

YORK COUNTY CHESAPEAKE BAY BOARD

Minutes of May 22, 2019

At a meeting of the York County Chesapeake Bay Board held on Wednesday, May 22, 2019, at 6:00 p.m. in the Multi-Purpose Room in the Public Works Administration Building, located at 105 Service Drive, Yorktown, Virginia, those present were:

Board Members Present:

Michael Woolson Chair
Brian Almond
Martin Cardwell
Jerry Patterson
John Tinneney
Richard Wheat
Paul Brindza

Staff Present:

Justin Atkins, Assistant County Attorney
Kent Henkel, Environmental Specialist II
Anna Drake, Stormwater Engineer II

The meeting was called to order at 6:00 p.m. by the Chair, Michael Woolson

PUBLIC COMMENT PERIOD

The Chair opened the Chesapeake Bay Board's public comment period; no one came forward; the public comment period was closed.

APPROVAL OF THE MINUTES

The March 27, 2019 and April 24, 2019 minutes were approved by consensus.

Note: PowerPoint slides were shown throughout the public hearing.

CHESAPEAKE BAY EXCEPTIONS/APPEALS

- **Exception 2019-084 for Neil Griggs at 215 West Queens Drive:** Request to construct a walkway, deck and gazebo in the 100-foot Resource Protection Area buffer along Queens Lake.

Kent Henkel, presented the application, mitigation plan, and photographs of the site.

The Chair opened the public hearing.

Michael Mathews, President of the Structures Group, came forward to address the Board. The Board members asked Mr. Mathews if trees would be removed and how the gravel would be contained. Mr. Mathews confirmed no trees would be removed and the deck would be built around them. He also stated edging will be used to contain the 3-foot wide gravel path. They were not planning on incorporating any risers into the path.

The Board deliberated and discussed how to slow down the runoff on the slope from the gravel path. Spacing of deck boards, soil type and permeability were discussed.

The public hearing was closed.

The Board deliberated about the location of the deck, tree removal, the path causing erosion, and the need to distribute and slow down the flow of water.

Brian Almond made a motion to approve the application with the following conditions:

- A 15-foot retaining wall be constructed on both sides of the walk on the uphill side of the deck
- A 15-foot retaining wall be constructed on each side of walkway at the 20-foot contour line
- Retaining walls must be a minimum of 12-inch in height
- Edging restraint must be used on gravel path
- Washed 57 stone must be installed below decking at a minimum depth of 6-inches and encapsulated in fabric
- Must meet minimum vegetative planting requirements with some of the plants located on the uphill side of the retaining wall near the deck.
- No trees are to be removed

The motion was approved on the following roll call:

Richard Wheat	Yes
Jerry Patterson	Yes
John Tinneney	Yes
Martin Cardwell	Yes
Paul Brindza	Yes
Brian Almond	Yes
Michael Woolson, Chair	Yes

NEW BUSINESS

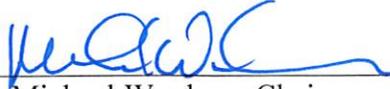
Staff informed the Board that there will no meeting in June.

OLD BUSINESS

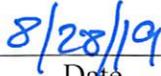
None

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 6:50 pm.



Michael Woolson, Chair



Date

MEETING NOTES

York 2040 Committee

Monday, May 1, 2019 – 7:00 p.m.
Public Works Multi-Purpose Room
105 Service Drive, Yorktown, Virginia

Members Present: Gregory “Skip” Brooks, Michael S. King, Montgoussaint “Montee” E. Jons, Richard Myer, Sheila Myers, Jacob Rizzio, Eugene Seiter, Mark Bellamy, Chad Green, Vivian McGettigan, Cowles “Buddy” Spencer, and Leigh Houghland

Staff Present: Susan Kassel, Director of Planning and Development Services; Timothy Cross, Deputy Director of Planning and Development Services; Amy Parker, Senior Planner; Earl Anderson, Senior Planner; Gail Whittaker, Public Information Officer; Justin Atkins, Assistant County Attorney; James W. Noel, Jr., Director of Economic Development; and Victoria “Vicki” Diggs, Clerk

Members Absent: Eric Henegar and R. Anderson Moberg

Call to Order – Chairman Michael S. King

Chairman King called the meeting to order at approximately 7:00 p.m. and welcomed the Committee members and visitors.

