

**TOWN OF OCCOQUAN, VIRGINIA  
RESOLUTION  
REGARDING UNCONTROLLED RUN-OFF  
FROM THE OAKS II PROPERTY**

**WHEREAS**, at its meeting of January 10, 2012, the Prince William Board of County Supervisors (BOCS), by a vote of 5-3, approved REZ #PLN2010-00457, the Oaks III, the site for which is currently identified on County maps as GPIN 8393-32-7695; and

**WHEREAS**, the County Staff Report for the rezoning references the "uncontrolled run-off from the neighboring Oaks II property;" and

**WHEREAS**, the County Staff Report also references the "significant" stream on the site, a section of which it characterizes as "eroded;" and

**WHEREAS**, this stream flows into Ballywhack Creek some 200 yards from Tanyard Hill Road; and

**WHEREAS**, Ballywhack Creek has in the past been the source of substantial flooding in the Town of Occoquan; and

**WHEREAS**, the developer who sought the rezoning, Mr. Ken Thompson, in return for the rezoning proffered both remediation of the run-off from his adjoining Oaks II parcel and remediation of a portion of the stream on the Oaks III property; and

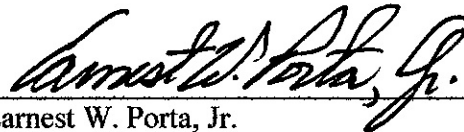
**WHEREAS**, the "uncontrolled run-off from the neighboring Oaks II property" will continue to damage the stream on the Oaks III property, and in conjunction with the eroded stream, continue to damage Ballywhack Creek and contribute to flooding in the Town of Occoquan; and

**WHEREAS**, it is unclear when, if ever, the developer, Mr. Ken Thompson, will actually construct Oaks III and perform the proffered remediation; and

**WHEREAS**, damage to Ballywhack Creek and flooding in the Town will continue to be exacerbated as a result of the "uncontrolled run-off from the neighboring Oaks II property," until such time as remediation occurs;

**NOW, THEREFORE, BE IT RESOLVED** that the Occoquan Town Council does hereby respectfully request that Prince William County require the developer, Mr. Ken Thompson, to promptly and with all possible speed, perform the run-off and stream remediation steps proffered under the rezoning, without regard to the timing of the construction of the Oaks III project.

Adopted at a Regular Meeting of the Occoquan Town Council this 7<sup>th</sup> day of February, 2012.



Ernest W. Porta, Jr.  
Mayor, Town of Occoquan

**ATTEST:**



Claudia A. Cruise, Town Clerk