

A G E N D A
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
January 22, 2020
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. November 20, 2019 Meeting Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. C-19-0073. 2822 and 2896 Forge Road

F. ADJOURNMENT

ITEM SUMMARY

DATE: 1/22/2020

TO: The Development Review Committee

FROM: Paul D. Holt, III, Secretary

SUBJECT: November 20, 2019 Meeting Minutes

ATTACHMENTS:

	Description	Type
	Minutes of the November 20, 2019 DRC Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Cook, Ellen	Approved	1/17/2020 - 9:06 AM
Development Review Committee	Holt, Paul	Approved	1/17/2020 - 9:11 AM
Publication Management	Burcham, Nan	Approved	1/17/2020 - 9:15 AM
Development Review Committee	Holt, Paul	Approved	1/17/2020 - 9:16 AM

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 20, 2019
4:00 PM

A. CALL TO ORDER

Mr. Frank Polster called the Development Review Committee (DRC) meeting to order at 4:00 p.m.

B. ROLL CALL

Present:

Frank Polster, Chair

Jack Haldeman

Danny Schmidt

Odessa Dowdy

Staff in Attendance:

Ellen Cook, Principal Planner

Brett Meadows, Planner

Juan Carlos Morgado, Stormwater and Resource Protection

Katie Pelletier, Community Development Assistant

C. MINUTES

1. October 23, 2019 Meeting Minutes

Mr. Polster asked if there were any comments regarding the minutes.

Mr. Jack Haldeman made a motion to Approve the October 23, 2019 minutes. The minutes were approved by a unanimous voice vote of 3-0. Ms. Odessa Dowdy arrived at the meeting a few minutes later.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. SP-19-0101. Chickahominy Riverfront Park RV and Boat Storage Area SP Amend.

Mr. Brett Meadows addressed the Committee and stated that Mr. Alister Perkinson of James City County Parks and Recreation had submitted a site plan amendment to relocate storage for recreational vehicles (RVs) and boats. He said the relocation requires the removal of trees within the proposed storage area.

Mr. Meadows stated that the applicant seeks to relocate the RV and boat storage in order to allow for an expansion of the boathouse area. He said the goal of the relocation is to provide better service to boathouse patrons and bring additional revenue to the park.

Mr. Meadows explained that the DRC approved Conceptual Plan Case No. C-0038-2018 on June 20, 2018. He said this plan proposed the relocation of the RV and boat storage to the

area represented in Site Plan Case No. SP-19-0101.

Mr. Meadows told the Committee that the proposed RV/boat storage area was formerly used for the same purpose as recently as 2002, and the proposed area was a grass field as recently as 2013. He said this area has naturally grown up in the intervening years.

Mr. Meadows explained the applicant proposes clearing approximately one acre of brush and trees to create storage for up to 50 large RVs or boats. He said two mature loblolly pines will remain. Mr. Meadows noted the view of the proposed storage from the Capital Trail and John Tyler Highway is limited by an existing wooded buffer that would remain.

Mr. Meadows stated that the adopted Special Use Permit (SUP) conditions require Planning Director and DRC approval of any tree clearing on the Chickahominy Riverfront Park property. He said the Planning Director finds the proposal acceptable and staff recommends that the DRC finds the tree clearing for this project acceptable.

Mr. Meadows said both he and Mr. Perkinson were available to answer any questions from the Committee.

Mr. Polster asked if the Committee had any further questions.

Mr. Alister Perkinson stated the goal is to clean up the existing temporary RV and boat storage area for potential construction of an additional boathouse by the growing rowing club and community.

Mr. Perkinson explained they would move the storage area to another temporary site where there had been storage in the past and would not require any significant improvements.

Mr. Danny Schmidt asked if this would be the second or third boathouse.

Mr. Perkinson replied it would be the second boathouse on site.

Ms. Dowdy asked for clarification why the site would need to move again in the future.

Mr. Perkinson explained they are in the process of updating the site Master Plan, and the proposed new temporary storage site is also the location of a future water treatment plant. He said the proposed permanent site for RV and boat storage would be located further out in the phasing of the Master Plan.

Mr. Perkinson said no permanent improvements would be made other than clearing the brush in the short term. He said there is an existing gravel road.

Ms. Dowdy asked if the storage area was public use.

Mr. Perkinson replied yes, users pay a monthly fee to store their RVs and boats, similar to the James City County marina.

Mr. Polster asked Mr. Perkinson about the Master Plan update. Mr. Polster said it was his understanding they are operating under a 2009 Master Plan and have briefed a new Master Plan concept to the Board of Supervisors. Mr. Polster noted there would be additional public meetings and outreach to the community for feedback on the Master Plan update before it is finalized through the legislative process.

Mr. Perkinson affirmed what Mr. Polster had stated and said the tentative timeline after the public process includes meeting with the Parks and Recreation Advisory Commission in

February 2020, the Planning Commission in March 2020, and the Board of Supervisors in April 2020.

Mr. Polster asked why they would not move the RV and boat storage to the proposed permanent location now since a new Master Plan could be approved within the year.

