

RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION – CIVIL CHARGE –

MR. MARC ILLMAN, 2878 MONTICELLO AVENUE, PART OF PINWOOD SUBDIVISION

WHEREAS, Mr. Marc Illman of 2878 Monticello Avenue, Williamsburg, Virginia, is the owner of a certain parcel of land commonly known as 2878 Monticello Avenue, Part of Pinewood Subdivision, Williamsburg, Virginia, designated as Parcel No. 4420100006 within James City County Real Estate Tax Map system herein referred to as the (“Property”); and

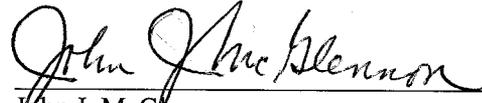
WHEREAS, on or about May 2012, Mr. Illman caused clearing, grading, and disturbance of soil within a defined Chesapeake Bay Preservation Area (CBPA) on the Property without prior approval of a plan of development, erosion and sediment control plan, land-disturbing permit, and Chesapeake Bay exception; and caused impact to Resource Protection Area (RPA); and

WHEREAS, Mr. Illman has executed a Consent Agreement and a Chesapeake Bay Restoration Agreement with the County agreeing to implement, in a timely manner, tree plantings and wetland/upland seeding in accordance with an approved Chesapeake Bay Restoration Plan in order to remedy a violation of the County’s Chesapeake Bay Preservation Ordinance. The owner has posted sufficient surety guaranteeing plantings and seeding in accordance with the approved restoration plan to restore RPA on the Property; and

WHEREAS, Mr. Illman has agreed to pay a total of \$1,300 to the County as a civil charge under the County’s Chesapeake Bay Preservation Ordinance; and

WHEREAS, the James City County Board of Supervisors is willing to accept the restoration of the impacted RPA and the civil charge in full settlement of the Chesapeake Bay Preservation Ordinance violation, in accordance with Section 23-18 of the Code of the County of James City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$1,300 civil charge from Mr. Illman as full settlement of the Chesapeake Bay Preservation Ordinance violations at the Property.


John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Robert C. Middaugh
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<input checked="" type="checkbox"/>	___	___
JONES	<input checked="" type="checkbox"/>	___	___
KENNEDY	<input checked="" type="checkbox"/>	___	___
ICENHOUR	<input checked="" type="checkbox"/>	___	___
BRADSHAW	<input checked="" type="checkbox"/>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of May, 2013.

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