

AGENDA
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
BUILDING A LARGE CONFERENCE ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
May 21, 2025
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes of the March 26, 2025, Regular Meeting

D. OLD BUSINESS

1. C-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request

E. NEW BUSINESS

F. ADJOURNMENT

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
BUILDING A LARGE CONFERENCE ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
March 26, 2025
4:00 P.M.

A. CALL TO ORDER

Mr. Rodgers called the meeting to order at approximately 4:08 p.m.

B. ROLL CALL

Committee Members Present:

Steve Rodgers, Chair
Frank Polster
Scott Maye (Remote)

Planning Commission Members Present:

Crystal Haskins

Staff Present:

Morgan Risinger, Senior Planner
Beth Klapper, Community Development Assistant

Mr. Polster made a motion to allow Mr. Maye to participate remotely.

On a voice vote, the Committee voted to allow Mr. Maye to participate remotely. (2-0)

C. MINUTES

1. Minutes of the October 23, 2024, Regular Meeting

Mr. Polster made a motion to approve the minutes.

On a voice vote, the Committee approved the Minutes of the October 23, 2024, Regular Meeting. (3-0)

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

Mr. Polster noted that there were two citizens in attendance and offered them the opportunity to address the Committee.

The citizens did not wish to speak.

1. SIGN-25-0032. Mason Park Subdivision Entrance Sign

Ms. Morgan Risinger, Senior Planner, stated that a Sign Permit application has been submitted for the construction of a subdivision entrance sign for the Mason Park subdivision. Ms. Risinger further stated that the proposed design is a nonilluminated monument sign that is four feet in height. Ms. Risinger stated that the sign is proposed to be installed to the west of Mason Park Drive between the Jamestown Road right-of-way and the multiuse trail on the subject property. Ms. Risinger noted that the proposed location is free of any improvements and landscaping.

Ms. Risinger stated that the adopted proffers from Case No. Z-0002-2006 included two requirements which were relevant to the Sign Permit application: a 150-foot-wide buffer along Jamestown Road which is depicted on the adopted Master Plan and stipulates that entrance features and signage located within the buffer require approval from the Development Review Committee (DRC); and a stipulation that the sign is required to be a monument style sign with a maximum height of four feet and further requires that an elevation of the sign is to be approved by the Director of Planning.

Ms. Risinger stated that the proposed location of the entrance sign would not disrupt landscaping planted within the Jamestown Road buffer and that the proposed sign elevation had been approved by the Director of Planning. Ms. Risinger stated that staff recommends that the DRC approve the installation of the proposed sign within the 150-foot-wide Jamestown Road buffer as depicted in the Sign Permit application.

Mr. Rodgers inquired if the DRC was only to approve the location.

Ms. Risinger stated that the Director of Planning approves the design, and the DRC approves the location.

Discussion ensued.

Mr. Polster made a move to approve the location of the sign.

On a voice vote, the Committee voted to approve the location of the sign. (3-0)

2. C-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request

Ms. Risinger stated that the applicant has requested that the matter be deferred to May 21, 2025, to allow time to address comments from the Fire Department.

Mr. Rodgers made a motion to defer the matter to its May 21, 2025, meeting.

On a voice vote, the Committee voted to defer C-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request to its May 21, 2025, meeting. (3-0)

F. ADJOURNMENT

Mr. Polster made a motion to Adjourn the meeting.

On a voice vote, the meeting was adjourned at approximately 4:20 p.m.

Steve Rodgers, Chair

Susan Istenes, Secretary

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the May 21, 2025, Development Review Committee Meeting

SUMMARY FACTS

Applicant: Mr. Jay Epstein, HEALTH-E-COMMUNITY ENTERPRISES OF VIRGINIA, INC.

Landowner: MARSTON, LLC HEALTH-E COMMUNITY

Proposal: An exception request to allow for a major subdivision that utilizes land within the Primary Service Area (PSA) to be served by individual wells and individual on-site sewage disposal systems.

Locations: 242 Bush Springs Road
268 Bush Springs Road
275 Bush Springs Road
282 Bush Springs Road
290 Bush Springs Road
291 Bush Springs Road
308 Bush Springs Road

Tax Map/Parcel Nos.: 2220100038
2220100037
2220100033
2220100036
2220100035
2220100090
2220100034

Project Acreage: ± 82.16 acres

Current Zoning: R-1, Limited Residential

Comprehensive Plan: Low Density Residential
Rural Lands

Primary Service Area

(PSA): Inside (parcels designated Low Density Residential)
Outside (parcels designated Rural Lands)

Staff Contact: Morgan Risinger, Senior Planner

REASON FOR DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. The proposed subdivision of the property into 38 single-family residential lots is more than five lots and would involve extending the Bush Springs Road right-of-way through parcels inside the PSA, meaning the subdivision would be required to connect to public water and sewer systems. The developer would like to construct this subdivision without connecting to public water and sewer. Therefore, pursuant to Section 19-18 of the Subdivision Ordinance, an exception request has been submitted to allow the proposed lots to be served by individual wells and individual on-site sewage disposal systems.

FACTORS FAVORABLE

1. The Virginia Department of Health (VDH) and the Virginia Department of Transportation (VDOT) have stated no objection to this exception request.

FACTORS UNFAVORABLE

1. The Fire Department has stated its preference would be for the subdivision to connect to the public water system. This would allow fire hydrants to be located throughout the subdivision, per current standards. Without connecting to public water, and

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.

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the May 21, 2025, Development Review Committee Meeting

without fire hydrants, the developer has proposed that each home be constructed with an in-home fire sprinkler system. The water supply for the sprinkler system would come from large water holding tanks, fed by a well, located outside of each house.

The developer has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

However, while the requirement for the initial construction of an in-home sprinkler system could be ensured via the building permit process, the Virginia Statewide Fire Prevention Code (VSFPC) does **not** (emphasis added) require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance and operation of residential sprinkler systems would require a means outside of typical code enforcement.

The developer has proposed that long-term maintenance and operation of these in-home systems would fall under the purview of the homeowners association (HOA), using covenants and deed restrictions, subject to language approved by the County Attorney's Office.

Staff from the Community Development Department and Fire Department find that a requirement to maintain and ensure continual operation of in-home fire sprinkler systems for single-family detached dwellings by the HOA to be nonviable.

More significantly, whether those requirements fall on the HOA or even to an individual homeowner, over the life of the single-family home, staff finds such a requirement to be something that County staff could not practically or reasonably enforce.

2. Staff further finds that the proposed exception request does not fully meet the criteria found in Section 19-18 of the Subdivision Ordinance.

STAFF RECOMMENDATION

Staff recommends that the DRC recommend denial of this exception request to the Planning Commission. Should the DRC recommend approval of this exception request to the Planning Commission, staff recommends the inclusion of conditions to require the installation of residential sprinkler systems in each home and for inspections and maintenance to be enforced by the HOA. (see Attachment No. 1). As previously stated, staff finds that such a condition could not practically or reasonably be enforced by the County.

PROJECT DESCRIPTION

The applicant is requesting an exception from the Subdivision Ordinance's requirement for major subdivisions to connect to public water and sewer systems if they are located inside the PSA (see Attachment No. 2). The proposed subdivision would include extending the Bush Springs Road right-of-way, and is greater than five lots, to create a major subdivision of 38 new residential lots. While the proposed residential lots are shown as being platted outside of the PSA, the right-of-way extension would involve dedication of property located inside the PSA (see Attachment No. 3).

PROJECT HISTORY

- Land use applications have been submitted during previous Comprehensive Plan update processes in 1997, 2003, 2008, and 2021 to request 282 Bush Springs Road, 290 Bush Springs Road, 291 Bush Springs Road, and 308 Bush Springs Road be redesignated to Low Density Residential and be included in the PSA. Each request has been denied and no change has been made to the PSA for these properties during that timeframe.

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Staff Report for the May 21, 2025, Development Review Committee Meeting

- In 2021, a Special Use Permit application was submitted for the extension of public water and sewer mains along Bush Springs Road to serve the proposed development. The application was withdrawn prior to consideration by the Board of Supervisors.

SURROUNDING ZONING AND DEVELOPMENT

- The following table lists information on the parcels adjacent to the subject properties:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	R-1, Limited Residential	Single- Family Residential	Low Density Residential
SOUTH	A-1, General Agricultural	Single- Family Residential	Rural Lands
EAST	A-1, General Agricultural	Forested land	Rural Lands
WEST	A-1, General Agricultural; and R-8, Rural Residential	Single- Family Residential	Rural Lands; and Low Density Residential

STAFF ANALYSIS

Section 19-59(a) and Section 19-61 of the Subdivision Ordinance require all major subdivisions inside the PSA to connect to public water and sewer systems, respectively. Staff's review of the proposed major subdivision determined that extending the Bush Springs Road right-of-way requires the use of properties inside the PSA which necessitates the subdivision's connection to public water and sewer

systems. The requirement to connect to public water and sewer systems was established on December 11, 2012, when the Board of Supervisors approved an amendment to the Subdivision Ordinance. While there are two notable major subdivisions, Liberty Ridge and Westport, that involved creating rights-of-way through property inside the PSA to create lots outside of the PSA that were not connected to public water and sewer, both were approved prior to the establishment of the requirement for major subdivisions to connect to public water and sewer in 2012.

