

AT A SCHEDULED MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE BUILDING A CONFERENCE ROOM AT 4 P.M. ON THE 30th DAY OF JUNE TWO THOUSAND NINE.

ROLL CALL

Mr. Chris Henderson
Mr. Jack Fraley
Mr. Joe Poole
Mr. George Billups
Mr. Rich Krapf

STAFF

Mr. Mike Woolson
Mr. Chris Johnson
Mr. Bill Cain
Mr. Jose Ribeiro
Mr. Scott Whyte
Ms. Dion Walsh

MINUTES

Following a motion made by Mr. Henderson seconded by Mr. Fraley, the DRC approved the minutes from the May 27, 2009 meeting.

S-0014-2009, Summerplace

Mr. Jose Ribeiro presented the staff report stating that Mr. Jason Grimes of AES Consulting Engineers had submitted construction plans for the development of 164 single-family lots at 1613 Jolly Pond Road. Concurrently, Mr. Grimes applied for an exception to Section 19-52, to allow cul-de-sac roads in excess of 1,000 linear feet and a waiver to Section 24-35(a)(3) to modify the requirement to provide sidewalks along a public-right-of-way. Staff recommended preliminary approval of the construction plans and approval of the cul-de-sac exception and sidewalk waiver requests.

Mr. Krapf asked staff if all criteria listed under Section 19-18 of the Subdivision Ordinance had to be met or just the majority of the listed criteria. Mr. Krapf also asked staff to clarify the meaning of the word "hardship." Mr. Ribeiro responded that all criteria under Section 19-18 had to be met and the word "hardship" as referenced in Section 19-18 is considered financial in nature.

Mr. Fraley asked the applicant to elaborate on comments issued by the Parks and Recreation Division concerning the possibility of placing future trails along Yarmouth Creek. Mr. Grimes stated that the proposed multi-use trail lay-out was designed to avoid environmentally sensitive areas. Mr. Ribeiro stated that the comment made by the Parks and Recreation Division was a suggestion, not a requirement. Mr. Fraley stated that without knowing why the issue was raised it would be difficult for the DRC to determine if further action should be taken.

Mr. Fraley asked the applicant to address comments made by Scott Whyte regarding the preservation of trees along Jolly Pond Road. Mr. Grimes stated that the applicant and County staff will meet on site to discuss all the options available for tree preservation. Mr. Fraley stated he is concerned about preserving rural roads, such as Jolly Pond Road. Mr. Dean Vincent of East West Partners stated that one way to ensure that trees/vegetation are preserved is to field locate all power lines and work with James City County Service Authority (JCSA) to try to ensure minimal clearing along JCSA easements which overlap Vepco easements. Mr. Vincent further stated that this strategy would ensure that only the necessary portions of the 20-foot JCSA easement would be cleared.

Mr. Fraley asked the applicant to consider construction phasing so that the entire parcel is not clear-cut at one time. Mr. Vincent responded that the development of Summerplace would occur in phases. Mr. Fraley provided Mr. Vincent and Mr. Grimes with language regarding tree preservation. Mr. Fraley asked Mr. Scott Whyte if he was comfortable with all the steps made thus far by the applicant to address his comments. Mr. Whyte responded that Planning staff has been working in conjunction with the applicant and JCSA to minimize clearing. Further, Mr. Whyte stated that his comments were not limited to the preservation of trees and vegetation but also the preservation of rural character along Jolly Pond Road. Tree removal along the edge of the road impacts the aesthetic rural character of the road. Mr. Whyte further stated that he was confident that this issue could be worked out with the applicant.

Mr. Poole asked the applicant if he would be agreeable to submitting architectural elevations depicting the subdivision's entrance features for the review by the DRC. Mr. Vincent responded that he would have no problems submitting elevations for the DRC to review. Mr. Billups asked the applicant about the quality of soils. Mr. Vincent responded that Mr. Harold Matthews of Matthews Soil Consultants has prepared and submitted initial soil studies to the Health Department for review. Mr. Vincent further stated that the quality of soils found on site were good.

Mr. Henderson asked Mr. Vincent for a brief update on the status of the Ground Water Withdrawal permit and well testing. Mr. Henderson pointed out that this is an important issue concerning this development. Mr. Vincent showed the members of the DRC copies of the Ground Water Withdraw application and the aquifer test plan; both of which have been delivered to the Department of Environmental Quality (DEQ) for review.

