

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

**Agenda**

Regular Meeting  
April 19, 2011

Board Room  
York Hall  
6:00 p.m.

**Call to Order.**

**Invocation.**

Pastor Hoover Hawkins, Faith for Living Outreach Center

**Pledge of Allegiance to the Flag of the United States of America.**

**Roll Call.**

**PRESENTATIONS.**

- A **Zweibrücken Student Exchange Program.** Introduction of German students and their York County counterparts by Sandy Hesse, York County School Division.
- B **2010 Volunteer Report and Awards Presentation.** Receive 2010 Volunteer Report from Dave Meredith, Department of Community Services, and presentation of the 2010 Outstanding Volunteer Awards.

**CITIZENS' COMMENT PERIOD.**

**COUNTY ATTORNEY REPORTS AND REQUESTS.**

**COUNTY ADMINISTRATOR REPORTS AND REQUESTS.**

**MATTERS PRESENTED BY THE BOARD.**

6:55 p.m.

**RECESS**

\*CAPITAL LETTERS INDICATE NO WRITTEN MATERIAL.

7:00 p.m.

**PUBLIC HEARINGS.**

- 1 Conveyance of Right-of-Way—Olde Port Cove. Consider adoption of proposed Ordinance No. 11-4 to vacate a platted but unimproved street right-of-way in the Olde Port Cove Subdivision, and proposed Resolution R11-42 to convey the property to adjoining landowners.
  - a. Memorandum from County Administrator.
  - b. Correspondence dated 11/10/10 from Sam Margolin, President, OPCHOA.
  - c. Correspondence dated 2/4/11 from Messers. Margolin, Desai, and Richwine.
  - d. Plat – Section 3, Olde Port Cove subdivision.
  - e. Vicinity map.
  - f. Photo of existing conditions.
  - g. Conceptual plat.
  - h. Proposed Ordinance No. 11-4.
  - i. Proposed Resolution R11-42.
  
- 2 Application No. UP-791-11, HTS Towers, LLC. Consider adoption of proposed Resolution R11-27 to approve a Special Use Permit to authorize the establishment of a telecommunications tower up to 199 feet in height on a 2.98-acre parcel located at 412 Oaktree Road.
  - a. Memorandum from County Administrator.
  - b. Excerpts from Planning Commission minutes dated 3/9/11.
  - c. Zoning map.
  - d. Sketch plan.
  - e. Applicant's narrative.
  - f. Photo simulations.
  - g. Propagation maps.
  - h. Co-location letter.
  - i. Proposed Resolution R11-27.
  
- 3 Prohibition of Through Truck Traffic and Speed Limit Provisions—Penniman Road. Consider adoption of proposed Resolution R11-47 to request that VDOT prohibit through truck traffic on a segment of Penniman Road and on the entire length of Government Road, and proposed Resolution R11-48 to request that VDOT install appropriate signs to establish increased penalties for speeding on Penniman Road between Fillmore Drive and Water Country Parkway.
  - a. Memorandum from County Administrator.
  - b. Copies of correspondence from Ms. Esther L. Carter concerning truck traffic and speeding issues.
  - c. Vicinity map.
  - d. Proposed Resolution R11-47.
  - e. Proposed Resolution R11-48.
  
- 4 Utility and Construction Easement for Falcon-Loblolly and Darby-Firby Road Sewer Projects. Consider adoption of proposed Resolution R11-24 to declare the Board's necessity

\*CAPITAL LETTERS INDICATE NO WRITTEN MATERIAL.

to enter upon and take a permanent utility easement and a temporary construction easement in connection with the Darby-Firby Road Area Sewer Project.

- a. Memorandum from County Attorney.
- b. Plat of easement acquisition.
- c. Proposed Resolution R11-24.

- 5 Redistricting Plan. Consider adoption of proposed Ordinance No. 11-7 (Alternative B2) or proposed Ordinance No. 11-8 (Alternative E2) to approve a redistricting plan for the election districts in York County.

- a. Memorandum from County Administrator.
- b. Alternative B2 map.
- c. Alternative E2 map.
- d. Proposed Ordinance No. 11-7.
- e. Proposed Ordinance No. 11-8.

**UNFINISHED BUSINESS**. None.

**CONSENT CALENDAR**.

- 6 Approval of Minutes. Consider approval of the minutes of the following meetings of the York County Board of Supervisors:

- a. Unapproved minutes of the March 15, 2011, Regular Meeting.
- b. Unapproved minutes of the March 17, 2011, Adjourned Meeting.

- 7 Outstanding Youth Awards for 2011. Consider adoption of proposed Resolutions R11-34, R11-35, R11-36, and R11-37 to commend and congratulate recipients of the 2011 Outstanding Youth Awards in the categories of Community Service, Courage, Compassion, and Overall Achievement.

- a. Memorandum from County Administrator.
- b. Proposed Resolutions R11-34 through R11-37.

- 8 Purchase Authorization. Consider adoption of proposed Resolution R11-43 to authorize the procurement of contracts to construct the Falcon-Loblolly Sanitary Sewer Project, evaluate alternatives for the design of the Bruton High School Pump Station Replacement and Force Main Project, upgrade/replace the telephone messaging system, and perform a manhole rehabilitation project.

- a. Memorandum from County Administrator.
- b. Proposed Resolution R11-43.

**NEW BUSINESS**. None.

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**CLOSED MEETING.**

**FUTURE BUSINESS.**

Adjournment.

Regular Meetings and Work Sessions of the Board of Supervisors air live on Cable Channel WYCG-TV.

The next Regular Meeting of the York County Board of Supervisors will be held at 6:00 p.m., Tuesday, May 3, 2011, in the East Room, York Hall.

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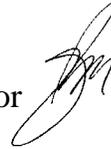
# COUNTY OF YORK

## MEMORANDUM

**DATE:** March 24, 2011 (BOS Mtg. 4/19/11)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator



**SUBJECT:** Vacation of a Platted But Unimproved Street Right-of-Way in the Olde Port Cove Subdivision and to Conveyance of the Property to Adjoining Landowners

### Issue

Late last year, the Olde Port Cove Homeowners Association Board of Directors requested that the Board of Supervisors vacate the existing future street right-of-way (stub street) that extends southward from Chinquapin Orchard between the properties located at 142 and 200 Chinquapin Orchard (see attached vicinity map). Subsequent to that request, and in accordance with past practice, the Assessor's Office prepared an evaluation of the fair-market value of the property within the right-of-way and that figure (\$11,000) was provided to the HOA as an indication of possible expectations. The HOA was advised that past actions would suggest that the Board of Supervisors would expect the County to be compensated in that amount (by the HOA and/or by the adjoining property owners) and that the HOA and/or property owners would also be responsible for the costs associated with necessary public notice advertisements and the preparation and processing of the plat showing the property line adjustments (if approved by the Board).

The HOA and the two adjoining property owners subsequently provided written confirmation of their willingness to pay the \$11,000 market value and to cover the advertising and plat preparation / processing costs. Accordingly, this matter has been advertised for public hearing, as required by the State Code, at the April 19<sup>th</sup> meeting.

### Considerations

1. Section 15.2-2006 of the Code of Virginia provides authority for the Board of Supervisors to discontinue and vacate a public right-of-way. The 50-foot wide right-of-way that is the subject of this request was platted in 1991, being depicted as a "Future Street" on the plat entitled "Section 3 – Olde Port Cove Subdivision" and thereby being conveyed in fee simple to the County of York.
2. Olde Port Cove is an RR-zoned "cluster" subdivision consisting of 92 lots ranging in size from approximately ½-acre to 1.3 acres. The subdivision is served by a boulevard-style entrance drive (Quarter Track) that intersects with Calthrop Neck Road. Olde Port Cove is bounded on the north by the pre-existing subdivisions of Lambs Creek Estates and Madeira Place but it does not interconnect with the street systems on those developments.

3. The “future street” right-of-way was included in the subdivision design and layout in accordance with standard practices that required provisions to be made for future interconnection of the street systems of adjoining parcels. In this case, the right-of-way would provide an opportunity for interconnection with the street system on the undeveloped 20-acre parcel to the south. That parcel is one of three adjoining parcels under the same ownership and with the potential to be assembled for subdivision and development purposes into a single 50-acre tract. Under its current RR-Rural Residential zoning, such a development could be expected to yield approximately 50 residential units.
4. Section 15.2-2241 of the *Code of Virginia* mandates that local subdivision ordinances contain provisions for the “coordination of streets within and contiguous to the subdivision with other existing or planned streets within the general area...” and “...with existing or planned streets in existing or future adjacent or contiguous to adjacent subdivisions.” In accordance with this requirement, Section 20.5-92 of the Subdivision Ordinance states that “all proposed streets shall be designed to coordinate with other existing or planned streets contiguous to or within the general area of the subdivision or within existing or future adjacent subdivisions as to location, width, grades, and drainage” and that “adequate rights-of-way [be] platted and dedicated for public use to the boundary line(s) of the subdivision which will afford desirable and safe street access to adjoining properties when such properties are of a compatible land use designation.” As such, if the property to the south were to be proposed for development in accordance with its current RR zoning its street system would be required to be designed to interconnect with the Olde Port Cove “future street” and the developer would be required to construct it to its connection with Chinquapin Orchard.
5. The benefits of interconnected neighborhood streets include:
  - Provision of multiple routes in and out of a development, which can be of particular importance in emergency situations (fire/rescue/law enforcement responses);
  - Distribution of ingress/egress traffic volumes, as opposed to concentration of those volumes on a single access route;
  - Opportunities for service (e.g., school buses, waste management vehicles, etc.) and delivery (mail carriers, UPS/FedEx, etc.) vehicles to circulate between neighborhoods on lower order streets rather than having to and leave neighborhood and travel on collector or arterial streets which, in theory, helps to preserve the capacity of higher order streets.

Disadvantages of interconnection that are frequently cited include:

- Allows, or potentially increases the volume of, “non-resident” – “cut-through traffic” in the pre-existing neighborhood (e.g., in a subdivision such as Olde Port Cove, there are no current opportunities for “cut-through” traffic;
- Non-neighborhood traffic creates increased potential for speeding and other traffic safety issues;
- Interconnection provides alternate “entry” and “escape” routes for criminal activity and decreases the sense of neighborhood security

It is these concerns and potential disadvantages that have prompted the Olde Port Cove Homeowners Association and the two adjoining property owners to request that the right-of-way be vacated so as to eliminate the opportunity for any future interconnection.

6. If the “future street” right-of-way remains in place and development of the parcel(s) to the south is proposed, exceptions to the interconnection requirement described above could be made by the Board of Supervisors in conjunction with approval of the design and layout of a planned development (if that is the type of development proposed), or by the Subdivision Agent subsequent to making one of the following findings (if a conventional or cluster subdivision is proposed):

- *“The extension would cause or contribute to a safety deficiency which could not be corrected in a practical or economically efficient manner.”*  
Safety deficiencies have been considered to involve something that would create a hazard by reason of a proposed road’s required alignment or geometrics or the projected traffic volumes.
- *“The street right-of-way in the existing subdivision, although platted, has not had a street constructed within it, is not contained in the comprehensive plan, and it is unlikely that, in the foreseeable future, such a street will be so constructed.”*

This relates to obsolete “paper streets” that typically were platted many years ago where the surrounding property has been developed in such a way that a street connection no longer makes sense. A good example of this was the unimproved Mill Lane right-of-way behind the Heritage Square shopping center that was vacated by the Board of Supervisors in 2005. This right-of-way was platted to the boundary line in 1958 for a future road extension when/if the adjacent property, which was zoned for residential use, developed. The property was later rezoned for commercial use and developed as a shopping center, making this “paper street” obsolete.

- *“The existence of significant environmental conditions such as tidal or upland wetlands or severe slopes that were not known or adequately considered at the time the potential extension was platted.”*

- A good example of a case where environmental features warranted the elimination of an interconnection was a street connection that had been platted to the boundary line between Williamsburg Bluffs and Country Club Acres, which was waived by the Planning Commission in 1995 (under former ordinance procedures). The interconnection would have required the crossing of an active stream within a steep ravine – with slopes ranging between 20 and 35 percent between the two developments. Environmental issues were a concern, as was the cost of constructing such a road.
7. The right-of-way is currently occupied by a driveway that serves both of the adjoining lots. This driveway would continue to exist if the property became privately owned and the rights of joint use would have to be perpetuated by an easement benefiting both property owners. In addition, the County will need to retain a drainage and utility easement to ensure the ability to interconnect utility and drainage systems in the event the property to the south develops in the future.
  8. As previously noted, the Assessor's Office has calculated the value of the 50' x 335' strip of land to be \$11,000. That figure reflects the valuation adjustments necessary to recognize the drainage and utility easement that will be retained by the County.

### **Conclusions**

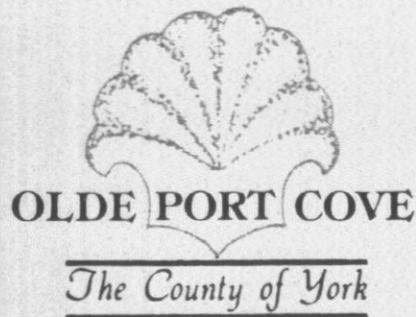
Given the State Code and Subdivision Ordinance provisions requiring and promoting the coordination of street systems and the advantages of connectivity from an emergency access and service delivery standpoint, staff has always advocated coordination and interconnection of street systems in adjoining developments. In this particular case, it would appear there is greater potential for Olde Port Cove residents to “cut-through” a future development to the south if an interconnection were to exist, than vice-versa. Nevertheless, interconnection would undoubtedly change traffic patterns within Olde Port Cove and could result in some of the above-cited “disadvantages” being experienced.

If the right-of-way is vacated, there will be no opportunity or requirement for future interconnection with any future development that may occur on the parcel(s) to the south of Olde Port Cove. While staff does not recommend it, the Board can assure this outcome through the adoption of the attached proposed Ordinance No. 11-4 (to vacate the right-of-way) and proposed Resolution R11-42 (to authorize conveyance of the former right of way to the three adjoining property owners Messrs. Desai and Richwine, and the Olde Port Cove HOA). The conveyance authorization would be conditioned on the preparation of a boundary line adjustment plat (at the expense of the requestors) and compensation to the County in the total amount of \$11,000.

Carter/3337

Attachments:

- Letter dated November 10, 2010 from Sam Margolin, President, OPCHOA
- Letter dated February 4, 2011 from Messers. Margolin, Desai, and Richwine
- Plat – Section 3, Olde Port Cove subdivision
- Vicinity Map
- Photo of existing conditions
- Conceptual Plat
- Proposed Ordinance No. 11-4
- Proposed Resolution R11-42



OLDE PORT COVE  
The County of York

Nov. 10, 2010

York County Board of Supervisors  
P.O. Box 532  
Yorktown, VA 23690  
Attention: James O. McReynolds, County Administrator.

Dear Mr. Reynolds:

On behalf of the Olde Port Cove Homeowners Association (OPCHOA), I hereby request that the York County stub street right-of-way between and adjacent to 142 and 200 Chinquapin Orchard be vacated and that the land area within that right-of-way be incorporated into the two adjoining parcels, both of which share a residential driveway located within the right-of-way. Both adjoining landowners, Richwine and Desai, have been advised of this request and support it.

We understand that the Board of Supervisors may require that the County be compensated for the fair market value of the property being acquired. If that is the case, we request that the County's right-of-way agent advise us of his/her determination of fair market value. Once I receive that information, I will communicate it to the adjoining landowners and the OPCHOA to ensure that they wish to move forward given the amount of the potential compensation expectation.

You may address return correspondence to:  
Olde Port Cove Homeowners Association  
c/o Sam Margolin  
112 Port Cove  
Yorktown, VA 23693

Thank you for your attention to this matter.

Yours truly,



Sam Margolin, President  
Olde Port Cove Homeowners Association Board of Directors

Rec'd  
11/12/10  
JAV  
(5)



**OLDE PORT COVE**

*The County of York*

Feb. 4, 2011

York County Board of Supervisors  
P.O. Box 532  
Yorktown, VA 23690  
Attention: J. Mark Carter, Asst. County Administrator.

Dear Mr. Carter:

On behalf of the Olde Port Cove Homeowners Association (OPCHOA) and the owners of lot nos. 58 and 59 (200 and 142 Chinquapin Orchard, respectively), I wish to inform you that it is our desire to proceed with our request that York County vacate its right-of-way to the stub street and surrounding area between and adjacent to 142 and 200 Chinquapin Orchard.

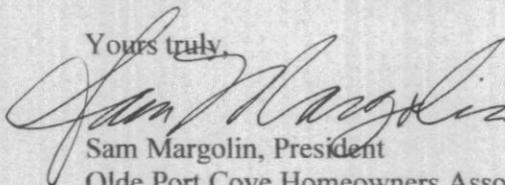
Both adjoining landowners, Richwine and Desai, have been advised of their financial obligations as outlined in your letter of January 21. Their signatures at the end of this letter signify their willingness to assume those obligations.

In addition, as you surmised in your letter, the OPCHOA does desire to have the southern end of the strip incorporated into its landholdings so that the perimeter common open space strip owned by the HOA would be continuous. Consequently, the amount that Messers Desai and Richwine will pay towards the \$11,000 total would be reduced proportionally with the OPCHOA paying for the remainder.

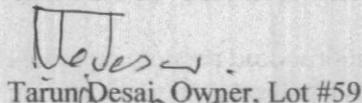
Thank you for your continued cooperation in this matter. Please advise me of any further action that we may need to take at this time.

Again, please address return correspondence to:  
Olde Port Cove Homeowners Association  
c/o Sam Margolin  
112 Port Cove  
Yorktown, VA 23693

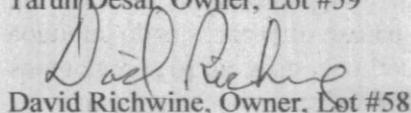
Yours truly,



Sam Margolin, President  
Olde Port Cove Homeowners Association Board of Directors



Tarun Desai, Owner, Lot #59



David Richwine, Owner, Lot #58

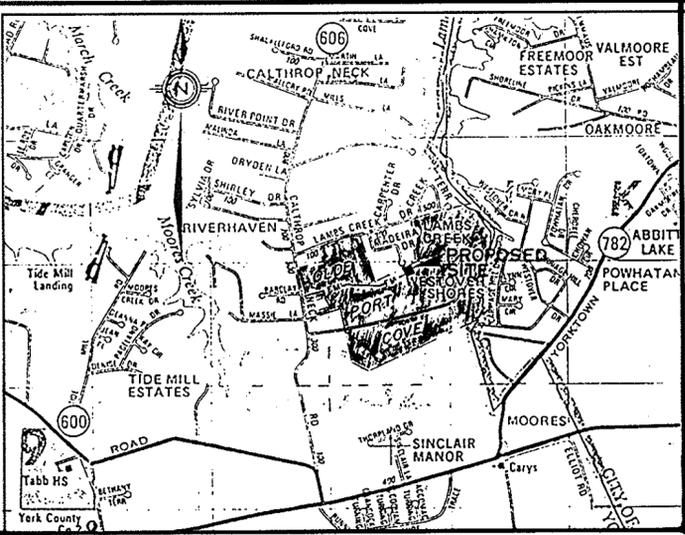
Rec'd  
2-7-11  
MES  
(5)

PLAT OF SECTION 3 OLDE PORT COVE SUBDIVISION BETHEL DISTRICT COUNTY OF YORK, VIRGINIA

HUGH C. DISCHINGER & ASSOCIATES, P.C. ENGINEERS & SURVEYORS 110A Dare Road Grafton, Virginia 23692 DATE: FEBRUARY 27, 1991

Table with 6 columns: Curve No., Radius, Delta, Length, Tangent, Chord. Contains 8 rows of curve data.

WATER: Each lot within this subdivision is served by Public Water provided by the City of Newport News Waterworks. SEWER: Each lot within this subdivision is served by Public Sewer provided by the County of York.



VICINITY MAP SCALE: 1" = 2,000'

The platting of the land hereon shown is with the free consent and in accordance with the desires of the undersigned owners, proprietors and trustees.

OLDE PORT COVE, Inc. a Virginia corporation. Signed by Jeffrey L. Weeks (President) and Jeffrey L. Weeks (Trustee). Date: 3-8-91

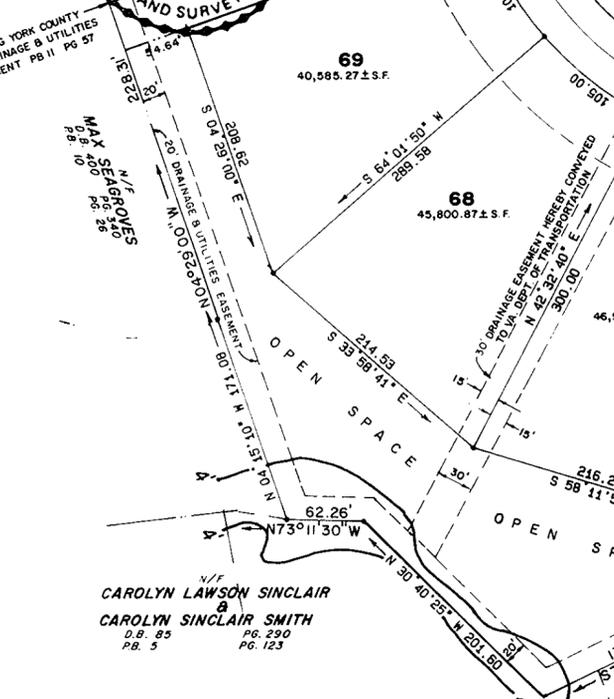
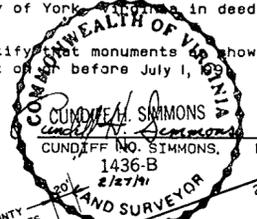
I, Joyce M. Kincaid, a Notary Public for the City of Newport News of the State of Virginia do hereby certify that the above named persons whose names are signed to the foregoing writing have acknowledged the same before me in my city and state aforesaid.

Given under my hand this 8th day of March, 1991.

Joyce M. Kincaid, Notary Public. Commission expires Sept 30, 1994.

To the best of my knowledge and belief, all the requirements as set forth in the ordinance for approving plats of subdivisions in the County of York, Virginia, have been complied with, including a closure of not less than 1/10,000". This is to certify that the land embraced in this subdivision is in the name of Olde Port Cove, Inc., a Virginia corporation acquired from Roberts Brothers Investments, Inc. by deed dated April 18, 1988 and duly recorded in the Clerk's office for the Circuit Court of the County of York, Virginia in deed book 515 at page 300.

I certify that monuments shown on this plat will be set on or before July 1, 1991.



OLDE PORT COVE SUBDIVISION SECTION 1

LEGEND

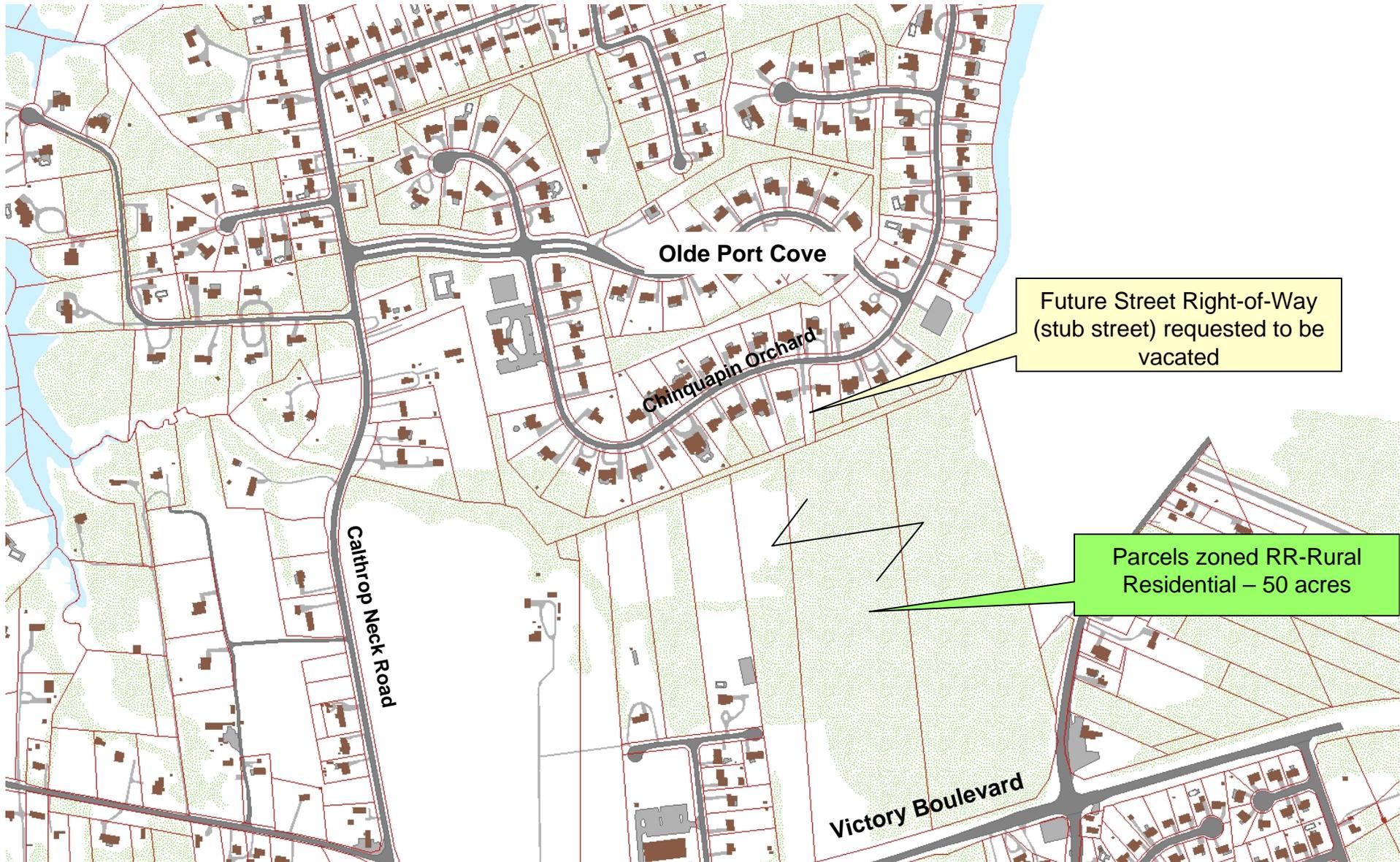
- Conc Mon. Set, Iron Pipe Fnd., Iron Pipe Set, Section Boundary Line, Building Setback Line, Drainage & Utilities Easements

NOTE: 1. ALL "OPEN SPACE" AREAS ARE TO BE CONVEYED TO THE OLDE PORT COVE PROPERTY OWNERS ASSOCIATION. 2. THE RECORDATION OF THIS PLAT SHALL OPERATE TO TRANSFER IN FEE SIMPLE TO THE COUNTY OF YORK SUCH PORTION OF THE PREMISES PLATTED AS IS ON THE PLAT SET APART FOR STREETS, ALLEYS OR OTHER PUBLIC USE AND TO TRANSFER TO THE COUNTY OF YORK ANY EASEMENT INDICATED ON THE PLAT FOR DRAINAGE AND / OR SANITARY SEWER AND TO CREATE A PUBLIC RIGHT OF PASSAGE OVER THE SAME.

TOTAL AREA OF SITE..... 26.71 ± AC. AREA WITHIN LOTS..... 19.54 ± AC. AREA WITHIN R/W..... 2.26 ± AC. AREA WITHIN OPEN SPACES..... 4.91 ± AC.

REF. DEED BOOK 552, PAGE 148 DEED BOOK 562, PAGE 248 TAX MAP PARCEL 30-46 APPROVED: YORK COUNTY BOARD OF SUPERVISORS BY J. Mark Catts PLAT APPROVING AGENT DATE: MAY 3, 1991

STATE OF VIRGINIA COUNTY OF YORK In the Clerks Office of the Circuit Court for the County of York the 10th day of May, 1991 this map was presented and admitted to record as the law directs, PLAT BOOK 11 PAGE 320 TESTE: NANCY B. KANE CLERK BY: Karen D. Keshaw



Olde Port Cove

Chinquapin Orchard

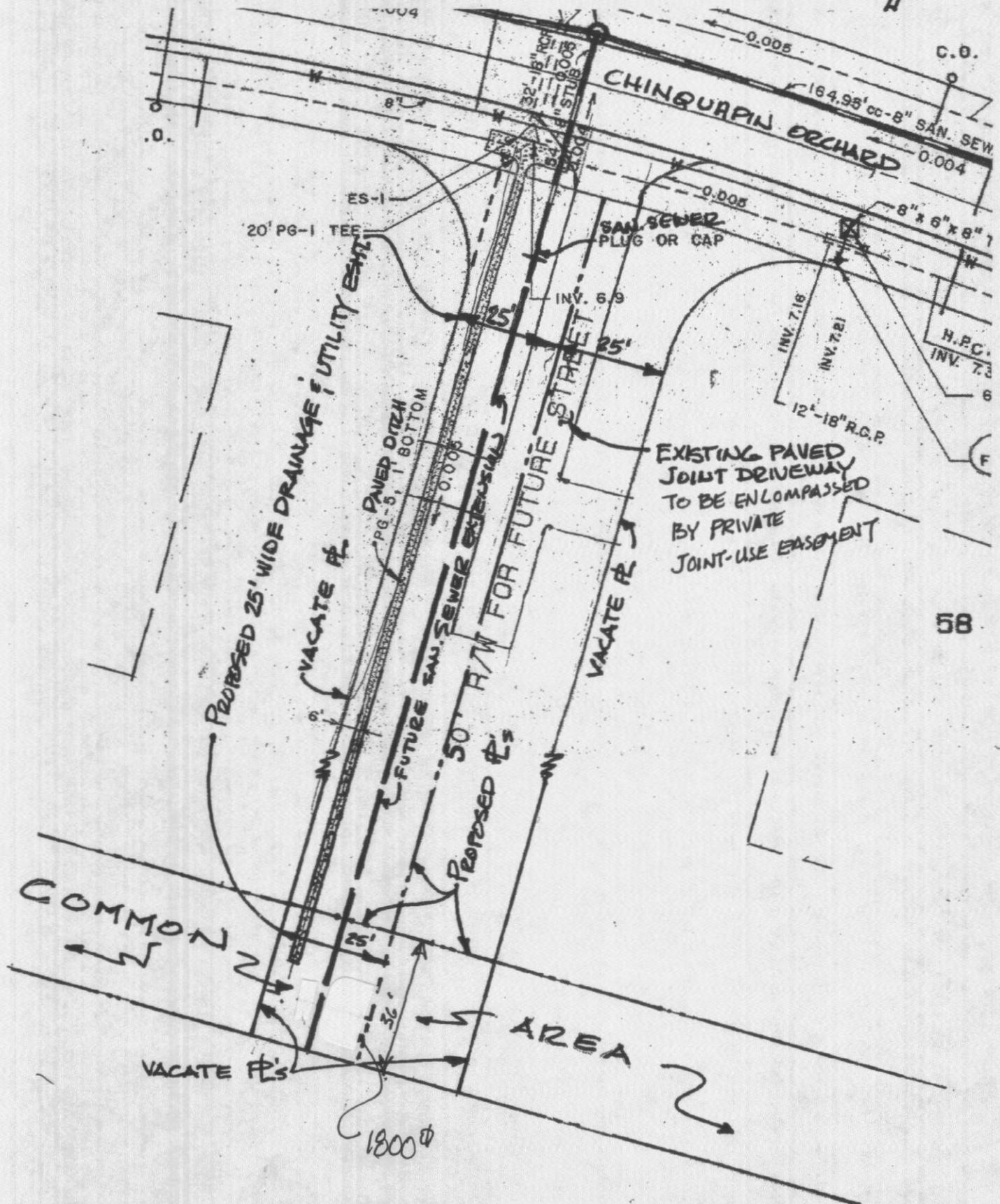
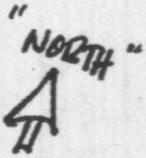
Calthrop Neck Road

Victory Boulevard

Future Street Right-of-Way (stub street) requested to be vacated

Parcels zoned RR-Rural Residential – 50 acres





PROPOSED R/W VACATION - OLDE FORT COVE  
NOT TO SCALE

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

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Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following ordinance was adopted:

AN ORDINANCE VACATING, PURSUANT TO SECTION 15.2-2006 OF THE CODE OF VIRGINIA, AN UNIMPROVED STUB STREET RIGHT-OF-WAY EXTENDING SOUTHWARD FROM CHINQUAPIN ORCHARD IN THE OLDE PORT COVE SUBDIVISION, BEING THE AREA IDENTIFIED AS "50 FOOT R/W FOR FUTURE STREET" AND LOCATED BETWEEN LOT NOS. 58 AND 59 AS DEPICTED ON THE PLAT ENTITLED "SECTION 3 - OLDE PORT COVE SUBDIVISION", AND RECORDED MAY 6, 1991

WHEREAS, by virtue of the May 6, 1991 recordation of a subdivision plat entitled "Section 3 – Olde Port Cove Subdivision" a 50-foot by 335-foot strip of land was established as a "Future Street Right-of-Way" and conveyed to the County; and

WHEREAS, the Olde Port Cove Homeowners Association and the owners of the two adjoining subdivision lots, Nos. 58 and 59, have requested that the Board of Supervisors vacate said right-of-way; and

WHEREAS, following the holding of a public hearing, the Board of Supervisors desires to vacate the right-of-way pursuant to the terms of Section 15.2-2006 of the Code of Virginia.

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors, this \_\_\_\_ day of \_\_\_\_\_, 2011, that the "Future Street Right-of-Way" shown on the plat entitled "Section 3 – Olde Port Cove" and situated between Chinquapin Orchard and the southern boundary of the subdivision be, and it is hereby, vacated.



BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION AUTHORIZING THE CONVEYANCE OF THE PROPERTY FORMERLY WITHIN THE "FUTURE" STREET RIGHT-OF-WAY EXTENDING SOUTHWARD FROM CHINQUAPIN ORCHARD IN THE OLDE PORT COVE SUBDIVISION, BEING THE AREA LOCATED BETWEEN LOT NOS. 58 AND 59 AS DEPICTED ON THE PLAT ENTITLED "SECTION 3 OF OLDE PORT COVE SUBDIVISION", WITH SUCH PROPERTY TO BE ADJUSTED IN A MUTUALLY AGREEABLE CONFIGURATION INTO THE BOUNDS OF THE ADJACENT PROPERTIES N/F OWNED BY DAVID M. RICHWINE (LOT #58), TARUN B. DESAI (LOT #59), AND THE OLDE PORT COVE HOMEOWNERS ASSOCIATION, WITH COMPENSATION IN AN AMOUNT DEEMED ACCEPTABLE BY THE BOARD OF SUPERVISORS, AND SUBJECT TO RESERVATION OF A 25-FOOT WIDE DRAINAGE AND UTILITIES EASEMENT BY THE COUNTY AND PRIVATE JOINT DRIVEWAY EASEMENTS TO THE BENEFIT OF LOT NOS. 58 AND 59

WHEREAS, by the adoption of Ordinance No. O11-4, the York County Board of Supervisors vacated the "Future Street Right-of-Way" depicted on the plat entitled "Section 3, Olde Port Cove Subdivision" and situated between Chinquapin Orchard and the southern boundary of the Olde Port Cove subdivision; and

WHEREAS, the Olde Port Cove Homeowners Association and the owners of Lot Nos. 58 and 59 have requested that the County convey portions of the subject property to each of them for incorporation into the bounds of their adjoining properties; and

WHEREAS, the referenced property owners have offered compensation to the County in the total amount of \$11,000, which the Board has determined to be an acceptable amount; and

WHEREAS, the referenced property owners have agreed to arrange for the preparation, processing, and recordation of a boundary line adjustment plat, at no cost to the County, depicting the adjustment of their respective property lines in a mutually agreeable manner and subject to the reservation by the County of a 25-foot drainage and utility easement along the western side of the property and also including a private joint driveway easement to the benefit of the owners of Lot Nos. 58 and 59.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_ day of \_\_\_\_, 2011, that the County Administrator is authorized to execute a deed or deeds and other documentation as may be necessary to convey the above-described easement to the above-identified parties, subject to the noted compensation and conditions, with terms and conditions acceptable as to form by the County Attorney and consistent with the County's standard conditions for drainage and utility easements, and with such deed to be approved as to form by the County Attorney.

# COUNTY OF YORK

## MEMORANDUM

**DATE:** March 23, 2011 (BOS Mtg. 4/19/11)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** Application No. UP-791-11, HTS Towers, LLC

### ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on property located at 412 Oaktree Road (Route 786) at its northern intersection with East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-44.

### DESCRIPTION

- Property Owner: Jeanette Brady, Trustee
- Location: 412 Oaktree Road (Route 786)
- Area: 3,600-square foot lease area on 2.98-acre parcel
- Frontage: Approximately 700 feet on Oaktree Road and approximately 600 feet on East Rochambeau Drive (Route F-137)
- Utilities: Public water available, no public sewer available
- Topography: Slight slope from west to east, with a depressed area in the northeast corner of the parcel
- 2025 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
- Existing Development: None
- Surrounding Development:
  - North: Undeveloped 28-acre parcel across East Rochambeau Drive & Interstate 64
  - East: Auto sales (authorized, but not yet established) and contractor shop/storage yard

South: 131-acre parcel with a one-acre home site (across Oaktree Road)

West: Great Wolf Lodge

- Proposed Development: 199-foot telecommunications monopole with associated ground-mounted equipment

### **CONSIDERATIONS/CONCLUSIONS**

1. In an effort to expand coverage and eliminate gaps in wireless voice and data services in the upper County, HTS Towers, LLC (providing infrastructure for T-Mobile) wishes to construct a 199-foot telecommunications monopole on the subject property. The property owner (Mrs. Jeanette Brady, Trustee) also owns the adjacent parcel located at 525 East Rochambeau Drive, which is occupied by a contractor shop/storage yard and recently received Special Use Permit approval for auto sales. The proposed monopole would be located in the southeast corner of the subject property. The property is designated for General Business development, with adjacent areas designated for Low Density Residential and Economic Opportunity development in the Comprehensive Plan.
2. The property is zoned GB (General Business), with adjacent properties to the north and south zoned RR (Rural Residential) and to the west zoned EO (Economic Opportunity). Zoning Ordinance Section 24.1-243 requires a Type 35 (35') landscaped transitional buffer between the GB and RR zoning districts, with placement wholly on the undeveloped commercial property. However, when the zoning district boundary follows a right-of-way less than 90 feet in width (i.e., Oaktree Road), the Ordinance allows the transitional buffer to be reduced to 20 feet in width.

To minimize visibility of the proposed telecommunication monopole and its related ground equipment and structures, the Planning Commission and staff recommend a condition that the applicant provide a full Type 35 (35-foot width) transitional buffer along the Oaktree Road frontage of the subject property. Leaving the buffer in its natural state, supplemented with evergreen plantings, will provide an effective and attractive landscape buffer along Oaktree Road. Additionally, the subject parcel fronts on two public streets, which will require all structures to observe a minimum 45-foot front setback from both Oaktree Road and East Rochambeau Drive.

3. The proposed tower would be a co-location site designed to accommodate a minimum of four wireless communications providers. The applicant and a co-location interest (AT&T) submitted information indicating that location on the tower is needed to fill existing gaps in service coverage. The applicant has submitted a statement from AT&T expressing its interest in co-locating on the proposed tower.
4. Ground-mounted equipment at the base of the tower would be located within a 10,000-square foot lease area, with a 3,600-square foot compound surrounded by an eight-foot chain link fence and evergreen landscaping. Vehicular access to the gated compound area would be via a 15-foot wide access road entering off Oaktree Road.

The applicant has proposed to establish an access and utility easement to serve the tower site.

5. The County's policies regarding the siting of telecommunications towers are spelled out in the Comprehensive Plan, which states that new towers should be permitted "only where a proven need exists and only when all other opportunities, such as co-location on an existing tower or utilization of other existing structures have been exhausted." Accordingly, the applicant explored various co-location opportunities inside and surrounding its search area (see applicant's narrative). The search area represents the center of the area between T-Mobile's existing towers (see propagation maps) where gaps in cellular services exist. T-Mobile indicates that there are no towers or structures available inside the search area that can accommodate new cellular antennae that would meet its needs.
6. The nearest existing towers – on Fenton Mill Road, Centerville Road, and in the Interstate 64 Croaker interchange (the last two being located in James City County) – are too far outside of the area of need to provide adequate coverage for T-Mobile. In its evaluation process, HTS Towers considered numerous sites, including the Lightfoot pump station (Newport News Waterworks well site), Great Wolf Lodge, Sentara Williamsburg Regional Medical Center, the Bulifants Boulevard area, and various parcels along Mooretown Road and East Rochambeau Drive. Many of these sites' owners had no interest in leasing space for a telecommunications tower.
7. The Comprehensive Plan states that the County should "[d]iscourage or prohibit telecommunications towers in historic or residential areas except where no other practical option exists." The lease area and monopole location are situated on a parcel zoned for business use; however, it is adjacent to a large residential parcel and a tourist-oriented use. The 131-acre residential parcel across Oaktree Road to the south of the proposed tower site is likely to remain heavily wooded because of a conservation easement on the property, which limits the development potential. Furthermore, the distance between Great Wolf Lodge and the proposed tower site is approximately 2,000 feet, and the area in between is heavily wooded.
8. In order for the Planning Commission, Board, and staff to evaluate visibility from nearby residential areas, the applicant submitted photo simulations of the proposed monopole. These simulations indicate that the proposed monopole would be visible from residential properties south of the site along Oaktree Road, from the westbound lanes on Interstate 64, and from a distance on Newman Road. Dense, mature, woods buffer views toward the lease area from the north and west. Furthermore, the site's ground equipment complex will have increased screening as a result of the proposed conditions for a Type 35 transitional buffer and the additional evergreen screening to be planted between the lease area and Oaktree Road.
9. As a condition of approval, the applicant will be required to submit a statement from a registered engineer certifying that radio frequency radiation emitted from the tower will meet applicable Federal Communication Commission standards.

10. The proposed tower would not encroach on any of the airspace protected by the County's Airport Safety Management overlay district. The Federal Aviation Administration (FAA) also will review the proposed tower to ensure that there will be no effect on air traffic flight patterns. A proposed use permit condition requires that prior to the approval of a site plan for the tower, the applicant shall provide evidence that either the FAA has approved the tower or FAA approval is not required. As a follow-up to a Planning Commissioner's question, staff contacted the Operations and Facilities Director at Sentara Williamsburg Regional Medical Center and confirmed that there are no concerns about the tower interfering with medical helicopter flight patterns and operations.
11. Although the Federal Telecommunications Act of 1996 did not preempt local zoning authority, localities are somewhat constrained in their ability to deny or delay requests for towers. Such decisions may be enjoined or overturned by the FCC or federal courts if the intent or the effect of the decision is to discriminate unreasonably between providers of functionally equivalent services, or if a decision has the effect of prohibiting the provision of personal wireless services. They can also be overturned if the denial is not based on substantial evidence, or if the denial is based on public health concerns relating to radio frequency emissions. Additionally, recent FCC amendments have imposed timeframes for local government regulatory decisions.
12. The proposed tower location takes up approximately 10,000 square feet of area on the southeastern portion of the property. The remaining developable area, after removing areas subject to the 45-foot setbacks on Oaktree Road and East Rochambeau Drive and the slightly depressed topographic area in the northeast corner of the property is approximately 37,600 square feet.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its March 9 meeting, at which only the applicant's attorney and engineering representative spoke. After discussion and deliberation, the Planning Commission voted 7:0 to recommend approval of the application subject to the conditions proposed by staff.

### **COUNTY ADMINISTRATOR RECOMMENDATION**

Although located along a major corridor, the proposed tower would not be visually obtrusive from Oaktree Road, East Rochambeau Drive, or Interstate 64 because of its location on the property and the dense vegetation in the surrounding area. Approval of the application would provide an opportunity for co-location and minimize (but not necessarily eliminate) the possibility that other providers will need to request approval for additional new tower locations in this area of the upper County.

I believe this proposal is consistent with the policies set forth in the Comprehensive Plan with regard to telecommunications towers, particularly given the commitment for use by two communication services providers. Therefore, based on the considerations and con-

clusions as noted, I recommend that the Board approve this application subject to the conditions set forth in proposed Resolution R11-27.

Carter/3337/EWA

Attachments:

- Planning Commission minutes excerpts, March 9, 2011
- Zoning map
- Sketch plan
- Applicant's narrative
- Photo simulations
- Propagation maps
- Co-location letter
- Proposed Resolution R11-27

Excerpts  
Planning Commission Minutes  
March 9, 2011

**Application No. UP-791-11, HTS Towers, LLC:** Request for a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on a 2.98-acre parcel located at 412 Oaktree Road (Route 786). The property is located at the northern intersection of Oaktree Road and East Rochambeau Drive (Route F-137) and is further identified as Assessor's Parcel No. 2-44. The property is zoned GB (General Business) and is designated General Business in the *Comprehensive Plan*.

**Earl W. Anderson, AICP, Planner,** summarized the staff report to the Commission dated February 28, 2011, in which the staff recommended that the Commission forward the application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC11-2.

**Mr. Myer** asked if Sentara Williamsburg Regional Medical Center has a helipad. **Mr. Anderson** indicated that it does.

**Mr. Abel** asked if the hospital or James City County had expressed any objections or concerns about the proposed tower. **Mr. Anderson** said that information was not sent to the hospital or to James City County regarding the proposed tower since they are not adjacent property owners.

**Chair Abel** opened the public hearing.

**Vernon Geddy**, 1177 Jamestown Road, Williamsburg, attorney representing the applicant, thanked Mr. Anderson for the presentation detailing the HTS Towers request. He introduced Van Thompson with HTS Towers and Don Chang, radiofrequency engineer with T-Mobile, and said they were available to answer questions. Mr. Geddy stated that the proposed site meets the criteria outlined in the Zoning Ordinance as well as the *Comprehensive Plan*. He said the tower on the site would be relatively unobtrusive while meeting coverage needs and providing opportunities for co-location. He asked that the Planning Commission recommend approval of the Special Use Permit.

**Mr. Abel** asked if the applicant is in favor of the conditions recommended by staff. **Mr. Geddy** responded in the affirmative.

**Mr. Hamilton** asked why the applicant did not consider constructing a tower with internal antennas. **Don Chang**, 14040 Eagle Chase Circle, Chantilly, VA, responded that a monopole tower with external antennas would provide a better signal and coverage area than would a tower with internal antennas. He noted that designing towers to address aesthetic concerns usually requires trade-offs in terms of service and coverage.

There being no one else who wished to speak, **Chair Abel** closed the public hearing.

**Mr. Hamilton** said the location for the proposed tower was ideal and noted that the plan shows proper screening around the site.

**Mr. Buffa** recommended that notification be sent to Sentara Williamsburg Regional Medical Center since it has a helipad and tower height could be a concern.

**Mr. Abel** noted that aside from the recommendations of the Planning Commission, the applicant would have to comply with FAA regulations in terms of height requirements.

**Mr. Hamilton** moved adoption of Resolution No. PC11-2.

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE A 199-FOOT SELF-SUPPORTING TELECOMMUNICATIONS TOWER WITH ASSOCIATED GROUND-MOUNTED EQUIPMENT AT 412 OAKTREE ROAD

WHEREAS, HTS Tower, LLC has submitted Application No. UP-791-11, which requests a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on property located at 412 Oaktree Road (Route 786) at its northern intersection with East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-44 (GPIN C19b-3905-4190); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application; and

WHEREAS, the Commission has determined, pursuant to Section 15.2-2232 of the Code of Virginia, that the proposed communication tower location is substantially in accord with Charting the Course to 2025: The County of York Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 9<sup>th</sup> day of March, 2011 that Application No. UP-791-11 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval for a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on property located at 412 Oaktree Road (Route 786) at its northern intersection with East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-44 (GPIN C19b-3905-4190), subject to the following conditions:

1. This use permit shall authorize the construction of a freestanding monopole communications tower with associated equipment on the parcel of land located at 412 Oaktree Road (Route 786) at its northern intersection with East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-44 (GPIN C19b-3905-4190).
2. The height of the tower, including the lightning rod, shall not exceed 199 feet.
3. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the County prior to commencement of land clearing or any construction activity on the subject property. Except as modified herein, said plan shall be substantially in conformance with the sketch plan submitted by the applicant titled "Oaktree Rd., VA60288" prepared by Allpro Consulting Group, Inc., dated 1/24/11 and received by the Planning Division on February 4, 2011. As part of the site plan submittal, the applicant shall prepare a frequency intermodulation study to determine the impact on current communication transmissions for the York County

Departments of Fire and Life Safety and General Services, Sheriff's Office, School Division, and the Intrac Sewer Telemetry System. Should any equipment associated with this facility at any time during the operation of the tower be found by the County to cause interference with County communications, the applicant shall be responsible for the elimination of said interference within twenty-four (24) hours of receipt of notice from the County.

4. Construction and operation of the tower shall be in conformance with the performance standards set forth in Sections 24.1-493 and 24.1-494 of the Zoning Ordinance.
5. The applicant shall submit to the County a statement from a registered engineer certifying that NIER (nonionizing electromagnetic radiation) emitted from the tower does not result in a ground level exposure at any point outside such facility that exceeds the maximum applicable exposure standards established by any regulatory agency of the U.S. Government or the American National Standards Institute.
6. A report from a registered structural or civil engineer shall be submitted indicating tower height and design, structure installation, and total anticipated capacity of the structure (including number and types of users that the structure can accommodate). These data shall satisfactorily demonstrate that the proposed tower conforms to all structural requirements of the Uniform Statewide Building Code and shall set out whether the tower will meet the structural requirement of EIA-222E, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."
7. The access easements shown on the above-referenced sketch plan shall be submitted to the Division of Development and Compliance for review, approval, and recordation to establish the rights of tower users for purposes of ingress, egress, and installation and maintenance of utilities associated with the proposed telecommunications facility prior to site plan approval.
8. Advertising and signage on the tower shall be expressly prohibited, except for warning signs associated with the operation of the tower or its equipment.
9. Prior to site plan approval, the applicant shall submit written statements from the Federal Aviation Administration, Federal Communications Commission, and any other review authority with jurisdiction over the tower, stating that the proposed tower complies with regulations administered by that agency or that the tower is exempt from those regulations.
10. If at any time use of the communications tower ceases, the owner of the subject property on which the tower is located shall dismantle and remove it within six (6) months after ceasing to use it, unless:
  - (1) A binding lease agreement or letter of intent with another wireless communications provider has been executed in which case an additional six (6) months shall be granted. If a letter of intent is provided, the execution date for a binding lease agreement shall not extend more than (12) months beyond the time the use of the tower ceases, or
  - (2) The County requests, in writing, that the tower be reserved for County use.
11. Accessory facilities shall not include offices, vehicle storage, or outdoor storage unless permitted by the district regulations.

12. Evidence shall be provided prior to receipt of a building permit that the Virginia State Corporation Commission has been notified that a communication facility is to be constructed.
13. The proposed lease area shall be surrounded by a minimum six-foot (6') in height chain link fence outfitted with opaque material deemed acceptable for screening purposes by the Zoning Administrator. Evergreen trees having a planting size of no less than eight feet (8') shall be installed surrounding the interior of the outer edge of the lease area at a spacing of not more than ten feet (10'). Trees shall be of a species type that retains branching to ground level. Additional evergreen plantings shall be added to provide mid-height screening of the monopole.
14. The communication tower shall be gray in color. Should Federal Aviation Administration requirements dictate special markings, tower lighting shall be used in lieu of multi-color painting. If the tower is unlighted, four six-inch (6") by six-inch (6") squares of reflective tape or reflectors shall be installed on the uppermost portion of the tower and shall be oriented north, south, east, and west so as to be seen by aircraft using light amplifiers.
15. No microwave dishes, conical shaped antennae, or other dish shall be permitted on the tower.
16. The communications tower shall be structurally designed to accommodate no fewer than three (3) wireless users capable of supporting either PCS or cellular antenna arrays. If space is available, the County shall have the right of first refusal for leasing a space on the tower to place an antenna in support of operations consistent with the County's Department of Fire and Life Safety.
17. A Type 35 (35-foot) transitional buffer shall be installed along the full length of the property boundary bordering Oaktree Road and the adjacent RR (Rural Residential) district. No reduction in the buffer width shall apply, as per Section 24.1-243(f)(1)(b). Any new and additional plantings necessary to meet the planting ratios within the Type 35 transitional buffer or Greenbelt Buffer areas shall be evergreen species.
18. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.