The analysis below provides information on each of the criteria listed in Section 19-18 of the Subdivision Ordinance:

"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;"

Staff finds that adherence to this Ordinance requirement would not create a substantial hardship for the property owner, given that the property owner is choosing to pursue a more intensive development of the property and retains the ability to use the property for residential purposes as they currently exist.

- 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;"

Subject to the installation of residential sprinkler systems in each home, staff finds that the granting of the exception request may not be detrimental to public safety, health, or welfare, and may not adversely affect the property of others. However, as previously stated, staff finds that such a condition could not practically or reasonably be enforced by the County.

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.

CONCEPTUAL PLAN-25-0002. Solara Woods - Water and Sewer Subdivision Exception Request
Staff Report for the May 21, 2025, Development Review Committee Meeting

- 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;”

Staff finds that a portion of the subject properties are zoned for residential uses while being designated as Rural Lands and located outside the PSA which is unique and not generally applicable to other undeveloped properties in the County.

- d. “No objection to the exception has been received in writing from the transportation department, health department, or fire chief.”

*The VDH and VDOT did not object to the exception request. However, the Fire Department initially objected to the exception request (see Attachment No. 5) due to the fact that granting the exception request would mean that no fire hydrants would be installed in the subdivision. To mitigate this concern, individual in-home sprinkler systems have been proposed by the developer. As noted previously, while the requirement for the initial construction of an in-home sprinkler system could be ensured via the building permit process, the VSFPC does **not** (emphasis added) require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance and operation of residential sprinkler systems would require a means outside of typical code enforcement (see Attachment No. 6).*

- 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 while the situation of the properties being zoned for residential uses but designated as Rural Lands and located outside the PSA is unusual, the proposal to create a more intensive use of the

property by creating a major subdivision of 38 lots which requires the extension of the Bush Springs Road right-of-way and public water and sewer systems represents a self-inflicted hardship.

STAFF RECOMMENDATION

Staff recommends that the DRC recommend denial of this exception request to the Planning Commission. Should the DRC recommend approval of this exception request to the Planning Commission, staff recommends the inclusion of conditions to require the installation of residential sprinkler systems in each home and for inspections and maintenance to be enforced by the HOA (see Attachment No. 1). It is significant to note, however, staff finds that such a condition could not practically or reasonably be enforced by the County.

MR/ap
CP25-2SolaraWds

Attachments:

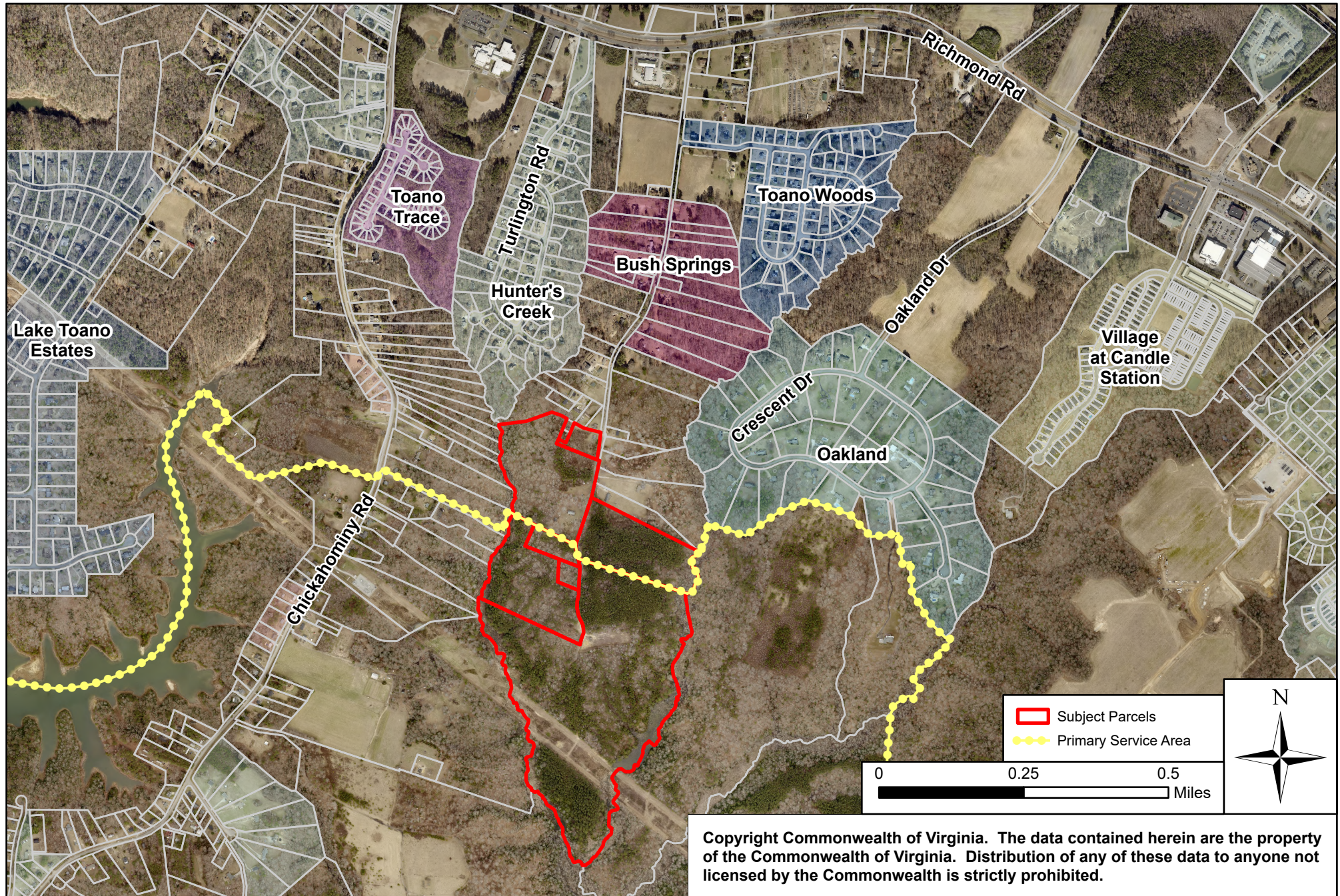
1. Proposed Conditions
2. Location Map
3. Applicant’s Exception Request
4. Solara Woods Subdivision Layout
5. February 4, 2025, Fire Department Comments
6. April 21, 2025, Fire Department Comments

PROPOSED CONDITIONS FOR C-25-0002.

SOLARA WOODS - WATER AND SEWER SUBDIVISION EXCEPTION REQUEST

1. *Subdivision Layout.* This exception to Section 19-59(a) and Section 19-61 of the Subdivision Ordinance shall be valid for the subdivision of property located at 242, 268, 275, 282, 290, 291, and 308 Bush Springs Road and further identified as James City County Real Estate Tax Map Parcel Nos. 2220100038, 2220100037, 2220100033, 2220100036, 2220100035, 2220100090, and 2220100034, respectively (collectively, the “Properties”). The subdivision of the Properties shall be substantially in accordance with the proposed subdivision layout titled “Subdivision Plan for Solara Woods” prepared by Landtech Resources, Inc., and dated February 26, 2024 (the “Master Plan”), with any deviations to be reviewed and approved by the Director of Planning.
2. *Fire Protection.* Each new dwelling unit shall include a residential sprinkler system in accordance with National Fire Protection Association (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes*, and such details shall be approved by the Director of Building Safety and Permits or designee prior to the issuance of a building permit for each dwelling unit. The homeowners association (HOA) shall enforce annual inspections and maintenance for each residential sprinkler system and such provisions shall be included with the HOA documents required in accordance with Section 19-70 of the Subdivision Ordinance.

JCC C-25-0002, Solara Woods Water and Sewer Subdivision Exception Request



PETITION FOR EXCEPTION PURSUANT TO SUBDIVISION ORDINANCE SECTION 19-18

BY MARSTON LLC (“APPLICANT”) – Updated May 2, 2025

The Current Application:

The Applicant desires to develop a major subdivision consisting of approximately 38 Lots on approximately 87 acres of land owned by the Applicant commonly known as at 282, 290, 291, and 308 Bush Springs Road (see attached subdivision plan). The subject property is zoned R1 – Limited Residential and located outside of the Primary Service Area (the “PSA”). The project is proposed as a “by-right” subdivision to be served by individual wells and private septic systems.

