

## DEVELOPMENT MANAGEMENT

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November 22, 2004

Mr. Richard A. Reynolds  
Association Manager  
Powhatan Place Community Association, Inc.  
739 Thimble Shoals Boulevard, Suite 1003  
Newport News, VA 23606-3562

Dear Mr. Reynolds:

I have discussed the matter of your November 12, 2004, letter with Supervisor Michael Brown, and am responding on his behalf. In that letter you asked that the Board of the Community Association be given the right to sign off on any release of performance bonds to Lynnhaven Homes or The Breeden Company. As I'm sure you're aware, staff of both the Environmental Division and Development Management have been discussing with citizens of the Powhatan Place development a number of development issues for several months. Most particularly, Mr. Wayland Bass has been discussing the construction of the private roadways in the community and Molly Roggero has been discussing with the Association the status of the erosion and sedimentation control at the development. I also understand from Ms. Roggero and Mr. Bass that there have been instances where staff has walked the development with representatives of the Association to review a number of matters of concern.

James City County is currently holding two bonds for completion of required development improvements. The first is a \$50,000 subdivision bond to ensure that construction of utilities and roadways does not cause future problems with trench settlement. That bond will be held for a period of five years and will be reviewed on a regular basis by Mr. Bass. We are also holding \$1,000 of the erosion and sediment control bond, waiting for two areas to fully stabilize and for the removal of inlet protection that was installed during the development process. I understand from Ms. Roggero that those areas are very close to stabilization and staff will most likely be supporting the release of the erosion and sediment control bond in the near future.

Ms. Roggero mentioned to me that the Homeowners Association had noted several additional areas of concern to her. These dealt with air conditioning condensate, some depressions left by lawn mowers, the construction of roof leaders through curbs, and the quality of grass growing in some areas. While we would encourage the Homeowners Association to continue to discuss these matters with the developer, they are not matters that are considered improvements that are to be ensured by development bonds held by the County.



Mr. Richard A. Reynolds

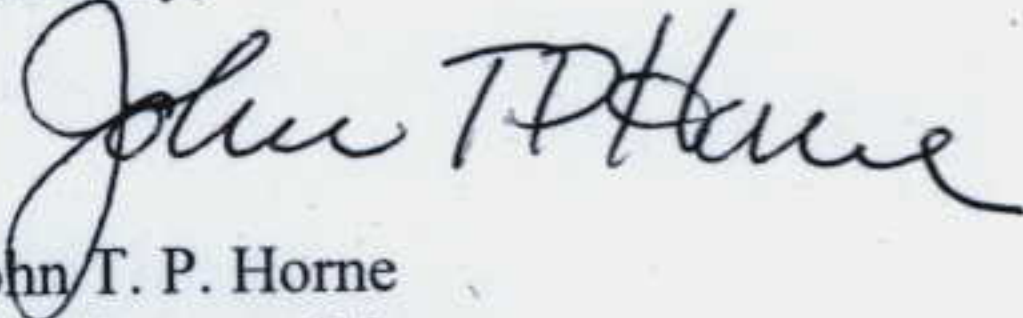
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Staff of the County has, in the past, had significant discussions with members of the community about the release of performance bonds and necessary development improvements. We stand willing to continue those discussions. It is not permissible; however, that the Board be given the right to sign off on the release of the performance bonds. Staff will make the judgment as to the appropriate time to release those bonds based on our understanding of the completion of the necessary improvements.

If you have any questions, please don't hesitate to contact me, Mr. Bass, or Ms. Roggero.

Sincerely,



John T. P. Horne  
Development Manager

JTPH/tlc  
Rareynolds.ltr

cc: Michael J. Brown  
Wayland Bass  
Molly Roggero