Approval of April 8, 2019 Meeting Notes

The April 8, 2019 meeting notes were approved unanimously.

Economic Overview of York County – Timothy C. Cross, AICP, York County Deputy Director of Planning and Development Services

Mr. Timothy Cross, Deputy Director of Planning and Development Services, stated that Mr. James Noel, Director of York County’s Office of Economic Development, was the principal speaker for the evening. However, in order to lay the groundwork for Mr. Noel’s presentation, he offered a brief statistical overview of the County’s economic trends, which included the following information:

- Commercial and industrial development make up 5% of the County’s existing land use, while military land represents one third of the total and conservation land, mostly watershed and National Park Service property, represents one quarter. Single-family residential development is the third largest land use followed by undeveloped land.
- Non-taxable military property and some non-taxable conservation land present a challenge to the County’s economic development.
- Commercial development is primarily found along Route 17 in the lower County and, in the upper County, along Pocahontas Trail, Merrimac Trail, Bypass Road, and Route 199.
- Most industrial land consists of the former BP Amoco refinery property and the Dominion Virginia Power plant, with various smaller industrial parks scattered around the County.
- Although new commercial construction waned during the recession, it has since been steadily increasing.

- The County, which ranks third on the Peninsula with regard to the proportion of college graduates, is particularly appealing to businesses seeking a well-educated labor force.
- The County is second to Williamsburg among Peninsula localities in retail sales.
- The County's three largest employment sectors are tourism, service, and retail, all of which offer relatively low wages.
- The public sector and tourism account for eight of the County's ten largest employers.
- Job growth has rebounded since the 2007 recession, but employment is still lower than it was ten years ago.
- The majority of vacant land is in the upper County.

In reply to Committee queries, Mr. Cross offered the following responses:

- Students at William & Mary who live in the City of Williamsburg are counted as Williamsburg residents.
- The employment charts in his presentation do not include military jobs; however, they do include civilian federal employees.
- Most military installations provide their own police and fire services, thereby eliminating the County's provision of such services on most military bases.
- The County receives federal impact aid for the school system. Committee member Vivian McGettigan added that the County is one of the top localities relative to the amount of federal impact aid it receives.
- Although construction and manufacturing employment decreased between 2007 and 2017, overall, the various employment category numbers have changed little.
- Home construction, of various types, has increased over recent years.

During the subsequent discussion, Mr. Noel pointed out that the County's non-taxable land reduces its tax revenues, which are primarily derived from real estate taxes. He also stated that in an effort to attract good businesses, the County provides economic development incentives.

Mr. Noel explained that the Historic Triangle had a targeted sector study performed that revealed that small technical advancement businesses (i.e. smaller tech employers providing professional and technical services) were the best value for this area. He added that these types of companies/industries examine the localities' labor forces to determine if their citizens have the education, knowledge, and experience they require. He explained that in addition to having a highly educated citizenry, the County's real advantages are the relatively low cost of living and doing business, the quality of the public schools, and the quality of life. As such, Mr. Noel pointed out that the County is graded high by knowledge-based industries that need engineering assistance and, because of the large number of retired military personnel, offers a highly qualified and experienced labor force with another 20+ years yet to work.

In response to Committee queries, Mr. Noel stated that small technical businesses typically employ five to fifty people and that they are also drawn to the County because of the availability of smaller lots and existing, vacant commercial buildings.

Mr. Noel explained that there are limited opportunities for economic development in the County as most of the vacant land is unavailable and many property owners are independently developing their properties. He pointed out that the County does not have significant land

available for economic development and therefore is recommending that the updated Comprehensive Plan provide for additional land for economic development. He stated that the Colonial Williamsburg Foundation owns some vacant acreage near the I-64 Camp Peary interchange but is not interested in working with the County on its development. He also noted, in response to a query, that the owners of the Williamsburg Pottery Factory and Colonial Williamsburg are not willing to sell their property and if they were, the County could not afford to purchase it. In an effort to further economic development, he stated that the County tried to purchase surplus airport property; however, Newport News Waterworks is now working to acquire it to expand its watershed. He pointed out that he and the County Administrator have in the past and may in the future discuss the possibility of establishing a new zoning category that may act as a catalyst for additional economic development.