Mr. Perkinson stated the move to the permanent storage site will be included in the Parks and Recreation Capital Improvements Program (CIP) request, and the current proposal is a temporary solution with very few requirements. He said they would like to move the storage site now, due to the new boathouse and increased use in the area.

Mr. Polster asked if the new boathouse was already in the CIP.

Mr. Perkinson explained that the rowing club would build the boathouse, but there are stormwater improvement plans for the launch area included in the five-year CIP by Fiscal Year 2022.

Mr. Polster asked why they would not place the RV park in the permanent location now.

Mr. Perkinson said they would need this in the Parks and Recreation CIP budget since they would need to build a road and clear the area.

Mr. Juan Carlos Morgado, Stormwater and Resource Protection (SRP) Division, commented that the water treatment plant will greatly alter the Master Plan. He said the SRP comments cited that any Master Plan should consider the stormwater requirements and conditions set in the last SUP for the Chickahominy Riverfront Park.

Mr. Polster asked if there were any other discussion items from the Committee.

Mr. Jack Haldeman motioned to recommend Approval of Case No. SP-19-0101, Chickahominy Riverfront Park RV and Boat Storage Area SP Amend.

By a unanimous voice vote, the motion was approved 4-0.

F. ADJOURNMENT

Mr. Polster thanked everyone for attending the meeting.

Mr. Haldeman motioned to Adjourn the meeting.

Mr. Polster adjourned the meeting at 4:20 p.m. after a unanimous voice vote of 4-0.

Mr. Frank Polster, Chair

Mr. Paul Holt, Secretary

ITEM SUMMARY

DATE: 1/22/2020

TO: The Development Review Committee

FROM: Thomas Wysong, Senior Planner

SUBJECT: C-19-0073. 2822 and 2896 Forge Road

ATTACHMENTS:

	Description	Type
▣	Staff Report	Cover Memo
▣	Attachment No. 1 Conceptual Plat Layout	Exhibit
▣	Attachment No. 2. Conceptual Plan Approved by PC 11/06/19	Exhibit
▣	Attachment No. 3 Applicant Exception Request	Backup Material
▣	Attachment No. 4 Location Map	Backup Material
▣	Attachment No. 5 Sec. 19-73 (b) shared driveway standards	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Cook, Ellen	Approved	1/17/2020 - 9:10 AM
Development Review Committee	Holt, Paul	Approved	1/17/2020 - 9:15 AM
Publication Management	Burcham, Nan	Approved	1/17/2020 - 9:17 AM
Development Review Committee	Secretary, DRC	Approved	1/17/2020 - 9:19 AM

CONCEPTUAL PLAN-19-0073. 2822 and 2896 Forge Road

Staff Report for the January 22, 2020, Development Review Committee Meeting

SUMMARY FACTS

Applicants:	Hawley Smith Frederick Boelt
Land Owners:	MG Farm Partners, LLC Frederick Boelt
Proposal:	A shared driveway exception request for a proposed three-lot subdivision on one parcel located north of Forge Road
Locations:	2822 Forge Road 2896 Forge Road
Tax Map/Parcel Nos.:	1230100018 1230100019
Project Acreage:	± 126 acres
Current Zoning:	A-1, General Agriculture
Comprehensive Plan:	Rural Lands
Primary Service Area (PSA):	Outside
Staff Contact:	Thomas Wysong, Senior Planner

REASON FOR PLANNING COMMISSION REVIEW

Section 19-73 of the Subdivision Ordinance requires for all minor subdivisions of three or more lots to limit direct access from the existing road to one shared driveway. The applicants are proposing to modify the driveway access for this subdivision that was

recommended by the Development Review Committee (DRC) and approved by the Planning Commission (PC) in November 2019, which permitted one shared driveway between “New Parcel 1” and “New Parcel 2” and one driveway to serve “New Parcel 3”.

In this proposal, “New Parcel 2” would share access with the existing driveway on the Boelt property (Parcel No. 1230100019) via a 50-foot x 50-foot access easement. Per the original DRC recommendation, the driveway approved for “New Parcel 1” would remain in place, as well as the driveway approved for “New Parcel 3” (with the understanding that the applicants hope to access this parcel in the future via a shared driveway with the Martin Farm Estates neighborhood, as stated in the applicants’ letter). Since this proposal is a departure from the subdivision request approved by the PC, the applicants are required to obtain a modified subdivision exception as permitted in Section 19-18 of the Subdivision Ordinance.

FACTORS FAVORABLE

1. The Fire Department, Health Department, and the Virginia Department of Transportation (VDOT) have stated no objection to this exception request.
2. The proposal helps achieve the intent of reducing the number of driveways along Forge Road by permitting a maximum of two new driveways, which is the same outcome as the previously approved DRC recommendation but uses a different approach.
3. If the shared driveway between the Boelt property and “New Parcel 2” is upgraded to the standards specified in *Sec. 19-73 (b)* of the Subdivision Ordinance (as recommended by staff), it will be an improvement to the existing gravel driveway. The shared driveway for “New Parcel 1” and “New Parcel 2” previously approved by the DRC would have needed to meet this Ordinance standard.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

FACTORS UNFAVORABLE

1. Staff finds the subdivision fails to meet the following three required exception criteria, pursuant to Section 19-18:
 - Strict adherence to the Ordinance requirement will cause substantial injustice or hardship;
 - The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter;
 - The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.