BE IT FURTHER RESOLVED that this Special Use Permit is severable, and invalidation of any word, phrase, clause, sentence, or paragraph shall not invalidate the remainder.  
On roll call the motion was approved (7:0)

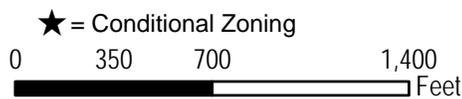
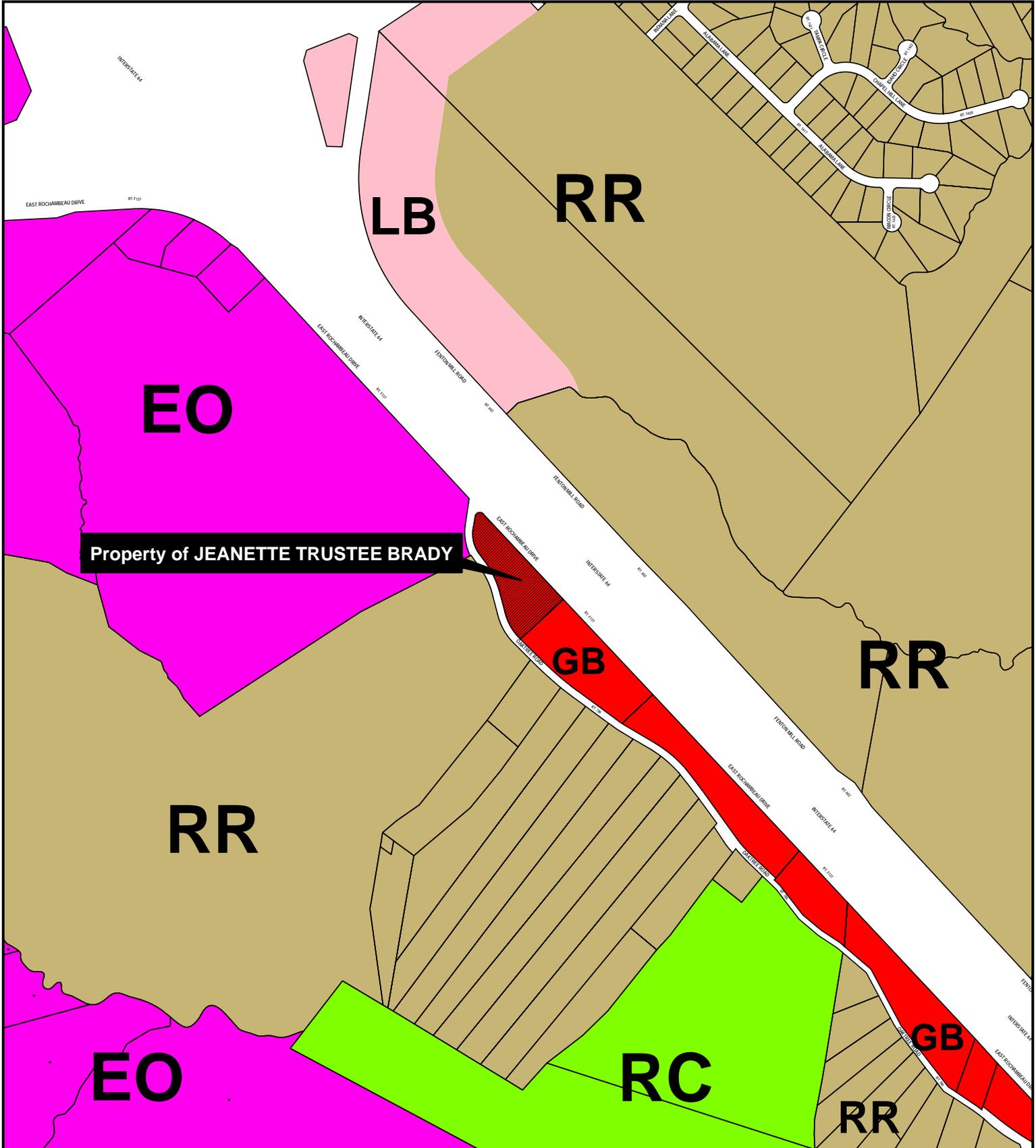
Yea: (7) Suiter, Hamilton, Fisher, Buffa, Myer, Davis, Abel  
Nay: (0)

**APPLICANT HTS Towers, LLC**

Special Use Permit request to construct a 199-foot telecommunications tower with associated ground equipment  
412 OAKTREE RD

**ZONING MAP**

**APPLICATION NUMBER: UP-791-11**



Printed on February 04, 2011



SOURCE: YORK COUNTY GIS PARCEL DATA and ZONING COVERAGE

THIS IS NOT A LEGAL PLAT. This map should be used for information purposes only. It is not suitable for detailed site planning.

**PROJECT TYPE**

NEW 195' MONOPOLE TOWER WITH PROPOSED ANTENNAS AT 195' RAD CENTER WITH NEW ASSOCIATED UNMANNED COMMUNICATION EQUIPMENT PLATFORM AT BASE OF TOWER.

**DIRECTIONS TO SITE**

FROM VIRGINIA BEACH OFFICE

DEPART 2528 HORSE PASTURE PRICE RD, RIDGEWAY, VA 24148 [2528 HORSE PASTURE PRICE RD, RIDGEWAY, VA 24148] ON HORSE PASTURE PRICE RD (NORTH) TURN RIGHT (NORTH-EAST) ONTO US-58 TAKE RAMP (RIGHT) ONTO US-220 [US-220 BYP] ROAD NAME CHANGES TO US-58 KEEP RIGHT ONTO RAMPTURN LEFT TO STAY ON RAMPTURN RIGHT (EAST) ONTO US-58 BUSROAD NAME CHANGES TO US-58 KEEP RIGHT ONTO RAMPROAD NAME CHANGES TO US-58 [DANVILLE EXPY] ROAD NAME CHANGES TO US-29 [US-58] TAKE RAMP (RIGHT) ONTO US-360 [US-58] KEEP STRAIGHT ONTO US-58 [BILL TUCK HWY] TURN LEFT (NORTH) ONTO LOCAL ROAD(S) BEAR LEFT (NORTH) ONTO US-58 [SR-49] KEEP STRAIGHT ONTO US-15 [US-58] KEEP STRAIGHT ONTO US-58 BEAR LEFT (NORTH) ONTO US-1 [US-58] KEEP STRAIGHT ONTO US-58 TAKE RAMP (RIGHT) ONTO I-85 AT EXIT 68, TURN LEFT ONTO RAMP AT EXIT 69, TAKE RAMP (LEFT) ONTO I-95 AT EXIT 52, TAKE RAMP (RIGHT) ONTO US-301 [E BANK ST] KEEP STRAIGHT ONTO E BANK ST TURN LEFT (NORTH-EAST) ONTO SR-36 [E WASHINGTON ST] KEEP STRAIGHT ONTO SR-36 [OAKLAWN BLVD] TAKE RAMP (RIGHT) ONTO I-295 AT EXIT 28, TURN RIGHT ONTO RAMP KEEP LEFT TO STAY ON RAMP TAKE RAMP (RIGHT) ONTO I-64 AT EXIT 234, TURN RIGHT ONTO RAMPTURN RIGHT (WEST) ONTO SR-199 TURN RIGHT ONTO RAMP BEAR RIGHT (SOUTH-EAST) ONTO MOORETOWN RD TURN LEFT (EAST) ONTO E ROCHAMBEAU DR BEAR RIGHT (SOUTH) ONTO OAK TREE RD ARRIVE 412 OAKTREE RD, WILLIAMSBURG, VA 23188

**ENLARGED VICINITY MAP**



**SITE NAME**  
**OAKTREE RD.**

**SITE NUMBER**  
**VA60288**

**SITE ADDRESS**  
**412 OAKTREE RD.**  
**WILLIAMSBURG, VIRGINIA 23188**

**SITE COORDINATES**

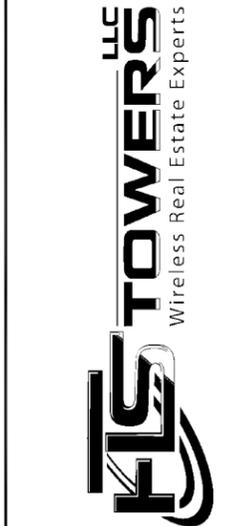
LATITUDE: N 37° 20' 43.58" (NAD 83)  
LONGITUDE: W 76° 43' 29.47" (NAD 83)  
GROUND ELEVATION: 111'± (NGVD 83)

**APPROVED FOR ZD**

PROPERTY OWNER OR REP. \_\_\_\_\_ RF \_\_\_\_\_  
CONSTRUCTION MANAGER \_\_\_\_\_ NETWORK \_\_\_\_\_  
ZONING \_\_\_\_\_ OPERATIONS \_\_\_\_\_  
REAL ESTATE \_\_\_\_\_ OTHER \_\_\_\_\_

**SHEET INDEX**

- T-1 TITLE SHEET
- N-1 GENERAL NOTES
- N-2 GENERAL NOTES
- N-3 GENERAL NOTES
- SP-1 SURVEY (PENDING)
- C-1 OVERALL SITE PLAN
- C-2 ENLARGE SITE PLAN
- C-3 ELEVATION, ANTENNA & COAX CABLE DETAILS
- C-4 CIVIL NOTES
- C-5 BTS & EQUIPMENT PLATFORM DETAILS
- C-6 FENCE DETAILS
- C-7 CIVIL DETAILS
- C-8 VDOT ENTRANCE PLAN
- S-1 CABLE BRIDGE DETAILS w/STRUCTURAL NOTES
- L-1 LANDSCAPE PLAN



DRAWN BY: C. GUNN  
CHECKED BY: J. GEORGE  
ACGI JOB #: 10-3416

REVISIONS			
NO	DATE	DESCRIPTION	BY
5	02/23/11	REDLINES	RM
4	01/24/11	REDLINES	DE
3	01/14/11	REDLINES	DP
2	12/29/10	REDLINES	DP
1	11/24/10	PRELIMINARY ZD	DP
0	10/07/10	LEASE EXHIBIT	DP



**VICINITY MAP**



**PROJECT SUMMARY**

**SITE INFORMATION**

JURISDICTION: COUNTY OF YORK  
CODE: IBC 2006  
OCCUPANCY: UNMANNED - UTILITY FACILITY  
ZONING: GB / GENERAL BUSINESS  
CONSTRUCTION TYPE: MONOPOLE TOWER  
GPIN #: C19b-3905-4190  
WIND LOADING: 100 MPH - 3 SECOND GUST WIND SPEED

**LANDLORD**

BRADY JEANETTE TRUSTEE  
3356 IRONBOUND RD. SUITE 401  
WILLIAMSBURG, VA 23188

**APPLICANT**

HTS TOWERS  
2528 HORSE PASTURE RD.  
VIRGINIA BEACH, VA 23453  
CONTACT: VAN THOMPSON  
PHONE#: (757) 453-6914

**PRIME CONTRACTOR**

HTS TOWERS  
2528 HORSE PASTURE RD.  
VIRGINIA BEACH, VA 23453  
PHONE: 757-490-2535  
CONTACT: VAN THOMPSON

**A&E CONSULTANT**

ALLPRO CONSULTING GROUP, INC.  
9221 LYNDON B JOHNSON FWY, SUITE 204  
DALLAS, TX 75243  
PHONE: 972-231-8893  
FAX: 866-364-8375  
CONTACT: JOJI M. GEORGE P.E.

**TOWER ENGINEER**

BY OTHERS

**SURVEY**

BY OTHERS

**UTILITIES**

**MISS UTILITY**

! CALL BEFORE DIGGING !  
CONTRACTOR TO CALL 48 HOURS BEFORE DIGGING!  
PHONE: 811  
CONTRACTOR RESPONSIBLE FOR DAMAGE OF EXISTING UTILITIES DURING CONSTRUCTION

**POWER**

DOMINION POWER  
PHONE: 1-800-667-3000

**TELCO**

VERIZON  
PHONE: 1-800-826-2355

NOT VALID WITHOUT P.E. STAMP & SIGNATURE

**VA60288**  
**OAKTREE**

412 OAKTREE ROAD  
WILLIAMSBURG, VIRGINIA 23188

**SHEET TITLE**  
**TITLE SHEET**

**SHEET NUMBER**  
**T-1**

DRAWN BY: C. GUNN  
CHECKED BY: J. GEORGE  
ACGI JOB #: 10-3416

REVISIONS			
NO	DATE	DESCRIPTION	BY
5	02/23/11	REDLINES	RM
4	01/24/11	REDLINES	DE
3	01/14/11	REDLINES	DP
2	12/29/10	REDLINES	DP
1	11/24/10	PRELIMINARY ZD	DP
0	10/07/10	LEASE EXHIBIT	DP

**ALPRO**  
CONSULTING GROUP, INC.  
8231 WINDING JOHNSON FREEWAY  
SUITE 204 OAK TREE, VA 23143  
PHONE: 866-964-8375  
FAX: 866-964-8375  
WWW.ALPROCGI.COM

NOT VALID WITHOUT  
P.E. STAMP & SIGNATURE

VA60288  
OAKTREE  
412 OAKTREE ROAD  
WILLIAMSBURG, VIRGINIA 23188

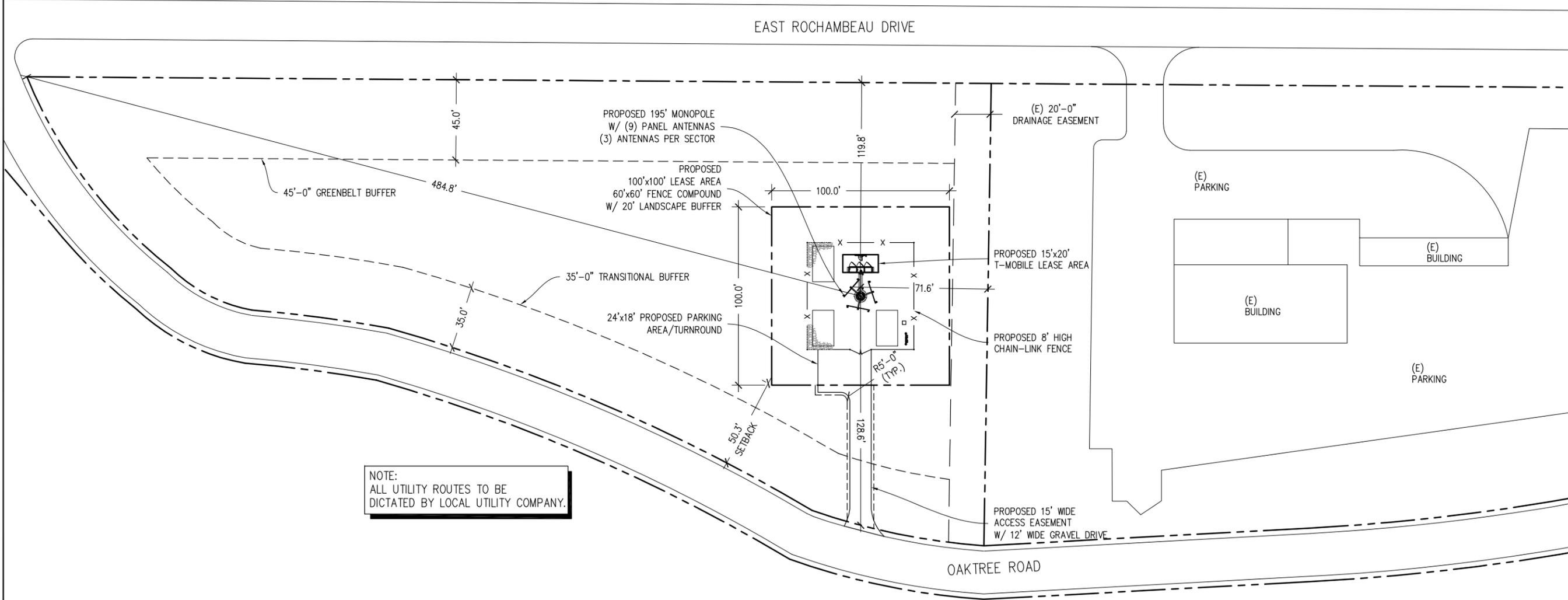
SHEET TITLE  
**OVERALL  
SITE PLAN**

SHEET NUMBER  
**C-1**

**LEGEND**

PROPOSED	NEW
(E)	EXISTING
---	CENTER LINE
---	PROPERTY LINE
-X-	FENCE LINE
-G-	GROUND WIRE
-OHP-	OVERHEAD POWER
-OHT-	OVERHEAD TELCO
-P-	UNDERGROUND POWER CONDUIT
-T-	UNDERGROUND TELCO CONDUIT

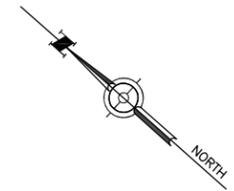
PROPOSED MONOPOLE SETBACKS		
	PROPOSED	MIN. REQUIRED
FRONT YARD (SOUTH)	128.6'	45'
REAR YARD (NORTH)	119.8'	45'
SIDE YARD (EAST)	71.6'	15'
SIDE YARD (WEST)	484.8'	15'



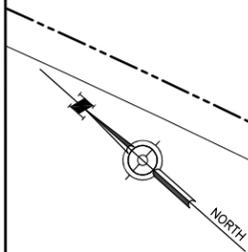
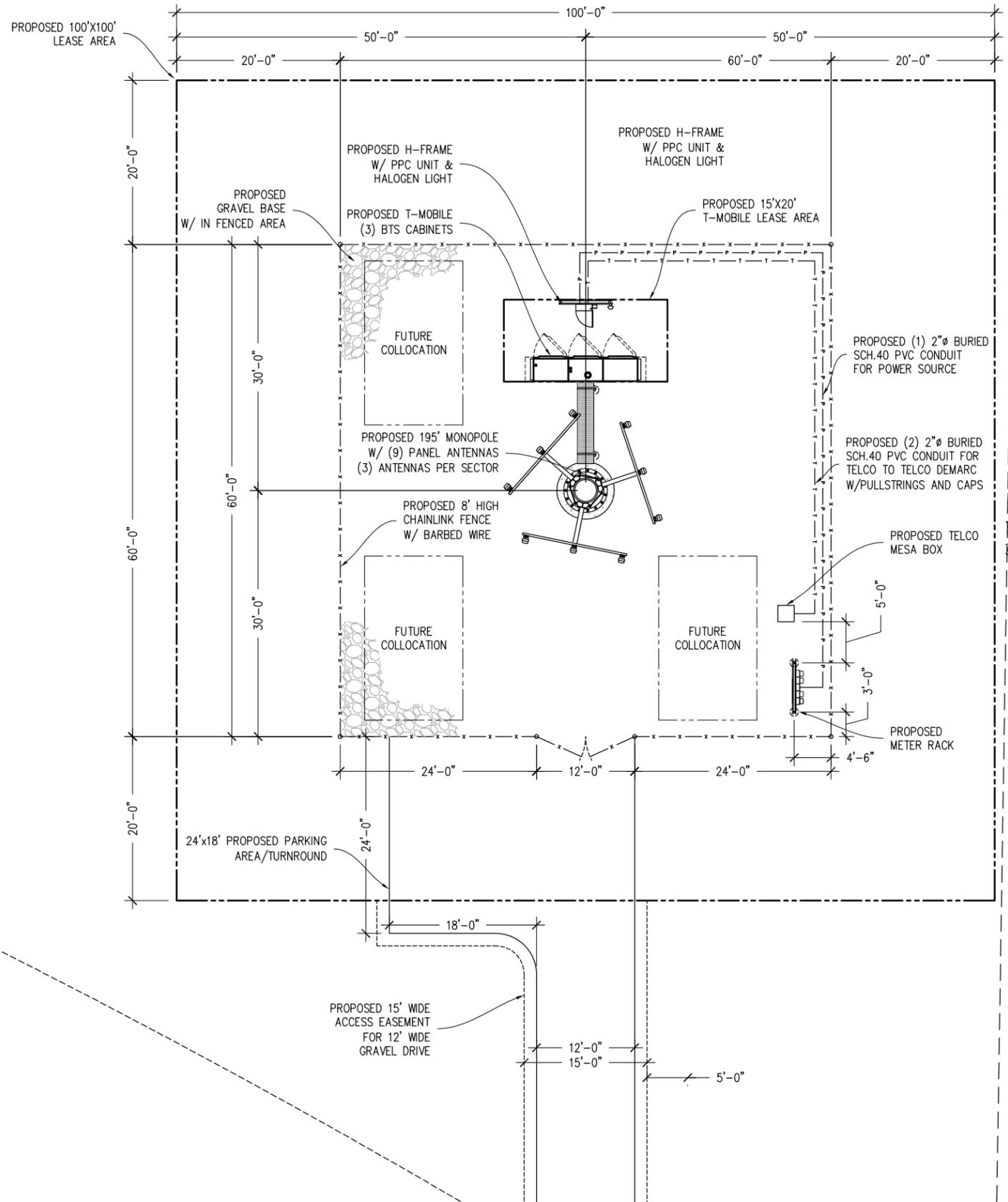
NOTE:  
ALL UTILITY ROUTES TO BE  
DICTATED BY LOCAL UTILITY COMPANY.

**1 OVERALL SITE PLAN**  
1"=30'

FOR 24" X 36" PLOT - 1" = 30' 0 15' 30' 60'  
FOR 11" X 17" PLOT - 1" = 60'



NOTE:  
ALL UTILITY ROUTES TO BE  
DICTATED BY LOCAL UTILITY COMPANY.



FOR 24" X 36" PLOT - 1/8" = 1' 0 2' 4' 8' 16'  
FOR 11" X 17" PLOT - 1/16" = 1'

1 ENLARGED SITE PLAN



DRAWN BY: C. GUNN  
CHECKED BY: J. GEORGE  
ACGI JOB #: 10-3416

REVISIONS			
NO	DATE	DESCRIPTION	BY
5	02/23/11	REDLINES	RM
4	01/24/11	REDLINES	DE
3	01/14/11	REDLINES	DP
2	12/29/10	REDLINES	DP
1	11/24/10	PRELIMINARY ZD	DP
0	10/07/10	LEASE EXHIBIT	DP

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OAKTREE  
412 OAKTREE ROAD  
WILLIAMSBURG, VIRGINIA 23188

SHEET TITLE  
**ENLARGED  
SITE PLAN &  
ELEVATION**

SHEET NUMBER  
**C-2**

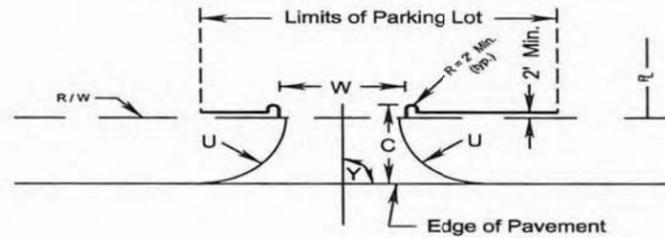
**Site Requirements For This Design**

Maximum Highway VPD : 5,000  
 Maximum Entrance VPD : 200  
 Maximum Entrance VPD  
 Truck Trips : 10%

LETTER SYMBOL	DIMENSIONS
C	25' Minimum
U*	25' Minimum. Curb and Gutter or Curbing is not required.
W*	18' Minimum 30' Maximum
Y*	90° Preferred 60° Minimum

\* For Subdivision Streets and Alleys, radii, width and angle should be in accordance with Subdivision Street Design Guide in the Road Design Manual, Appendix B.

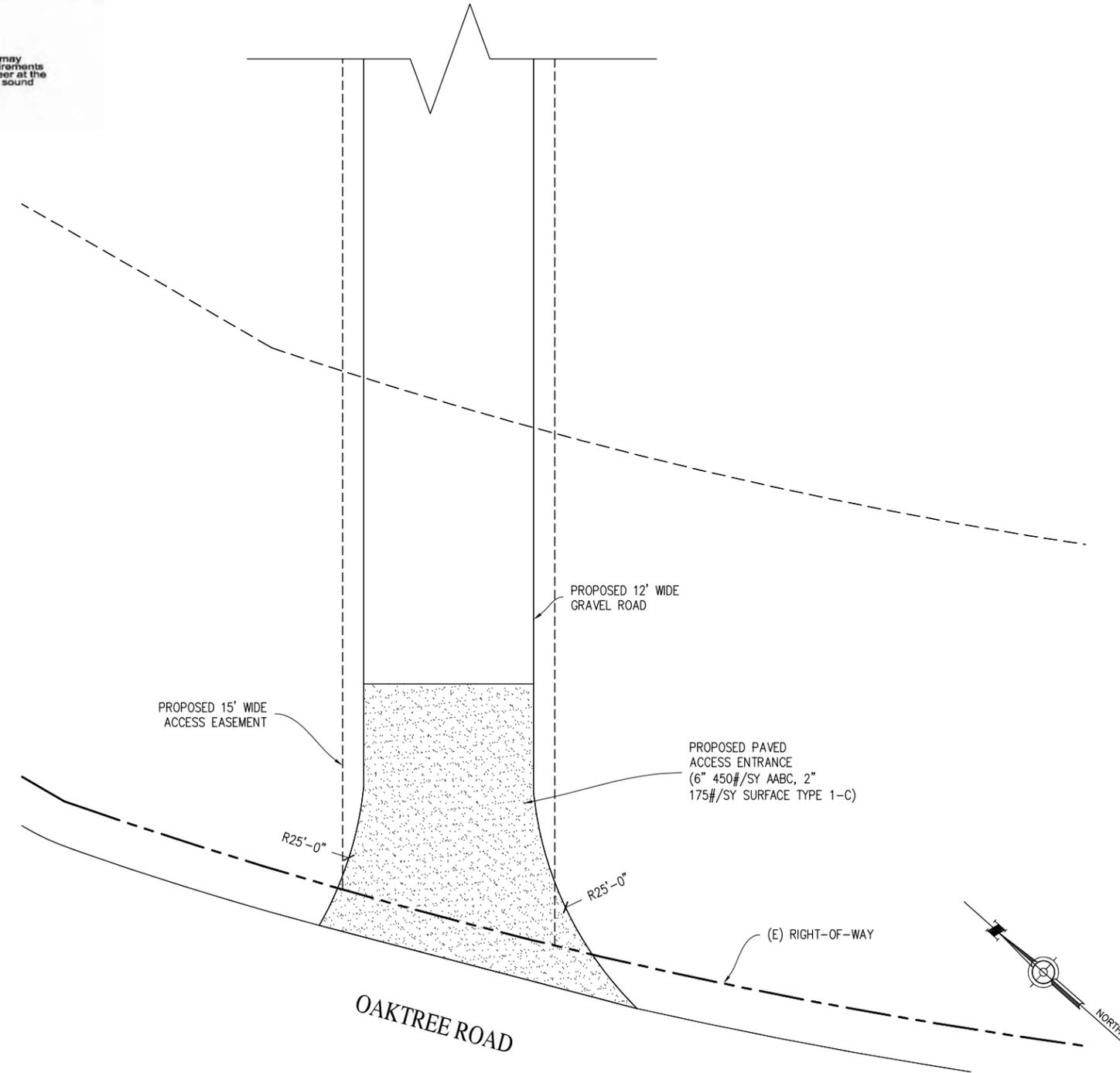
**SINGLE TWO - WAY ENTRANCE**



Notes:  
 Entrance details shown on this sheet may be modified to meet specific site requirements as directed or approved by the Engineer at the Residency or District, when based on sound engineering principles.

**LOW VOLUMN COMMERCIAL ENTRANCE  
 ALONG HIGHWAYS WITH SHOULDER**

SCALE: N.T.S.



**1** VDOT ENTRANCE PLAN  
 Scale: N.T.S.

FOR 24" X 36" PLOT - 1" = 5'  
 FOR 11" X 17" PLOT - 1" = 10'



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 ACGI JOB #: 10-3416

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0	10/07/10	LEASE EXHIBIT	DP	

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 6211 WINDING JOHNSON FERRYWAY  
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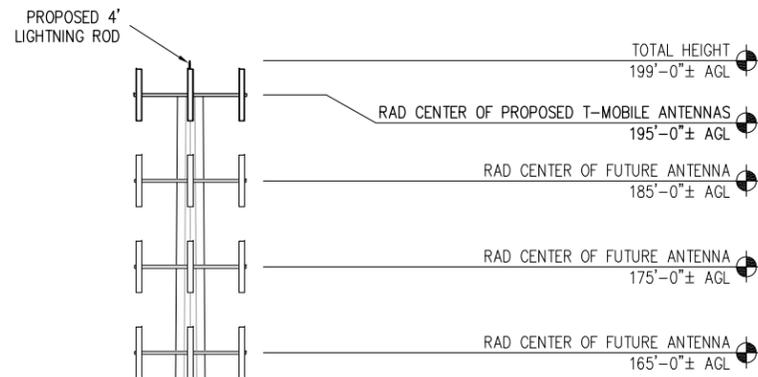
VA60288  
 OAKTREE

412 OAKTREE ROAD  
 WILLIAMSBURG, VIRGINIA 23188

SHEET TITLE  
**VDOT  
 ENTRANCE PLAN**

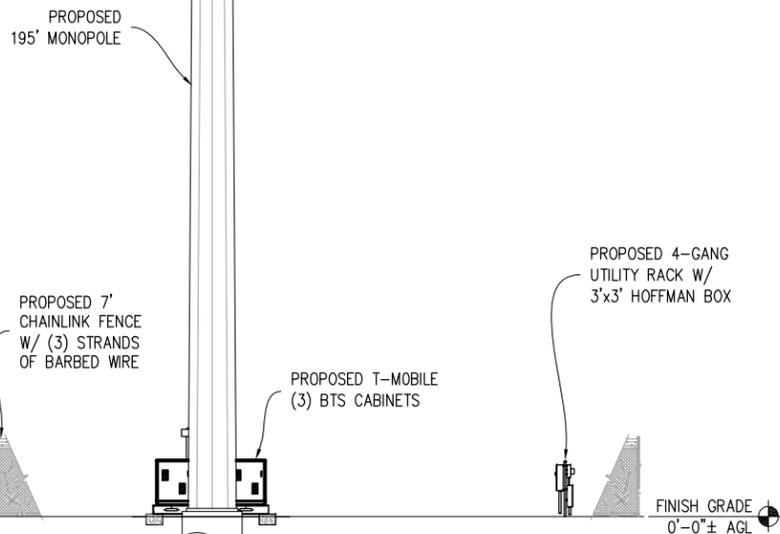
SHEET NUMBER

**C-8**

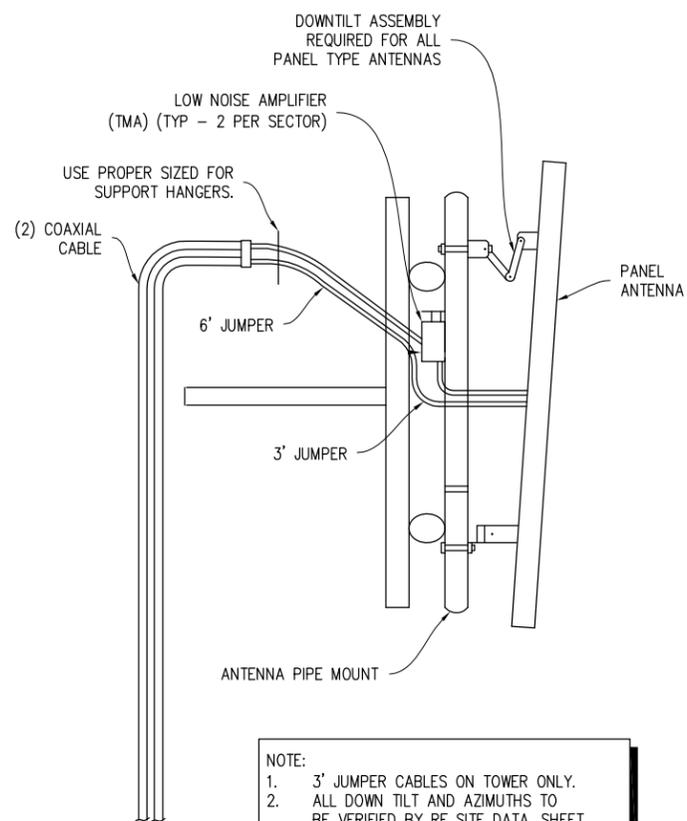


SEC. 24.1-494. STANDARDS FOR RADIO, TELEVISION, CELLULAR TELEPHONE, AND MICROWAVE TOWERS.

- A. NO ZONING CERTIFICATE FOR ANY RADIO, TELEVISION, OR MICROWAVE TOWERS SHALL BE ISSUED UNTIL THE APPLICANT PROVIDES EVIDENCE THAT THE FEDERAL AVIATION ADMINISTRATION HAS GRANTED A PERMIT FOR SAID TOWER OR THAT NO PERMIT IS REQUIRED.
- B. THE ENTRANCE TO THE SUBJECT PROPERTY SHALL BE CONSTRUCTED IN ACCORDANCE WITH VIRGINIA DEPARTMENT OF TRANSPORTATION STANDARDS FOR COMMERCIAL ENTRANCES.
- C. NO COMMUNICATION EQUIPMENT SHALL BE INSTALLED WHICH WILL IN ANY WAY INTERFERE WITH THE COUNTY EMERGENCY COMMUNICATIONS SYSTEM. SHOULD ANY EQUIPMENT ASSOCIATED WITH SUCH FACILITY BE FOUND BY THE COUNTY TO HAVE SUCH AN IMPACT, THE OWNER SHALL BE RESPONSIBLE FOR THE ELIMINATION OF THE INTERFERENCE WITHIN TWENTY FOUR (24) HOURS OF RECEIPT OF NOTICE FROM THE DIRECTOR OF PUBLIC SAFETY OR DESIGNEE.
- D. IF AT ANY TIME THE OWNER OF THE SUBJECT PROPERTY CEASES TO USE THE TOWER, THE OWNER SHALL DISMANTLE AND REMOVE IT WITHIN SIX (6) MONTHS AFTER CEASING TO USE IT.

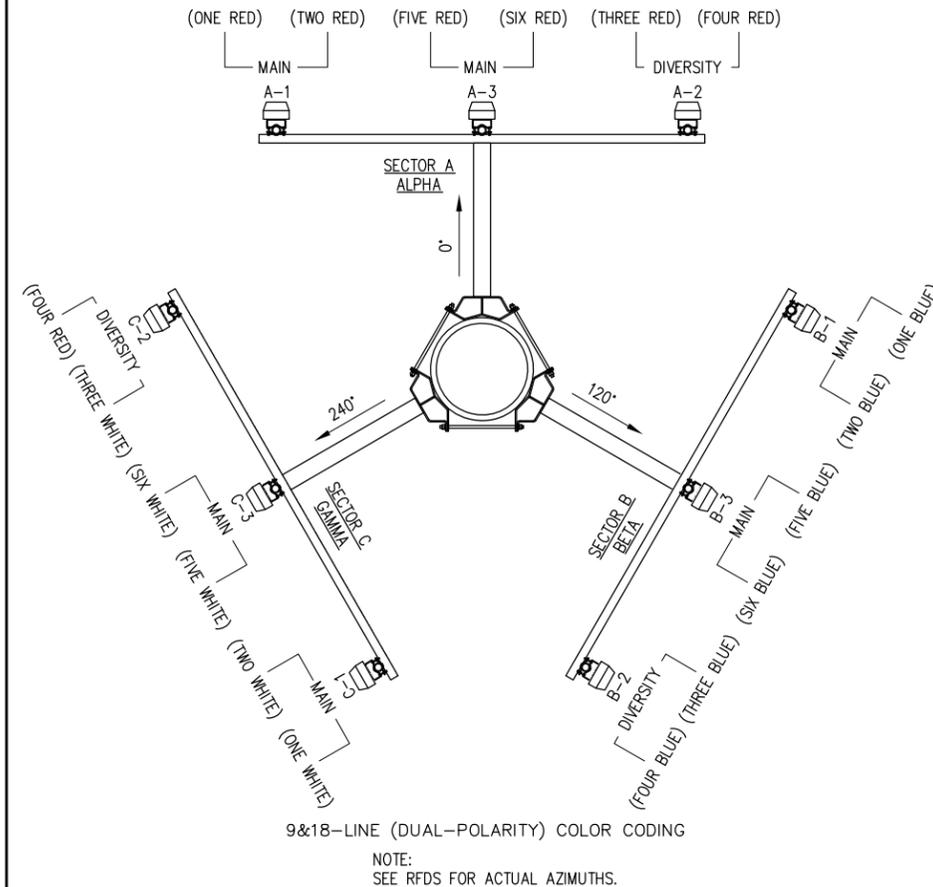


**1 ELEVATION**  
Scale: 3/32" = 1'-0"



NOTE:  
1. 3' JUMPER CABLES ON TOWER ONLY.  
2. ALL DOWN TILT AND AZIMUTHS TO BE VERIFIED BY RF SITE DATA SHEET. SEE PROJECT MANAGER FOR INFORMATION.

**2 PANEL ANTENNA DETAIL**  
Scale: N.T.S.



**3 ANTENNA PLAN**  
Scale: 3/8" = 1'-0"

**COAX CABLE IDENTIFICATION**

CONTRACTOR MUST PROVIDE EASY IDENTIFICATION AND UNIFORM MARKING OF ANTENNA CABLING, PER THE FOLLOWING INSTRUCTIONS:

1. LOCATION: MARKINGS SHALL BE MADE USING COLOR TAPE W/ 3" OF COVERAGE AFFIXED AT THREE PLACES ON THE COAX CABLE RUN AS FOLLOWS:  
  
FIRST-ON THE COAX AT THE CONNECTOR NEAREST THE ANTENNA (WHERE THE COAX AND JUMPER ARE CONNECTED).  
  
SECOND - AT THE BASE OF THE STEEPLE STRUCTURE.  
  
THIRD - AT A POINT OUTSIDE THE BTS. (JUST PRIOR TO MGB)
2. SECTOR IDENTIFICATION: NORMALLY A SITE WILL HAVE UP TO THREE SECTORS. SECTORS SHALL BE DESIGNATED IN A CLOCKWISE MANNER; THE ALPHA SECTOR IS CLOSEST TO ZERO DEGREES (NORTH) THE BETA AND GAMMA FOLLOW CLOCKWISE IN SEQUENCE.

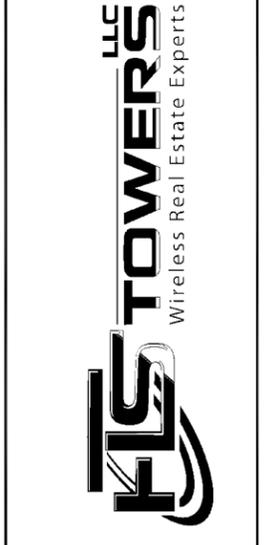
ALPHA SECTOR - RED  
BETA SECTOR - BLUE  
GAMMA SECTOR - WHITE  
  
CABLES MOUNTED INTERNALLY

**4 CABLE MOUNTING DETAIL**  
Scale: N.T.S.

ANTENNA AND COAXIAL CABLE SCHEDULE									
ANTENNA MARK	ANTENNA	AZIMUTH	RAD CENTER	COAXIAL CABLE LENGTH	COAXIAL CABLE	MINIMUM BENDING RADIUS	TMA TYPE	LOSS/100'	TOTAL LOSS
A-1	TBD	0°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
A-2	TBD	0°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
A-3	TBD	0°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
B-1	TBD	120°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
B-2	TBD	120°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
B-3	TBD	120°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
C-1	TBD	240°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
C-2	TBD	240°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
C-3	TBD	240°	195'	210'	(2) 1-5/8"Ø	20"	TBD	1.2	1.92 dB
TOTAL LENGTH FOR (18) LINES				4000'	*ESTIMATED LENGTH - CONTRACTOR TO FIELD VERIFY				

COAX BEND TABLE						
CABLE SIZE	RFS CABLE TYPE #	MANUF. MIN BEND RADIUS	HANGER RFS CAT. #	CABLE TO CABLE SPACING	MAX VER. HANGER SPACING	MAX HOR. HANGER SPACING
1/2"	LCF12	5"	SNAP-12	1/2"	4'-0"	3'-0"
7/8"	LCF78	10"	SNAP-78	1/2"	4'-0"	3'-0"
1-5/8"	LCF158	20"	SNAP-158	1/2"	4'-0"	3'-0"

**5 ANTENNA SCHEDULE**  
Scale: N.T.S.



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1	11/24/10	PRELIMINARY ZD	DP
0	10/07/10	LEASE EXHIBIT	DP

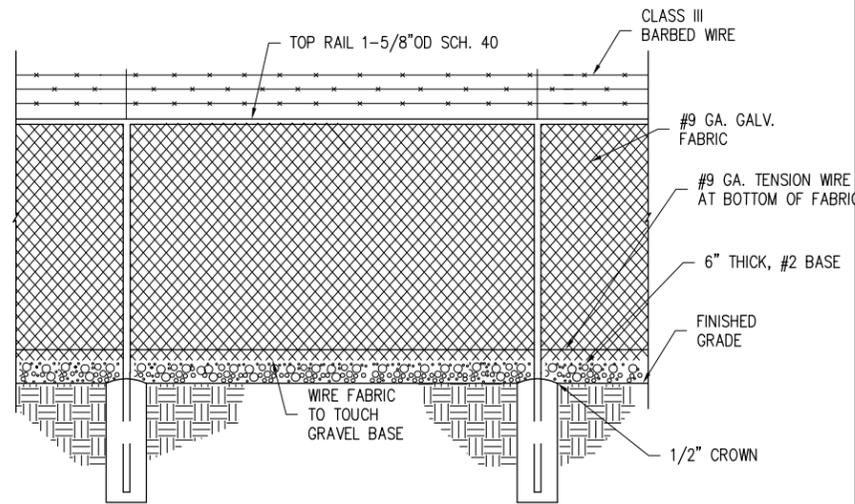


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**OAKTREE**  
  
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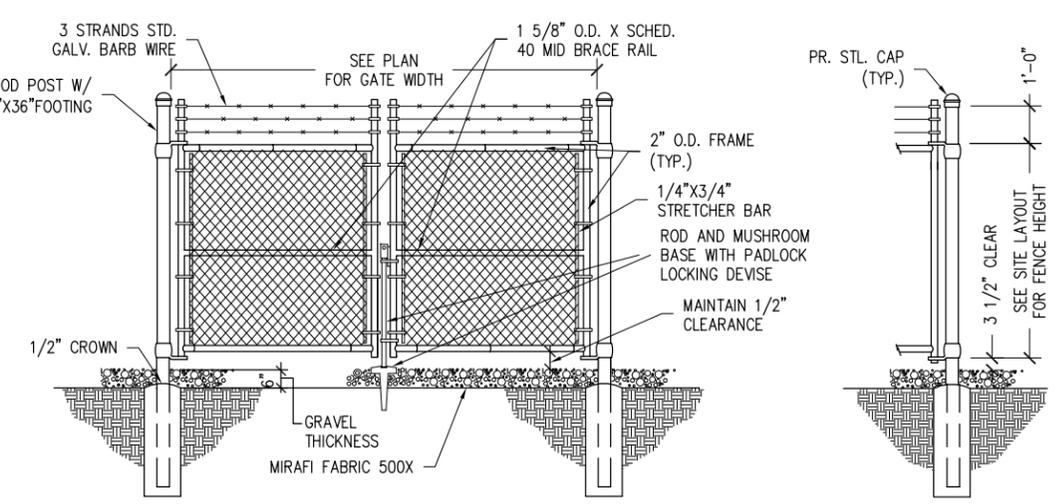
**SHEET TITLE**  
**ELEVATION,**  
**ANTENNA & COAX**  
**CABLE DETAILS**

**SHEET NUMBER**  
**C-3**



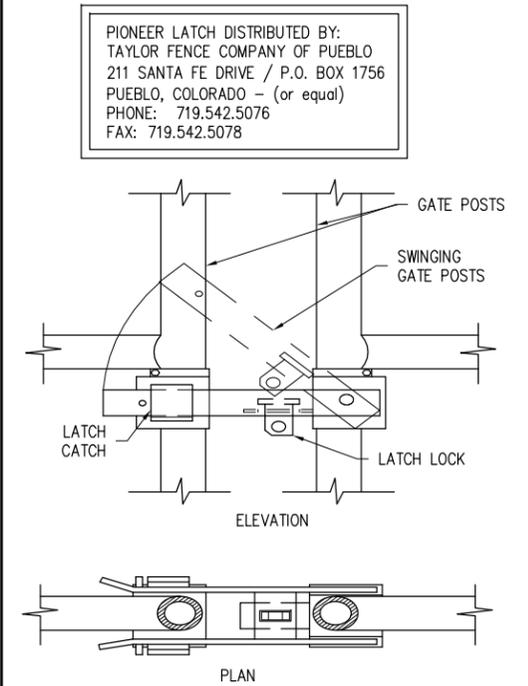
6' HIGH FENCE		FOOTINGS		8' HIGH FENCE		FOOTINGS	
LINE POST	-2" OD	9"x27"		LINE POST	-2-3/8" OD	12"x30"	
CORNER POST	-3" OD	12"x36"		CORNER POST	-3" OD	12"x42"	
GATE POST	-4" OD	12"x36"		GATE POST	-4" OD	12"x42"	

**1 FENCE DETAIL**  
Scale: N.T.S.

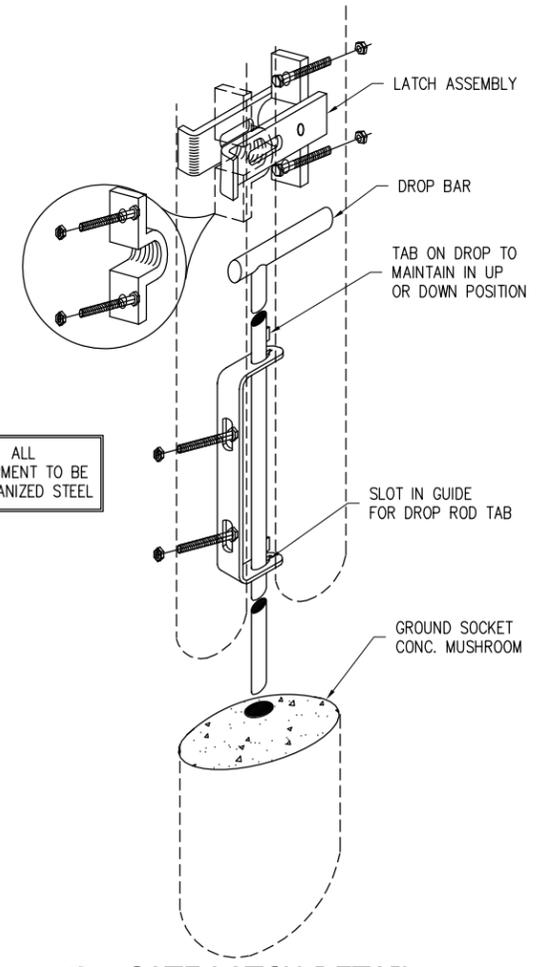


NOTE ! IMMEDIATELY AFTER ANY WELDING / GRINDING / DRILLING FABRICATOR SHALL APPLY THREE (3) COATS OF COLD-GALVANIZING COMPOUND TO CLEANED SURFACES.

**2 GATE DETAIL**  
Scale: N.T.S.

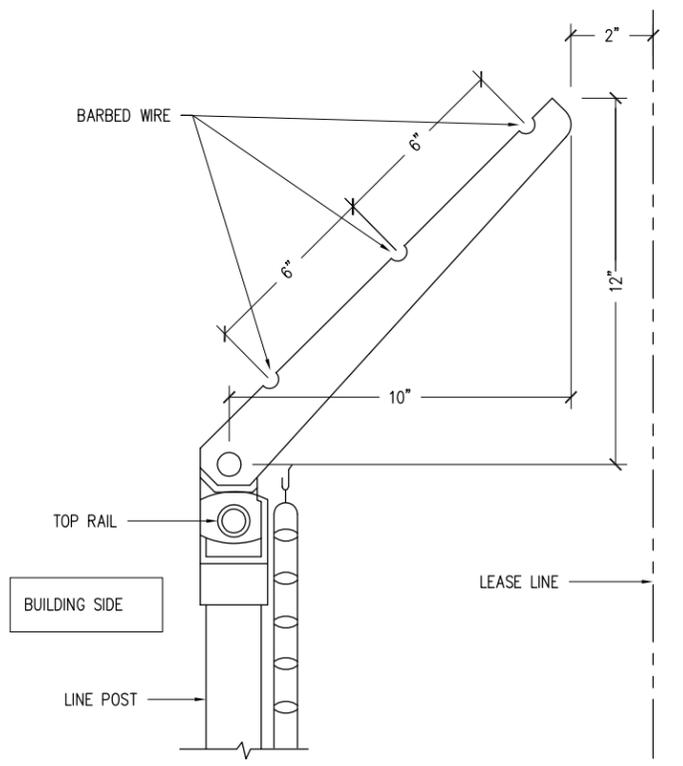


**3 GATE LATCH DETAIL**  
Scale: N.T.S.

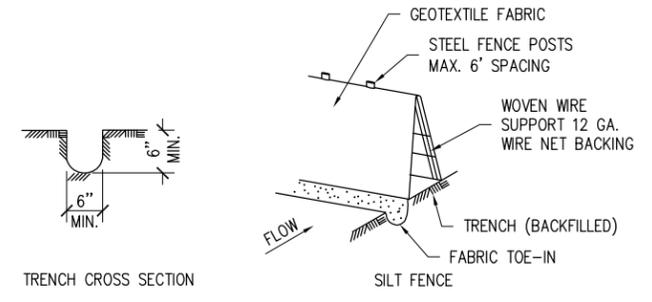


NOTE: ALL EQUIPMENT TO BE GALVANIZED STEEL

**4 GATE LATCH DETAIL**  
Scale: N.T.S.



**5 FENCE CAP DETAIL**  
Scale: N.T.S.



- GENERAL NOTES:
- STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF ONE FOOT. THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CAN NOT BE TRENCHED IN (E.G. PAVEMENT) WEIGHT FABRIC FLAP WITH WASHED GRAVEL ON UPHILL SIDE TO PREVENT FLOW UNDER FENCE.
  - 6 INCHES DEEP AND THE TRENCH MUST BE A MINIMUM OF 6 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.
  - SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POST.
  - INSPECTION SHALL BE MADE WEEKLY OR AFTER EACH RAINFALL EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
  - SILT FENCE SHALL BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
  - ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES. THE SILT SHALL BE DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CONTRIBUTE TO ADDITIONAL SILTATION.

**6 SILT DETAIL**  
Scale: N.T.S.



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ACGI JOB #: 10-3416

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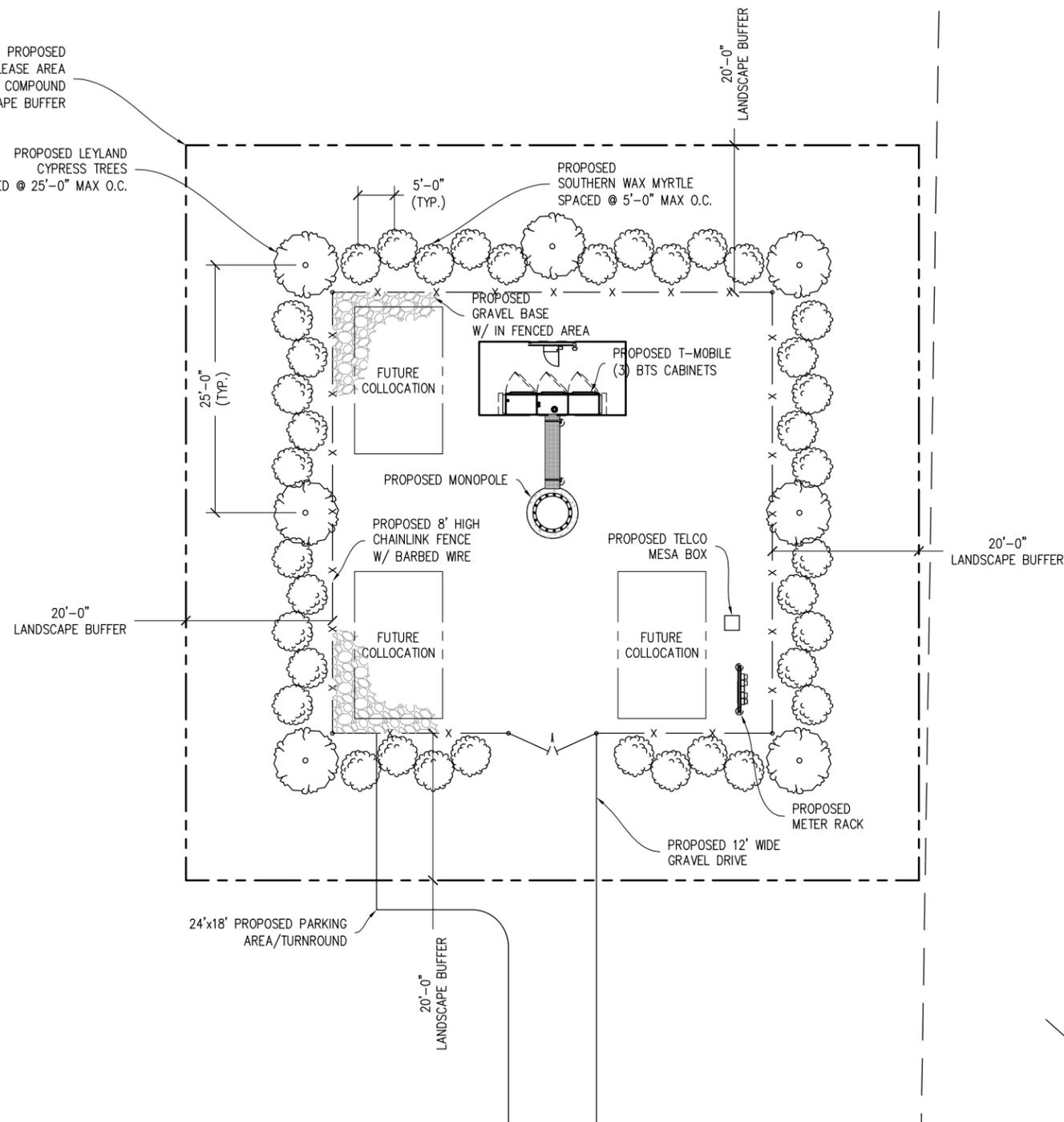
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SHEET TITLE  
FENCE DETAILS

SHEET NUMBER  
C-6

PROPOSED  
100'x100' LEASE AREA  
60'x60' FENCE COMPOUND  
W/ 20' LANDSCAPE BUFFER

PROPOSED LEYLAND  
CYPRESS TREES  
SPACED @ 25'-0" MAX O.C.