Mr. Henderson stated that one of the concerns is the acceptance of private well systems by JCSA and, the number of access points to aquifers. Mr. Henderson asked the applicant if he would be agreeable to providing surplus water from his well to adjacent property owners. Mr. Vincent stated that as soon as the Ground Water Withdrawal permit is released the well water facility will be constructed. Once the facility is built, it will be handed over to JCSA. Any sharing of resources would be a matter between JCSA and adjacent property owners. Mr. Henderson requested that staff work together with the developer and JCSA to analyze the potential of providing additional capacity and possibly avoid a private water system.

Mr. Henderson and Mr. Fraley asked the applicant whether internal traffic medians would be cleared or landscaped. Mr. Vincent stated that their preference was to preserve as many

trees/vegetation in these locations without having to plant new ones. Mr. Vincent further stated that he expected the cul-de-sac islands to receive the same type of treatment.

Mr. Henderson asked Mr. Vincent if he would be willing to place utility lines underground along Jolly Pond Road. Mr. Vincent stated that placing utility lines underground along Jolly Pond Road is cost prohibited, but within the subdivision utility lines would be underground. Mr. Fraley stated the importance of underground utilities.

Mr. Henderson asked Mr. Vincent if the Board were to create a Transportation Improvement District for Jolly Pond Road. He also asked Mr. Vincent if he would be an active participant and, possibly contribute financially toward improvements made to Jolly Pond Road. Mr. Vincent stated that he did not feel that he had the authority to make this decision at this time, but he would be open to further discuss the matter. Mr. Poole asked the DRC members if they were comfortable with the applicant's request for an exception to the cul-de-sac regulations and a waiver for the placement of sidewalks along the Jolly Pond Road right-of-way. Mr. Henderson stated that he was comfortable with both requests.

Mr. Krapf asked Mr. Vincent if he had considered pervious materials for the construction of the multi-use trail instead of impervious materials such as paved asphalt. Mr. Vincent stated that based on his experience, concrete asphalt was a better material for trails and noted advantages to this material which included easy maintenance. Mr. Grimes further stated that an asphalt paved trail is consistent with the County's Greenway Trail System.

Mr. Poole asked if members of the DRC had any additional comments to make. Mr. Fraley requested clarification on comments eleven and twelve issued by Virginia Department of Transportation (VDOT). Mr. Vincent stated that many of VDOT comments, including eleven and twelve, will be addressed as the construction plans are further refined. Mr. Grimes further stated that he believed that many VDOT comments have already been addressed with the second submittal of construction plans. These plans have not yet been reviewed by VDOT.

Mr. Fraley asked Mr. Vincent if he had considered drip irrigation as part of the water conservation agreement. Mr. Vincent responded that drip irrigation would be part of the water conservation agreement between the applicant and JCSA. Mr. Fraley praised the applicant's effort to minimize environmental impacts on the property but pointed out the less positive aspects of this development such as the length of cul-de-sacs and the lack of internal street connectivity. Mr. Vincent stated that he understood Mr. Fraley's comments but topographic and environmental concerns dictated the design of the internal street lay-out.

Mr. Fraley asked Mr. Cain of the Environmental Division if the objective of storm water management was to replicate pre-development conditions. Mr. Cain stated that this is typically the case, particularly in this type of development. Mr. Fraley asked if this site was subject to Special Stormwater Criteria (SSC). Mr. Cain stated that SSC are not applicable to this development.

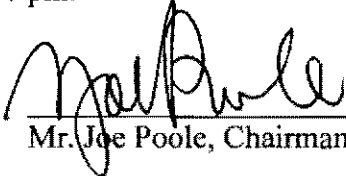
Mr. Henderson cited a comment made by VDOT, and asked the applicant if there was consideration taken to align crosswalks with intersection stop bars. Mr. Grimes stated that this issue has been addressed per VDOT's recommendation.


Mr. Fraley made a motion to grant preliminary approval of Summerplace construction plans as well as approval of the request for an exception to cul-de-sac lengths and modification to the sidewalk requirement, subject to agency comments, a phased clearing plan, and a tree preservation plan. Mr. Fraley asked the applicant if he agreed with the motion. Mr. Vincent stated yes. Mr. Poole amended the motion to also include the submittal of architectural elevations of subdivision entrance features for DRC review. Mr. Henderson asked Mr. Vincent if he would be willing to participate in future conversations regarding improvements to Jolly Pond Road. Mr. Vincent stated that he could not make any commitment at this time.

Mr. Poole made a motion of approval. Mr. Krapf seconded the motion and the DRC approved the motion by a unanimous voice vote.

ADJOURNMENT

Following a motion made by Mr. Henderson seconded by Mr. Fraley, the meeting was adjourned at 5:10 pm.


Mr. Joe Poole, Chairman


Mr. Allen Murphy, Secretary