In order to develop the project, it is necessary to extend Bush Springs Road from its present terminus across property owned by the Applicant and located within the PSA (268 and 275 Bush Springs Road) to the subject property. The extension of Bush Springs Road through property located within the PSA is deemed, pursuant to Subdivision Ordinance Section 19-21(b), itself a major subdivision and triggers the requirement to extend public water and sewer in connection with such road extension which, in turn, triggers the requirement of a Special Use Permit.

History to support the request for waiver:

On November 29, 2021, the Applicant submitted a Special Use Permit (the “SUP”) application for the extension of public water and sewer along Bush Springs Road to serve the property located at 268 and 275 Bush Springs Road. At that time, the Planning Commission and many of the residents along Bush Springs Road were not supportive of such an extension of public utilities. After receiving a Planning Commission recommendation of denial of the SUP, the Applicant withdrew its application for the SUP. Accordingly, the Applicant refocused its efforts exclusively on a “by right” development of its property located outside of the PSA to be served by individual wells and private septic systems which culminated in the attached subdivision plan.

However, as indicated above, in order to extend Bush Springs Road to the subject property, the Subdivision Ordinance requires the extension of public water and sewer which, in turn, requires an SUP. Recognizing that such an SUP is unlikely to be approved, the Applicant is requesting an exception (pursuant to Section 19-18 of the Subdivision Ordinance) of the requirement to extend public water and sewer in connection with the proposed extension of Bush Spring Road. Please note that approval of this exception request does not permit a major subdivision of the Applicant’s property located within the PSA into lots served by private wells and septic systems. Approval of this exception request merely allows the extension of Bush Springs Road without requiring the extension of public water and sewer. A major subdivision of the Applicant’s property located within the PSA into lots served by private wells and septic systems would require a separate exception.

Request for Exception:

The Applicant requests an exception, pursuant to Section 19-18 of the Subdivision Ordinance, of the requirement to extend public water and sewer in connection with the proposed extension of Bush Spring

Road to property located at 282, 290, 291, and 308 Bush Springs Road in general conformance with the attached subdivision plan.

Justification of Request:

As indicated above, on November 29, 2021, the Applicant submitted a SUP request for the extension of public water and sewer along Bush Springs Road. In connection with such request, the James City Service Authority (“JCSA”) indicated that if water and sewer lines were extended, existing structures along the extension would be required to connect to the public system if their existing well or septic systems failed, as per Virginia Department of Health regulations. Future structures would also be required to connect to public water and sewer. Most of the residents along Bush Springs Road opposed the extension due to concerns over the potential mandatory connection requirement and associated fees and costs. On March 2, 2022, the James City County Planning Commission voted to recommend denial of the SUP, and the Applicant subsequently withdrew the SUP request.

The Applicant’s property is zoned R1, and has been for over 40 years, creating an expectation that the property would be permitted to be developed consistent with its R1 zoning. The Applicant is proposing a “by right” development of the property to be served by private wells and septic systems. The property is located outside of the PSA and is not permitted to connect to public water and sewer. To require the extension of public water and sewer with the extension of Bush Springs Road to the project is inconsistent with the Planning Commission’s previous decision making and inconsistent with the stated interests of the majority of neighboring property owners, and amounts to a substantial injustice because the project would not be permitted to be served by such extended utilities.

Subdivision Ordinance Section 19-18 criteria

The commission may grant an exception to any requirement of the chapter, subject to the following:

(4) The commission shall not approve any exception unless it first receives a recommendation from the development review committee and unless it finds that:

(a) Strict adherence to the ordinance requirement will cause substantial injustice or hardship.

(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.

(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

(d) No objection to the exception has been received in writing from the transportation department, health department, or fire chief; and

(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.

Below is the Applicant's justification for satisfaction of each of the foregoing exception criteria along with supporting comments from Staff, Planning Commissioners, and current residents of Bush Springs Road from the March 2, 2022, Planning Commission Meeting.

4(a) Strict adherence to the ordinance requirement will cause substantial injustice or hardship.

Applicant: It is unjust to require the Applicant to expend substantial resources to extend public water and sewer to a development outside of the PSA that will not be permitted to be served by such utilities. Additionally, without any available programs to assist with connection costs, current residents, many of whom are on fixed incomes, could face expenses of up to \$30,000 to connect to public water and sewer when their existing systems fail creating a substantial hardship for neighboring property owners.

Staff from March 2, 2022 Planning Commission Meeting: Morgan Risinger stated "The applicant provided a revised project narrative and additional supplemental documentation regarding the project, the costs of connections to public water and sewer in comparison to well and septic systems and how the project relates to adjacent properties. The James City Service Authority has prepared a memorandum explaining when connections are required and what the costs of connections are. Staff notes that the County and the JCSA do not currently have any programs for assistance with the cost of connections. Finally, at the applicant's suggestion, staff explored if an SUP condition could remove the requirement for adjacent properties to connect to public water and sewer. After consultation with the county attorney's office, it was determined that such an SUP condition would need to explicitly prohibit those connections and not allow those property owners to have that choice. And so, staff does not support that condition."

Planning Commissioner Polster from March 2, 2022 Planning Commission Meeting: "The other point and the concern that I had on the Croaker Road that I applied to the Bush Springs here was I was trying to figure out myself whose properties would be impacted if this project went through in terms of the water and the sewer line given the 15 feet on either side of the road which is a right-of-way and so I looked at seven properties was fortunate enough that the Virginia Department of Health local office here in Williamsburg provided us the information in the short span but I only asked for a certain amount not all of it.

And so, I've heard this evening from at least two other folks that they're concerned about that issue that we're part of the seven. Now the other thing that I think is instructive about the comment from the last gentleman that was up here at 220 Bush Springs is when you go back and take a look at the record that the VDH guys provided us, you're going to see a track record that goes from 78, 77, and 90 to 18.

And whether it's water or it's a rearrangement of secluded field or a replacement of a box. And I go back to the point that I was making before, given the cost of if they have to hook up, given the age of their systems, it's cheaper for them to do the repairs and not to have to hook up if they don't have to.

And so, I think you've asked a bunch of questions in terms of trying to get at the cost of what this is to those applicants versus what it would be. without and so I'm bothered about that and I think we heard this evening about members of this community that are on a fixed income and being one of those people I understand what that means okay and I remember a lady coming here the last time that what put nine thousand dollars into a new system I mean that was a heck of an investment that she had to put out of her pocket for that so I'm still very concerned that we don't know what the impact is on those septic and sewer

and wells and those impacts I mean we just don't know I mean I appreciate the fact that we're able to at least get some idea but all it did in my mind is raise more questions about how many other people were impacted about that and so I'm not supportive and it's the impact onto the community that's not being considered.”

Planning Commissioner Null from March 2, 2022 Planning Commission Meeting: “Just even thinking about putting water and sewer down that road and digging up both sides of the road for however long it takes them to put that in. And then when I added up all these lovely numbers, I came up to \$28,856. That would be an average for people to hook up to it.”

Planning Commissioner Rose from March 2, 2022 Planning Commission Meeting: “Aside from the cost of having to connect to this line when their septic system fails. And we heard that there's options, but at that point, there's no options. And for people on a fixed income, to have to put in \$30,000 to connect based on the estimates that we received, it's just that impact along with what this development is going to mean is just enormously significant. And I can't support this.”

Homeowner James Braxton Jr. (257 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My great grandfather actually started, helped start that community back there. And right there, I would say from Toano Woods on down to the end, the majority of the people that stays on that property are either retired, disability, or, back to being myself, I'm 60, I'm getting ready to retire. So, with the cost of everything that's been coming up, it's been, it's going to be almost impossible if they actually bring the sewer and everything down for these people to, for us to be able to hook up to it and to be able to take care of those costs.”

Homeowner Lori Walker (261 Bush Springs Road) and Homeowner Vivian (156 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “We the majority of the bush springs residents do oppose installing the water public water and sewer down Bush Springs Road, but we do ask if it would go down either Hunters Creek or Oakland Farms.”

Homeowner Jonathan Lemons (164 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My septic tank is brand new. Well as well, so I don't have any problems there. I'm opposed to it as well. I think everybody on the street on Bush Springs Road is happy and content. We're all doing just fine. I think a lot of us right now with inflation as well can't really afford added costs, water bill, sewage bill, the inconvenience.”

Homeowner Charles Brantley (220 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “I'm sorry but you know people don't have that type of money. The road is one thing, but earning a living and trying to pay for your water every month, your sewer every month, but then you come up, you got your septic tank, and your well, you're paying it by what? Can't afford it. I just want to say that pop. Thank you, sir.”

4(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.