STAFF RECOMMENDATION

Staff continues to find that the request does not meet the required exception criteria in the Ordinance and for this reason, recommends the DRC recommend denial of the exception request to the PC.

However, when compared with the exception request previously approved by the DRC, staff finds this proposal does help achieve the intent of reducing the number of driveways along Forge Road, by permitting a maximum of two new driveways, which is the outcome achieved by the previous DRC recommendation. Should the DRC be inclined to consider approving an exception to the Ordinance, staff recommends that the DRC consider requiring the shared driveway for the Boelt property and “New Parcel 2” be built to the standards specified in *Sec. 19-73 (b)* of the Subdivision Ordinance.

PROJECT DESCRIPTION

- The applicants are proposing to modify the driveway access approved for this subdivision by the PC in November 2019 such that “New Parcel 2” will share access with the existing driveway on the Boelt property (Parcel No. 1230100019) via a 50-foot x 50-foot access easement.

PROJECT HISTORY

Two nearby properties south of Forge Road (2511 and 2611 Forge Road) have been under a County-held Purchase of Development Rights easement since 2003. In June 2019, a proposal was brought to the Board to amend this easement to increase the number of permitted residential lots and put in place several other provisions. In “exchange” for this amendment, the applicants proposed to impose a similar easement upon the Meadows Farm, which is the larger parcel that is within this current exception application. The memorandum to the Board states “The Meadows Farm would be limited to three residential sites, with none being closer than 800 feet to Forge Road.” The Board approved this proposal.

At its October 23 meeting, the DRC recommended approval of a subdivision exception request for this proposed subdivision that permitted one shared driveway between “New Parcel 1” and “New Parcel 2” and one driveway for “New Parcel 3”. The PC approved this recommendation at its November meeting.

SURROUNDING ZONING AND DEVELOPMENT

- Surrounding properties to the south, east, and west are zoned A-1, General Agricultural and designated Rural Lands on the Comprehensive Plan. Property to the north is zoned A-1, General Agricultural and is designated Economic Opportunity on the Comprehensive Plan.

STAFF ANALYSIS

Section 19-73 of the Subdivision Ordinance states that a shared driveway shall be required for any subdivision with three or more undeveloped lots. This requirement, along with a number of other updates, was added to the Subdivision Ordinance in 1999, after having been developed by a citizen and stakeholder committee charged with revisions to the Zoning and Subdivision Ordinances at that time. This update was preceded by inclusion of Rural Land Use Standards in the Development Standards section of the 1997 Comprehensive Plan which encouraged preservation of the natural, wooded, and rural character of the County by various measures, including “minimizing the number of street and driveway intersections along the main road by providing common driveways and interconnection of developments.” This language has remained in subsequent versions of the Comprehensive Plan’s Rural Lands Development Standards, including the current 2035 Comprehensive Plan. Over the years, many minor subdivisions have been approved with shared driveways, both inside the PSA and outside the PSA for minor subdivisions with larger lots taking access from rural roads.

The analysis below provides information on each of the criteria listed in the Subdivision Ordinance Exception section:

The Commission shall not approve any exception unless it first receives a recommendation from the DRC and unless it finds that:

- a. Strict adherence to the Ordinance requirement will cause substantial injustice or hardship; and

Staff does not find a hardship outlined in the applicants’ document that meets the hardship standards, as further discussed below.

- b. The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others; and

As discussed in (d), VDOT has indicated that the separate driveways could meet VDOT minimum standards. However, the County’s higher access standard is in part to address public safety, health, and welfare through the goals of access management and safer progression of traffic by limited entry points, even in rural areas with a lesser volume of traffic. The higher standard also helps in retaining the rural character of these areas and roadways.

- c. The facts upon which the request is based are unique to the property and are not applicable generally to other property so as not to make reasonably practicable the formulation of general regulations to be adopted as an amendment to this chapter; and

Staff does not find that the facts upon which the request is based are unique to the property.

- d. No objection to the exception has been received in writing from the Transportation Department, Health Department, or Fire Chief; and

Staff has consulted with applicable reviewing agencies, specifically with VDOT, the Virginia Department of Health, and the Fire Department, and there was no objection to the exception request.

- e. The hardship or injustice is created by the unusual character of the property, including dimensions and topography, or by other extraordinary situation or condition of such property. Personal, financial, or self-inflicted hardship or injustice shall not be considered proper justification for an exception.

Staff finds that the applicant has not provided sufficient evidence that the dimensions/building area of the proposed lots or the topography of the lots to be unusual compared with other parcels, or of a nature that would preclude the placement of a shared driveway.

