

AT A REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE BUILDING E CONFERENCE ROOM AT 4:00 P.M. ON THE 7th DAY OF JANUARY, TWO THOUSAND FOUR.

ROLL CALL

Mr. John Hagee  
Mr. Joe McCleary  
Mr. Joe Poole  
Ms. Peggy Wildman

ALSO PRESENT

Mr. David Anderson, Senior Planner  
Ms. Karen Drake, Senior Planner  
Mr. Christopher Johnson, Senior Planner  
Ms. Sarah Weisiger, Planner

Mr. Scott Thomas & Mr. Mike Woolson of the Environmental Division

MINUTES

Mr. Anderson distributed revised minutes of the December 3, 2003 DRC meeting. There being no further discussion and following a motion by Mr. McCleary and a second by Mr. Poole, the DRC approved the revised minutes from the December 3, 2003, meetings by a unanimous voice vote.

Case No. S-112-02. Kensington Woods Overhead Utility Waiver

Mr. Anderson presented the staff report stating that the applicant has requested to extend overhead power across Lake Powell Road to the Kensington Woods subdivision. The extension will involve setting one power pole on the northern corner of the Kensington Woods property and running a utility line across Lake Powell Road to an existing power pole. All on-site electric, telephone and cable television lines will be underground. Mr. Anderson noted that overhead utility lines are common on Lake Powell Road, and staff felt an additional line would not adversely affect the character of the area. Following a motion by Mr. Poole, seconded by Mr. McCleary, the DRC unanimously voted to approve the waiver request.

Case No. S-101-03. Ford's Colony Section 35

Mr. Anderson presented the staff report stating that the proposed 98-lot subdivision required DRC review for two exception requests and for the granting of preliminary approval. Mr. Anderson first reviewed the request for a cul-de-sac length exception. VDOT originally recommended the DRC not grant the waiver due to concerns regarding the large number of residents who would be impacted in the event access was denied at the entry intersection in

emergency conditions. The applicant was able to meet with VDOT prior to the DRC meeting and VDOT changed their recommendation based upon the proposed subdivision having two entrances onto Centerville Road. Due to VDOT's findings stemming from discussions with the applicant, staff also changed their original recommendation and recommended approval of the exception request. Mr. Charles Records of AES elaborated on his meeting with VDOT and noted that the large lot sizes and topographical constraints require the cul-de-sac lengths to exceed 1000 feet. Ms. Wildman noted her concerns about the reduced street width request, to which Mr. Records replied that they may decide not to pursue reduced street widths after noting the costly improvements necessary to acquire Board approval. Mr. Anderson presented the second exception request to allow the selected use of alternate septic systems for the proposed development. Mr. Anderson noted that the final lot-by-lot determination of the development has not yet been completed. Therefore, it was not yet known which lots would require alternate systems and which lots could be served by conventional systems. Mr. Anderson also noted that the applicant had not proposed any specific alternate system. Due to this lack of normally required information, staff did not recommend approval of the request. Mr. Hagee explained that he nor the rest of the DRC had expertise in this area and did not feel the DRC should be reviewing these requests. Mr. Anderson noted that staff's recommendation was not based on the technological aspects of alternate septic systems, but simply based on the current language of the subdivision ordinance. Mr. Johnson suggested that rather than give a blanket approval to this proposal, which could set a precedent for future exception requests, the DRC consider proposing an amendment to the subdivision ordinance. The applicant agreed to this proposal, and the DRC instructed staff to bring an initiating resolution forward to the upcoming Planning Commission meeting. Mr. Anderson brought up the final item for DRC consideration – the granting of preliminary approval. Mr. Anderson noted that the Environmental Division had several significant issues which indicate the current proposal does not warrant preliminary approval. Due to these issues, staff recommended that a decision on preliminary approval be deferred to allow the applicant to work these issues out with the Environmental Division. Mr. Drew Mulhare indicated that Ford's Colony did not disagree with staff's recommendation and elected to defer consideration of preliminary approval. Following a motion by Mr. McCleary, seconded by Mr. Poole, the DRC unanimously voted to approve the cul-de-sac length exception request and defer the septic system waiver request and a decision on preliminary approval.

#### Case No. SP-143-03. New Town United Methodist Church

Ms. Drake presented the staff report noting that there is enough on-site parking provided to meet the Zoning Ordinance requirements for the Phase I, 20, 600 square foot church building. However, the New Town Methodist Church has been designed with future expansion in mind and as the church congregation grows, members will be parking off-site in the adjacent existing Williamsburg James City County Courthouse parking lot. Ms. Drake noted that a shared parking agreement already exists between the Church and the County that would accommodate the parking needs of the growing church. Therefore, staff recommended that the DRC permit off-site parking in accordance with the existing parking agreement. Ms. Drake confirmed for Mr. McCleary that the agreement also provided access to the Church site through the existing Courthouse entrance. There being no further

discussion, Mr. McCleary noted for the record that while he does have a relative who is a Bishop in the Methodist Church that it was not a conflict of interest for this case. Following a motion by Mr. Poole that was seconded by Ms. Wildman, the DRC unanimously voted to permit off site parking by the New Town United Methodist Church on the adjacent Courthouse property in accordance with the existing agreement.

Case No. S-106-03 & SP-141-03. Colonial Heritage Phase 2, Section 3

Mr. Johnson presented the staff report and provided a brief history of the first two phases of the development. The plans required DRC review as they proposed more than 50 units. Staff recommended that preliminary approval be granted subject to resubmittal of plans that address all agency comments. Ms. Wildman asked when a Land Disturbing Permit and Certificate to Construct would be released for this phase of development. Mr. Howard Price of AES indicated that the developer was targeting summer 2004 as a start date for this phase of the development. There being no further discussion, and following a motion by Mr. McCleary and a second by Mr. Poole, the DRC unanimously recommended that preliminary approval be granted subject to agency comments.


Case No. SP-140-03. Pocahontas Square

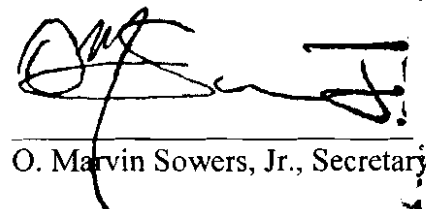
Sarah Weisiger presented the staff report stating that the case was before the DRC because the applicant proposes more than 50 lots. The Environmental Division had not received sufficient information to evaluate the plans and for that reason, staff recommended deferral of the case. Ms. Weisiger stated that the applicant concurred with staff's recommendation. Mr. McCleary asked if there were any areas of disagreement between the staff and applicant. Ms. Weisiger stated that none had been identified. Following a motion by Mr. McCleary and a second by Ms. Wildman, the DRC unanimously recommended that the case be deferred until the next meeting.

Adjournment

Mr. McCleary noted that this was the last DRC meeting for Mr. Hagee and commended Mr. Hagee for the exemplary manner in which he has chaired the DRC meetings.

There being no further business, the January 7, 2004, Development Review Committee meeting adjourned at 4:50 p.m.

  
John Hagee, Chairman

  
O. Marvin Sowers, Jr., Secretary

**Subdivision 99-03. Wellington, Section 5**

**Staff Report for the February 2, 2004, Development Review Committee Meeting**

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**SUMMARY FACTS**

**Applicant:** Jason Grimes, AES Consulting Engineers

**Landowner:** Wellington, L.L.C.

**Proposed Use:** 68 lot Subdivision

**Location:** Off Rochambeau Drive; Stonehouse District

**Tax Map/Parcel No.:** (13-3)(1-12)

**Primary Service Area:** Inside

**Project Area:** ± 42.28 acres

**Existing Zoning:** R-1, Limited Residential, with Proffers

**Comprehensive Plan:** Low Density Residential

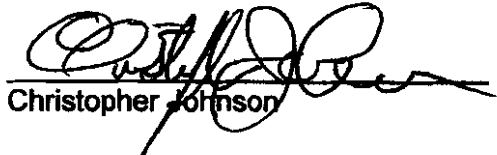
**Reason for DRC Review:** Section 19-23 of the Subdivision Ordinance requires DRC review for all major subdivisions with 50 or more lots.

**Staff Contact:** Christopher Johnson, Senior Planner Phone: 253-6685

**STAFF RECOMMENDATION**

This application was deferred at the December 3, 2003, DRC meeting to allow time for the applicant to address several key environmental issues relating to the presence of 25% and steeper slopes and Resource Protection Area (RPA) on the site. Staff recommended that consideration of preliminary approval be deferred because the presence of steep slopes and RPA had the potential to directly impact the number and placement of lots and street layout for this section of the development.

Over the past two months, the applicant has met with Environmental Division staff on several occasions to discuss the steep slope and RPA issues for this section of the development. Having reviewed additional information provided by the applicant, the Environmental Director is now comfortable with the configuration and layout of Loop Road "A" and does not believe that it will need to be adjusted due to the presence of steep slopes. Lots 221-225 and 254-260 on the outside of Loop Road "A" are still the subject of disagreement between staff and the applicant regarding suitable building envelopes for each of these twelve lots. Rather than delay the entire project while the applicant and Environmental Division staff continue discussion of outstanding issues for these twelve lots, staff recommends that the DRC recommend preliminary approval for the project by excluding the selected lots from consideration and allowing the applicant to resubmit plans which address all other agency comments.

  
Christopher Johnson

**Attachments:**

1. Agency Comments
2. Subdivision Plan (separate attachment)

AGENCY COMMENTS  
FOR  
CASE NO. S-99-03. WELLINGTON, SECTION 5

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Planning:

1. Please provide street names for Loop Road "A", Road 1A, Road 2A, and Road 3A.
2. A Professional Engineer must sign sheets 4 and 8A.
3. A 3' sidewalk is shown throughout the plans, while a 5' sidewalk detail is shown on Sheet 20. Please clarify and revise.
4. Please revise the site data on the cover sheet to read: R-1, Limited Residential, *with Proffers.*"
5. Please revise the side and rear setback lines for Lots 224, 233, 237, 239, 245, and 268. For corner lots, the front is deemed to be the shorter of the two sides fronting on streets.
6. Prior to final approval, please submit all subdivision data in accordance with the "GIS Data Submittal Requirements for Major Subdivisions."

VDOT:

1. Provide a note on the plans stating "VDOT does not assume responsibility for maintenance of the detention/retention pond or its structure, and shall be saved harmless from any damages."
2. Provide sight distance information on all roadway intersections.
3. A stop bar will be required at all proposed intersections and must be 24" in width.
4. Provide posted speed limit on plans.
5. Fire hydrants, lights and other fixed objects must be placed a minimum of 7.5' beyond the face of curb or behind the ditch line.
6. For 25 MPH speed limit, minimum roadway vertical curve "K" value for sag location is 22 and crest is 15. Review roadway vertical curve data to ensure that "K" values are above the minimum.
7. As per VDOT Drainage Manual, section 9.3.5, "A minimum velocity of 3 fps for the design storm is desirable in the storm drain in order to prevent sedimentation from occurring." There are several storm sewer pipes in which the velocity is significantly below 3 fps. Please review this situation and take corrective actions.
8. Storm sewer inlet calculations and plans do not match for several structure numbers, drainage areas, and runoff coefficients. Please revise.
9. Provide a profile for the storm sewer system.
10. Revise the "Standard Private Entrances" detail to conform with the CG-9 standard for entrances where curb and gutter is present.
11. In accordance with Section 311 of the VDOT Road and Bridge Specifications, a prime coat of 0.30 gal./sq. yd. will be required for any pavement typical with less than 4" of Hot Mix

prior to the placement of the surface course.

12. A Planting Maintenance Agreement will be required for any landscaping placed within VDOT's Right of Way. Review landscaping to ensure that it does not conflict with the placement or visibility of stop signs.

JCSA:

1. Please refer to the attached memorandum dated November 24, 2003.

Environmental:

1. Please refer to the attached memorandum dated November 20, 2003.



## MEMORANDUM

Date: November 24, 2003

To: Christopher Johnson, Senior Planner

From: Timothy O. Fortune, P.E. - Civil Engineer

Subject: S-099-03, Wellington Section V



James City Service Authority has reviewed these plans for general compliance with the JCSA Standards and Specifications, Water Distribution and Sanitary Sewer Systems and have the following comments for the above project you forwarded on October 30, 2003. Quality control and back checking of the plans and calculations for discrepancies, errors, omissions, and conflicts is the sole responsibility of the professional engineer and/or surveyor who has signed, sealed, and dated the plans and calculations. It is the responsibility of the engineer or surveyor to ensure the plans and calculations comply with all governing regulations, standards, and specifications. Before the JCSA can approve these plans for general compliance with the JCSA Standards and Specifications, the following comments must be addressed. We may have additional comments when a revised plan incorporating these comments is submitted.

