends the signalizations do not run coordinated. Mr. Williams explained that would be a VDOT radio control system, which would provide the most effectiveness. Mr. Williams highlighted it was a matter of whether the development was to be approved, adding VDOT would not implement signalizations until certain traffic criteria was met. Mr. Williams listed the many evaluations in which were conducted to govern the traffic.

Ms. Sadler thanked Mr. Williams. Ms. Sadler expressed her gratitude to all participants involved regarding this proposal. Ms. Sadler remarked her concerns based on discussions would come down to two options: either the Master Plan was approved and/or the land would be potentially subdivided and individual by-right uses would then be developed.

Ms. Sadler asked Mr. Trant to return to the podium to answer a few questions. Ms. Sadler asked if the property ended up being subdivided how many potential separate access points could there be on Route 30.

Mr. Trant responded a minimum of five access points on Route 30, adding there were five parcels the property consists of in which each parcel was allowed access by right onto Route 30, adding potentially two access points onto Barnes Road.

Ms. Sadler asked if there would be a requirement for potential businesses to have connectivity within the property.

Mr. Trant responded if the businesses were by-right use he did not believe there was a requirement for connectivity.

Ms. Sadler asked if Fieldstone Parkway was the access point for this proposal.

Mr. Trant responded there would be two access points; however, the primary access point would be on Fieldstone Parkway.

Ms. Sadler inquired if the assurances of this proposal would meet the expectations of previous shopping centers in the County that had been approved in the past.

Mr. Trant stated based on reviewing previous SUPs that had been approved in the County in the past he believed this proposal provided strong design guidelines, a meticulous master plan, comprehensive traffic impact analysis, and an enhanced set of conditions, adding in his opinion he felt the shopping center would meet expectations if not exceed them.

Mr. McGlennon expressed his gratitude to the Hazelwood family, staff, and citizens. Mr. McGlennon noted the importance of conducting public hearings to allow opportunities for County residents to be involved and to voice opinions. Mr. McGlennon further noted if the proposal was approved the development would take a few years to complete. Mr. McGlennon expressed his desire for a process in which the Board would be able to reassess during development. Mr. McGlennon used New Town as an example, adding he respected the developers of New Town as they were willing to allow the Board an opportunity to reassess during the development stages as conditions could potentially change. Mr. McGlennon suggested a reassessment process for this proposal.

Ms. Larson expressed her gratitude to the Hazelwood family for their dedication to the community in addition to the citizens who came out to express concerns. Ms. Larson noted many factors of this proposal were appealing. Ms. Larson further noted her concern of by-right use as the property would be divided amongst the children/grandchildren and could potentially create more issues. Ms. Larson felt the location for this proposal was ideal.

Mr. Icenhour expressed his concern of creating another Monticello Avenue on Route 30. Mr. Icenhour also noted this land had been zoned B-1 for a long time. Mr. Icenhour inquired as to why the land had not yet been developed, adding it was clear that developing by-right use would not be the most cost-effective route nor would it allow the maximum return. Mr. Icenhour touched on the commercial demand in which he referred to some of the citizens who spoke during the public hearing made valid points. Mr. Icenhour noted in Jamestown District there was a lot of empty storefronts. Mr. Icenhour further noted he made a point to drive through Lightfoot Marketplace where he witnessed 12 out of 24 of the outbuildings were vacant, adding the other 12 buildings were occupied by five businesses. Mr. Icenhour pointed out the grocery stores that have closed in the Norge area as well. Mr. Icenhour remarked he had received 26 emails of which 23 of them were against the proposal while the remaining three were in favor. Mr. Icenhour noted his concern of lack of public hearing for the North part of this development.

Ms. Sadler expressed her concerns of the property being subdivided which could potentially create multiple access points onto Route 30 in addition to Barnes Road. Ms. Sadler noted adding signalizations in this corridor would reduce the heavy traffic backup. Ms. Sadler further noted approving this proposal would also reduce the traffic on Richmond Road. Ms. Sadler reiterated her point of approximately 1,800-2,000 new residential homes in Stonehouse, which would then create more traffic down Richmond Road. Ms. Sadler inquired about the

vacant building Farm Fresh used to occupy in Norge Crossing Shopping Center, adding she thought a business bought it.