STAFF RECOMMENDATION

Staff continues to find that the request does not meet the required exception criteria in the Ordinance and for this reason, recommends the DRC recommend denial of the exception request to the PC.

However, when compared with the exception request previously approved by the DRC, staff finds this proposal does help achieve the intent of reducing the number of driveways along Forge Road, by permitting a maximum of two new driveways, which is the outcome achieved by the previous DRC recommendation. Should the DRC be inclined to consider approving an exception to the Ordinance, staff recommends that the DRC consider requiring the shared driveway for the Boelt property and “New Parcel 2” be built to the standards specified in *Sec. 19-73 (b)* of the Subdivision Ordinance.

TW/md
C19-73ForgeRoad

Attachments:

1. Conceptual Plat Layout
2. Conceptual Plan Approved by PC 11/06/2019
3. Applicant Exception Request
4. Location Map
5. Sec. 19-73 (b) shared driveway standards

CERTIFICATION OF SOURCE OF TITLE

THE PROPERTY SHOWN ON THIS PLAT WAS CONVEYED BY EUGENE RICHARD MEADOWS JR AND SUSAN H. MEADOWS, WILLIS CLINTON MEADOWS, KIRT ALAN MEADOWS AND FRANCES J. MEADOWS, JEANNETTE M. COOPER AND STEPHEN M. COOPER TO MG FARM PARTNERS, L.L.C., A VIRGINIA LIMITED LIABILITY COMPANY BY DEED DATED MARCH 24, 2016 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF WILLIAMSBURG AND THE COUNTY OF JAMES CITY, VIRGINIA AS L.R.# 160006738.

OWNER'S CONSENT AND DEDICATION

THE SUBDIVISION OF LAND SHOWN ON THIS PLAT KNOWN AS "PLAT OF SUBDIVISION AND BOUNDARY LINE ADJUSTMENT, PARCEL 3, CONTAINING 118.027 ACRES± ON FORGE ROAD" IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER.

FOR:
MGM FARM PARTNERS, L.L.C., A VIRGINIA LIMITED LIABILITY COMPANY

BY: _____ DATE _____
PRINTED NAME _____
TITLE _____

CERTIFICATE OF NOTARIZATION

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____
I, _____, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT PERSONS WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNDER MY NAME THIS ____ DAY OF _____, 20____

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

NOTARY REGISTRATION NUMBER: _____

GENERAL NOTES

- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- NEW MONUMENTS SHALL BE SET PER THE REQUIREMENTS FOUND IN SECTION 19-34 THROUGH 19-36 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
- THIS PROPERTY IS IN FLOOD ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN ON MAP NUMBER 51095C0039D, EFFECTIVE DATE 12/16/2015 OF THE FLOOD INSURANCE RATE MAPS FOR JAMES CITY COUNTY, VIRGINIA.
- PROPERTY IS THE SOUTHERLY PORTION OF PARCEL ID #1230100018. THIS SURVEY REPRESENTS THE SOUTHERLY PORTION OF THE PROPERTY OWNED BY MGM FARM PARTNERS, L.L.C.. THE REMAINING PROPERTY TO THE NORTH SIDE OF THE CSX TRANSPORTATION RAILROAD RIGHT-OF-WAY HAS NOT BEEN SURVEYED AT THIS TIME AND WILL BE THE REMAINDER OF PARCEL ID #1230100018.
- THE PROPERTY ADDRESS FOR PARCEL ID #1230100018 IS #2822 FORGE ROAD.
- PROPERTY IS CURRENTLY ZONED "A-1"-GENERAL AGRICULTURAL DISTRICT.
- LOTS TO BE SERVED BY PRIVATE WATER AND SEWER.
- ALL EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.
- THIS PLAT IS BASED ON A PLAT BY AES CONSULTING ENGINEERS TITLED "PLAT OF SUBDIVISION AND BOUNDARY LINE EXTINGUISHMENT, 3 PARCELS OF LAND CONTAINING 125.820 ACRES ON FORGE ROAD," RECORDED DECEMBER 3, 2012 AS INSTRUMENT #120024981 AND ALSO ON PREVIOUS SURVEYS BY AES AND WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS PROPERTY IS SUBJECT TO EASEMENTS, SERVITUDE, AND COVENANTS OF RECORD.
- PORTIONS OF THIS PROPERTY LIE WITHIN RPA (RESOURCE PROTECTION AREAS) AND ARE SUBJECT TO REGULATION UNDER THE CHESAPEAKE BAY PRESERVATION ORDINANCE.
- UNLESS OTHERWISE INDICATED, ALL DRAINAGE EASEMENTS SHALL REMAIN PRIVATE.
- SEPTIC TANK AND SOILS INFORMATION SHOULD BE VERIFIED AND REEVALUATED BY THE HEALTH DEPARTMENT PRIOR TO ANY NEW CONSTRUCTION.
- WETLANDS AND LAND WITHIN RESOURCE PROTECTION AREAS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES PERMITTED BY SECTION 23-7 (c) OF THE JAMES CITY COUNTY CODE.
- ON SITE SEWAGE TREATMENT SYSTEMS SHALL BE PUMPED OUT AT LEAST ONCE EVERY FIVE YEARS PER SECTION 23-9(b)(6) OF THE JAMES CITY COUNTY CODE.