Applicant: Granting the exception would (1) actually avoid the detrimental impacts (noted above and below, e.g., potential damage to existing wells and/or septic systems, financial hardship of the potential requirement for adjacent property owners to connect, etc.) associated with extending public water and sewer, (2) maintain the status quo (meaning no change in the provision of potable water and sewage treatment for the neighboring properties) which, with there being no known present safety, health, or welfare concerns, means the exception is not detrimental to public safety, health, welfare, or the property of others, and (3) not prohibit the extension of public water and sewer service if found in the future to be desirable.

Staff from March 2, 2022 Planning Commission Meeting: Morgan Risinger stated “Staff received questions regarding where existing septic systems are located and what would happen if they were damaged during construction. The county does not maintain records of drain fields. However, the applicant has provided documentation from the Virginia Department of Health. Staff also explored the possibility of adding an SUP condition to require that the applicant be responsible for remediation if a drain field is damaged during construction. However, after consultation with the county attorney's office, it was determined that this condition was not viable.”

Planning Commissioner Null from March 2, 2022 Planning Commission Meeting: “People are going to have trouble accessing their road or even getting out of their driveways during construction, even construction with the houses, but with the water and sewer too. I just don't think we should inconvenience them with doing something like that, that could potentially cost them a lot of money in the long run. So, I will not support this.”

Homeowners Robert and Carol Medford (87 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “They said that they request that the road be vetoed because it would mess up their septic tank and water which is close by the road and also she said that they'd rather for the sewer and hookup to be at the end of Bush Springs Road that way would not be connected at all going straight down Bush Springs Road.”

Homeowner Jimmy Smith (206 Bush Springs Road) from March 2, 2022 Planning Commission Meeting: “My neighbor, to put the sewage line or water line, be sitting in her front porch. And the thing is that Bush Spring Road is a family knit community. A lot of children play on Bush Springs Road to open the road up in the volume of traffic could be telescopic. I mean, it just only thing I can say is thank God that there's no accidents have happened as of yet.” “We don't know who's going to come in, we don't know how they're going to respond to that condition because a lot of folks, they will say, oh, we've got a wide road now, let's gas on it, that's unacceptable, so as far as widening Busch-Spring Road, I'm against.”

4(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.

The facts associated with this exception request, compounded in the aggregate, establish a highly unique set of circumstances for the subject property (e.g., the documented detrimental effect on neighboring

property owners of the extension of public water and sewer, the fact that the project giving rise to the public water and sewer extension requirement will not be permitted to be served by such utilities, the property being developed “by right” consistent with its R-1 zoning designation which has been in place for over 40 years, the previous lack of support for a SUP to extend public water and sewer, etc.). Exceptions such as the one requested are very fact specific and are best handled on a case-by-case basis; such exceptions are not amenable to the formulation of a general rule or regulation.

4(d) No objection to the exception has been received in writing from the transportation department, health department, or fire chief.

The request for Waiver received comments from Transportation Department- Health department and Fire Chief

1.Fire Chief- In consideration of meetings, consultations and code research, I am in support of an alternative fire protection measure offered by Solara Builders related to their proposed project, Solara Woods, off Bush Springs Road. This alternative is acceptable if public water is not available or cannot be constructed due to legislative restrictions.

Solara Builders has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

The Virginia Statewide Fire Prevention Code (VSFPC) does not require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance of residential sprinkler systems would require a means outside of typical fire code enforcement. Solara Builders has offered potential HOA enforced maintenance requirements, covenant, and deed restriction language.

Installation and acceptance of the residential sprinkler systems will fall under the purview of the building official. Maintenance of the same systems would fall under the purview of the HOA, attached covenants and deed restrictions. Approval of the maintenance requirement language should be approved by the County Attorney.

Applicant Response "A fireman in each home". We are excited to showcase the fire suppression system that will be mandatory in each home at Solara Woods. This will be the second Zero Energy Ready Home Community in Virginia and the first home sprinkler community in Virginia located in James City County. Innovation and design work hand in hand to make this possible. I look forward to working with Building Safety and the Fire Department documenting this next level in home-building and design.

2. Health Department-VDH has no objections to the exception request, however each lot will be required to have a certification packet submitted to us for review and approval, before we can issue our final approval.

Applicant Response- Youngblood Tyler and Associates has completed the Soil Feasibility Study. Based on this information the developer has located primary and backup septic locations for the 38

lots located on 80 acres. To be submitted in the normal development process for final approval by VDH.

3. **Transportation-** VDOT has completed its review of the conceptual plan received by the VDOT Land Development Office on 23rd Jan 2025.

Following comments from VDOT –

(1) Final Site plan should reflect CG-9B entrance and drainage details on the sheets

(2) A turn lane warrant, auto turn analysis and site distance consideration study should be submitted before commencement of the subdivision work. A comprehensive TIA is not required.

(3) Detailed site plans should reflect all VDOT std items such as stop sign, pavement markings, etc. Where work will be necessary within existing right of way, please provide an engineer's cost estimate with final plans. This will be used to set the surety amount for the Land Use Permit. A Land Use Permit will be required prior to construction within limits or easements (including temporary or permanent driveways and entrances).

Applicant Response – - Items 1 and 3 above will be addressed at subdivision approval process. At VDOT'S request – A autoturn analysis, a turn lane warrant and site distance consideration study at the Rt. 60 Richmond Road/Rt. 649 Bush Springs Road intersection will be submitted before commencement of the subdivision work.

(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.

As indicated above, the injustice giving rise to this exception request is highly unique to the subject property (e.g., the documented detrimental effect on neighboring property owners of the extension of public water and sewer, the fact that the project giving rise to the public water and sewer extension requirement will not be permitted to be served by such utilities, the property being developed “by right” consistent with its R-1 zoning designation which has been in place for over 40 years, the previous lack of support for a SUP to extend public water and sewer, etc.). The injustice effectively prohibits the extension of public right of way (to be designed and constructed at the expense of the Applicant) to the property which, in turn, effectively prohibits its subdivision and meaningful use of the property consistent with its zoning. The injustice is imposed by applicable regulations due to the unique condition and location of the property; it is not a self-inflicted, personal, or financial in nature.

SHEET C4.4

N/F
JAMES CITY COUNTY
PARCEL #233010001B
ZONED: A-1

N/F
JAMES CITY COUNTY
PARCEL #233010001B
ZONED: A-1

N/F
WARREN O. MABLE WYNNE
PARCEL #2220100029
ZONED: R-1

N/F
CHARLES E. &
LORI WALKER
PARCEL #2220100032A
ZONED: R-1

N/F
CLARENCE
WASHINGTON ESTATE
PARCEL #2220100031
ZONED: R-1

N/F
ALICE R. WILSON
PARCEL #2220100041
ZONED: R-1

N/F
JAMES W. BRAXTON, JR.
PARCEL #2220100032C
ZONED: R-1

N/F
JAMES W. BRAXTON, JR.
PARCEL #2220100032B
ZONED: R-1

N/F
RICHARD O'NEAL MOORE
PARCEL #2220100030
ZONED: R-1

N/F
MARSTON, LLC.
PARCEL #2220100038
1.5 AC.±
ZONED: R-1

N/F
ROBERT N. SMITH
PARCEL #2220100042
ZONED: R-1

N/F
EUROHARDT M. TABB
ESTATE
PARCEL #2220100039
ZONED: R-1

N/F
PEACHIE R. HOLLAND &
MARK PAULETTE L.
LANDCASTER
PARCEL #2220100040
ZONED: R-1

N/F
WILLIAM ALBERT
BRAXTON ESTATE
PARCEL #2220100043
ZONED: R-1

N/F
MARSTON, LLC.
PARCEL #2220100033
12.0 AC.±
ZONED: R-1

N/F
MARSTON, LLC.
PARCEL #2220100037
16.5 AC.±
ZONED: R-1

N/F
HIDDEN ACRES FARM, INC.
PARCEL #2330100001
ZONED: A-1

N/F
EDWARD K/ ENGLISH ESTATE
PARCEL #2240100001A
ZONED: A-1

N/F
J. PAYTEN HARCUM
PARCEL #2220100087
ZONED: A-1

N/F
VIRGINIA ELECTRIC &
POWER COMPANY
PARCEL #2220100078
ZONED: R-8

N/F
TOP NOTCH BUILDERS, INC.
PARCEL #2220100076C
ZONED: R-8

N/F
EDITH S. BOWMAN
PARCEL #2220100069
ZONED: R-8

N/F
THOMAS L. WYNNE, SR.
& ELLEN P. WYNNE
PARCEL #2220100065
ZONED: R-8

N/F
ANNETTE WISE FLOYD
PARCEL #2220100061
ZONED: R-8

N/F
ANNETTE WISE FLOYD
PARCEL #2220100059
ZONED: R-8

N/F
ANNETTE WISE FLOYD
PARCEL #2220100058
ZONED: R-8

N/F
EUGENIE K. &
DORIS BROWN
PARCEL #2220100062
ZONED: R-8

N/F
MICHAEL M. GRIMES
PARCEL #2220100066
ZONED: R-8

N/F
LORRAINE R. HAWKINS &
WALTER WALLACE
PARCEL #2220100074
ZONED: R-8

N/F
LOIS G. REED
PARCEL #2220100073A
ZONED: R-8

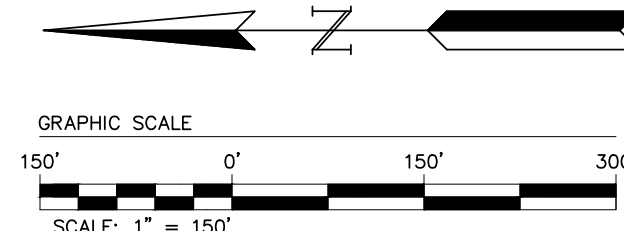
N/F
KIRK E. ADAMS
PARCEL #2220100077
ZONED: R-8