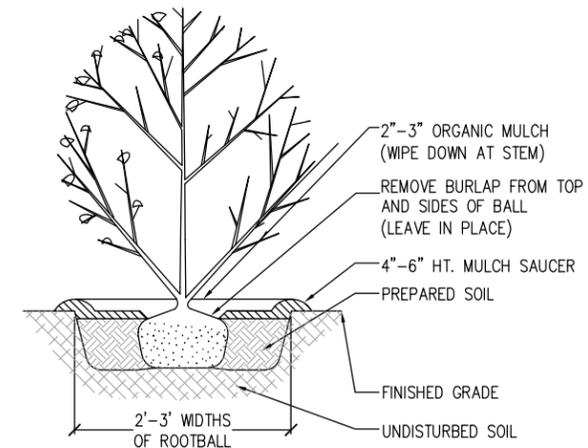
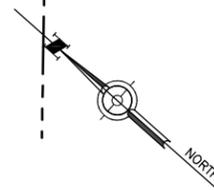


1 LANDSCAPE PLAN

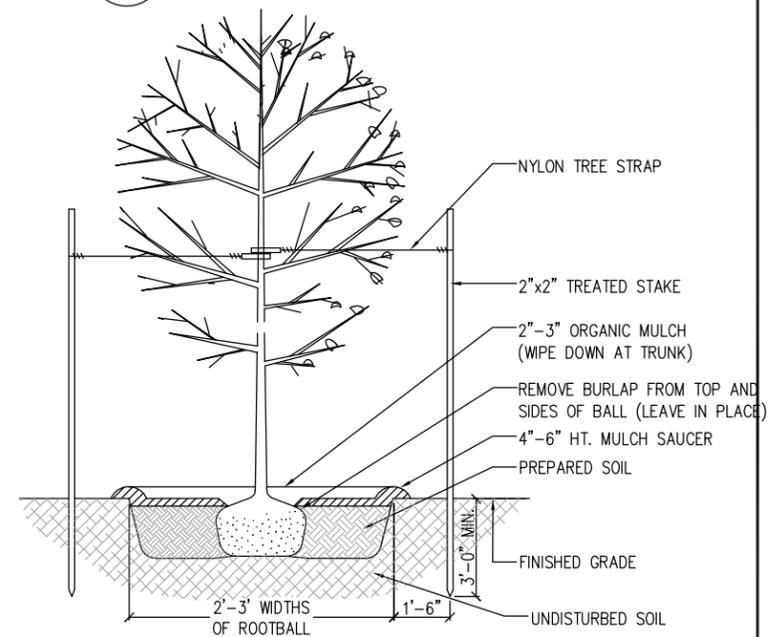
PLANTING SCHEDULE							
TYPE	BOTANICAL NAME	COMMON NAME	PLANT CHARACTERISTICS			QUANTITY	REMARKS
			CALIPER	HEIGHT	SPREAD		
CL	CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS	1 3/4" MIN.	4'-6'	10' O.C.	7	FULL, DENSE. PLANT AS SHOWN
MC	MYRICA CERIFERA	SOUTHERN WAX MYRTLE	-	4'-6'	24"-36"	38	FULL, DENSE. PLANT AS SHOWN

\*TREE CONTAINER TO BE MIN. 25 GAL OR EQUIVALENT BALL AND BURLAP.

FOR 24" X 36" PLOT - 1" = 10'  
FOR 11" X 17" PLOT - 1" = 20'



3 SHRUB PLANTING DETAIL



2 TREE PLANTING DETAIL

GENERAL PLANTING NOTES:

- ALL PLANT MATERIALS SHALL BE SPECIFIED TO BE EQUAL TO OR BETTER THAN THE STANDARDS FOR NURSERY STOCK, BY THE AMERICAN NURSERY AND LANDSCAPERS ASSOCIATION (ANLA).
- PLANTING SEASON RESTRICTIONS:  
ALL BALLED AND BURLAPPED PLANTS SHALL BE INSTALLED BETWEEN OCTOBER 1 AND NOVEMBER 15 UNLESS OTHERWISE AUTHORIZED BY THE LANDSCAPE ARCHITECT.  
ALL CONTAINER GROWN PLANTS SHALL BE INSTALLED BETWEEN SEPTEMBER 15 AND MAY 15 UNLESS OTHERWISE AUTHORIZED BY THE LANDSCAPE ARCHITECT.
- FINISHED GRADES ON GRADING PLANS THAT OCCUR IN SHRUB BEDS SPECIFY TOP OF FINISHED MULCH GRADES. LANDSCAPE CONTRACTOR SHALL NOT EXCEED THESE GRADES WHEN BEDS ARE COMPLETE.
- TOP OF MULCH SHALL FINISH 1" BELOW ADJACENT PAVEMENT.
- VERIFICATION OF TOTAL QUANTITIES AS SHOWN IN THE "PLANT SCHEDULE" SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. UPON DISCREPANCIES, THE PLANTING PLAN SYMBOLS SHALL GOVERN.
- NEW PLANTING SHALL BE LOCATED AS SHOWN ON PLANS. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL SITE ELEMENTS AND UTILITIES. IF DISCREPANCIES OCCUR, OR IF OBSTRUCTIONS BELOW GROUND OR OVERHEAD ARE ENCOUNTERED, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. NECESSARY ADJUSTMENTS SHALL BE MADE ONLY UPON APPROVAL OF THE LANDSCAPE ARCHITECT. MAINTENANCE WILL INCLUDE IRRIGATION AND THE REMOVAL OF INVASIVE CLIMBERS FROM PROPOSED VEGETATION UNTIL THE PROPOSED VEGETATION HAS HAD OPPORTUNITY TO BECOME ESTABLISHED.



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CHECKED BY: J. GEORGE  
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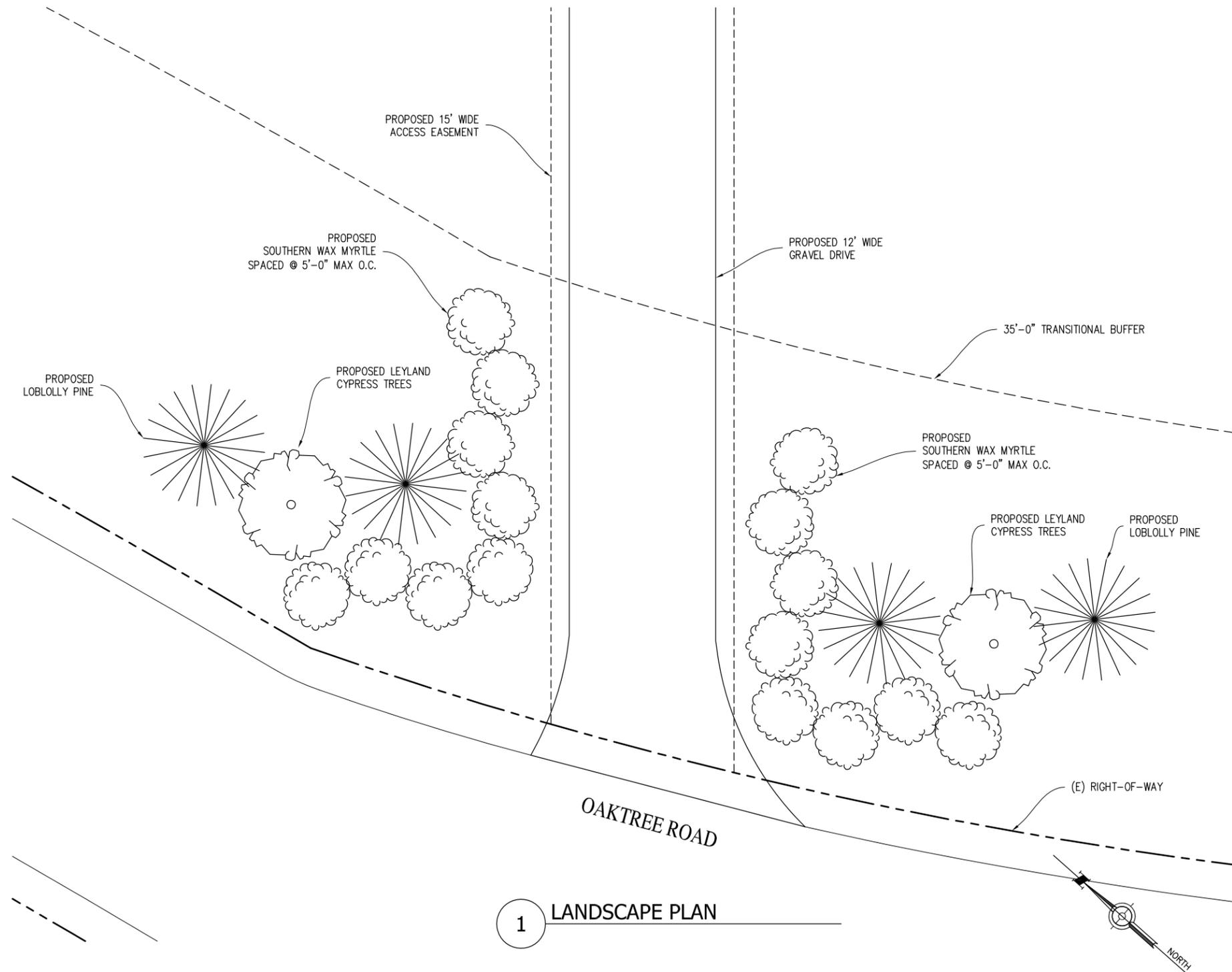
VA60288  
OAKTREE

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SHEET TITLE  
**LANDSCAPE  
PLAN**

SHEET NUMBER

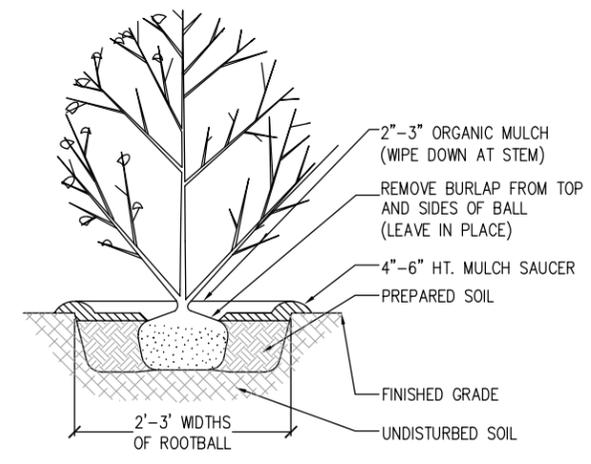
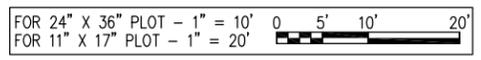
**L-1**



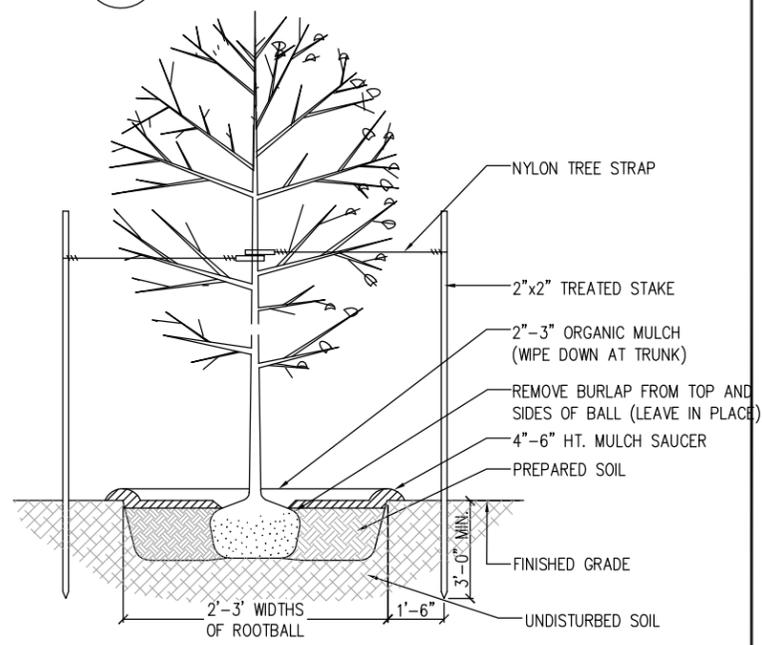
**1 LANDSCAPE PLAN**

PLANTING SCHEDULE							
TYPE	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS			QUANTITY	REMARKS
			CALIPER	HEIGHT	SPREAD		
CL	CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS	1 3/4" MIN.	4'-6'	10' O.C.	2	FULL, DENSE. PLANT AS SHOWN
MC	MYRICA CERIFERA	SOUTHERN WAX MYRTLE	-	4'-6'	24"-36"	16	FULL, DENSE. PLANT AS SHOWN
PT	PINUS TAEDA	LOBLOLLY PINE	2-1/2" MIN.	6'	~	4	FULL, DENSE. PLANT AS SHOWN

\*TREE CONTAINER TO BE MIN. 25 GAL OR EQUIVALENT BALL AND BURLAP.



**3 SHRUB PLANTING DETAIL**



**2 TREE PLANTING DETAIL**

**GENERAL PLANTING NOTES:**

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ALL CONTAINER GROWN PLANTS SHALL BE INSTALLED BETWEEN SEPTEMBER 15 AND MAY 15 UNLESS OTHERWISE AUTHORIZED BY THE LANDSCAPE ARCHITECT.
- FINISHED GRADES ON GRADING PLANS THAT OCCUR IN SHRUB BEDS SPECIFY TOP OF FINISHED MULCH GRADES. LANDSCAPE CONTRACTOR SHALL NOT EXCEED THESE GRADES WHEN BEDS ARE COMPLETE.
- TOP OF MULCH SHALL FINISH 1" BELOW ADJACENT PAVEMENT.
- VERIFICATION OF TOTAL QUANTITIES AS SHOWN IN THE "PLANT SCHEDULE" SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. UPON DISCREPANCIES, THE PLANTING PLAN SYMBOLS SHALL GOVERN.
- NEW PLANTING SHALL BE LOCATED AS SHOWN ON PLANS. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL SITE ELEMENTS AND UTILITIES. IF DISCREPANCIES OCCUR, OR IF OBSTRUCTIONS BELOW GROUND OR OVERHEAD ARE ENCOUNTERED, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. NECESSARY ADJUSTMENTS SHALL BE MADE ONLY UPON APPROVAL OF THE LANDSCAPE ARCHITECT. MAINTENANCE WILL INCLUDE IRRIGATION AND THE REMOVAL OF INVASIVE CLIMBERS FROM PROPOSED VEGETATION UNTIL THE PROPOSED VEGETATION HAS HAD OPPORTUNITY TO BECOME ESTABLISHED.
- 



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WILLIAMSBURG, VIRGINIA 23188

SHEET TITLE  
**LANDSCAPE PLAN**

SHEET NUMBER  
**L-2**

GENERAL NOTES

1. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE ALL PLAN SHEETS AND SPECIFICATIONS AND COORDINATE HIS WORK WITH THE WORK OF ALL OTHER CONTRACTORS TO ENSURE THAT WORK PROGRESSION IS NOT INTERRUPTED.

2. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING A NEAT AND ORDERLY SITE, YARD AND GROUNDS. REMOVE AND DISPOSE OFF SITE ALL RUBBISH, WASTE MATERIALS, LITTER AND ALL FOREIGN SUBSTANCES. REMOVE PETRO-CHEMICAL SPILLS, STAINS AND OTHER FOREIGN DEPOSITS. RAKE GROUNDS TO A SMOOTH EVEN-TEXTURED SURFACE.

3. LOCATION OF EXISTING SUBSURFACE STRUCTURES, ABOVE GROUND STRUCTURES AND/OR UTILITIES WITHIN THE AREA OF THE PROPOSED WORK ARE NOT NECESSARILY SHOWN ON THE PLANS. AND IF SHOWN ARE ONLY APPROXIMATELY CORRECT. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY LOCATION OF ALL SUBSURFACE STRUCTURES AND UTILITIES PRIOR TO STARTING WORK. 72 HOURS PRIOR TO ANY DIGGING OR DRILLING, CONTACT LOCAL UTILITY LOCATING SERVICE.

4. THE OWNER OR OWNER'S REPRESENTATIVE SHALL BE NOTIFIED IN WRITING OF ANY CONDITIONS THAT VARY FROM THOSE SHOWN ON THE PLANS. THE CONTRACTOR'S WORK SHALL NOT VARY FROM THE PLANS WITHOUT THE EXPRESS APPROVAL OF THE OWNER OR OWNER'S REPRESENTATIVE.

5. THE CONTRACTOR IS INSTRUCTED TO COOPERATE WITH ANY AND ALL OTHER CONTRACTORS PERFORMING WORK ON THIS JOB SITE DURING THE PERFORMANCE OF THIS CONTRACT.

6. THE CONTRACTOR SHALL RESTORE ALL PUBUC OR PRIVATE PROPERTY DAMAGED OR REMOVED TO AT LEAST AS GOOD OF CONDITION AS BEFORE DISTURBED AS DETERMINED BY THE OWNER OR OWNER'S REPRESENTATIVE.

7. THE CONTRACTOR SHALL COMPLY WITH ALL REQUIRED PERMITS.

8. THE CONTRACTOR SHALL PROTECT EXISTING PROPERTY LINE MONUMENTATION. ANY MONUMENTATION DISTURBED OR DESTROYED, AS JUDGED BY THE OWNER OR THE OWNER'S REPRESENTATIVE SHALL BE REPLACED AT THE CONTRACTORS EXPENSE UNDER THE SUPERVISION OF A LICENSED LAND SURVEYOR.

9. ALL TRENCH EXCAVATION AND ANY REQUIRED SHEETING AND SHORING SHALL BE DONE IN ACCORDANCE OSHA REGULATIONS FOR CONSTRUCTION.

10. CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING AND THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF WORK

11. ALL UTILITY WORK INVOLVING CONNECTIONS TO EXISTING SYSTEMS SHALL BE OWNER. NOTIFY THE OWNER OR OWNER'S REPRESENTATIVE AND THE UTILITY OWNER BEFORE EACH AND EVERY CONNECTION TO EXISTING SYSTEMS IS MADE.

12. MAINTAIN FLOW FOR ALL EXISTING UTILITIES.

13. ALL SITE FILL SHALL MEET SELECTED FILL STANDARDS AS DEFINED BY THE OWNER OR OWNER'S REPRESENTATIVE.  
14. CONTRACTOR TO GRADE ALL AREAS ON THE SITE TO PROVIDE POSITIVE DRAINAGE AWAY FROM THE BUILDING OR EQUIPMENT PAD AND THE TOWER.

15. PROPOSED TOWER FOOTING/FOUNDATION DIMENSIONS (IF ANY) ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ACTUAL FOUNDATION DIMENSIONS WITH FINAL TOWER DESIGN AND FOUNDATION DESIGN AS PROVIDED BY TOWER MANUFACTURER.

16. PARKING DURING MAINTENANCE OPERATIONS SHALL BE CONFINED TO THE PROPOSED COMPOUND & ACCESS ROAD.

17. NOTE THAT ALL DIMENSIONS, ELEVATIONS, AND EXISTING CONDITIONS SHOWN ON THE DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO BEGINNING ANY MATERIALS ORDERING, FABRICATION OR CONSTRUCTION WORK

18. THE CONTRACTOR WILL REWORK (DRY, SCARIFY, ETC.) ALL MATERIAL NOT SUITABLE FOR SUBGRADE IN ITS PRESENT STATE. IF THE MATERIAL, AFTER REWORKING, REMAINS UNSUITABLE, THEN THE CONTRACTOR SHALL REMOVE AND REPLACE IT WITH AN APPROVED MATERIAL. ALL SUBGRADES SHALL BE PROOF ROLLED WITHA FULLY LOADED TANDEM AXLE TRUCK PRIOR TO PAVING. ANY SOFT MATERIAL SHALL BE REWORKED OR REPLACED.

19. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER THE REQUIREMENTS FOR THE LIMITS OF OVERHEAD AND OR UNDERGROUND ELECTRICAL SERVICE.

20. THE CONTRACTOR SHALL COORDINATE THE LOCATION OF NEW UNDERGROUND TELEPHONE SERVICE WITH THE TELEPHONE UTILITY AND THE OWNER'S REQUIREMENTS.

21. ALL MATERIALS AND WORKMANSHIP SHALL BE WARRANTED FOR ONE (1) YEAR FROM DATE OF ACCEPTANCE.

22. ALL UNDERGROUND UTILITIES (ELECTRICITY, TELEPHONE, ETC.) SHALL BE INSTALLED AND TESTED SATISFACTORY PRIOR TO COMMENCING ANY PAVING OPERATIONS WHERE SUCH UTILITIES ARE WITHIN THE LIMITS OF PAVING.

23. THE CONTRACTOR IS RESPONSIBLE FOR APPOINTING A DESIGNATED "RESPONSIBLE LAND DISTURBER (RLD) WHO SHALL BE RESPONSIBLE FOR INSPECTING AND MAINTAINING ALL EROSION CONTROL MEASURES. THE RLD SHALL BE CERTIFIED IN VIRGINIA.

24. ONLY HAND DIGGING ALLOWED INSIDE COMPOUND



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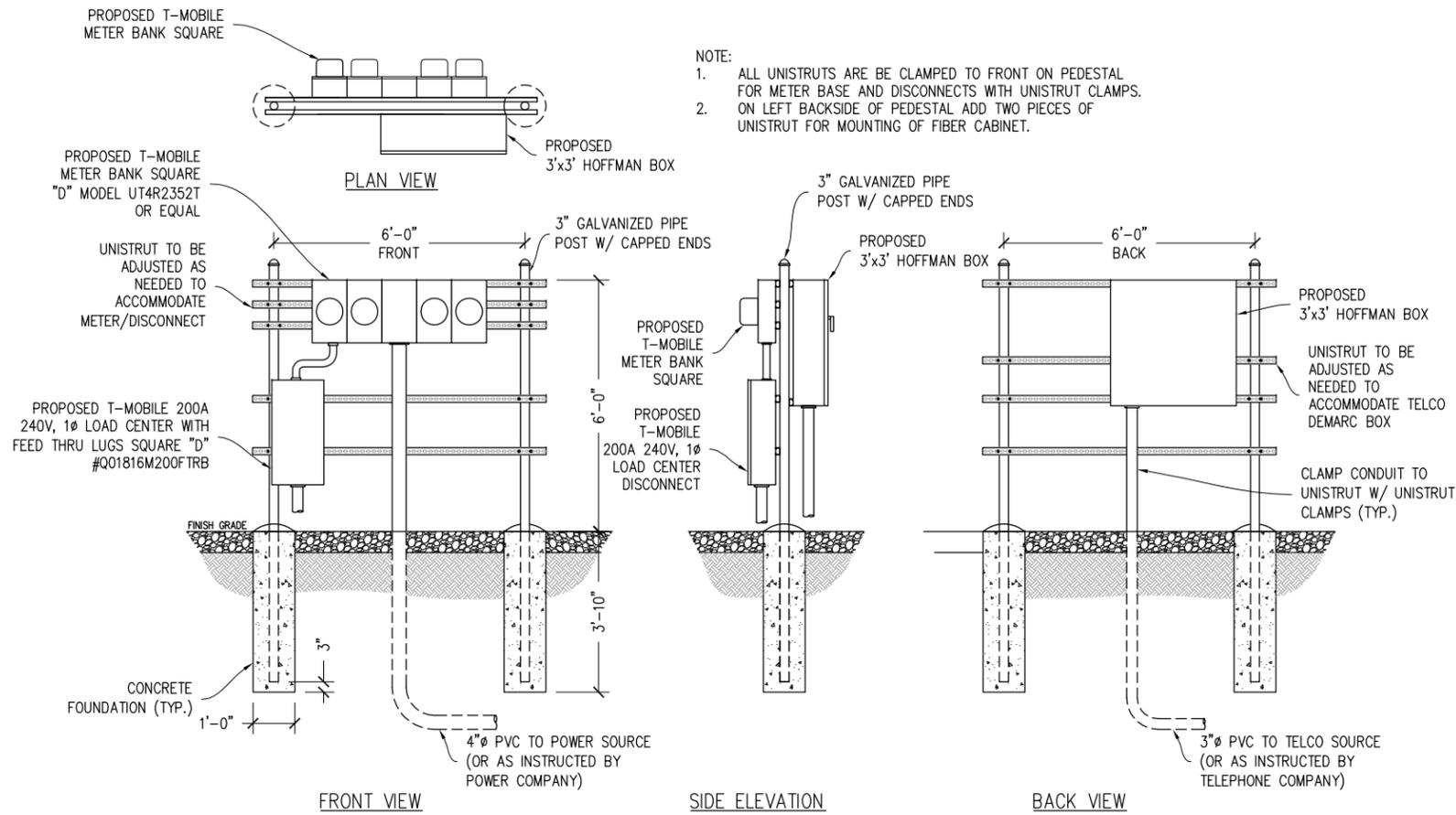
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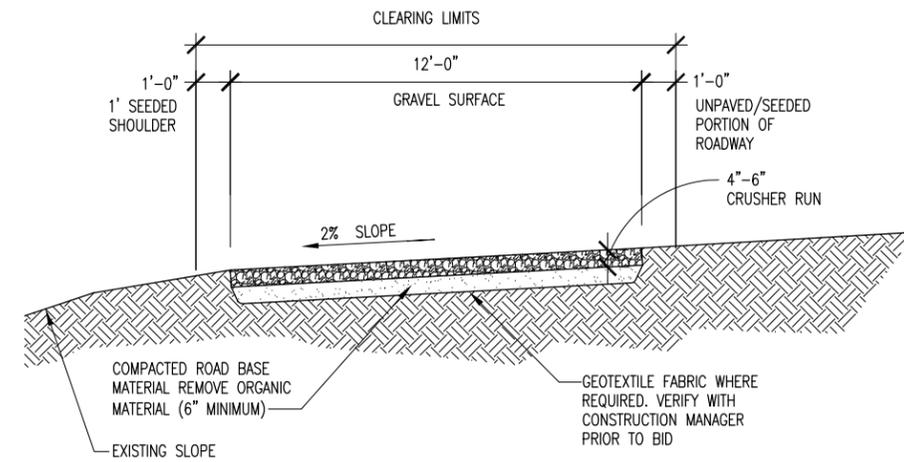
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SHEET TITLE  
**CIVIL NOTES**

SHEET NUMBER  
**C-4**



**1 UTILITY H-FRAME DETAIL**  
Scale: N.T.S.



- (A) CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING & GRUBBING THE CONSTRUCTION SITE AND ROADWAY AREAS. THE CONTRACTOR SHALL COMPLY WITH THE RECOMMENDATIONS CONTAINED WITHIN THE GEOTECHNICAL REPORT WHEN NECESSARY PREPARED FOR THIS SITE FOR SITE WORK PREPARATION & FOUNDATION WORK. AS A MINIMUM THE TOP 3" OF GRADE SHALL BE REMOVED. THE EXPOSED SUBGRADE COMPACTED, GEOTEXTILE FABRIC AS REQUIRED FOR UNSTABLE SOIL CONDITION.**
- (B) ALL SELECT GRANULAR FILL SHALL BE COMPACTED TO A 95% COMPACTION AT A MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557 OR WITHIN PLUS OR MINUS 3% OF OPTIMUM MOISTURE CONTENT.**

**2 TYPICAL ACCESS ROAD CROSS SECTION**  
Scale: N.T.S.



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CIVIL DETAILS

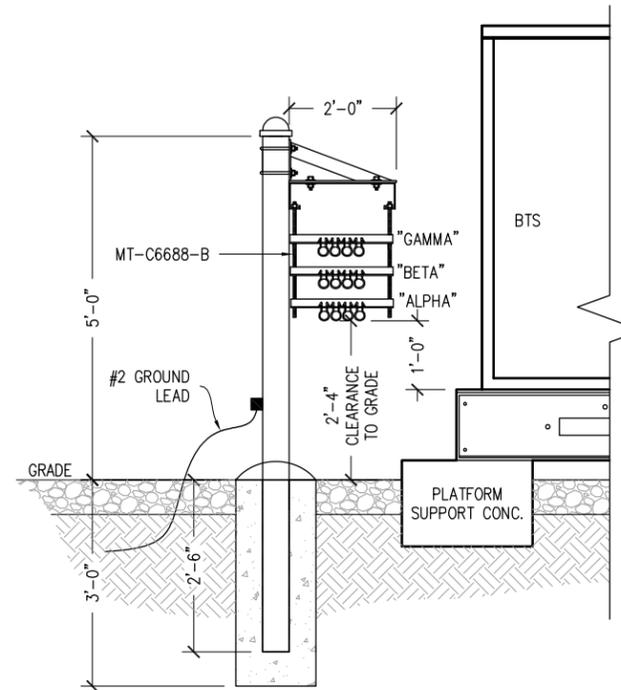
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C-7



## GENERAL NOTES

### GENERAL NOTES FOR INSTALLATION OF CABLE BRIDGE

1. MATERIALS USED WILL BE ONLY HOT DIPPED GALVANIZED.
2. ALL FIELD CUT SURFACES HAVE TO BE PAINTED WITH COLD GALVANIZED PAINT.
3. ALL CONNECTION HARDWARE SUCH AS LAGS, SHIELDS AND LEAD TAP ANCHORS ARE TO BE SUPPLIED BY THE CONTRACTOR.
4. EXCESS THREADED ROD ON THE TOP OF THE GRIP STRUT IS TO BE CUT OFF AT A 1" MAXIMUM LENGTH ABOVE THE GRIP STRUT COVER.
5. STABILIZER ANGLES ARE TO BE INSTALLED TO SHED WATER.
6. BUS BAR GROUND LEADS ARE TO BE IN 3/4" SCHEDULE 80 PVC. ELEVATED BUS BAR LEADS SHOULD BE IN 3/4" PVC HORIZONTAL TO A 45° TRANSITION UNTIL IT REACHES THE CONCRETE, 45° TRANSITION AGAIN TO HORIZONTAL. RUN THE GROUND LEADS OFF THE END OF THE PAD IN THE SAME DIRECTION ATTACHING EVERY 4' TO ANCHORED UNI-STRUT TO A 90° SWEEP CONTINUING VERTICAL TO GROUND CONNECTION.
7. AT THE TIME OF THE 3rd BTS FUTURE INSTALLATION, THE CONTRACTOR TASKED WITH THE ADDITIONAL CABLE RUNS WILL HAVE TO INSTALL ADDITIONAL BRIDGE, MATCHING THE MATERIALS OF THE EXISTING BRIDGE.
8. THE 1/2" SUPER-FLEX JUMPERS GOING TO THE BTS WILL BE SUPPORTED WITH 3-1/2" HOLE CUSHION ASSEMBLY SUPPLIED BY CONTRACTOR ACCORDING TO MANUFACTURERS' DIRECTIONS.



### 1 TYPICAL CABLE BRIDGE INSTALLATION

Scale: N.T.S.

## STRUCTURAL NOTES

### CODES & STANDARDS

1. INTERNATIONAL BUILDING CODE 2006 (IBC2006)
2. STRUCTURAL CONCRETE: BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE, ACI 318-05
3. GUIDE FOR CONCRETE FLOOR AND SLAB CONSTRUCTION, ACI 302.1R-04.

### GENERAL

1. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND DIMENSIONS PRIOR TO BEGINNING WORK, AND NOTIFY THE OWNER OF ANY CONDITIONS DIFFERENT THAN THOSE SHOWN IN THE CONTRACT DOCUMENTS.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION AND COORDINATION OF DIMENSIONS AND FOR THE PROPER FIT-UP OF THE TOWER AND EQUIPMENT BUILDING FOUNDATIONS.
3. CONTRACTOR SHALL FOLLOW THE CONSTRUCTION GUIDELINES PROVIDED IN THE GEOTECHNICAL REPORT.

### STRUCTURAL FILL

1. SELECT STRUCTURAL FILL SHALL BE PLACED IN AREAS OF VOIDS CAUSED BY SITE PREPARATION AND IN AREAS WHERE REQUIRED TO BRING GRADE TO PROPER ELEVATION.
2. PRIOR TO PLACING REQUIRED FILL MATERIAL, REMOVE FROM THE SITE ALL COBBLES, BOULDERS, AND VEGETATION, AS WELL AS OTHER DELETERIOUS MATERIALS, INCLUDING ANY LOOSE OR EXCESSIVELY ORGANIC MATERIAL FROM THE EXISTING SUBGRADE. THIS MATERIAL SHOULD BE STRIPPED TO A MINIMUM DEPTH OF 6 INCHES AND REMOVED FROM THE SITE. ALL EXPOSED SURFACES SHALL THEN BE INSPECTED BY PROBING, TESTING, AND PROOF-ROLLING AS SPECIFIED IN THE GEOTECHNICAL EXPLORATION REPORT. PROOF-ROLLING PROCEDURES SHOULD BE OBSERVED BY THE PROJECT GEOTECHNICAL ENGINEER OR HIS REPRESENTATIVE.
3. THE EXPOSED SUBGRADE SHOULD NOT BE ALLOWED TO DRY OUT PRIOR TO PLACING STRUCTURAL FILL.

4. STRUCTURAL FILL MATERIAL SHALL HAVE A PLASTICITY INDEX BETWEEN 5 AND 15 AND A LIQUID LIMIT LESS THAN 40. GRADATION OF MATERIAL SHALL BE AS FOLLOWS:

NO PARTICLES GREATER THAN 3 INCHES  
 PERCENT PASSING NO. 4 SIEVE 40% - 80%  
 PERCENT PASSING NO. 40 SIEVE 10% - 50%  
 PERCENT PASSING NO. 200 SIEVE LESS THAN 20%

5. STRUCTURAL FILL SHALL BE PLACED IN LOOSE LIFTS NOT EXCEEDING 8 INCHES IN THICKNESS, WATERED AS REQUIRED AND COMPACTED TO A MINIMUM OF 95 PERCENT OF THE MAXIMUM DRY DENSITY AS DEFINED IN TXDOT TEST METHOD TXDOT-113-E AT A MOISTURE CONTENT WITHIN 3 PERCENT OF THE OPTIMUM MOISTURE CONTENT.
6. COMPACTION AND MOISTURE CONTENT OF SUBGRADE AND EACH LIFT OF STRUCTURAL FILL SHALL BE INSPECTED AND APPROVED BY A QUALIFIED ENGINEERING TECHNICIAN, SUPERVISED BY A GEOTECHNICAL ENGINEER.
7. PROVISIONS FOR DRAINAGE AND MAINTENANCE SHALL BE AS PER THE GEOTECHNICAL EXPLORATION REPORT.

### SLAB-ON-GRADE FOUNDATIONS

1. SLAB-ON-GRADE FOUNDATIONS ARE DESIGNED TO BEAR ON WELL COMPACTED, CLEAN FILL WITH AN ALLOWABLE BEARING CAPACITY OF 1.7 KSF FOR THE EQUIPMENT BUILDING, AS PER THE GEOTECHNICAL EXPLORATION REPORT. THE SELECT STRUCTURAL FILL SHALL BE A MINIMUM DEPTH OF 8 INCHES BELOW FINISHED GRADE ELEVATION AS PER GEOTECHNICAL EXPLORATION REPORT.
2. SLAB-ON-GRADE FOUNDATIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE GEOTECHNICAL REQUIREMENTS AND ENGINEERING DESIGN FOR SITE PREPARATION, DRAINAGE, AND MAINTENANCE.
3. PLACE A 6 MIL POLYETHYLENE VAPOR BARRIER OVER COMPACTED SOIL PRIOR TO PLACING FOUNDATION SLAB.
4. REFER TO PLANS FOR STIFFENED SLAB-ON-GRADE DIMENSIONS, THICKNESS, AND REINFORCING.

### CAST IN PLACE CONCRETE

1. CONCRETE DESIGN AND REINFORCEMENT IN ACCORDANCE WITH "BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE", ACI 318-95 AND WITH "DETAILS AND DETAILING OF CONCRETE REINFORCEMENT", ACI 315-80, REVISED 1986.
2. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS", ACI 301-89.
3. NO CONCRETE ADMIXTURES SHALL BE PERMITTED WITHOUT THE REVIEW OF THE ENGINEER.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR THE ADEQUACY OF THE FORMS AND SHORING AND FOR SAFE PRACTICE IN THEIR USE AND REMOVAL.
5. PLACING OF CONCRETE IN PIERS SHALL BE THROUGH "ELEPHANT TRUNK" TUBULAR CHUTES LOCATED SUCH THAT THE FREE AIR DROP OF THE CONCRETE DOES NOT EXCEED 6 FEET. ALTERNATE PLACEMENT METHODS OF CONCRETE, WITH OR WITHOUT ADMIXTURES, SHALL NOT BE USED UNLESS APPROVED BY THE ENGINEER.
6. CAST IN PLACE CONCRETE SHALL BE NORMAL WEIGHT CONCRETE WITH A DESIGN STRENGTH OF 3,000 PSI AT 28 DAYS, AND A SLUMP BETWEEN 3" AND 5".

### CONCRETE REINFORCING

1. REINFORCING STEEL SHALL BE DEFORMED NEW BILLET STEEL BARS IN ACCORDANCE WITH A.S.T.M. SPECIFICATION A615 GRADE 60.
2. DETAILING OF REINFORCING STEEL SHALL CONFORM TO THE AMERICAN CONCRETE INSTITUTE DETAILING MANUAL.
3. ALL HOOKS AND BENDS IN REINFORCING BARS SHALL CONFORM TO ACI DETAILING STANDARDS UNLESS SHOWN OTHERWISE.

4. IN BEAMS, SLABS, COLUMNS AND WALLS DETAIL REINFORCING AS FOLLOWS:
  - a) LAP TOP REINFORCING BARS AT MID SPAN.
  - b) LAP BOTTOM REINFORCING BARS AT THE SUPPORTS.
  - c) LAP REINFORCING BARS 36 BAR DIAMETERS MINIMUM, UNLESS NOTED OTHERWISE
  - d) STAGGER SPLICING OF HORIZONTAL REINFORCING 48".
  - e) PROVIDE CORNER BARS FOR ALL HORIZONTAL BARS AT THE INSIDE AND OUTSIDE FACES AND TOP AND BOTTOM OF INTERSECTING BEAMS OR WALLS. CORNER BARS ARE NOT REQUIRED IF HORIZONTAL BARS ARE HOOKED.
5. THE WELDING OF REINFORCING STEEL WILL NOT BE PERMITTED.
6. HEAT SHALL NOT BE USED IN THE FABRICATION OR INSTALLATION OF REINFORCEMENT.
7. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCEMENT UNLESS NOTED OTHERWISE ON THE DRAWINGS:
  - a) CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH 3"
  - b) CONCRETE EXPOSED TO EARTH OR WEATHER
    - i) #6 THROUGH #18 2.0"
    - ii) #5 AND SMALLER 1.5"
8. ALL REINFORCING ACCESSORIES SHALL BE STAINLESS STEEL, GALVANIZED, OR PLASTIC TIPPED.



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SHEET TITLE  
**CABLE BRIDGE  
DETAILS &  
STRUCTURAL NOTES**

SHEET NUMBER

**S-1**



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DIVISION 1 – GENERAL NOTES

PART 1 GENERAL

1.1 INTENT

- A. THESE SPECIFICATIONS AND CONSTRUCTION DRAWINGS ACCOMPANYING THEM DESCRIBE THE WORK TO BE DONE AND THE MATERIALS TO BE FURNISHED FOR CONSTRUCTION.
- B. THE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO BE FULLY EXPLANATORY AND SUPPLEMENTARY. HOWEVER, SHOULD ANYTHING BE SHOWN, INDICATED OR SPECIFIED ON ONE AND NOT THE OTHER, IT SHALL BE DONE THE SAME AS IF SHOWN, INDICATED OR SPECIFIED IN BOTH.
- C. THE INTENTION OF THE DOCUMENTS IS TO INCLUDE ALL LABOR AND MATERIALS REASONABLY NECESSARY FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK AS STIPULATED IN THE CONTRACT.
- D. THE PURPOSE OF THE SPECIFICATIONS IS TO INTERPRET THE INTENT OF THE DRAWINGS AND TO DESIGNATE THE METHOD OF THE PROCEDURE, TYPE AND QUALITY OF MATERIALS REQUIRED TO COMPLETE THE WORK.

1.2 CONFLICTS

- A. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL MEASUREMENTS AT THE SITE BEFORE ORDERING ANY MATERIALS OR DOING ANY WORK. NO EXTRA CHARGE OR COMPENSATION SHALL BE ALLOWED DUE TO DIFFERENCE BETWEEN ACTUAL DIMENSIONS AND DIMENSIONS INDICATED ON THE CONSTRUCTION DRAWINGS. ANY SUCH DISCREPANCY IN DIMENSION WHICH MAY BE FOUND SHALL BE SUBMITTED TO THE OWNER FOR CONSIDERATION BEFORE THE CONTRACTOR PROCEEDS WITH THE WORK IN THE AFFECTED AREAS.
- B. THE BIDDER, IF AWARDED THE CONTRACT, WILL NOT BE ALLOWED ANY EXTRA COMPENSATION BY REASON OF ANY MATTER OR THING CONCERNING WHICH SUCH BIDDER MIGHT HAVE FULLY INFORMED THEMSELVES PRIOR TO THE BIDDING.
- C. NO PLEA OF IGNORANCE OF CONDITIONS THAT EXIST, OR OF DIFFICULTIES OR CONDITIONS THAT MAY BE ENCOUNTERED OR OF ANY OTHER RELEVANT MATTER CONCERNING THE WORK TO BE PERFORMED IN THE EXECUTION OF THE WORK WILL BE ACCEPTED AS AN EXCUSE FOR ANY FAILURE OR OMISSION ON THE PART OF THE CONTRACTOR TO FULFILL EVERY DETAIL OF ALL THE REQUIREMENTS OF THE CONTRACT DOCUMENTS GOVERNING THE WORK.

1.3 CONTRACTS AND WARRANTIES

- A. CONTRACTOR IS RESPONSIBLE FOR APPLICATION AND PAYMENT OF CONTRACTOR LICENSES AND BONDS.
- B. SEE MASTER CONTRACTION SERVICES AGREEMENT FOR ADD'L DETAILS.

1.4 STORAGE

ALL MATERIALS MUST BE STORED IN A LEVEL AND DRY FASHION AND IN A MANNER THAT DOES NOT NECESSARILY OBSTRUCT THE FLOW OF OTHER WORK. ANY STORAGE METHOD MUST MEET ALL RECOMMENDATIONS OF THE ASSOCIATED MANUFACTURER.

1.5 CLEAN UP

- A. THE CONTRACTORS SHALL AT ALL TIMES KEEP THE SITE FREE FROM ACCUMULATION OF WASTE MATERIALS OR RUBBISH CAUSED BY THEIR EMPLOYEES AT WORK AND AT THE COMPLETION OF THE WORK, THEY SHALL REMOVE ALL RUBBISH FROM AND ABOUT THE BUILDING AREA, INCLUDING ALL THEIR TOOLS, SCAFFOLDING AND SURPLUS MATERIALS AND SHALL LEAVE THEIR WORK CLEAN AND READY FOR USE.
- B. EXTERIOR: VISUALLY INSPECT EXTERIOR SURFACES AND REMOVE ALL TRACES OF SOIL, WASTE MATERIALS, SMUDGES AND OTHER FOREIGN MATTER.
  - 1. REMOVE ALL TRACES OF SPLASHED MATERIALS FROM ADJACENT SURFACES.
  - 2. IF NECESSARY TO ACHIEVE A UNIFORM DEGREE OF CLEANLINESS, HOSE DOWN THE EXTERIOR OF THE STRUCTURE.
- C. INTERIOR: VISUALLY INSPECT INTERIOR SURFACE AND REMOVE ALL TRACES OF SOIL, WASTE MATERIALS, SMUDGES AND OTHER FOREIGN MATTER FROM WALLS/FLOOR/CEILING.
  - 1. REMOVE ALL TRACES OF SPLASHED MATERIAL FROM ADJACENT SURFACES.
  - 2. REMOVE PAINT DROPPINGS, SPOTS, STAINS AND DIRT FROM FINISHED SURFACES.

1.6 CHANGE ORDER PROCEDURE

- A. CHANGE ORDERS MAY BE INITIATED BY THE OWNER AND/OR THE CONTRACTOR INVOLVED. THE CONTRACTOR, UPON VERBAL REQUEST FROM THE OWNER SHALL PREPARE A WRITTEN PROPOSAL DESCRIBING THE CHANGE IN WORK OR MATERIALS AND ANY CHANGES IN THE CONTRACT AMOUNT AND PRESENT TO THE OWNER WITHIN 24 HRS FOR APPROVAL. SUBMIT REQUESTS FOR SUBSTITUTIONS IN THE FORM AND IN ACCORDANCE WITH PROCEDURES REQUIRED FOR CHANGE ORDER PROPOSALS. ANY CHANGES IN SCOPE OF WORK OR MATERIALS WHICH ARE PERFORMED BY THE CONTRACTOR WITHOUT A WRITTEN CHANGE ORDER AS DESCRIBED AND APPROVED BY THE OWNER SHALL PLACE FULL RESPONSIBILITY OF THESE ACTIONS ON THE CONTRACTOR.

1.7 RELATED DOCUMENTS AND COORDINATION

- A. GENERAL CARPENTRY, ELECTRICAL AND ANTENNA DRAWINGS ARE INTERRELATED. IN PERFORMANCE OF THE WORK, THE CONTRACTOR MUST REFER TO ALL DRAWINGS. ALL COORDINATION TO BE THE RESPONSIBILITY OF THE CONTRACTOR.

1.8 SHOP DRAWINGS

- A. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS AS REQUIRED AND LISTED IN THESE SPECIFICATIONS TO THE OWNER FOR APPROVAL.
- B. ALL SHOP DRAWINGS SHALL BE REVIEWED, CHECKED AND CORRECTED BY CONTRACTOR PRIOR TO SUBMITTAL TO THE OWNER.

1.9 PRODUCTS AND SUBSTITUTIONS

- A. SUBMIT 3 COPIES OF EACH REQUEST FOR SUBSTITUTION. IN EACH REQUEST IDENTIFY THE PRODUCT OR FABRICATION OR INSTALLATION METHOD TO BE REPLACED BY THE SUBSTITUTION. INCLUDE RELATED SPECIFICATION SECTION AND DRAWING NUMBERS AND COMPLETE DOCUMENTATION SHOWING COMPLIANCE WITH THE REQUIREMENTS FOR SUBSTITUTIONS.
- B. SUBMIT ALL NECESSARY PRODUCT DATA AND CUT SHEETS WHICH PROPERLY INDICATE AND DESCRIBE THE ITEMS, PRODUCTS AND MATERIALS BEING INSTALLED. THE CONTRACTOR SHALL, IF DEEMED NECESSARY BY THE OWNER SUBMIT ACTUAL SAMPLES TO THE OWNER FOR APPROVAL IN LIEU OF CUT SHEETS.

1.10 QUALITY ASSURANCE

- A. ALL WORK SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS. THESE SHALL INCLUDE BUT NOT BE LIMITED TO THE LATEST VERSION OF THE FOLLOWING:
  - 1. ANSI/EIA – 222 – F
  - 2. INTERNATIONAL BUILDING CODE 2006 (IBC2006)
  - 3. VIRGINIA UNIFORM STATEWIDE BUILDING CODE 2006 (USBC 2006)
  - 4. NATIONAL ELECTRICAL CODE 2008 (NEC2008)
  - 5. UNDERWRITER LABORATORIES APPROVED ELECTRICAL PRODUCTS
  - 6. AMERICAN INSTITUTE OF STEEL CONSTRUCTION SPECIFICATIONS (AISC)
  - 7. LIFE SAFETY CODE NFPA – 101–2009 EDITION

1.11 ADMINISTRATION

- A. BEFORE THE COMMENCEMENT OF ANY WORK, THE CONTRACTOR WILL ASSIGN A PROJECT MANAGER WHO WILL ACT AS A SINGLE POINT OF CONTACT FOR ALL PERSONNEL INVOLVED IN THIS PROJECT. THIS PROJECT MANAGER WILL DEVELOP A MASTER SCHEDULE FOR THE PROJECT WHICH WILL BE SUBMITTED TO THE OWNER PRIOR TO THE COMMENCEMENT OF ANY WORK.
- B. SUBMIT A BAR TYPE PROGRESS CHART NOT MORE THAN 3 DAYS AFTER THE DATE ESTABLISHED FOR COMMENCEMENT OF THE WORK ON THE SCHEDULE, INDICATING A TIME BAR FOR EACH MAJOR CATEGORY OR UNIT OF WORK TO BE PERFORMED AT SITE, PROPERLY SEQUENCED AND COORDINATED WITH OTHER ELEMENTS OF WORK AND SHOWING COMPLETION OF THE WORK SUFFICIENTLY IN ADVANCE OF THE DATE ESTABLISHED FOR SUBSTANTIAL COMPLETION OF THE WORK.
- C. PRIOR TO COMMENCING CONSTRUCTION, THE OWNER SHALL SCHEDULE AN ON–SITE MEETING WITH ALL MAJOR PARTIES. THIS WOULD INCLUDE (THOUGH NOT LIMITED TO) THE OWNER, PROJECT MANAGER, CONTRACTOR, LAND OWNER REPRESENTATIVE, LOCAL TELEPHONE COMPANY, TOWER ERECTION FOREMAN (IF SUBCONTRACTED).

- D. CONTRACTOR SHALL BE EQUIPPED WITH SOME MEANS OF CONSTANT COMMUNICATIONS, SUCH AS A MOBILE PHONE OR A BEEPER. THIS EQUIPMENT WILL NOT BE SUPPLIED BY THE OWNER, NOR WILL WIRELESS SERVICE BE ARRANGED.
- E. DURING CONSTRUCTION, CONTRACTOR MUST ENSURE THAT EMPLOYEES AND SUBCONTRACTORS COMPLY WITH ALL APPLICABLE OSHA SAFETY REQUIREMENTS.
- F. PROVIDE WRITTEN DAILY UPDATES ON SITE PROGRESS TO THE OWNER.
- G. COMPLETE INVENTORY OF CONSTRUCTION MATERIALS AND EQUIPMENT IS REQUIRED PRIOR TO START OF CONSTRUCTION.
- H. NOTIFY THE OWNER / PROJECT MANAGER IN WRITING NO LESS THAN 48 HOURS IN ADVANCE OF CONCRETE POURS, TOWER ERECTIONS, AND EQUIPMENT CABINET PLACEMENTS.
- I. GENERAL CONTRACTOR SHALL PROVIDE WITHIN 48 HOURS OF CONSTRUCTION, BEFORE & AFTER PHOTOS OF CONSTRUCTION FROM ALL SIDES IN AND OUT OF COMPOUND. PLACEMENTS.
- J. IN THE COURSE OF CONSTRUCTION, CONTRACTOR SHALL PATCH, REPAIR AND PAINT ANY AREA THAT HAS BEEN DAMAGED DURING ALL PHASES OF PROJECT.
- K. GENERAL CONTRACTOR TO PROVIDE COPIES OF ALL INSPECTION RELEASES FROM THE GOVERNING MUNICIPALITIES WITHIN 48 HOURS AFTER CONSTRUCTION PLACEMENTS.

1.12 INSURANCE AND BONDS

- A. CONTRACTOR SHALL AT THEIR OWN EXPENSE CARRY AND MAINTAIN FOR THE DURATION OF THE PROJECT ALL INSURANCE AS REQUIRED AND LISTED AND SHALL NOT COMMENCE WITH THEIR WORK UNTIL THEY HAVE PRESENTED AN ORIGINAL CERTIFICATE OF INSURANCE STATING ALL COVERAGES TO THE OWNER. REFER TO THE MASTER AGREEMENT FOR REQUIRED INSURANCE LIMITS.
- B. THE OWNER SHALL BE NAMED AS AN ADDITIONAL INSURED ON ALL POLICIES.
- C. CONTRACTOR MUST PROVIDE PROOF OF INSURANCE.

1.13 PROJECT SAFETY

- A. THE CONTRACTOR SHALL COMPLY WITH VIRGINIA AND FEDERAL HEALTH AND SAFETY REGULATIONS.

02830 FENCE ( IF REQUIRED )

PART 1 – GENERAL

- 1.1 WORK INCLUDED: REFER TO THE SITE PLANS FOR SIZE AND LOCATION OF FENCE AND GATES TO BE INSTALLED.

1.2 QUALITY ASSURANCE

- A. ALL STEEL MATERIALS UTILIZED IN CONJUNCTION WITH THIS SPECIFICATION WILL BE GALVANIZED OR STAINLESS STEEL. WEIGHT OF ZINC COATING ON THE FABRIC SHALL BE NOT LESS THAN 12 OUNCES PER SQUARE FOOT OF MATERIAL COVERED. POSTS SHALL BE HOT–DIPPED IN GRADE E ZINC, 1.8 OUNCES PER SQUARE FOOT.

1.3 SEQUENCING

- A. IF THE SITE AREA HAS BEEN BROUGHT UP TO SURFACE COURSE ELEVATION PRIOR TO FENCE CONSTRUCTION, FENCE POST EXCAVATION SPOILS MUST BE CONTROLLED TO PRECLUDE CONTAMINATION OF SAID SURFACE COURSE.

1.4 SUBMITTALS

- A. MANUFACTURER'S DESCRIPTIVE LITERATURE.
- B. CERTIFICATE OF COMPLIANCE THAT SPECIFICATIONS HAVE BEEN MET.

1.5 APPLICABLE STANDARDS

- A. ASTM–A53 SPECIFICATION FOR PIPE, STEEL BLACK AND HOT–DIPPED ZINC COATED (GALVANIZED) WELDED AND SEAMLESS FOR ORDINARY USES.
- B. ASTM–A123 ZINC (HOT–DIP GALVANIZED) COATING ON IRON AND STEEL PRODUCTS.
- C. ASTM–A153 STANDARD SPECIFICATION FOR ZINC COATING (HOT–DIP) ON IRON AND STEEL HARDWARE.
- D. ASTM–A392 SPECIFICATION FOR ZINC–COATED STEEL CHAIN LINK FENCE FABRIC.

