

MINUTES FOR THE WEEKLY MEETING OF THE STEERING COMMITTEE ON MONDAY,
NOVEMBER 24, 2008 AT 3 PM IN THE COUNTY GOVERNMENT CENTER BOARD ROOM,
BUILDING F.

PARTICIPANTS:

MEMBERS PRESENT:

Chris Henderson
George Billups
Bill Porter
Mary Jones
Vaughn Poller
Rick Krapf
Julie Leverenz
Tom Tingle

NOT PRESENT:

Jack Fraley
James Nickols
Mark Wenger

STAFF PRESENT:

Tammy Rosario, Planning
Sarah Propst-Worthley
Jennifer VanDyke, Planning
Allen Murphy, Development Mgmt.
Steve Yavorsky, Economic Dev.
Keith Taylor, Economic Dev.
Jose Ribeiro, Planning
Ellen Cook, Planning
Mike Woolson, Environmental
Fran Geissler, Stormwater Mgmt.
John Horne, General Services

I. CALL TO ORDER

Ms. Julie Leverenz called the meeting to order at 3:10 p.m.

II. PUBLIC COMMENT

Mr. Randy O'Neill of 109 Sheffield Road spoke on the importance of public health. Mr. O'Neill stated that health and wellness needs to be treated as a higher priority. Mr. O'Neill stated that creating programs to measure the health and wellbeing of the population would be greatly useful. Mr. O'Neill stated that more funds need to be invested in those programs that work proactively to resolve social issues.

Mr. Chris Henderson stated that benchmarks need to be created to measure wellness.

Mr. O'Neill stated there must be an increased opportunity to have children active.

Ms. Leverenz asked how this can be measured.

Mr. O'Neill stated that measuring BMI and using heart rate monitors is very useful.

Mr. Henderson stated that there is difficulty in measuring wellness.

Mr. O'Neill stated that surveys and BMI measurements are very helpful in providing this information.

Mr. Terry Elkins of 105 Lothian spoke on behalf of the James City County Citizen's Coalition. Mr. Elkins stated that environmental preservation needs to be considered as a cumulative impact. Adequate water supply, financial strain, and traffic congestion are three top concerns. Mr. Elkins listed a number of matters of concern: development and diminishing water quality, the county stormwater response needs improvement, Chesapeake Bay Preservation Act is inadequate, and forest and wetlands

are becoming fragmented. Mr. Elkins suggested expanding buffers around main stems of streams. Mr. Elkins stated that planning for the inevitable sea level rise is necessary. Mr. Elkins listed the prohibition of clear-cutting trees of great importance. Mr. Elkins stated monitoring stream water quality should be done, specifically measuring stream erosion and the amount of fecal coliform. Mr. Elkins also suggested conducting a training session once per year to provide information to citizens in water conservation methods.

Ms. Leverenz asked Mr. Elkins if he had his presentation in written form.

Mr. Elkins stated he did and that he could give those items to the Committee for their review. He also stated there were a couple of concerns presented within the report from the J4C's that were not addressed within the Technical Report created by staff. Those items were regarding stormwater conditions as well as addressing sea level rise.

Ms. Mary Jones asked for a copy of the report from Mr. Elkins.

III. APPROVAL OF MINUTES

Mr. Richard Krapf motioned adoption of the November 17th minutes, with a second from Mr. Chris Henderson. In a unanimous voice vote, the minutes were approved.

Mr. Krapf asked what the process is that staff goes through to create the Technical Report.

Ms. Tammy Rosario stated that staff began working on their Technical Reports a year or more ago, initially reviewing the data that was available from 2003 and any studies done since that time. Staff members then began formulating a new vision for their sections. Staff listened to and incorporated within their reports the direction provided by the Planning Commission and the Board of Supervisors as well as the theme of sustainability chosen by the Citizen Participation Team. Staff considered the constraints while formulating their visions, primarily time, availability of funds for consultants, and available data. Staff gathered further direction by the input made available through Community Participation efforts. In writing the reports, staff updated information with new statistics, new reports, and information gathered from other County divisions and departments. Draft Technical Reports are due approximately 6 weeks in advance of the presentations, with time allotted for internal review and revision.