AREA TABULATION

	SQUARE FEET	ACRES
TOTAL FORMER AREA OF PARCEL 3	5,141,251 S.F.±	118.027 AC.±
AREA OF NEW PARCEL 1	1,305,557 S.F.±	29.972 AC.±
AREA OF NEW PARCEL 2	1,902,266 S.F.±	43.670 AC.±
AREA OF NEW PARCEL 3	1,929,938 S.F.±	44.305 AC.±
AREA TO PARCEL ID #1230100019	3490 S.F.±	0.080 AC.±
TOTAL AREA SUBDIVIDED	5,141,251 S.F.±	118.207 AC.±
AREA OF REMAINDER OF PARCEL ID #1230100018 (ACROSS RAILROAD RIGHT-OF-WAY) NOT INCLUDED IN THIS SURVEY (AREA PER COUNTY TAX RECORDS)		6.14 AC.±

CERTIFICATION OF SOURCE OF TITLE

THE PROPERTY SHOWN ON THIS PLAT WAS CONVEYED BY FREDERICK W. BOELT TO FREDERICK WILLS BOELT, TRUSTEE UNDER THE PROVISIONS OF THE FREDERICK WILLS BOELT REVOCABLE LIVING TRUST BY DEED DATED SEPTEMBER 16, 2014 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF WILLIAMSBURG AND THE COUNTY OF JAMES CITY, VIRGINIA AS L.R.# 140015946.

OWNER'S CONSENT AND DEDICATION

THE INGRESS/EGRESS EASEMENT AND BOUNDARY LINE ADJUSTMENT SHOWN ON THIS PLAT KNOWN AS "PLAT OF SUBDIVISION AND BOUNDARY LINE ADJUSTMENT, PARCEL 3, CONTAINING 118.027 ACRES± ON FORGE ROAD" ARE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER/TRUSTEE.

FOR:
FREDERICK WILLS BOELT, TRUSTEE (FREDERICK WILLS BOELT REVOCABLE LIVING TRUST)

BY: _____ DATE _____
PRINTED NAME _____
TITLE _____

CERTIFICATE OF NOTARIZATION

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____
I, _____, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT PERSONS WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNDER MY NAME THIS ____ DAY OF _____, 20____

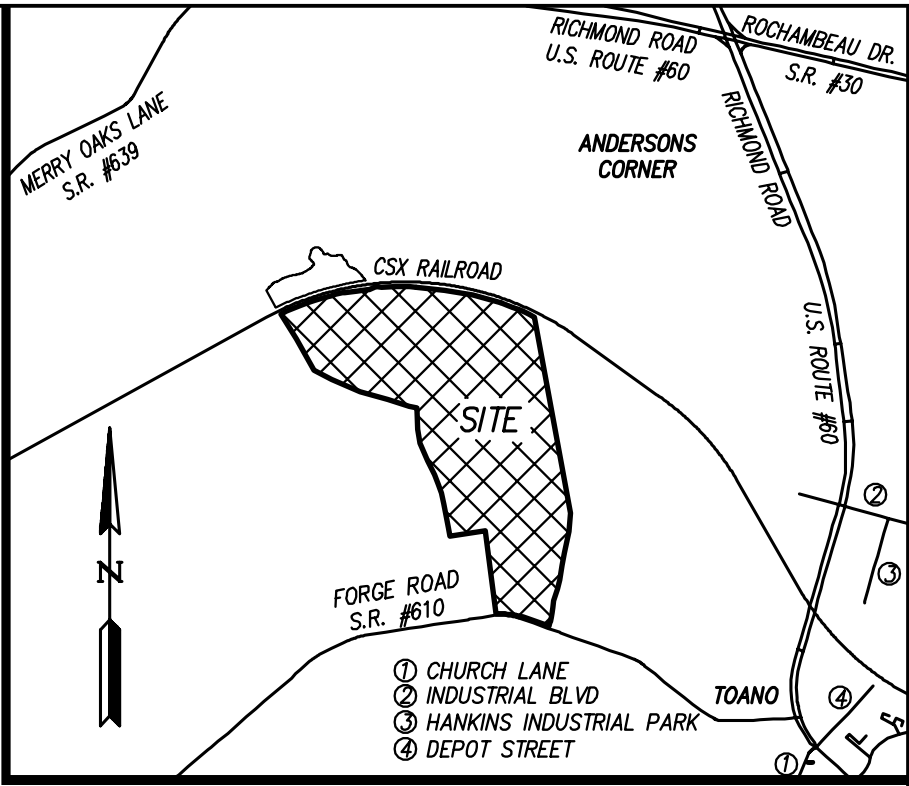
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

NOTARY REGISTRATION NUMBER: _____

REFERENCES:

INSTRUMENT #990023567
PLAT BOOK 3, PAGE 13
INSTRUMENT #070021541 (JUDGEMENT - AT & T CORP.)
INSTRUMENT #970002039 (VIRGINIA POWER ESMT.)
DEED BOOK 822, PAGE 27 (BELL ATLANTIC-VIRGINIA ESMT.)
DEED BOOK 820, PAGE 179 (V.D.O.T. R/W)
STATE HIGHWAY PLAT BOOK 8, PAGE 169
DEED BOOK 25, PAGE 544 (V.E.P.CO. ESMT.)
DEED BOOK 25, PAGE 542 (V.E.P.CO. ESMT.)
PLAT BOOK 5, PAGE 6 (V.E.P.CO. ESMT.)
DEED BOOK 10, PAGE 90 (C & O RAILROAD R/W)
C & O RAILROAD CO. RIGHT-OF-WAY & TRACK MAP V.2/32
DEED BOOK 85, PAGE 234
DEED BOOK 80, PAGE 206
DEED BOOK 45, PAGE 544
DEED BOOK 36, PAGE 472



VICINITY MAP
SCALE: 1" = 2000'

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY.

SAMUEL J. BIKKERS, L.S. #1886 DATE _____

CERTIFICATE OF APPROVAL

THIS SUBDIVISION AND BOUNDARY LINE ADJUSTMENT IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

SUBDIVISION AGENT OF THE COUNTY OF JAMES CITY DATE _____

HEALTH DEPARTMENT APPROVAL

THIS SUBDIVISION IS APPROVED FOR INDIVIDUAL ONSITE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF *THE CODE OF VIRGINIA AND THE SEWAGE HANDLING AND DISPOSAL REGULATIONS* (12 VAC 5-610-10 et seq., THE "REGULATIONS".

THIS SUBDIVISION WAS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO SEC. 32-1-163.5 OF THE *CODE OF VIRGINIA* WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM AN ONSITE SOIL EVALUATOR (OSE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AN AOSE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO PERFORM A FIELD CHECK OF SUCH EVALUATIONS. THIS SUBDIVISION WAS CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY: ADAM C. HERMAN MAOSE# 1940001109. THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION.

PURSUANT TO SEC. 360 OF THE *REGULATIONS* THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF THIS APPROVAL. THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE SYSTEMS.

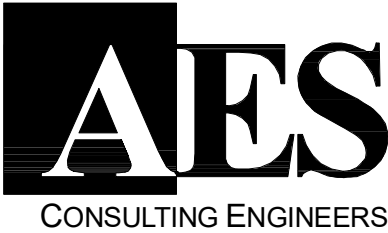
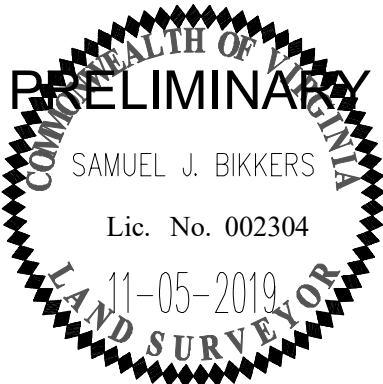
THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THE CERTIFICATION THAT APPROVED LOTS ARE SUITABLE FOR "TRADITIONAL SYSTEMS", HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED.

VIRGINIA DEPARTMENT OF HEALTH DATE _____

STATE OF VIRGINIA
CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT COURT.
THIS ____ DAY OF _____, 20____
THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED TO
THE RECORD AS THE LAW DIRECTS. @ ____AM/PM
INSTRUMENT # _____