- E. ASTM–A653 STANDARD SPECIFICATION FOR STEEL SHEET ZINC COATED (GALVANIZED) BY THE HOT–DIPPED PROCESS.
- F. ASTM–A570 SPECIFICATION FOR HOT–ROLLED CARBON STEEL SHEET AND STRIP STRUCTURAL QUALITY.
- G. FEDERAL SPECIFICATION RR–F–191–FENCING, WIRE AND POST METAL (AND GATES, CHAIN LINK FENCE FABRIC AND ACCESSORIES).

PART 2 – PRODUCTS

2.1 FENCE MATERIAL

- A. ALL FABRIC WIRE, RAILS, POLES, HARDWARE AND OTHER STEEL MATERIALS SHALL BE HOT–DIPPED GALVANIZED.
- B. FABRIC SHALL BE TWO–INCH CHAIN LINK MESH OF NO. 9 GAUGE (0.148") WIRE. VERIFY HEIGHT WITH PROJECT MANAGER. THE FABRIC SHALL HAVE A KNUCKLED FINISH FOR THE TOP AND BOTTOM EDGES. FABRIC SHALL CONFORM TO THE SPECIFICATIONS OF ASTM A–392 CLASS 1.
- C. NOT USED.
- D. ALL POSTS SHALL BE SCHEDULE 40 GALVANIZED STEEL PIPE AND SHALL BE TYPE 1 ASTM A–53 AND OF THE FOLLOWING DIAMETER (OD PER FENCE INDUSTRY STANDARD).
  - LINE 1–7/8 INCHES
  - CORNER 3 INCHES
  - GATE 3 INCHES
- E. NOT USED.
- F. ALL TOP AND BRACE RAILS SHALL BE 1 1/4" DIAMETER SCHEDULE – 40 MECHANICAL–SERVICE PIPE. FRAMES SHALL HAVE WELDED CORNERS.
- G. NOT USED.
- H. GATE FRAMES SHALL HAVE A FULL–HEIGHT VERTICAL BRACE AND A FULL–WIDTH HORIZONTAL BRACE, SECURED IN PLACE BY USE OF GATE BRACE CLAMPS.

- I. GATE HINGES SHALL BE MERCHANTS METAL MODEL 64386 HINGE ADAPTER WITH MODEL 6409, 188 DEGREE ATTACHMENT, OR EQUAL.

- J. THE GUIDE (LATCH ASSEMBLY) SHALL BE MERCHANTS METAL MODEL 2083, OR EQUAL.

- K. LATCHES, STOPS AND KEEPERS SHALL BE PROVIDED FOR ALL GATES.

- L. ALL STOPS SHALL HAVE KEEPERS CAPABLE OF HOLDING THE GATE LEAF IN THE OPEN POSITION.

- M. DOUBLE GATES SHALL HAVE A FULL HEIGHT PLUNGER BAR WITH DOME CAP.

- N. A NO. 9 GAUGE ZINC COATED TENSION WIRE SHALL BE USED AT THE BOTTOM OF THE FABRIC, TERMINATED WITH BAND CLIPS AT CORNER AND GATE POSTS.

- O. PLACE A SIX INCH BY 1/2 INCH DIAMETER EYE–BOLT TO HOLD TENSION WIRE AT LINE POSTS.

- P. STRETCHER BARS SHALL BE 3/16 INCH BY 3/4 INCH OR HAVE EQUIVALENT CROSS SECTIONAL AREA.

- Q. ALL CORNER GATE AND END PANELS SHALL HAVE A 3/8 INCH TRUSS ROD WITH TURNBUCKLES.

- R. ALL POSTS EXCEPT GATE POSTS SHALL HAVE A COMBINATION CAP AND BARBED WIRE SUPPORTING ARM. GATE POSTS SHALL HAVE A DOME CAP.

- S. OTHER HARDWARE INCLUDES BUT MAY NOT BE LIMITED TO TIE CLIPS, BAND CLIPS AND TENSION BAND CLIPS.
- T. BARBED WIRE GATE GUARDS SHALL BE FITTED WITH DOME CAPS.

- U. BARBED WIRE SUPPORT ARMS SHALL BE CAST IRON WITH SET BOLT AND LOCK WIRE IN THE ARM.

- V. ALL CAPS SHALL BE CAST STEEL.

PART 3 EXECUTION

- 3.1 INSPECTION: EXCAVATE POST HOLES PER CONSTRUCTION DOCUMENTS. CONFIRM PROPER DEPTH AND DIAMETER OF POST HOLE EXCAVATIONS.

3.2 INSTALLATION

- A. POST FOUNDATIONS SHALL HAVE A MINIMUM SIX–INCH CONCRETE COVER UNDER POST
- B. ALL FENCE POSTS SHALL BE VERTICALLY PLUMB WITHIN ONE INCH IN EIGHT FEET.
- C. AT CORNER POSTS, GATE POST AND SIDES OF GATE FRAME, FABRIC SHALL BE ATTACHED WITH STRETCHER AND TENSION BAND–CLIPS AT 15 INCH INTERVALS.
- D. AT LINE POSTS, FABRIC SHALL BE ATTACHED WITH BAND–CLIPS AT 15 INCH INTERVALS.
- E. ATTACH FABRIC TO BRACE RAILS, TENSION WIRE AND TRUSS RODS WITH TIE CLIPS AT TWO FOOT INTERVALS.
- F. A MAXIMUM GAP OF TWO INCHES WILL BE PERMITTED BETWEEN THE CHAIN LINK FABRIC AND THE FINAL GRADE.
- G. GATES SHALL BE INSTALLED SO LOCKS ARE ACCESSIBLE FROM BOTH SIDES.
- H. CONCRETE FOR FENCE POSTS SHALL HAVE A MINIMUM OF 3,000 PSI BREAKING STRENGTH AT 28 DAYS.

- 3.3 PROTECTION: UPON COMPLETION OF ERECTION, INSPECT FENCE MATERIAL AND PAINT FIELD CUTS OR GALVANIZING BREAKS WITH ZINC–BASED PAINT COLOR TO MATCH THE GALVANIZING PROCESS.



DRAWN BY: C. GUNN  
 CHECKED BY: J. GEORGE  
 ACGI JOB #: 10–3416

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SHEET TITLE  
**GENERAL  
 NOTES**

SHEET NUMBER

**N-1**

DIVISION 16 – GENERAL ELECTRIC

GENERAL ELECTRICAL PROVISION

1. DEFINITIONS

- A. AGB – ANTENNA GROUND BAR
- B. AWG – AMERICAN WIRE GAUGE
- C. EMT – ELECTRICAL METAL TUBING
- D. MGB – MASTER GROUND BAR
- E. PVC – POLY VINYL CHLORIDE CONDUIT
- F. RFI – RADIO FREQUENCY INTERFERENCE
- G. THW – LETTER TYPE DESIGNATION FOR CONDUCTOR INSULATION THAT IS A MOISTURE AND HEAT RESISTANT THERMOPLASTIC WITH A MAXIMUM OPERATING TEMPERATURE OF 75 DEGREES CELSIUS OR 167 DEGREES FAHRENHEIT.

2. SUBMITTAL OF BID INDICATES CONTRACTOR IS COGNIZANT OF ALL JOB SITE CONDITIONS AND WORK TO BE PERFORMED UNDER THIS CONTRACT.

3. CONTRACTOR SHALL PERFORM ALL VERIFICATION OBSERVATIONS TEST, AND EXAMINATION WORK PRIOR TO THE ORDERING OF THE ELECTRICAL EQUIPMENT AND THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ENGINEER LISTING ALL MALFUNCTIONS, FAULTY EQUIPMENT AND DISCREPANCIES.

4. HEIGHTS SHALL BE VERIFIED WITH OWNER PRIOR TO INSTALLATION.

5. THESE PLANS ARE DIAGRAMMATIC ONLY, FOLLOW AS CLOSELY AS POSSIBLE.

6. ELECTRICAL SERVICE 120 / 240 SINGLE PHASE 3 WIRE 200 AMP SERVICE.

7. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANEL BOARD, PULL BOX, J-BOX, WITCH BOX, ETC., IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ACT (O.S.H.A.).

8. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, INSURANCE, EQUIPMENT, INSTALLATION, CONSTRUCTION TOOLS, TRANSPORTATION, ETC., FOR A COMPLETE AND PROPERLY OPERATIVE SYSTEM ENERGIZED THROUGHOUT AND AS INDICATED ON DRAWINGS, AS SPECIFIED HEREIN AND/OR AS OTHERWISE REQUIRED.

9. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT.

10. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA.

11. ALL TELCO CONDUIT INSTALLED SHALL BE SURFACE MOUNTED OR DIRECT BURIAL UNLESS OTHERWISE NOTED.

12. CONTRACTOR SHALL CARRY OUT THEIR WORK IN ACCORDANCE WITH ALL GOVERNING STATE,COUNTY AND LOCAL CODES AND O.S.H.A.

13. CONTRACTOR SHALL SECURE ALL NECESSARY BUILDING PERMITS AND PAY ALL REQUIRED FEES.

14. COMPLETE JOB SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF JOB ACCEPTANCE BY OWNER. ANY WORK, MATERIAL OR EQUIPMENT FOUND TO BE FAULTY DURING THAT PERIOD SHALL BE CORRECTED AT ONCE, UPON WRITTEN NOTIFICATION, AT THE EXPENSE OF THE CONTRACTOR.

15. ALL CONDUIT SHALL HAVE A PULL WIRE OR ROPE.

16. PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE ELECTRICAL "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS AND CIRCUITS.

17. ALL BROCHURES, OPERATING MANUALS, CATALOGS, SHOP DRAWINGS, ETC., SHALL BE TURNED OVER TO THE OWNER AT JOB COMPLETION.

18. ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED, AND A MINIMUM OF 10,000 A.I.C.

19. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY ALL APPLICABLE CODES.

20. PENETRATIONS IN FIRE RATED WALLS SHALL BE FIRE STOPPED IN ACCORDANCE WITH APPLICABLE LOCAL BUILDING CODES WITH U.L. LISTED MATERIALS.

21. WIRE AND CABLE CONDUCTORS SHALL BE COPPER #12 AWG MINIMUM UNLESS SPECIFICALLY NOTED OTHERWISE ON DRAWINGS.

22. GROUNDING CONDUCTORS SHALL BE SOLID TINNED COPPER UNLESS OTHERWISE NOTED.

23. METER SOCKET AMPERES, VOLTAGE, NUMBER OF PHASES SHALL BE AS NOTED ON THE DRAWINGS, MANUFACTURED BY "SQUARE D COMPANY", OR APPROVED EQUAL.

24. ALL MATERIALS SHALL BE U.L. LISTED.

25. CONDUIT

A. ALL UNDERGROUND CONDUIT SHALL BE SCHEDULE 40 PVC.

B. ALL EXTERIOR ABOVEGROUND CONDUIT SHALL BE SUNLIGHT RESISTANT SCHEDULE 80 PVC.

C. ALL INDOOR CONDUIT SHALL BE EMT.

D. FLEXIBLE CONDUIT MAY BE USED AT EQUIPMENT CONNECTIONS. FLEXIBLE CONDUIT SHALL BE LIQUID TIGHT, SHALL NOT BE LONGER THAN 8 FEET AND SHALL CONTAIN GROUND CONDUCTOR SIZED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE.

26. ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS.

27. COORDINATE THE ELECTRICAL SERVICE WITH THE UTILITY COMPANY, AND PROVIDE DAILY UPDATES TO PM UNTIL FINAL ELECTRICAL SERVICE IS EFFECTED.

28. UPON COMPLETION OF WORK, CONDUCT CONTINUITY, SHORT CIRCUIT, AND FALL OF POTENTIAL GROUND TESTS FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. CLEAN PREMISES OF ALL DEBRIS RESULTING FROM WORK AND LEAVE WORK IN A COMPLETE AND UNDAMAGED CONDITION.

29. CONTRACTOR TO COORDINATE WITH UTILITY COMPANY FOR CONNECTION OF TEMPORARY AND PERMANENT POWER TO THE SITE. THE TEMPORARY POWER AND ALL HOOKUP COSTS TO BE PAID BY CONTRACTOR.

GROUNDING STANDARDS

1.0 BACKGROUND

1.1 AREAS OF CONCERN: WHEN DESIGNING A GROUNDING SYSTEM FOR A MOBILE RADIO FACILITY THERE ARE FOUR INTERRELATED AREAS OF CONCERN. THE BASIC OBJECTIVE FOR EACH IS:

A. LIGHTNING PROTECTION – TO MAINTAIN ALL EQUIPMENT AT THE SAME POTENTIAL DURING A LIGHTNING IMPULSE.

B. RFI FOR NOISE INDUCTION CONTROL – TO ESTABLISH THE LOWEST POSSIBLE IMPEDANCE AMONG ALL EQUIPMENT.

C. ELECTROSTATIC CONTROL – TO REDUCE ELECTROSTATIC DISCHARGE PROBLEMS.

D. PERSONNEL SAFETY – TO MAINTAIN A MINIMUM VOLTAGE DIFFERENCE BETWEEN ANY TWO METALLIC OBJECTS WHICH PERSONNEL MIGHT CONTACT SIMULTANEOUSLY.

1.2 A/C GROUNDING:

ALL GROUNDING CONNECTIONS INSIDE OF CABINETS SHALL BE SCRAPED TO BARE METAL AND COATED WITH CONDUCTING LUBRICANT.

STATION GROUNDING SYSTEM

2.0 MATERIALS:

A. #2 AWG, BARE SOLID TINNED COPPER WIRE, FOR ALL EXTERIOR CONDUCTORS AND TOWER GROUND BAR CONDUCTORS OR AS OTHERWISE SPECIFIED. GROUNDS TO THE LNAS SHALL BE NO. 6 STANDARD GREEN INSULATED JUMPERS. THE GROUND WIRE TO THE MGB SHALL BE GREEN INSULATED #2 WIRE BURNDY CONNECTED TO THE BUSS BAR AND CONNECTED TO THE GROUND RING ON A GROUND ROD.

B. #2 AWG, INSULATED STRANDED COPPER CABLE SHALL BE INSTALLED FOR INTERIOR GROUND BAR CONDUCTORS ON TENANT IMPROVEMENT SITES.

C. 3/4" X 10'-0" GROUND RODS OF SOLID COPPER, STAINLESS STEEL OR COPPER CLAD HIGH STRENGTH STEEL.

D. ABOVE GRADE CONNECTIONS SHALL BE BURNDY HYGROUND COMPRESSION. BELOW GRADE CONNECTIONS SHALL BE EXOTHERMIC WELD.

E. CONDUCTIVE LUBRICANT SHALL BE USED IN ALL MECHANICAL CONNECTIONS.

F. MECHANICAL FASTENERS (I.E., DOUBLE LUGS, SPLIT BOLTS PARALLEL CONNECTORS) SHALL BE BRONZE, BRASS, COPPER OR STAINLESS STEEL AND HAVE CONDUCTIVE LUBRICANT BETWEEN CONDUCTOR AND CONNECTION.

G. BOLTS, NUTS AND SCREWS USED TO FASTEN MECHANICAL CONNECTORS SHALL BE STAINLESS STEEL WITH STAR TYPE STAINLESS STEEL LOCK WASHERS.

H. ALL LUGS SHALL HAVE TWO HOLES FOR A DOUBLE BOLT CONNECTION.

2.1 MASTER GROUND BAR (MGB):

THE PURPOSE OF THE MASTER GROUND BAR IS TO GROUND THE BTS AND ANY OTHER METALLIC OBJECTS AROUND THE BTS.

2.2 ANTENNA GROUND BAR (AGB):

THE PURPOSE OF THE ANTENNA GROUND BAR IS PRIMARILY FOR LIGHTNING PROTECTION. COAXIAL CABLE IS USUALLY THE ONLY ITEM GROUNDED TO THIS BAR. HOWEVER IT IS ACCEPTABLE TO BOND EXTERIOR; CABLE TRAY, WAVE GUIDE PORTS AND CANTILEVERED WAVE GUIDE BRIDGES TO THE AGB.

2.3 SURGE ARRESTOR GROUND BAR (SAGB)

THE PURPOSE OF THE SURGE ARRESTOR GROUND BAR IS FOR LIGHTNING PROTECTION.

2.4 ANTENNA GROUNDING:

EACH ANTENNA COAXIAL CABLE SHALL TYPICALLY BE GROUNDED AT THREE POINTS USING A COAXIAL CABLE KIT. A TYPICAL INSTALLATION SHALL BE AS FOLLOWS:

A. THE FIRST GROUND CONNECTION SHALL OCCUR AS CLOSE TO THE ANTENNA AS POSSIBLE.

B. THE SECOND GROUND SHALL BE MADE AT THE BOTTOM OF THE VERTICAL RUN OF THE COAXIAL CABLE AS IT TURNS OUT AWAY FROM THE TOWER TOWARDS THE BTS. THIS GROUND SHALL BE TERMINATED AT THE AGB. THE AGB SHALL HAVE TWO (2) LEADS OF #2 AWG BARE TINNED SOLID COPPER WIRE, AND SHALL TERMINATE AT THE TOWER GROUND RING. THESE SHALL BE INCASED IN PVC CONDUIT.

C. THE THIRD GROUND SHALL BE THE SURGE ARRESTOR GROUND. IT SHALL BE ATTACHED TO THE CABLE ON STRAIGHT RUNS (NOT WITHIN BENDS) AND BE WEATHER PROOFED PER THE MANUFACTURES SPECIFICATIONS. THE SURGE ARRESTORS SHALL BE GROUNDED TO THE GROUND BAR. THE SAGB SHALL HAVE TWO (2) LEADS OF #2 AWG BARE TINNED SOLID COPPER WIRE, AND SHALL TERMINATE AT THE TOWER GROUND RING. THESE SHALL BE INCASED IN PVC.

2.5 PERIMETER FENCE GROUNDING:

A. CORNER FENCE GROUNDING

B. ALL FENCE CORNER AND END POSTS (MINIMUM OF TWO) SHALL HAVE ONE #2 SOLID TINNED COPPER GROUND WIRE. THESE POSTS SHALL BE CONNECTED TO THE GROUND RING WITH A #2 SOLID TINNED COPPER GROUND WIRE AND INTERMEDIATE GROUND RODS IF THE DISTANCE FROM THE POST TO THE GROUND RING EXCEEDS 8 FEET. IN NO CASE SHALL ANY PORTION OF THE SAME FENCE REMAIN DISCONNECTED FROM THE GROUND RING.

C. GATE POSTS

D. GATE POSTS SHALL BE GROUNDED TO EACH OTHER TO ENSURE THE ENTIRE FENCE HAS ELECTRICAL CONTINUITY. CONNECTIONS SHALL BE DRILL AND TAP WITH BURNDY TYPE KC22 TO THE POST WITH A #2 AWG BARE SOLID TINNED COPPER WIRE.

E. GATES

F. GATES SHALL BE BONDED TO GATE POSTS WITH A 18" BRAIDED STRAP TYPE B018G92. THE CONNECTIONS SHALL BE BURNDY 2 HOLE LUGS (3/8" HOLES, 1" CENTER TO CENTER) BOLTED THROUGH EACH POST.

2.6 GENERATOR FUEL TANK GROUNDING:

THE GENERATOR FUEL TANK, IF REQUIRED, SHALL BE CONNECTED IN AT LEAST ONE PLACE TO THE MAIN EXTERIOR GROUND RING. #2 AWG BARE SOLID TINNED COPPER WIRE SHALL BE BURNDY CONNECTED TO ONE SUPPORT LEG OF THE FUEL TANK AND CAD WELD TO THE NEAREST EXTERIOR GROUND RING GROUND ROD.

2.7 EQUIPMENT ROOM GROUNDING:

THE MASTER GROUND BAR (MGB) SHALL SERVE AS THE COLLECTION POINT FOR THE BTS AS WELL AS ALL INTERIOR NON-ELECTRICAL GROUNDED METAL MATERIALS; CABLE TRAYS, ALARM JUNCTION BOX, ETC., SHALL BE GROUNDED WITH #6 AWG STRANDED (GREEN) GROUND WIRES WITH INDIVIDUAL RUNS BACK TO THE MGB.

2.8 NOT USED.

2.9 SERVICE GROUNDING CONNECTIONS

THE NEUTRAL CONDUCTOR OF THE ELECTRIC SERVICE SHALL BE GROUNDED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE.

2.10 COAX BRIDGE / CABLE TRAY GROUNDING :

BOND THE COAX BRIDGE OR CABLE TRAY TO THE AGB WITH #2 STRANDED INSULATED GREEN WIRE. THESE CONNECTIONS SHALL BE DOUBLE LUG BOLTED / SCREWED MECHANICAL CONNECTIONS WITH STAR LOCK WASHERS AND CONDUCTIVE LUBRICANT. ALL BRIDGE SPLICES SHALL HAVE JUMPERS OF #2 STRANDED INSULATED GREEN WIRE.

2.11 TENANT IMPROVEMENT SITE GROUNDING:

FOR ROOF TOP ANTENNA INSTALLATIONS ADDITIONAL ANTENNA GROUND BARS MAY HAVE TO BE INSTALLED AT EACH ANTENNA MOUNT LOCATION. ALL ANTENNA MOUNTS SHALL BE GROUNDED WITH A #2 AWG CONDUCTOR CONNECTED TO THE NEAREST BUILDING STEEL OR THE AGB INSTALLED AT THE MOUNT. ALL BUSS BARS, BOTH MGB AND AGB(S), SHALL BE INDEPENDENTLY TIED TO THE NEAREST BUILDING STEEL OR DESIGNATED GROUNDING SYSTEM. AGB(S) MAY BE HOME RUN BACK TO THE MGB WHERE NO BUILDING STEEL IS AVAILABLE.

2.12 LIMITS OF BEND RADIUS:

IT IS IMPORTANT THAT THE GROUNDING CONDUCTOR CONNECTING THE INSIDE AND OUTSIDE GROUND SYSTEMS BE AS STRAIGHT AS POSSIBLE, WITH NO TURN OR BEND SHORTER THAN ONE FOOT RADIUS WITH A THREE FOOT RADIUS PREFERRED. NO RIGHT SHARP BENDS SHALL BE ALLOWED.

2.13 BONDING PREPARATION & FINISH:

ALL SURFACES REQUIRE PREPARATION PRIOR TO BONDING OF EITHER CAD WELD OR MECHANICAL FASTENERS. GALVANIZED SURFACES SHALL BE GROUND OR SANDED TO THE POINT OF EXPOSING THE STEEL SURFACE BELOW, PRIOR TO BONDING THE GROUND CONDUCTOR. FOR OTHER SURFACES INCLUDING COPPER BUSS BARS ALL PAINT, RUST TARNISH AND GREASE SHALL BE REMOVED PRIOR TO BONDING THE GROUND CONDUCTOR.

EXOTHERMIC WELDS SHALL BE FINISHED WITH THE APPLICATION OF COLD GALVANIZATION AND WHEN APPLICABLE, FINISH PAINTED WITH AN APPROPRIATE COLOR AS REQUIRED.

MECHANICAL TYPE BONDS ON ALL OTHER SURFACES, OTHER THAN BUSS BARS, SHALL BE FINISHED WITH THE APPLICATION OF COLD GALVANIZATION AND/OR THE APPROPRIATE PAINT TO MATCH AS REQUIRED.

2.14 TESTING:

THE OUTSIDE GROUND RING SHALL BE TESTED AFTER INSTALLATION BUT PRIOR TO BACKFILLING THE GROUND RING TRENCH. THE GROUND FIELD RESISTANCE SHALL MEASURE 5 OHMS OR LESS TO GROUND. RESULTS OF THIS TEST SHALL BE BROUGHT TO THE PROJECT MANAGER. THE RESISTANCE TO GROUND SHALL BE MEASURED USING THE FALL POTENTIAL METHOD.

2.15 HIGH RISE BUILDING:

A. HIGH RISE BUILDINGS PRESENT A UNIQUE PROBLEM IN GROUNDING. A FACILITY INVESTIGATION SHOULD BE MADE INTO THE STRUCTURE OF THE BUILDING, AND AS TO THE POSSIBLE PRESENCE OF AN EXISTING LIGHTNING PROTECTION SYSTEM. IF ONE IS IN PLACE, IT WILL BE NECESSARY TO CONNECT THE ANTENNA SYSTEM TO THE TO THE LIGHTENING PROTECTION SYSTEM, WITH A TEST TO THE SYSTEM AFTER INSTALLATION TO ENSURE THAT IT HAS NOT CAUSED THE SYSTEM TO EXCEED 5 OHMS.

B. STRUCTURAL STEEL BUILDINGS: IF THE BUILDING IS BUILT OF STRUCTURAL STEEL, IT MAY BE POSSIBLE TO GROUND THE ANTENNAS TO THE BUILDING SITE. IT IS PREFERABLE TO GROUND THE ANTENNAS AND THE SITE TO A DIRECT EARTH CONNECTION, BY USE OF SEPARATE DOWN LEADS OF 250 MCM COMING FROM GROUND BUSS BARS TO CONNECT THE GROUND INPUT, AND RUN DOWN A VERTICAL SHAFT TO A PATTERN OF NO LESS THAN FOUR GROUND RODS. WHERE PRACTICAL, THE BUILDING STEEL SHOULD BE BONDED TO THE GROUND RING WITH A SEPARATE LEAD TO THE GROUND ROD FIELD.

C. STRUCTURAL CONCRETE BUILDINGS ARE MORE DIFFICULT TO GROUND PROPERLY. THE ANTENNAS SHOULD BE GROUNDED TO A SEPARATE BUSS BAR AND DOWN LEAD WHERE THE COAXIAL CABLES ENTER THE BUILDING. THE DOWN LEAD SHOULD BE PROTECTED IN PVC CONDUIT AND SHOULD BE INSTALLED AS FAR APART AS IS PRACTICAL FROM EACH OTHER THE SEPARATE DOWN LEADS SHOULD NOT CONTACT EACH OTHER UNTIL CONNECTION WITH THE FIRST GROUND ROD.



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DIVISION 2 – SITE WORK AND DRAINAGE  
02000 EARTHWORK, EXCAVATION AND GRADING  
PART 1 GENERAL

1.1 WORK INCLUDED: REFER TO THE SURVEY AND SITE PLAN FOR WORK INCLUDED.

1.2 RELATED WORK

- A. CONSTRUCTION FOR EQUIPMENT FOUNDATION
- B. INSTALLATION OF ANTENNA SUPPORT SYSTEM
- C. ERECTION OF FENCE

1.3 DESCRIPTIONS

- A. ACCESS ROAD, TURNAROUND AREAS, AND SITES ARE CONSTRUCTED TO PROVIDE A WELL DRAINED, EASILY MAINTAINED, EVEN SURFACE FOR MATERIAL AND EQUIPMENT DELIVERIES AND MAINTENANCE PERSONNEL ACCESS.

1.4 QUALITY ASSURANCE

- A. VEGETATION LANDSCAPING, IF INCLUDED WITHIN THE CONTRACT, WILL BE PLACED AND MAINTAINED AS RECOMMENDED BY NURSERY INDUSTRY STANDARDS.

1.5 SEQUENCING

- A. CONFIRM SURVEY STAKES AND SET ELEVATION STAKES PRIOR TO ANY CONSTRUCTION.
- B. GRUB THE COMPLETE ROAD AND SITE AREA PRIOR TO FOUNDATION CONSTRUCTION OR PLACEMENT OF BACKFILL OR SUB-BASE MATERIAL.
- C. CONSTRUCT TEMPORARY CONSTRUCTION ZONE ALONG ACCESS DRIVE, IN ACCORDANCE WITH ALL LOCAL, STATE & FEDERAL RULES.
- D. IF REQUIRED, GRADE, SEED, FERTILIZE AND MULCH DISTURBED AREAS IMMEDIATELY AFTER BRINGING THE SITE AND ACCESS ROAD TO BASE COURSE ELEVATION. WATER TO ENSURE GROWTH.
- E. REMOVE GRAVEL FROM TEMPORARY CONSTRUCTION ZONE.

1.6 SUBMITTALS

- A. BEFORE CONSTRUCTION
  - 1. SUBMIT FOR APPROVAL THE SPECIFICATIONS OF THE PROPOSED SURFACE COURSE MATERIAL.
- B. AFTER CONSTRUCTION
  - 2. MANUFACTURER'S DESCRIPTION OF PRODUCT ON GRASS SEED AND FERTILIZER, IF REQUIRED.
  - 3. LANDSCAPING WARRANTY STATEMENT, IF REQUIRED.

1.7 WARRANTY

- A. LANDSCAPING, IF INCLUDED WITHIN THE SCOPE OF THE CONTRACT, WILL BE GUARANTEED FOR ONE YEAR FROM DATE OF FINAL INSPECTION.

PART 2 PRODUCTS

2.1 MATERIALS

- A. ROAD AND SITE MATERIALS: FILL MATERIAL – ACCEPTABLE SELECT FILL SHALL BE IN ACCORDANCE WITH LOCAL DEPARTMENT OF HIGHWAY AND PUBLIC TRANSPORTATION STANDARD SPECIFICATION.
- B. SOIL STABILIZER FABRIC SHALL CONFORM TO SPECIFICATIONS CONTAINED IN SECTION 245 OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION ROAD AND BRIDGE SPECIFICATIONS, LATEST EDITION.

2.2 EQUIPMENT

- A. COMPACTING SHALL BE ACCOMPLISHED BY MECHANICAL MEANS. LARGER AREAS SHALL BE COMPACTED BY SHEEPS FOOT, VIBRATORY OR RUBBER TIED ROLLERS WEIGHING AT LEAST FIVE TONS. WATER TREATMENT MAY BE REQUIRED TO OBTAIN COMPACTION. SMALLER AREAS SHALL BE COMPACTED BY POWER-DRIVER, HAND HELD TAMPERS.

PART 3 EXECUTION

3.1 PREPARATION

- A. CLEAR TREES, BRUSH AND DEBRIS FROM SITE AREA AND ACCESS ROAD RIGHT OF WAY AS REQUIRED.
- B. PRIOR TO OTHER EXCAVATION AND CONSTRUCTION EFFORTS GRUB ORGANIC MATERIAL TO A MINIMUM OF SIX INCHES BELOW ORIGINAL GROUND LEVEL.

- C. UNLESS OTHERWISE INSTRUCTED BY THE OWNER, REMOVE TREES, BRUSH AND DEBRIS FROM THE PROPERTY TO AN AUTHORIZED LANDFILL.

- D. WHERE UNSTABLE SOIL CONDITIONS ARE ENCOUNTERED, LINE THE GRUBBED AREAS WITH STABILIZER MAT PRIOR TO PLACEMENT OF FILL OR BASE MATERIAL.

3.2 INSTALLATION

- A. THE SITE AND TURNAROUND AREAS SHALL BE AT THE SUB-BASE COURSE ELEVATION PRIOR TO FORMING FOUNDATIONS. GRADE OR FILL THE SITE AND ACCESS ROAD AS REQUIRED WITH THE SOIL RESULTING FROM EXCAVATING THE FOUNDATIONS (PROVIDE EVEN DISTRIBUTION). THE ELEVATIONS ARE TO BE CALCULATED FROM THE RESULTING GRADE.

- B. CLEAR EXCESS SPOILS, IF ANY, FROM JOB SITE AND DO NOT SPREAD BEYOND THE LIMITS OF THE OWNERS LEASE PROPERTY UNLESS AUTHORIZED BY PROJECT MANAGER, IN WRITING.

- C. AVOID CREATING DEPRESSIONS WHERE WATER MAY POND.

- D. THE CONTRACT INCLUDES ALL NECESSARY GRADING, BANKING, DITCHING AND UNLESS OTHERWISE INDICATED, COVERING TWO INCHES OF SURFACE COURSE. ALL ROADS OR ROUTES UTILIZED FOR ACCESS TO THE SITE, COMMENCING AT THE POINT OF INTERSECTION WITH THE NEAREST PUBLIC THOROUGHFARE, ARE INCLUDED IN SCOPE UNLESS OTHERWISE NOTED.

- E. WHEN IMPROVING AN EXISTING ACCESS ROAD, GRADE THE EXISTING ROAD TO REMOVE ANY ORGANIC MATTER AND SMOOTH THE SURFACE BEFORE PLACING FILL OR STONE.

- F. PLACE FILL IN SIX TO EIGHT INCH MAXIMUM LIFTS AND COMPACT BEFORE PLACING NEXT LIFT.

- G. THE FINISH GRADE, INCLUDING TOP SURFACE COURSE, SHALL EXTEND A MINIMUM OF ONE FOOT BEYOND THE SITE FENCE AND SHALL COVER THE AREA AS INDICATED.

- H. RIPRAP SHALL BE APPLIED TO THE SIDE SLOPES OF ALL FENCED SITE AREAS, PARKING AREAS AND TO ALL OTHER SLOPES GREATER THAN 2 : 1.

- I. UNDER NO CIRCUMSTANCES WILL DITCHES, SWALES OR CULVERTS BE PLACED SO THEY DIRECT WATER TOWARDS, OR PERMIT STANDING WATER IMMEDIATELY ADJACENT TO SITE. IF OWNER DESIGNS OR ELEVATIONS CONFLICT WITH THIS GUIDANCE ADVISE THE OWNER IMMEDIATELY, IN WRITING.

- J. SEED AND FERTILIZER SHALL BE APPLIED TO SURFACE CONDITIONS WHICH WILL ENCOURAGE ROOTING. RAKE AREAS TO BE SEEDED TO EVEN THE SURFACE AND LOOSEN THE SOIL.

- K. SOW SEED IN TWO DIRECTIONS IN TWICE THE QUANTITY RECOMMENDED BY THE SEED PRODUCER.

- L. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE GROWTH OF SEEDED AND LANDSCAPED AREAS BY WATERING UP TO THE POINT OF RELEASE FROM THE CONTRACT. CONTINUE TO REWORK BARE AREAS UNTIL COMPLETE COVERAGE IS OBTAINED.

3.3 FIELD QUALITY CONTROL

- A. COMPACTION SHALL BE 95% MAXIMUM DENSITY IN ACCORDANCE WITH ASTM D-1557 FOR SITE WORK AND 95% UNDER SLAB AREAS.

3.4 PROTECTION

- A. RIPRAP SHALL BE APPLIED TO THE SIDES OF DITCHES OR DRAINAGE SWALES AS INDICATED ON PLANS.

- B. RIPRAP ENTIRE DITCH FOR SIX FEET IN ALL DIRECTIONS AT CULVERT OPENINGS.

- C. PROTECT SEEDED AREAS FROM EROSION BY SPREADING STRAW TO A UNIFORM LOOSE DEPTH OF 1-2 INCHES, STAKE AND TIE DOWN AS REQUIRED. USE OF EROSION CONTROL MESH OR MULCH NET WILL BE AN ACCEPTABLE ALTERNATE.

- D. ALL TREES PLACED IN CONJUNCTION WITH A LANDSCAPE CONTRACT WILL BE WRAPPED, TIED WITH HOSE PROTECTED WIRE AND SECURED TO 2 INCH X 2 INCH X 4 FOOT STEEL ANGLE EXTENDING TWO FEET INTO THE GROUND ON FOUR SIDES OF THE TREE.

- E. ALL EXPOSED AREAS SHALL BE PROTECTED AGAINST WASHOUTS AND SOIL EROSION.

DIVISION 13 – SPECIAL CONSTRUCTION

13100 TOWER & ANTENNA INSTALLATION

PART I – GENERAL

1.1 WORK INCLUDED

- A. IF REQUIRED, ERECT FURNISHED TOWER.

- B. GROUND TOWER TEMPORARILY DURING ERECTION. GROUNDING SHALL INCLUDE BASE(S) AND ANCHORS.

- C. IF REQUIRED, INSTALL THREE (3) SIDE ARMS, CONSISTING OF THREE (3) 6'-0" AS INDICATED ON DRAWINGS – CONFIRM WITH OWNER REPRESENTATIVE.

- D. INSTALL ANTENNAS AS INDICATED ON DRAWINGS AND OWNER SPECIFICATIONS.

- E. INSTALL GALVANIZED STEEL ANTENNA MOUNTS AS INDICATED ON DRAWINGS.

- F. INSTALL FURNISHED GALVANIZED STEEL WAVEGUIDE LADDER.

- G. INSTALL WAVEGUIDE BRIDGE AS INDICATED ON DRAWING.

- H. SUPPLY AND INSTALL ONE INSULATED GROUND BAR AT EQUIPMENT CABINET.

- I. EACH INSTALL GROUNDING STRAP KITS WITH LONG BARREL COMPRESSION LUGS (SIM. TO ANDREW-22370TBO OR APPROVED EQUAL) AT TOWER BASE BEFORE ENTERING THE EQUIPMENT. GROUNDING STRAPS TO BE CONNECTED TO INSULATED GROUND BAR.

- J. ASSIST OWNER TECHNICIANS IN PERFORMING SWEEP TEST OF INSTALLED COAX.

- K. CONC. PIERS FOR FOUNDATIONS SHALL BE DRILLED AND POURED ON THE SAME DAY.

2.2 RELATED WORK

2.3 REQUIREMENTS OF REGULATOR AGENCIES

- A. FURNISH U.L. LISTED EQUIPMENT WHERE SUCH LABEL IS AVAILABLE, INSTALL IN CONFORMANCE WITH U.L. STANDARDS WHERE APPLICABLE.

- B. INSTALL ANTENNA, ANTENNA CABLES, GROUNDING SYSTEM IN ACCORDANCE WITH DRAWINGS AND SPECIFICATION IN EFFECT AT PROJECT LOCATION AND RECOMMENDATIONS OF STATE AND LOCAL BUILDING CODES, SPECIAL CODES HAVING JURISDICTION OVER SPECIFIC PORTIONS OF WORK. THIS INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:

- 1. EIA – ELECTRONIC INDUSTRIES ASSOCIATION EIA22F. STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES.

- 2. FAA – FEDERAL AVIATION ADMINISTRATION ADVISORY CIRCULAR AC 70/7460-IH, OBSTRUCTION MARKING AND LIGHTING.

- 3. FCC – FEDERAL COMMUNICATIONS COMMISSION RULES AND REGULATIONS FORM 715, OBSTRUCTION MARKING AND LIGHTING SPECIFICATIONS FOR ANTENNA STRUCTURES AND FORM 715A, HIGH INTENSITY OBSTRUCTION LIGHTING SPECIFICATIONS FOR ANTENNA STRUCTURES.

- 4. AISC – AMERICAN INSTITUTE OF STEEL CONSTRUCTION SPECIFICATION FOR STRUCTURAL JOINTS USING ASTM A325 OR A490 BOLTS.

- 5. IN ALL CASES, PART 77 OR THE FAA RULES AND PARTS 17 AND 22 OF THE FCC RULES ARE APPLICABLE AND IN THE EVENT OF CONFLICT, SUPERSEDE ANY OTHER STANDARDS OR SPECIFICATIONS.



DRAWN BY: C. GUNN  
CHECKED BY: J. GEORGE  
ACGI JOB #: 10-3416

REVISIONS			
NO	DATE	DESCRIPTION	BY
5	02/23/11	REDLINES	RM
4	01/24/11	REDLINES	DE
3	01/14/11	REDLINES	DP
2	12/29/10	REDLINES	DP
1	11/24/10	PRELIMINARY ZD	DP
0	10/07/10	LEASE EXHIBIT	DP



NOT VALID WITHOUT  
P.E. STAMP & SIGNATURE

VA60288  
OAKTREE

412 OAKTREE ROAD  
WILLIAMSBURG, VIRGINIA 23188

SHEET TITLE  
**GENERAL  
NOTES**

SHEET NUMBER

**N-3**

## HTS Towers, LLC Telecommunications Facility – 412 Oaktree Road

January 14, 2011

### Introduction

HTS Towers, LLC is applying for a Special Use Permit to allow construction of a wireless telecommunications facility including a Monopole tower and associated equipment at 412 Oaktree Road. GPIN # C19B – 3905 - 4190 (the “Property”).

### Project Description

HTS Towers, LLC proposes to provide infrastructure for T-Mobile and other wireless communication service providers in this area of the County. T-Mobile has provided a set of propagation maps which illustrate the area proposed for service in its current, underserved condition, in contrast to the service which can be expected once the facility is active. The improved service area will be accomplished by installing a 199’ monopole style tower in a wooded area on an undeveloped parcel of land.

HTS Towers, LLC proposes to construct the facility in a heavily wooded area to help screen the facility from view. HTS Towers, LLC also proposes to add landscaping to screen the fenced compound area. HTS Towers, LLC does not intend to place any signage on the site other than any required notice signs associated with operation of the facility. The structure will have a galvanized, neutral grey finish.

T-Mobile will place the equipment cabinets in a 60 foot x 60 foot (3,600 square feet) fenced compound. HTS Towers, LLC proposed to construct a seven foot tall chain link fence to secure the facility. Back-up power will be provided by a battery-pack system and propane powered generator. No interior compound lighting is proposed for the facility. Maintenance technicians will access the facility using a 20 foot wide access and utility easement approximately two to four times per month. HTS Towers, LLC will construct a 12 foot wide gravel driveway. The driveway and entrances will be constructed to Virginia Department of Transportation standards where needed.

Please see the accompanying zoning plans titled “Oaktree”, prepared by ALLPRO Consulting Group, Inc., for additional information regarding access, equipment cabinets, fencing, and elevations.

### Performance Standards

Construction and operation of the telecommunications facility will conform to the performance standards set forth in Sections 24.1-493 and 24.1-494 of the Zoning Ordinance.

- (a) Documentation of the Public Necessity

This area of York County with either very poor in-car coverage or limited to non-existent in-building service by T-Mobile. The goal of the new facility is to provide residents in this area wireless service comparable to service received by residents in other areas of York County. The new facility will improve wireless coverage for both T-Mobile customers and the general public in the area.

- (b) Does Not Produce Hazardous, Objectionable, or Offensive Conditions at or beyond Property Line Boundaries.

Granting approval of the proposed telecommunications facility will not create any hazardous, objectionable or offensive conditions. One activated, the facility will not produce odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, glare, solid or liquid waste, fire or risk of explosion.

- (c) Does Not Impede Potential Development of Commercial and Industrial Properties.

The Property is zoned General Business ("GB")

- (d) Utility Lines shall be Parallel and Contiguous.

The proposed facility is adjacent to the Property line.

- (e) Includes Appropriate Landscaping and Screening.

The Property is wooded and undeveloped. HTS Towers, LLC plans to preserve and utilize natural vegetative areas to the greatest extent possible. In addition, perimeter landscaping is proposed around the lease area.

- (f) Evidence of a Permit from the Federal Aviation Administration ("FAA")

As a licensee of the Federal Communication Commission ("FCC"), T-Mobile and HTS Towers acts in accordance with all federally mandated regulatory requirements of the FAA and FCC. The facility will comply with radio frequency energy levels governed by the FCC. In addition, HTS Towers, LLC will receive a determination from the FAA demonstration that the requested height will not impact navigable airspace and that no marking or lighting of the structure is required.

- (g) Construction Entrance(s) to Virginia Department of Transportation ("VDOT") Standards for Commercial Entrances.

HTS Towers will utilize one existing entrance and construct one new entrance to the new VDOT limited access commercial entrance standards, as required.

(h) Non-Interference with County Emergency Communication System.

T-Mobile's radio frequency bandwidth is strictly governed by the FCC and will not interfere with any public safety or private frequencies in the area. HTS Towers, LLC anticipates that other carriers will seek to collocate on this facility. T-Mobile will eliminate any interference that may occur due to equipment associated with the facility within 24 hours of receipt of notice from the Director of Public Safety or designee.

(i) Removal of Antennas at Termination.

HTS Towers will remove any antenna, support structure and/or related electronic equipment which has not been used for the purpose of radio transmission for a continuous period of 6 months, pursuant to Section 24.1-494(d) of the Zoning Ordinance.

Zoning Considerations:

T-Mobile desires to improve service to the residential communities on the Oaktree road and surrounding area in York County. (the "Target Area").

**Van Thompson**



Office: 757-453-6914

Cell: 240-447-3179

Fax: 757 490-4990

[van@htstowers.com](mailto:van@htstowers.com)

## Sites reviewed for Oaktree cell tower.

1. Williamsburg Regional Medical Center. Spoke with Don West. Operations. Don said that the Medical Center would not be interested in the proposal.
2. Great Wolf Lodge. Spoke with Curtis Brown. We could not work out an agreement with Great Wolf lodge.
3. Newport News Water Works, Lightfoot. Dave Morris. The property is too small for the ground equipment.
4. We contacted several Real estate agents along Mooretown road in shopping centers and property for sale along Humelsine Pkwy. None were interested in leasing property.

**Van Thompson**

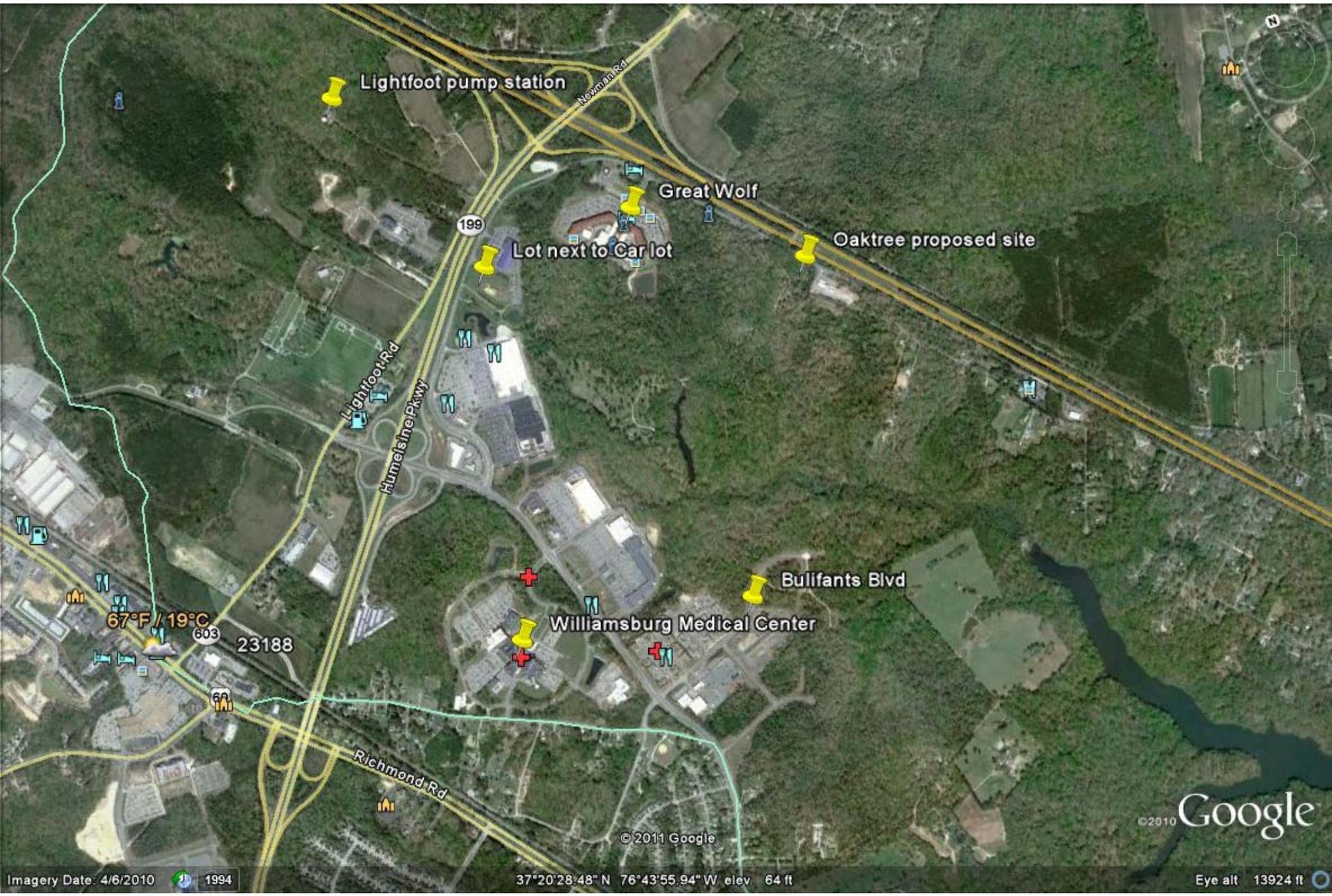


*Office: 757 -453-6914*

*Cell: 240-447-3179*

*Fax: 757 490-4990*

*[van@htstowers.com](mailto:van@htstowers.com)*



Lightfoot pump station

Great Wolf

Lot next to Car lot

Oaktree proposed site

Williamsburg Medical Center

Bulifants Blvd

Lightfoot Rd

Humelsine Pkwy

Richmond Rd

Newman Rd

199

603

23188

6A

67°F / 19°C

© 2010 Google

© 2011 Google

37°20'28.48" N 76°43'55.94" W elev 64 ft

Imagery Date: 4/6/2010 1994

Eye alt 13924 ft

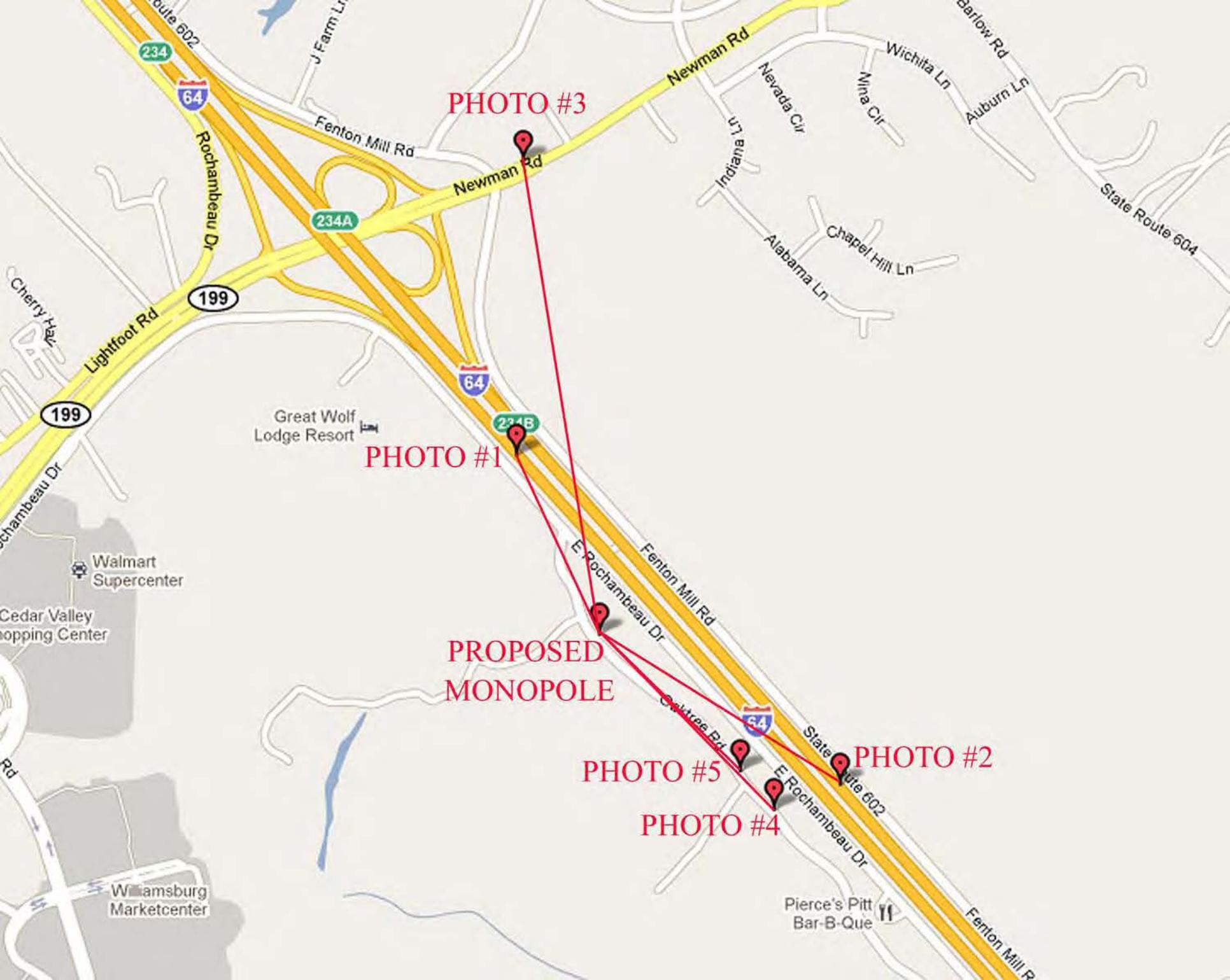


PHOTO #3

PHOTO #1

PROPOSED  
MONOPOLE

PHOTO #5

PHOTO #4

PHOTO #2



PHOTO #1  
OAKTREE  
PROPOSED MONOPOLE



PHOTO #2  
OAKTREE  
PROPOSED MONOPOLE



PHOTO #3  
OAKTREE  
PROPOSED MONOPOLE

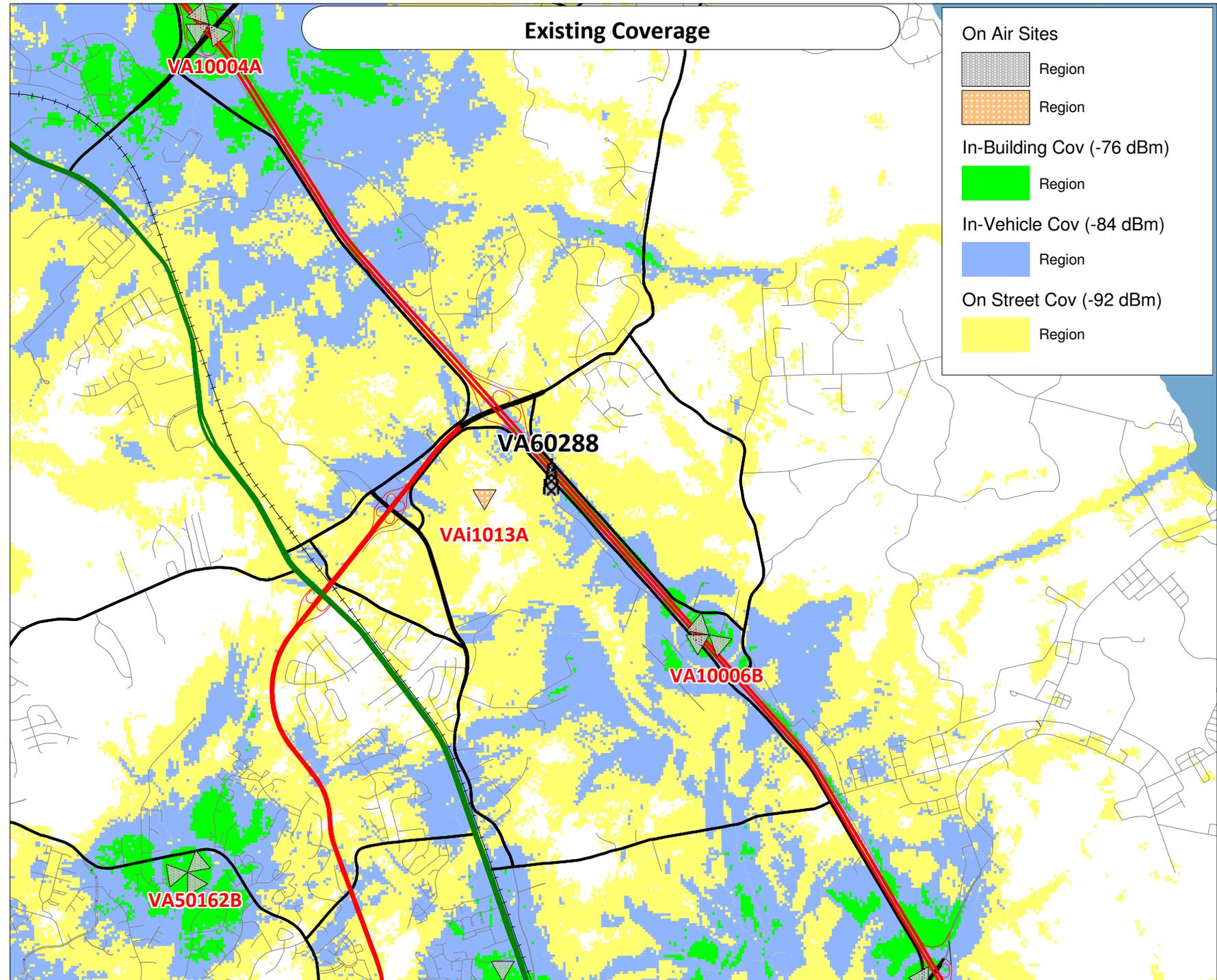


PHOTO #4  
OAKTREE  
PROPOSED MONOPOLE



PHOTO #5  
OAKTREE  
PROPOSED MONOPOLE

# Existing Coverage



# Existing Coverage With VA60288A

## On Air Sites

- Region
- Region

## In-Building Cov (-76 dBm)

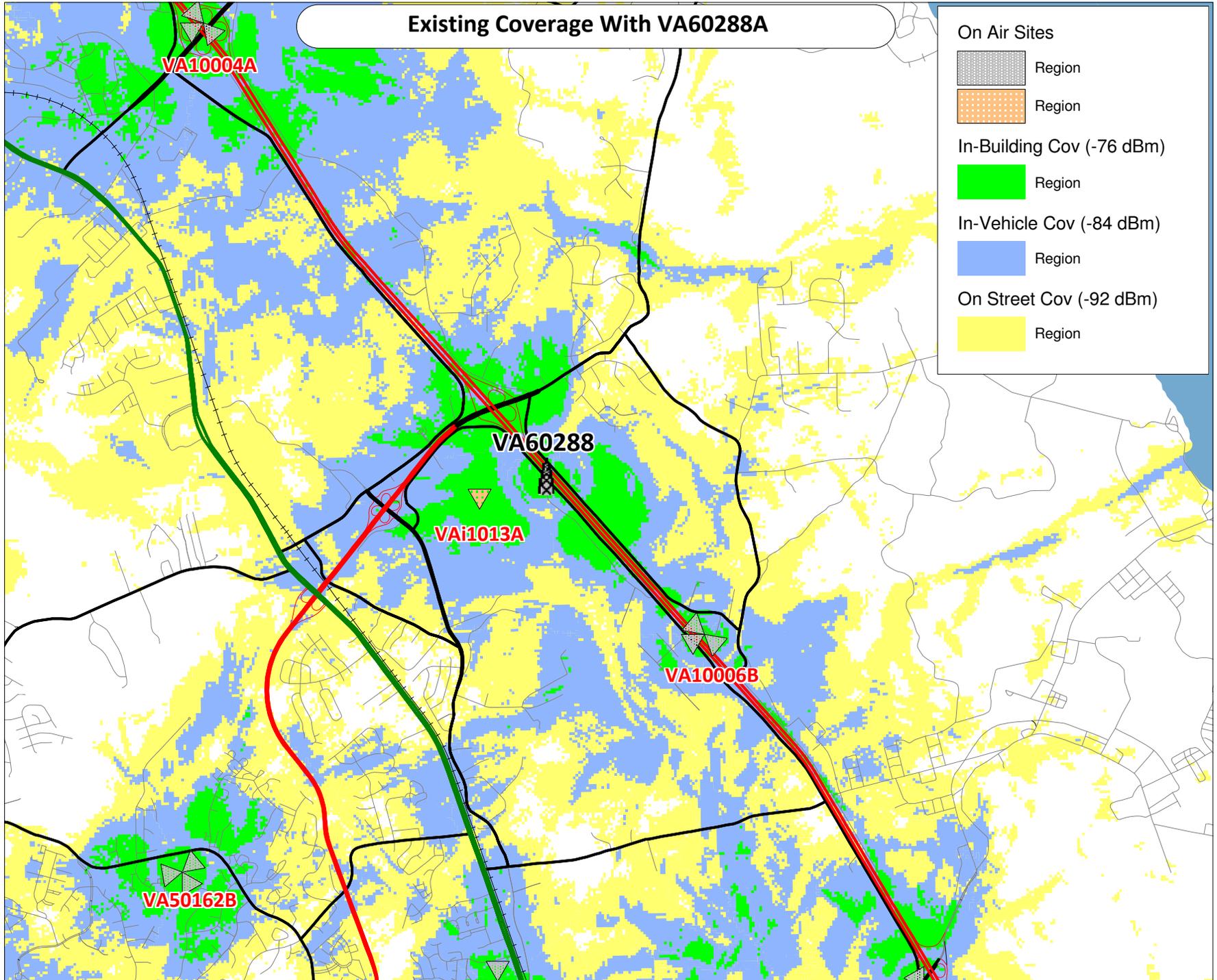
- Region

## In-Vehicle Cov (-84 dBm)

- Region

## On Street Cov (-92 dBm)

- Region



## Anderson, Earl

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**From:** Van Thompson [van@htstowers.com]  
**Sent:** Friday, February 25, 2011 8:28 AM  
**To:** Anderson, Earl  
**Subject:** FW: Great Wolf 412 Oaktree Road - VA60288  
**Importance:** High

Earl

Here is a letter of interest from ATT for the Oaktree site.

