

AT A SCHEDULED MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN BUILDING A AT 4 P.M. ON THE 29<sup>th</sup> DAY OF DECEMBER TWO THOUSAND TEN.

ROLL CALL

Mr. Rich Krapf, Chair  
Mr. Mike Maddocks  
Mr. Jack Fraley  
Mr. Joe Poole

STAFF

Mr. Jose Ribeiro  
Mr. Jason Purse

MINUTES

Following a motion made by Mr. Joe Poole, the DRC approved the minutes from the October 27, 2010 meeting as amended by a vote of 4-0.

SP-0113-2010, Action Park of Williamsburg – Side Yard Setback Modification

Mr. Jose Ribeiro presented the staff report stating that Mr. Robert Miller of Action Park of Williamsburg applied for a side yard setback modification to allow the construction and placement of a 720 square foot storage building at his property four feet away from the side property line. Mr. Miller also applied for a landscape modification request to allow the placement of a storage building and the relocation of an existing dumpster pad which will encroach into the required 15 feet landscape perimeter buffer. Staff recommended that the DRC approve the side yard setback and landscape modification requests.

Mr. Maddocks asked if the proposed storage building would be seen from Richmond Road. Mr. Ribeiro stated that the structure would not be visible from Richmond Road. Mr. Poole asked the applicant if there was any interest in extinguishing the common property line separating the northern and southern tracts which make up the entire site. Mr. Poole stated that if a boundary line extinguishment was executed there would be no need for a side yard setback modification request. Mr. Miller answered that he has considered a boundary line extinguishment between both properties but opted for a side yard setback modification request. Mr. Fraley asked if the applicant has to obtain a variance from the Board of Zoning Appeals. Mr. Ribeiro responded that the Zoning Ordinance allows for setback modification on B-1 zoned properties and that a variance is not warranted in this case.

There being no further discussion, on a motion by Mr. Krapf, which was seconded by Mr. Fraley, the DRC voted 4-0 to approve the side yard setback modification and landscape modification requests.

S-0028-2010, Colonial Heritage Phase 4, Section 2

Mr. Jason Purse stated that Mr. Howard Price, of AES Consulting Engineers, had applied to construct 138 units as a part of Phase IV, Section 2 of Colonial Heritage. He noted that the plan was before the DRC because it proposes more than 50 lots. Mr. Purse stated that staff recommended the DRC grant preliminary approval of subdivision plan subject to agency comments.

Mr. Fraley noted that the Comprehensive Plan and the Chesapeake Bay Preservation Ordinance both endorse the preservation of steep slopes, but the Chesapeake Bay Ordinance allowed a waiver as long as the plan met certain criteria. He noted that this plan had a number of lots impacting steep slopes. Mr. Howard Price addressed Mr. Fraley's concerns about the impact of steep slopes. He noted that the approved Stormwater Master Plan for Colonial Heritage included a wet pond BMP in this area. The best

location for this facility, to be most effective, was in a low-lying area with steep slopes, so there are going to be impacts associated with that BMP. Since there was already disturbance of slopes in this area, rather than creating new impact elsewhere, the lots were also shown in this area. Mr. Fraley stated that he understood the placement of the BMP, but was still unsure about the lot locations impacting the steep slopes. Mr. Bill Cain of the Environmental Division, noted that the steep slope impacts and a Water Quality Impact Assessment were reviewed by the Chesapeake Bay Board as well.

Mr. Fraley asked about the presence of good soils onsite and the maximization of infiltration. Mr. Price stated that the good soils were limited onsite, and infiltration could cause safety concerns on the individual lots because of the flooding.

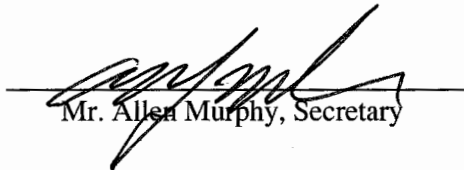
Mr. Fraley asked about the clearing plan and how the ordinance references denoting 12" caliper trees on the plan. Mr. Cain stated the tree line shows the tree protection area, which includes all trees to be preserved regardless of caliper.

There being no further discussion, on a motion by Mr. Fraley, the DRC voted 4-0 to grant preliminary approval of the subdivision plan subject to agency comments.

ADJOURNMENT

The meeting was adjourned at 5:20 p.m.

  
Mr. Rich Krapf, Chairman

  
Mr. Allen Murphy, Secretary