Ms. Jones asked if it would be helpful to have Technical Reports made available to the Committee members further in advance to incorporate more input from Committee members prior to presentations.

Ms. Rosario stated that staff could think about that idea given the current schedule and process.

Ms. Jones stated that Committee members could benefit from having greater time available to study the materials.

Ms. Leverenz and Mr. Tom Tingle stated that they would also prefer receiving materials greater in advance.

Ms. Leverenz asked the Committee if there were any opinions regarding the vision statement provided for the Comprehensive Plan. Ms. Leverenz asked Ms. Rosario for information on how the vision statement was created.

Ms. Rosario stated that a citizen's committee had written a vision statement for incorporation into the 2003 Comprehensive Plan. The vision statement had been slightly revised by staff, and reviewed by the 2003 Steering Committee as well as the Citizen's Committee before being incorporated into the 2003 Comprehensive Plan.

Ms. Jones asked if the 2008 Citizen Participation Team had commented on the vision statement.

Ms. Rosario stated that they had not. The CPT did create the theme for the 2008 Comprehensive Plan, but reviewing the text of the comprehensive plan was deemed more of a Steering Committee responsibility.

Mr. Krapf stated that he thought this vision statement could warrant some updating. The vision statement could speak to the regional efforts that are being conducted at this time. Mr. Krapf stated that he thought this should be placed on the agenda for further discussion at a later date.

Mr. Tingle thought it would be best to come back to the vision statement at the end of the process.

Ms. Leverenz thought it would be best to consider the vision statement as the Committee progresses through the sections.

Ms. Rosario stated that it would be good to utilize the blog for the revision of the vision statement and to note throughout the process those items needing change.

IV. POPULATION NEEDS GOALS, STRATEGIES AND ACTION REVIEWS

Ms. Rosario stated that she would speak on behalf of Mr. Jason Purse for the revisions that have been made to 1.2.4 and 1.2.5.

Mr. Tingle stated that he would support the presented revisions. Mr. Tingle stated that at a later date he would like to further discuss Special Use Permits in regards to the concerns brought to light by Ms. Mary Minor. It may be productive to have more by-right uses within the Zoning Ordinance that are prescriptive and form based, especially regarding childcare. This could be considered as part of the Goals, Strategies, and Actions for the Economic Climate section.

Ms. Jones stated that it would be productive to move towards more performance-based standards. The proposal needs to be considered in how it would impact a residential area. The number of children (within the daycare) and the traffic generated will impact a residential area. The SUP process is costly.

Ms. Leverenz stated that this should be addressed within the Economic Climate section and other areas, where it is appropriate.

Mr. Henderson suggested some language that would speak to later changes for the SUP process.

Ms. Leverenz stated that she is concerned that not all residents would approve of childcare centers located within their neighborhoods.

Mr. Tingle stated that it would be helpful to look at the Special Use Permit conditions to better understand the parameters that need to be in place for by-right uses.

Mr. Bill Porter began a discussion on the existing conditions that would require a childcare provider to obtain a license.

Mr. Tingle stated that it seems that you may want to encourage individuals to obtain a license and that the current situation has too many obstacles for those providers.

Mr. Allen Murphy stated that for a childcare provider that has 5 or fewer children an SUP is not required. Mr. Murphy stated that the number could be increased to allow providers to care for more children by-right.

Ms. Leverenz asked if the section could be approved now with amendments proposed by Mr. Henderson or if the Committee would prefer to see it again.

The Committee decided to approve the section with amendments.

Mr. Henderson stated that at this time there is no mention of the wellness of the community within the text. Mr. Henderson asked if the members of the Committee would like to see an insertion to address the wellness of the community in this section or another.

Ms. Leverenz suggested that the Committee consider this, and place it on the agenda for the next meeting. Ms. Leverenz stated that it could go in under Recreation or Population Needs. Ms. Leverenz stated that she would have to consider if this is a County obligation.

Mr. Porter stated that this may be some initiative that the schools would have to address.

Ms. Jones stated that there may be a conflict with the Comprehensive Plan creating policy for the school system.

Ms. Leverenz stated this should be discussed further. Ms. Leverenz asked Mr. Henderson if he could come up with an appropriate action item to address this concern, and place it on the blog for further discussion.