LEGEND

- COMMON OPEN SPACE
- UNDISTURBED NATURAL OPEN SPACE

LAND USE SUMMARY

	S.F.	AC.	PERCENTAGE
AREA OF SINGLE-FAMILY LOTS:	1,466,847	33.674	30.4%
AREA OF PUBLIC RIGHT-OF WAY:	230,000	5.280	4.8%
AREA OF COMMON OPEN SPACE:	1,882,023	43.205	38.9%
OVERALL DEVELOPMENT AREA:	3,578,870	82.160	74.1%
NON-DEVELOPABLE AREA:			
WETLANDS:	599,718	13.768	16.8%
RESOURCE PROTECTION AREA:	820,148	18.828	22.9%
UTILITY EASEMENTS:	125,296	2.876	3.5%
SLOPES 25% OR GREATER:	183,748	4.218	5.1%
TOTAL NON-DEVELOPABLE AREA:	1,728,910	39.690	48.3%
TOTAL NET DEVELOPABLE AREA:	1,849,960	42.469	51.7%
UNDISTURBED NATURAL OPEN SPACE:			
AREA #1:	532,243	12.219	
AREA #2:	337,981	7.759	
AREA #3:	623,704	14.318	
TOTAL UNDISTURBED NATURAL OPEN SPACE:	1,493,928	34.296	
TOTAL NUMBER OF SINGLE-FAMILY LOTS:		38	
SMALLEST SINGLE-FAMILY		LOT 23	(30,000 S.F. / 0.689 AC.)
LARGEST SINGLE-FAMILY		LOT 16	(77,586 S.F. / 1.781 AC.)
AVERAGE LOT SIZE (SFD):		38,677 S.F. / 0.888 AC.	
NET DENSITY:		1.12 LOTS PER ACRE (38 LOTS DIVIDED BY 42.469 AC.)	



SUBDIVISION PLAN
FOR
SOLARA WOODS

REVISION / COMMENT / NOTE

DATE

NO.

JAMES CITY COUNTY

STONEHOUSE MAGISTERIAL DISTRICT

VIRGINIA

Scale: 1"=150'

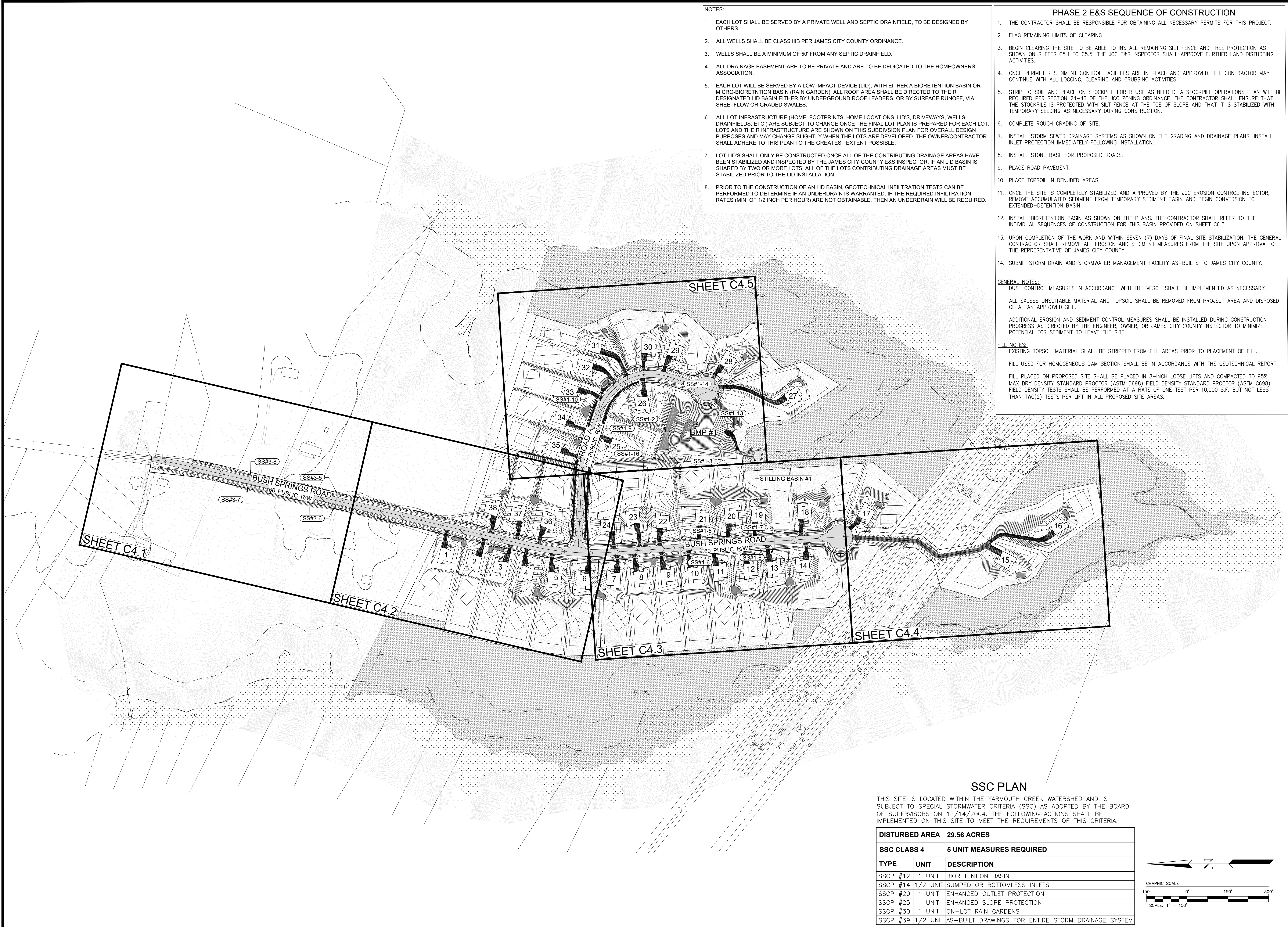
Date: February 26, 2024

Job Number: 19-240

Designed By: GSW

Sheet Title:
OVERALL
PRELIMINARY
PLAT

Sheet Number:
C4.0



- NOTES:
1. EACH LOT SHALL BE SERVED BY A PRIVATE WELL AND SEPTIC DRAINFIELD, TO BE DESIGNED BY OTHERS.
 2. ALL WELLS SHALL BE CLASS IIIB PER JAMES CITY COUNTY ORDINANCE.
 3. WELLS SHALL BE A MINIMUM OF 50' FROM ANY SEPTIC DRAINFIELD.
 4. ALL DRAINAGE EASEMENT ARE TO BE PRIVATE AND ARE TO BE DEDICATED TO THE HOMEOWNERS ASSOCIATION.
 5. EACH LOT WILL BE SERVED BY A LOW IMPACT DEVICE (LID), WITH EITHER A BIORETENTION BASIN OR MICRO-BIORETENTION BASIN (RAIN GARDEN). ALL ROOF AREA SHALL BE DIRECTED TO THEIR DESIGNATED LID BASIN EITHER BY UNDERGROUND ROOF LEADERS, OR BY SURFACE RUNOFF, VIA SHEETFLOW OR GRADED SWALES.
 6. ALL LOT INFRASTRUCTURE (HOME FOOTPRINTS, HOME LOCATIONS, LID'S, DRIVEWAYS, WELLS, DRAINFIELDS, ETC.) ARE SUBJECT TO CHANGE ONCE THE FINAL LOT PLAN IS PREPARED FOR EACH LOT. LOTS AND THEIR INFRASTRUCTURE ARE SHOWN ON THIS SUBDIVISION PLAN FOR OVERALL DESIGN PURPOSES AND MAY CHANGE SLIGHTLY WHEN THE LOTS ARE DEVELOPED. THE OWNER/CONTRACTOR SHALL ADHERE TO THIS PLAN TO THE GREATEST EXTENT POSSIBLE.
 7. LOT LID'S SHALL ONLY BE CONSTRUCTED ONCE ALL OF THE CONTRIBUTING DRAINAGE AREAS HAVE BEEN STABILIZED AND INSPECTED BY THE JAMES CITY COUNTY E&S INSPECTOR. IF AN LID BASIN IS SHARED BY TWO OR MORE LOTS, ALL OF THE LOTS CONTRIBUTING DRAINAGE AREAS MUST BE STABILIZED PRIOR TO THE LID INSTALLATION.
 8. PRIOR TO THE CONSTRUCTION OF AN LID BASIN, GEOTECHNICAL INFILTRATION TESTS CAN BE PERFORMED TO DETERMINE IF AN UNDERDRAIN IS WARRANTED. IF THE REQUIRED INFILTRATION RATES (MIN. OF 1/2 INCH PER HOUR) ARE NOT OBTAINABLE, THEN AN UNDERDRAIN WILL BE REQUIRED.