TESTE: _____
MONA A. FOLEY, CLERK

Rev.	Date	Description	Revised By



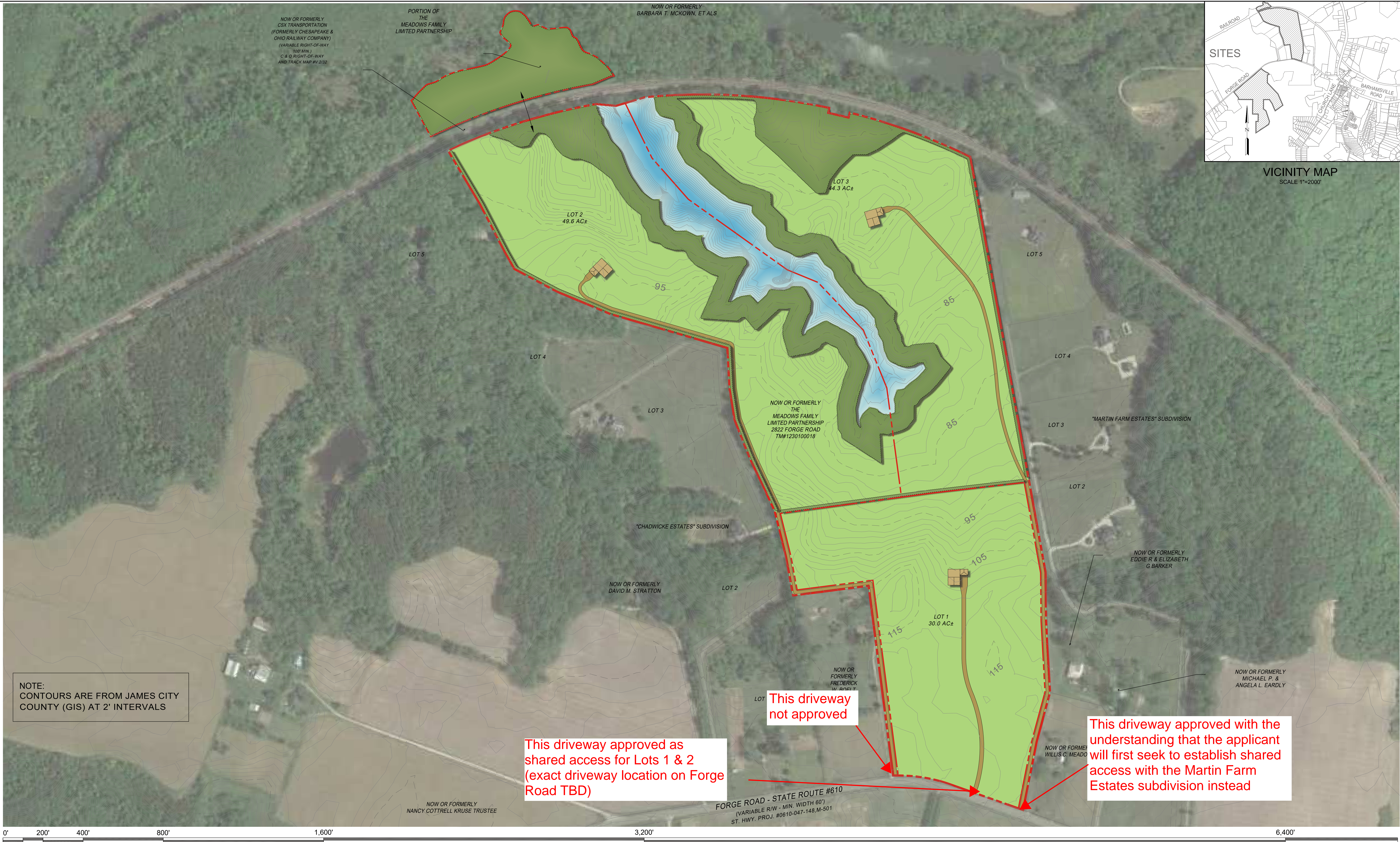
Hampton Roads | Central Virginia | Middle Peninsula

PLAT OF SUBDIVISION
AND BOUNDARY LINE ADJUSTMENT
PARCEL 3
CONTAINING 118.027 ACRES±
ON FORGE ROAD
OWNED BY: MG FARM PARTNERS, L.L.C.

STONEHOUSE DISTRICTJAMES CITY COUNTYVIRGINIA

Project Contacts: SJB/JFS
Project Number: W10372-03
Scale: NONEDate: 11/05/19
Sheet Number

1 of 3



Nov 20, 2019

James City County Planning Commission
Government Complex
101 Mounts Bay Road
Building F
Williamsburg, Va 23185

