

RESOLUTION

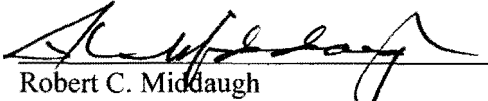
CASE NO. SUP-0023-2010. CRANSTON'S MILL POND DAM REPAIR

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, Mr. Brent Fults has applied on behalf of Cranston's Mill Pond, LLC for an SUP to allow for the restoration of a water impoundment in excess of 20 acres or more on two parcels of land zoned A-1, General Agricultural, District; and
- WHEREAS, the proposed development is shown on a plan prepared by Koontz-Bryant, P.C., dated August 20, 2010, revised October 14, 2010 (the "Master Plan"), and entitled "Cranston's Mill Pond Special Use Permit"; and
- WHEREAS, the properties are located at 6616 and 6750 Cranston's Mill Pond Road and can be further identified as James City County Real Estate Tax Map Parcel Nos. 2230100044 and 2230100042; and
- WHEREAS, the Planning Commission, following its public hearing on October 6, 2010, voted 7-0 to recommend approval of this application; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Use Map designation for this site.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0023-2010 as described herein with the following conditions:

1. Master Plan: This SUP shall be valid for the restoration of a water impoundment in excess of 20 acres located at 6616 and 6750 Cranston's Mill Pond Road and further identified as James City County Real Estate Tax Map Parcel Nos. 2230100044 and 2230100042 (together the "Properties"). Development of the Properties shall be generally in accordance with the plan entitled "Cranston Mill Pond Special Use Permit" prepared by Koontz-Bryant, P.C., dated August 20, 2010, and revised October 14, 2010, with such minor changes as the Planning Director or his designee determines does not change the basic concept or character of the development.
2. Boundary Line Adjustment (BLA): Prior to final site plan approval, a plat showing the adjustment of the common property line between the Properties must be submitted to the Planning Director or his designee for review and approval.
3. Emergency Action Plan ("EAP"): Prior to obtaining preliminary site plan approval for the restoration of the water impoundment, an EAP depicting potential impounding structure emergency conditions and specifying pre-planned actions to be followed to minimize loss of life and property damage shall be submitted to the County Director of Emergency Management or her designee for review and approval.

4. Permits: Prior to issuance of a land disturbing permit for the restoration of the water impoundment, documentation shall be provided to the County Environmental Director or his designee that all permits, authorizations, and approvals required by local, State, and Federal agencies, for construction of the proposed dam alterations, including wetland permits, have been obtained by the applicant.
5. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

ATTEST:


Robert C. Middaugh
Clerk to the Board

James G. Kennedy
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of November, 2010.

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