- PHASE 2 E&S SEQUENCE OF CONSTRUCTION
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THIS PROJECT.
 2. FLAG REMAINING LIMITS OF CLEARING.
 3. BEGIN CLEARING THE SITE TO BE ABLE TO INSTALL REMAINING SILT FENCE AND TREE PROTECTION AS SHOWN ON SHEETS C5.1 TO C5.5. THE JCC E&S INSPECTOR SHALL APPROVE FURTHER LAND DISTURBING ACTIVITIES.
 4. ONCE PERIMETER SEDIMENT CONTROL FACILITIES ARE IN PLACE AND APPROVED, THE CONTRACTOR MAY CONTINUE WITH ALL LOGGING, CLEARING AND GRUBBING ACTIVITIES.
 5. STRIP TOPSOIL AND PLACE ON STOCKPILE FOR REUSE AS NEEDED. A STOCKPILE OPERATIONS PLAN WILL BE REQUIRED PER SECTION 24-46 OF THE JCC ZONING ORDINANCE. THE CONTRACTOR SHALL ENSURE THAT THE STOCKPILE IS PROTECTED WITH SILT FENCE AT THE TOE OF SLOPE AND THAT IT IS STABILIZED WITH TEMPORARY SEEDING AS NECESSARY DURING CONSTRUCTION.
 6. COMPLETE ROUGH GRADING OF SITE.
 7. INSTALL STORM SEWER DRAINAGE SYSTEMS AS SHOWN ON THE GRADING AND DRAINAGE PLANS. INSTALL INLET PROTECTION IMMEDIATELY FOLLOWING INSTALLATION.
 8. INSTALL STONE BASE FOR PROPOSED ROADS.
 9. PLACE ROAD PAVEMENT.
 10. PLACE TOPSOIL IN DENUDED AREAS.
 11. ONCE THE SITE IS COMPLETELY STABILIZED AND APPROVED BY THE JCC EROSION CONTROL INSPECTOR, REMOVE ACCUMULATED SEDIMENT FROM TEMPORARY SEDIMENT BASIN AND BEGIN CONVERSION TO EXTENDED-DETENTION BASIN.
 12. INSTALL BIORETENTION BASIN AS SHOWN ON THE PLANS. THE CONTRACTOR SHALL REFER TO THE INDIVIDUAL SEQUENCES OF CONSTRUCTION FOR THIS BASIN PROVIDED ON SHEET C6.3.
 13. UPON COMPLETION OF THE WORK AND WITHIN SEVEN (7) DAYS OF FINAL SITE STABILIZATION, THE GENERAL CONTRACTOR SHALL REMOVE ALL EROSION AND SEDIMENT MEASURES FROM THE SITE UPON APPROVAL OF THE REPRESENTATIVE OF JAMES CITY COUNTY.
 14. SUBMIT STORM DRAIN AND STORMWATER MANAGEMENT FACILITY AS-BUILTS TO JAMES CITY COUNTY.

GENERAL NOTES:

DUST CONTROL MEASURES IN ACCORDANCE WITH THE VESCH SHALL BE IMPLEMENTED AS NECESSARY.

ALL EXCESS UNSUITABLE MATERIAL AND TOPSOIL SHALL BE REMOVED FROM PROJECT AREA AND DISPOSED OF AT AN APPROVED SITE.

ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED DURING CONSTRUCTION PROGRESS AS DIRECTED BY THE ENGINEER, OWNER, OR JAMES CITY COUNTY INSPECTOR TO MINIMIZE POTENTIAL FOR SEDIMENT TO LEAVE THE SITE.

FILL NOTES:

EXISTING TOPSOIL MATERIAL SHALL BE STRIPPED FROM FILL AREAS PRIOR TO PLACEMENT OF FILL.

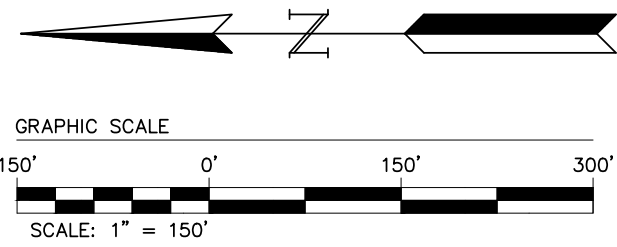
FILL USED FOR HOMOGENEOUS DAM SECTION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.

FILL PLACED ON PROPOSED SITE SHALL BE PLACED IN 8-INCH LOOSE LIFTS AND COMPACTED TO 95% MAX DRY DENSITY STANDARD PROCTOR (ASTM D698) FIELD DENSITY STANDARD PROCTOR (ASTM C698) FIELD DENSITY TESTS SHALL BE PERFORMED AT A RATE OF ONE TEST PER 10,000 S.F. BUT NOT LESS THAN TWO(2) TESTS PER LIFT IN ALL PROPOSED SITE AREAS.

SSC PLAN

THIS SITE IS LOCATED WITHIN THE YARMOUTH CREEK WATERSHED AND IS SUBJECT TO SPECIAL STORMWATER CRITERIA (SSC) AS ADOPTED BY THE BOARD OF SUPERVISORS ON 12/14/2004. THE FOLLOWING ACTIONS SHALL BE IMPLEMENTED ON THIS SITE TO MEET THE REQUIREMENTS OF THIS CRITERIA.

DISTURBED AREA		29.56 ACRES
SSC CLASS 4		5 UNIT MEASURES REQUIRED
TYPE	UNIT	DESCRIPTION
SSCP #12	1 UNIT	BIORETENTION BASIN
SSCP #14	1/2 UNIT	SUMPED OR BOTTOMLESS INLETS
SSCP #20	1 UNIT	ENHANCED OUTLET PROTECTION
SSCP #25	1 UNIT	ENHANCED SLOPE PROTECTION
SSCP #30	1 UNIT	ON-LOT RAIN GARDENS
SSCP #39	1/2 UNIT	AS-BUILT DRAWINGS FOR ENTIRE STORM DRAINAGE SYSTEM