### General Comments:

1. The design engineer shall locate the sewer and waterlines in the quarter point of the roadway as discussed and coordinated with VDOT on 11/12/03. Revise plan and profiles accordingly.
2. Provide street names. Designations such as Road 1A, etc are unacceptable.
3. The plans shall be reviewed and approved by the JCC Fire Department.
4. All water and sanitary sewer service connections shall be shown perpendicular to the respective main. This condition appears not to have been met throughout the plan. Verify and revise accordingly.
5. Add a note to the plans stating "Only JCSA personnel are authorized to operate valves on the existing watermain".

### Sheet 4 & 8A:

1. Sign and date the engineers seal.

**Sheet 11:**

1. Provide dual water meter service connections for the following lots: 211/212, 264/265 and 266/267.
2. The note provided on the plan concerning "...joint and or pipe/deflection of piping..." shall be in accordance with the HRPDC requirements and not the pipe manufacturer's specifications. The design engineer shall graphically show and label the required fittings, both horizontally and vertically, for those locations which exceed the HRPDC requirements. Verify and revise the plans accordingly.
3. Show and label thrust blocks at all water main connections requiring a tapping sleeve and valve. Thrust block shall be in accordance with HRPDC detail WS\_05. Add detail reference to the JCSA/HRPDC details list provided on this sheet.
4. Sewer cleanout inverts have been shown intermittently at the right-of-way line. The design engineer shall provide a note on the plans which clarifies installation of laterals for which an elevation has not been provided.
5. Water meter service connections shall be shown perpendicular to the main for Lots 236 and 237.
6. Ashington Way:
  - a. San MH #2-5-1: Relocate manhole to Sta 43+13 (+/-) such that Lots 124 and 210 laterals are perpendicular to the sewer main.
  - b. San MH #2-5-22: Relocate manhole to Sta 47+70 (+/-) such that Lot 128 sewer lateral is perpendicular to the sewer main. Provide a dual sewer cleanout for Lots 128/129.
  - c. Relocate Lot 131 water service connection to be off the 12" water main.
7. Loop Road "A":
  - a. San MH #2-5-10: It appears that the inverts shown are in error based on pipe slope/lengths provided. Verify and revise accordingly.
  - b. San MH #2-5-12A: Relocate manhole approximately 15' southward such that the proposed JCSA Utility easement is totally on Lot 269. Provide a dual sanitary sewer cleanout at the common Lot line of 269/270.
8. Road 1A: Show the proposed sanitary sewer main at the quarter point of the road.
9. HRPDC Detail List:
  - a. Add detail references for HRPDC Detail WS\_05 - Thrust Blocks and JCSA Detail S.16 - Typical Anchor Detail for Grades Over 20%.

**Sheet 12:**

1. Refer to Sheet 11, Note 2 concerning pipe/joint deflection statement.
2. Label all existing and proposed JCSA Utility easements accordingly.
3. Provide profiles for the sanitary sewer laterals serving Lots 225/254 and 256/258.



4. Provide dual water meter service connections for the following lots: 218/219, 223/224, 225/254, 255/256, and 259/260.
5. Water meter service connections shall be shown perpendicular to the main for Lots 221 and 249/250.
6. Road "2A":
  - a. Show the proposed sanitary sewer main at the quarter point of the road.
  - b. Sewer lateral serving Lot 221 shall connect directly to San MH #2-5-3. Revise accordingly.
7. Off Road Sewer to Existing Manhole:
  - a. San MH #2-5-2: Relocate Lot 222 and 223 sewer laterals to connect directly to the manhole.
  - b. Due to the proposed depth of sewer, provide a 30' JCSA Exclusive Utility Easement centered on sewer. Revise plan accordingly.
8. HRPDC Detail List:
  - a. Add detail references for HRPDC Detail WS\_05 - Thrust Blocks and JCSA Detail S.16 - Typical Anchor Detail for Grades Over 20%.

Sheet 13:

1. Clearly label the pipe material required for the proposed water and sewer mains. Clarify the sewer label "GS".
2. Ashington Way Profile:
  - a. San MH #2-5-21: Baseline offset shown for manhole contradicts Sheet 11. Verify and revise accordingly.
  - b. San MH #2-5-20: It appears that the downstream crossing of the sanitary sewer will conflict with the existing 12" water main. Profile shall be revised accordingly to provide a minimum separation of 18" between the proposed sanitary sewer and the existing water main.
  - c. Show and label the proposed storm sewer crossings at Sta 49+15 (+/-) and Sta 51+45 (+/-). A minimum separation of 18" shall be provided with the existing 12" water main.
3. Road "1A" Profile:
  - a. Sta 10+40 (+/-): It appears that the storm sewer size and invert elevation shown contradicts Sheet 9. A minimum separation of 18" shall be provided with the proposed water and sewer mains. Verify and revise accordingly.
4. Road "2A" Profile:
  - a. Sanitary manhole description MH #2-5-2 contradicts the callout shown on Sheet 12. Verify and revise accordingly.

5. Road "3A" Profile:
  - a. Sta 10+30 (+/-): Storm sewer size shown contradicts Sheet 10. Verify and revise accordingly.

**Sheet 14:**

1. Loop Road "A" Profile:
  - a. Sta 10+22 (+/-): Revise sewer profile to provide 18" minimum separation with the existing water main crossing.
  - b. Sta 17+00 (+/-): It appears that the storm sewer crossing invert elevation shown contradicts Sheet 10. A minimum separation of 18" shall be provided with the proposed water and sewer mains. Verify and revise accordingly.
  - c. Sta 17+45 to Sta 19+45 (+/-): The design engineer shall provide on the plan the instructions, details and/or field test requirements to ensure zero settlement will occur over or under the water and sewer mains placed within fill areas.
  - d. Sta 25+25 to Sta 26+80 (+/-): Provide ductile iron pipe for the proposed water main through the fill area and 40-feet into the native material at each end (design engineer shall confirm limits). Refer to Sheet 14, Note 1.c above.
  - e. Sta 29+70 (+/-): It appears that 18" minimum clearance will not be maintained between the proposed sanitary sewer lateral for Lot 244 and the proposed 8" water main. Verify and revise accordingly.
  - f. San MH #2-5-10: Refer to Sheet 11, Note 7.a above.

**Sheet 15:**

1. Loch Haven Drive Profile:
  - a. Revise the proposed water main extension to remove the high point created at Sta 13+75 (+/-). Water main profile shall follow the proposed road grade with the high point occurring at the blow-off valve.
2. Off Road Sewer (to Lots 269 & 270) Profile:
  - a. Include profile of the proposed lateral serving Lots 269/270. Refer to Sheet 11, Note 7.b concerning revisions to layout.
3. Off road sewer (to Existing Sewer):
  - a. "Note for Concrete Anchors": Delete reference to detail on Sheet 20. JCSA/HRPDC standard details shall only be provided on the drawings if modified by the design engineer.
  - b. Label proposed San MH #2-5-1 as watertight for consistency among the plans.

**Sheet 16 & 17:**

1. The design engineer shall show all proposed water and sanitary sewer connections on the plan. Landscape plans will be reviewed for compliance once the above items have been shown.
2. Revise matchline sheet numbering to reflect the plan set.

3. It appears that several easements shown have been incorrectly labeled (i.e. 7' pedestrian easement, 20' drainage easement across Lots 267/268). Verify and revise accordingly.

**Sheet 20:**

1. Remove JCSA detail S16.0 from the plan. JCSA/HRPDC standard details shall only be provided on the drawings if modified by the design engineer.

**Sanitary Sewer Data Sheet:**

1. Section 6: 8" pipe material lengths listed do not correspond with profiled information on the plan. Verify and revise accordingly.

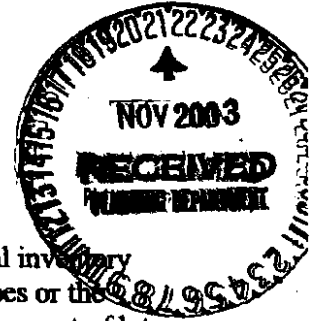
**Water Data Sheet:**

1. Section 6: Revise pipe material lengths based on Sheet 14, Comment 1.d above.

Please call me at 253-6836 if you have any questions or require any additional information.

**James City County Environmental Division**  
**Wellington, Section V**  
**County Plan No. S-99-03**  
November 20, 2003

WAL/DEC



**Preliminary Approval Status**

Preliminary approval is not recommended for this subdivision. The environmental inventory submitted does not accurately identify either the presence of 25% and steeper slopes or the Resource Protection Area (RPA). Both of these items impact the number and placement of lots for this section and the steep slopes may also affect the street layout. In addition, an offsite BMP is proposed to be used to help achieve compliance with the stormwater requirements for this site but no evidence has been submitted that this is acceptable to the offsite BMP owner.

Our review of the topographic information supplied shows that there is an extensive amount of steep slopes present on the site. In order for lots to be platted, they must have a buildable area that does not require the disturbance of steep slopes. Several of the lots on the outside of Loop Road A and potentially a couple inside the loop may not meet this requirement. There may also be portions of Loop Road A that will require an exception from the Chesapeake Bay Ordinance in their present location. Once the steep slope inventory is complete, the road layout needs to be reviewed and adjusted as necessary to minimize disturbance of steep slopes.

Concerning the RPA, there are some places where the buffer does not measure 100 feet from the wetlands line or other instances where the break between the RPA and RMA wetlands was not correctly made. Locations where the 100 foot buffer was not accurately represented are on lots 222, 223, 254, and 256. The wetlands below the existing dry pond on Mirror Lakes property were not correctly delineated regarding the RPA/RMA wetlands. Field observation indicates that the RPA wetlands should extend to about 20 downstream of what is currently shown as the RPA buffer line. This change in the RPA buffer would impact lots 258, 259, and 260.

**General:**

1. A Land-Disturbing Permit and Siltation Agreement, with surety, are required for this project.
2. A Subdivision Agreement, with surety, shall be executed with the County prior to recording of lots.
3. Water and sewer inspection fees, as applicable, must be paid in full prior to issuance of a Land-Disturbing Permit.
4. A standard Inspection / Maintenance Agreement is required to be executed with the County due to the proposed stormwater conveyance systems and Stormwater Management/BMP facilities associated with this project. However, the form needs to be modified or a separate agreement needs to be executed for the existing stormwater facility that is located on Mirror Lakes property. This facility cannot be used for stormwater purposes without a legal obligation to participate in its long term maintenance.
5. Streetlights:

- A. A streetlight rental fee for all proposed streetlights must be paid prior to the recordation of the subdivision plat.
  - B. Additional lights must be placed to conform to the guidelines set forth in the James City County Streetlight Policy. The location of these lights is between lots 265/266, 218/219, and 256/258. In addition, the light at 216/217 needs to be moved to 215/216.
6. Miss Utility: Provide standard notes requiring contact of Miss Utility prior to any utility or site work excavations.
7. Geotechnical Information: A Geotechnical Report, prepared by a professional engineer, is required to be submitted for the existing BMP referred to on sheet 18 as sediment basin #3/ wet pond. This facility is located on the adjacent Mirror Lakes site. This report will need to address at a minimum maintenance needs including the condition of the pipes, the stability of the embankment, removal of trees and other undesirable vegetation on the dam, and the ability of the soils to support a wet pool. It is our position that the pipes need to be either replaced or slip-lined because of their age and condition. The SWM narrative states that information regarding maintenance of the facility is included with the plans but this information is very minimal and states that the contractor will provide the evaluation. This is not acceptable and needs to be revised. These items need to be addressed prior to issuance of a Land-Disturbing permit for the project.
8. Record Drawing and Construction Certification: The maintenance and modification of the existing sediment basin #3 will require the submission, review and approval of a record drawing (as-built) and construction certification prior to release of the posted bond/surety. Provide notes on the plan accordingly to ensure this activity is adequately coordinated and performed before, during and following construction in accordance with current County guidelines.
9. Wetlands: Prior to initiating grading or other on-site activities on any portion of a lot or parcel, all wetland permits required by federal, state and county laws and regulations shall be obtained and evidence of such submitted to the Environmental Division. Provide evidence that any necessary wetlands permits already obtained have not expired. Refer to Chapter 23 Chesapeake Bay Preservation ordinance, Section 23-9(b)(8) and 23-10(7)(d). *(Note: This includes securing necessary wetland permits through the U.S. Army Corps of Engineers Norfolk District and under the Virginia Department of Environmental Quality non-tidal wetlands programs, which became effective October 1<sup>st</sup> 2001.)*
10. VPDES: Land disturbance for the project exceeds one (1) acre. Therefore, it is the owner's responsibility to register for a General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities, in accordance with current requirements of the Virginia Department of Environmental Quality and 9 VAC 25-180-10 et seq. Contact the Tidewater Regional Office of the DEQ at (757) 518-2000 or the Central Office at (804) 698-4000 for further information.
11. Plan Number: Please reference the assigned County plan number (S-99-03) on all subsequent submissions.