Mr. Hipple responded Chesapeake Bank was already occupying the space.

Ms. Sadler noted she believed it was the Farm Fresh organization itself that chose to close. Ms. Sadler stated those were her thoughts based on the discussions conveyed. Ms. Sadler reiterated her gratitude to staff for all the work conducted.

Mr. Icenhour pointed out Mr. Hipple had not spoken on this proposal, adding he would like to hear his thoughts on this matter.

Mr. Hipple highlighted as a Board we ask for certain guidelines such as a master plan, development criteria, certain concepts to be developed, adding majority of the time the Board reviews cases in which development was already in process. Mr. Hipple commended the Hazelwood family for creating a master plan, adding 30 years ago the family was not interested in selling the property as it was being utilized. Mr. Hipple noted this property could be developed right now as by-right in which the County would not have any say on the aesthetic of the business or curb appeal. Mr. Hipple pointed out the Hazelwood family had followed all County requested guidelines for the development of the property; however, there was still skepticism. Mr. Hipple expressed his satisfaction with having a master plan, adding the criteria which had to be met. Mr. Hipple noted there was certain stipulations in place which would require further assessment if additional development was to happen.

Mr. Icenhour expressed his concerns of while there was a master plan in place there was no guarantee of what would go into the shopping center, adding once approved it was uncontrollable. Mr. Icenhour noted the time of which this development would be built was unknown nor the impacts on County citizens would be. Mr. Icenhour further noted there was too many uncertainties for him to support this proposal.

Mr. Hipple stated it was unknown what would be built by-right either, adding it would be more cost effective to run a septic and well opposed to a sewer and water line to that location. Mr. Hipple reiterated his concern of the property being developed as a by-right use in which the County would not have any control over the aesthetics of the property. Mr. Hipple remarked his stance on this was to choose the best option for the County. Mr. Hipple expressed his concern that there was not a clear directive, which could potentially confuse future applicants of the process to be approved.

Mr. McGlennon remarked Ordinances in the County Code specified in which an SUP would be required. Mr. McGlennon clarified the concern at hand was more so to preapprove a plan that would normally require an SUP.

Mr. Hipple referred to the County guidelines which were met in the master plan.

H. BOARD CONSIDERATION(S)

1. James City County Audit Report Presentation

A motion to Accept the Audit Reports and findings 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 opened the Regular Meeting of the James City Service Authority (JCSA) Board of Directors. Ms. Larson noted a presentation for the JCSA Audit Report with Ms. Leslie Roberts, Partner with Brown Edwards and Company, LLP.

Mr. Powell noted this item would be joint for both the Board of Supervisors and the JCSA Board of Directors.

Ms. Sharon Day, Director of Financial and Management Services (FMS), addressed the Board to welcome Ms. Roberts who had been the County's audit partner for several years, adding Ms. Roberts was here to present the audit results for Fiscal Year 2021 for JCSA in addition to JCC.

Ms. Leslie Roberts, Partner with Brown Edwards and Company, LLP, addressed the respective Boards. Ms. Roberts mentioned she was presenting both JCSA and the County audit reports together. Ms. Roberts discussed the JCSA audit report first which indicated a clean audit report. Ms. Roberts advised the statistical and financial breakdown information was audited separately in addition to a conjoined component unit of the County. Ms. Roberts stated one new Governmental Accounting Standards Board (GASB) was implemented by the County, which was audited and found no deficiencies. Ms. Roberts moved on to discuss the County's audit report which resulted in a clean, unmodified opinion. Ms. Roberts noted an additional mandated report that addressed material weaknesses and significant deficiencies which resulted in no deficiencies found. Ms. Roberts further noted additional reports that addressed procurement, conflict of interest laws, and other factors that are mandated for review during the audit process. Ms. Roberts stated the auditors found a couple exceptions observed one in relation to the disposition of unclaimed property, adding there were some outstanding checks which were over a year old that had not yet been remitted to the Commonwealth of Virginia. Ms. Roberts added there were some reports that were not completed within the required timeframe, adding this was a responsibility of the Treasurer's Office not FMS. Ms. Roberts discussed an additional audit which is conducted at least once every three years and in reference to federal program money, adding two programs were chosen and no instances of non-compliance were found. Ms. Roberts moved on to the next section of the report, the Management Letter. Ms. Roberts noted the auditor team members' contact information was available there. She further noted any significant estimates the team wanted brought to the Boards' attention were listed there. Ms. Roberts noted the significant estimates for the County included Other PostEmployment Benefits (OPEB) liability, pension liability, and useful life of capital assets. Ms. Roberts further noted in terms of significant disclosures capital assets, long-term debt, commitments/contingencies, and the COVID-19 pandemic activity and the significant uncertainty of the impacts. Ms. Roberts reported a new GASB requirement, which information was included on that in the letter and would be implemented next year. The JCSA Board of Directors meeting continued following the audit presentation.

