

RESOLUTION

GRANTING AN APPEAL ON JCC RE TAX PARCEL NO. 164060001

WHEREAS, *William G. Casto*, (the "Owner") has appeared before the Chesapeake Bay Board of James City County (the "Board") on *August 11, 2010* appealing a Notice of Violation (*CBV-10-009*) dated *June 25, 2010*, ordering removal of retaining walls and restoration of the Resource Protection Area (RPA) on the property identified as JCC RE Tax Parcel No. *164060001* and further identified as *142 Riverview Plantation Drive, in the Riverview Plantation Subdivision* (the "Property") and;

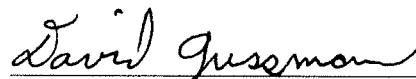
WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that all of the following conditions have been met:

1. The hardship is not generally shared by other properties in the vicinity;
2. The Chesapeake Bay, its tributaries and other properties in the vicinity will not be adversely affected: and
3. The appellant acquired the property in good faith and the hardship is not self-inflicted.

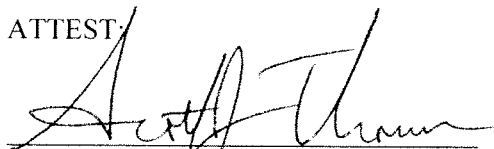
THEREFORE, the Chesapeake Bay Board of James City County is granting the appeal filed by *William G. Casto on July 2, 2010* and overturning the *June 25, 2010* Notice of Violation issued by the James City County Environmental Division with the following condition:

A Sensitive Area Activity Application for the two retaining walls must be submitted and considered by the Chesapeake Bay Board at a public hearing.



David Gussman
Chair, Chesapeake Bay Board

ATTEST



Scott J. Thomas
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 11th day of August 2010.