**Subdivision Plats:**

12. RPA: Provide a note on the plat indicating wetlands and land within Resource Protection Areas shall remain in a natural undisturbed state except for those activities permitted by

Section 23-9(c)(1) of the James City County Code. *{Refer to 19-29(g) of the Subdivision ordinance.}*

13. Open Spaces: Provide a note on the plat indicating natural open space easements shall remain in a natural undisturbed state except for those activities referenced on the deed of easement.
14. Revisions. It should be noted that review of this plat is in advance of final site plan approval by the Environmental Division. Any changes to the road, lot, utility or drainage control configurations as a result of outstanding comments on the plan of development could necessitate the need for further review and or comments on this plat.

**Chesapeake Bay Preservation:**

15. Environmental Inventory:

- A. As stated in the opening section of these comments under preliminary approval status, there are concerns with the environmental inventory required in accordance with Section 23-10(2) of the Chesapeake Bay Preservation ordinance. There were problems with the RPA and lack of steep slope information.
- B. As required in the County Code section 23-10(2)c, the environmental inventory shall be certified as complete and accurate by a person or firm competent to make the inventory. Provide this information on the Environmental inventory sheet.

16. Buffer Areas:

- A. There is conflicting information as to the correct 100' buffer origin. Sheet 4 shows a different limit for RPA wetlands than 8A. Provide information on the process of delineation for the RPA and non-RPA wetlands. In addition, other problems were identified in the preliminary approval status portion of these comments.
- B. Portions of the 100' buffer along Section V are not 100' in depth. The buffer is not to be measured by any angle off the horizontal and is therefore a true 100' in plan view. Adjust the buffer delineation line based on the RPA requirements set forth in the Chesapeake Bay Ordinance. See preliminary approval status portion of these comments for more detail.

17. E&SC Narrative: Provide additional information pertaining to the proposed restructuring of the "existing sediment basin." It appears that the basin is off site and on the property of Mirror Lakes Estates. Provide an indication of permission from Mirror Lakes Estates that allows the discharge to, and modification of, their existing BMP. Also, indicate in the narrative the current status of the BMP (E&S mode or not). This facility is not to be used as a sediment basin for the new work.

18. RPA Signs: The information on sheet 19 regarding the RPA signs needs to be modified to state that one sign shall be located on each property line that intersects the RPA. Generally this will mean that the RPA will be marked on each side property line for each lot. Refer to Section 23-9(c) of the Chapter 23 Chesapeake Bay Preservation ordinance.

19. Sewer Redesign. Investigate the possibility of redesigning the sewer to eliminate the sewer extensions between lots 225/254 and 256/258. It appears by deepening the sewer slightly, these encroachments into the RPA could be eliminated. This will need to be considered before acting on the RPA exception request.

**Grading Plan:**

20. Proposed Grading: The road grading between stations 10+00 and 12+50 on Loop Road A does not match the profile. As shown on the plan sheet, the area will not drain as the slopes are too flat. Please correct as needed.
21. Lot to Lot drainage: All the lots within the Loop Road A have the potential for lot to lot drainage problems. Drainage swales will be necessary within the proposed 10 foot easement will be required at select locations to ensure that lots can be drained through adjacent lots to an adequate outfall.
22. Lots 215/216. These lots involve excessive grading and 25% slope disturbance and should not be platted because they do not possess adequate buildable area exclusive of steep slopes.

**Erosion & Sediment Control Plan:**

23. Temporary Stockpile Areas: Provide all temporary soil stockpile, staging and equipment storage areas with necessary erosion and sediment controls.
24. Limits of Work: Show and label a distinct limit of work (clearing and grading) around the site periphery and the road rights-of-way being sure to include work associated with installation of erosion and sediment controls and onsite or offsite utility connections. Ensure disturbed area estimates match land-disturbance inclusive within the limits of work. The lots are not to be disturbed until building permits are submitted for those lots.
25. Note on Sheet 10. The note on sheet 10 needs to be either eliminated or modified substantially to eliminate the substantial filling of lots. The filling of lots cannot be accomplished until a building permit is submitted for that lot.
26. Sequence of Construction (SOC): Revise the SOC to conform to the requirements set forth in the State Minimum Standards 4VAC50-30-40 #4 as contained in the Virginia Erosion and Sediment Control Manual and provide for clearing of only those areas associated with the installation of E&SC measures. Only after these measures are in place and operational may perimeter clearing and other land disturbing operations take place.
27. E&SC Plan. The plans need to be developed at the same scale (1"= 50') as the other plan sheets. It is not possible to adequately review at the small scale of 1"= 100' provided. The other sections of the site already under development illustrate that sediment control is a challenge for this site and it is necessary that an adequate plan be prepared in as much detail as possible, which is not possible at the current scale. The plan needs to show the proposed grading for the roads and basins/traps.
28. E&SC Plan: The erosion control plan presented may be adequate once sediment traps and sediment basins are installed and road grading, roadside channels, culverts and storm drain systems are functional. However, at initial road clearing stages of construction, drainage areas are too great for the methods proposed. At stations of approximately 30+90 and 29+60 there exists a natural swale. This will cause runoff to converge into concentrated flow leading to the failure of the proposed silt fence. Since these areas contain soils with severe erosion potential, the silt fence is likely to become clogged quickly and fail after road construction. It is for these reasons that a diversion dike with check dams or an alternative type of E&SC measure be used.

29. Rock Construction Entrance: Provide a rock construction entrance at all access points to paved roadways in accordance with VESCH Minimum Standard 3.02 or place barricades in accordance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD) at those points to which construction traffic is prohibited.
30. Super Silt Fence: Provide in the SOC for the removal of super silt fence from the outfalls of the sediment traps and basins once they are placed in operation and the embankments are stabilized.
31. Tree protection: Revise the locations of tree protection to be outside of the limits of clearing.
32. Sediment Traps: Increase the top of berm elevation of trap #1 to 65.0 and for trap #2 to 69.0 as there is to be a 1 foot separation between the top of the berm and the top of the stone.
33. Slope Stabilization: Provisions should be made for slope stabilization matting to be placed on disturbed slopes where concentrated flows are expected. The area leading up to the proposed forebay and the areas proposed for the installation of sanitary sewer laterals are primary areas of concern.
34. Slope Stabilization: In accordance with James City County standard erosion and sediment control note # 13, all slopes steeper than 3H:1V require use of erosion control blankets installed in accordance with the minimum standards of the VESCH. No slopes shall be created steeper than 2H:1V. Include in areas inside traps and basins where slopes exceed these requirements.
35. Sediment Basin #1:
  - A. Show the drainage area to basin #1 on the plan sheets.
  - B. Provide calculations to verify dewatering device size.
  - C. It is not necessary to use RCP for a temporary facility. CMP would be acceptable.
  - D. The information in the calculations for the barrel don't match the section shown on sheet 18. Pipe sizes are different, pipe lengths and slope are different, anti-seep collars are different in size and number.
  - E. Additional discrepancies are that the size of the dewatering device is different in elevation and size between the detail and the calculations.
  - F. The emergency spillway needs to be shown on the plan sheet when the plan is redrawn at the more readable scale of 1"=50'.
  - G. Additional comments are likely to be developed upon resubmission when more detail is shown.
36. Seeding and Mulching Specification: Provide a seeding and mulching specification or reference an appropriate mixture for the coastal plain region per the VESCH, Minimum Standard 3.32. Address both temporary and permanent stabilization requirements for the site.
37. Sediment Basin #2. This design was not reviewed. Applicant needs to review design to ensure that it is consistent between the calculations and the plan and at a minimum meets the comments raised above for basin #1.
38. Safety Fence. Use of orange colored safety fence in accordance with VESCH Minimum Standard 3.01 is needed around the existing sediment basin/BMP #3 as it is being deepened and is in close proximity to occupied dwellings. As the basin is being modified, a safety or



thickness or extension of the base and required embedment depth of the riser into the base. Include all details and dimensions as required.

52. Flotation Computations. Provide flotation (buoyancy) computations for the riser and base structure. A minimum factor of safety of 1.25 is recommended.
53. Anti-Vortex/Trash Rack Device. Include provisions for a secured, hinged access hatch of adequate opening size on top of the device for inspection and maintenance purposes.
54. Anti-Seep Collars. When redesigned, provide anti-seep collars along the pond barrel and show appropriate details. Use of concrete collars is recommended per the VSMH.
55. Low Flow Orifice Protection. Provide a non-clogging trash rack for whatever low flow release structures are proposed for BMP #3. It appears the current low release structures are clogged. It is recommended that reverse flow pipes be used for this purpose.
56. Pond Drain/Valve. If riser replaced, provide a pond drain and valve system that is capable of completely or partially draining the entire facility within 24 hours for future maintenance purposes. Include specifications for valve size, type and materials and supporting hardware. Normally valves, extension handles, mounting hardware, etc. are installed within the interior of the riser structure so it is not normally inundated and can be accessed for inspection.
57. Flared End Section. Provide a flared end section or endwall at the principal spillway barrel outlet consistent with the outlet barrel material type (i.e. RCP, corrugated polyethylene, type 2 aluminum, etc.).
58. Pond Construction. Provide notes or details consistent with geotechnical recommendations for rebuilding of BMP #3. Include requirements for sub-grade preparation, fill material type and placement, soil compaction, concrete anti-seep collars (or toe drain), pipe bedding/backfill or cradle and core trench, as applicable for the redesigned facility.
59. Outfall Protections. Provide more specification on the riprap protection at the outlet ends of all storm drains which enter the BMP facility. Outfall protections shall be designed in accordance with Minimum Standard & Spec. 3.18 and 3.19 of the VESCH. Specify applicable dimensions, riprap thickness, class and quantity required. The outfall for the system 2 storm drain needs to be modified to be the lowest amount shown on the chart. The chart should not be extended. This means to riprap should be at least 20 feet long.
60. Pond WSEL's. Show the design 1-, 2-, 10- and 100-year design water surface elevations on pond detail Sheet 18.
61. Inlet/Storm Drain Computations. The inlet design calculations do not seem to match the drainage area map. The pipe calculations do match the map but the inlet calculations are either incorrect or are confusing. These will need to be discussed with the engineer.
62. Meeting. Due to the extensive nature of these comments and difficulty in reading the erosion control plan, it is suggested that further discussions or a meeting be held between Environmental Division staff and the plan preparer prior to the next submission. Contact the Environmental Division at 253-6670. Also, additional comments can be expected due to the extensive nature of the changes that will be necessary for the next submission.

aquatic bench should be added to address long term safety concerns as it will be so close to adjacent houses.

39. Downstream BMP Protection. Include provisions on the E&SC plan to monitor the existing downstream BMP #2 for signs of sedimentation, specifically during or as a result of construction on this site. As this facility is not to be used for sediment control, the contractor should be aware that additional onsite or offsite controls may be necessary to protect the BMP from degradation. This may include additional E&SC measures, cleaning and sediment removal within the basin or connecting pipe systems and coordination with the owner, engineer or the County.
40. Variances. Variance approval as granted from the Environmental Division from any minimum standards shall be documented in the plan and should be affixed or referenced to in the design or erosion and sediment control plan set, preferably the cover sheet.

