

RESOLUTION

CASE NO. C-18-0123, HAMPTON ROADS SANITATION DISTRICT TREATMENT PLANT

EXPANSION WITHIN CARTER'S GROVE AGRICULTURAL AND FORESTAL DISTRICT

- WHEREAS, Hampton Roads Sanitation District ("HRSD") owns property located at 300 Ron Springs Drive, further identified as James City County Real Estate Tax Map Parcel No. 5820100003, on which it operates the Williamsburg Treatment Plant; and
- WHEREAS, Carter's Grove Associates, LLC owns property located at 250 Ron Springs Drive, further identified as James City County Real Estate Tax Map Parcel No. 5820100002 (the "Parcel"), which is located within the Carter's Grove Agricultural and Forestal District (the "Carter's Grove AFD"); and
- WHEREAS, HRSD has entered into a Consent Decree with the United States of America for the purpose of fulfilling the objectives of the Clean Water Act; and
- WHEREAS, HRSD has stated it requires land adjacent to the Williamsburg Treatment Plant to add advanced water treatment facilities to support alternative disposal of wastewater; and
- WHEREAS, HRSD has stated there is insufficient property at 300 Ron Springs Drive to accommodate the construction of such facilities; and
- WHEREAS, in accordance with Sections 25.1-106 and 15.2-4313 of the Code of Virginia, 1950, as amended (the "Virginia Code"), HRSD has filed notice of its intent to acquire ±53 acres of the Parcel by condemnation for public utility purposes; and
- WHEREAS, the Board of Supervisors, in consultation with the Planning Commission and Agricultural and Forestal District Advisory Committee, finds that the proposed action is not consistent with the criteria established by Section 15.2-4313 of the Virginia Code as shown on Attachment No. 11 of the staff report.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby find that: i) the action would have an unreasonable effect upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the District and the policy of Chapter 43 of Title 15.2 of the Virginia Code; ii) the proposed action is not necessary to provide service to the public in the most economical and practical manner; iii) reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the District; and iv) the proposed action might have an unreasonably adverse effect upon either state or local policy.
- BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia does hereby issue an ORDER that HRSD is not to take the proposed action for a period of 150 days from the date the notice was filed and does hereby direct staff to schedule and advertise a public hearing, as prescribed by law, concerning the proposed action.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

VOTES

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Teresa J. Fellows
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of
March, 2019.

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