REVISION / COMMENT / NOTE

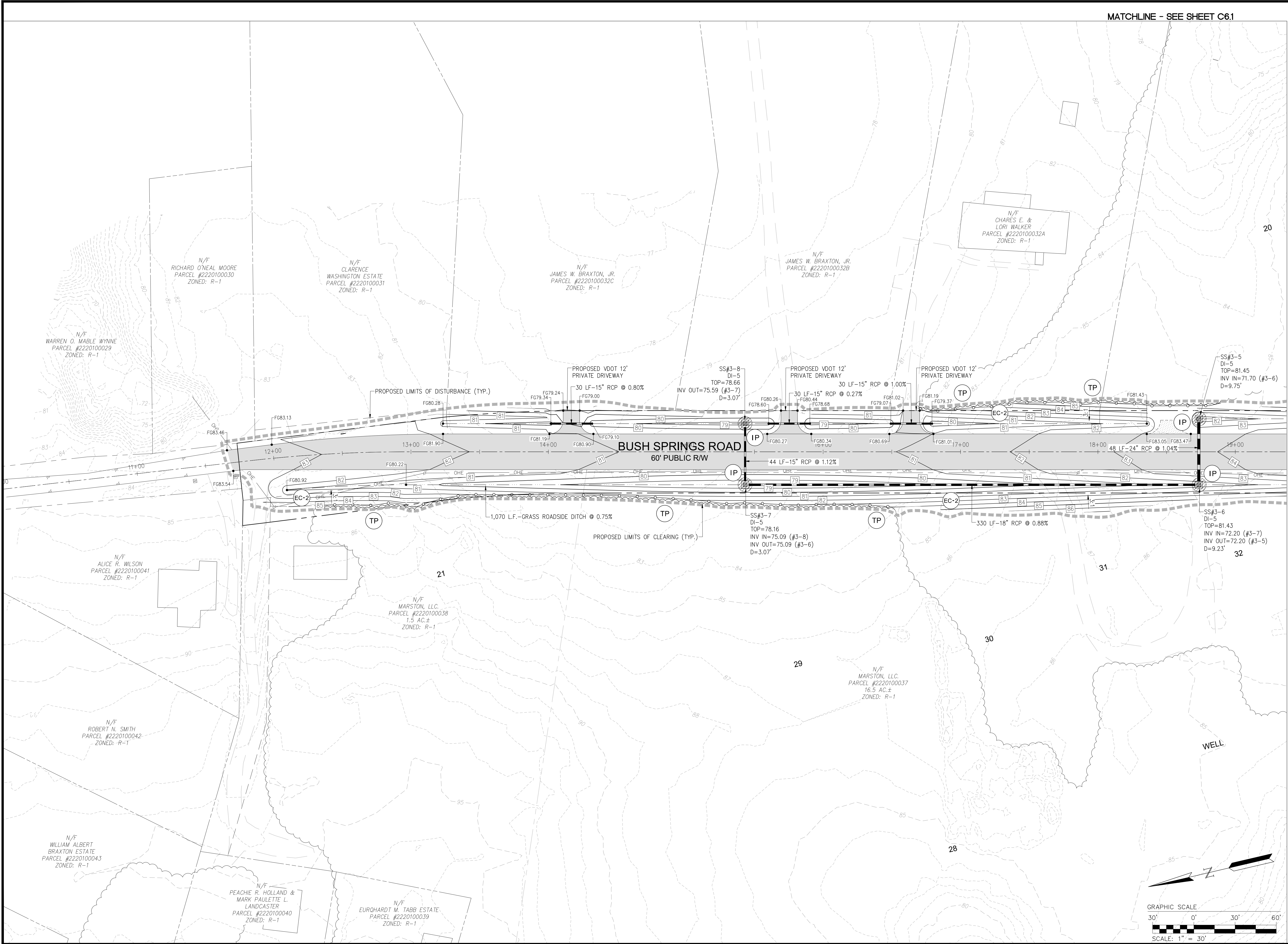
DATE

NO.

SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=150'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
OVERALL
DEVELOPMENT
PLAN
Sheet Number:
C5.0



MATCHLINE - SEE SHEET C6.1

MATCHLINE - SEE SHEET C5.2

MATCHLINE - SEE SHEET C5.2

NO.	DATE	REVISION / COMMENT / NOTE



LRI LANDTECH
RESOURCES, INC.
ENGINEERING • SURVEYING • GPS

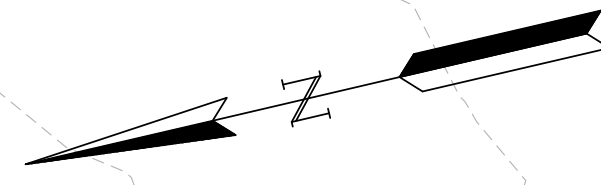
2025 E. Main St., Suite 100, Charlottesville, VA 22902
Ph: (434) 565-1677 Fax: (434) 565-0782
web: landtechresources.com

SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.1

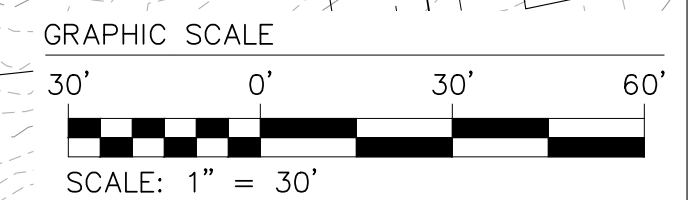
MATCHLINE - SEE SHEET C5.5



N/F
MARSTON, LLC.
PARCEL #2220100037
16.5 AC.±
ZONED: R-1

RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECSC-3 STRAW/COCONUT TURF REINFORCING MATTING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)



NO:	DATE	THE VISION / COMMENT / NOTE



SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'

Printed on: February 26, 2024

o Number: 19-240

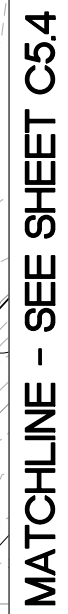
signed By: GSW

Sheet Title:

DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN

Sheet Number:
C5.2

MATCHLINE - SEE SHEET C5.5



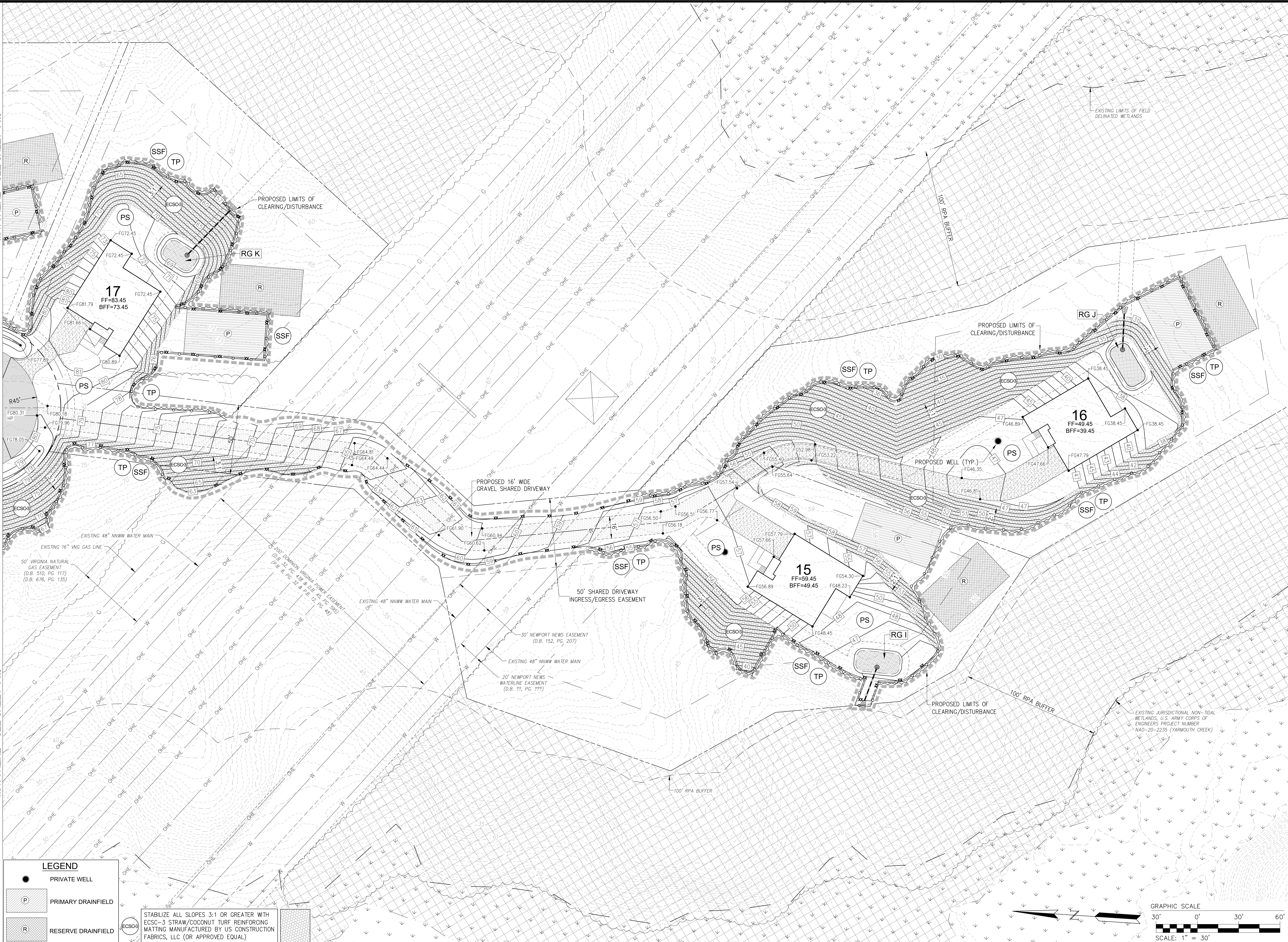
SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title: DEVELOPMENT PLAN AND PHASE 2 E&S PLAN
Sheet Number: C5.3

MATCHLINE - SEE SHEET C5.3

MATCHLINE - SEE SHEET C5.3



LEGEND

- PRIVATE WELL
- (P) PRIMARY DRAINFIELD
- (R) RESERVE DRAINFIELD

STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECSC-3 STRAW/COCONUT TURF REINFORCING MATTING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)

NO.	DATE	REVISION / COMMENT / NOTE



LRI LANDTECH
RESOURCES, INC.
ENGINEERING • SURVEYING • GPS

2025 E. Ph. (757) 565-1677 Fax. (757) 565-0792
web: landtechresources.com

SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed By: GSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.4

MATCHLINE - SEE SHEET C61

MATCHLINE - SEE SHEET C52

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C53

MATCHLINE - SEE SHEET C60



STABILIZE ALL SLOPES 3:1 OR GREATER WITH ECSC-3 STRAW/COCONUT TURF REINFORCING MATTING MANUFACTURED BY US CONSTRUCTION FABRICS, LLC (OR APPROVED EQUAL)

LEGEND

- PRIVATE WELL
- PRIMARY DRAINFIELD
- RESERVE DRAINFIELD

REVISION / COMMENT / NOTE

DATE

NO.