**Stormwater Management / Drainage:**

41. Existing BMP Facility #3. In the County's database, this facility is County BMP ID Code number WC066. Please use the WC066 label on future submissions.
42. BMP/Water Quality Points. There is additional drainage being directed to existing BMP #2, approximately 3 acres. Submit a revised BMP standard Worksheet for the BMP Point System to update the documentation for the stormwater management master plan for this project.
43. BMP/Water Quality Points. The standard Worksheet for BMP Point System as provided with the stormwater master plan shows the site stormwater management plan achieves a total of 10.3 points based on use of five BMPs in combination with natural open space. Dry pond #4 is proposed to be converted to a wet pond. The master plan needs to be updated to reflect this change.
44. BMP #3.
  - A. BMP #3 was counted as a 9 point BMP in the original swm master plan. The criteria for a 9 point BMP was that  $4xV_r$  was contained in the normal pool where  $V_r$  is the  $0.5xR_vxA/12$  with  $R_v=0.05 + 0.009(\text{Imp Cover})$ . The design of the basin needs to be checked against this criteria. What has been submitted is an 8 point design under the current standards although this design was not properly done. The normal pool would be the 164,076 cubic feet not 82,038. However, the stage-storage curve indicates that elevation 58 contains only 49,431 cu ft.
  - B. Once properly designed using the previous criteria for a 9-point BMP, the basin needs to be upgraded to current standards in regard to the materials used. The pipes need to be replaced with concrete pipe or else lined with a PVC liner. The metal pipe used is nearing the end of its useful life and needs to be replaced to eliminate a maintenance expense for the homeowners associations.
  - C. Specifications need to be placed on the plan from a geotechnical report that describes how the dam will be rebuilt and modified as necessary to meet current criteria as described in item B above. Report needs to address whether this pond which was built as a dry pond can be converted to a wet pond.
  - D. There is erosion in the emergency spillway that needs to be repaired. As it appears a portion if not all of the emergency spillway is on fill material, the emergency spillway

needs to be lined with concrete to prevent failure of the dam when the emergency spillway flows.

- E. If the pond is to be used as a sediment basin, more detail needs to be provided on the plan such as the dewatering device and notes about conversion to a permanent wet pond.
  - F. Provide calculations for the dewatering device sizing. Also, there are two 10-inch orifices shown on the plan. One of these needs to be closed off during the time the basin is operating as a sediment basin.
  - G. There will likely be additional comments regarding the design and rehabilitation of this facility once the geotechnical report is received and the correct criteria is used to size the BMP. The facility needs to either meet the criteria for a BMP under the previous standards or be upgraded to current standards including channel protection.
45. Open Space Credit. Provide a conservation easement plat for all Natural Open Space areas as claimed in the BMP worksheet and show the easements on the preliminary plat. The minimum width for natural open space conservation easements is generally 35 feet and must be unencumbered by other easements for drainage, utilities, etc.
46. Drainage Map. Provide a drainage map for both BMP #2 and #3. The drainage area information in the calculations does not match what was on the stormwater master plan.
47. Stream Channel Protection. Depending on the final design of BMP #3, the current stream channel protection criteria may need to be met. Current stream channel protection criteria for James City County requires 24-hour extended detention of the runoff from the 1-year frequency storm (post-developed) instead of reduction of the 2-year peak rate as previously required by MS-19 of the Virginia Erosion and Sediment Control regulations. The traditional SCS Type II, 24-hour storm duration rainfall depth for the 1-year storm event in James City County is 2.8 inches.
48. Maintenance Easement/Service Road. Provide a minimum 20 ft. wide access easement for pond maintenance between lots 260 and 261. In this easement, provide a service road to the BMP at least 12 feet wide and at a grade of no more than approximately 15 percent from a public or private road. Road stabilization should consist of all-weather type material which is resistant to erosion and can withstand loads associated with maintenance vehicles and equipment but yet is reasonably permeable to allow for infiltration. Since access is generally occasional, it is our preference to utilize alternative type all-weather surface material aggregate, rather than asphalt. Alternative surfacing should promote vegetative growth and minimizes impervious area but yet provides durability. Alternatives include compacted aggregate, high density polyethylene grid pavers or articulated concrete blocks.
49. Concrete Riser and Barrel. For BMP #3, when redesigned specify watertight reinforced concrete pipe meeting the requirements of ASTM C361 or ASTM C76 for the reinforced concrete pipe riser and outlet barrel. Indicate size and class of pipe and joint type required. Include provisions for an access lid and steps in the riser for maintenance purposes.
50. Concrete Outlet Barrel. Specify watertight reinforced concrete pipe meeting the requirements of ASTM C361 or ASTM C76 for the pond outlet barrel. Indicate size, class, length, slope, invert elevations of the pipe and joint type as required.
51. Riser Base. Provide information as to whether the riser structure requires a concrete or extended concrete base to prevent flotation (buoyancy). Include dimensions for the size,

**Subdivision-101-03**  
**Ford's Colony Section 35**  
**Staff Report for the February 2, 2004, Development Review Committee Meeting**

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**SUMMARY FACTS**

**Applicant:** Charles Records, AES Consulting Engineers

**Land Owner:** Drew Mulhare, Realtec Inc.

**Proposed Use:** 98-lot subdivision

**Location:** Centerville Road (across from existing Ford's Colony)

**Tax Map/Parcel No.:** All of (36-2)(1-1), (36-2)(1-1B), (36-2)(1-2), (36-2)(1-3), and a portion of (30-3)(1-2)

**Primary Service Area:** Inside / Outside

**Parcel Size:** 417.8 acres

**Existing Zoning:** A-1, General Agricultural

**Comprehensive Plan:** Low Density Residential / Rural Lands

**Staff Contact:** David Anderson      Phone: 253-6685

**OVERVIEW**

Ford's Colony is proposing to develop a 417.8 acre tract of land across Centerville Road into 98 single-family lots. The proposed development requires DRC review for two waiver requests and for the granting of preliminary approval.

At the DRC meeting on January 7, 2004, the DRC approved the cul-de-sac street length request, deferred the convention septic system waiver request in order to process an ordinance amendment, and deferred the decision on preliminary approval due to significant environmental issues.

**CONVENTIONAL SEPTIC SYSTEM WAIVER REQUEST**

The Planning Commission passed an initiating resolution at the January 12, 2004 Planning Commission meeting requesting staff to initiate review of Section 19-60, Individual Sewer, of the Subdivision Ordinance to permit the use of alternate septic systems without Planning Commission review and approval. Due to the short period of time between the January meeting and the meeting scheduled for February 2, 2004, Staff was unable to complete its review of this ordinance amendment and will be bringing the amendment forward to the March 1, 2004 Planning Commission meeting.

**STAFF RECOMMENDATION - PRELIMINARY APPROVAL**

Staff recommends that the DRC defer consideration of preliminary approval for this application until the next regularly scheduled DRC meeting on February 25, 2004. Deferral of this application should allow the

applicant some time to address several key issues noted below.

- The Environmental Division has one outstanding issue that has not been resolved. Please refer to the attached email from Scott Thomas dated January 27, 2004.
- Upon further plan review by JCSA, it was discovered that the plans were proposing to supply the fire flow requirements for the proposed independent water system through the JCSA Central Water System. This is proposed to be done by connecting the JCSA Central Water System to the proposed independent water system by means of a pressure sustaining valve inside the new facility. The basic result is that the domestic demands would come from the proposed independent water facility and fire flows would be supplemented by the JCSA Central Water System. Based on County policy and because an independent well facility must stand alone for all water demands (including fire flow), this is not permitted. Therefore, JCSA has retracted its prior positive recommendation for preliminary subdivision approval issued for this project on 1/20/04.

Before JCSA can recommend preliminary subdivision approval, the Applicant must address the following:

- 1) Revise the site plan to eliminate the 12" Fire Supply line to the well facility.
- 2) Revise the well facility layout to incorporate the necessary booster pump(s), fire supply pump(s), tank storage capacity and generator size to meet the requirements of JCSA and VDH for a stand alone system.

  
David Anderson

attachments:

- Email from Scott Thomas, Environmental Division

**David Anderson**

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**From:** Scott Thomas  
**Sent:** Tuesday, January 27, 2004 1:08 PM  
**To:** 'Charles Records'  
**Cc:** David Anderson; Mike Woolson; Darryl Cook  
**Subject:** Prelim Approval Issue for Ford's Colony Sec 35  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged  
Charles

Pursuant to our meeting last Thursday January 22<sup>nd</sup>, I was not able to track down the letter/report that you indicated came to the County/Darryl from the Environmental Consultant about the determination for potential RPA in back of Lots 73 through 75. I will need to receive and review this correspondence to be able to properly respond to Dave Anderson, Planning for preliminary approval purposes for the upcoming DRC. Based on our meeting and supplemental information provided (ie. Environmental Inventory, etc.) I think we have resolved most of the other issues that obstructed preliminary approval by our Division, without having to see a full new resubmitted plan set. However, I cannot proceed forward until we can deem that Lots 73 through 75 are buildable, should an RPA feature be present.

*(As a note, consideration for preliminary approval by our Division is being based primarily on two items. One is an email issued to Dave Anderson dated December 22<sup>nd</sup> 2004, less the E&SC plan issue and the perennial stream issue, bullets 2 and 5. The second is Comments 13, 17, 18, 19, 20 and 43 from Environmental Division comments issued/dated January 7<sup>th</sup> 2004. All other comments from our January 7<sup>th</sup> comments can be considered items to be worked out for final site plan and land-disturbing permit approval purposes. Although it does not appear the drainage analyses and channel adequacy issues will need resolved on an individual basis for preliminary approval purposes, they will certainly need resolved for final site plan and land-disturbing permit approval purposes. Wetland permitting issues and configurations needed to resolve channel adequacy, such as the need for additional quantity control stormwater basins or downstream receiving channel improvements may result in significant changes to the drainage and stormwater management plan from that currently proposed. Compliance will need to be shown by proper field reconnaissance, calculations, computations, plans and narratives consistent with MS-19, County ordinance and our current program requirements.)*

**Scott J. Thomas, P.E.**  
James City County  
Environmental Division

**Subdivision-101-03**  
**Ford's Colony Section 35**  
**Staff Report for the February 2, 2004, Development Review Committee Meeting**

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**Scott J. Thomas, P.E.**  
James City County  
Environmental Division

1/29/2004

**SUMMARY FACTS**

**Applicant:** Aaron Small

**Land Owner:** Earnie N. & Kathleen M. Waters

**Proposed Use:** Residential

**Location/ Tax Map No./ Size** 7262 Osprey Dr. - residential / (19-1)(8-2) / 0.739 acres  
7265 Osprey Dr. - remote lot / (19-1)(8-21) / 0.919 acres

**Primary Service Area:** Outside

**Existing Zoning:** R-2

**Comprehensive Plan:** Rural Lands

**Reason for DRC Review:** The applicant is requesting an exception to the Subdivision Ordinance, Section 19-60 – Individual Sewer, in order to use an off-site, low pressure distribution (LPD) septic system to provide sewer service to a lot which is outside of the Primary Service Area.

**Staff Contact:** Ellen Cook Phone: 253-6685

**HISTORY:**

The lot at 7262 Osprey Drive in Chickahominy Haven was platted in 1978. The remote drainfield lot at 7265 Osprey Drive was platted in 1994. The owner also recorded a pipeline and drainfield easement connecting the two parcels in 1994. The owner has also submitted an application to extinguish the boundary line between 7262 Osprey Drive and 7260 Osprey Drive; while this extinguishment is currently only under review, the adjacent lot was also reviewed by the Health Department for septic system suitability. On September 3, 2003, and on October 6, 2003, the DRC granted subdivision ordinance exception requests for four nearby lots in Chickahominy Haven, including three which share the remote drainfield lot at 7265 Osprey Drive.

**REASON FOR DRC REVIEW:**

Because soils on the lots at 7262 and 7260 Osprey Drive do not allow for any kind of septic drainfield, the applicant wishes to use a remote site for a low pressure distribution (LPD) septic system at 7265 Osprey Drive. For lots outside of the Primary Service Area, low pressure distribution systems may be used with approval of the Health Department and in situations where conventional septic tanks are failing. As this is not a case of remediation, but for proposed new residential dwellings, an exception to the ordinance is required. In addition, the Subdivision Ordinance requires drainfields to be located on-site, therefore the use of remote sites also require waivers from the DRC.

**CRITERIA FOR CONSIDERATION:**

Section 19-18 of the Subdivision Ordinance states that the Planning Commission may grant an exception to any requirement of the chapter, but not unless first receiving a recommendation of the DRC and upon finding 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.

**STAFF RECOMMENDATION:**

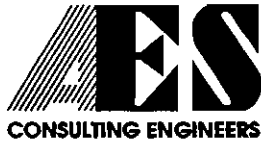
- a) Because this is an existing lot, staff concurs with the applicant that strict adherence to the Subdivision Ordinance will cause substantial injustice and hardship. An off-site system is necessary for residential use of these lots;
- b) The use of a remote low pressure distribution system would not be detrimental to the public safety, health, or welfare and will not adversely affect the property of others;
- c) While other lots in Chickahominy Haven have received similar waivers, staff believes that because these are existing unbuilt lots, the facts 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 the Subdivision Ordinance;
- d) The applicant notes that the Virginia Department of Transportation and the Health Department have not objected to the use of the remote LPD and that each department has issued permits allowing for the system and transmission pipelines;
- e) Staff concurs with the applicant that the hardship or injustice is created by the unusual character of the property due to soil type, water table levels, and topography.