Mr. Henderson stated he would.

Ms. Rosario stated that staff may want to consider this in the Recreation Section.

V. ECONOMIC CLIMATE

Mr. Jose Ribeiro spoke on the Technical Report prepared for the Economic Climate. Mr. Ribeiro stated that he will be returning to present to the Committee at a later time with the requested information.

Mr. Ribeiro reviewed the Property Taxes for the County as well as neighboring jurisdictions. Mr. Ribeiro reviewed information reflecting the largest tax payers within the County, which account for 11% of the total taxes collected. Mr. Ribeiro reviewed the amount collected for retail sales between 1999-2007. Mr. Ribeiro reviewed taxable sales revenues for 1992, 1997, and 2007. Mr. Ribeiro showed data

reflecting the County's agricultural resources. Mr. Ribeiro talked about sustainability trends including employment concentration.

Mr. George Billups asked Mr. Ribeiro if he had further information regarding the top 10 employers' data.

Mr. Ribeiro stated that he will return to it for further discussion.

Ms. Rosario stated that the data provided illustrates how the employment within the County has become more diversified.

Ms. Jones stated that it would be instrumental to have more information provided that compares James City County to other neighboring localities.

Ms. Leverenz stated that it is important to understand if the tax base is increasingly dependent on residential taxes, or if it is increasingly dependent on retail taxes.

Mr. Porter stated that the revenue data needs to be compared to population growth information, licensing would also increase with population growth.

Ms. Jones concurred with Mr. Porter.

Mr. Ribeiro reviewed the information with which he will be returning to the Committee.

Mr. Tingle asked for more information on revenue collected from sales and meals tax.

Ms. Leverenz suggested that the Committee could consider incorporating the Business Climate Task Force Report of January 2008 into the Economic Climate section by reference.

Ms. Jones concurred. Ms. Jones stated that the BCTF Report did incorporate citizen input. Ms. Jones recommended changing the title of the section from Economic Climate to Economic Development.

Mr. Tingle stated that initially the section was called Economic Development. Mr. Tingle asked for the reason it was changed.

Ms. Rosario stated that Economic Climate is a broader title to include Economic Development.

Ms. Jones stated she is concerned about language used regarding income distribution within the text.

Mr. Henderson asked for clarification regarding the BCTF report and if it was approved or adopted.

Ms. Leverenz stated that the report was approved and the actions were adopted by the Board of Supervisors.

Mr. Henderson asked what was wrong with having a higher income community.

Ms. Leverenz stated that there may be difficulty in staffing those jobs that pay a lower wage.

Mr. Ribeiro stated that a diverse income may represent greater sustainability.

Mr. Henderson stated that being a higher income community should be a goal and objective.

Ms. Rosario stated that the goal is to improve the conditions for all members of the community and to make sure segments of the population are not being left behind in terms of access to economic resources.

Mr. Henderson stated that a goal could be to have the median household income above the average.

Ms. Leverenz stated she could support a goal of having all residents living in the County able to afford living within the County.

Mr. Tingle stated that per capita income reflects the amount earned by the residents of the County regardless of whether they work in the County or not. A sustainable economy involves several levels of business. A Level 1 business is one that is exporting goods and importing income. A Level 2 business is supporting the production of the Level 1 business. Level 3 businesses are those that support the residents within the community. A sustainable business climate requires diversity and all 3 levels of business. While considering those businesses that you want to attract to the community you must consider the members of the community that fill the jobs that become available.

Mr. Vaughn Poller stated he agrees with Mr. Tingle, there must be diversity within the community. Mr. Poller stated that if there was a higher per capita income it may be an indicator of imbalance. Greater consideration needs to take place determining what sort of industry the County wants to attract.

Mr. Henderson stated that having a higher income per capita has benefits that should be considered.

Mr. Billups stated that he would like to know more about the health of various businesses within the community, particularly those that make up the largest employers within the County. Mr. Billups stated that the County needs to focus on the needs of the citizens and, workforce housing needs to be addressed.

Mr. Porter discussed the impact of a retired population on the local economy.