### Van Thompson



Office: 757-453-6914

Cell: 240-447-3179

Fax: 757 490-4990

[van@htstowers.com](mailto:van@htstowers.com)

---

At&t has taken a look at the coordinates for this site, and it fits well into an area that is in need of better coverage. This location is exactly 2.5 miles from our nearest site, and that will provide optimum handoff to the neighboring sites. It will also help fill a weak area along Interstate 64 and Route 199.

Thank you for bringing this to our attention and best of luck in development. We would like to reserve the best possible RAD Center, please contact me with requirements to do so.

**Thank you,**

**Dan Bendl**  
**Market Manager**  
**SAI Communications Inc. for At&t Mobility**  
**2400 Ownby Lane**  
**Richmond VA 23220**  
**Cell 804-614-5873**  
**Fax 866-805-1429**

2/25/2011

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A 199-FOOT SELF-SUPPORTING TELECOMMUNICATIONS TOWER WITH ASSOCIATED GROUND-MOUNTED EQUIPMENT AT 412 OAKTREE ROAD

WHEREAS, HTS Tower, LLC has submitted Application No. UP-791-11, which requests a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on property located at 412 Oaktree Road (Route 786) at its northern intersection with East Rochambeau Drive (Route F-137) and further identified as Assessor’s Parcel No. 2-44 (GPIN C19b-3905-4190); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application; and

WHEREAS, the Board has determined, pursuant to Section 15.2-2232 of the Code of Virginia, that the proposed communication tower location is substantially in accord with Charting the Course to 2025: The County of York Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_\_\_ day of \_\_\_\_\_, 2011 that Application No. UP-791-11 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on property located at 412 Oaktree Road (Route 786) at its northern intersection with East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-44 (GPIN C19b-3905-4190), subject to the following conditions:

1. This use permit shall authorize the construction of a freestanding monopole communications tower with associated equipment on the parcel of land located at 412 Oaktree Road (Route 786) at its northern intersection with East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-44 (GPIN C19b-3905-4190).
2. The height of the tower, including the lightning rod, shall not exceed 199 feet.
3. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the County prior to commencement of land clearing or any construction activity on the subject property. Except as modified herein, said plan shall be substantially in conformance with the sketch plan submitted by the applicant titled "Oaktree Rd., VA60288" prepared by Allpro Consulting Group, Inc., dated 1/24/11 and received by the Planning Division on February 4, 2011. As part of the site plan submittal, the applicant shall prepare a frequency intermodulation study to determine the impact on current communication transmissions for the York County Departments of Fire and Life Safety and General Services, Sheriff's Office, School Division, and the Intrac Sewer Telemetry System. Should any equipment associated with this facility at any time during the operation of the tower be found by the County to cause interference with County communications, the applicant shall be responsible for the elimination of said interference within twenty-four (24) hours of receipt of notice from the County.
4. Construction and operation of the tower shall be in conformance with the performance standards set forth in Sections 24.1-493 and 24.1-494 of the Zoning Ordinance.
5. The applicant shall submit to the County a statement from a registered engineer certifying that NIER (nonionizing electromagnetic radiation) emitted from the tower does not result in a ground level exposure at any point outside such facility that exceeds the maximum applicable exposure standards established by any regu-

latory agency of the U.S. Government or the American National Standards Institute.

6. A report from a registered structural or civil engineer shall be submitted indicating tower height and design, structure installation, and total anticipated capacity of the structure (including number and types of users that the structure can accommodate). These data shall satisfactorily demonstrate that the proposed tower conforms to all structural requirements of the Uniform Statewide Building Code and shall set out whether the tower will meet the structural requirement of EIA-222E, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."
7. The access easements shown on the above-referenced sketch plan shall be submitted to the Division of Development and Compliance for review, approval, and recordation to establish the rights of tower users for purposes of ingress, egress, and installation and maintenance of utilities associated with the proposed telecommunications facility prior to site plan approval.
8. Advertising and signage on the tower shall be expressly prohibited, except for warning signs associated with the operation of the tower or its equipment.
9. Prior to site plan approval, the applicant shall submit written statements from the Federal Aviation Administration, Federal Communications Commission, and any other review authority with jurisdiction over the tower, stating that the proposed tower complies with regulations administered by that agency or that the tower is exempt from those regulations.
10. If at any time use of the communications tower ceases, the owner of the subject property on which the tower is located shall dismantle and remove it within six (6) months after ceasing to use it, unless:
  - (1) A binding lease agreement or letter of intent with another wireless communications provider has been executed in which case an additional six (6) months shall be granted. If a letter of intent is provided, the execution date for a binding lease agreement shall not extend more than (12) months beyond the time the use of the tower ceases, or
  - (2) The County requests, in writing, that the tower be reserved for County use.
11. Accessory facilities shall not include offices, vehicle storage, or outdoor storage unless permitted by the district regulations.
12. Evidence shall be provided prior to receipt of a building permit that the Virginia State Corporation Commission has been notified that a communication facility is to be constructed.

13. The proposed lease area shall be surrounded by a minimum eight-foot (8') in height chain link fence outfitted with opaque material deemed acceptable for screening purposes by the Zoning Administrator. Evergreen trees having a planting size of no less than six feet (6') shall be installed surrounding the interior of the outer edge of the lease area at a spacing of not more than ten feet (10'). Trees shall be of a species type that retains branching to ground level. Additional evergreen plantings shall be added to provide mid-height screening of the monopole.
14. The communication tower shall be gray in color. Should Federal Aviation Administration requirements dictate special markings, tower lighting shall be used in lieu of multi-color painting. If the tower is unlighted, four six-inch (6") by six-inch (6") squares of reflective tape or reflectors shall be installed on the uppermost portion of the tower and shall be oriented north, south, east, and west so as to be seen by aircraft using light amplifiers.
15. No microwave dishes, conical shaped antennae, or other dish shall be permitted on the tower.
16. The communications tower shall be structurally designed to accommodate no fewer than three (3) wireless users capable of supporting either PCS or cellular antenna arrays. If space is available, the County shall have the right of first refusal for leasing a space on the tower to place an antenna in support of operations consistent with the County's Department of Fire and Life Safety.
17. A Type 35 (35-foot) transitional buffer shall be installed along the full length of the property boundary bordering Oaktree Road and the adjacent RR (Rural Residential) district. No reduction in the buffer width shall apply, as per Section 24.1-243(f)(1)(b). Any new and additional plantings necessary to meet the planting ratios within the Type 35 transitional buffer or Greenbelt Buffer areas shall be evergreen species.
18. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of this resolution shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.

BE IT FURTHER RESOLVED that this Special Use Permit is severable, and invalidation of any word, phrase, clause, sentence, or paragraph shall not invalidate the remainder.

# COUNTY OF YORK

## MEMORANDUM

**DATE:** April 5, 2011 (BOS Mtg. 4/19/11)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** Through Truck Restriction on Penniman Road and Government Road; and, \$200 Additional Penalty for Speeding Designation on Penniman Road

### Issue

The attached letters and accompanying exhibits request that the Board of Supervisors address safety concerns associated with large truck traffic and speeding in the residential area located in the vicinity of the Penniman Road/Government Road intersection. The VDOT-administered programs available to the Board to address concerns such as these are the:

- *No Through Trucks* designation; and
- *\$200 Additional Penalty for Speeding* designation.

The concerns about truck traffic and speeding have been raised by an area property owner who indicates that she is representing the interests of a number of residents in the general vicinity of the Penniman Road / Government Road intersection.

It should be noted that the centerlines of segments of both Penniman and Government Roads serve as the jurisdictional boundary between York and James City Counties. As a result, in order for the *No Through Trucks* designation to be approved by VDOT it will be necessary for both localities to forward requests and endorsements to VDOT. Staff has coordinated with its counterparts in James City County and it is anticipated the James City County Board of Supervisors will be considering these proposals at one of its meetings in May.

### No Through Trucks

In accordance with VDOT procedures, any request for establishment of *No Through Trucks* restrictions on County roadways must originate from the Board of Supervisors subsequent to the Board conducting a duly advertised public hearing. The required public hearing has been duly advertised for the Board's April 19<sup>th</sup> meeting.

The concerns about truck traffic through this residential area seem to be related primarily to vehicles that are destined for Busch Industrial Park or for the industrial area northeast of Interstate 64 and which have entered the area from Route 143 via either Government Road or Penniman Road (see attached correspondence dated June 8, 2010 and August 10, 2010). Doing so causes them to traverse the narrow segments of both roads and to have to pass through the Government Road/Penniman Road intersection and the heart of the

residential area. Alternatively, Route 199, Water Country Parkway, and the short segment of Penniman Road between Water Country Parkway and the northeastern end of Alexander Lee Parkway offer a viable (and perhaps shorter) route into Busch Industrial Park, and one that does not pass any residential structures. Likewise, Route 199 provides a direct route to the Penniman Road industrial uses located northeast of Interstate 64.

The most likely generator of large truck traffic (tractor-trailer) in Busch Industrial Park is Liberty Warehouses. The owner of Liberty Warehouses has been very diligent in his efforts to ensure that printed and verbal directions distributed by his company and employees instruct drivers to enter the area via Route 199, Water Country Parkway. However, he has noted that even his best efforts cannot prevent the occasional “lost” driver or those who may have been directed through the residential area by a GPS navigation system or an on-line directional information service. Since those systems typically “find” the shortest route, it is likely that the route through the residential area could be “selected” quite frequently. The only sure way counteract those route selection protocols is to establish a *No Through Trucks* restriction.

It is important to note that *No Through Trucks* restrictions, according to the terms of the Code of Virginia, apply to “any truck or truck and trailer or semitrailer combination, except a pickup or panel truck” but they would not prohibit large trucks or semitrailer combinations having a destination within the restricted areas (i.e., a destination reachable only over a restricted route). Accordingly, trucks could still make deliveries to houses along any routes that are restricted so it is important for residents to understand that restrictions, if approved, do not guarantee there will be no truck traffic on the subject street segments.

Upon receipt of a *No Through Trucks* request, VDOT will review the proposed restriction against the following criteria. At least three of these five factors must be met in order for the restriction to be approved.

- Is there a reasonable alternate route available that will not create an undue hardship for trucks in reaching their destination? Is the alternate route properly engineered for truck traffic?

*The readily available and reasonable alternative route to avoid travel on the subject segments of Penniman Road and on Government Road would be Route 143, Route 199, Water Country Parkway, and the short segment of Penniman Road between Water Country Parkway and Alexander Lee Parkway.*

- Is the road requested for restriction functionally classified as a local or collector street?

*VDOT considers Penniman Road to be a **collector** street and Government Road to be a **local** street.*

- Is the character and/or frequency of the truck traffic incompatible with the character of the area?

*Through truck traffic at any frequency is not compatible with the residential character of these two streets. Single-family detached dwellings front along the majority of the length of both streets and many of the properties have direct driveway access to the streets. In most cases, the relatively narrow lot widths and the positioning of the houses on the lots dictates that vehicles have to back out of driveways into the travel lanes of Penniman and Government Roads. Each of those vehicle movements creates the potential for a conflict with through traffic; Also, through movements by large trucks add risk and impacts that could be avoided by routing that truck traffic to the more suitable alternate route.*

- Is the engineering and/or accident history of the roadway such that it is not suitable for truck traffic?

*Pavement width on Penniman Road varies considerably. The portion shared with James City County as the jurisdictional boundary is approximately 36 feet wide; however, as it continues into York County in the northeasterly direction toward Interstate 64 its width diminishes to approximately 20 feet, but with several “choke points” where total pavement width is only about 17 feet and virtually no shoulders are present.*

*Pavement width on Government Road is approximately 22 feet for the segment that serves as the jurisdictional boundary and approximately 20 feet for the segment on which the Griffin-Yeates Center fronts.*

*No documentation of an accident history involving large trucks is available.*

- Within 150 feet of the centerline, are there at least 12 dwellings per 1000 feet of roadway?

*Residential development along and within 150 feet of the centerline of the approximate 1.7-mile segment of Penniman Road proposed for the restriction is present at a density of approximately 13 dwellings per 1000 feet.*

*Residential development along and within 150 feet of the centerline of the approximate 0.43-mile segment of Government Road proposed for the restriction is present at a density of approximately 15 dwellings per 1000 feet closest to Route 143. On the segment closest to the Penniman Road intersection, residential development is very sparse; however, also located along this segment is the Griffin-Yeates Building which houses Head Start and early childhood development services.*

It is staff's opinion that all of the five required criteria are met. However, this determination must be made by VDOT subsequent to review of engineering, traffic volume and accident records by its District and State Traffic Engineers. After that review and analysis, VDOT must also publish notice of the proposed restriction and provide a thirty-day

comment period prior to a final decision being made by the Commonwealth Transportation Board.

### **\$200 Additional Penalty for Speeding**

In 1996 the Commonwealth Transportation Board adopted a policy and procedures for the installation of signs advising of a maximum \$200 additional penalty for exceeding the posted speed limit on certain residential streets. These procedures require that a formal request for establishment of the \$200 additional penalty provision be submitted by resolution of the Board of Supervisors. To qualify, a street must meet the Virginia Department of Transportation (VDOT) definition of "local residential" or "residential collector" prescribed in the policy and must have a posted speed limit of 35 MPH or lower. The policy includes definitions intended to encompass only those streets that are predominantly residential in nature and also requires that residential units face the street and have driveway connections to it. The Board's request to VDOT for establishment of the restrictions must identify the specific road segments to be covered, confirm that the segments meet the definitions, note that a speeding problem exists, and document that the increased penalty has community support. If the request is approved, VDOT will install the necessary regulatory sign. Since 1997 the Board has adopted resolutions requesting VDOT to designate over fifty (50) streets in County neighborhoods for the \$200 speeding fine.

The attached correspondence from Ms. Esther Carter requests that the Board endorse the \$200 Additional Penalty designation for the segment of Penniman Road between the railroad tracks (the former Navy spur that crossed near Fillmore Drive) and Water Country Parkway. Anecdotal information concerning the perceived speeding problems and safety concerns along this 35 MPH route is provided in the correspondence.

At staff's request, the Sheriff's Office conducted a vehicle speed study over the course of four days in September 2010 on the segment between Government and Lodge Roads. The study was conducted using "stealth" equipment so drivers were not alerted to its presence.

The results of the speed study, which involved a total vehicle count of 3,872, indicate an average speed of 34.56 MPH. However, 15% of the vehicles using the street travel at or above 40 MPH and at least one vehicle was recorded at a speed of 53 MPH (exceeding the posted limit by 18 MPH).

Given the predominant residential character of the area, the presence of the Griffin-Yeates Center, the current intersection configuration at Penniman and Government Roads, the relatively narrow pavement width and absence of shoulders along several segments, and the results of the "stealth" speed survey, staff believes that the subject segment of Penniman Road is an appropriate candidate for the additional penalty designation.

### **Recommendation**

I believe that the requested No Through Trucks restriction is reasonable given the character and condition of the subject streets and the availability of a well-suited alternate route that is much more capable of accommodating through truck traffic. Therefore, I recommend that the Board adopt proposed Resolution R11-47 to officially request establishment of the No Through Trucks restriction on the segment of Penniman Road between Route 143 and its northeastern intersection with Alexander Lee Parkway, and on Government Road between Route 143 and Penniman, recognizing, of course, that the viability of this request will be dependent on a similar action being taken by James City County.

With respect to the speeding concerns, I recommend that the Board adopt proposed Resolution R11-48 to request that VDOT designate the segment of Penniman Road between Fillmore Drive and Water Country Parkway as a route on which additional fines for speeding may be imposed.

Carter/3337:jmc

#### Attachments

- Copies of correspondence from Ms. Esther L. Carter (June 8, August 10 and August 10) concerning truck traffic and speeding issues
- Vicinity Map
- Proposed Resolution R11-47 (No Through Trucks)
- Proposed Resolution R11-48 (\$200 Additional Penalty for Speeding)

**From:** Carter, Esther L [mailto:CarterEL3@state.gov]  
**Sent:** Tuesday, June 08, 2010 1:45 PM  
**To:** Zaremba, Walter C.  
**Subject:** Penniman Road - Dangerous Intersection in Upper York County

Dear Mr. Zaremba,

I would like to open a dialogue about issues that our community is having with Penniman Road in Upper York County. For many decades a stop sign was featured at the intersection of Penniman and Government Roads. A few years ago the stop sign was removed – VDOT engineers stated, although the sign had been a constant for over seventy years, “It really was not supposed to be there”. I suspect the removal of the sign had more to do with the convenience of the owners of the businesses located in the office park off Alexander Lee Parkway.

As a result of the removal of the sign motorists now travel the street at highway speeds - sometimes so fast they can barely keep their vehicles on the road - pass on the opposite side of the two lane street, ignore the stop sign on the Government Road side of the intersection, refuse to yield to traffic traveling through the intersection and blow their car horns and make obscene gestures at any driver who dares travel under 55 miles per hour.

While many of the homeowners in the neighborhood are senior citizens there are very small children who live in homes adjacent to Penniman Road. It is maddening to see elderly drivers gun their engines, risking their lives, to exit their driveways. It is now unwise to use the street to walk, ride a bicycle or retrieve mail without ownership of an excellent health insurance policy. To add insult to injury drivers of large tractor trailers travel through the neighborhood, ignoring the I-199/Alexander Lee Parkway connection. This brings added danger and very loud noises as they speed through the area, sometimes in the middle of the night.

We would like to discuss the return of the stop sign, no thru trucks signage and an additional fine for speeding. Any assistance would be appreciated.

*Sincerely,*

*Esther Carter  
QA/Help Desk Associate  
Contractor, Edgesource Corporation  
Foreign Service Institute  
United States Department of State  
Arlington, VA  
Phone: 703-302-3109*

August 10, 2010

Esther L. Carter  
139 William Carter Road  
Williamsburg, VA 23185

Mr. James O. McReynolds  
County Administrator  
P.O. Box 532  
Yorktown, VA 23690

Dear Mr. McReynolds:

On behalf of the residents of Penniman Road, I am writing to request that the York County Board of Supervisors consider petitioning the Virginia Department of Transportation to establish a No Through Trucks restriction on the following road(s) / road segment(s):

- State Route 641/Penniman Road From: Merrimac Trail To: Water Country Parkway

We understand that VDOT policy requires at least three of the following five factors to be met in order for the restriction to be approved and, to the best of our ability; we offer the noted comments and justification statements for each:

- Is there a reasonable alternate route available that will not create an undue hardship for trucks in reaching their destination? Is the alternate route properly engineered for truck traffic?

*Comment: Truck traffic should enter and exit the Busch Industrial Park via the Alexander Lee Parkway. This dedicated route offers direct access to Route 199 and I64.*

- Is the road requested for restriction functionally classified as a local or collector street?

*To be determined by VDOT*

- Are the character and/or frequency of the truck traffic incompatible with the character of the area?

*Comment: The area in question is an established neighborhood with very narrow streets and two new house developments. Residents are comprised of elderly residents, young children who play in yards adjacent to the street and joggers/walkers who use the roads for that purpose.*

- Is the engineering and/or accident history of the roadway such that it is not suitable for truck traffic?

*Comment: Until several years ago a stop sign was located on the Penniman side of the intersection of Penniman and Government Roads. When the sign was removed there were several accidents with injuries – one vehicle came to rest in a resident's yard on the eastern side of the intersection. Because of the confusing traffic pattern, the police officer answering the call did not know to whom to give the traffic ticket and had to consult his supervisor.*

*Near misses occur daily: Drivers traveling west across the intersection to Government Road refuse to yield the right of way to drivers moving eastward towards Water Country. Drivers entering the intersection from Government Road ignore the stop sign.*

*Truck traffic would only exacerbate the traffic problems currently encountered and make the situation that much more dangerous because of the size and weight of the trucks involved.*

- Within 150 feet of the centerline, are there at least 12 dwellings per 1000 feet of roadway?

*Comment: Yes. Please see attached illustrations.*

A map showing the street segments we believe should be restricted is attached.

Thank you for your consideration of this request. Should additional information be needed, please contact Esther L. Carter –703-302-3109/757-229-1465. [Esther.Carter@netzero.com](mailto:Esther.Carter@netzero.com)

Sincerely,

Esther L. Carter

HOA President or Representative Group of Area Residents



August 10, 2010

Esther L. Carter  
139 William Carter Road  
Williamsburg, VA 23185

Mr. James O. McReynolds  
County Administrator  
P.O. Box 532  
Yorktown, VA 23690

Dear Mr. McReynolds:

On behalf of the residents of Penniman Road, I am writing to request that the York County Board of Supervisors consider measures to alleviate a speeding problem that exists in our community. It is our understanding that the Virginia Department of Transportation can designate specific streets for enforcement of a *\$200 fine in addition to other penalties* provision upon receipt of a formal request from the local governing body. It is our hope that the York County Board of Supervisors will make such a request for the following street(s) in Upper York County:

- Route 641/Penniman Road from railroad tracks to Water Country Parkway

We submit the following information as documentation of the existence of a speeding problem on the subject street(s):

1. *cite any studies that have been done*
2. *cite any information obtained from law enforcement concerning speeding citations or law enforcement's perceptions*

*(Please see attached documentation).*

Thank you for your consideration of this request. Should additional information be needed, please contact Esther L. Carter – 703-302-3109/757-229-1465  
[Esther.Carter@netzero.com](mailto:Esther.Carter@netzero.com)

Sincerely,

Esther L. Carter

HOA President or **Representative, Group of Area Residents**

## Change Maps:

- Google Maps
- Microsoft VE (aerial)
- Microsoft VE (labels)
- Yahoo! Maps



Homes - and driveways - close to very narrow road.

Curve in street makes it difficult to see oncoming traffic.

Traffic intersects with no observed traffic pattern

School play area.

School buses for day care center



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Search for a location:

Link to this location:



Latitude: 37° 15' 33.1" N

Longitude: 76° 39' 39.9" W

ment roads, york county, va 23185

Search

Multi-

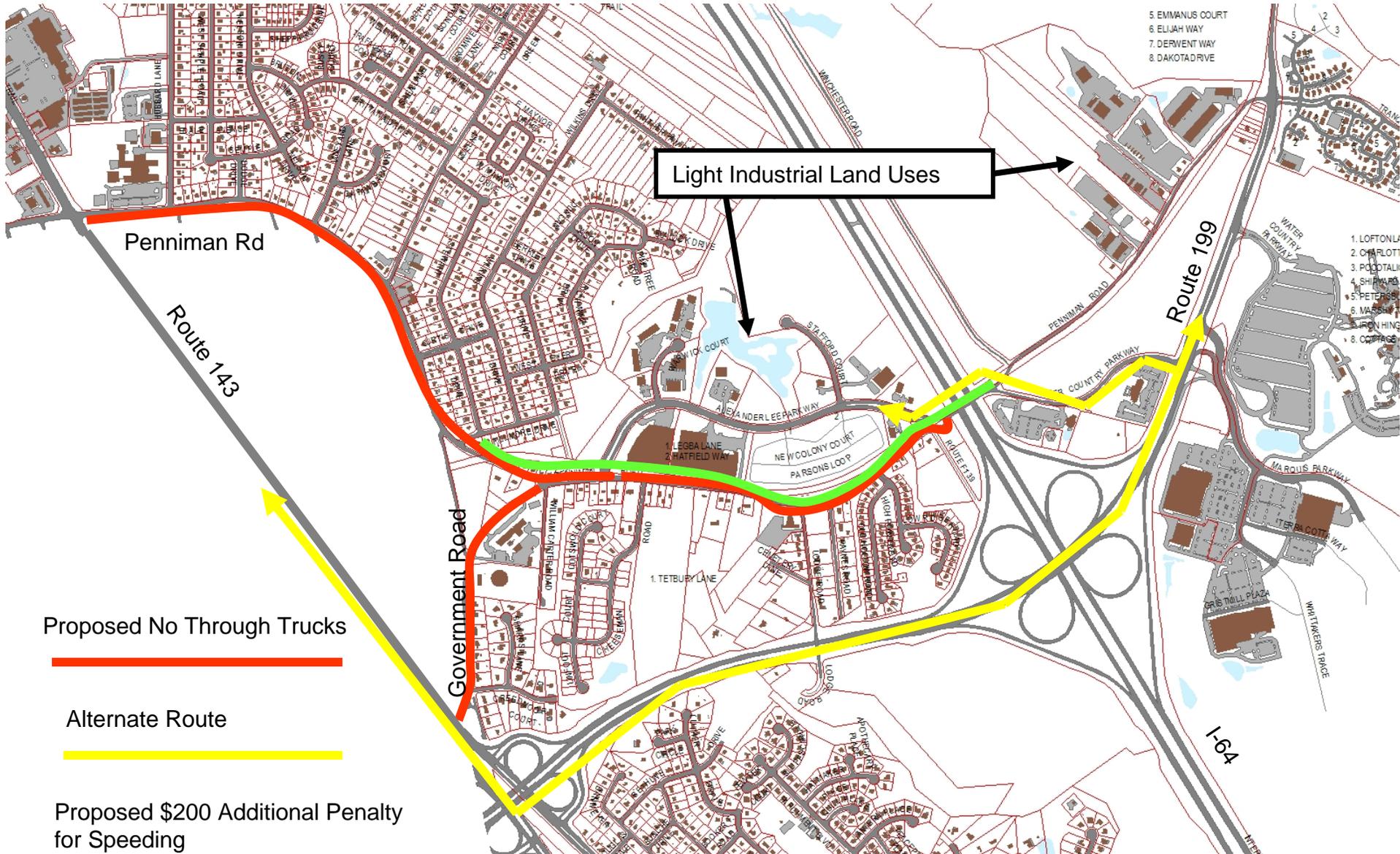
[Search](#)



Read the instructions here...

11 re

Light Industrial Land Uses



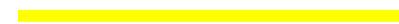
- 5. EMMANUS COURT
- 6. ELIJAH WAY
- 7. DERWENT WAY
- 8. DAKOTA DRIVE

- 1. LOFTON L
- 2. CHARLOTT
- 3. POOTALK
- 4. SHIRARD
- 5. PETERS
- 6. MARSH
- 7. PENNING
- 8. COPPAGE

Proposed No Through Trucks



Alternate Route



Proposed \$200 Additional Penalty for Speeding



BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND COMMONWEALTH TRANSPORTATION BOARD TO ESTABLISH A PROHIBITION OF THROUGH TRUCK TRAFFIC ON A SEGMENT OF PENNIMAN ROAD AND ON THE ENTIRE LENGTH OF GOVERNMENT ROAD

WHEREAS, residents of the neighborhood in the vicinity of the Penniman Road / Government Road intersection have requested that consideration be given to the establishment of “No Through Trucks” restrictions on a segment of Penniman Road and on the entire length of Government Road; and

WHEREAS, in accordance with the “Guidelines for Considering Requests for Restricting Through Trucks on Secondary Highways” established by the Commonwealth Transportation Board, the Board of Supervisors must formally request the establishment of such restrictions subsequent to conducting a duly advertised public hearing; and

WHEREAS, the Board of Supervisors has reviewed this proposal in light of the criteria established by the Virginia Department of Transportation pertaining to the eligibility of streets for such restrictions and is of the opinion that a sufficient number of the required criteria can be met; and

WHEREAS, the Board has determined that through truck traffic using the segment of Penniman Road between Route 143 and the eastern intersection with Alexander

Lee Parkway, and of Government Road between Route 143 and Penniman Road, represents a potential safety risk to residents of the area; and

WHEREAS, the designated alternate route of travel in lieu of the restricted route would be:

- Route 143 to Route 199 to Water Country Parkway (Route 640) to and over the segment of Penniman Road (Route 641) between Water Country Parkway and Alexander Lee Parkway.

WHEREAS, in accordance with the required VDOT procedures, the Board has conducted a duly advertised public hearing concerning this proposal.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the \_\_\_\_ day of \_\_\_\_, 2011, that the Virginia Department of Transportation and Commonwealth Transportation Board be, and they are hereby, requested to consider the establishment of a “No Through Trucks” prohibition on the following routes:

- Penniman Road between Route 143 and the eastern intersection with Alexander Lee Parkway; and
- Government Road between Route 143 and Penniman Road.

BE IT FURTHER RESOLVED that the following be considered and designated as the alternate route for through truck traffic;

- Route 143 to Route 199 to Water Country Parkway (Route 640) to and over the segment of Penniman Road (Route 641) between Water Country Parkway and Alexander Lee Parkway;

BE IT STILL FURTHER RESOLVED that the Board of Supervisors recognizes that consideration and approval of this request by the VDOT and the Commonwealth Transportation board is dependent of submission of a companion request by James City County for the portions of the subject routes where their centerlines coincide with the jurisdictional boundary between York and James City Counties; and

BE IT STILL FURTHER RESOLVED that the Board of Supervisors commits that it will request the York County Sheriff’s Department to monitor and enforce compliance with said restrictions should they be approved and established by the Virginia Department of Transportation and Commonwealth Transportation Board.

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION INSTALL APPROPRIATE SIGNS, AS STIPULATED IN SECTION 46.2-878.2 OF THE CODE OF VIRGINIA, TO ESTABLISH INCREASED PENALTIES FOR SPEEDING ON PENNIMAN ROAD (ROUTE 641) BETWEEN FILLMORE DRIVE AND WATER COUNTRY PARKWAY

WHEREAS, Section 46.2-878.2 of the Code of Virginia authorizes the posting of certain residential streets for an increased fine of \$200, in addition to other penalties prescribed by law, for vehicles exceeding the maximum established speed limit; and

WHEREAS, the Virginia Department of Transportation (VDOT) is responsible for administering the regulations established to implement this law and will entertain requests for establishing the restrictions upon receipt of a formal request and resolution from the Board of Supervisors; and

WHEREAS, the York County Board of Supervisors perceives that a speeding problem exists based on the observations of the residents and the vehicle speed survey conducted by the York County Sheriff's Office; and

WHEREAS, the Board of Supervisors has reviewed this proposal and believes that the designated street meets the eligibility requirements prescribed by VDOT for the \$200 Additional Fine for Speeding designation;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_ day of \_\_\_\_\_, 2011, that the Virginia Department of Transportation be, and it is hereby, requested to approve and install signs pursuant to Section 46.2-878.2 of the Code of Virginia, to designate the segment of Penniman Road (Route 641) between Fillmore Drive and Water Country Parkway as a route on which a maximum fine of \$200 in addition to other penalties prescribed by law may be imposed for violations of the posted speed limit;

BE IT FURTHER RESOLVED that the County Administrator is requested to forward a copy of this resolution and any necessary supporting documentation to the Virginia Department of Transportation for its review and approval.

# COUNTY OF YORK

## MEMORANDUM

**DATE:** March 9, 2011, 2011 (BOS Mtg. 4/19/11)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** Darby-Firby Road Area Sanitary Sewer Project

As with most utility projects, in the Darby-Firby Road area sanitary sewer project, there are easements that for various reasons cannot be immediately obtained by voluntary conveyance. Fortunately, so as not to unduly hinder or prevent projects such as water or sewer that are designed to benefit an entire community, state law permits the Board, after the adoption of an ordinance or resolution following a public hearing, and the subsequent recordation of certificates of deposit, to enter upon and take the easements necessary for the project, prior to formal condemnation proceedings being initiated. The recordation of such a certificate binds the County to pay the owners at least the amount set out in the Board's resolution. The figure reflected in Resolution R11-24 is based on a valuation prepared by staff and reviewed by the County Assessor, and represents the most recent offer made for the easements.

In the Darby-Firby Road area sanitary sewer project, a permanent utility easement and a temporary construction easement remain to be acquired on the following property:

Property of the Estate of James Collier  
215 Firby Road  
Tax Map No. 029-154  
GPIN: S04c-1880-2483

Resolution R11-24 will authorize the filing of a certificate of deposit and the entry onto the property for the purpose of constructing the needed sewer improvements thereon. The easements are shown on the plat, a copy of which is attached.

Barnett/3340:sw  
Attachments

- Plat showing proposed easements
- Proposed Resolution R11-24

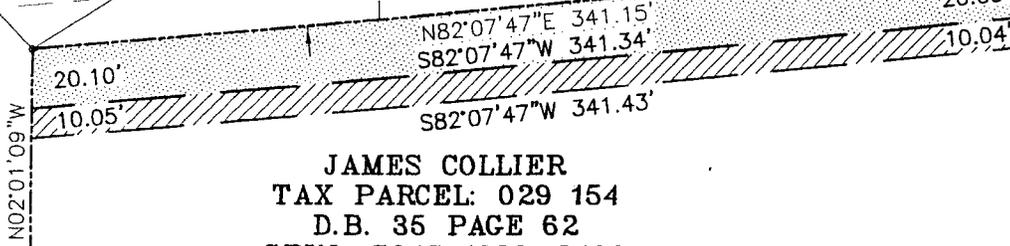
N/F  
ZION PROSPECT BAPTIST  
CHURCH TRS.  
TAX PARCEL: 029 140  
GPIN: SO4c-1439-2390  
D.B. 1106, PG, 939

N/F  
DILLARD, WALLACE S. ETUX  
TAX PARCEL: 029 151  
GPIN: SO4a-1941-2636  
INSTR. #000014622

N/F  
IRBY DAVID J.  
& GLENN W.  
TAX PARCEL: 029 151A  
GPIN: SO4a-1970-2589  
INSTR. #060029776

N: 3577526.47  
E: 12076720.24

N: 3577573.19 E: 12077058.18



**JAMES COLLIER**  
TAX PARCEL: 029 154  
D.B. 35 PAGE 62  
GPIN: S04C-1880-2483

502'33'15\"/>

-  DENOTES 20' SANITARY SEWER EASEMENT HEREBY CONVEYED TO THE COUNTY OF YORK. AREA=6,824 SQ. FT.
-  DENOTES 10' TEMPORARY CONSTRUCTION EASEMENT HEREBY CONVEYED TO THE COUNTY OF YORK. AREA=3,414 SQ. FT.

NOTES:  
THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED AT 215 FIRBY ROAD AND COUNTY OF YORK TAX ASSESSMENT MAP NO. 029-154 AND IS CURRENTLY ZONED R20.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE, ALL ENCUMBRANCES TO THE PROPERTY ARE NOT NECESSARILY SHOWN HEREON.

THE BOUNDARY INFORMATION SHOWN ON THIS PLAT WAS COMPILED FROM EXISTING LAND RECORDS AND CURRENT FIELD MEASUREMENTS AND REPRESENTS AN ACTUAL FIELD SURVEY. THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY.

HORIZONTAL COORDINATE INFORMATION IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 83), UNITS ARE IN SURVEY FEET. COUNTY OF YORK GEODETIC CONTROL NETWORK STATIONS 108 AND 109 USED FOR THIS PROJECT.



THE VIRGINIA STATE PLANE COORDINATE SYSTEM 1983 (NAD83), SOUTH ZONE COUNTY OF YORK GEODETIC CONTROL NETWORK



PLAT OF EASEMENT  
FROM  
**JAMES COLLIER**  
TO  
**COUNTY OF YORK**  
DARBY-FIRBY ROAD AREA  
SANITARY SEWER PROJECT



DATE: 11-24-2010 SCALE: 1" = 50'

**ndd** Engineers, Surveyors  
Construction Managers  
716 J. Clyde Morris Boulevard, Suite A  
Newport News, Virginia 23601  
757.596.4005  
NXL J.O.: 09-11-030L

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON AND TAKE A PERMANENT UTILITY EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT IN CONNECTION WITH THE DARBY-FIRBY ROAD AREA SEWER PROJECT

WHEREAS, it is necessary to obtain certain easements in connection with the Darby-Firby Road area sanitary sewer project; and

WHEREAS, for various reasons, the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by nxl Engineers, Surveyors, Construction Managers and valuations of such interests have been prepared; and

WHEREAS, § 15.2-1905 (C) of the Code of Virginia authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for purposes as constructing, installing, expanding, maintaining, or repairing sewer facilities.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2011, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare,

and for the timely completion of the Darby-Firby Road area sanitary sewer project for the County, its officers, employees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plat attached to the memorandum of the County Administrator dated March 9, 2011, and incorporated herein by this reference:

Tax Map Parcel 029-154, GPIN: S04c-1880-2483

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Plat of Easement From James Collier to County of York, Darby-Firby Road Area Sanitary Sewer Project," dated November 24, 2010, prepared by nxl Engineers, Surveyors, Construction Managers, and designated as "10' Temporary Construction Easement Hereby Conveyed to the County of York. Area = 3,414 sq. ft.," and "20' Sanitary Sewer Easement Hereby Conveyed to the County of York. Area = 6,824 sq. ft." Value offered to owner \$6,531.00.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute a certificate of deposit to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amount set forth above as the fair value, and damages, if any, of the interests to be taken, will be paid the owners in accordance with the provisions of state law and upon order of the Court.

BE IT FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.

# COUNTY OF YORK

## MEMORANDUM

**DATE:** April 5, 2011, 2011 (BOS Mtg. 4/19/11)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** Redistricting – 2011

### **INTRODUCTION**

This year it is necessary for the Board to redraw the County's election district boundaries. Based on the principle of "one person, one vote," Federal and Virginia law require election districts to be drawn every ten years, following the decennial census, so as to be relatively equal in population. The current election districts met this requirement ten years ago, but, because the geographic distribution of population growth since 2000 has been uneven, they no longer do.

### **REDISTRICTING CRITERIA**

The criteria for redistricting include specific Federal and state legal requirements as well as traditional criteria that are not required by statute but have been recognized by the courts. The Board can also establish redistricting criteria of its own, as long as they do not conflict with any of the legal requirements.

- **Equal Population.** The fundamental criterion for redrawing election district boundaries is that all of the districts must be relatively equal in population. Obviously it would be virtually impossible to draw the lines in such a way that each district has the exact same population, so a certain amount of deviation is permitted. No district should deviate from the ideal population by more than  $\pm 5\%$ .

The official 2010 census count for York County was 65,464, meaning the ideal election district population per the official census count would be 13,093 (65,464 divided by five districts). However, in December 2010, the Census Bureau notified the County that 100 residents of the City of Newport News (which borders the County along its southwestern border) had been mistakenly included in the County's population figures, meaning that the actual population was 65,364 and the ideal size for any election district would be 13,073. The Census Bureau is not expected to make an adjustment of its official figures in time for the County to adopt a redistricting plan. However, the Department of Justice Civil Rights Division has advised the County Attorney that the adjusted but "unofficial" figures should be used for redistricting deliberations. Therefore, the district population figures reported in this memorandum reflect adjustments to correct the error. Please note that some of these population num-

bers will, therefore, differ slightly from the numbers in the initial distributions and maps.

With a maximum deviation of plus or minus 5%, each district population is required to be between 12,419 and 13,726. Districts 3 and 5 are both within that population range, but District 1 exceeds the maximum, while Districts 2 and 4 are both below the minimum. Based on the 2010 census, adjusted to account for the 100-person error in District 2, the five districts, prior to redistricting, had the following populations:

District 1	14,741
District 2	11,993
District 3	13,554
District 4	12,089
<u>District 5</u>	<u>12,987</u>
TOTAL	65,364

- **Compact and Contiguous.** The Virginia Constitution states that local election districts must be composed of compact and contiguous territory. Whether or not a district is compact is a fairly subjective matter for which no legal standard has been established. Contiguity, on the other hand, does have a legal standard: no area can be included in a district if it does not share a common boundary with that district. That is, the district must be all of one piece and cannot consist of two or more unconnected territories. A district boundary does not have to be land; bodies of water are acceptable boundaries.
- **Race.** The Federal Voting Rights Act of 1965 bans racial discrimination in voting. Redistricting plans can have neither the intent nor the effect of denying or abridging anyone's right to vote on account of race, color, or status as a member of a language minority group (i.e., Hispanic). Redistricting plans should strive not to dilute minority voting strength, but case law can be confusing as to what constitutes dilution. On the one hand, plans that "pack" minority voters into one minority-populated district to prevent them from having an effective voice in more than one district have been rejected, but so have plans that "crack" a concentration of minority voters into several districts to prevent their effective control of one district. Dilution is measured by comparison to the most recently approved redistricting plan, which in the case of York County is the 2001 redistricting that gave us our current district boundaries.

When the County last redistricted in 2001, it was not possible to align the five districts in a manner to create a "majority minority" district where the majority of the district population was nonwhite. Between 2000 and 2010, the nonwhite population grew by 37.1% while the white population grew by 11.8%. As a result, the nonwhite proportion of the County's population has grown from 20% to almost 24%. As shown in Table 1 below, the nonwhite groups with the most growth have been the Asian, black, and multi-racial populations. (All multi-racial residents are classified as non-

white even if they are white in combination with one or more other races.) Among all minority groups, however, the Hispanic population (which is considered a language group and not a racial group) has experienced the most growth.

**Table 1**

Race/Language Group	2000		2010*		Change, 2000-2010*	
	Number	Percent	Number	Percent	Number	Percent
One Race	55,169	98.0%	63,221	96.6%	8,052	14.6%
White	45,038	80.0%	50,031	76.4%	4,993	11.1%
Black	7,533	13.4%	8,751	13.4%	1,218	16.2%
American Indian/Alaska Native	195	0.3%	251	0.4%	56	28.7%
Asian	1,829	3.2%	3,205	4.9%	1,376	75.2%
Native Hawaiian/Other Pacific Islander	65	0.1%	99	0.2%	34	52.3%
Some Other Race	509	0.9%	884	1.4%	375	73.7%
Two or More Races	1,128	2.0%	2,243	3.4%	1,115	98.8%
Hispanic or Latino (any race)	1,509	2.7%	2,892	4.4%	1,383	91.7%
<b>TOTAL</b>	<b>56,297</b>	<b>100.0%</b>	<b>65,464</b>	<b>100.0%</b>	<b>9,167</b>	<b>16.3%</b>

\* Note: the figures shown in this table have not been adjusted to account for the 100-person over-count in total population.

The growth in the nonwhite population is reflected in the racial composition of the election districts. Tables 2 and 3 compare the racial and language group composition of each of the current election districts based on 2000 and 2010 census figures:

**Table 2**

District	2000 Population				2010 Population*			
	White		Nonwhite		White		Nonwhite	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1	9,125	77.8%	2,599	22.2%	10,794	73.2%	3,947	26.8%
2	8,171	74.8%	2,753	25.2%	8,417	69.6%	3,676	30.4%
3	8,794	79.2%	2,312	20.3%	10,552	77.9%	3,002	22.1%
4	9,874	89.5%	1,154	10.5%	10,559	87.3%	1,530	12.7%
5	9,074	78.8%	2,441	21.2%	9,709	78.2%	3,278	25.2%
<b>TOTAL</b>	<b>45,038</b>	<b>80.0%</b>	<b>11,259</b>	<b>20.0%</b>	<b>50,031</b>	<b>76.4%</b>	<b>15,433</b>	<b>23.6%</b>

**Table 3**

District	2000 Population				2010 Population*			
	Hispanic		Non-Hispanic		Hispanic		Non-Hispanic	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1	224	1.9%	11,500	98.1%	684	4.6%	14,057	95.4%
2	503	4.6%	10,421	95.4%	741	6.1%	11,352	93.9%
3	217	2.0%	10,889	98.0%	521	3.8%	13,033	96.2%
4	244	2.2%	10,784	97.8%	380	3.1%	11,709	96.9%
5	321	2.8%	11,194	97.2%	566	4.4%	12,421	95.6%
<b>TOTAL</b>	<b>45,038</b>	<b>2.7%</b>	<b>11,259</b>	<b>97.3%</b>	<b>2,892</b>	<b>4.4%</b>	<b>62,572</b>	<b>95.6%</b>

\* Note: the figures shown in this table have not been adjusted to account for the 100-person over-count in total population.

As the data in Tables 2 and 3 indicate, the growth in the nonwhite and Hispanic populations has been spread out across all five election districts, making it impossible that a “minority majority” district can be created under a five-district plan.

- **Other Criteria.** According to the General Assembly’s Division of Legislative Services, there are several other “traditional redistricting criteria” that have been recognized by the courts in recent years. These include the following:
  - Avoiding splits of political subdivisions, precincts, and census blocks;
  - Preserving communities of interest;
  - Preserving the shape of existing districts to the extent feasible;
  - Avoiding placing two or more incumbents in the same election district;
  - Political fairness or competitiveness; and
  - Voter convenience and effective administration of elections.

Finally, election district and precinct lines should follow “clearly defined and clearly observable” boundaries (i.e., roads, creeks, streams, etc.), and should be drawn to follow census block boundaries. The census block is the smallest geographical unit for which the census provides population counts. Use of whole blocks provides integrity in the population counts for the district and helps to ensure that district lines follow identifiable features. The census block criterion affects The Landings at Langley (formerly Bethel Manor) housing complex, which is currently divided between Districts 2 and 5. This housing development for Langley Air Force Base is undergoing a demolition and redevelopment project that will result in a new street layout; unfortunately, the 2010 census block counts are based on the previous street layout, which does not conform to the new post-redevelopment layout. The one street in this development that is used to define block boundaries and will not change is First Street, which extends from Hampton Highway (Route 134) to Big Bethel Road. For this reason, there appears to be no alternative to making First Street the dividing line between Districts 2 and 5, leaving the area to the east (270 residents) in District 5, with the remaining 3,522 residents in District 2.

### **ALTERNATIVE REDISTRICTING PLANS**

Using these criteria as guidance, staff prepared a series of alternative redistricting plans (Alternative Nos. A1/A2, B1/B2, C1/C2) for distribution and discussion at the March 1 work session. Subsequently, based on comments expressed by several Board members, four (4) additional alternatives were generated (Alternative Nos. D1/D2 and E1/E2). All of the alternative plans were guided by the premise that Board will wish to preserve its status as a five-member body and that the pairing of incumbents – for both the Board of Supervisors and the School Board – was to be avoided. If that were not the case, numerous other alternatives could have been devised.

**PUBLIC INVOLVEMENT**

Public involvement is an important part of the redistricting process. Accordingly, the Board authorized staff to conduct three public meetings throughout the County to display the maps and to receive comments. These information meetings were conducted in the upper, middle, and lower areas of the County (at the Griffin-Yeates Center, the Yorktown Library, and the Tabb Library) between March 1<sup>st</sup> and March 15<sup>th</sup> to give citizens an opportunity to review and comment on the alternative plans that had been developed or to suggest other alternatives for consideration. All of the meetings were advertised on the County government cable channel – WYCG – and by press releases and announcements at other public meetings. Additionally, all of the alternative redistricting plans were posted on the County web site to enable citizens to review them and submit comments online.