Staff recommends that the Development Review Committee approves the applicant's request for a waiver to the subdivision ordinance to allow for the use of a remote LPD septic system to serve the lot at 7262 Osprey Drive.

Ellen Cook  
Ellen Cook, Planner

**Attachments:**

- 1. Letter requesting exception to Subdivision Ordinance dated December 29, 2003.
- 2. Location Map



5248 Olde Towne Road • Suite 1 • Williamsburg, Virginia 23188  
(757) 253-0040 • Fax (757) 220-8994 • E-mail aes@aesva.com

December 29, 2003

Mr. Allen J. Murphy, Zoning Administrator  
James City County Planning  
101-E Mounts Bay Road  
P.O. Box 8784  
Williamsburg, Virginia 23187-8784



**RE: Earnie Waters Septic System Waiver**  
**Lot 2, Section 7, Chickahominy Haven (Tax Parcel (19-1)(8-2))**  
**AES Job No. 9376-0**

Dear Mr. Murphy,

Attached you will find the information for the remote low-pressure distribution drainfields for the above referenced lots for Mr. Waters. As the septic system for the proposed residence contains an off-site septic drainfield, this system does not meet the applicable sections of the zoning ordinance and requires Development Review Committee review before proceeding to the Planning Commission for approval of a waiver. I have included the Septic Waiver application, however, past experience with has suggested that administrative approval cannot be granted for remote drainfields as for other alternative septic systems.

The items typically requested by your staff include a letter from the Health Department stating that the lot is not suitable for a drainfield (conventional or alternative) and a letter indicating that the remote site is acceptable. Also typically requested are two copies of a site layout plan for the septic system. I have included the following information for this parcel:

1. Letters from VDH dated November 3, 1989 denying the application for an on-site system. Reasons for denial are included in the letter.
2. Approved Water Supply and/or Sewage Disposal System Construction Permits for each lot issued to the previous owner, Mr. Gerald Otey. These were issued by VDH for installation of the remote LPDs. These permits were issued in September 1994, but have since expired. Construction permits are non-transferable. As Mr. Waters recently purchased both lots from Mr. Otey, he must reapply for a construction permit. I have been assured by VDH that the permits will be issued with the same conditions. VDH is concurrently reviewing the permits.
3. Two copies of the plot plans included with the design of the septic system. The dimensions shown for each house and their relative location on the lot may or may not correlate with the plot plan used for gaining a building permit as the plot plans used in the design were

Mr. Allen J. Murphy

December 29, 2003

Page 2

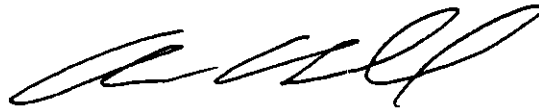
developed in August 1993. Permission was already obtained from VDOT to construct the pipelines across the public right-of-way and the pipes installed.

4. Two copies of the Deed of Easement for the septic system drainfields and pipelines. These easements were recorded in May 1994.

It is Mr. Water's intent to construct the system immediately upon approval from James City County and the issuance of the Construction permit from VDH. Please place this case before the next available Development Review Committee. If you have any questions, or require additional copies for your review, please do not hesitate to contact me.

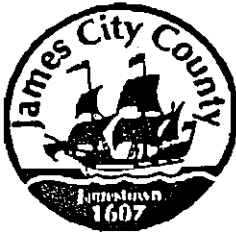
Sincerely,

AES Consulting Engineers

A handwritten signature in black ink, appearing to read 'A. Small', written in a cursive style.

Aaron B. Small, P.E.  
Project Manager

Enclosures



## SEPTIC SYSTEM WAIVER APPLICATION

Provide a letter from the Health Department stating that the soils on the property proposed for use of the alternate septic system have been evaluated and are (1) not suitable for the use of a conventional septic system and are (2) suitable for use of the proposed system. Also, if possible please provide two copies of a subdivision plat showing the proposed drainfield locations and the footprints of any buildings or structures located on the property. There is no fee associated with the processing of this waiver

### ALTERNATE SEPTIC SYSTEM TO BE LOCATED AT:

Tax Map ( 19-1 ) Parcel ( 8-2 )

Address 7262 OSPREY DRIVE

Is this application associated with a proposed subdivision of this parcel?      (Yes)   ✓   (No)

(Note: If Yes above, this waiver requires the review of the Development Review Committee. If No above, this waiver can be reviewed by the James City County Subdivision Agent.)

### PROPERTY OWNER:

Name: EARLIE N. & KATHLEEN M. WATERS

Address: 7260 OSPREY DRIVE, LANEXA, VA 23089

Phone: (757) 314-7796 (WORK)

### APPLICANT INFORMATION:

Name: AARON B. SMALL, PE

Business: AES CONSULTING ENGINEERS

Phone: (757) 253-0040

### ALTERNATE SEPTIC SYSTEM INFORMATION:

Type/Name of System Proposed for Use: REMOTE LPD ON LOT 20, SEC 7 (7262 OSPREY DR)

Have the soils on the property have been evaluated for use of this system?   ✓   (Yes)      (No)

(Note: If the soils on the property have not been evaluated for use of the proposed system, then the applicant must have the soils evaluated and obtain a letter from the Health Department stating that the soils on the property in question are (1) not suitable for the use of a conventional septic system and are (2) suitable for use of the proposed system.)

### Authorization:

Owner's Signature and Date

Applicant's Signature and Date

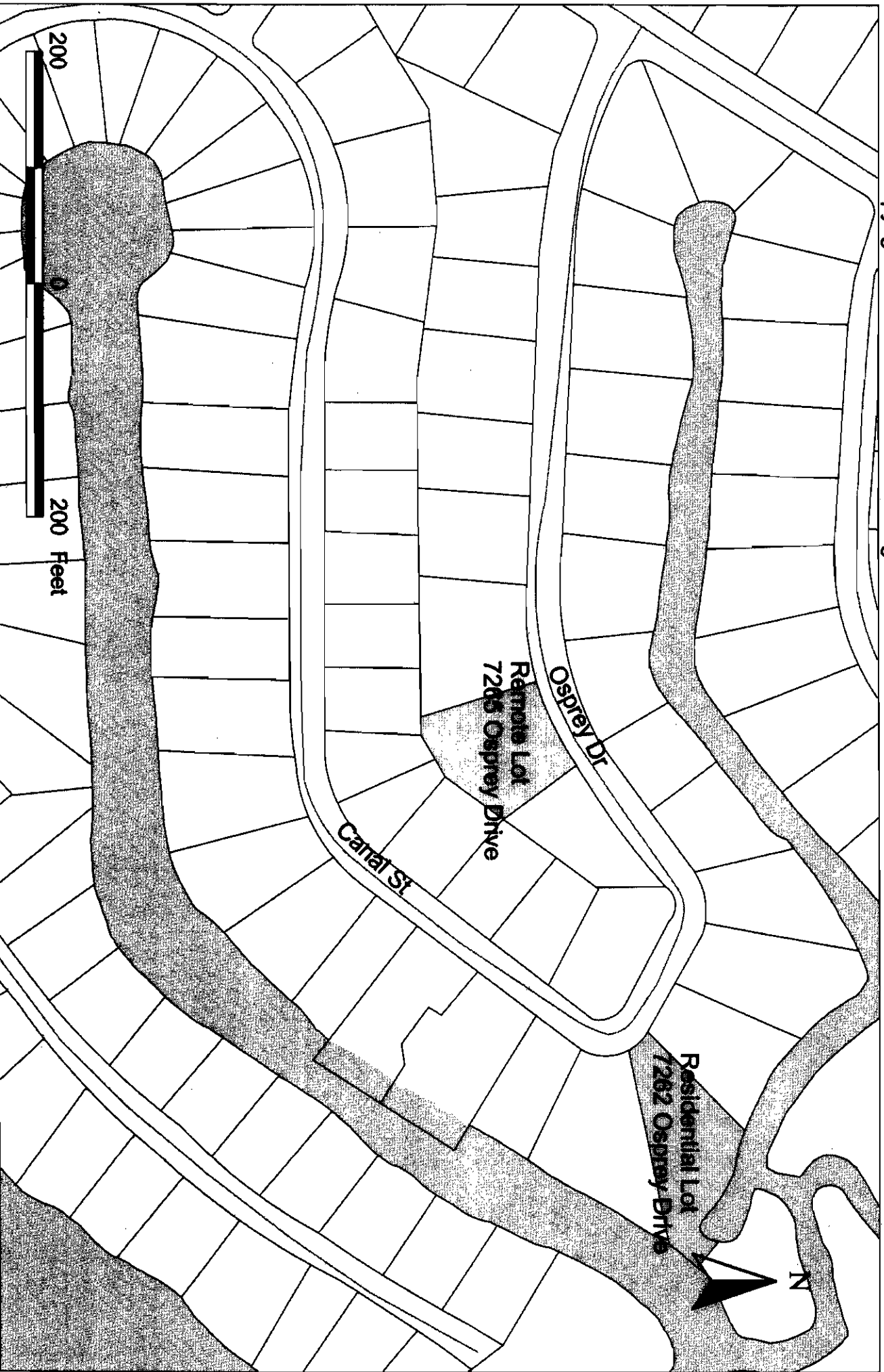
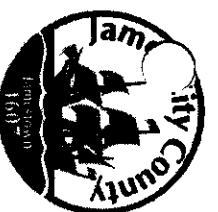
For Office Use Only:

Approved                      Denied                     

Subdivision Agent's Signature and Date

# Case No. C-158-03, Earnie Walters Septic System Waiver

Aerial View Copyright 2002 Commonwealth of Virginia



**Case No. SP-143-03  
New Town United Methodist Church  
Staff Report for the February 2, 2004 Development Review Committee Meeting**

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***Summary Facts:***

**Applicant:** Mark Richardson, AES Consulting Engineers  
**Land Owner:** Board of Missions of United Methodist Church

**Proposed Use:** House of Worship

**Location:** 5209 Monticello Ave, (next to the WJCC Courthouse)  
**Tax Map/Parcel:** (38-4)(1-48)

**Primary Service Area:** Inside  
**Parcel Size:** 5.56± Acres

**Existing Zoning:** MU, Mixed Use  
**Comprehensive Plan:** Mixed Use: New Town

**Reason for DRC review:** The applicant has requested a modification to the Mixed Use setback requirements detailed in Section 24-527 of the James City County Zoning Ordinance.

**Staff Contact:** Karen Drake (757) 253-6685

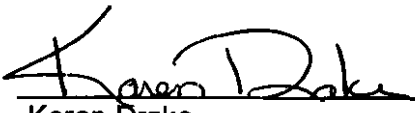
**Staff Recommendation:**

The New Town United Methodist Church property is zoned MU, Mixed Use and is part of the New Town master plan. The Church is adjacent to property zoned MU on two sides and on the other two sides by property zoned M-1, Limited Business/Industrial. The site is designated Mixed Use and surrounded by property also designated Mixed Use on the 2003 Comprehensive Plan Land Use Designation Map.

The proposed Church building fronts on Monticello Avenue and per the James City County Zoning Ordinance, structures shall be located 50 feet or more from any existing or planned public right-of-way which is 50 feet or greater in width. AES Consulting Engineers is requesting that the front building setback line be reduced to 30 feet which is the minimum building setback distance recommended in the New Town Design Guidelines.

Additionally, a fifty foot undisturbed setback shall be maintained around the perimeter of a mixed use district, or between the proposed Church, the AVI building and the Courthouse Green. AES Consulting Engineers requests that this perimeter building setback be reduced to 30 feet and the landscape buffer to 15 feet. This setback reduction is in accordance with the New Town Design Review Guidelines and helps to integrate the mixed use development with adjacent development.

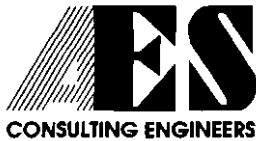
Staff concurs with the applicant's request and recommends that the Development Review Committee grant the setback modifications.