Vice Chairman Jons expressed concern about the lack of businesses located in mixed-use developments and stressed the importance of establishing an appropriate balance of different uses. Mr. Noel agreed that ensuring that developers fulfill the required commercial component in mixed-use developments is difficult.

Economic Development in York County – James W. Noel, Jr., Director, York County Office of Economic Development

Mr. Noel, York County Economic Development Director, provided an overview of economic development in the County that included the following information:

- When comparing the 2012 and 2019 Comprehensive Plan recommendations, it was apparent that many things remain unchanged.
- The County has numerous home-based businesses, and the Office of Economic Development has developed a program to identify and help these businesses grow. In an effort to assist and encourage home-based businesses, the County provides an annual all-day conference which has become so popular that surrounding localities also participate in the event.
- Technical and knowledge-based businesses do well in the County.
- The County's strengths since the 2012 Comprehensive Plan remain basically unchanged: quality of life, low taxes, highly educated population, good schools, etc.
- Traditional suburban growth patterns prevalent in the County generally do not appeal to millennials. Additional challenges facing the County include a lack of economic development product; the so-called "Amazon Effect" on the retail sector; a lack of first-class business parks; the loss of primary industries, specifically the refinery and power station; stagnation in the tourism sector; a declining national defense budget and stiffening environmental regulations; the lack of developable land in lower County; and an aging commercial building stock.
- Just as in 2012, the Office of Economic Development again recommends that the mixed-use development provisions of the Zoning Ordinance be scrutinized as developers lack commitment to fulfill the commercial portion of the ordinance's requirements.
- The County worked with the William & Mary real estate foundation on a potential development on the Carr's Hill tract; however, this property has been approved for a residential subdivision and is no longer available for economic development.

- The plan to develop a sustainable industrial park with a recycling focus off of Old York-Hampton Highway is no longer viable because of recent changes in the global recycling industry.
- As in the 2012 Comprehensive Plan, the County continues to encourage businesses in the hospitality sector and is actively seeking a third attraction in this area to augment Busch Gardens and Colonial Williamsburg.
- The recommendation in the 2012 Comprehensive Plan to establish a publicly-owned regional stormwater management system is not financially feasible; however, the County will provide support and assistance for regional stormwater management systems.
- The 2019 recommendations of the Office of Economic Development include the following:
 - Facilitating more waterfront businesses and waterfront residential developments (e.g., “dockminiums” (condominiums with a dock).
 - Shifting the economic development goal of tax-base growth to a combined approach of capital expenditures and “placemaking” (i.e. creating an environment where young people want to work and facilities that citizens will enjoy.)
 - Using adaptive reuse strategies to assist retail building owners; improving fiber connectivity to businesses; focusing on small to mid-sized businesses; increasing support for home-based businesses; and continuing to support the “entrepreneurial ecosystem” (encouraging/helping small garage start-up businesses); Launchpad (a business incubator started by the County and Williamsburg); and START Peninsula (a local version of “Shark Tank” in which Peninsula localities participate).
 - Attracting and retaining a younger workforce with the right variety of housing that includes various amenities, and expanding regional economic development efforts by participating in the Greater Williamsburg Partnership, a regional, marketing group that includes Williamsburg, James City County and York County.
 - Continuing to participate in the Regional Industrial Facilities Authority (RIFA), which is a regional development authority, and in Go Virginia, a state incentive that provides money to communities that participate in regional economic development.

To clarify how the RIFA works, Mr. Noel explained that if the County decides to participate in any of its economic development projects, for whatever percentage the County invests in the project, it would receive the same percentage of the resulting revenues. This allows smaller localities to participate in larger projects that may not be feasible for them otherwise. Also localities are not obligated to participate in every project, but rather can pick and choose.

In response to a Committee query, Mr. Noel stated that the County has increased its efforts to draw in more minority-owned developments/businesses; however, the County does not have a dedicated program to recruit minority businesses. He pointed out, however, that the state does offer grant programs such as SWaM (Small, Women-owned, and Minority-owned Businesses).

