

**MARKED AGENDA**

**ADMINISTRATIVE**  
**APPLICATION REVIEW COMMITTEE**

**May 16, 2007 @ 9:30 a.m.**

Planning Department Conference Room

Mr. Thomas Maxwell and/or Mr. Eure of Hoggard-Eure Associates, P.C. will be present to discuss the Forest Hills project (S-07-54).

**I. INTRODUCTORY ITEMS:**

Mitzi **S-07-54**

**PROJECT:** Forest Hills Section 5E, 4B, and lot 77

**AGENCY:** Hoggard-Eure Associates, P.C.

**PROPOSAL:** A preliminary subdivision for 9 residential lots on 11.8068 acres zoned R-15s Single Family Residential District.

**LOCATION:** At the terminus of Hydewood Crescent, Copperfield Drive and Eagle Hill Drive.

**TAX MAP SECTION/PARCEL:** 0160000000412, 0152009000770

**BOROUGH:** Western Branch

**6/29/07** **APPROVED** with the plan date-stamped June 6, 2007 and with the following stipulations:

- 1. The street closure shall be executed for the three cul-de-sacs Eagle Hill Drive, Copperfield Drive and Hadenwood Crescent, prior to final subdivision plan approval in accordance with the Public Works' requirements.**
- 2. The applicant/owner shall provide an adequate drainage outfall system for this development. With the creation of the existing subdivision surrounding these proposed lots, the wetlands shown were created due to inadequate drainage facilities down stream. The applicant shall provide extensive drainage analysis and modeling to ensure City criteria are met. Upon submittal of the construction plans and drainage calculations, extensive off-site drainage analysis and improvements may be required to ensure proper drainage for the proposed development and the adjacent properties.**
- 3. A fire lane is required around the center island on Eagle Hill Drive cul-de-sac to ensure no parking obstructions.**

4. **After reviewing our consultant's May 24, 2007 comments on Bay Environmental's March 16, 2007 Phase I ESA for the above referenced subdivision development, a reasonable level of effort has been expended on the Phase I ESA and the Phase I ESA is in compliance with International ASTM E 1527-05 Standards and the City's Chapter 17 PFM requirements. Because of the known presence of an underground petroleum pipeline along the northern property boundary of this proposed development, please convey the below disclosure language to the applicant/owner. This disclosure language shall appropriately convey information known about the Recognized Environmental Condition to future residences.**

**The owner/applicant shall provide full written disclosure statements within (i) the notes on all recorded subdivision plats, (ii) all initial contracts for purchase of lots by builders and first occupants, and (iii) all deeds of conveyance, restrictive covenants, and homeowner association documents. The applicant and the owner of the subject property shall ensure that full written disclosure of the proximity of the underground petroleum pipeline, located along the northern property boundary of the residential development on TMN 016000000412 ("Subject Property"), is included in i) the notes on all recorded subdivision plats, ii) all initial contracts for purchase of lots by builders and first occupants, and iii) all deeds of conveyance, restrictive covenants, and homeowner association documents that will run with the land. The disclosure shall read as follows:**

**"An underground petroleum pipeline exists along the northern property boundary of this residential development. During a March 16, 2007 Phase I Environmental Site Assessment ("ESA") conducted by Bay Environmental, INC, no indications of leaks or releases in the area around the pipeline were discovered, and no further assessment of this Recognized Environmental Condition was recommended. No subterranean soil or groundwater sampling or analysis were performed in conjunction with this Phase I ESA. Bay Environmental, INC determined the environmental condition of the property located at TMN 016000000412 ("Subject Property") to be appropriate for residential and public land use; in addition, the subject property did not represent an adverse risk to human health or the environment. Furthermore, all necessary precautions should be taken within the vicinity of the underground petroleum pipeline including, but not limited to avoiding land disturbing activities within the area of the pipeline. Any**

questions regarding the underground petroleum pipeline should be directed to the owner of said pipeline and the Virginia Department of Environmental Quality's Tidewater Regional Office."

The applicant and the owner shall be fully responsible for ensuring that this language is included in the instruments described above and by acceptance of subdivision plan approval with this stipulation, the applicant and the owner acknowledge that the City is under no duty to inspect or review contracts, deeds, restrictive covenants, and homeowner association documents. It is further acknowledged and agreed by the applicant and owner that the duty of ensuring compliance appropriately lies with the parties responsible for the development, construction and marketing of the subdivision development, e.g., owners, subdivider, developers, builders, realtors and sellers.

This disclosure statement shall be approved by the office of the City Attorney and the Department of Public Works prior to final plat recordation.

**Public comments regarding these applications must be received no later than Tuesday, May 15, 2007, in order to be considered at the next Administrative Application Review Committee (ARC) meeting on Wednesday, May 16, 2007.**