  
Karen Drake  
Senior Planner

**Attachments:**

- 1.) Location Map
- 2.) Applicant Modification Request Letter





5248 Olde Towne Road • Suite 1 • Williamsburg, Virginia 23188  
(757) 253-0040 • Fax (757) 220-8994 • E-mail aes@aesva.com  
January 22, 2004

Karen Drake, Senior Planner  
James City County Planning Department  
101-E Mounts Bay Road  
Williamsburg, VA 23185

**RE: New Town United Methodist Church  
AES Job No. 9182**



Dear Karen:

On behalf of New Town United Methodist Church, AES respectfully requests modifications per Section 24-527 paragraph ( c ) (1) to the setbacks as prescribed in Article V Division 15- Mixed Use. For this site, located in the Southern Civic District of New Town, we would like to substitute the setbacks and design standards prescribed in The New Town Design Guidelines and illustrated on plans prepared for and submitted to the Design Review Board for New Town.

Specifically, New Town United Methodist Church will adhere to the setbacks along Monticello Avenue as prescribed in the New Town Design Guidelines, Section IV paragraph 3.4,a, Building Setback/Frontage Zone Requirements, which define a minimum building setback at the property line of 30'. The same paragraph sets the minimum building setback from exterior property lines (those adjacent to Courthouse Green and the Advanced Vision Institute) at 30'. Section 24-527 paragraph ( c ) (1) further describes allowances for lesser setbacks for mixed use areas internal to mixed use districts.

AES further requests that the internal property line between the proposed United Methodist Church and the Courthouse be governed by the master plan for New Town United Methodist Church as approved by the DRB, and that the landscaped areas between the site and Courthouse Green and the Advanced Vision Institute be reduced to 15' or as depicted on the plans approved by the DRB. This last request is further supported by the fact that both of these adjacent properties are located on properties designated Mixed Use on the Comprehensive Plan and both have been reviewed and approved by the DRB.

If you have any questions regarding this request or require any further documentation please do not hesitate to call. Thank you for your consideration of these requests.

Sincerely,  
AES Consulting Engineers

A handwritten signature in black ink, appearing to read 'James S. Peters'.

James S. Peters, L.A.  
Land Planner / Landscape Architect

**Site Plan 150-03. WindsorMeade Marketplace**  
**Staff Report for the February 2, 2004, Development Review Committee Meeting**

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**SUMMARY FACTS**

**Applicant:** Mr. Arch Marston, AES Consulting Engineers

**Landowner:** C. C. Casey, Ltd. Co.

**Developer:** S. L. Nusbaum Williamsburg Associates LLC

**Proposed Use:** 200,000 square foot shopping center

**Location:** Monticello Avenue; Berkeley District

**Tax Map/Parcel Nos.:** (38-3)(1-2); (38-3)(1-5); (38-3)(1-6); (38-3)(1-7); (38-3)(1-8); and (38-3)(1-34)

**Primary Service Area:** Inside

**Parcel Size:** ± 31.44 acres

**Existing Zoning:** Mixed Use, with proffers

**Comprehensive Plan:** Low Density Residential

**Reason for DRC Review:** Section 24-147 (a)(1)(d) states that a site plan which proposes a shopping center shall be considered by the DRC.

**Staff Contact:** Christopher Johnson, Senior Planner Phone: 253-6685

**STAFF RECOMMENDATION**

Staff recommends that the Development Review Committee recommend preliminary approval of the site plan subject to resubmittal of plans which address all agency comments.

  
Christopher Johnson

**Attachments:**

1. Agency Comments
2. Site Plan (separate attachment)

**AGENCY COMMENTS  
FOR  
SP-150-03. WindsorMeade Marketplace**

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**Planning:**

1. General Note No. 1 on the cover sheet references proffers submitted for Case Nos. Z-3-01 and MP-2-97 but fails to reference proffers submitted with Case Nos. Z-5-03 and MP-6-03. Please revise the note to include reference to these additional cases.
2. The impervious area calculation is missing from the site data on the cover sheet. Please provide the required data.
3. On the Environmental Inventory Plan on Drawing No. 2, Monticello Avenue is incorrectly identified as Old News Road. Please revise accordingly.
4. Please revise the parking requirement data on Drawing No. 3. According to Section 24-59 (b)(13) of the Zoning Ordinance, shopping centers of less than 300,000 square feet require one parking space per every 250 square feet of retail floor area, not 200 square feet as shown. Please include a calculation for the number of required handicapped parking spaces as well.
5. Please add a note to the plan which states that all signage shall be in accordance with Article II, Division 3 of the James City County Zoning Ordinance.
6. In accordance with Section 24-60 of the Zoning Ordinance, please provide a minimum of two bicycle parking facilities with a minimum of five parking spaces per facility.
7. Please provide an explanation for how the off-street loading requirements of Section 24-61 will be accommodated for the two sub-anchor stores to the west of Belk adjacent to WindsorMeade Way and the 8,000 square foot store to the east of Belk.
8. Please ensure that all parking lot lighting fixtures are in compliance with the requirements of Section 24-57. It appears that the Type "C", Old World fixtures have bulbs which extend below the casing and would be visible from the side.
9. As was done in Monticello Marketplace, please add a note to the lighting plan which states that concrete bases for all light poles will be painted to match the dark color of the poles.
10. Please provide details for all monument signage proposed for the entrances to the shopping center as soon as they are available and identify the location of the signs on the drawings.
11. Please add a note to the plans which identifies the height of each building proposed on the site.
12. Please add a note to the plan which states that "Outside sales and storage of merchandise is prohibited."
13. Will any of the businesses in the shopping center require shopping carts? If so, please show all shopping cart collection areas on the plan. Please provide a detail or illustration for how any cart collection/distribution facility will function.
14. Please provide a note on the plan which states that "HVAC equipment and other utilities,

downspouts, and gutters shall be painted to match the exterior color of the building surface material color."

Landscaping:

15. The plan is required to be signed by a Virginia Landscape Architect, a member of the Virginia Society of Landscape Designers or a Virginia Certified Nurseryman. Please provide the credentials on the plan.
16. In order for the buffer along Monticello Avenue to sufficiently screen the parking lot, evergreen shrubs should be located along the edge of the parking lot adjacent to the buffer.
17. The proposed 50' buffer along the Route 199 exit to Monticello Avenue is being graded into significantly and will most likely result in a lack of screening of the parking area and backs of the buildings. This area must be planted to meet the general planting area standards in Section 24-94 of the Landscape Ordinance.
18. The 10' building perimeter planting area is not provided around the proposed retail center. Please refer to Section 24-95 in the Landscape Ordinance.
19. At the time of installation, evergreen trees are required to be a minimum of 8' in height. In addition, evergreen shrubs are to be 18" in height or spread and deciduous shrubs 22".
20. The average 30' planting area adjacent to WindsorMeade Way is required to be planted in accordance with the general landscape area standards.

JCSA:

1. The site plan does not meet the requirements previously stated by JCSA for this project. Please refer to JCSA memorandum dated June 23, 2003, Comment No. 4, Case No. Z-5-03. Since this development involves one parcel, the site shall be master metered for water supply. Likewise, on-site water and sewer facilities will be private and the responsibility of the Owner/Developer. The plans shall be revised accordingly to reflect this requirement.

VDOT:

1. The proffered Traffic signal at the intersection of Monticello Avenue and WindsorMeade Way must be operational before the shopping center is open for business.
2. An updated traffic impact study will be required, which must include all proposed future development in the area. The need for the study will be to address the following:
  - a. Future and/or present need for traffic signal at main shopping center entrance.
  - b. Configuration of Southern most shopping center entrance, due to poor level of service.
3. Due to its close proximity to the proposed traffic signal at the intersection of Monticello Avenue and WindsorMeade Way, there will be no way for a signal to operate successfully at the Southern most entrance to the shopping center. Therefore, it is imperative that the entrance be configured in such a way that a signal will not be warranted.
4. We are concerned that a signal may be warranted in the future at the main entrance to the shopping center. Please keep in mind that since WindsorMeade Way is proposed as being brought into the secondary roadway system, VDOT will not have funds readily available to

construct a traffic signal if one is warranted in the future. The county will be responsible for acquiring the funds, either through its six year plan allocations, or by other appropriate means.

5. Approval of these plans does not, and should not, imply that any future development shown on the plans will be allowed to have direct access off of Old News Road or WindsorMeade Way.
6. Shopping center entrance roads must have a minimum 200 foot throat with no access points. Both entrance throats are of sufficient length, however, both entrances have access points within the first 200 feet which must be removed.
7. Provide a stop sign (MUTCD R1-1, 30" x 30") and a stop bar (24" width) at the entrances and cross through streets.
8. Both cross through streets shown on the plans connecting Old News Road and WindsorMeade Way must be private, and thus not maintained by VDOT.
9. VDOT is still in the process of determining the best configuration of the left turn off of Monticello Avenue onto WindsorMeade Way. At the moment we feel that the proposed design is the best alternative, but some minor modifications may be required.

Environmental:

1. See attached memorandum dated January 28, 2004.

Fire Dept.:

1. The plans are approved as submitted.

Health Department:

1. The plans are approved as submitted.

County Engineer:

1. The plans are approved as submitted.

**ENVIRONMENTAL DIVISION REVIEW COMMENTS**  
**WINDSORMEADE MARKET PLACE**  
**COUNTY PLAN NO. SP – 150 - 03**  
*January 29, 2004*

**General Comments:**

1. A Land-Disturbing Permit and Siltation Agreement, with surety, are required for this project.
2. Water and sewer inspection fees must be paid prior to the issuance of a Land-Disturbing Permit.
3. Wetlands. Prior to initiating grading or other on-site activities on any portion of a lot or parcel, all wetland permits required by federal, state and county laws and regulations shall be obtained and evidence of such submitted to the Environmental Division. Refer to Section 23-9(b)(9) and 23-10(7)(e) of the Chapter 23 Chesapeake Bay Preservation ordinance. *(Note: This includes securing necessary wetland permits through the Virginia Department of Environmental.)*
4. A Standard Inspection / Maintenance agreement is required to be executed with the County due to the proposed stormwater conveyance systems and Stormwater Management/BMP facilities associated with this project.
5. Record Drawing and Construction Certification. The stormwater management/BMP facility as proposed for this project will require submission, review and approval of a record drawing (as-built) and construction certification prior to release of the posted bond/surety. Provide notes on the plan accordingly to ensure this activity is adequately coordinated and performed before, during and following construction in accordance with current County guidelines.
6. VPDES. It appears land disturbance for the project may exceed one (1) acre. Therefore, it is the owners responsibility to register for a General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities, in accordance with current requirements of the Virginia Department of Environmental Quality and 9 VAC 25-180-10 et seq. Contact the Tidewater Regional Office of the DEQ at (757) 518-2000 or the Central Office at (804) 698-4000 for further information.
7. Watershed. Provide a note on the cover sheet of the plans indicating which County watershed, sub-watershed and/or catchment for which the project is situated. *(Note: It appears this project is situated in Subwatersheds 209 and 210 and catchments 209-101-1 and 210-202-1 of the Powhatan Creek Watershed.)*
8. Percent Impervious. Provide information on the percent impervious of the site. The Chesapeake Bay Preservation Ordinance states that impervious cover shall not exceed 60 percent of the site. *(Note: If it cannot be shown that this portion of the development plan is less than 60 percent impervious, it will need to be demonstrated that this plan of development is part of an overall approved master plan configuration and this portion was intended to be densely impervious.)*
9. Plan Information. Provide proper reference to approved County Plan SP-93-03 on all plan sheets that show infrastructure associated with the WindsorMeade entrance road. Provide an impervious cover estimate for the project on the cover sheet. Correct the road label on Sheet 2 as Old News

Road to the south of the main site should be Monticello Avenue. Similarly, the label for existing News Road on Sheet 11 should be existing Old News Road. Outparcels are proposed as a part of this plan along the west side of WindsorMeade Way road. Relative to the outparcels, Sheets 2 through 9 have conflicting information as to whether there are three or four proposed tracts. For clarity purposes, provide some kind of labeling for the outparcels (ie. I, II, III, or south, middle, north, etc.) for future review purposes.

**Chesapeake Bay Preservation:**

10. Environmental Inventory. Although an environmental inventory plan sheet was provided on Sheet 2, the inventory needs to show the limits of work or site clearing and grading associated with Phases I and II, clearly transposed onto the sheet to properly evaluate impacts of the development plan to environmentally sensitive areas.
11. Wetlands. Show the approved impacts for WindsorMeade Way with Corps permit number on the Environmental Inventory.
12. Wetland Limits. It would be advisable that the wetland limits be re-flagged again in the field to prevent accidental impacts during land-disturbing activity. Based on site visits by our division for plan review purposes, some of the wetland flagging was missing and difficult to identify.