In response to queries, Mr. Noel stated that he would be pleased to send Committee members a *Money* magazine article which was based on a regression analysis involving two variables: median home sale prices and school standardized test scores. In the resulting report from the analysis, Mr. Noel stated that York County was in the top 100 localities in the U.S. In addition, he stated that rental fees for many of the vacant buildings in the County have decreased in order to attract

new businesses, and the Office of Economic Development is working hard with building owners to redevelop their properties to find new interested business renters.

Mr. Noel provided examples of high-tech and other thriving County businesses, many of which remodeled older buildings/structures to meet their needs. He explained that the “Edge District” located along the Merrimac Trail/Second Street corridor, where York County abuts James City County and the City of Williamsburg, is an excellent location for businesses since it draws patrons from all three localities.

In conclusion, Chairman King stated that the Committee may request Mr. Noel to attend a future meeting to provide an economic development update. Mr. Noel responded that he would be happy to do so and noted that Rick Moberg, who is a Committee member and a member of the Economic Development Authority, is also able to provide updates on the County’s economic development projects.

Committee Discussion

Mr. Cross explained that staff added “Committee Discussion” as a specific agenda item in order to provide the Committee an opportunity to further discuss the main topic of the meeting. There was no further discussion of economic development.

Yorktown Market Day Recap – Gail Whittaker, York County Public Information Officer

Ms. Gail Whittaker, York County Public Information Officer, reported that the April 27th Yorktown Market Day was a great success in publicizing the Comprehensive Plan update process. She stated that staff and the Committee members who were present engaged the public in discussions about the Comprehensive Plan update and encouraged them to complete the survey on the York 2040 website.

Mr. Cross agreed that the April 27th event was a success. He added that having worked the event, staff and Committee members agreed that since the public outreach meetings would be held in the near future, they did not feel that participation in the July and August Market Day events, as was once considered, would be necessary.

Chairman King commended Ms. Whittaker on the admirable job she did in getting the word out via social media about the Comprehensive Plan table at the April 27th Market Day event.

Community Outreach Meetings – Earl W. Anderson, AICP, York County Senior Planner

Mr. Earl Anderson, York County Senior Planner, explained that four community meetings to obtain public input on the 2040 Comprehensive Plan would be held at various locations in the County. He stated that these input meetings are tentatively scheduled to occur at the Yorktown Library, Tabb Library, Queens Lake Middle School, and Bruton High School starting in the end of May and running through the first two weeks of June. He urged Committee members to keep their schedules open these three weeks and told them they would receive an email shortly confirming the meeting dates, times, and locations. He explained that these meetings would be similar to Virginia Department of Transportation (VDOT) meetings in that they will be informal “open house” type meetings. He briefly described the format of the meetings, stating that as

citizens arrive at each meeting, they will sign in and have an opportunity to register to receive updates on the Comprehensive Plan process. In addition, he stated that iPads and/or laptops will be available for those who wish to complete the survey at the meeting. He added that there will be two large land use and other display maps for citizens to view, ask questions, and offer written comments on post-it notes. Lastly, he stated that there would be flip charts on which people can write down their ideas and suggestions.

Discussion of June and July Meeting Dates

Mr. Cross sought the Committee's input regarding the upcoming scheduled June and July meetings. He noted that the four public outreach meetings will be held the end of May and early June, and he inquired if the Committee still wants to hold its regular meeting on June 5th. In addition, he queried the Committee members about the July meeting as it falls on the 3rd and whether they want to postpone or cancel it because of the July 4th holiday. Following a brief discussion the Committee's consensus was to cancel both the June and July meetings. As such, Mr. Cross stated that the next meeting would be held on August 7th, at which time the survey consultant will provide a report.

Other Business

Ms. Whittaker reminded the Committee that they had endorsed the use of videos in an effort to engage the public in the Comprehensive Plan update process. As such, she stated that a video featuring Jacob Rizzio has been taped and would be posted on Facebook that evening. In addition, she noted that the next video, featuring Vice Chairman Jons, would be aired shortly thereafter followed by a video with Chairman King. In conclusion, she stated that excellent comments from the citizenry are being submitted and asked the Committee how often and by what method would it like to receive these comments. Following a brief discussion, it was agreed that Mr. Cross would send a weekly email to Committee members containing any new comments that have been received from the public that week.

Citizen Comment Period

No citizens were present to comment.

Adjournment

The meeting was adjourned at 9:07 p.m.