



PLANNING DIVISION

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COMMONWEALTH of VIRGINIA

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Executive Director

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February 10, 2017

Mr. Alex Baruch, Planner
James City County
101-A Mounts Bay Road
Williamsburg, Virginia 23187

RE: Williamsburg Landing Expansion

Dear Mr. Baruch:

Thank you for providing the Virginia Department of Aviation an opportunity to review and comment on the proposed Williamsburg Landing expansion. As I understand, the proposed expansion would necessitate both a rezoning and issuance of a special use permit. Furthermore, this expansion would result in the construction of an additional 135 units to the already existing Continuing Care Retirement Community (CCRC). This expansion would occur on the Northwest side of Marclay Road on approximately +/- 15.5 acres.

The Department of Aviation does not recommend any residential development occurs adjacent to a public-use airport. Although the proposed development is outside the traffic pattern for both Runway 13 and Runway 31 at the Williamsburg-Jamestown Airport, noise complaints are usually received when residences are constructed in close proximity to an airport.

An additional concern would be the potential impact a development would have on the Airport. Our principle concern is the safe ingress and egress of air traffic to/from the Williamsburg-Jamestown Airport. The Commonwealth has also invested nearly \$2 million dollars in the last 20 years to ensure the Williamsburg-Jamestown Airport remains a viable asset in Virginia's air transportation system. As stewards of public funds, the Department has an obligation to protect the Commonwealth's investment.

The Department acknowledges that land use designations and uses are under the purview of local governments. Therefore the ultimate decision of whether to permit this expansion falls in the hands of James City County Board of Supervisors. Therefore, in the event the James City County Planning Commission and Board of Supervisors decides to approve this development, the Virginia Department of Aviation would like to suggest the following conditions be placed on the expansion.



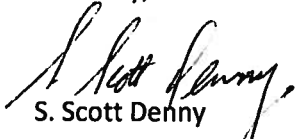
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Recommended Conditions to Williamsburg Landing Expansion

1. Prior to approval of the development, the James City County Planning Department should receive a "Determination of No Hazard" from the Federal Aviation Administration (FAA). This determination would be the result of an airspace evaluation following the submission of a 7460 form to the FAA by the project sponsor. The airspace evaluation will note if there are any impacts to the instrument approach procedures into the James City County Airport. A copy of a 7460 form was provided to James City County on February 6, 2017.
2. Height restrictions and/or aviation easements should be placed on the proposed development. No structure should be erected or natural vegetation growth should be permitted to penetrate an FAR Part 77 surface. During staff's cursory review, it does not appear as though the development will result in a Part 77 penetration. However, since there were no building layouts or proposed maximum building heights on the information provided, verification that there will be no penetrations was not possible. Final verification will occur for the structures once the 7460 is evaluated by the FAA.
3. In the event any vegetation growth becomes a Part 77 penetration, aviation easements or height restrictive zoning should be in place to ensure the removal of the offending trees.
4. Any future resident should be required to sign a notice to buyer or disclosure stating that they acknowledge the residence is adjacent to an airport and are willing to accept living in an area where noise levels may frequently reach 65-70 decibels during any part of a 24 hour period.

If you have any questions about these comments or recommendations, please feel free to contact me at (804) 236-3638.

Sincerely,



S. Scott Denny

Senior Aviation Planner

Virginia Department of Aviation