Mr. Krapf asked if the data including the breakdown of household incomes could be adjusted to reflect inflation. He asked if it would be productive to have a discussion involving changing the revenue stream of the County. Mr. Krapf stated that the community may benefit from shifting the weights of revenue streams to include research and development for green building and other technologies.

Mr. Krapf asked staff to include links online to other documents that are referenced within the Technical Reports.

Mr. Porter stated that the jobs that are generated from the tourism industry do not include higher wages and/or benefits, and many are seasonal. Mr. Porter stated there should be a greater discussion on the tourism industry and the impacts of the industry on the community.

Ms. Leverenz asked if the Committee would like to incorporate the report created by the BCTF into the Comprehensive Plan.

Mr. Billups asked what the intent of the Board of Supervisors is regarding the BCTF report.

Ms. Jones stated that the BOS would support the inclusion of the BCTF report.

Ms. Rosario stated that next week staff may be able to provide dates to further discuss Economic Climate.

Ms. Jones asked Mr. Keith Taylor and Mr. Steve Yavorsky if they would like to contribute to the discussion.

Mr. Taylor stated that the type of jobs the tourist industry generates is problematic in the ways previously discussed by Mr. Porter. Mr. Taylor stated that it is in the County's interest to attract those industries that will best provide for the residents filling the positions. Knowledge-based jobs are not without their downfalls. Mr. Taylor spoke to the data showing a decline in contributions generated from the top ten businesses within the County. Mr. Taylor stated that this is not an indicator that the highlighted businesses are doing poorly, this data suggests that the revenue generated within the County has become further diversified.

Mr. Porter stated that all the revenue that comes to local government is dependent upon growth such as sales tax, personal property tax, and real estate tax.

Mr. Henderson stated that partially the direction the County takes is dictated by what is taking place within the region and the neighboring jurisdictions.

Mr. Tingle stated that the County needs to identify the economic drivers within the region to provide direction.

Mr. Ribeiro asked for further clarification regarding the use of the BCTF Report.

Ms. Leverenz stated that all the recommendations of the BCTF Report should be implemented as an action in the GSAs as well as included in its entirety within the Comprehensive Plan.

V. ENVIRONMENTAL

Ms. Sarah Propst-Worthley and Ms. Ellen Cook spoke on the Technical Report prepared for the Economic Climate.

Ms. Propst-Worthley began the presentation. Ms. Propst-Worthley reviewed the input provided by citizens that reflect those views on the environment.

Ms. Ellen Cook provided a brief overview of the seven major sections of the Environmental Technical Report. Those seven major sections are: 1) Geology and Soils, 2) Farmland, Forestland and Ecosystems, 3) Shorelines, 4) Water Quality, 5) Flooding, 6) Air Quality, and 7) Climate Stabilization.

Ms. Propst-Worthley reviewed the Goals, Strategies, and Actions for the Environmental Section.

Mr. Poller asked what sort of additional cost is associated with building “green.”

Mr. John Horne stated that it is typically between 2-5% above the conventional building cost.

Mr. Tingle stated that it may be closer to 5-10% higher at this time, though that cost is dropping quickly. Materials and manufacturers designing environmentally friendly products are becoming easier to find and more cost efficient. Mr. Tingle stated that the additional costs seen upfront are typically returned over the lifetime of the building due to efficiency. Mr. Tingle stated that creating a higher standard for public buildings could send a message to the building community regarding the importance of building “green.”

Mr. Poller asked for more information regarding the region not having met ozone quality standards in 2004 as stated in the Technical Report.

Ms. Cook stated she would look into this further.

Mr. Krapf suggested adding a goal regarding a reduction in clear-cutting sites. Mr. Krapf suggested a requirement that all James City County building projects have a cost/benefit analysis for environmental improvements such as: geothermal heating and cooling, LEED, Earthcraft Certification, Green Roof Technology, or other technology.

Ms. Rosario stated that clear-cutting will be addressed within the Community Character section, but some overlap may be appropriate.

Ms. Jones stated that some areas of the Goals, Strategies and Actions could be condensed. Ms. Jones suggested better identifying those areas that require greater use of preservation techniques due to steep slopes, floodplains, or habitat.

Ms. Jones asked for clarification on the language used in section 2.1.5 of the Technical Report.