At its March 15<sup>th</sup> meeting, the Board amended its agenda to allow additional public comments on the redistricting issue and then, subsequent to discussion among themselves, reached consensus to advertise two of the alternatives – Alternative B2 and Alternative E2 – for formal public hearing and consideration at its April 19, 2011 meeting.

Citizen comment forms continue being submitted, although not in great numbers. These forms are being assembled and transmitted to the Board periodically and a final summary listing of all forms/comments received will be provided on April 19<sup>th</sup>.

**DESCRIPTION OF ALTERNATIVE B2**

Alternative B2 provides for five (5) election districts and thirteen (13) precincts. The proposed precinct boundary lines and polling places have been developed with assistance from the Registrar and the Electoral Board. The major change under this alternative would be a scaling back of the extent to which the District 1 boundaries reach into the lower County, with the Yorktown, Moore House and Marlbank areas being adjusted into District 3. A summary of the shifts in major developments from the current to the proposed is shown in the following chart:

<b>ALTERNATIVE B2</b>		
<b>Areas to be shifted</b>	<b>Current District</b>	<b>Proposed District</b>
Marlbank Farm, Marlbank Cove, Harris Grove, and Colbert’s Trace subdivisions and the areas on the north side of Old Wormley Creek Road; Coast Guard Base; Moore House Road area; and Yorktown	1	3
Riverwalk Townes townhouses and Woods of Yorktown apartments (Route 238)	3	1
Grafton Woods and Glen Laurel townhouses, Rainbrook Villas and the areas on the west side of Burts Road	3	4

Area west of First Street in the Langley housing complex (entirely on-base)	5	2
Area bounded by Route 134, Yorktown Road, Big Bethel Road, and Route 171 and including the Smithville Terrace (Greenland Drive), Tabb Terrace (Tabb Lane), Victory Estates, and Hollymead subdivisions.	4	5

**DESCRIPTION OF ALTERNATIVE E2**

Alternative E2 provides for five (5) election districts and fifteen (15) precincts, an increase of two as compared to the current. The proposed precinct boundary lines and polling places have been developed with assistance from the Registrar and the Electoral Board. The major change proposed under this alternative involves the extension of the District 3 boundaries into the Upper County while also retaining the extension of District 1 into the Lower County – thus creating representation by two Supervisors in the Upper County. A summary of the shifts in major developments from the current to the proposed is shown in the following chart:

<b>ALTERNATIVE E2</b>		
<b>Areas to be shifted</b>	<b>Current District</b>	<b>Proposed District</b>
Western two-thirds of Naval Weapons Station, including the residential sections near the Route 238 / Route 143 intersection; Springfield Road (off Penniman Road); and, the northern end of Queens Creek Road including the Vineyard Heights, Springfield Terrace, Felgates Woods, and Panther Place subdivisions; Harris Grove, and Colbert’s Trace subdivisions and the areas on the north side of Old Wormley Creek Road	1	3
Area bounded by Fort Eustis Boulevard, Route 17, Denbigh Boulevard, and the Newport News City line including the Wood Towne Quarters townhouses, Quarters of York quadruplexes, and the residential areas along Whites Road, Faulkner Road and Terrebone Road	3	2
Grafton Woods and Glen Laurel townhouses, Rainbrook Villas and the areas on the west side of Burts Road	3	4
Area west of First Street in the Langley housing complex (entirely on-base)	5	2
Area bounded by Route 134, Yorktown Road, Big Bethel Road, and Route 171 and including the Smithville Terrace (Greenland Drive), Tabb Terrace (Tabb Lane), Victory Estates, and Hollymead subdivisions.	4	5

**PRECLEARANCE**

Virginia is one of nine states that, because of a history of past discriminatory practices, are covered by the “preclearance” requirement set forth in the Voting Rights Act, which requires redistricting plans in Virginia and most of its localities to be precleared by the

Department of Justice before an election can be conducted with the new district boundaries. Since 2011 is an election year (unlike 2001 when the County last redistricted), the preclearance requirement dictates a short and somewhat constrained timetable for completing the redistricting process. (Fortunately, the Virginia General Assembly has moved the primary election date for local offices from June 14 to August 23; otherwise, it would have been impossible for redistricting to be completed in time for the primary election.) Timing is not the only problem; the process of preparing a preclearance submission is somewhat cumbersome and utilizes significant staff time and resources.

## **CONCLUSION**

Staff believes that both of the alternatives being considered by the Board are consistent with the criteria established to guide the redistricting process. In addition, each provides for districts with population totals that meet the numerical requirements for maximum deviation from the ideal population.

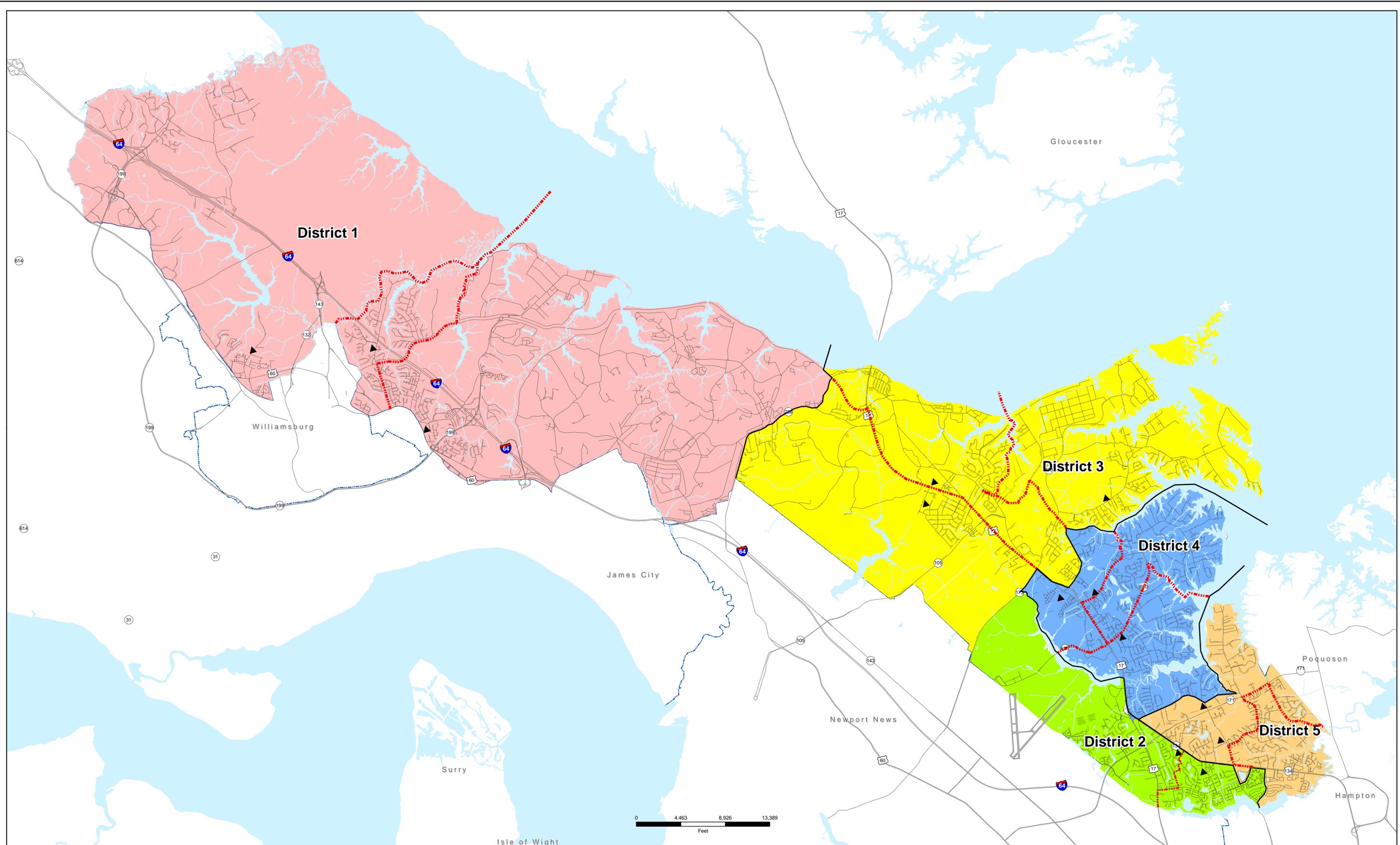
Two proposed ordinances are included with this memorandum – proposed Ordinance No. 11-7 would approve Alternative B2 – and proposed Ordinance No. 11-8 would approve Alternative E2. Once a redistricting plan is adopted, the County Attorney will proceed immediately to coordinate the preparation of the materials necessary for the Justice Department preclearance review.

Carter/3337.tcc

Attachments:

- Alternative B2 Map
- Alternative E2 Map
- Proposed Ordinance No. 11-7 (Alt. B2)
- Proposed Ordinance No. 11-8 (Alt. E2)

Copy to: Mark A. Medford, Chairman, York County School Board  
Charles F. Noll, Chair, York County Electoral Board  
Walt T. Latham, Jr., General Registrar  
James E. Barnett, Jr., County Attorney



HORIZONTAL ACCURACY: +/- 2.5 feet DATUM: VA State Plane South, NAD 83  
 VERTICAL ACCURACY: +/- 1 foot DATUM: NAVD 1988  
 DATE OF ELEVATION INFORMATION: 2007

This map should NOT be used for engineering or other design purposes without full verification having been undertaken by a qualified surveyor.

The County of York, Virginia assumes no responsibility for the accuracy of this map or the information contained herein or derived therefrom. The buyer and/or user assumes all risks and liabilities whatsoever resulting from, or arising out of the use of this map.

There are no oral agreements or warranties relating to the sale and/or use of this map.

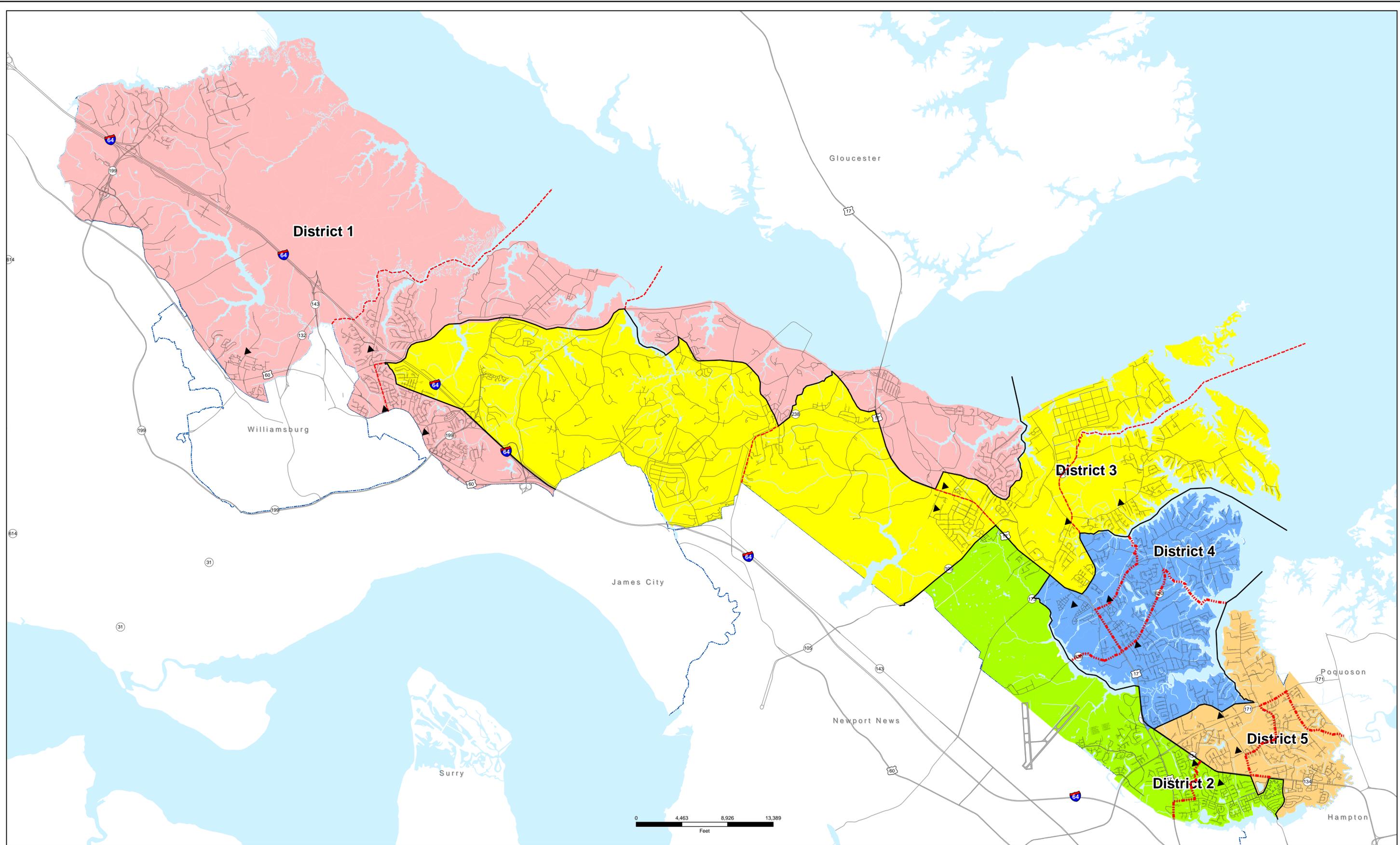


Image Copyright 2010 Commonwealth of Virginia

# Alternative B2



THIS IS NOT A LEGAL PLAT. This map should be used for information purposes. It is not suitable for detailed site planning.



HORIZONTAL ACCURACY: +/- 2.5 feet DATUM: VA State Plane South, NAD 83  
 VERTICAL ACCURACY: +/- 1 foot DATUM: NAVD 1988  
 DATE OF ELEVATION INFORMATION: 2007

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# Alternative E2



THIS IS NOT A LEGAL PLAT.  
 This map should be used for information purposes. It is not suitable for detailed site planning.

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following ordinance was adopted:

AN ORDINANCE TO AN ORDINANCE TO AMEND CHAPTER 9, ELECTIONS, YORK COUNTY CODE, TO MODIFY CERTAIN BOUNDARY LINES BETWEEN ELECTION DISTRICTS, TO MODIFY CERTAIN PRECINCT BOUNDARY LINES, AND TO ESTABLISH CERTAIN NEW POLLING PLACES IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF VIRGINIA (1971) AND THE CODE OF VIRGINIA (1950), AS AMENDED, WHICH REQUIRE THE REAPPORTIONMENT OF ELECTION DISTRICTS SUBSEQUENT TO COMPLETION OF THE DECENNIAL U.S. CENSUS AND IN ACCORDANCE WITH THE POPULATION DISTRIBUTIONS EVIDENCED BY SAID CENSUS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the boundary lines of election districts, names of election districts, boundary lines of precincts, and precinct polling places were established by the York County Board of Supervisors by an ordinance adopted on November 20, 2001 entitled, "AN ORDINANCE TO AMEND CHAPTER 9, ELECTIONS, YORK COUNTY CODE, TO MODIFY CERTAIN BOUNDARY LINES BETWEEN ELECTION DISTRICTS, TO MODIFY CERTAIN PRECINCT BOUNDARY LINES, AND TO ESTABLISH CERTAIN NEW POLLING PLACES IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF VIRGINIA (1971) AND THE CODE OF VIRGINIA (1950), AS AMENDED, WHICH REQUIRE THE REAPPORTIONMENT OF ELECTION DISTRICTS SUBSEQUENT TO COMPLETION OF THE DECENNIAL U.S. CENSUS AND IN ACCORDANCE WITH THE POPULATION DISTRIBUTIONS EVIDENCED BY SAID CENSUS; AND PROVIDING FOR AN EFFECTIVE DATE" which ordinance is set forth in Articles II and III of Chapter 9, York County Code; and

WHEREAS, the terms of the Constitution of Virginia (1971) and the Code of

Virginia (1950), as amended, require that localities reapportion election districts subsequent to completion of the decennial U. S. Census and in accordance with the population distributions evidenced by said Census; and

WHEREAS, the 2010 U. S. Census indicated that significant population growth has occurred in certain areas of York County since the 2000 Census; and

WHEREAS, said population growth has caused the populations of the existing election districts to vary substantially; and

WHEREAS, in order to minimize the variation between district populations and “to give, as nearly as practicable, representation in proportion to the population of the district...,” as required by the Constitution of Virginia (1971) and the Code of Virginia (1950), as amended, it is necessary to make certain adjustments in the existing election district boundary lines; and

WHEREAS, as a result of making such adjustments in the election district boundary lines it will also be necessary to make certain changes in precinct boundaries and precinct polling places; and

WHEREAS, such modifications are in accordance with the guidelines established in the Constitution of Virginia (1971) and the Code of Virginia (1950), as amended; and

WHEREAS, a public hearing has been held, pursuant to notice as required by law, to afford the public an opportunity to be heard with regard to the proposed modifications as set forth in this proposed ordinance;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2011, that Article II, Election Districts, and Article III, Precincts and Polling Places, of Chapter 9, Elections, York County Code, be and they are hereby, amended, modified, and reordained to read and provide as follows:

## **ARTICLE II. ELECTION DISTRICTS**

### **Sec. 9-21. Established.**

- (a) Pursuant to authority contained in the Code of Virginia (1950), as amended, section 15.2-1211 and section 24.2-304.1 through 24.2-310.1, election districts of York County, Virginia, are hereby created and established as set forth in this article. The boundaries of the respective election districts are as shown on the map entitled "York County Election Districts" dated, which map is incorporated into this article as fully as if set forth herein, a copy of which shall be kept permanently at the office of the county administrator.
- (b) The election districts, with populations set forth based on the United States Cen-

sus of ~~20104990~~, are as follows:

(1)	York County Election District No. 1	<del>13,33241,724</del>
(2)	York County Election District No. 2	<del>12,76340,924</del>
(3)	York County Election District No. 3	<del>13,58344,106</del>
(4)	York County Election District No. 4	<del>13,10344,028</del>
(5)	York County Election District No. 5	<del>12,58344,515</del>

**Sec. 9-21.1. Central absentee voter election precinct.**

- (a) There is hereby established for the County a central absentee voter precinct for all elections as defined by § 24.2-101, Code of Virginia. The polling place of the central absentee voter precinct shall be located in close proximity to the registrar's office.
- (b) The central absentee voter precinct shall conform in all aspects with § 24.2-712, Code of Virginia.

**Sec. 9-22. District No. 1 boundaries.**

The boundaries of York County Election District No. 1 shall be as set forth below:

Beginning at the common corner of Gloucester County, James City County, and York County, said point being at the centerline of the York River; first generally westerly and then generally southerly with the common boundary between York County and James City County to a point along Mooretown Road which is the common corner between the City of Williamsburg, James City County and York County; thence in a generally southerly, then easterly, then southerly direction with the common boundary of the City of Williamsburg and York County to a point in the centerline of Penniman Road, which is the common corner of James City County, York County and the City of Williamsburg; thence with the centerline of Penniman Road in an easterly and then southerly direction to its intersection with Oak Drive; thence with the centerline of Oak Drive in a southerly direction to its intersection with Government Road; thence with the centerline of Government Road and then the common boundary of York County and James City County in a southerly, then easterly, then southerly direction to the common corner between York County, James City County and the City of Newport News; thence in an easterly direction along the common boundary between York County and the City of Newport News to a point in the centerline of Route 238; thence in an easterly direction along the centerline of Route 238 (Old Williamsburg Road) to its intersection with Goosley Road; thence along the centerline of Old Williamsburg Road and ~~then the southern boundary line of the U.S. Naval Weapons Station property~~ to its intersection with the Colonial Parkway; thence with the centerline of the Colonial Parkway in a northwesterly southerly direction to its intersection with Ballard Creek; thence along the centerline and centerline extended of Ballard Creek U. S. Route 17; ~~thence with the centerline of U. S.~~

~~Route 17 in a southerly direction to its intersection with the southern boundary line of the Colonial National Historical Park property at York High School; thence with the southern boundary line of the Colonial National Historical Park property in a northeasterly direction to its intersection with Surrender Road; thence with the centerline of Surrender Road in a southeasterly direction to its intersection with Cook Road and Old York Hampton Highway; thence with the centerline of Old York Hampton Highway in a southeasterly direction to its intersection with Hornsbyville Road; thence with the centerline of Hornsbyville Road in a southeasterly direction to its intersection with Old Wormley Creek Road; thence with the centerline of Old Wormley Creek Road in a northeasterly direction to its intersection with Wormley Creek; thence with the centerline of Wormley Creek and its centerline extended in a northeasterly direction to the centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.~~

**Sec. 9-23. District No. 2 boundaries.**

The boundaries of York County Election District No. 2 shall be as set forth below:

Beginning at a point on the centerline of Denbigh Boulevard where it crosses the headwaters of the Poquoson River; thence with the centerline of the headwaters of the Poquoson River and the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134; thence with the ~~centerline~~southern right-of-way line of Route 134 in a southeasterly direction to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to the northern boundary of the United States Air Force ~~Bethel Manor Landings at Langley~~ military housing complex property, thence in a northeasterly direction along the boundary of the United States Air Force ~~Bethel Manor Landings at Langley~~ military housing complex property to its intersection with Route 134, thence with the ~~northern right-of-way line~~centerline of Route 134 in an easterly direction to its intersection with First ~~Street~~Avenue; thence in a southerly direction with the centerline of First ~~Street~~Avenue to its intersection with ~~5<sup>th</sup> Avenue, thence in a westerly direction with the centerline of 5<sup>th</sup> Avenue to its intersection with 4<sup>th</sup> Avenue, thence in a westerly direction with the centerline of 4<sup>th</sup> Avenue to its intersection with~~ Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County; thence in a westerly direction along the common boundary line between the City of Hampton and York County and then the common boundary line of the City of Newport News and York County to U. S. Route 17; thence in a northwesterly direction with the common boundary line between the City of Newport News and York County to its intersection with the centerline of Denbigh Boulevard; thence with the centerline of Denbigh Boulevard in an easterly direction to the point of beginning.

**Sec. 9-24. District No. 3 boundaries.**

The boundaries of York County Election District No. 3 shall be as set forth below:

Beginning at a point in the centerline of the York River opposite the centerline ~~extended~~ of ~~BallardWormley~~ BallardWormley Creek ~~extended~~; thence in a southerly direction with the centerline ~~extended~~ of ~~BallardWormley~~ BallardWormley Creek ~~extended~~ and the centerline of ~~BallardWormley~~ BallardWormley Creek to its intersection with ~~the Colonial Parkway~~; ~~thence in a southeasterly direction with the centerline of the Colonial Parkway to its intersection (underpass) with Old Williamsburg Road~~; ~~thence in a southwesterly direction with the centerline of Old Williamsburg Road to its intersection with Goosley Road~~; ~~Old Wormley Creek Road~~; ~~thence with the centerline of Old Wormley Creek Road in a southerly direction to its intersection with Hornsbyville Road~~; ~~thence with the centerline of Hornsbyville Road in a northwesterly direction to its intersection with Old York Hampton Highway~~; ~~thence with the centerline of Old York Hampton Highway in a northwesterly direction to its intersection with Cook Road and Surrender Road~~; ~~thence with the centerline of Surrender Road in a northwesterly direction to its intersection with the southern boundary line of the Colonial National Historical Park~~; ~~thence with the southern boundary line of the Colonial National Historical Park in a southwesterly direction to its intersection with U. S. Route 17~~; ~~thence with the centerline of Route 17 in a northerly direction to its intersection with the Colonial Parkway~~; ~~thence with the centerline of the Colonial Parkway in a northwesterly direction to its intersection with the southern boundary of the U.S. Naval Weapons Station property~~; ~~thence, with the southern boundary of the U.S. Naval Weapons Station property in a westerly direction to its intersection with Route 238~~; ~~thence with the centerline of Old Williamsburg Road (Route 238) in a westerly direction to its intersection with the common boundary between York County and Newport News~~; ~~thence with the common boundary between York County and the City of Newport News in a southeasterly direction to its intersection with the northern right of way centerline of Denbigh Boulevard~~; ~~thence in a westerly direction for a distance of approximately 883.16 feet to the intersection of the right of way line with the jurisdictional boundary of the City of Newport News~~, ~~thence in a southerly direction along the common boundary line with the City of Newport News to the centerline of Denbigh Boulevard~~, ~~thence with the centerline of Denbigh Boulevard in an easterly direction to its intersection with the headwaters of the Poquoson River~~; ~~thence with the centerline of the headwaters of the Poquoson River in a southeasterly direction to its intersection with Oriana Road~~; ~~thence with the centerline of Oriana Road in an easterly direction to its intersection with Burts Road~~; ~~thence with the centerline of Burts Road in a northerly direction to its intersection with U. S. Route 17~~; ~~thence with the centerline of U. S. Route 17 in a northerly/southerly~~ northerly/southerly direction to its intersection with Wolf Trap Road; ~~thence with the centerline of Wolf Trap Road in an northeasterly and northeasterly~~ northeasterly and northeasterly direction to its intersection with the headwaters of Chisman Creek; ~~thence with the headwaters of Chisman Creek in an easterly direction to its intersection with the centerline of Chisman Creek~~; ~~thence with the centerline of Chisman Creek in an easterly direction and then southeasterly direction to its intersection with the centerline of the Poquoson River~~; ~~thence with the centerline and centerline extended of the Poquoson River in a northerly direction to the centerline of the York River~~; ~~thence with the centerline of the York River in a westerly direction to the point of beginning.~~

**Sec. 9-25. District No. 4 boundaries.**

The boundaries of York County Election District No. 4 shall be as set forth below:

Beginning at a point in the centerline of the Poquoson River opposite the centerline of Chisman Creek extended; thence in a northwesterly and then southwesterly direction with the centerline of Chisman Creek and its headwaters to a point where it intersects with the centerline of Wolf Trap Road; thence in a southwesterly and westerly direction with the centerline of Wolf Trap Road to its intersection with U. S. Route 17; thence in a ~~southerly~~northerly direction with the centerline of U. S. Route 17 to its intersection with ~~the northern right-of-way line of Denbigh Boulevard~~; ~~thence with the northern right-of-way line of Denbigh Boulevard to its intersection with the headwaters of the Poquoson River~~; ~~Burts Road~~; ~~thence in a southerly direction with the centerline of Burts Road to its intersection with Oriana Road~~; ~~thence with the centerline of Oriana Road in a westerly direction to a point where it intersects the headwaters of the Poquoson River~~; thence with the headwaters of the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134 (overpass); thence in a southeasterly direction with the ~~southern right-of-way line~~ centerline of Route 134 to its intersection with ~~Victory Boulevard~~; ~~thence in an easterly direction with the centerline of Victory Boulevard to its intersection with Big Bethel Road~~; ~~thence in a northerly direction with the centerline of Big Bethel Road to its intersection with~~ Yorktown Road; thence with the centerline of Yorktown Road in an easterly direction to its intersection with the headwaters of Moores Creek; thence in a northerly direction with the headwaters of Moores Creek and the centerline of Moores Creek to its intersection with the centerline of the Poquoson River; thence with the centerline of the Poquoson River in a northerly direction to the point of beginning.

**Sec. 9-26. District No. 5 boundaries.**

The boundaries of York County Election District No. 5 shall be as set forth below:

Beginning at a point in the centerline of the Poquoson River opposite the mouth of Chisman Creek; thence continuing with the centerline of the Poquoson River in a southwesterly direction to a point where the centerline of the Poquoson River intersects the centerline of Moores Creek; thence with the centerline of Moores Creek and the headwaters of Moores Creek in a southerly direction to a point in the centerline of Yorktown Road; thence with the centerline of Yorktown Road in a westerly direction to its intersection with ~~Big Bethel Road~~; ~~thence with the centerline of Big Bethel Road in a southerly direction to its intersection with Route 171~~; ~~thence with the centerline of Victory Boulevard in a westerly direction to its intersection with~~ Route 134; thence with the ~~southern right-of-way line~~ centerline of Route 134 in a southeasterly direction to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the northern boundary of the United States Air Force ~~Bethel Manor~~Landings at Langley military housing complex property, thence in a northeasterly direction along the boundary of the United States Air Force ~~Bethel Manor~~Landings at Langley military housing complex property to its intersection with Route 134, thence with the northern right-of-way line centerline of Route 134 in an

easterly direction to its intersection with First ~~Street~~Avenue; thence with the centerline of First ~~Street~~Avenue in a southerly direction to its intersection with ~~5<sup>th</sup> Avenue~~, ~~thence in a westerly direction with the centerline of 5<sup>th</sup> Avenue to its intersection with 4<sup>th</sup> Avenue~~, ~~thence in a westerly direction with the centerline of 4<sup>th</sup> Avenue to its intersection with~~ Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County; thence in an easterly direction with the common boundary of the City of Hampton and York County to a point in Brick Kiln Creek, said point being the common corner between the City of Poquoson, York County, and the City of Hampton; thence in a northwesterly direction with the common boundary line between the City of Poquoson and York County to the point of beginning.

**Sec. 9-27. One supervisor to be elected from each district; magisterial districts to remain the same; election districts constitute school districts.**

- (a) One supervisor shall be elected from each election district created by this article.
- (b) The existing magisterial districts of the county shall remain the same, but representation on the board of supervisors shall be by election districts as set forth in this article.
- (c) The election districts shall also constitute school districts as prescribed by sections 22.1-36 and 22.1-44, Code of Virginia (1950), as amended.

**Secs. 9-28—9-37. Reserved.**

**ARTICLE III. PRECINCTS AND POLLING PLACES**

**Sec. 9-38. Precincts established.**

- (a) Pursuant to authority contained in the Code of Virginia (1950), as amended, sections 24.2-307 through 24.2-310.1, the precincts and their respective polling places for York County, Virginia are hereby created and established as set forth in this article.
- (b) The precincts for each election district and the polling places for each precinct shall be as set forth below:

Precinct

Polling Place

*York County Election District No. 1*

Waller Mill  
 Queens Lake  
 Magruder  
~~Yorktown~~

Waller Mill Elementary School  
~~Magruder Elementary~~Queens Lake Middle-School  
 Griffin-Yeates Center  
~~York High School~~

*York County Election District No. 2*

Kiln Creek  
Coventry

York County Library-Tabb  
Coventry Elementary School

*York County Election District No. 3*

Edgehill  
~~Harris Grove~~  
Seaford  
Yorktown

Yorktown Elementary School  
~~York County General Services Building~~  
Seaford Elementary School  
York High School

*York County Election District No. 4*

Dare  
Harwoods Mill  
Grafton

Dare Elementary School  
Grafton-Bethel Elementary School  
Grafton High/Grafton Middle School

*York County Election District No. 5*

Bethel  
Tabb

Tabb Elementary School  
Tabb High School

This ordinance shall take effect at such time as the United States Department of Justice shall have approved the relocation of the polling place pursuant to applicable provisions of the Federal Voting Rights Act, and proper notice of the change can be given to the public pursuant to applicable provisions of the Code of Virginia, including but not limited to Code of Virginia § 24.2-306, ~~otherwise the polling place to remain at Queens Lake Middle School until such time as all requirements have been satisfied.~~

**Sec. 9-39. District No. 1 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 1 shall be as set forth below:

*Waller Mill Precinct*

Beginning at a point in the York River at the common corner between James City County, York County and Gloucester County, said point being the centerline of the York River; first generally westerly, then generally southerly with the common boundary line between York County and James City County to a point along Mooretown Road which is the common corner between James City County, the City of Williamsburg and York County; thence in a generally southerly and then easterly direction with the common boundary line between the City of Williamsburg and York County to the centerline of Queen Creek; thence with the centerline of Queen Creek as it meanders in a northeasterly direction to the centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.

Queens Lake Precinct

Beginning at a point where the centerline of Queen Creek intersects the common boundary line between York County and the City of Williamsburg; thence in a southerly direction with the common boundary of the City of Williamsburg and York County to a point in the centerline of Penniman Road, which is the common corner of James City County, York County and the City of Williamsburg; thence with the centerline of Penniman Road in an easterly ~~and then southerly~~ direction to its intersection with Hubbard Lane; thence with the centerline of Hubbard Lane in a northerly direction to its intersection with the Colonial Parkway; thence with the centerline of the Colonial Parkway in an easterly direction to its intersection with Jones Run and the eastern boundary of New Quarter Park; thence in northeasterly direction with Jones Run and the eastern boundary New Quarter Park to the centerline of Queen Creek; thence with the centerline of Queen Creek in a westerly direction to the point of beginning.

Magruder Precinct

Beginning at a point in the common boundary line between York County and Gloucester County in the center of the York River, said point being opposite the mouth of Queen Creek; thence in a straight line in a south~~west~~erly direction along the centerline ~~extended and the centerline~~ of Queen Creek to its intersection with the eastern boundary of New Quarter Park and the centerline of Jones Run; thence in a southwesterly direction along the eastern boundary of New Quarter Park and Jones Run to the centerline of the Colonial Parkway; thence with the centerline of the Colonial Parkway in a westerly direction to its intersection with Hubbard Lane; thence with the centerline of Hubbard lane in a southerly direction to its intersection with Penniman Road; thence with the centerline of Penniman Road in an easterly and then southerly direction to its intersection with Oak Drive; thence with the centerline of Oak Drive in a southerly direction to its intersection with Government Road; thence with the centerline of Government Road and then the common boundary of York County and James City County in a southerly, then easterly, then southerly direction to the common corner between York County, James City County and the City of Newport News; thence in an easterly direction along the common boundary between York County and the City of Newport News to a point in the centerline of Route 238; thence in an easterly direction along the centerline of Route 238 (Old Williamsburg Road) to its intersection with Goosley Road; thence with the centerline of Old Williamsburg Road in an easterly direction to its intersection (overpass); and then with the southern boundary line of the U.S. Naval Weapons Station property to with the Colonial Parkway thence along the centerline of the Colonial Parkway in a northwesterly direction to its intersection with Ballard Creek; thence along the centerline of Ballard Creek and its centerline extended in a northeasterly ~~the Colonial Parkway and then extending in a straight line direction~~ to the centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.

Yorktown Precinct

~~Beginning at a point on the centerline of the York River opposite the southern boundary line of the U. S. Naval Weapons Station property; thence in a southwesterly direction in~~

~~a straight line to the shoreline and an intersection with the Colonial Parkway; thence in a southeasterly direction with the Colonial Parkway to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with the southern boundary line of the Colonial National Historical Park at York High School; thence with the southern boundary line of the Colonial National Historical Park in a northeasterly direction to its intersection with Surrender Road; thence with the centerline of Surrender Road in an easterly direction to its intersection with Cook Road and Old York Hampton Highway; thence with the centerline of Old York Hampton Highway in a southeasterly direction to its intersection with Hornsbyville Road; thence with the centerline of Hornsbyville Road in a southeasterly direction to its intersection with Old Wormley Creek Road; thence with the centerline of Old Wormley Creek Road in a northeasterly direction to its intersection with Wormley Creek; thence with the centerline of Wormley Creek and its centerline extended in a northeasterly direction to the centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.~~

**Sec. 9-40. District No. 2 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 2 shall be as set forth below:

*Kiln Creek Precinct*

Beginning at a point in the centerline of Denbigh Boulevard where it intersects the common boundary line between York County and the City of Newport News; thence in a northeasterly direction with the centerline of Denbigh Boulevard to its intersection with the headwaters of the Poquoson River; thence with the headwaters of the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134 (overpass); thence in a southeasterly direction with the southern right-of-way line of Route 134 to its intersection with Long Green Boulevard; thence in a southwesterly direction with the centerline of Long Green Boulevard to its intersection with Blevins Run; thence in a southerly direction with the centerline of Blevins Run to its intersection with Kerr Lane; thence in a westerly direction with the centerline of Kerr Lane to its intersection with Jara Lane; thence in a southerly direction with the centerline of Jara Lane to its intersection with Hilda Hollow; thence in a westerly direction with the centerline of Hilda Hollow to its intersection with Gardenville Drive; thence in a southerly direction with the centerline of Gardenville Drive to its intersection with Coventry Boulevard; thence in a westerly direction with the centerline of Coventry Boulevard to its intersection with Route 17; thence in a southerly direction with the centerline of Route 17 to its intersection with the common boundary between the City of Newport News and York County; thence in a northwesterly direction along the common boundary line between the City of Newport News and York County to the point of beginning.

*Coventry Precinct*

Beginning at a point where the centerlines the intersection of Route 17 and Route 134 and Long Green Boulevard intersect; thence in southeasterly direction with the southern

right-of-way line centerline of Route 134 to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to the northern boundary of the United States Air Force Bethel Manor Landings at Langley military housing complex property, thence in a northeasterly direction along the boundary of the United States Air Force Bethel Manor Landings at Langley -military housing complex property to its intersection with Route 134, thence with the northern right-of-way line centerline of Route 134 in an easterly direction to its intersection with First Street Avenue; thence in a southerly direction with the centerline of First Street Avenue to its intersection with 5<sup>th</sup> Avenue, ~~thence in a westerly direction with the centerline of 5<sup>th</sup> Avenue to its intersection with 4<sup>th</sup> Avenue, thence in a westerly direction with the centerline of 4<sup>th</sup> Avenue to its intersection with~~ Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County; thence in a westerly direction along the common boundary line between the City of Hampton and York County and then the common boundary line of the City of Newport News and York County to U. S. Route 17; thence in a northerly direction with the centerline of Route 17 to its intersection with Coventry Boulevard; ~~thence with the centerline of Coventry Boulevard in an easterly direction to its intersection with Gardenville Drive; thence in a northerly direction with the centerline of Gardenville Drive to its intersection with Hilda Hollow; thence in an easterly direction with the centerline of Hilda Hollow to its intersection with Jara Lane; thence in a northerly direction with the centerline of Jara Lane to its intersection with Kerr Lane; thence in an easterly direction with the centerline of Kerr Lane to its intersection with Blevins Run; thence in a northerly direction with the centerline of Blevins Run to its intersection with Long Green Boulevard; thence in a northeasterly direction with the centerline of Long Green Boulevard to~~ the point of beginning.

#### **Sec. 9-41. District No. 3 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 3 shall be as set forth below:

##### Edgehill Precinct

Beginning at a point where the centerlines of U.S. Route 17 and the Colonial Parkway intersect; thence with the centerline of the Colonial Parkway in a northwesterly direction to its intersection (underpass) with the ~~southern boundary of the U.S. Naval Weapons Station property; thence, with the southern boundary of the U.S. Naval Weapons Station property~~ centerline of Old Williamsburg Road; thence with the centerline of Old Williamsburg Road in a westerly direction to its intersection with Goosley Road ~~Route 238~~; thence with the centerline of Old Williamsburg Road (Route 238) in a westerly direction to its intersection with the common boundary between York County and the City of Newport News; thence with the common boundary between York County and the City of Newport News in a southeasterly direction to its intersection with the ~~northern right of way line~~ centerline of Denbigh Boulevard, thence ~~in a westerly direction for a distance of approximately 883.16 feet to the intersection of the right of way line with the jurisdictional boundary of the City of Newport News, thence in a southerly direction along the common boundary line with the City of Newport News to the centerline of Denbigh Boulevard, thence~~ with the centerline of Denbigh Boulevard in an easterly direction to

its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a northerly direction to its intersection with the Colonial Parkway and the point of beginning.

Harris Grove Yorktown -Precinct

Beginning at a point in the centerline of the York River opposite the centerline of Wormley Creek extended; thence in a southerly and then westerly direction with the centerline of Wormley Creek extended and the centerline of the East Branch of Wormley Creek and its headwaters to its intersection with Battle Road; thence in a southwesterly direction with the centerline of Battle Road to its intersection with Old York-Hampton Highway; thence in a southeasterly direction with the centerline of Old York-Hampton Highway Old Wormley Creek Road; thence with the centerline of Old Wormley Creek Road in a southerly direction to its intersection with Hornsbyville Road; thence with the centerline of Hornsbyville Road in a northwesterly southeasterly and then northeasterly direction to its intersection with Old York Hampton Highway; thence with the centerline of Old York Hampton Highway in a northwesterly direction to its intersection with Cook Road and Surrender Road; thence with the centerline of Surrender Road in a northwesterly direction to its intersection with the southern boundary line of the Colonial National Historical Park property; thence with the southern boundary line of the Colonial National Historical Park property in a southwesterly direction to its intersection with U. S. Route 17; thence with the centerline of U.S. Route 17 in a southerly direction to its intersection with Denbigh Boulevard; thence with the centerline of Denbigh Boulevard in a southwesterly direction to a point where it intersects the headwaters of the Poquoson River; thence with the centerline of the headwaters of the Poquoson River in a southeasterly direction to its intersection with Oriana Road; thence with the centerline of Oriana Road in an easterly direction to its intersection with Burts Road; thence with the centerline of Burts Road in a northerly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a northerly direction to its intersection with Wolf Trap Road; thence with the centerline of Wolf Trap Road in a southerly northerly and then southwesterly northeasterly direction to its intersection with Route 17; thence with the centerline of Route 17 in a northerly direction to its intersection with the Colonial Parkway; thence in a westerly and northwesterly direction with the centerline of the Colonial Parkway to its intersection with Ballard Creek; thence in a northerly direction with the centerline and centerline extended of Ballard Creek to the centerline of the York River; thence Goodwin Neck Road; thence with the centerline of Goodwin Neck Road in a northeasterly direction to a point where it intersects the headwaters of Back Creek; thence with the centerline of the headwaters of Back Creek and the centerline of Back Creek in an easterly direction to its intersection with the centerline of the Poquoson River; thence with the centerline and centerline extended of the Poquoson River in a northerly direction to the centerline of the York River; thence with the centerline of the York River in an easterly a westerly direction to the point of beginning.

Seaford Precinct

Beginning at a point in the centerline of the York River opposite the centerline of Wormley Creek extended; thence in a southerly and then westerly direction with the centerline of Wormley Creek extended and the centerline of the East Branch of Worm-

~~ley Creek and its headwaters to its intersection with Battle Road; thence in a southwesterly direction with the centerline of Battle Road to its intersection with Old York-Hampton Highway; thence in a southeasterly direction with the centerline of Old York-Hampton Highway to its intersection with Hornsbyville Road; thence with the centerline of Hornsbyville Road in a southeasterly and then northeasterly direction to its intersection with Wolf Trap Road; thence with the centerline of Wolf Trap Road in a southerly direction to its intersection with the headwaters of Chisman Creek; thence in an easterly direction with the centerline of Chisman Creek and its headwaters to Goodwin Neck Road at its intersection with Wolf Trap Road; thence with the centerline of Goodwin Neck Road in a northeasterly direction to its intersection with Back Creek; thence with the centerline of Back Creek in a northeasterly direction to a point in the centerline of the Poquoson River; thence its intersection with the centerline of the Poquoson River; in a southerly direction to a point opposite the mouth of Chisman Creek; thence with the centerline of Chisman Creek in a westerly direction to its intersection with the centerline of Wolf Trap Road; thence with the centerline of ~~Wolf Trap Road~~ the Poquoson River in a northerly direction to its intersection with the centerline of the York River; thence with the centerline of the York River in a westerlynorthwesterly direction to the point of beginning.~~

**Sec. 9-42. District No. 4 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 4 shall be as set forth below:

Dare Precinct

Beginning at a point in the centerline of the Poquoson River opposite the centerline of Chisman Creek extended; thence in a northwesterly and then southwesterly direction with the centerline of Chisman Creek to its intersection with the branch known as Mill Cove; thence in a southerly direction with the centerline of Mill Cove and its headwaters to a point where it intersects with the centerline of ~~Allens Mill~~ Wolf Trap Road; thence in a southerly ~~and southwesterly~~ direction with the centerline of ~~Wolf Trap~~ Allens Mill Road to its intersection with Dare Road; thence with the centerline of Dare Road in a southwesterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with ~~Burts Road; thence with the centerline of Burts Road in a southerly direction to its intersection with Oriana Road; thence with the centerline of Oriana Road in an easterly direction to its intersection with U. S. Route 17 and~~ Lakeside Drive; thence with the centerline of Lakeside Drive in an easterly and then northeasterly direction to ~~its intersection with Dare Road; thence in an easterly direction with the centerline of Dare Road~~ to a point where it intersects the headwaters of Patricks Creek; thence with the headwaters of Patricks Creek and the centerline of Patricks Creek in a ~~southerly and then~~ southeasterly direction to its intersection with the centerline of the Poquoson River; thence with the centerline of the Poquoson River in a northeasterly direction to the point of beginning.

Harwoods Mill Precinct

Beginning at a point in the centerline of the Poquoson River opposite the centerline extended of Patricks Creek; thence with the centerline extended and the centerline of Patricks Creek and its headwaters in a northwesterly ~~and then northerly~~ direction to its intersection with ~~Dare Road~~Lakeside Drive; thence ~~with the centerline of Dare Road in a westerly direction to its intersection with Lakeside Drive; thence with the centerline of~~ Lakeside Drive in a southwesterly direction to its intersection with U. S. Route 17 and Oriana Road; thence with the centerline of Oriana Road in a westerly direction to its intersection with the headwaters of the Poquoson River; thence with the headwaters of the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134; thence in a southeasterly direction with the southern right-of-way line centerline of Route 134 to its intersection with ~~Victory Boulevard~~Yorktown Road; thence in an easterly direction with the centerline of ~~Victory Boulevard to its intersection with Big Bethel Road; thence in a northerly direction with the centerline of Big Bethel Road to its intersection with Yorktown Road; thence with the centerline of~~ Yorktown Road to its intersection with the headwaters of Moores Creek; thence in a northerly direction with the headwaters of Moores Creek and the centerline of Moores Creek to its intersection with the centerline of the Poquoson River; thence with the centerline of the Poquoson River in a northerly direction to the point of beginning.

Grafton Precinct

Beginning at a point in the centerline of Chisman Creek opposite the mouth of the branch known as Mill Cove; thence in a southerly direction with the centerline extended and centerline of Mill Cove and its headwaters to a point where it intersects with the centerline of Allens Mill Road; thence in a southerly direction with the centerline of Allens Mill Road to its intersection with Dare Road; thence with the centerline of Dare Road in a southwesterly direction to its intersection with U. S. Route 17; thence in a southerly direction with the centerline of Route 17 to its intersection with Oriana Road; thence in a westerly direction with the centerline of Oriana Road to its intersection with the headwaters of the Poquoson River; thence in a northerly direction with the headwaters of the Poquoson River to its intersection with the northern right-of-way line of Denbigh Boulevard; thence in an easterly direction with the northern right-of-way line of Denbigh Boulevard to its intersection with Route 17; thence in a southerly direction with the centerline of Route 17 to its intersection with Wolf Trap Road; thence in an easterly and then northeasterly direction with the centerline of Wolf Trap Road to its intersection with the headwaters of Chisman Creek; thence in an easterly direction with the centerline of the headwaters of Chisman Creek and the centerline of Chisman Creek to the point of beginning.

**Sec. 9-43. District No. 5 precinct boundaries.**

The boundaries of the precinct of York County Election District No. 5 shall be as set forth below:

Bethel Precinct

Beginning at a point in the centerline of ~~Victory Boulevard~~Carys Chapel Road at the

common boundary line between the City of Poquoson and York County; thence with the centerline of ~~Victory Boulevard~~Carys Chapel Road in a ~~westerly~~northerly direction to its intersection with Victory Boulevard; ~~thence with the centerline of Victory Boulevard in a westerly direction to its intersection with~~ Running Man Trail; thence with the centerline of Running Man Trail in a southerly and then westerly direction to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction ~~to the northern boundary of the United States Air Force Bethel Manor military housing complex property, thence in a northeasterly direction along the boundary of the United States Air Force Bethel Manor military housing complex property~~ to its intersection with Route 134, thence with the northern right-of-way line centerline of Route 134 in an easterly direction to its intersection with First Street~~Avenue~~; thence in a southerly direction with the centerline of First Street~~Avenue~~ to its intersection with 5<sup>th</sup> Avenue; ~~thence in a westerly direction with the centerline of 5<sup>th</sup> Avenue to its intersection with 4<sup>th</sup> Avenue, thence in a westerly direction with the centerline of 4<sup>th</sup> Avenue to its intersection with~~ Big Bethel Road; thence with the centerline~~eastern right-of-way line~~ of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County; thence in an easterly direction with the common boundary of the City of Hampton and York County to a point in Brick Kiln Creek, said point being the common corner between the City of Poquoson, York County, and the City of Hampton; thence in a northerly direction with the common boundary line between the City of Poquoson and York County to the point of beginning.

#### Tabb Precinct

Beginning at a point in the centerline of the Poquoson River opposite the mouth of Chisman Creek; thence continuing with the centerline of the Poquoson River in a southwesterly direction to a point where the centerline of the Poquoson River intersects the centerline of Moores Creek; thence with the centerline of Moores Creek and the headwaters of Moores Creek in a southerly direction to a point in the centerline of Yorktown Road; thence with the centerline of Yorktown Road in a westerly direction to its intersection with ~~Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with~~ Victory Boulevard; ~~thence with the centerline of Victory Boulevard in a westerly direction to its intersection with~~ Route 134; thence with the southern right-of-way line centerline of Route 134 in a southeasterly direction to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to the northern boundary of the United States Air Force Landings at Langley military housing complex property on the east side of Big Bethel Road; thence in a northerly direction with that northern boundary to its intersection with Route 134; thence with the northern right-of-way line of Route 134 in a westerly direction to its intersection with Big Bethel Road; thence with the eastern right-of-way line of Big Bethel Road in a northerly direction to its intersection with Running Man Trail; thence in an easterly and then northerly direction with the centerline of Running Man Trail to its intersection with Victory Boulevard; thence with the centerline of Victory Boulevard in an easterly direction to its intersection with Carys Chapel Road; thence with the centerline of Carys Chapel Road in a southerly direction ~~the common boundary line between the City of Poquoson and York County; thence in a northerly direction with the common boundary line between the City of Poquoson and York County~~ to the point of beginning.

**Sec. 9-44. Registered voters to be notified of changes in precincts or polling places.**

The Registrar shall notify by mail, no later than fifteen (15) days prior to the next general, special, or primary election, all registered voters whose precinct and/or polling place has been changed by the provisions of this article.

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following ordinance was adopted:

AN ORDINANCE TO AN ORDINANCE TO AMEND CHAPTER 9, ELECTIONS, YORK COUNTY CODE, TO MODIFY CERTAIN BOUNDARY LINES BETWEEN ELECTION DISTRICTS, TO MODIFY CERTAIN PRECINCT BOUNDARY LINES, AND TO ESTABLISH CERTAIN NEW POLLING PLACES IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF VIRGINIA (1971) AND THE CODE OF VIRGINIA (1950), AS AMENDED, WHICH REQUIRE THE REAPPORTIONMENT OF ELECTION DISTRICTS SUBSEQUENT TO COMPLETION OF THE DECENNIAL U.S. CENSUS AND IN ACCORDANCE WITH THE POPULATION DISTRIBUTIONS EVIDENCED BY SAID CENSUS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the boundary lines of election districts, names of election districts, boundary lines of precincts, and precinct polling places were established by the York County Board of Supervisors by an ordinance adopted on November 20, 2001 entitled, "AN ORDINANCE TO AMEND CHAPTER 9, ELECTIONS, YORK COUNTY CODE, TO MODIFY CERTAIN BOUNDARY LINES BETWEEN ELECTION DISTRICTS, TO MODIFY CERTAIN PRECINCT BOUNDARY LINES, AND TO ESTABLISH CERTAIN NEW POLLING PLACES IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF VIRGINIA (1971) AND THE CODE OF VIRGINIA (1950), AS AMENDED, WHICH REQUIRE THE REAPPORTIONMENT OF ELECTION DISTRICTS SUBSEQUENT TO COMPLETION OF THE DECENNIAL U.S. CENSUS AND IN ACCORDANCE WITH THE POPULATION DISTRIBUTIONS EVIDENCED BY SAID CENSUS; AND PROVIDING FOR AN EFFECTIVE DATE" which ordinance is set forth in Articles II and III of Chapter 9, York County Code; and

WHEREAS, the terms of the Constitution of Virginia (1971) and the Code of Virginia (1950), as amended, require that localities reapportion election districts subsequent to completion of the decennial U. S. Census and in accordance with the population distributions evidenced by said Census; and

WHEREAS, the 2010 U. S. Census indicated that significant population growth has occurred in certain areas of York County since the 2000 Census; and

WHEREAS, said population growth has caused the populations of the existing election districts to vary substantially; and

WHEREAS, in order to minimize the variation between district populations and “to give, as nearly as practicable, representation in proportion to the population of the district...,” as required by the Constitution of Virginia (1971) and the Code of Virginia (1950), as amended, it is necessary to make certain adjustments in the existing election district boundary lines; and

WHEREAS, as a result of making such adjustments in the election district boundary lines it will also be necessary to make certain changes in precinct boundaries and precinct polling places; and

WHEREAS, such modifications are in accordance with the guidelines established in the Constitution of Virginia (1971) and the Code of Virginia (1950), as amended; and

WHEREAS, a public hearing has been held, pursuant to notice as required by law, to afford the public an opportunity to be heard with regard to the proposed modifications as set forth in this proposed ordinance;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2011, that Article II, Election Districts, and Article III, Precincts and Polling Places, of Chapter 9, Elections, York County Code, be and they are hereby, amended, modified, and reordained to read and provide as follows:

## ARTICLE II. ELECTION DISTRICTS

### Sec. 9-21. Established.

- (a) Pursuant to authority contained in the Code of Virginia (1950), as amended, section 15.2-1211 and section 24.2-304.1 through 24.2-310.1, election districts of York County, Virginia, are hereby created and established as set forth in this article. The boundaries of the respective election districts are as shown on the map entitled "York County Election Districts" dated, which map is incorporated into this article as fully as if set forth herein, a copy of which shall be kept permanently at the office of the county administrator.