**Erosion & Sediment Control Plan:**

13. Overall Layout Plan. Information shown at the south outparcel location on Sheet 3 indicates "future development grade and seed". It must be clarified that this does not include the temporary sediment trap which may be still in place and functional as part of the WindsorMeade Way road plan (Sediment Basin # 4, SP-93-03). Removal and stabilization of this basin is tied to work associated with the road plan, not this proposed plan of development.
14. Phase I E&SC. The following comments pertain to the Phase I erosion and sediment control plan as presented on Sheet 12 of the plan set.
  - 14a) On Sheet 12, remove the limits of work that was proposed for an earlier version temporary sediment trap, which was going to be situated to the west of Sediment Basin # 1. It appears that since a diversion dike/diversion will now be utilized, the temporary sediment trap was not incorporated into the plan. Also, two temporary diversion dikes as shown on the Phase I E&SC plan appear to traverse in an uphill direction. One is at the end of the "east" diversion dike which enters into Temporary Sediment Basin # 1 (between existing contours 76 and 78) and the second is the "east" diversion dike which enters into Temporary Sediment Basin # 2 (between existing contours 90 and 92). Ensure the diversion dikes as be installed along the limits of work on existing topography will positively drain to the sediment trapping features; otherwise, graded diversion channels may be necessary.
  - 14b) Provide a note or typical section to simply show the bottom width and side slope necessary for the temporary diversion channel needed on the "west" diversion to Sediment Basin # 1.

- 14c) Notes on Sheet 12 for Sediment Basins # 1 and # 2 state to refer to Sheets 18 and 19 for additional information. This is incorrect, it appears the reference should be to Sheets 17 and 18.
- 14d) Change silt fence, which directly borders delineated non-tidal wetlands along the northern limit of work for the project, from regular silt fence (SF) to super-silt fence (SSF). The wetlands must be offered maximum protection from initial clearing and grading activities on the site until Temporary Sediment Basin # 1 and it's associated diversion dike system is in place and functional.
15. Sediment Basin # 1. The Sediment Basin Design Data Sheet in the design report shows temporary sediment basin # 1 sized to handle 14.88 acres. Although this is correct for Phase I of the project, once the site is graded and the storm system is in place (but still in a disturbed condition), additional drainage area will be conveyed to the basin from the front part of the main tract. Ensure the design is for the total maximum drainage area per Minimum Standard & Spec. 3.14 of the VESCH.
16. Phase 2 E&SC. Perimeter silt fence and diversion dike controls, to be installed during Phase I of the project along the northern limit of work, must also be shown (transposed) onto Phase II plan Sheets 9 and 10. There must be no confusion that any of these perimeter controls are to be removed or not needed during Phase II of the project.
17. Phase 2 E&S plan. On Sheet 8, add super-silt fence along the south (Monticello side) of the proposed retaining wall as this is a highly visible location.
18. Outlet Protection. Specifications for the outlet protection pad from the outlet barrel from the BMP on Sheet 18 need to show use of Class I riprap.
19. Slope Labels. For basin construction shown on Sheets 12 and 9, label all graded cut and fill slopes with slope indicators as intended (i.e. 3H:1V, 2H:1V, etc.). For protection of adjacent non-tidal wetlands, it will be a requirement for Temporary Sediment Basin/BMP 1 that erosion control matting will need to be placed on constructed fill slopes for the downstream face of the dam for any constructed fill slopes greater than 3H:1V.

**Stormwater Management / Drainage:**

20. Variance Request. It is noted that the site plan application includes a letter of request to vary from the 10 point system for water quality. Upon further review of the site plan application and the master stormwater plan for WindsorMeade Section 11, a variance from the 10 point system is not necessary for this project. However during the time of review of WindsorMeade Section 11 (County rezoning case Z-005-03, June 19<sup>th</sup> 2003), our division made specific comment about the ramifications should all of Section 11 not be able to be served by the master plan pond labeled as "SWM Basin – West 1". This master planned BMP would appear to coincide with BMP 1 being provided in this site plan application. Our division commented as follows: *"the Master Stormwater Plan and Environmental Inventory as amended, appears to meet the County's 10-point criteria. However, this is under the assumption that all of the Section 11 site can be conveyed to SWM West 1 basin, a 10 point BMP. Based on existing topography of the site the front (south) portion of the proposed site currently drains toward Monticello Avenue. Although it*



*is understood that grading and drainage plans will be developed to convey drainage from the front of the site to the Basin West 1, if this is not possible, additional quality or quantity controls may be necessary along the front portion of the site; or alternatively, complete adequacy computations for the existing drainage system along Monticello Avenue would be necessary. Increased runoff from the front portion of this site should not have an adverse impact on the existing (downstream) wetland situated in front of the Monticello Marketplace site. If drainage from the front portion of the site is released in an uncontrolled manner, improvements to the off-site drainage system may be necessary if adequacy computations do not show adequate capacity or if there could be impacts to existing downstream (offsite) properties, roadways and structure."*

There was no information provided in the design report to show compliance with these previous comments and/or the provisions of MS-19 of the Virginia Erosion and Sediment Control regulations, the County's Chapter 8 ordinance and Technical Bulletin No. 1 from the Virginia Department of Conservation and Recreation. It must be shown that existing natural and man-made downstream receiving channels are adequate for capacity due to increased runoff from uncontrolled portions of the front (south) and outparcel (west) portions of this development plan. This includes existing storm systems, channels and culverts associated with WindsorMeade Way road, old News Road, Monticello Marketplace (SP-63-97) and Monticello Avenue ending at the VDOT BMP at the intersection of new News Road/Monticello.

21. Natural Open Space. Provide conservation easements for all Natural Open Space areas to be dedicated to meet the provisions of previously approved master stormwater management plan for WindsorMeade, if applicable to this particular site.
22. Hydrology. Based on information in the design report, a runoff curve number of 70 was used to compute peak runoff and runoff volumes for the design of BMP 1 under postdevelopment conditions. Provide additional information to show the breakdown used to determine this composite RCN. *(It does not seem that a RCN of 70 is representative of a 20.2 acre watershed that is 89.6 percent impervious. This could have a major effect on the design of BMP 1.)*
23. Hydrology. Information for the design of BMP 1 in the design report reflects that a time of concentration of 21 minutes was used to determine peak runoff rates and runoff volumes for design of BMP 1. A Tc of 21 minutes does not correspond to a Tc of 10.1 minutes as shown in the storm sewer computations. Time of concentration must be reasonably consistent for BMP design and storm design. *(Note: A quicker-shorter time of concentration for the site could have a significant effect on the design of the BMP.)*
24. BMP 1. The drainage area used to compute water quality volume for design of BMP 1 (20.19 acres) is not consistent with the BMP design drainage area (20.9 acres).
25. BMP 1 Hydraulics. Input data used to set up pond outlet rating curve in the design report (Reservoir Report- Reservoir No. 2 wet pond) appears incorrect. The crest weir length for the 36-inch riser pipe is shown as 18 feet. A 36-inch riser pipe would have a crest length of approximately 9.4 feet. This could result in higher water surface elevations based on the existing configuration; or the need for more storage volume for the BMP to prevent overtopping or meet minimum freeboard requirements. Also, a tailwater elevation was not considered in the hydraulic routings for BMP 1. Due to the close proximity of the outfall to a wetland area, tailwater at the downstream end of the barrel could have a considerable impact on design pond water surface elevations.

26. **BMP Type.** Provide notes or labels on Sheet 9 that BMP 1 is a County type A-3 wet extended detention pond BMP.
27. **Emergency Spillway.** No emergency spillway was provided for BMP 1 for a final permanent BMP configuration. It is highly recommended that a token emergency spillway, minimum 8 feet wide, be utilized at or above the design 100-year water surface elevation.
28. **BMP Information.** The note at the BMP on Sheet 9 references Sheet 19 for additional design/construction information. The correct sheet number should be Sheet 18.
29. **BMP Barrel.** The 24-inch outlet barrel from the dam on Sheet 18 cannot conform to both ASTM C361 and ASTM C76 pipe standards. It needs to be one or the other .
30. **Rock Forebay.** Information for rock on the forebay detail on Sheet 18 is conflicting as d50 stone of 6-inch is not the specification for Class 1 riprap.
31. **Storm Design.** Indicate the tailwater elevation used for the design of the onsite stormwater piping systems.
32. **Geotechnical.** The geotechnical report (ECS No. 07:6376 dated October 3<sup>rd</sup> 2003) needs to include investigative information about construction of the proposed BMP 1 including information as necessary to substantiate that existing soils beneath the wet pond are adequate to sustain a permanent pool as intended for a County type A-3 BMP.

**DEVELOPMENT REVIEW COMMITTEE ACTION REPORT**  
**Meeting of February 2, 2004**

**Case No. S-99-03**

**Wellington, Section 5**

Mr. Jason Grimes of AES Consulting Engineers, on behalf of Wellington LLC, submitted a subdivision plan proposing sixty-eight single family lots on Rochambeau Drive. The parcel for subdivision is further identified as parcel (1-12) on James City County Tax Map (13-3). The proposed development requires DRC review as it proposes more than fifty lots.

**DRC Action:** The DRC recommended that preliminary approval be granted for the development, with the exception of Lots 221-225 and 254-260.

**Case No. S-101-03**

**Ford's Colony Section 35**

Mr. Charles Records of AES Consulting Engineers, on behalf of Realtec Inc., submitted a subdivision plan proposing a 98 single family lots on 417.8 acres on Centerville Road. The parcels for subdivision are further identified as parcels (1-1), (1-1B), (1-2), and (1-3) on James City County Tax Map (36-2). The proposed development requires DRC review as it proposes more than fifty lots. The DRC earlier recommended approval of the Cul-De-Sac waiver request at its January meeting.

**DRC Action:** The DRC recommended preliminary approval for the case.

**Case No. C-158-03**

**Earnie Waters Septic Waiver**

Mr. Aaron Small of AES Consulting Engineers, on behalf of Mr. Earnie Waters, submitted a conceptual plan proposing the use of an off-site, low pressure septic system for the lot at 7262 Osprey Drive. The proposed remote drainfield is located at 7265 Osprey Drive. The parcels are further identified as parcels (8-2) and (8-21), respectively, on James City County Tax Map (19-1). The case requires DRC review as it proposes an alternative septic system as an exception to Section 19-60 of the Subdivision Ordinance.

**DRC Action:** The DRC recommended that an exception be granted to allow a remote Low Pressure Distribution System to serve the lot at 7262 Osprey Drive.

**Case No. 143-03**

**New Town United Methodist Church**

Mr. Mark Richardson of AES Consulting Engineers, on behalf of the Board of Missions of United Methodist Church, submitted a site plan proposing a house of worship at 5209 Monticello Avenue. The parcel is further identified as parcel (1-48) on James City County Tax Map (38-4). The case requires DRC review as the applicant has requested a modification to the Mixed Use setback requirements of Section 24-527 of the Zoning Ordinance.

**DRC Action:** The DRC recommend unanimously that the building setback requirements for the New Town United Methodist Church be modified and reduced to 30' along Monticello Avenue and 30' feet with a 15' landscape buffer along the West and South sides.

**Case No. SP-150-03**

**WindsorMeade Marketplace**

Mr. Arch Marston of AES Consulting Engineers, on behalf of C.C. Casey, Ltd. Co., submitted a site plan proposing a 200,000 square foot shopping center on Monticello Avenue. The parcels proposed for development are further identified as parcels (1-2), (1-5), (1-6), (1-7), (1-8), and (1-34) on James City County Tax Map (38-3). Section 24-147 (a)(1)(d) states that a site plan proposing a shopping center shall be considered by the DRC.