Ms. Cook provided more information.

Ms. Rosario stated that efforts have been made to identify environmentally sensitive areas within the rural lands of the County, both by staff and the Williamsburg Land Conservancy; however, the maps are limited to available layers with varying levels of accuracy. The Green Infrastructure mapping project could encompass and refine that initiative.

Ms. Jones suggested including language within the GSA’s that would encourage researching other less expensive means for stormwater management. Ms. Jones suggested looking beyond the ten point system.

Mr. Henderson asked if a result of implementing restrictions on impervious cover is better water quality.

Ms. Fran Geissler stated that as a result of the requirement the County may not have some of the damaging effects of stormwater runoff that would be evident in neighboring jurisdictions. Ms. Geissler stated she would look for supporting data.

Mr. Henderson stated that the requirement to reduce impervious cover may force further development within environmentally sensitive areas and increase sprawl. Mr. Henderson stated that it may be more effective to create clusters of densely developed areas and leave more environmentally sensitive areas undeveloped. Mr. Henderson stated that it may be more appropriate to treat different areas within the County with different development standards dependent upon environmental conditions.

Mr. Krapf asked if the impervious cover limitation has to do with the volume and velocity of the water going into the watersheds rather than safe-guarding water quality.

Mr. Mike Woolson stated that the 60% impervious cover cap was mandated by the Chesapeake Bay Preservation Act, though James City County may be the only locality in the area that has instituted the cap. Mr. Woolson stated that the limitation is not universally applied to all development, for example Prime Outlets does go beyond the 60% limitation. Mr. Woolson stated that the requirement should not deter developers.

Mr. Henderson stated it may be an effective means to restrict development in desired areas if the limitation is lifted in other areas.

Mr. Henderson began a discussion on the language used within the GSA's. Mr. Henderson then began a discussion on the standards of air quality. Mr. Henderson suggested creating a requirement for BMP maintenance and the determination of where the resources would come from.

Mr. Henderson asked for information regarding the number of septic systems within the County, as well as the number of failing septic systems. Mr. Henderson also asked for an analysis on how the failing systems would affect the water quality within the County.

Mr. Woolson stated he would return with any available data regarding the number of septic systems in use, as well as the number of these systems that are failing or at risk of failing within the County. Mr. Woolson stated that the failure of septic systems is often based on seasonal factors and many may not be identified. Mr. Woolson stated that the failure of a system would affect wetlands and streams nearby.

Mr. Henderson asked for more information on the 4-5 waterways sited within the Technical Report that are being impacted by fecal coliform and if that was a result of failing septic systems.

Ms. Geissler stated that the bulk of the fecal coliform is a result of animal waste, and more specifically, half is due to pet waste. Further identification of the causes related to the cited "troubled" waterways is necessary.

Mr. Henderson asked if policy should be created to mandate animal waste pickup.

Ms. Geissler stated that the Protecting Resources In Delicate Environments program does address pet waste pickup.

Mr. Henderson asked if an inclusion should be made to address the problems attributed to the runoff of fertilizers into the water systems.

Mr. Porter asked for further information on language used within the Technical Report and the role of the Department of Environmental Quality.

Mr. Tingle asked about some of the Land Use Conservation Tools which include the Purchase of Development Rights and the Transfer Development Rights.

Ms. Cook stated that the Transfer Development Rights are being looked at in the context of the Land Use section.

Mr. Tingle stated that in the interest of protecting environmentally sensitive areas possibly it is suitable to have certain areas that may be developed without the 60% limitation of impervious cover.

Ms. Leverenz suggested some changes to goal 1 and the reorganization of the GSAs.

Mr. Krapf suggested including goals and strategies that speak to environmental issues on the regional scale.

Mr. Henderson suggested including a bond referendum to contribute to methods for flood control maintenance.

Ms. Jones concurred with Mr. Henderson's suggestion. Ms. Jones proposed creating a Stormwater Master Plan for the County.

VI. PUBLIC COMMENT

There was no public comment.

VII. ADJOURNMENT

Ms. Leverenz made a motion to adjourn, with a second from Mr. Porter.

There being no objections, the meeting was adjourned at 6:05 p.m.

Ms. Julie Leverenz, Vice-Chair