- (b) The election districts, with populations set forth based on the United States Census of ~~2010~~[1990](#), are as follows:

(1)	York County Election District No. 1	<del>12,681</del> <a href="#">11,724</a>
(2)	York County Election District No. 2	<del>13,397</del> <a href="#">10,924</a>
(3)	York County Election District No. 3	<del>13,600</del> <a href="#">11,106</a>
(4)	York County Election District No. 4	<del>13,103</del> <a href="#">11,028</a>
(5)	York County Election District No. 5	<del>12,583</del> <a href="#">11,515</a>

**Sec. 9-21.1. Central absentee voter election precinct.**

- (a) There is hereby established for the County a central absentee voter precinct for all elections as defined by § 24.2-101, Code of Virginia. The polling place of the central absentee voter precinct shall be located in close proximity to the registrar's office.
- (b) The central absentee voter precinct shall conform in all aspects with § 24.2-712, Code of Virginia.

**Sec. 9-22. District No. 1 boundaries.**

The boundaries of York County Election District No. 1 shall be as set forth below:

Beginning at the common corner of Gloucester County, James City County, and York County, said point being at the centerline of the York River; first generally westerly and then generally southerly with the common boundary between York County and James City County to a point along Mooretown Road which is the common corner between the City of Williamsburg, James City County and York County; thence in a generally southerly, then easterly, then southerly direction with the common boundary of the City of Williamsburg and York County to a point in the centerline of Penniman Road, which is the common corner of James City County, York County and the City of Williamsburg; thence with the centerline of Penniman Road in an easterly and then southerly direction to its intersection with Oak Drive; thence with the centerline of Oak Drive in a southerly direction to its intersection with Government Road; thence with the centerline of Government Road and then the common boundary of York County and James City County in a southerly, then easterly, then southerly direction to the [point on the Route 60 right-of-way where the jurisdictional boundary between York County and James City County turns northeastward toward Interstate 64](#); thence with that [jurisdictional boundary in a northeasterly direction to its intersection with the centerline of Interstate 64](#); thence in a northwesterly direction with the centerline of Interstate 64 to the point where it overpasses Penniman Road; thence in a southwesterly direction with the centerline of Penniman Road to its intersection with a 200-foot wide Dominion Virginia Power transmission line easement; thence in a northwesterly direction with the southern boundary line of the Dominion Virginia Power 200-foot wide transmission line easement to its intersec-

tion with Queens Creek Road; thence continuing in a northwesterly direction along the southern boundary line of the transmission line easement for a distance of approximately 1,720 feet to its point of intersection with the stream that flows in a northerly direction to its outfall into Queens Lake; thence with the centerline of that stream in a northerly direction to its intersection with the Colonial Parkway; thence with the centerline of the Colonial Parkway in an easterly direction to its intersection with the centerline of King Creek; thence with the centerline of King Creek in southwesterly direction to its intersection with the northern boundary of the United States Naval Weapons Station (USNWS); thence with the northern boundary of the USNWS in an easterly direction to the centerline of Felgates Creek; thence with the centerline of Felgates Creek in a southerly direction to its intersection with Felgates Road; thence with the centerline of Felgates Road in an easterly direction to its intersection with Main Road; thence with the centerline of Main Road in a southerly, then southeasterly, then southerly direction to the southern boundary of the USNWS at the Lackey Gate; thence with the southern boundary of the USNWS in a northeasterly direction common corner between York County, James City County and the City of Newport News; thence in an easterly direction along the common boundary between York County and the City of Newport News to a point in the centerline of Route 238; thence in an easterly direction along the centerline of Route 238 and then the southern boundary line of the U.S. Naval Weapons Station property to its intersection with the headwaters of Ballard Creek; thence in a northeasterly direction with Ballard Creek to its intersection with the southern right-of-way line of the Colonial Parkway; thence with the ~~southern right-of-way line~~centerline of the Colonial Parkway in a southerly direction ~~and then easterly direction~~ to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with the southern boundary line of the Colonial National Historical Park property at York High School; thence with the southern boundary line of the Colonial National Historical Park property in a northeasterly direction to its intersection with Surrender Road; thence with the centerline of Surrender Road in a southeasterly direction to its intersection with Cook Road; ~~thence with the centerline of Cook Road in a southeasterly direction to its intersection with~~ ~~and~~ Old York-Hampton Highway; thence with the centerline of Old York-Hampton Highway in a southeasterly direction to its intersection with ~~Battle Road; thence in a northeasterly direction with the centerline of Battle Road to its intersection with the headwaters of the East Branch of Wormley Creek; thence with the headwaters of the East Branch of Wormley Creek in a southeasterly and then northeasterly direction to the centerline of the East Branch of Wormley Creek; thence with the centerline of the East Branch of Wormley Creek, and the centerline extended, in a northerly~~ ~~Hornsbyville Road; thence with the centerline of Hornsbyville Road in a southeasterly direction to its intersection with Old Wormley Creek Road; thence with the centerline of Old Wormley Creek Road in a northeasterly direction to its intersection with Wormley Creek; thence with the centerline of Wormley Creek and its centerline extended in a northeasterly~~ direction to the centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.

**Sec. 9-23. District No. 2 boundaries.**

The boundaries of York County Election District No. 2 shall be as set forth below:

Beginning at ~~a point~~ the intersection of Route 17 and Route 105 (Fort Eustis Boulevard); ~~thence in a southeasterly direction with the centerline of Route 17 to its intersection with Denbigh Boulevard~~; ~~thence in a westerly direction with~~ the centerline of Denbigh Boulevard to the point where it crosses the headwaters of the Poquoson River; ~~thence with the centerline of the headwaters of the Poquoson River and the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17~~; ~~thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134 (overpass)~~; ~~thence with the southern right-of-way line centerline~~ of Route 134 in a southeasterly direction to its intersection with Big Bethel Road; ~~thence with the centerline of Big Bethel Road in a southerly direction to the northern boundary of the United States Air Force Bethel Manor Landings at Langley military housing complex property~~, ~~thence in a northeasterly direction along the boundary of the United States Air Force Bethel Manor Landings at Langley-~~ military housing complex property to its intersection with Route 134, ~~thence with the centerline~~ northern right-of-way line ~~of Route 134 in an easterly direction to its intersection with First Street Avenue~~; ~~thence in a southerly direction with the centerline of First Street Avenue to its intersection with 5<sup>th</sup> Avenue, thence in a westerly direction with the centerline of 5<sup>th</sup> Avenue to its intersection with 4<sup>th</sup> Avenue, thence in a westerly direction with the centerline of 4<sup>th</sup> Avenue to its intersection with Big Bethel Road~~; ~~thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County~~; ~~thence in a westerly direction along the common boundary line between the City of Hampton and York County and then the common boundary line of the City of Newport News and York County to U. S. Route 17~~; ~~thence in a northwesterly direction with the common boundary line between the City of Newport News and York County to its intersection with Denbigh Fort Eustis-Boulevard~~; ~~thence with the centerline of Fort Eustis Denbigh Boulevard in an easterly direction to the point of beginning.~~

**Sec. 9-24. District No. 3 boundaries.**

The boundaries of York County Election District No. 3 shall be as set forth below:

Beginning at a point in the centerline of the York River opposite the centerline of Wormley Creek extended; ~~thence in a southerly direction~~ with the centerline extended of Wormley Creek and then the centerline of the East Branch of Wormley Creek and its headwaters in a southerly and then westerly direction to its intersection with Battle Road; ~~thence with the centerline of Battle Road in a southwesterly direction to its intersection with Old York-Hampton Highway~~; ~~thence with the centerline of Old York-Hampton Highway in a northwesterly direction to its intersection with Cook Road~~; ~~thence in a northwesterly direction with the centerline of Cook Road to its intersection with Surrender Road~~; ~~thence in a~~

~~northwesterly direction with the centerline of Surrender Road to its intersection with the southern boundary of the Colonial National Historical Park; thence with the southern boundary of the Colonial National Historical Park in a southwesterly direction to its intersection with Route 17; thence with the centerline of Route 17 in a northerly direction to its intersection with the Colonial Parkway; thence with the southern right-of-way line of the Colonial Parkway in a westerly and then northwesterly direction to its intersection with Ballard Creek; thence in a westerly direction with Ballard Creek to its intersection with the southern boundary of the United States Naval Weapons Station (USNWS); thence with the southern boundary of the USNWS in a westerly direction to its intersection with Main Road at the Lackey Gate; thence with the centerline of Main Road in a northerly, then northwesterly, then northerly direction to its intersection with Felgates Road; thence with the centerline of Felgates Road in a westerly direction to its intersection with the centerline of Felgates Creek; thence with the centerline of Felgates Creek in a northerly direction to its intersection with the northern boundary of the USNWS; thence in a westerly direction with the northern boundary of the USNWS to its intersection with King Creek; thence with the centerline of King Creek in a northerly direction to its intersection with the centerline of the Colonial Parkway; thence with the centerline of the Colonial Parkway in a westerly direction to its intersection with the stream that is one of the tributaries of Queens Lake; thence with the centerline of this tributary stream in a southerly direction to its intersection with a 200-foot wide Dominion Virginia Power transmission line easement, said point of intersection being approximately 1,720 feet west of Queens Creek Road; thence with the centerline of the 200-foot wide Dominion Virginia Power transmission line easement in a southeasterly direction to its intersection with Penniman Road; thence with the centerline of Penniman Road in a northerly direction to the centerline of the Interstate 64 overpass; thence with the centerline of Interstate 64 in a southeasterly direction to its intersection with the common boundary between York County and James City County; thence with the common boundary between York County and James City County in a northeasterly and then southeasterly direction to the point where the boundaries of York County, James City County and the City of Newport News intersect; thence with the common boundary between York County and Newport News in a northeasterly and then southeasterly direction to its intersection with Fort Eustis Boulevard; thence with the centerline of Fort Eustis Boulevard in a northeasterly extended and the centerline of Wormley Creek to its intersection with Old Wormley Creek Road; thence with the centerline of Old Wormley Creek Road in a southerly direction to its intersection with Hornsbyville Road; thence with the centerline of Hornsbyville Road in a northwesterly direction to its intersection with Old York Hampton Highway; thence with the centerline of Old York Hampton Highway in a northwesterly direction to its intersection with Cook Road and Surrender Road; thence with the centerline of Surrender Road in a northwesterly direction to its intersection with the southern boundary line of the Colonial National Historical Park; thence with the southern boundary line of the Colonial National Historical Park in a southwesterly direction to its intersection with U. S. Route 17; thence with the centerline of Route 17 in a northerly direction to its intersection with the Colonial Parkway; thence with the centerline of the Colonial Parkway in a northwesterly direction to its intersection with the southern boundary of the U.S. Naval Weapons Station prop-~~

~~erty; thence, with the southern boundary of the U.S. Naval Weapons Station property in a westerly direction to its intersection with Route 238; thence with the centerline of Route 238 in a westerly direction to its intersection with the common boundary between York County and Newport News; thence with the common boundary between York County and the City of Newport News in a southeasterly direction to its intersection with the northern right of way line of Denbigh Boulevard, thence in a westerly direction for a distance of approximately 883.16 feet to the intersection of the right of way line with the jurisdictional boundary of the City of Newport News, thence in a southerly direction along the common boundary line with the City of Newport News to the centerline of Denbigh Boulevard, thence with the centerline of Denbigh Boulevard in an easterly direction to its intersection with the headwaters of the Poquoson River; thence with the centerline of the headwaters of the Poquoson River in a southeasterly direction to its intersection with Oriana Road; thence with the centerline of Oriana Road in an easterly direction to its intersection with Burts Road; thence with the centerline of Burts Road in a northerly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a ~~north~~erly~~southerly~~ direction to its intersection with Wolf Trap Road; thence with the centerline of Wolf Trap Road in an ~~north~~erly~~southerly~~ and ~~north~~erly~~southerly~~ direction to its intersection with the headwaters of Chisman Creek; thence with the headwaters of Chisman Creek in an easterly direction to its intersection with the centerline of Chisman Creek; thence with the centerline of Chisman Creek in an easterly direction and then southeasterly direction to its intersection with the centerline of the Poquoson River; thence with the centerline and centerline extended of the Poquoson River in a northerly direction to the centerline of the York River; thence with the centerline of the York River in a westerly direction to the point of beginning.~~

**Sec. 9-25. District No. 4 boundaries.**

The boundaries of York County Election District No. 4 shall be as set forth below:

Beginning at a point in the centerline of the Poquoson River opposite the centerline of Chisman Creek extended; thence in a northwesterly and then southwesterly direction with the centerline of Chisman Creek and its headwaters to a point where it intersects with the centerline of Wolf Trap Road; thence in a ~~south~~west~~erly~~ and ~~south~~west~~erly~~ direction with the centerline of Wolf Trap Road to its intersection with U. S. Route 17; thence in a ~~southerly~~northerly direction with the centerline of U. S. Route 17 to its intersection with the centerline of Denbigh Boulevard; thence with the centerline of Denbigh Boulevard to its intersection with the headwaters of the Poquoson River; Burts Road; thence in a southerly direction with the centerline of Burts Road to its intersection with Oriana Road; thence with the centerline of Oriana Road in a westerly direction to a point where it intersects the headwaters of the Poquoson River; thence with the headwaters of the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134 (overpass); thence in a southeasterly direction

with the ~~southern right-of-way line~~centerline of Route 134 to its intersection with ~~Victory Boulevard; thence in an easterly direction with the centerline of Victory Boulevard to its intersection with Big Bethel Road; thence in a northerly direction with the centerline of Big Bethel Road to its intersection with~~ Yorktown Road; thence with the centerline of Yorktown Road in an easterly direction to its intersection with the headwaters of Moores Creek; thence in a northerly direction with the headwaters of Moores Creek and the centerline of Moores Creek to its intersection with the centerline of the Poquoson River; thence with the centerline of the Poquoson River in a northerly direction to the point of beginning.

**Sec. 9-26. District No. 5 boundaries.**

The boundaries of York County Election District No. 5 shall be as set forth below:

Beginning at a point in the centerline of the Poquoson River opposite the mouth of Chisman Creek; thence continuing with the centerline of the Poquoson River in a southwesterly direction to a point where the centerline of the Poquoson River intersects the centerline of Moores Creek; thence with the centerline of Moores Creek and the headwaters of Moores Creek in a southerly direction to a point in the centerline of Yorktown Road; thence with the centerline of Yorktown Road in a westerly direction to its intersection with ~~Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with Route 171; thence with the centerline of Victory Boulevard in a westerly direction to its intersection with~~ Route 134; thence with the ~~southern right-of-way line~~centerline of Route 134 in a southeasterly direction to the ~~intersection of Route 171; thence with southern right-of-way line~~ of Route 134 in a southeasterly direction to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the northern boundary of the United States Air Force ~~Bethel Manor Landings at Langley~~ military housing complex property, thence in a northeasterly direction along the boundary of the United States Air Force ~~Bethel Manor Landings at Langley~~ military housing complex property to its intersection with Route 134, thence with the ~~northern right-of-way line~~centerline of Route 134 in an easterly direction to its intersection with First ~~Street~~Avenue; thence with the centerline of First ~~Street~~Avenue in a southerly direction to its intersection with ~~5<sup>th</sup> Avenue; thence in a westerly direction with the centerline of 5<sup>th</sup> Avenue to its intersection with 4<sup>th</sup> Avenue; thence in a westerly direction with the centerline of 4<sup>th</sup> Avenue to its intersection with~~ Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County; thence in an easterly direction with the common boundary of the City of Hampton and York County to a point in Brick Kiln Creek, said point being the common corner between the City of Poquoson, York County, and the City of Hampton; thence in a northwesterly direction with the common boundary line between the City of Poquoson and York County to the ~~centerline of the Poquoson River; thenc in a southwesterly direction with the centerline of the Poquoson River to the~~ point of beginning.

**Sec. 9-27. One supervisor to be elected from each district; magisterial districts to remain the same; election districts constitute school districts.**

- (a) One supervisor shall be elected from each election district created by this article.
- (b) The existing magisterial districts of the county shall remain the same, but representation on the board of supervisors shall be by election districts as set forth in this article.
- (c) The election districts shall also constitute school districts as prescribed by sections 22.1-36 and 22.1-44, Code of Virginia (1950), as amended.

**Secs. 9-28—9-37. Reserved.**

**ARTICLE III. PRECINCTS AND POLLING PLACES**

**Sec. 9-38. Precincts established.**

- (a) Pursuant to authority contained in the Code of Virginia (1950), as amended, sections 24.2-307 through 24.2-310.1, the precincts and their respective polling places for York County, Virginia are hereby created and established as set forth in this article.
- (b) The precincts for each election district and the polling places for each precinct shall be as set forth below:

Precinct

Polling Place

*York County Election District No. 1*

Waller Mill  
 Queens Lake  
 School  
 Magruder  
 Center  
 Yorktown

Waller Mill Elementary School  
~~Magruder Elementary~~ Queens Lake Middle  
Magruder Elementary ~~Griffin Yeates~~  
 York High School

*York County Election District No. 2*

Kiln Creek  
 Coventry

York County Library-Tabb  
 Coventry Elementary School

*York County Election District No. 3*Edgehill  
Harris GroveYorktown Elementary School  
York County General Services  
BuildingSeaford  
Griffin-YeatesSeaford Elementary School  
Griffin-Yeates Center*York County Election District No. 4*Dare  
Harwoods Mill  
SchoolDare Elementary School  
Grafton-Bethel ElementaryGrafton  
SchoolGrafton High/Grafton Middle  
School*York County Election District No. 5*Bethel  
TabbTabb Elementary School  
Tabb High School

This ordinance shall take effect at such time as the United States Department of Justice shall have approved the relocation of the polling place pursuant to applicable provisions of the Federal Voting Rights Act, and proper notice of the change can be given to the public pursuant to applicable provisions of the Code of Virginia, including but not limited to Code of Virginia § 24.2-306., ~~otherwise the polling place to remain at Queens Lake Middle School until such time as all requirements have been satisfied.~~

**Sec. 9-39. District No. 1 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 1 shall be as set forth below:

*Waller Mill Precinct*

Beginning at a point in the York River at the common corner between James City County, York County and Gloucester County, said point being the centerline of the York River; first generally westerly, then generally southerly with the common boundary line between York County and James City County to a point along Mooretown Road which is the common corner between James City County, the City of Williamsburg and York County; thence in a generally southerly and then easterly direction with the common boundary line between the City of Williamsburg and York County to the centerline of Queen Creek; thence with the centerline of Queen Creek as it meanders in a northeasterly direction to the

centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.

Queens Lake Precinct

Beginning at a point where the centerline of Queen Creek intersects the common boundary line between York County and the City of Williamsburg; thence in a southerly direction with the common boundary of the City of Williamsburg and York County to a point in the centerline of Penniman Road, which is the common corner of James City County, York County and the City of Williamsburg; thence with the centerline of Penniman Road in an easterly ~~and then southerly~~ direction to its intersection with Hubbard Lane; thence with the centerline of Hubbard Lane in a northerly direction to its intersection (overpass) with the Colonial Parkway; thence with the centerline of the Colonial Parkway in an easterly direction to its intersection with King Creek; thence with the centerline of King Creek in southwesterly direction to its intersection with the northern boundary of the United States Naval Weapons Station (USNWS); thence with the northern boundary of the USNWS in an easterly direction to the centerline of Felgates Creek; thence in a northerly direction with the centerline and centerline extended of Felgates Creek to its intersection with the centerline of the York River; thence in a westerly direction with the centerline of the York River Jones Run and the eastern boundary of New Quarter Park; thence in northeasterly direction with Jones Run and the eastern boundary New Quarter Park to the centerline of Queen Creek; thence with the centerline of Queen Creek in a westerly direction to the point of beginning.

Magruder Precinct

Beginning at a point ~~in the common boundary line between York County and Gloucester County in the center of the York River, said point being opposite the mouth of Queen Creek; thence in a straight line in a southerly direction along the centerline of Queen Creek to its intersection with the eastern boundary of New Quarter Park and the centerline of Jones Run; thence in a southwesterly direction along the eastern boundary of New Quarter Park and Jones Run to the~~ at the intersection (overpass) of the centerline of the Colonial Parkway and Hubbard Lane; thence with the centerline of the Colonial Parkway in a westerly direction to its intersection with Hubbard Lane; thence with the centerline of Hubbard lane in a southerly direction to its intersection with Penniman Road; thence with the centerline of Penniman Road in an easterly and then southerly direction to its intersection with Oak Drive; thence with the centerline of Oak Drive in a southerly direction to its intersection with Government Road; thence with the centerline of Government Road and then the common boundary of York County and James City County in a southerly, then easterly, then southerly direction to the ~~com-~~ mon point on the Route 60 right-of-way where the jurisdictional boundary between York County and James City County turns northeastward toward Interstate 64; thence with that jurisdictional boundary in a northeasterly direction to its intersection with the centerline of Interstate 64; thence in a northwesterly direction with the centerline of Interstate 64 to the point where it overpasses Penniman Road; thence in a southwesterly direction with the centerline of Penniman Road

to its intersection with a 200-foot wide Dominion Virginia Power transmission line easement; thence in a northwesterly direction with the centerline of the Dominion Virginia Power 200-foot wide transmission line easement to its intersection with Queens Creek Road; thence continuing in a northwesterly direction along the centerline of the transmission line easement for a distance of approximately 1,720 feet to its point of intersection with the stream that flows in a northerly direction to its outfall into Queens Lake; thence with the centerline of that stream in a northerly direction to its intersection with the Colonial Parkway; thence with the centerline of the Colonial Parkway in a westerly corner between York County, James City County and the City of Newport News; thence in an easterly direction along the common boundary between York County and the City of Newport News to a point in the centerline of Route 238; thence in an easterly direction along the centerline of Route 238 and then with the southern boundary line of the U.S. Naval Weapons Station property to the Colonial Parkway and then extending in a straight line to the centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.

#### Yorktown Precinct

Beginning at a point in the centerline of the York River opposite the centerline of Wormley Creek extended; thence with the centerline extended of Wormley Creek and then the centerline of the East Branch of Wormley Creek and its headwaters in a southerly and then westerly direction to its intersection with Battle Road; thence with the centerline of Battle Road in a southwesterly direction to its intersection with Old York-Hampton Highway; thence with the centerline of Old York-Hampton Highway in a northwesterly direction to its intersection with Cook Road; thence in a northwesterly direction with the centerline of Cook Road to its intersection with Surrender Road; thence in a northwesterly direction with the centerline of Surrender Road to its intersection with the southern boundary of the Colonial National Historical Park; thence with the southern boundary of the Colonial National Historical Park in a southwesterly direction to its intersection with Route 17; thence with the centerline of Route 17 in a northerly direction to its intersection (overpass) with the Colonial Parkway; thence with the southern right-of-way line of the Colonial Parkway in a westerly and then northwesterly direction to its intersection with Ballard Creek; thence in a westerly direction with Ballard Creek to its intersection with the southern boundary of the United States Naval Weapons Station (USNWS); thence with the southern boundary of the USNWS in a westerly direction to its intersection with Main Road at the Lackey Gate; thence with the centerline of Main Road in a northerly, then northwesterly, then northerly direction to its intersection with Felgates Road; thence with the centerline of Felgates Road in a westerly direction to its intersection with the centerline of Felgates Creek; thence with the centerline of Felgates Creek in a northerly direction to its intersection with the centerline of the York River; thence in an easterly direction with the centerline of the York River to its intersection with the centerline extended of Wormley Creek, the point of beginning.

~~Beginning at a point on the centerline of the York River opposite the southern boundary line of the U. S. Naval Weapons Station property; thence in a southwesterly direction in a straight line to the shoreline and an intersection with the Colonial Parkway; thence in a southeasterly direction with the Colonial Parkway to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with the southern boundary line of the Colonial National Historical Park at York High School; thence with the southern boundary line of the Colonial National Historical Park in a northeasterly direction to its intersection with Surrender Road; thence with the centerline of Surrender Road in an easterly direction to its intersection with Cook Road and Old York Hampton Highway; thence with the centerline of Old York Hampton Highway in a southeasterly direction to its intersection with Hornsbyville Road; thence with the centerline of Hornsbyville Road in a southeasterly direction to its intersection with Old Wormley Creek Road; thence with the centerline of Old Wormley Creek Road in a northeasterly direction to its intersection with Wormley Creek; thence with the centerline of Wormley Creek and its centerline extended in a northeasterly direction to the centerline of the York River; thence with the centerline of the York River in a northwesterly direction to the point of beginning.~~

#### **Sec. 9-40. District No. 2 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 2 shall be as set forth below:

##### *Kiln Creek Precinct*

Beginning at a point in the intersection of the centerlines of Route 17 and Route 105 (Fort Eustis Boulevard); Denbigh Boulevard where it intersects the common boundary line between York County and the City of Newport News; thence in a northeasterly-southeasterly direction with the centerline of Route 17 to its intersection with Denbigh Boulevard; thence with the centerline of Denbigh Boulevard to its intersection with the headwaters of the Poquoson River; thence with the headwaters of the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134 (overpass); thence in a southeasterly direction with the southern right-of-way line of Route 134 to its intersection with Long Green Boulevard; thence in a southwesterly direction with the centerline of Long Green Boulevard to its intersection with Blevins Run; thence in a southerly direction with the centerline of Blevins Run to its intersection with Kerr Lane; thence in a westerly direction with the centerline of Kerr Lane to its intersection with Jara Lane; thence in a southerly direction with the centerline of Jara Lane to its intersection with Hilda Hollow; thence in a westerly direction with the centerline of Hilda Hollow to its intersection with Gardenville Drive; thence in a southerly direction with the centerline of Gardenville Drive to its intersection with Coventry Boulevard; thence in a westerly direction with the centerline of Coventry Boulevard to its intersection with Route 17; thence in a

southerly direction with the centerline of Route 17 to its intersection with the common boundary between the City of Newport News and York County; thence in a northwesterly direction along the common boundary line between the City of Newport News and York County to its intersection with Fort Eustis Boulevard; thence with the centerline of Fort Eustis Boulevard in an easterly direction to the point of beginning.

Coventry Precinct

Beginning at a point where the centerlines of ~~Route 17~~ Long Green Boulevard and the southern right-of-way line of Route 134 intersect; thence in a southeasterly direction with the southern right-of-way line ~~centerline~~ of Route 134 to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to the northern boundary of the United States Air Force ~~Bethel Manor Landings at Langley~~ military housing complex property, thence in a northeasterly direction along the boundary of the United States Air Force ~~Bethel Manor Landings at Langley~~ military housing complex property to its intersection with Route 134, thence with the northern right-of-way line ~~centerline~~ of Route 134 in an easterly direction to its intersection with First ~~Street~~ Avenue; thence in a southerly direction with the centerline of First ~~Street~~ Avenue to its intersection with 5<sup>th</sup> Avenue, ~~thence in a westerly direction with the centerline of 5<sup>th</sup> Avenue to its intersection with 4<sup>th</sup> Avenue, thence in a westerly direction with the centerline of 4<sup>th</sup> Avenue to its intersection with~~ Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County; thence in a westerly direction along the common boundary line between the City of Hampton and York County and then the common boundary line of the City of Newport News and York County to U. S. Route 17; thence in a northerly direction with the centerline of Route 17 to its intersection with Coventry Boulevard; thence with the centerline of Coventry Boulevard in an easterly direction to its intersection with Gardenville Drive; thence in a northerly direction with the centerline of Gardenville Drive to its intersection with Hilda Hollow; thence in an easterly direction with the centerline of Hilda Hollow to its intersection with Jara Lane; thence in a northerly direction with the centerline of Jara Lane to its intersection with Kerr Lane; thence in an easterly direction with the centerline of Kerr Lane to its intersection with Blevins Run; thence in a northerly direction with the centerline of Blevins Run to its intersection with Long Green Boulevard; thence in a northeasterly direction with the centerline of Long Green Boulevard to the point of beginning.

**Sec. 9-41. District No. 3 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 3 shall be as set forth below:

Griffin-Yeates Precinct

Beginning at the intersection of Route 238, Main Road and the southern boundary of the United States Naval Weapons Station at the Lackey Gate; thence with the centerline of Main Road in a northerly, then northwesterly, then northerly direction to its intersection with Felgates Road; thence with the centerline of Felgates Road in a westerly direction to its intersection with the centerline of Felgates Creek; thence with the centerline of Felgates Creek in a northerly direction to its intersection with the northern boundary of the USNWS; thence in a westerly direction with the northern boundary of the USNWS to its intersection with King Creek; thence with the centerline of King Creek in a northerly direction to its intersection with the centerline of the Colonial Parkway; thence with the centerline of the Colonial Parkway in a westerly direction to its intersection with the stream that is one of the tributaries of Queens Lake; thence with the centerline of this tributary stream in a southerly direction to its intersection with a 200-foot wide Dominion Virginia Power transmission line easement, said point of intersection being approximately 1,720 feet west of Queens Creek Road; thence with the centerline of the 200-foot wide Dominion Virginia Power transmission line easement in a southeasterly direction to its intersection with Penniman Road; thence with the centerline of Penniman Road in a northerly direction to the centerline of Interstate 64 overpass; thence with the centerline of Interstate 64 in a southeasterly direction to its intersection with the common boundary between York County and James City County; thence with the common boundary between York County and James City County in a northeasterly and then southeasterly direction to the point where the boundaries of York County, James City County and the City of Newport news intersect; thence with the common boundary between York County and Newport News in a northeasterly and then southeasterly direction to its intersection with Route 238; thence with the centerline of Route 238 in a northerly and northeasterly direction to its intersection with Main Road, the point of beginning.

Edgehill Precinct

Beginning at a point where the centerlines of U.S. Route 17 and the southern right-of-way line of the Colonial Parkway (overpass) intersect; thence with the southern right-of-way line centerline of the Colonial Parkway in a northwesterly direction to its intersection with Ballard Creek and the southern boundary of the U.S. Naval Weapons Station property; thence, with Ballard Creek and the southern boundary of the U.S. Naval Weapons Station property in a westerly direction to its intersection with Main Road and Route 238 at the Lackey Gate; thence with the centerline of Route 238 in a westerly direction to its intersection with the common boundary between York County and the City of Newport News; thence with the common boundary between York County and the City of Newport News in a southeasterly direction to its intersection with the northern right of way centerline of DenbighFort Eustis Boulevard, thence in a westerly direction with the centerline for a distance of approximately 883.16 feet to the inter-

~~section of the right of way line with the jurisdictional boundary of the City of Newport News, thence in a southerly direction along the common boundary line with the City of Newport News to the centerline of Denbigh Boulevard, thence with the centerline of Fort Eustis Denbigh Boulevard in an easterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a northerly direction to its intersection with the Colonial Parkway and the point of beginning.~~

### Harris Grove Precinct

Beginning at a point in the centerline of the York River opposite the centerline of Wormley Creek extended; thence in a southerly direction with the centerline of Wormley Creek extended and the centerline of the East Branch of Wormley Creek and its headwaters to its intersection with Battle Road; ~~thence in a westerly direction with the centerline of Battle Road Old Wormley Creek Road; thence with the centerline of Old Wormley Creek Road in a southerly direction to its intersection with Hornsbyville Road; thence with the centerline of Hornsbyville Road in a northwesterly direction~~ to its intersection with Old York-Hampton Highway; thence with the centerline of Old York-Hampton Highway in a northwesterly direction to its intersection with Cook Road; thence with the centerline of Cook Road in a northwesterly direction to its intersection with ~~and~~ Surrender Road; thence with the centerline of Surrender Road in a northwesterly direction to its intersection with the southern boundary line of the Colonial National Historical Park property; thence with the southern boundary line of the Colonial National Historical Park property in a southwesterly direction to its intersection with U. S. Route 17; thence with the centerline of U.S. Route 17 in a southerly direction to its intersection with ~~Denbigh Boulevard; thence with the centerline of Denbigh Boulevard in a southwesterly direction to a point where it intersects the headwaters of the Poquoson River; thence with the centerline of the headwaters of the Poquoson River in a southeasterly direction to its intersection with Oriana Road; thence with the centerline of Oriana Road in an easterly direction to its intersection with Burts Road; thence with the centerline of Burts Road in a northerly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a northerly direction to its intersection with~~ Wolf Trap Road; thence with the centerline of Wolf Trap Road in a northerly and then northeasterly direction to its intersection with Goodwin Neck Road; thence with the centerline of Goodwin Neck Road in a northeasterly direction to a point where it intersects the headwaters of Back Creek; thence with the centerline of the headwaters of Back Creek and the centerline of Back Creek in an easterly direction to its intersection with the centerline of the Poquoson River; thence with the centerline and centerline extended of the Poquoson River in a northerly direction to the centerline of the York River; thence with the centerline of the York River in a westerly direction to the point of beginning.

### Seaford Precinct

Beginning at the intersection of Goodwin Neck Road and a point in the centerline of Goodwin Neck Road at its intersection with ~~Wolf Trap Road~~; thence with the centerline of Goodwin Neck Road in a northeasterly direction to its intersec-

tion with the headwaters of Back Creek; thence with the centerline the headwaters of Back Creek and the centerline of Back Creek in a northeasterly direction to a point in the centerline of the Poquoson River; thence with the centerline of the Poquoson River in a southerly direction to a point opposite the mouth of Chisman Creek; thence with the centerline of Chisman Creek in a westerly direction to its intersection with the centerline of Wolf Trap Road; thence with the centerline of Wolf Trap Road in a northwesterly direction to the point of beginning.

#### **Sec. 9-42. District No. 4 precinct boundaries.**

The boundaries of the respective precincts of York County Election District No. 4 shall be as set forth below:

##### Dare Precinct

Beginning at a point in the centerline of the Poquoson River opposite the centerline of Chisman Creek extended; thence in a northwesterly and then southwesterly direction with the centerline of Chisman Creek to its intersection with the branch known as Mill Cove; thence with the centerline of Mill Cove and its headwaters to a point where it intersects with the centerline of Allens Mill Wolf Trap Road; thence in a southerly ~~and southwesterly~~ direction with the centerline of ~~Wolf Trap~~Allens Mill Road to its intersection with Dare Road; thence with the centerline of Dare Road in a southwesterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with ~~Burts Road; thence with the centerline of Burts Road in a southerly direction to its intersection with Oriana Road; thence with the centerline of Oriana Road in an easterly direction to its intersection with U. S. Route 17 and~~ Lakeside Drive; thence with the centerline of Lakeside Drive in an easterly and then northeasterly direction to ~~its intersection with Dare Road; thence in an easterly direction with the centerline of Dare Road to~~ a point where it intersects the headwaters of Patricks Creek; thence with the headwaters of Patricks Creek and the centerline of Patricks Creek in a southerly and then southeasterly direction to its intersection with the centerline of the Poquoson River; thence with the centerline of the Poquoson River in a northeasterly direction to the point of beginning.

##### Harwoods Mill Precinct

Beginning at a point in the centerline of the Poquoson River opposite the centerline extended of Patricks Creek; thence with the centerline extended and the centerline of Patricks Creek and its headwaters in a northwesterly and then northerly direction to its intersection with ~~Dare Road~~Lakeside Drive; then with the centerline of ~~Dare Road in a westerly direction to its intersection with Lakeside Drive; thence with the centerline of~~ Lakeside Drive in a southwesterly direction to its intersection with U. S. Route 17 and Oriana Road; thence with the centerline of Oriana Road in a westerly direction to its intersection with the headwaters of the

Poquoson River; thence with the headwaters of the Poquoson River in a southeasterly direction to its intersection with U. S. Route 17; thence with the centerline of U. S. Route 17 in a southerly direction to its intersection with Route 134 (overpass); thence in a southeasterly direction with the southern right-of-way line centerline of Route 134 to its intersection with ~~Victory Boulevard~~Yorktown Road; thence in an easterly direction with the centerline of ~~Victory Boulevard to its intersection with Big Bethel Road~~; thence in a northerly direction with the centerline of ~~Big Bethel Road to its intersection with Yorktown Road~~; thence with the centerline of Yorktown Road to its intersection with the headwaters of Moores Creek; thence in a northerly direction with the headwaters of Moores Creek and the centerline of Moores Creek to its intersection with the centerline of the Poquoson River; thence with the centerline of the Poquoson River in a northerly direction to the point of beginning.

### Grafton Precinct

Beginning at a point in the centerline of Chisman Creek opposite the mouth of the branch known as Mill Cove; thence in a southerly direction with the centerline extended and centerline of Mill Cove and its headwaters to a point where it intersects with the centerline of Allens Mill Road; thence in a southerly direction with the centerline of Allens Mill Road to its intersection with Dare Road; thence with the centerline of Dare Road in a southwesterly direction to its intersection with U. S. Route 17; thence in a southerly direction with the centerline of Route 17 to its intersection with Oriana Road; thence in a westerly direction with the centerline of Oriana Road to its intersection with the headwaters of the Poquoson River; thence in a northerly direction with the headwaters of the Poquoson River to its intersection with the centerline of Denbigh Boulevard; thence in an easterly direction with the centerline of Denbigh Boulevard to its intersection with Route 17; thence in a southerly direction with the centerline of Route 17 to its intersection with Wolf Trap Road; thence in an easterly and then northeasterly direction with the centerline of Wolf Trap Road to its intersection with the headwaters of Chisman Creek; thence in an easterly direction with the centerline of the headwaters of Chisman Creek and the centerline of Chisman Creek to the point of beginning.

### **Sec. 9-43. District No. 5 precinct boundaries.**

The boundaries of the precinct of York County Election District No. 5 shall be as set forth below:

### Bethel Precinct

Beginning at a point in the centerline of ~~Victory Boulevard~~Carys Chapel Road-at the common boundary line between the City of Poquoson and York County; thence with the centerline of ~~Victory Boulevard~~Carys Chapel Road- in a wester-

~~lynortherly~~-direction to its intersection with Victory Boulevard; ~~thence with the centerline of Victory Boulevard in a westerly direction to its intersection with~~ Running Man Trail; thence with the centerline of Running Man Trail in a southerly and then westerly direction to its intersection with Big Bethel Road; thence with the ~~eastern right-of-way line~~centerline of Big Bethel Road in a southerly direction to ~~the northern boundary of the United States Air Force Bethel Manor military housing complex property, thence in a northeasterly direction along the boundary of the United States Air Force Bethel Manor military housing complex property to its intersection with~~ Route 134, thence with the ~~centerline~~northern right-of-way line of Route 134 in an easterly direction to its intersection with First ~~Street~~Avenue; thence in a southerly direction with the centerline of First ~~Street~~Avenue to its intersection with 5<sup>th</sup> ~~Avenue, thence in a westerly direction with the centerline of~~ 5<sup>th</sup> ~~Avenue to its intersection with~~ 4<sup>th</sup> ~~Avenue, thence in a westerly direction with the centerline of~~ 4<sup>th</sup> ~~Avenue to its intersection with~~ Big Bethel Road; thence with the centerline of Big Bethel Road in a southerly direction to its intersection with the common boundary line between the City of Hampton and York County; thence in an easterly direction with the common boundary of the City of Hampton and York County to a point in Brick Kiln Creek, said point being the common corner between the City of Poquoson, York County, and the City of Hampton; thence in a northerly direction with the common boundary line between the City of Poquoson and York County to the point of beginning.

#### Tabb Precinct

Beginning at a point in the centerline of the Poquoson River opposite the mouth of Chisman Creek; thence continuing with the centerline of the Poquoson River in a southwesterly direction to a point where the centerline of the Poquoson River intersects the centerline of Moores Creek; thence with the centerline of Moores Creek and the headwaters of Moores Creek in a southerly direction to a point in the centerline of Yorktown Road; thence with the centerline of Yorktown Road in a westerly direction to its intersection with ~~Big Bethel Road~~Route 134; thence with the ~~centerline of Big Bethel Road in a southerly direction to its intersection with~~ Victory Boulevard; ~~thence with the centerline of Victory Boulevard in a westerly direction to its intersection with~~ Route 134; ~~thence with the centerline of~~ southern right-of-way line of Route 134 in a southeasterly direction to its intersection with Big Bethel Road; thence with the centerline of Big Bethel Road in a ~~southerly direction to the northern boundary of the United States Air Force Landings at Langley military housing complex property on the east side of~~ Big Bethel Road; ~~thence in a northerly direction with that northern boundary to its intersection with~~ Route 134; ~~thence with the northern right-of-way line of~~ Route 134 in a westerly direction to its intersection with Big Bethel Road; ~~thence with the eastern right-of-way line of Big Bethel Road in a~~ northerly direction to its intersection with Running Man Trail; thence in an easterly and then northerly direction with the centerline of Running Man Trail to its intersection with Victory Boulevard; thence with the centerline of Victory Boulevard in an easterly direction to ~~its intersection with~~ Carys Chapel Road; ~~thence with the centerline of Carys Chapel Road in a southerly direction the common boundary line between the City of Poquoson and York County; thence in a northerly direc-~~

~~tion with the common boundary line between the City of Poquoson and York County~~ to the point of beginning.

**Sec. 9-44. Registered voters to be notified of changes in precincts or polling places.**

The Registrar shall notify by mail, no later than fifteen (15) days prior to the next general, special, or primary election, all registered voters whose precinct and/or polling place has been changed by the provisions of this article.

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
March 15, 2011

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:04 p.m., Tuesday, March 15, 2011, in the Board Room, York Hall, by Chairman George S. Hrichak.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, George S. Hrichak, and Thomas G. Shepperd, Jr.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

Invocation. Miss Delaney Burgett, Youth Commission, gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Wiggins led the Pledge of Allegiance

## **PRESENTATIONS**

### **EMPLOYEE RECOGNITION PROGRAM**

Chairman Hrichak congratulated the following employees for their years of service with the County, and presented them each with a service pin and certificate:

Jeffrey S. Payne	Fire & Life Safety	25 years
Robert J. Walker	General Services	25 years

### **YORK COUNTY YOUTH COMMISSION**

Miss Julia Roithmayr, Chairman of the York County Youth Commission, presented the Board of Supervisors with the Commission's third quarterly report. She summarized the Commission's recent social activities to include the annual Wintergreen ski trip, Senior Center of York Valentine Bingo Party, and the High School talent show. The Outstanding Youth Award Scholarship recipients would be honored and recognized at the May Board of Supervisors Meeting. The deadline for the submission of applications for next year's Youth Commission was extended until April 1. Miss Roithmayr reviewed the purpose of the Youth Commission and its connection with the Board of Supervisors. She noted the Student Relations Subcommittee had been making real progress on the suggestion box program for the high schools. She stated the annual town meetings would be held in each high school in late May or early June. Miss Roithmayr thanked the Board for its continuing support.

Mr. Zarembo stated it had been a privilege to be part of Youth Commission group that was such an asset to the community.

Chairman Hrichak expressed his appreciation to the York Commission for their efforts to make the County better.

### **CITIZENS COMMENT PERIOD**

Ms. Linda Rody, 165 Spoon Court, President of the Sanctuary Homeowners Association, addressed the Board regarding the condition and lack of maintenance of the land and lake sur-

rounding the Village of Sanctuary in Kiln Creek. She spoke of a recent brush fire on the defunct golf course property and the flooding that had occurred on the back side of the houses on Spoon Court in September 2009 during the Nor'easter. She referenced York County Ordinance O91-07, stating the golf course owner was responsible for the maintenance of the common areas and the banks of all lakes or portions located within the boundaries of the golf course. She then addressed the lack of emergency access for the fire trucks to the golf course area, the forest of dead pine trees in the middle of the housing community, and the lakes that are filled with debris. Ms. Rody requested a public hearing concerning the status of the property.

Chairman Hrichak stated staff would look into the matter, and he asked Mr. McReynolds to update the Board on this matter.

Mr. Steven Roane, 307 Fielding Lewis Drive, appeared before the Board regarding the redistricting efforts. He thanked County staff for the informative overview they had presented last week. He stated he felt alternative B2 would best meet the objectives for the redistricting.

Mr. Robert D'Eramo, 211 Ambler Street, spoke of what he felt were substandard building issues in Riverwalk to include covers for alarms, rotted shutters, and continued problems with the air conditioning system.

#### **COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett stated he had no report at this time, but he would be happy to answer any questions the Board might have.

Mr. Zaremba asked if the budget had been signed by the Governor.

Mr. Barnett stated he had not seen anything from VACo or VML to indicate that it had been signed. He noted it would probably be in the newspaper after it was signed by the Governor.

Mr. Shepperd asked about the status of the constitutional amendments that had been on the November ballot regarding property tax benefits for veterans. He stated he had received several calls from citizens who would be affected by the benefits who wanted to know the implementation time.

Mr. Barnett stated the amendments had been adopted, but there was some confusion as to whether or not what the General Assembly passed was to be made retroactive to January 1 or whether it would become effective on July 1. He stated he thought the issue had been pointed out to the Governor's office for clarification or it was going to be sent back to the General Assembly in the veto session for the point to be clarified. Mr. Barnett stated he would check into the matter and let the Board know for sure.

#### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board members of their upcoming budget meetings: March 17—Public Hearing on the proposed FY12 budget and tax rates; March 26—Board Retreat; March 29—work session on the proposed FY12 budget; April 5—Regular Meeting to adopt the budget; and April 19—Regular Meeting.

#### **MATTERS PRESENTED BY THE BOARD**

Mr. Wiggins spoke of a meeting he and Mr. Zaremba had with the YMCA in Williamsburg and a program called the Silver Slippers that the YMCA has in conjunction with Williamsburg Sentara Hospital for the seniors. He noted the YMCA has the initiative to reach out to more citizens and associations that can utilize the YMCA, not only in Williamsburg but also in York County.

Mrs. Noll expressed her appreciation to the representative from the Sanctuary that had addressed the Board earlier this evening regarding the fire at the Sanctuary. She thanked her for sharing the pictures from the Sanctuary with the Board. She felt that when the Board had passed that ordinance a year or so ago, they did not fully realize the implications of how dangerous high dry grass could be until the fire. She felt when the Board did its housekeeping this summer to revisit ordinances, this ordinance should be addressed. She stated as of now staff's hands were tied by the rules and regulations, but they had gone out and looked at the property and were in the process of sending a letter to the owner of the property to fix the problem. She then spoke of the world events taking place at this time, noting how fortunate it was to live in this country, in the Commonwealth of Virginia, and in York County itself.

Mr. Zaremba added onto the Mr. Wiggins comments regarding the meeting with the YMCA, stating the YMCA he had referred to was actually not in Williamsburg but in upper York County. He stated the reason for their visit was to get a first-hand feel from the director of both of the facilities regarding the build out, participation, and plans for future. He stated the upper County facility was designed for 1,700 members and has more than 3,000. He noted at some point in time the YMCA expects to expand its facilities. Mr. Zaremba reiterated Mr. McReynolds' comment that Thursday was the public hearing on the County budget for 2012 and would be an opportunity for citizens to articulate their comments on the draft budget. He noted comments could also be made by email or telephone. The draft budget was available on the County website, and the libraries have hard copies for review. Mr. Zaremba encouraged the citizens to let their feelings be known to their elected officials. He then spoke of the redistricting process for 2011 to select one or two alternatives to be advertised for public hearing and citizen input. He encouraged citizens to come by the Planning Office to review the alternatives.

Mr. Shepperd stated in follow-up to Mr. Zaremba's comments regarding the YMCA, the current membership at the Tabb YMCA was in excess of 18,000 members. He informed the Board that tomorrow he would be attending the Hampton Roads District Planning Commission (HRPDC) and the Transportation Planning Organization (TPO) meetings. He stated the current issue before the HRPDC was whether or not it wanted to file a lawsuit as a 16-member jurisdiction group against the Environmental Protection Authority (EPA) directive to set a deadline for the Chesapeake Bay cleanup. He stated he would keep the Board updated on any discussion related to making a decision regarding the lawsuit. He then updated the Board on the current issues before the TPO including the Hampton Roads Bridge Tunnel and the I-64 widening.

Mr. Zaremba asked Mr. Shepperd if he had any idea why the HRPDC was taking this initiative with the EPA versus the Attorney General's office.

Mr. Shepperd stated there was no initiative and no lawsuit at this time.

Discussion followed on the proposed EPA mandate and the possible implications of filing a lawsuit against the EPA.

Mrs. Noll stated she had not brought it up before because the Board had been dealing with the budget and redistricting, but she was recently appointed by the Governor to serve on the Local Government Advisory Council for the Chesapeake Bay. She noted she serves on this council with other local government officials, and their purpose was to sound the alarm and make the EPA understand it was dealing with local governments with real issues, and the mandate needed to be practical. She stated the Council had completed a questionnaire from the EPA which she would share with the Board later. She noted they had added in the cost factor and getting credit for what had already been accomplished in our area which would lessen the cost to York County and for other areas that have put in sewers and things of that nature. She stated she would keep the Board informed of the status as the issue progressed.

Mr. Shepperd stated he wanted to make the Board aware of these pending issues because of the timing sequence in case the HRPDC took a vote and wanted York County to take a position. He stated if that were to occur, he would call each Board member to get a consensus and vote that way.

March 15, 2011

Chairman Hrichak stated York County's website had received a Sunny Award from the editors of Sunshine Review, a non-profit organization that collaborated with individuals and organizations across America to promote state and local transparency. He noted the website scored an A in transparency and was in the top 100 of among more than 6,000 state and local websites analyzed by the Sunshine Review's Transparency Checklist. He congratulated staff for receiving this award. He then expressed his appreciation to the citizen who had spoken earlier this evening regarding the condition of County property at Riverwalk Landing. He stated staff would take a look at the property to see what needed to be done.

## **PUBLIC HEARINGS**

### **APPLICATION NO. UP-790-11, CASEY & ASSOCIATES, LP**

Mr. Carter made a presentation on Application No. UP-790-11 requesting a special use permit to authorize auto or light truck sales, rental, service without auto body work, and painting on property located at 601 and a portion of 615 East Rochambeau Drive, and requesting a disturbance to the natural state of the 45-foot Greenbelt Buffer along East Rochambeau Drive to remove an invasive tree species called Tree of Heaven. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval 7:0, and staff recommended approval of the application through the adoption of proposed Resolutions R11-12 and R11-13.

Chairman Hrichak asked what the size of the buffer zone would be between the proposed auto dealership and the Great Wolf Lodge.

Mr. Carter stated there was a 10-foot side landscaped area required around the proposed auto dealership, and there was also landscaping on the Great Wolf side that has not yet matured so that will eventually mature, and there will be landscaping down the entire side property line on the auto dealership side.

Chairman Hrichak asked if there were any provisions included for loud speakers.

Mr. Carter stated there were some limitations on loud speakers to keep them from being problematic for the adjacent properties.

Mr. Wiggins asked if this application had been run by Williamsburg or James City County.

Mr. Carter stated he could not remember if this application fell within the half-mile distance notification so he was not positive whether or not they had been sent a specific notice. He noted that James City County and Williamsburg were both in the County's automatic mailing list to receive agendas so, therefore, they should both be aware of the application. He stated that at the site plan stage, the site plan would have to be sent to the City of Williamsburg since the watershed is involved so they would have an opportunity to comment at that point.

Mrs. Noll asked if the building would have a flat roof.

Mr. Carter stated it would be a flat roof, but he was sure there would be some slope to it.

Mrs. Noll stated the parking lot would have an awful lot of impervious surface, and she asked if the applicant had looked at any other type of surface for the parking lot.

Mr. Carter stated he had discussed that with the applicant's engineer, and he was prepared to address that question tonight.

Mr. Zaremba asked if the Great Wolf Lodge had any objections to this application.

Mr. Carter stated the vice president and general manager of the Great Wolf Lodge had attended the Planning Commission meeting and expressed concerns about the loud speakers and the BMP and whether it might pose any risk or danger to guests of Great Wolf or to children who happened to stray over to the BMP. Mr. Carter noted that the loud speakers would be ad-

dressed by an ordinance condition. He stated that at the Planning Commission meeting, the applicant's representative had indicated that they thought the side property would be fenced; however, since that time staff had heard that they do not intend to fence the entire side property line, but County requirements will dictate that the BMP will either have a safety shelf or bench or that it be fenced.

Mrs. Noll asked how the lighting was going to be handled given the proximity to Great Wolf.

Mr. Carter stated all the lighting will be required to be full cutoff, so it should not affect the guests.

Ms. Lindsey Carney, attorney representing the applicant, reiterated the applicant's proposed development compatibility with the land use designation and the surrounding area. She stated James Peters with AES Consulting Engineers would follow her and discuss the engineering aspects of the site to include the site layout, stormwater management, and landscaping. She stated the new facility would be an expansion of the existing site on Richmond Road and would provide auto and light truck sales, rentals, and service, not to include auto body work or painting. She stated the proposed facility would be compatible with the Comprehensive Plan and the County's economic objectives. Ms. Carney stated the applicant projects that the proposed facility would generate annual sales of approximately \$42 million prior to the end of 2012 that would be an increase from \$28 million in 2010. Employment at the proposed facility was projected to increase from 98 employees at the current location to 115 employees at the new location. In keeping with the regulations of the tourist corridor management overlay district, Casey and Associates would comply with the special tree protection and architectural standards that were required to protect the aesthetic and visual character of the corridor leading into Williamsburg and Yorktown.

Mr. James Peters, 17 Magruder Lane, Landscape Architect with AES Consulting Engineers, spoke of the site plan regarding its proximity to the watershed and the buffers and perennial streams that lead to the watershed. He stated the site plan brought the building closer to the road to allow ample parking for the customers and day-to-day operation of the dealership. He also addressed the landscaping and the removal of the Tree of Heaven invasive species and the proposed sign for the front of the building. He then reviewed the benefits of the proposed project.

Mrs. Noll asked who was going to respond to the question regarding the parking lot surface.

Mr. Arch Marston, AES Consulting Engineers, stated the applicant had considered using porous pavement at the site, but it would not solve the stormwater management requirements for the watershed management area. He explained it was extremely costly, and there would still be the need to have to at least one on the ponds on the site. He further explained that the type of pavement that would have to be used in terms of porous pavement, depending on the design, would run anywhere from three to five times what a typical asphalt parking lot would be which would translate into about \$1.5 million for the site, so it was just not economically feasible to use that design here.