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SUBDIVISION PLAN
FOR
SOLARA WOODS

JAMES CITY COUNTY STONEHOUSE MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'
Date: February 26, 2024
Job Number: 19-240
Designed by: GSW
Sheet Title:
**DEVELOPMENT
PLAN AND
PHASE 2 E&S PLAN**
Sheet Number:
C5.5



James City County Fire Marshal's Office
5077 John Tyler Highway
Williamsburg, VA 23185
(F) 757-220-9125 (O) 757-220-0626

FIRE

C-25-0002 Solara Woods-Water and Sewer Subdivision Exception Request

Joseph Davis, Fire Marshal, with Ryan Ashe, Fire Chief, concurring

February 4, 2025

Based on the transmittal instructions, the Fire Chief, among others, is requested to note any objections to the proposed development being served by individual wells. Conversely, if the Fire Chief objects to this exception request, public water (including fire hydrants) will be required to be installed to serve the subject properties.

Currently there are no fire hydrants on Bush Springs Roads except on the northerly end at the intersections of Richmond Road and Toano Woods Road, respectively. If the waterline were extended, a minimum of five fire hydrants serving 40 parcels would be added within the existing PSA. With the proposed conceptual plan, a minimum of three fire hydrants would serve the 38-parcel major subdivision. It is over 6000 feet from the closest existing fire hydrant to the furthest proposed residence.

Fire hydrants providing a minimum required fire flow of 1000 gpm add significantly to any fire department's ability to contain and extinguish residential structure fires. There are marked efficiencies in fire department operations utilizing fire hydrants versus rural water supplies including the transport of water from distant water sources via additional assigned fire engines and tankers. These rural water supply operations often occur on narrower secondary roads.

The addition of a reliable fire protection water supply to the area may provide positive property owner impacts regarding hazard insurance premiums. James City County's ISO Public Protection Class is a split rating of 2/2Y whereas buildings within 1000 feet of a fire hydrant have a better rating than those which do not.

Two comments are made in response to the applicant's request for exception document submitted with the conceptual plans:

Under 4(b), the granting of the exception request maintains status quo relative fire protection, however, not granting the exception would enhance fire protection for approximately 78 parcels.

Under 4(d), no objection to the exception was received in writing from the Fire Chief during the prior SUP process is not representative of the Fire Department position. The Fire Marshal at the time of review of SUP-21-0023, Bush Springs Road Water and Sewer Extension (dated December 6, 2021), noted that the project “must adhere to the JCC and JCSA standards for hydrant spacing” and “add/place fire hydrants to meet JCC requirements.” The submitted plan at the time did not include fire hydrant locations but indicated a 12 inch water main tying into the JCSA system near Toano Woods. The review was based on the project’s intended installation of public water and there was no Fire Department implication that the proposed waterline addition with fire hydrants was not desired or needed.

The Fire Department does object to this exception request.

Comments regarding the conceptual plan outside of the specific exception request are:

- Per Virginia Statewide Fire Prevention Code (VSFPC) Section 503, the proposed roadways and common driveway are considered fire apparatus access roads and are required including the following:
 - minimum 20-foot width (to within 150 ft of furthest accessible point of the building)
 - all weather road surface able to support 82,000-pound fire department vehicles
 - dead end roads in excess of 150 feet are required to accommodate a turnaround for fire apparatus
 - proposed cul-de-sacs require a 45 ft wall-to-wall turning radius.

MEMORANDUM

DATE: April 21, 2025
TO: Paul Holt, Director of Community Development
FROM: Joseph Davis, Fire Marshal 
SUBJECT: Solara Woods

In consideration of meetings, consultations and code research, I am in support of an alternative fire protection measure offered by Solara Builders related to their proposed project, Solara Woods, off Bush Springs Road. This alternative is acceptable if public water is not available or cannot be constructed due to legislative restrictions.

Solara Builders has provided information supporting the installation and maintenance of residential sprinkler systems. The National Fire Protection System (NFPA) 13D, *Standard for the Installation of Sprinkler Systems on One- and Two-Family Dwellings and Manufactured Homes* is a nationally recognized document that is referenced in the building code.

The Virginia Statewide Fire Prevention Code (VSFPC) does not require residential dwellings to be subjected to routine inspections. Ensuring continual maintenance of residential sprinkler systems would require a means outside of typical fire code enforcement. Solara Builders has offered potential HOA enforced maintenance requirements, covenant, and deed restriction language.

Installation and acceptance of the residential sprinkler systems will fall under the purview of the building official. Maintenance of the same systems would fall under the purview of the HOA, attached covenants and deed restrictions. Approval of the maintenance requirement language should be approved by the County Attorney.

I am available for any questions.

CONCUR: 
Ryan Ashe, Fire Chief

Attachments



FIRE SPRINKLER SYSTEM NOTICE

Keeping Your Home Safe in Solara Woods

James City County's 1st NFPA 13D Residential Fire Sprinkler System Community : Like having a firefighter living in your home!



Your Home is Equipped with a Life-Saving Feature:

Your new home is protected by a **residential fire sprinkler system** installed under **NFPA 13D** standards. This system is designed to detect and suppress fires automatically, giving you and your loved ones critical time to escape safely—and potentially stopping a fire before it spreads.



Homeowner Responsibilities

To keep your system working as intended:

1. Annual Inspection Required

You must have the system **inspected and tested once per year** by a licensed contractor.

2. Provide Proof of Inspection to the HOA

A copy of the inspection certificate or service report must be submitted to the HOA annually. This ensures community-wide safety compliance.

3. Keep the System Active

Do not disconnect, tamper with, or remove the system or its components unless you are replacing or repairing them with approval and proper permits.



Why This Matters

- **Safety:** The system can stop a fire in its earliest stage—protecting your home, family, and neighbors.
 - **Insurance:** Many insurers offer discounts for having a sprinkler system—maintaining it keeps you eligible.
 - **Community Compliance:** This is a required part of your HOA agreement and deed covenant.
-

 Need Help?

We recommend the following licensed contractors for annual service:

Eagle Fire

7459 White Pine Rd

Richmond, VA 23237

P: (804) 743-2500

 Due Date:

Your first annual inspection is due no later than:

 _____ **– one year from move-in or certificate of occupancy**

13D Fire Sprinkler System Maintenance Enforcement Plan for Solara Woods:

1. HOA-Enforced Maintenance Requirements

Will include sprinkler maintenance language in the **HOA Covenants, Conditions & Restrictions (CC&Rs)**:

- We will require **annual inspection and certification** by a licensed contractor.
 - We will require homeowners to provide **proof of inspection** to the HOA each year with records available to Fire Marshall.
 - We will include language that clearly outlines **non-compliance consequences**, such as fines or liens.
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2. Recorded Deed Restrictions or Covenants

In addition to HOA rules, we will **record a covenant on each lot** at the time of sale:

- This will require that the in-home sprinkler system be kept **operational and code-compliant**.
 - Even if a home is sold later, this requirement runs with the land.
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Sample HOA Covenant Language:

Section X: Fire Sprinkler System Maintenance

Each residence within the subdivision is equipped with a residential fire sprinkler system compliant with NFPA 13D standards. To ensure continued safety and effectiveness, the following requirements apply:

1. **Inspection Requirement:** Homeowners shall have their sprinkler systems inspected and tested by a licensed contractor no less than once every twelve (12) months.
2. **Proof of Compliance:** Homeowners shall provide the HOA with written certification from a licensed contractor indicating the system has been inspected, tested, and is in proper working order.
3. **Failure to Comply:** Failure to maintain or test the system as required will result in a written notice of violation. Continued noncompliance after thirty (30) days may result in penalties including fines and/or the placement of a lien, subject to the enforcement provisions of these Covenants.
4. **Alterations Prohibited:** No homeowner shall disable, alter, or remove any part of the sprinkler system without prior approval from the HOA and confirmation that the change complies with all applicable codes.



Sample Deed Restriction Language:

Fire Sprinkler System Operation and Maintenance Requirement

This lot and the residence constructed upon it shall include a residential fire sprinkler system installed in accordance with NFPA 13D standards. The owner of the property shall, at their sole expense, ensure the system remains in working condition and is inspected and certified by a licensed contractor at least once per year and proof of inspection given to HOA. This requirement shall run with the land and bind all successors in title.