


RESOLUTION

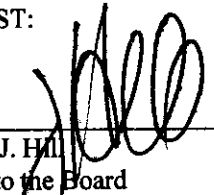
CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION – CIVIL CHARGE –

RONALD AND DANA HESS, 2483 SANCTUARY DRIVE

- WHEREAS, Ronald and Dana Hess are the owners of a certain parcel of land commonly known as 2483 Sanctuary Drive, Williamsburg, Virginia, designated as Parcel No. 4420300021 within James City County Real Estate Tax Map system; and
- WHEREAS, Governor's Land Foundation is the owner of a certain parcel of land commonly known as Parcel 11 Major Open Space, designated as Parcel No. 4420100028 within James City County Real Estate Tax Map system; and
- WHEREAS, Governor's Land Foundation is the owner of a certain parcel of land commonly known as 201 Acre Conservation Easement, designated as Parcel No. 4420100016A within James City County Real Estate Tax Map system; and
- WHEREAS, all three parcels of land shall herein be referred to as the ("Property"); and
- WHEREAS, on or about July 11, 2016, Ronald and Dana Hess caused clearing 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/or Chesapeake Bay exception; and caused impact to Resource Protection Area (RPA); and
- WHEREAS, Ronald and Dana Hess have executed a Consent Agreement and a Chesapeake Bay Restoration Agreement with the County agreeing to implement, in a timely manner, native tree and shrub plantings 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 in accordance with the approved restoration plan to restore RPA on the Property; and
- WHEREAS, Ronald and Dana Hess have agreed to pay a total of \$3,000 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 \$3,000 civil charge from Ronald and Dana Hess as full settlement of the Chesapeake Bay Preservation Ordinance violations at the Property.


Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:


Bryan J. Hill
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ONIZUK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<u>Absent</u>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of December, 2016.

CA-SanctuaryDrive-res