Dear James City County Planning Commission and Development Review Committee,

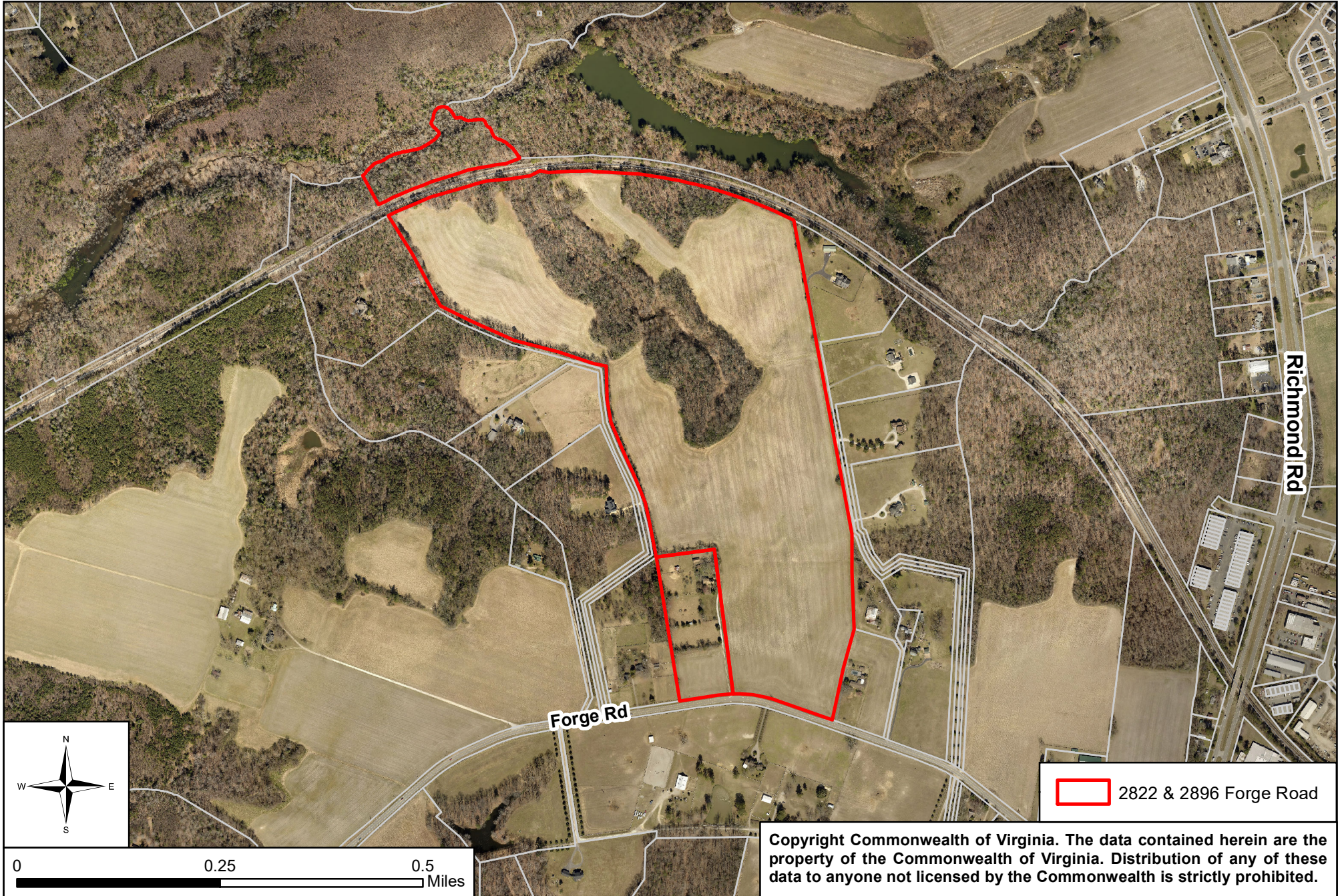
In the time since we were able to meet with the Development Review Committee and the variance that was allowed for our projects of allowing 2 entry points into the Meadows property north of Forge Road, we have communicated with Fred Boelt our immediate neighbor to the West of the property and it is our mutual intent(both our project and Mr. Boelt) to allow for the lot 2 buyer to access their property beginning by sharing Mr. Boelt's current driveway. This furthers the sentiment of the DRC when we met and their hope for as few entry points off of Forge Road as possible. Mr. Boelt's currently exists and allows for multiple residents to share this entry, while then only requiring one entry point for a lot 1 owner. The other entry point is for the Lot 3 buyer and in the design includes a 25' stem from Lot 3 to Forge Road, however, as shared before, our buyer for Lot 3 has the intent of acquiring permission from his current neighborhood, Martin Farm Estates, to access the property through their shared drive, which if acquired, would ultimately result in only 1 access point for our project that we have altered to be located immediately across from the Perry Driveway, per the DRC and staff's desires. I believe this is an even better option for all the interests involved, than the one you granted us in September. We request you consider approving this new design tweak for our project, so that hopefully, there will only be one access point added in practice to the north of Forge Road for this development project.

Respectfully,

Hawley Smith
Forge Road LLC

JCC C-19-0073 Submittal #2

2822 & 2896 Forge Road Subdivision



Sec. 19-73. - Shared driveway requirements for minor subdivisions.

- (a) For all minor subdivisions of three or more lots, direct access from all lots to the existing road shall be limited to one shared driveway.

This requirement shall not apply to developed lots within a proposed minor subdivision. However, as long as there are three or more other lots that are undeveloped, this requirement shall apply to those lots. Upon the request of the subdivider, and after finding that such waiver would not adversely affect public health, safety or welfare, the agent may waive this requirement for subdivisions inside the primary service area which are along local roads, as defined.

- (b) Such driveway shall have a paved surface at least ten feet wide consisting of two inches of pavement over four to six inches of stone aggregate. In addition, the shared driveway must meet all applicable transportation department requirements for the portion of the driveway that ties into the public road. A detail depicting the driveway specifications shall be included on the subdivision plat. An erosion and sediment control plan and land disturbance permit may be required for the shared driveway, as determined by the engineering and resource protection director.
- (c) Such driveway shall be located within a shared access easement that is depicted on the subdivision plat.
- (d) No such subdivision shall be recorded until appropriate shared care and maintenance documents in a form approved by the county attorney have been executed. Such documents shall be recorded concurrently with the subdivision plat and shall set forth the following:
 - (1) The provisions made for permanent care and maintenance of the shared driveway and any associated easement, including surety when required by the county; and
 - (2) The method of assessing the individual property for its share of the cost of adequately administering, maintaining and replacing such shared driveway.

(Ord. No. 30A-27, 12-15-99; Ord. No. 30A-41, 12-11-12; Ord. No. 30A-42, 8-13-13)