

RESOLUTION

GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 1220100014A

WHEREAS, AES Consulting Engineers on behalf of Rauch Development Co LLC, (the "Applicant") has applied to the Chesapeake Bay Board of James City County (the "Board") to request an exception to the use of the Resource Protection Area (the "RPA") on a parcel of property identified as JCC RE Tax Parcel 1220100014A and further identified as 3401 Rochambeau Drive (the "Property") as set forth in the application CBE-15-014 for a gravity sanitary sewer line and permanent maintenance easement for the proposed White Hall Section 4 development; 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 on July 8, 2015, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
 - 1) The applicant must obtain all other necessary federal, state and local permits as required for the project.
 - 2) Full implementation of the plan of development County Plan No. S-0043-2014/SP-0074-2014 once approved.
 - 3) Preserve 0.90 acres on forested land in a Natural Open Space easement dedicated to James City County as shown in the submittal.
 - 4) All impacts to the RPA will be realized and stabilized as quickly as practicable.

- 5) This exception request approval shall become null and void if construction has not begun by July 8, 2016.
- 6) Written requests for an extension to an exception shall be submitted to the Engineering and Resource Protection Division no later than 6 weeks prior to the expiration date.



 Michael Woolson
 Senior Watershed Planner



 David Gussman
 Chair, Chesapeake Bay Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 8th day of July 2015

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8th DAY OF July 2015 IN THE COMMONWEALTH OF VIRGINIA IN THE COUNTY OF JAMES CITY.



 NOTARY PUBLIC
 MY COMMISSION EXPIRES 12/31/18

7014335

 REGISTRATION

MELANIE J. DAVIS
 NOTARY PUBLIC
 REG. #7014335
 COMMONWEALTH OF VIRGINIA
 MY COMMISSION EXPIRES DECEMBER 31, 2018