Mrs. Noll asked if they were compensating with the size of the BMPs and how they would make sure that the runoff was addressed.

Mr. Marston stated the water quality, as well as quantity, would be handled in the two ponds shown on the site plan, and that was the big issue with the porous space in that you still have to have an outflow for it, and you do not get the full calculation that you would from a wet pond in terms of pollutant removal.

Mr. Zaremba stated there must have been some dialogue between the applicant and the Great Wolf Lodge, especially with respect to the lights, noise, and runoff. He asked what things were discussed to satisfy Great Wolf Lodge that the auto site would not be inconsistent with their goals and vision for the resort.

Ms. Carney stated she had spoken with Mr. Brown, General Manager of Great Wolf Lodge, before the Planning Commission meeting and he had reiterated to her that he had no objections

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to the application. She stated his primary concern had been he did not want guests sitting on the balconies to hear the loud speakers. She stated the applicant will use a local paging service as opposed to the loud speakers, and Mr. Brown was comfortable that the local paging service would not cause a negative impact to his guests. His second concern was that there would be a satisfactory buffer so that guests would not look down into the parking lot from their balconies, and he was comfortable that the buffer the applicant had presented and will be required would be sufficient to ease his concerns.

Mr. Zarembo asked what the timeline would be for completion if the application was approved tonight.

Ms. Carney if the application was approved, they would get the site plan approved and once that has been approved they would move forward very quickly.

Chairman Hrichak asked if the garage would be air conditioned to contain the noise inside the building.

Ms. Carney stated the doors would be closed except for when cars were coming in and out.

Chairman Hrichak then called to order a public hearing on Application No. UP-790-11 that was duly advertised as required by law. Proposed Resolution R11-12 is entitled:

A RESOLUTION TO APPROVE AN APPLICATION TO AUTHORIZE  
AUTO AND LIGHT TRUCK SALES, RENTAL, SERVICE WITHOUT  
AUTO BODY WORK AND PAINTING ON PROPERTY LOCATE

There being no one present who wished to speak concerning the subject resolution, Chairman Hrichak closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R11-12 that reads:

A RESOLUTION TO APPROVE AN APPLICATION TO AUTHORIZE  
AUTO AND LIGHT TRUCK SALES, RENTAL, SERVICE WITHOUT  
AUTO BODY WORK AND PAINTING ON PROPERTY LOCATED AT  
601 AND A PORTION OF 615 EAST ROCHAMBEAU DRIVE

WHEREAS, Casey & Associates, LP, has submitted Application No. UP-790-11 to request a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 5a), to authorize the establishment of auto and light truck sales, rental, and service (new or used vehicle sales) without auto body work and painting on 8.83 acres of land located at 601 and 615 East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-39 and a portion of Assessor's Parcel No. 2-39B (GPIN C20c-1236-0152 and C19a-1170-4865); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of March, 2011, that Application No. UP-790-11 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 5a), to establish auto and light truck sales, rental, and service (new or used vehicle sales) without auto body work and painting on 8.83 acres of land located at 601 and 615 East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No.

2-39 and a portion of Assessor's Parcel No. 2-39B (GPIN C20c-1236-0152 and C19a-1170-4865), subject to the following conditions:

1. This Special Use Permit shall authorize the establishment, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 5a), of auto and light truck sales, rental, service (new or used vehicle sales) without auto body work and painting on 8.83 acres of land located at 601 and 615 East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-39 and a portion of Assessor's Parcel No. 2-39B (GPIN C20c-1236-0152 and C19a-1170-4865).
2. A site plan prepared in accordance with the provisions set forth in Article V of the Zoning Ordinance shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any construction or land disturbing activities on the site. Said site plan shall be in substantial conformance with the plan titled "Master Plan for Special Use Permit for Casey Toyota at 601 East Rochambeau Drive" prepared by AES Consulting Engineers and dated 12/23/10 (revised 1/27/11), a copy of which shall remain on file in the office of the Planning Division.
3. Architectural design of the building shall be in substantial conformance with the building elevations titled "Rendering, East Rochambeau Drive Building Elevation" and "Exterior Elevations, Toyota Image USA II," prepared by Gensler, copies of which shall be kept on file in the office of the York County Planning Division.
4. The car sales establishment shall be established and operated in compliance with the performance standards set forth in Sections 24.1-375, *Tourist Corridor Management overlay district*, 24.1-475, *Standards for all motor vehicle and transportation related uses*, and 24.1-477, *Standards for auto fuel dispensing establishments, service stations and auto repair garages* of the Zoning Ordinance.
5. Use of the property shall be in conformance with the provisions of Section 24.1-376 of the Zoning Ordinance, *Watershed Management and Protection Area overlay district*.
6. Off-street parking for the proposed use shall be provided in accordance with the standards set forth in Section 24.1-606 (Category 12 – Motor Vehicle Transportation) of the Zoning Ordinance.
7. Auto body work and painting shall not be permitted on the subject property.
8. All vehicles displayed for sale on the property shall be parked on a paved surface and no vehicle display shall be permitted in any required buffer area or infiltration yard or on the adjacent public right-of-way.
9. All customer parking areas shall be accessible to the general public at all times during the hours of operation of the auto and light truck sales establishment.
10. No portion of the subject property shall be used as an auto storage yard as defined in Section 24.1-104 of the Zoning Ordinance, or for the storage of trash receptacles, dumpsters, or motor vehicle parts or supplies.
11. No portion of the site shall be used for an automobile graveyard or junkyard as defined in Section 24.1-104 of the Zoning Ordinance.
12. The area of the building labeled, "Service Queue Area (No maintenance performed)", shall not be used to service or repair any vehicles.
13. The area labeled "POSSIBLE RAISED DISPLAY AREA" shall be limited to a height no taller than ten (10) feet in total height, including the vehicle and raised display foundation, and measured from the average surrounding finished grade.

- 14. All site lighting shall be designed with full cutoff fixtures and directed downward to prevent off-site glare onto abutting properties and the road right-of-way. Illumination levels shall not exceed 0.1 foot-candle at any residential property line and 0.5 at other property lines. All lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA). A photometric plan detailing all proposed fixtures and ground illumination levels shall be submitted for approval by the plan-approving agent at the time of application for site plan approval.
- 15. A water supply shall be established in accordance with Newport New Water Works standards, minimum of 2500 gpm. All traffic islands shall accommodate the turning radius (33-feet inside) of large fire and rescue apparatus.
- 16. A shoulder bike lane meeting applicable VDOT standards shall be constructed by the applicant along the entire front of the property within the existing East Rochambeau Drive right-of-way.
- 17. The applicant shall submit a hazardous materials and stormwater control run-off plan detailing the methods to be employed to ensure that no hazardous or petroleum products are permitted to infiltrate into the ground water or surface water resources.
- 18. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of this resolution shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.

BE IT FURTHER RESOLVED that this Special Use Permit is severable and invalidation of any word, phrase, clause, sentence, or paragraph shall not invalidate the remainder.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Hrichak  
 Nay: (0)

Mrs. Noll moved adoption of proposed Resolution R11-13 that reads:

A RESOLUTION TO AUTHORIZE DISTURBANCE WITHIN PORTIONS OF A REQUIRED 45-FOOT GREENBELT BUFFER ALONG THE FRONTAGE OF THE CASEY & ASSOCIATES, LP PROPERTY LOCATED AT 601 EAST ROCHAMBEAU DRIVE (ROUTE F-137)

WHEREAS, Casey & Associates, LP, has submitted a request, pursuant to Sections 24.1-245(c) and (d) of the Zoning Ordinance, to authorize the removal of an invasive tree species (Ailanthus) within the required 45-foot Greenbelt Buffer along the East Rochambeau Drive frontage of its property, said property being proposed for development as an automobile dealership and identified as Assessor's Parcel No. 2-39 (GPIN C20c-1236-0152); and

WHEREAS, the Board has conducted a duly advertised public hearing on this request and has given careful consideration to the public comments;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of March, 2011, that, pursuant to Sections 24.1-245(c) and (d) of the Zoning Ordinance, the request of Casey & Associates, LP, be and it is hereby, approved to authorize removal of the invasive tree species (Ailanthus) within the required Greenbelt Buffer along the frontage of the subject property, subject the following conditions:

- 1. Landscaping of the disturbed areas shall be in substantial conformance with Sheet Number 4 of the plan titled "Master Plan for Special Use Permit for Casey Toyota at 601 East Rochambeau Drive" prepared by AES Consulting Engineers and dated 12/23/10 (revised 1/27/11) and as generally depicted on the conceptual drawing (Greenbelt

Buffer after) both prepared by AES Consulting Engineers as part of the application package and as further required under Zoning Ordinance Section 24.1-245.

2. Prior to the commencement of any clearing or grading activity, the applicant shall be responsible for obtaining all necessary site plan and/or land disturbing activity permits in accordance with all applicable requirements of the York County Code.
3. All areas to remain undisturbed shall be clearly delineated with construction fencing prior to commencement of any clearing or grading activity.
4. In addition to general conformance with the above-noted plan and rendering, the final Greenbelt design shall comply with the provisions of Section 24.1-245(c) applicable to un-vegetated and under-vegetated Greenbelts. The landscape plant material selected for placement in the Greenbelt shall consist of a variety of evergreen, deciduous, and ornamental species. The plans for revegetation of the Greenbelt Buffer shall be subject to review and approval by the Department of Environmental and Development Services in conjunction with site plan review and approval.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Hrichak  
 Nay: (0)

### **UNFINISHED BUSINESS**

#### **REDISTRICTING – 2011**

Mr. McReynolds stated for the clarification of the general public that tonight there was no public hearing on the redistricting, and the public hearing was tentatively scheduled for April 19.

Mr. Shepperd stated that since the gentleman was in attendance this evening to address this issue, he personally would not mind hearing his comments. He expressed his appreciation to any citizen who wanted to speak to the Board. Mr. Shepperd noted that he felt very strongly that the “2” option of each of the alternative should be the preferred version.

Mr. Carter discussed the redistricting process, noting the attendance at the meetings had been fairly sparse with a total of 17 citizens attending the three meetings. Citizens had an opportunity to view the proposed redistricting maps and make comments, and the comments that had been received had been forwarded to the Board. He noted that Alternative B was favored by quite a few of the citizens that had commented; Alternative D was not favored by most of those who commented. He stated there were varying opinions concerning whether the districts appeared to be compact and contiguous. He stated that hopefully the Board would be able to arrive at a consensus on a single alternative to be advertised for an April 19 public hearing, and at that time the Board would adopt a new redistricting plan. The significance of that date is that it would allow sufficient time for the adopted ordinance to be forwarded on to the Justice Department, as York County was one of those localities that were required to go through the preclearance process with the U.S. Justice Department on any redistricting plan. Adoption on the 19th would provide an opportunity for a 60-day review period and a little extra time in the event that the Justice Department sent the proposal back for comments or questions to be answered. He stated the alternatives were A, B, C, and D.

Chairman Hrichak stated the Board would hear from the citizens before making their respective comments.

Mr. Monty Jons, 122 Drew Road, addressed the Board stating he liked Alternatives B1 and B2 but did not like D1 or D2. He felt that Alternatives B1 and B2 were sensitive to the changes in the County’s population and would be a balance that reflected the diversity and the makeup of the population. He noted there had been increases with the Hispanic and Asian populations, and he felt it was important to include that. He stated that because of the importance of the

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redistricting, he was a little taken back that there was no opportunity for public input prior to the Board making a decision on April 19.

Ms. Mary Leedom, 611 Wildey Road, stated she had reviewed the proposed alternatives at the library with several of her friends. She stated they had been concerned and had talked with Mr. Carter and Mr. Cross who were very helpful and spent a lot of time reviewing and discussing the reasons for the redistricting. She stated when she reviewed the alternatives she was most impressed with B2 and she found it to be the most contiguous, compact, and to have the least impact on the citizens. She stated she had also thought about the School Board member for the district and how if it went to Alternative D2, there would be a School Board member stretching from way down in Seaford and up and around almost to Bruton, which she felt would be a hard district for a School Board member to manage. She stated B2 was her preferred alternative.

Chairman Hrichak thanked the citizens for their input.

Discussion followed with the County's Registrar, Walter Latham, concerning the areas of the County that included federal lands and the number of voters in those properties.

Mr. Zaremba stated the biggest issue he had with Alternative B2 was that the result of that alternative eradicated everything the Board had tried to do 10 years ago by extending the upper County down into the middle of the County. He stated it further isolated District 1 from the County and was contrary to what he was trying to do in terms of infiltrating District 1 both through geography and citizens who vote.

Mr. Wiggins stated he understood how Mr. Zaremba felt, and they had had many discussions throughout the past weeks. He felt that probably half of the people with a Williamsburg address would rather be in a Williamsburg district; but by the same token, they were in York County, and service needed to be provided to them as well as the other districts. He stated he did not think the Board had been given enough time to make a final decision that was going to affect so many people, and he also felt more input was needed from the citizens. He stated he had discussed this matter with Mr. McReynolds, and his suggestion was that the Board pick two alternatives this evening rather than just deciding on one. From the comments received from the citizens, he felt that Alternative B2 was the alternative most people wanted. He also thought whichever alternative Mr. Zaremba favored should also be advertised.

Chairman Hrichak noted he was in favor of the 2's for the same reasons Mr. Shepperd had spoken of earlier this evening. He felt that in looking at all the alternatives, Alternative B2 seemed to be the most contiguous, the most compact, and the cheapest alternative for the County where no extra districts would have to be created. He stated it seemed that Alternative B2 was the one that most of the Board was leaning towards. He suggested if everyone was in agreement, Alternatives D2 and B2 should be advertised.

Mr. Barnett stated the Board was not actually limited to advertising only two alternatives and there was no limit on how many the Board could advertise.

Chairman Hrichak reiterated that most of the public comments favored B2.

Mr. Shepperd stated the Board of Supervisors would make the final decision, but it was the sense of the Board it should be narrowed down to Alternatives B2 and D2. He noted input from the citizens could be received before the Board made a final decision.

Mr. Carter asked if the Board wanted to consider the Alternative E2 that Mr. Zaremba and Mr. Wiggins had discussed that involved the area between Old Wormley Creek Road and the head waters of the east branch of Wormley Creek.

Mr. Wiggins stated in his opinion the Board would be doing a disservice to the citizens by not putting the Harris Grove section back into District 3.

Chairman Hrichak asked if that was part of Alternative B2.

Mr. Carter stated it was a variation on Alternative D2 and would do as Mr. Wiggins had just suggested which would be to move the area bounded by the Wormley Creek headwaters and Old Wormley Creek Road from District 1 into District 3.

Mrs. Noll stated Alternative E2 had not been shown to the citizens, and the Board had not received a map and were just seeing this alternative for the first time.

Mr. Carter stated Alternative E2 had actually been sent out as a smaller sub-area map in one of the emails just to indicate that there was some discussion about this going on, but staff had not prepared the full scale color maps until just recently.

Chairman Hrichak asked if the only change between E2 and D2 was the small portion that Mr. Carter had just discussed.

Mr. Carter stated it would only affect the 248 residents in the area bounded by Old Wormley Creek Road and the ravine between Harris Road and Marlbank Cove.

Discussion followed on the alternatives to be advertised.

Chairman Hrichak stated it was the consensus of the Board that Alternative B2 and Alternative E2 would be advertised for the public.

### **CONSENT CALENDAR**

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 3, 4, 5, 6, and 7, respectively.

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zarembo, Noll, Hrichak  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

#### **Item No. 3: APPROVAL OF MINUTES**

The minutes of the following meetings of the York County Board of Supervisors were approved:

February 15, 2011, Regular Meeting

February 22, 2011, Adjourned Meeting

#### **Item No. 4. ENDORSEMENT OF FAIR HOUSING PRINCIPLES: Resolution R11-16**

A RESOLUTION ENDORSING THE PRINCIPLES OF FAIR HOUSING AS SET FORTH IN TITLE 36, CHAPTER 5.1 OF THE CODE OF VIRGINIA (1950) AS AMENDED

WHEREAS, the Commonwealth of Virginia has, through Section 36-96.1 of the Code of Virginia (1950, as amended), established a policy to: “provide for fair housing throughout the Commonwealth, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, or handicap, and to that end to prohibit discriminatory practices with respect to residential housing by any person or group of persons, in order that the peace, health, safety, prosperity and general welfare of all inhabitants of the Commonwealth may be protected and insured”; and

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WHEREAS, Section 36-96.8 et.seq., of the Code of Virginia (1950 as amended) empowers the Virginia Real Estate Board to receive complaints and conduct investigations of alleged violations of the Fair Housing Law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of March, 2011, that the Board does hereby reaffirm its endorsement of the principles of the Virginia Fair Housing Law and does hereby state that it is the policy of the York County Board of Supervisors that said principles are, and continue to be, adhered to in this County.

Item No. 5. REVISED VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL (VACORP) MEMBER AGREEMENT: Resolution R11-19

A RESOLUTION TO CONSENT TO THE MEMBER AGREEMENT FOR THE VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT AND TO ACT ON BEHALF OF YORK COUNTY ON MATTERS RELATIVE TO MEMBERSHIP IN THE POOL

WHEREAS, York County desires to protect against workers' compensation claims and to provide for payment of claims or losses for which the county may be liable; and

WHEREAS, the Virginia Association of Counties Group Self Insurance Risk Pool, aka VACORP, has been established pursuant to Chapter 27 (§ 15.2-2700 et seq.) and Title 15.2 of the code of Virginia; and

WHEREAS, it is desirable for York County to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide a method of risk sharing for workers' compensation claims;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of March, 2011, that it does hereby agree to the Member Agreement entitled "Member Agreement for Virginia Association of Counties Group Self Insurance Risk Pool" which creates a group fund to pay liability and workers' compensation claims and property losses of the counties and other local agencies joining the pool, and we acknowledge we have received a copy of the pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to execute the member agreement to join the Virginia Association of Counties Group Self Insurance Risk Pool and to act on behalf of York County in any other matter relative to the pool.

Item No. 6. EMPLOYEE OF THE QUARTER: Resolution R11-20

A RESOLUTION TO COMMEND JOSEPH A. SISLER, CHIEF OF ENGINEERING AND FACILITIES MAINTENANCE, DEPARTMENT OF GENERAL SERVICES, AS EMPLOYEE OF THE QUARTER

WHEREAS, Joseph A. Sisler has been employed with the County since January of 1997; and

WHEREAS, Mr. Sisler has consistently gone above and beyond the call of duty leading his division's efforts in real property maintenance and providing professional engineering and technical support for a wide range of County maintenance, repair, and construction projects; and

WHEREAS, Mr. Sisler oversaw the construction of the new York County Sports Complex project and proposed numerous cost-reduction initiatives, saving the County hundreds of thousands of dollars and completing the \$18 million project on time; and

WHEREAS, Mr. Sisler has also excelled with the design and construction of other highly visible projects such as the \$1.2 million addition to the Emergency Communications Center; the installation of three new emergency generators at two school sites and Computer Support Services; the construction of a \$2 million project to add vehicle bays to three County fire stations; and construction of over \$3 million of highway and sidewalk projects at various locations in the County, saving thousands of taxpayer dollars in design and project management costs; and

WHEREAS, Mr. Sisler has demonstrated superb leadership with the Facilities Maintenance team, streamlining the Building Support Services function to reduce costs, strengthening the preventive maintenance program, and implementing the new INFOR asset and work order management system; and

WHEREAS, as a result of Mr. Sisler's energy, work ethic, dedication, and emphasis on customer service, he is well deserving of recognition;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 15th day of March, 2011, that Joseph A. Sisler, Chief of Engineering and Facilities Maintenance, be, and he is hereby, congratulated upon his selection as Employee of the Quarter for the quarter ending December 31, 2010.

Item No. 7. PURCHASE AUTHORIZATION: Resolution R11-21

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO PURCHASE HEAT PUMPS

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, it involves the expenditure of \$30,000 or more, and it complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of March, 2011, that the County Administrator be, and hereby is, authorized to purchase heat pump equipment from Hoffman-Hoffman, Inc., as follows:

Heat Pump Replacements	<u>AMOUNT</u>
	\$ 57,400

**CLOSED MEETING.** At 8:32 p.m. Mr. Shepperd moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Hrichak  
Nay: (0)

Meeting Reconvened. At 8:35 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

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A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-  
DOM OF INFORMATION ACT REGARDING MEETING IN CLOSED  
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of March, 2011, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Hrichak  
Nay: (0)

REAPPOINTMENT TO THE PENINSULA DISABILITY SERVICES BOARD

Mr. Zaremba moved adoption of proposed Resolution R11-15 that reads:

A RESOLUTION TO REAPPOINT A REPRESENTATIVE TO THE  
PENINSULA DISABILITY SERVICES BOARD

BE IT RESOLVED by the York County Board of Supervisors this 15th day of March, 2011, that Jane B. Dickson be, and she is hereby, reappointed to the Peninsula Disability Services Board for a term of three years, such term to begin on April 1, 2011, and end March 31, 2014.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Hrichak  
Nay: (0)

Meeting Adjourned. At 8:42 p.m. Chairman Hrichak declared the meeting adjourned to 7:00 p.m., Thursday, March 17, 2010, in the Board Room, York Hall, for the purpose of conducting public hearings on the proposed Fiscal Year 2012 Budget and 2011 tax rates.

\_\_\_\_\_  
James O. McReynolds, Clerk  
York County Board of Supervisors

\_\_\_\_\_  
George S. Hrichak, Chairman  
York County Board of Supervisors

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Adjourned Meeting  
March 17, 2011

7:00 p.m.

Meeting Convened. An Adjourned Meeting of the York County Board of Supervisors was called to order at 7:02 p.m., Thursday, March 17, 2011, in the Board Room, York Hall, by Chairman George S. Hrichak.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, George S. Hrichak, and Thomas G. Shepperd, Jr.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

**PUBLIC HEARINGS**

PROPOSED FISCAL YEAR 2012 BUDGET

Mr. McReynolds made a brief presentation regarding the proposed FY2012 General Fund budget, explaining General Fund expenditures by function. He noted the proposed budget complies with all Board guidelines, contains no tax rate changes, provides level funding for the school division, and is a balanced budget as required by law. He also noted that the tax rates for 2011 were the same as for 2010.

Chairman Hrichak then called to order a public hearing on the proposed Fiscal Year 2012 Budget.

Mr. Stephen Sheriff, 332 Hodges Cove Road, representing the current Board of Trustees for the York County Library, thanked the Board for its continued support of library services. He noted the library system was a partnership with the school system and educational facilities for adults and children. Mr. Sheriff expressed his hope for no more budget cuts.

Ms. Sarah Meacham, 3013 E. Brittington, Williamsburg, Executive Director of Avalon Center, acknowledged this was a very difficult year for taxpayers. Everyone was faced with challenging issues, including increasing demands with fewer resources. She asked that Avalon be moved to the Public Safety portion of the County budget. Ms. Meacham spoke of the costs that would be incurred in the areas of public safety, law enforcement, and social services if there were no Avalon. She explained it was a safe place for York County residents to go when there was no other door to find safety. She stated that 89 cents of every dollar goes to high quality programs and services; and, if cut, Avalon would have to reevaluate how it could possibly meet these continuing needs.

Mr. Abbitt Woodall, 115 Palace Lane, Executive Director of Housing Partnerships, explained that Housing Partnerships provided emergency home repair and replacement services for York County residents. Every penny from York County goes to those repairs, and the work was done with volunteers. Mr. Woodall stated Housing Partnerships leverages the contribution with state grants and private contributions, and \$2.2 million was brought in this past year. The investment goes back into the community, and the value of neighborhoods is increased by the repairs.

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Ms. Sheila Myers, 102 Montague Circle, speaking on behalf of the York County Arts Commission provided information requested on the programs that are recommended for funding by the Arts Commission. She noted that 40 percent of funding goes to programs on the schools, and another 40 percent goes to a more targeted audience. The last 20 percent goes to larger organizations such as the Williamsburg Players and the Fifes and Drums of Yorktown. Ms. Myers stated that for less than \$1 for every citizen in the County, this funding provides program opportunities for all the citizens. She stated the Commission feels it has done a pretty good job in partnership with the Board of Supervisors.

Ms. Jeanne Eickhoff, 106 Mason Court, representing the Arts Commission, spoke of the importance of arts in our lives, and she implored the Supervisors to continue to support funding for the arts in York County.

Ms. Lois Winter, 1907 Old York-Hampton Highway, Chairman of the York County Historical Committee, explained the purpose of the volunteer group to document, celebrate, and perpetuate the history and heritage of York County. She stated this was done through events and through lectures and tours to celebrate the County's history. She stated the two large events coordinated by the Historical Committee each year were the Zweibrucken Student Exchange Program and the Sister City Program which was where most of the money goes.

Mr. Brian Gelineau, 613 Musket Drive, coordinator for the Senior Services Coalition, stated the Coalition was associated with the Peninsula Agency on Aging for the provision of comprehensive senior services in York County, Williamsburg, and James City County. She spoke of the community action plan that addressed the needs of seniors for the next 10 years, with senior housing being an issue of great concern. Mr. Gelineau expressed appreciation for York County participation in the Coalition.

Ms. Diane Hartley, 3901 Treyburn Drive, Williamsburg, speaking on behalf of the Community Action Plan on Aging, stated their purpose was focusing on the needs of seniors. They have resources for health care with a database of providers for seniors. She noted they have a family caregiver program to keep seniors in their homes and neighborhood networks to help seniors stay in place. She spoke of the workshops conducted, and residents from York County have shown interest.

Mr. David Niebuhr, 309 Water Street, Director of the Watermen's Museum, stated the Museum was thrilled to have such a valuable resource in Yorktown. He spoke of activities at the Museum, indicating there are currently five boats in production, and four were built in the last two years with students and people with intellectual disabilities, and a growing volunteer corps. He stated in 2008 there were 1000 hrs in volunteer time; in the recent year there was nearly 10,000 hours, serving about 100,000 visitors. Mr. Niebuhr stated the Museum was embarking on plan that will reach a second 100,000 visitors before the end of 2013, and they look forward to supporting this community.

Mr. William Thro, 403 Fielding Lewis Drive, Chairman of the Board of Directors of the York/Poquoson Chapter of the American Red Cross, asked that the Board fund FY2012 at a level amount with FY2011. He spoke of services provided to York County, stating 97 percent of the work force was volunteers.

Dr. David Trump, Director of the Peninsula Health District, stated that funding for the Health District comes from state and local governments, and the York County portion was about 10.8 percent of the total, with 55 percent provided by the State. Dr. Trump spoke of range of services provided by the health department and the numbers of York County residents who receive these services.

Mr. Mike Melo, 218 Jernigan Lane, stated as an owner of a fast growing small business, he supported the school district budget as proposed at level funding. He stated the Superintendent has been working hard to cut the fat off the budget. As a taxpayer, homeowner, and business owner, Mr. Melo stated that education was critical to preparing children for the future. He noted the cost per pupil was the lowest in the region, and cutting that will start to impact the quality of education in York County.

Ms. Kimberly Griffin, 107 Granite Place, spoke of the reductions in the schools' budget while trying to maintain quality education. She asked that the York County Board of Supervisors consider level funding of the School Division.

Mr. William Lawrence, P.O. Box 489, Yorktown, President of Fifes and Drum Corps in Yorktown, thanked the Board for continuing to fund the Arts Commission which provides funding to the Corps. He commented that the young people in the Corps are phenomenal, and with the Board's help they are pushing Yorktown throughout the region and the country. Mr. Lawrence stated the Arts Commission needs the Board's support.

Ms. Carol Bauer, 314 Brook Lane, spoke of the need to do all things necessary to make York County a good community. She stated schools, public safety, and libraries were the Board's priority, and she requested level funding for the School Division.

Ms. Priscilla Caldwell, 1915 Pocahontas Trail, Williamsburg, Executive Director of the Williamsburg Hotel/Motel Association, asked the Board to consider their requested funding to help improve the struggling lodging and tourism situation in the Historic Triangle. She spoke of the new call center, stating they now have an on-line presence sending people to the call center for assistance with reservations.

Mr. Martin Cardwell, 140 Breezy Point Drive, applauded the Board's budget guidance this year and last year. The no tax rate increase guidance caused the County to live within its reduced projected income, which has resulted in a budget decrease. He spoke of windfall property taxes in 2003, and the loss of 25 percent in real estate taxes next year. He stated it was time to redo how county government is handled and do it with efficiency and consolidation. Mr. Cardwell stated the County can afford only what it has income for. He stated there should be no tax increases, and spending only for support functions for maintenance facilities and IT. Mr. Cardwell recommended that part of this year's budget include retaining a management consultant reporting directly to the Board that defines and implements a plan for next year.

Mr. Joseph Taylor, 104 Marlbank Drive, thanked the County Administrator for the budget presentation, and he congratulated Mr. Noel on his operation of Economic Development. He questioned the loss of \$2 million from Western Refinery, stating the property and equipment is still there. He would like to see level funding for the school division. He noted that the Regional Library returned \$250,000 to James City County, and questioned why York County did not also receive a rebate. Mr. Taylor stated York County should have representation on that Board because the County should have some voice in how the County's money is being spent. Mr. Taylor then addressed unfunded mandates, asking what would happen if the County decided to withhold from the state the tax revenues in the amount of unfunded mandates.

Ms. Laurel Garrelts, 100 Leanne Court, York County PTA President, noted there were many groups vying for funding, and she requested level funding for the school division.

Mr. Chuck Cooper, 104 Harwood Drive, thanked the Board, on behalf of the 11,000 members of the Grafton High School PTSA, for level funding of the CIP for the school system, and he also urged the Board to support level funding for the operations portion of the schools budget. He spoke of the County survey, stating that schools were the main reason people moved to York County. In looking through the proposed budget, Mr. Cooper stated it looked like a peanut

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butter spreader with no correlation on how the money is spent. He stated last year when the Board cut the recycling budget, he solved that problem by going out and getting another recycling bin. He asked the Board to reconsider that decision. He also suggested that the County look to corporate funding for the fireworks for the 4<sup>th</sup> of July.

Ms. Francine Spinelli, 104 Loblolly Court, requested level funding for this year's schools budget. York County has the lowest pupil expenditure in the area and is lauded as one of the top school districts in the state. She stated the School Division was doing a great job with fewer resources, and it had cut 47 positions in FY10 and FY11 and another 15 in FY12. She noted that the County in the same time has added 29 positions. Ms. Spinelli noted that the people who run the County have turned their attention over the years to exploring the quality of life in York County, and quality schools top the list.

Ms. Paige Archer, 917 Showalter Road, thanked the Board for the opportunity to speak in support of the Superintendent's budget. She stated she moved to York County because of County's school system, and she now wanted the same opportunity for her grandchildren. York County has an excellent school system and teachers, and her children were well prepared to move toward their success in their chosen fields. Ms. Archer asked the Board to please look at all line items in the budget, stating education is the most important thing to the welfare of the County and the nation.

There being no one else present who wished to speak regarding the proposed Fiscal Year 2012 Budget, Chairman Hrichak closed the public hearing.

PROPOSED 2011 TAX RATES

Chairman Hrichak then called to order a public hearing on proposed Ordinance No. O11-3 containing the proposed tax rates for 2011 as indicated below:

	<u>Class of Property</u>	<u>Rate Per \$100 of Assessed Valuation</u>
1.	Real Estate	0.6575
2.	Tangible Personal Property	4.00
3.	Tangible Personal Property— for one vehicle owned by a disabled veteran	1.00
4.	Machinery and Tools	4.00
5.	Vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia	0.6575
6.	Boats or watercraft weighing five tons or more	1.00

There being no one present who wished to speak concerning the proposed ordinance, Chairman Hrichak closed the public hearing.

COMMENTS ON THE PROPOSED FY2012 BUDGET SUBMITTED BY OTHER MEANS

As directed by the Board of Supervisors, included in the proceedings of this meeting are the following comments on the proposed budget that were received from citizens by way of email or phone call prior to close of business this date:

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Please add my name to the list of people who hope that you will see fit to add the approximately \$300,000 necessary to give level funding to the county's contribution to our public schools for the coming year.

Certainly this is as important as many of the other things we are finding "necessary" in the budget our county administrator has proposed. And yes, losing the refinery and its tax dollars is a blow and one that requires some belt-tightening.

But our teachers and their families have been tightening their belts for several years now, with no raises. And falling behind on the step-based salary scale. Amid the entire budget, this is not that much money. Increased user fees for the softball etc; fields or some other measure is preferable to having the people who teach our children take on another year of lower net pay. I have two children in this school system, and expect them to be in that system for several more years. I do not want their better teachers to be thinking about leaving teaching or leaving York County to teach elsewhere. I don't want them wondering about paying their bills. I want them concentrating on teaching. I also think that making them bear the brunt of the county's financial straits sends the wrong message about what kind of people in our society are important and which kind are not.

So please. Figure out a way to do it. The modest tax increase that would be necessary to pay for this would be well worth it.

Robert Evans  
193 West Queens Drive  
564-6331

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I am writing to ask you to please provide level funding to the York County School Division. Further cuts will damage the programs offered, and teacher retention may suffer. Although we only have one more year in York County Schools, I recognize how important a strong school division is for property values and community character. A child in band, sports and extracurricular activities does not have time for mischief. They also are more likely to become responsible adults who may return to the community. Let's put an investment into our younger citizens! It is a good use of York County resources.

Thank you for considering my opinion.

Jeanne Coates  
111 Tiger Paw Path  
Yorktown, VA 23693

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I live in upper York County. The reason we chose to live in York County when we moved here 5 yrs ago (vs James City) was because of the schools! It's that simple. We have some great teachers- you can NOT expect them to go on with no raises (or actually a decrease in salary as

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you require more health contributions). They will leave. And as that happens, the reputation of the York School system will go down and people moving into the area will look elsewhere.

This has to be the number one priority. It's about our children and our future.

Mark Lerman  
114 Sherwood Drive  
Williamsburg, VA 23185

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Meeting Adjourned. At 8:07 p.m. Chairman Hrichak declared the meeting adjourned to 6:00 p.m., Tuesday, March 26, 2011, in the Williamsburg Room, Sentara Williamsburg Regional Medical Center, for the purpose of conducting a retreat session.

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James O. McReynolds, Clerk  
York County Board of Supervisors

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George S. Hrichak, Chairman  
York County Board of Supervisors

# COUNTY OF YORK

## MEMORANDUM

**DATE:** March 31, 2011 (BOS Mtg. 04/19/11)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** 2011 Outstanding Youth Awards Scholarship Program

The Outstanding Youth Awards Program was established as a jointly sponsored initiative by the Board of Supervisors and the 1989-1990 Youth Commission. The program seeks to recognize exemplary character, achievement, and service among the County's high school-aged residents in four categories: Compassion, Community Service, Courage, and Overall Achievement. Since 2004, the Board has awarded a \$500 educational scholarship to the four award recipients.

Nominations typically come from a variety of individuals including parents and other relatives, family, friends, scouting, church leaders, teachers, and counselors. A Selection Committee comprised of one member of the Board of Supervisors, one member of the School Board, and two Youth Commissioners reviews the nominations individually and then meets to deliberate and choose the four award winners. This year's Selection Committee included Mr. Walt Zaremba from the Board of Supervisors, Mrs. Linda Meadows from the School Board, and Youth Commissioners Ms. Kirstyn Cassidy and Ms. Jessica Lee.

Attached for your consideration are proposed Resolutions R11-34, R11-35, R11-36, and R11-37 which commend and congratulate the four York County teens selected as 2011 Outstanding Youth Award Scholarship winners in the areas of Compassion, Community Service, Courage, and Overall Achievement respectively.

The awards will be formally presented at the Board of Supervisors' meeting at 6:00 p.m. on June 7, 2011.

If the Board has need of any further information or other staff action, please advise.

Smith/4111

### Attachments:

- Proposed Resolution R11-34
- Proposed Resolution R11-35
- Proposed Resolution R11-36
- Proposed Resolution R11-37

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO COMMEND AND CONGRATULATE ELIZABETH ROBERTS ON HER SELECTION AS THE 2011 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMPASSION

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County’s youth; and

WHEREAS, Elizabeth “Liz” Roberts received two nominations and has been chosen by the Selection Committee to receive the 2011 Outstanding Youth of the Year Award for Compassion; and

WHEREAS, Elizabeth exemplifies the meaning of the word compassion, lovingly and sensitively extending herself into people’s lives and problems; and

WHEREAS, as a senior at York High School, Elizabeth is an excellent student, earning membership into the National, Spanish and Math Honor Societies while also serving in various positions of leadership including President of the Key Club, editor of the yearbook, captain of the varsity field hockey team, and student council historian; and

WHEREAS, in spite of her busy schedule, Elizabeth is never too busy for others, as evidenced by her work last year at York High’s Special Needs carnival for which she recruited many student volunteers to join her in assisting with games and activities; and

WHEREAS, Elizabeth is also very active in the Special Olympics program, through which she enthusiastically volunteers her time assisting the athletes; and

WHEREAS, Elizabeth's work with Special Olympics extends beyond her devoted help at the program's scheduled sports activities to genuinely connecting and bonding with the *people* themselves, who have so touched her heart that she has now become regular lunch buddies with one of them at school, invited this person to attend a school basketball game together with some of her other friends, an experience which was so rewarding and fun for ALL concerned that Elizabeth has asked the school's Special Education staff to contact the respective parents of these students to see if even more can participate in a similar outing to a York soccer game this spring; and

WHEREAS, Elizabeth's example and leadership in motivating her fellow students to reach out and help others is clearly seen in her role this year as Key Club President, during which time York's chapter has skyrocketed from 20 members to 90 and has spearheaded many meaningful service activities including sponsoring food drives and donation projects, participating in the Diabetes Walk and Special Olympics programs, and initiating a mentorship program at Yorktown Middle School; and

WHEREAS, her sincere concern for others is greatly admired by the York High School community, as attested to by one of her nominators, English teacher and Special Olympics Head Coach, Ms. Jaime Miller, who glowingly says that, "Liz has an ardent desire to help others, and I think that's what makes her so special...I cannot properly express the intense respect I have for the compassion displayed by Ms. Roberts;" and

WHEREAS, this respect is also voiced by Elizabeth's Guidance Counselor and nominator, Ms. Felicia Highland, who states, "She is one of the most compassionate, self-directed students that I have ever encountered...she is always optimistic and every time I see her, I am enamored by her warmth;" and

WHEREAS, her parents, Paul and Ellen Roberts, lovingly affirm that, "Elizabeth is tenacious, positive, and compassionate...a natural leader who will always see the bright side of things;"

NOW, THEREFORE, BE IT RESOLVED, on this \_\_\_\_ day of \_\_\_\_\_, 2011, that Elizabeth Roberts be, and she is hereby, congratulated and commended by the York County Board of Supervisors as York County's 2011 Outstanding Youth of the Year for Compassion.

BE IT FURTHER RESOLVED that Elizabeth Roberts be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Compassion, that she be extended the sincere admiration and appreciation of the Board of Supervisors for her exemplary love and concern for others, and that the Board's best wishes go with her as she continues to make a difference in this world by caring for one life at a time.

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO COMMEND AND CONGRATULATE SHANNON ELIZABETH KUSTER ON HER SELECTION AS THE 2011 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMMUNITY SERVICE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County’s youth; and

WHEREAS, Shannon Elizabeth Kuster has been chosen by the Selection Committee to receive the 2011 Outstanding Youth of the Year Award for Community Service; and

WHEREAS, Shannon Kuster has consistently demonstrated a genuine desire and commitment to serve others; and

WHEREAS, in spite of her demanding academic schedule as a senior at York High School, where she has earned a 4.41 grade point average in the rigorous International Baccalaureate Programme, as well as her very full extracurricular schedule of activities, including participating in several honor societies and on York’s Varsity Scholastic Bowl Team, serving on the Student Council Advisory Board, and swimming competitively year-round on the Coast Guard Blue Dolphins and York High varsity swim teams, Shannon nevertheless remains “others focused” in life as evidenced by her more than 500 hours of volunteer community service over the years; and

WHEREAS, ever since she was a 9<sup>th</sup> grader, Shannon has used her academic ability in giving back to others through her work as a 4H Peer Teacher Volunteer at the Yorktown Victory Center, where Shannon volunteers eight hours a month during school and sixteen hours a month during the summer as an 18<sup>th</sup> Century Costumed Interpreter in the Center's military encampment, teaching visitors of all ages and from all over the world about life as a Continental Soldier; and

WHEREAS, Shannon has also joined her fellow honor society members in helping others academically through tutoring students in physics and Spanish, while also working with other Student Council members to collect money for leukemia patients, adopt needy children, and participate in other charitable projects; and

WHEREAS, Shannon has contributed her considerable artistic gifts to benefit others as well, giving time last summer as a volunteer intern at the Peninsula Fine Arts Center where she designed and created four "hands on" projects for children that complemented the Center's featured exhibit, and has also founded, with the encouragement of her AP Art teacher, a National Art Honor Society at York High, through which members initiated an "Instrument of Art" project this year painting old musical instruments to raise money for charity; and

WHEREAS, her mother and nominator Geri affirms that Shannon is "always at home in the water," and uses her training as a Red Cross certified lifeguard and swim instructor towards serving as a Skills Tester at an annual Special Olympics meet, where she helps and encourages the athletes to compete in modified swimming events; and

WHEREAS, Shannon, who is an avid reader, self-proclaimed bookworm and strong believer in the importance of spreading literacy to children, has also enjoyed giving back to her community in this area, volunteering during the past three summers in the York County Library's summer reading programs; and

WHEREAS, Geri Kuster admirably sums up her and her husband Ed's feelings about their daughter's kindness and penchant for community service by sharing that, "She is a remarkable young lady. Whatever the activity, Shannon is always there to lend a helping hand to others;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_ day of \_\_\_\_\_, 2011, that Shannon Elizabeth Kuster be, and she is hereby, commended and congratulated for being selected as York County's 2011 Outstanding Youth of the Year for Community Service.

BE IT FURTHER RESOLVED that Shannon Kuster be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Community Service, that she be extended the sincere admiration and appreciation of the Board of Supervisors for her exemplary service, and that the Board's best wishes go with her as she continues to make a difference in this world by freely giving her time and talents in service to others.

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

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Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

**A RESOLUTION TO COMMEND AND CONGRATULATE BROOKE FRIX ON HER SELECTION AS THE 2011 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COURAGE**

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County’s youth; and

WHEREAS, Brooke Frix has been chosen by the Selection Committee to receive the 2011 Outstanding Youth of the Year Award for Courage; and

WHEREAS, Brooke Frix exemplifies the meaning of courage, a quality recognized by all privileged to know this Tabb High School freshman and who have been touched by her spirit in spite of the adversity she has faced this year; and

WHEREAS, Brooke’s teachers and many friends regard her as a very cheerful and energetic person, full of goodwill, who started the year excited about high school and cheering for the Junior Varsity team, when, suddenly in early October she was struck with severe headaches, originally diagnosed as migraines; and

WHEREAS, after ten days of excruciating pain which even morphine could not relieve, Brooke was taken to Riverside’s emergency room where doctors discovered a mass in her skull, and was immediately transported to the Pediatric Intensive Care Unit

at CHKD Hospital, where further tests revealed a large, but thankfully benign brain tumor which doctors were able to completely remove; and

WHEREAS, after soon returning home to recuperate and then starting school part-time until December when she began staying all day, Brooke focused on catching up in all her subjects, a daunting task given the extensive time she had missed, but by exhaustive work, she amazingly caught up in all her courses by the end of December, all the while, never wanting or asking her teachers for any special allowances; and

WHEREAS, in January Brooke and her family received shocking news that the tumor had returned and had already grown to its former size, an unheard of scenario for a case of her type, whereupon surgery was scheduled again in two weeks; and

WHEREAS, during that interval, as she and her parents gratefully share, many people, including those they still do not know and most especially their beloved church family where Brooke's dad Keith serves as pastor, lifted up prayers on her behalf until a second pre-surgical MRI showed that the tumor was now shrinking, which resulted in this risky surgery being postponed in lieu of continued monitoring of her condition; and

WHEREAS, throughout this emotional roller coaster, Brooke has continued to do what she does so well, staying the course in life with grace and strength, all the while serving as a role model of courage and genuine love and kindness towards all, maintaining A's and B's in her coursework, which is especially noteworthy considering that her typical day since returning to school in December, begins with a severe post-traumatic headache from surgery from the moment she awakens and lasts the entire day, every single day, but during which Brooke attends classes except when needing to visit the school clinic for rest from the pain and the growing fatigue that accompanies it, then napping at home before dinner and spending 2-3 hours on homework each night; and

WHEREAS, Brooke's persevering spirit is all the more exceptional because of her optimistic attitude, as affirmed by her English teacher and nominator, Ms. Mary Dawson, who shares that Brooke "has not succumbed to self-pity, depression, or despair, but instead has continued to brighten her corner of the world with sunshine, a resilience grounded in faith, and a positive attitude that is rare and contagious;" and

WHEREAS, Brooke continues to responsibly manage her own schedule, informing teachers of medical appointments, making up missed assignments, and has already talked with doctors about trying out for cheerleading this summer, all of which make her loving parents marvel and her mom Sheila say with admiration, "It is amazing to see how she stays on top of everything in the midst of everything;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_ 2011, that Brooke Frix be, and she is hereby, congratulated and commended as York County's 2011 Outstanding Youth of the Year for Courage.

BE IT FURTHER RESOLVED, that Brooke Frix be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Courage, that she be extended the utmost admiration of the Board of Supervisors for her tremendous inspiration and example to us all, and that the Board's best wishes go with her for a most rewarding and blessed life, and a bright future filled with continued triumph.

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO COMMEND AND CONGRATULATE RAND IRONS ON HIS SELECTION AS THE 2011 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR OVERALL ACHIEVEMENT

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County’s youth; and

WHEREAS, Rand Irons has been chosen by the Selection Committee to receive the 2011 Outstanding Youth of the Year Award for Overall Achievement; and

WHEREAS, Rand Irons epitomizes excellence and outstanding achievement with his numerous accomplishments and superior performance in numerous endeavors; and

WHEREAS, Rand’s many noteworthy *academic* achievements as a senior at Grafton High School include: ranking third in his class with a 4.56 grade point average in a demanding curriculum that includes more Advanced Placement courses this year than any other senior at Grafton, being recognized by the College Board as an AP Scholar with Distinction, earning membership into the National and Spanish Honor Societies, placing in the top one-percent of high school students in a national competition conducted by the President’s Advisory Council on Financial Literacy, and placing first at the regional and state Future Business Leaders of America competitions for three consecutive years while also competing at three national conventions; and

WHEREAS, examples of Rand's *leadership and service* achievements include: receiving appointment as a student representative to the York County Career and Technical Education Council; receiving a PTSA leadership award; serving as President of Grafton's National Honor Society this year; leading in a variety of capacities through Grafton's very active FBLA Chapter, where Rand has served as Treasurer and Vice President and has also been selected for regional FBLA positions as Secretary and currently President for the more than 20 active schools in this area, organizing conferences, conducting workshops, assisting two schools in reactivating their chapter, and also playing an integral role in his school and region in helping to raise over \$1,300 towards FBLA efforts to support child cancer patients and their families; serving FBLA at the state level as one of its Vice Presidents; and, serving as Junior Assistant Scoutmaster in his Boy Scout Troop, where earlier this year he became an Eagle Scout for which he planned a massive food collection drive, first identifying items in need through The Needs Network (TNN) program in Newport News, planning a turnkey "door to shelf" project by mobilizing his Scout Troop as well as volunteers from his school and church, supplying them with Google maps of neighborhoods where they systematically went door to door requesting donations, and then delivering and shelving all of the items at the TNN warehouse, an amazing effort by Rand and his volunteers that collected enough food to feed 250 families for 30 days; and

WHEREAS, in Rand's "spare time" he somehow makes time for many other pursuits, including: participating on Grafton's policy debate team on which he and his partner advanced to the state quarterfinals two years ago, finished second in the state last year, and have qualified for state competition again this spring; holding down a part-time job during his sophomore and junior years at a fast food restaurant, starting in an entry level position until the owner recognized his maturity and promoted him to a shift supervisor; and, staying very active with his church, attending a 6 a.m. seminary class with other interested students everyday before school for the past four years, and serving as a youth assistant and ordained lay priest, regularly spending over 100 hours a year helping the poor and visiting with elderly, sick, and widowed congregants; and

WHEREAS, Rand's many exceptional achievements are testament to his *character*, which enabled him to persevere when suddenly stricken with fatigue and chronic pain in his hands and forearms years ago, a condition that was so severe throughout middle school and his early high school years that he had to stop playing the clarinet and lay aside his plans to participate in band and sports in high school; and

WHEREAS, his dad and nominator Lee movingly relates how Rand, even in the midst of his own daily pain, helped take care of other family members when they had been sick, giving all his savings and earnings to help the family pay medical bills, and admirably shares his and his wife Becky's feelings for their son, affirming that, "Rand has excelled in everything to which he has set his hand, mind, and heart;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_ day of \_\_\_\_\_, 2011, that Rand Irons be, and he is hereby,

commended and congratulated for being selected as York County's 2011 Outstanding Youth of the Year for Overall Achievement.

BE IT FURTHER RESOLVED that Rand Irons be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Overall Achievement, that he be extended the sincere admiration and appreciation of the Board of Supervisors for his outstanding example as a role model to the youth of our community, and that the Board's best wishes go with him as he continues to make a difference in this world by giving his time and talents in service to others.

# COUNTY OF YORK

## MEMORANDUM

**DATE:** April 5, 2011 (BOS Mtg. 4/19/11)  
**TO:** York County Board of Supervisors  
**FROM:** James O. McReynolds, County Administrator   
**SUBJECT:** Approval of Procurement Action

The attached resolution provides for the approval of County purchases by the Board of Supervisors in accordance with its policy for procurements of over \$30,000. The Board's approval is requested for procurement of the following:

*FALCON-LOBLOLLY SANITARY VACUUM SEWER PROJECT* – An Invitation for Bid (IFB) was issued and advertised for the installation of approximately 15,000 linear feet of vacuum sewer, 68 vacuum sewer collection pits, 139 gravity service laterals and cleanouts, and 25,000 square yards of pavement overlay and reconstruction to complete the referenced project. Four (4) bidders responded, with the lowest responsive and responsible bidder being Jamestown Contracting, LLC, in the amount of \$2,127,848. Sufficient funds are available in the Sewer Utility Fund to complete the project.

*ENGINEERING DESIGN: BRUTON HIGH SCHOOL PUMP STATION REPLACEMENT AND FORCE MAIN PROJECT* – A Request for Proposals (RFP) was issued and advertised for engineering services for options relating to the demolition of an existing lift station and the design of a replacement sanitary sewer pump station for the Bruton High School area. The Bruton Pump Station is nearly 40 years old and has been exposed to a high hydrogen sulfide content resulting in significant deterioration. It also has 20-year old shaft-driven pumps that are undersized for flows from the high school and Camp Peary. In addition, the force main that services the station needs to be replaced due to its age and insufficient capacity. Eighteen (18) firms responded with proposals. An Evaluation Committee interviewed the top four (4) firms, and negotiations were conducted with the firm ranked number one, RK&K Corporation, and staff recommends award to RK&K Corporation in the amount of \$64,604. Sufficient funds are available in the Sewer Utility Fund to complete the project.

*UPGRADE TELEPHONE MESSAGING SYSTEM* –The current telephone messaging system is part of the County's 21-year-old PBX telephone system, and due to obsolescence the software which operates the existing system can no longer be maintained or supported by the manufacturer beyond June 30, 2011. Using a cooperative bid with the City of Hampton, the system can be upgraded to the Avaya Unified Communications platform (Modular Messaging) at a price of \$59,137, which is significantly less than the same services available on General Service Administration contracts.

Sufficient funds are available in the County Capital Fund to complete the project.

*MANHOLE REHABILITATION PROJECT- FORT EUSTIS BLVD. AND SEAFORD ROAD* – An Invitation for Bid (IFB) was issued and advertised for the rehabilitation of 21 manholes. The manhole rehabilitation project is a result of York County's compliance effort under the State Water Control Board's enforcement action Special Order by Consent issued to jurisdictions of the Hampton Roads area, which in part, requires addressing interim repairs to existing sewer collection facilities that require prompt attention. Seven (7) firms responded to the IFB with the lowest responsive and responsible bidder being Inner-View, Ltd., in the amount of \$37,325. Sufficient funds are available in the Sewer Utility fund to complete the project.

These procurements have been conducted in accordance with State procurement laws and/or County procurement policy, and I recommend they be approved through the adoption of proposed Resolution R11-43.

Sawyer/3681  
Attachment

- Proposed Resolution R11-43

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2011:

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Present

Vote

George S. Hrichak, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Donald E. Wiggins  
Walter C. Zaremba  
Sheila S. Noll

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS TO CONSTRUCT THE FALCON-LOBLOLLY SANITARY SEWER PROJECT, EVALUATE ALTERNATIVES FOR THE DESIGN OF THE BRUTON HIGH SCHOOL PUMP STATION REPLACEMENT AND FORCE MAIN PROJECT, UPGRADE/REPLACE THE TELEPHONE MESSAGING SYSTEM, AND PERFORM A MANHOLE REHABILITATION PROJECT

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, it involves the expenditure of \$30,000 or more, and it complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2011, that the County Administrator be, and hereby is, authorized to execute contracts with Jamestown Contracting, LLC, to construct the Falcon-Loblolly Vacuum Sewer Project, RK&K Corporation for the design of the Bruton High School Pump Station Replacement Project, Carousel Industries to Upgrade the Telephone Messaging System, and Inner-View, Ltd, to perform a Manhole Rehabilitation Project; as follows:

	<u>AMOUNT</u>
Falcon-Loblolly Sanitary Vacuum Sewer Project	\$2,127,848
Bruton High School Pump Station Replacement Project	64,604
Upgrade the Telephone Messaging System	59,137
Manhole Rehabilitation Project	37,325