Upon the adjournment of the JCSA Board of Directors meeting, Mr. Hipple resumed the James City County Board of Supervisors meeting agenda.

I. BOARD REQUESTS AND DIRECTIVES

Ms. Sadler wished the Board a Merry Christmas and happy New Year. Ms. Sadler recognized Mr. Hipple for his service as Chairman on the Board this year.

Mr. Icenhour noted on December 5, he attended the King of Glory Lutheran Church for the new Sanctuary Dedication, which was the first service conducted in the last year due to a

development of a new addition to the church, adding it was a fantastic service. Mr. Icenhour congratulated Pastor Harmon and the members of the congregation on the completion of the beautiful addition to the church campus. Mr. Icenhour stated on December 7, he attended the Heritage Humane Society ribbon cutting for the expansion of the facility. Mr. Icenhour noted City of Williamsburg Mayor Douglas Pons and JCC County Administrator Scott Stevens spoke at the ribbon cutting. Mr. Icenhour thanked the Heritage Humane Society for the service they provided to our community. Mr. Icenhour stated on December 10, as a role member representative to the Chambers of Commerce and Military Affairs Committee, a fundraiser was conducted this year, adding the fundraiser raised enough money to send 23 junior enlisted folks home for the holidays with \$300 each for Christmas. Mr. Icenhour wanted to thank all participants involved for contributing to the success of the fundraiser.

Ms. Larson wanted to congratulate the two new Williamsburg James City School Board members, Mr. Greg Dowell, Jr., and Ms. Julie Hummel, who were recently sworn in. Ms. Larson noted the Board of Supervisors attended a joint meeting with the Williamsburg-James City School Board on January 3, adding it was productive. Ms. Larson commended Chairman Hipple for his excellent choices for the Chairman's Awards. Ms. Larson wished the Board a Merry Christmas and a happy New Year.

Mr. McGlennon noted on December 9, he attended an opening for a boot camp for business/entrepreneurship, adding it was organized by Ms. Tijuana Gholson, Tag Consulting, LLC at Thomas Nelson Community College. Mr. McGlennon further noted it was quite the event with a wide range of potential small business opportunities; however, vast majority were interested in the in-home daycare business. Mr. McGlennon added Ms. Rebecca Vinroot and Ms. Barbara Watson of the Social Services Department participated in the interference for the program to ensure individuals knew all criteria to become certified and how to run a successful business out of their home. Mr. McGlennon wished the Board a Merry Christmas and a happy New Year.

Mr. Hipple noted the County employee luncheon was being held on Thursday, December 16. Mr. Hipple expressed his disappointment that he would not be able to attend due to the Hampton Roads Transportation Accountability Commission and Hampton Roads Military and Federal Facilities Alliance meetings he had to attend. Mr. Hipple commented he hoped he could attend next year. Mr. Hipple recognized Ms. Williams and Mr. Newman again for their service to the County and community. Mr. Hipple thanked the Board for the opportunity to be Chairman this year, adding he looked forward to what next year might bring. Mr. Hipple wished the Board a Merry Christmas and a happy New Year. Mr. Hipple stated he and Mr. Stevens went to see Mary the Tunnel Boring Machine, adding the machine was there; however, it was not put together yet. Mr. Hipple showed a photo of the model of the machine and provided further details on the project.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens wished the Board a Merry Christmas and happy New Year.

K. CLOSED SESSION

None.

L. ADJOURNMENT

1. Adjourn until 1 pm on January 3, 2022 for the Organizational Meeting

A motion to Adjourn 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

At approximately 7:05 p.m., Mr. Hipple adjourned the Board of Supervisors.


Deputy Clerk