**DRC Action:** The DRC recommended that preliminary approval be granted for the project subject to agency comments.

**JAMES CITY COUNTY  
DEVELOPMENT REVIEW COMMITTEE REPORT**  
**FROM: 1/1/2004 THROUGH: 1/28/2004**

**I. SITE PLANS**

**A. PENDING PRELIMINARY APPROVAL**

SP-087-01	The Vineyards Ph. 3 at Jockey's Neck
SP-089-01	Ewell Station Storm Water Management Fac. Mod.
SP-116-01	Powhatan Secondary - Ph. 7, Sanitary Sewer Ext.
SP-112-02	Ford's Colony Recreation Park
SP-045-03	Noah's Ark Vet Hospital SP Amendment
SP-052-03	Kingsmill Access Ramp for Pool Access Bldg.
SP-056-03	Shell Building - James River Commerce Center
SP-063-03	District Park Sports Complex Parking Lot Expansion
SP-077-03	JCC Courthouse Bioretention Demonstration Project
SP-079-03	Tequila Rose Walk-in Cooler
SP-082-03	Williamsburg Winery-Gabriel Archer Tavern
SP-086-03	Colonial Heritage Golf Course
SP-087-03	Busch Gardens Maintenance Storage Building
SP-095-03	KTR Stonemart
SP-105-03	Colonial Heritage Construction Office
SP-108-03	Fieldstone Parkway Extension
SP-127-03	New Town - Old Point National Bank
SP-129-03	Busch Gardens Oktoberfest Expansion
SP-131-03	Colonial Heritage Ph. 2, Sec. 1
SP-132-03	Windy Hill Market Gas Pumps & Canopy SP Amendment
SP-136-03	GreenMount Industrial Park Road Extension
SP-139-03	New Town Block 8, Ph. 1
SP-140-03	Pocahontas Square
SP-143-03	New Town - United Methodist Church
SP-145-03	Williamsburg National 13 Course Expansion
SP-150-03	WindsorMeade Marketplace
SP-001-04	Strawberry Plains Center
SP-002-04	Ironbound Village Ph. 2
SP-003-04	WindsorMeade Villas
SP-004-04	WindsorMeade - Windsor Hall
SP-005-04	WindsorMeade - Villa Entrance and Sewer Const.
SP-006-04	Williamsburg Christian Retreat Center SP Amend.
SP-007-04	Busch Gardens - Emporium SP Amendment

**B. PENDING FINAL APPROVAL**

SP-061-02	Powhatan Plantation Recreation Bldg Amd
SP-144-02	J.W. Crossing, Ph. 2
SP-005-03	Hankins Farm Water and Sewer Extension

**EXPIRE DATE**

6/18/2004
2/20/2004
5/27/2004

Wednesday, January 28, 2004

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SP-009-03	Energy Services Group Metal Fabrication Shop	11/14/2004
SP-015-03	Monticello Woods Community Center	4/10/2004
SP-035-03	Prime Outlets, Ph. 5-A & 5-B - SP Amendment	4/30/2004
SP-049-03	James River Commerce Center Columbia Drive	5/19/2004
SP-050-03	Wmbg-Jamestown Airport T-Hanger & Parking Exp.	7/29/2004
SP-053-03	George Nice & Sons Fill Project	8/ 8/2004
SP-075-03	James City County Fire Station No.2	7/14/2004
SP-089-03	Ford's Colony - Country Club Redevelopment Plans	8/ 4/2004
SP-091-03	Colonial Heritage Ph. 1, Sec. 5	8/ 4/2004
SP-092-03	Ford's Colony - Westbury Park, Recreation Area #2	9/ 8/2004
SP-112-03	Faith Baptist Church Recreation Building	11/19/2004
SP-114-03	Thayer-Smith Self Storage	10/ 2/2004
SP-116-03	Kingsmill - Armistead Point	11/19/2004
SP-128-03	Monster Storage	12/ 5/2004
SP-130-03	Wythe-Will Distributing Company, LLC	11/12/2004
SP-134-03	Ironbound Center 4	12/15/2004
SP-135-03	Custom Culinary Connections	12/ 2/2004
SP-138-03	New Town - Prudential-McCardle Office Building	12/29/2004
SP-141-03	Colonial Heritage - Ph. 2, Sec. 3	1/12/2005
SP-144-03	Building Specialities Warehouse Expansion	1/16/2005
SP-147-03	J.H. Fisher Offices and Warehouse	1/22/2005

#### **C. FINAL APPROVAL**

#### **DATE**

SP-027-02	120' Stealth Tower--3900 John Tyler Highway	1/22/2004
SP-066-03	Colonial Heritage Ph. 1, Sec.1, SP Amendment	1/21/2004
SP-107-03	Colonial Heritage Golf Maintenance Facility	1/27/2004
SP-142-03	St. Bede's - Lighting	1/22/2004
SP-148-03	Marketplace Shoppes Ph. 4 SP Amendment	1/14/2004
SP-149-03	Quality Inn Kingsmill - Breakfast Room	1/22/2004

#### **D. EXPIRED**

#### **EXPIRE DATE**

## II. SUBDIVISION PLANS

### A. PENDING PRELIMINARY APPROVAL

S-104-98	Skiffes Creek Indus. Park, VA Trusses, Lots 1,2,4
S-013-99	JCSA Mission Bank ROW Acquisition
S-074-99	Longhill Station, Sec. 2B
S-110-99	George White & City of Newport News BLA
S-091-00	Greensprings West, Plat of Subdv Parcel A&B
S-032-01	Subdivision and BLE Plat of New Town AssociatesLLC
S-008-02	James F. & Celia Ann Cowles Subdivision
S-031-02	Bruce's Super Body Shop, Lot 2 subdivision
S-086-02	The Vineyards Ph. 3 BLA Lots 1, 5-9, 52
S-008-03	Norge-Fenton Mill BLA
S-058-03	Ford's Colony - Sec. 10, 171-172
S-062-03	Hicks Island - Hazelwood Subdivision
S-063-03	102 Lands End BLA + BLE
S-066-03	Stonehouse, BLA & BLE Parcel B1 and Lot 1, Sec. 1A
S-067-03	Ford's Colony Sec. 33, Lots 1-49
S-083-03	Columbia Drive Subdivision
S-091-03	Village Housing at the Vineyards Ph. 3, Lot 36- 37
S-094-03	Brandon Woods Parkway ROW
S-097-03	Stonehouse Community Recreation Center 2-D
S-098-03	Stonehouse Glen, Sec. 1
S-099-03	Wellington, Sec. 5
S-100-03	Colonial Heritage Ph. 2, Sec. 1
S-101-03	Ford's Colony - Sec. 35
S-107-03	Stonehouse Conservation Easement Extinguishment
S-108-03	Leighton-Herrmann Family Subdivision
S-109-03	Eagle Tree Farms Lot 13 Resubdivision
S-113-03	7260 Osprey Drive Subdivision
S-115-03	Eagle Tree Farm Lot 12
S-116-03	Stonehouse Glen, Sec. 2
S-001-04	Ironbound Village Ph. 2, Parcel 2
S-002-04	The Settlement at Monticello (Hiden)

### B. PENDING FINAL APPROVAL

	EXPIRE DATE	
S-037-02	Village Housing at the Vineyards, Ph. 3	5/ 5/2004
S-039-02	Powhatan Secondary, Ph. 6-C	5/ 8/2004
S-052-02	The Retreat--Fence Amendment	6/18/2004
S-076-02	Marion Taylor Subdivision	10/ 3/2004
S-094-02	Powhatan Secondary Ph. 7-C	12/30/2004
S-108-02	Scott's Pond, Sec. 3	1/13/2005
S-112-02	Kensington Woods	2/ 6/2004
S-021-03	Stonehouse Sec. 2-C Easements	5/ 2/2004
S-033-03	Fenwick Hills, Sec. 2	10/31/2004

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S-044-03	Fenwick Hills, Sec. 3	6/25/2004
S-049-03	Peleg's Point, Sec. 5	7/ 3/2004
S-055-03	Colonial Heritage Ph. 1, Sec. 5	8/ 4/2004
S-056-03	Colonial Heritage Ph. 1, Sec. 4	9/23/2004
S-057-03	Ford's Colony - Sec. 34	8/19/2004
S-068-03	Williamsburg Farms	12/18/2004
S-073-03	Colonial Heritage Ph. 2, Sec. 2	10/ 6/2004
S-076-03	Wellington, Sec. 4	11/ 3/2004
S-077-03	James Terrace, Sec. 10, Lots 4-6	10/ 1/2004
S-078-03	Monticello Woods - Ph. 2	11/ 3/2004
S-084-03	Liberty Property Limited Partnership	10/23/2004
S-092-03	Plat of Subdivision and BLA Ford's Colony	11/ 4/2004
S-106-03	Colonial Heritage Ph. 2, Sec. 3	1/12/2005
S-114-03	New Town - Block 2, Parcel F	1/13/2005

**C. FINAL APPROVAL**

**DATE**

S-086-03 James River Commerce Center Stormwater Mgt.

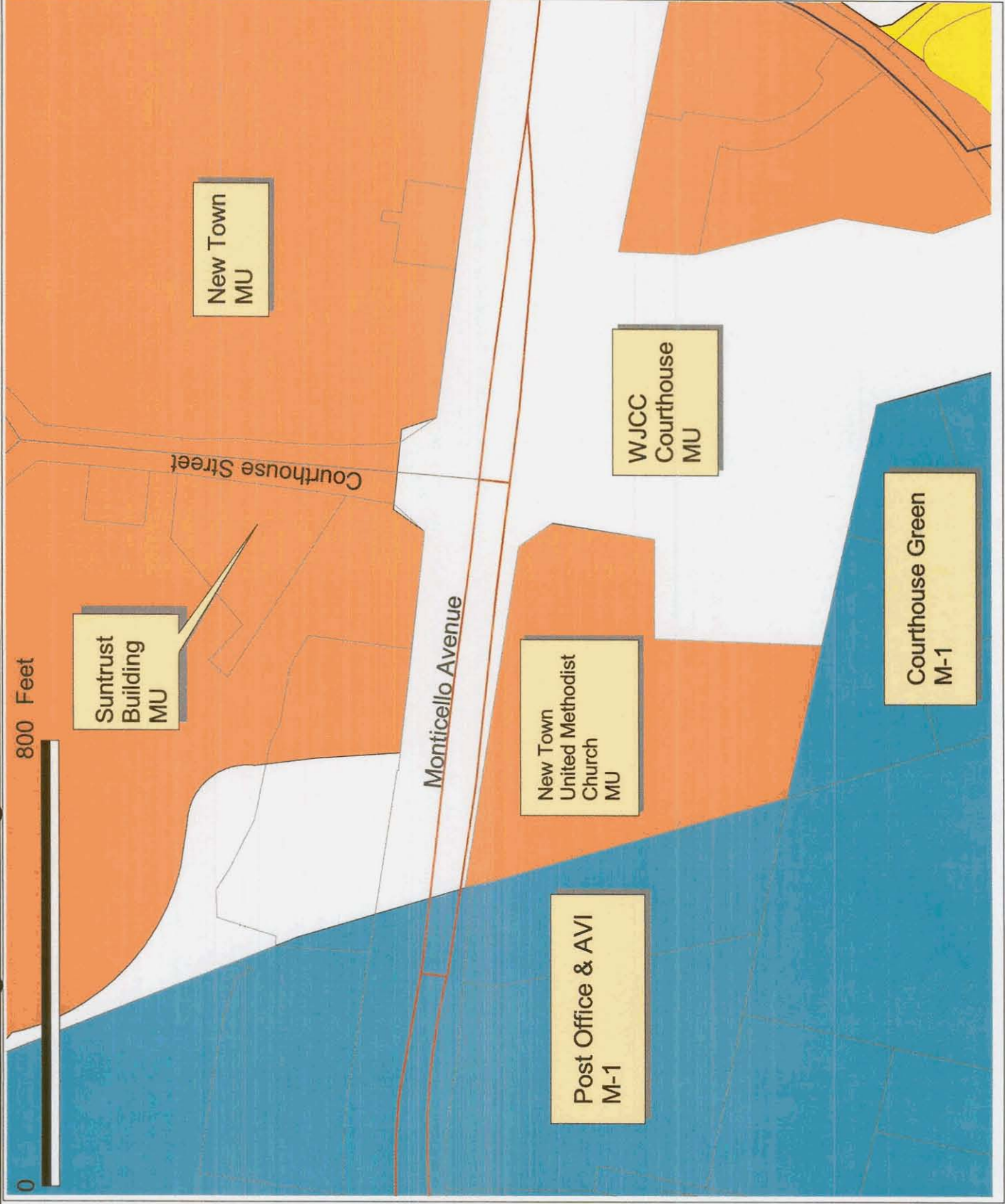
1/22/2004

**D. EXPIRED**

**EXPIRE DATE**



# SP-143-03. New Town United Methodist Church & Surrounding Zoning



**AGENDA**

**DEVELOPMENT REVIEW COMMITTEE**

**February 2, 2004**

5:45 p.m.

JAMES CITY COUNTY GOVERNMENT COMPLEX

Conference Room, Building F

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1. Roll Call

2. Minutes

A. Meeting of January 7, 2004

3. Cases

A.	S-099-03	Wellington, Sect. 5
B.	S-101-03	Ford's Colony Section 35
C.	C-158-03	Earnie Waters Septic System Waiver
D.	SP-143-03	New Town United Methodist Church
E.	SP-150-03	WindsorMeade Marketplace

4. Adjournment