



Development Services  
 Planning  
 305 Chestnut Street  
 PO Box 1810  
 Wilmington, NC 28402-1810  
 910 254 0900  
 910 341 3264 fax  
 wilming@nc.gov  
 Dial 711 TTY/Voice

**TRANSMITTAL LETTER**

TO: Steve Sattler, Zoning Inspector  
 DATE: January 4, 2013  
 SUBJECT: Harris Teeter Store #158 Building Expansion and Renovation Project # 2012051  
**Release for Clearing and Grading Purposes Only**  
 Plans approved 12/31/12

The following items are being sent to you via this package.

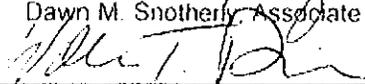
QUAN.	DWG./NO.	DESCRIPTION
1	Sheet C1	Demolition Plan
1	Sheet C2	Grading, Drainage and Erosion Control
1	Sheet C3	Utility Site Plan
1	TPP-13-43	Tree removal permit, 12/13/12
1	Dated 11/19/2002	Policy on the Release of Projects for the Purpose of Clearing and Grading
1	Grading Permit #48 Revision #1	New Hanover County Grading Permit for Land Disturbing Activity

REMARKS The Harris Teeter Store #158 Building Expansion and Renovation project located at 820 South College Road is hereby conditionally released for **clearing and grading purposes only**. The following conditions must be satisfied as part of this release:

1. A PRE-CONSTRUCTION MEETING MUST BE HELD BETWEEN THE SITE CONTRACTOR AND CITY STAFF PRIOR TO THE BEGINNING OF ANY TREE REMOVAL OR CLEARING AND GRADING ACTIVITY ON THE SITE. FAILURE TO COMPLY WILL RESULT IN IMMEDIATE CIVIL PENALTIES.
2. NO CONSTRUCTION ACTIVITY OF ANY KIND INCLUDING BUILDING FOUNDATIONS, SLABS, STRUCTURES, WALLS, UTILITIES, INFRASTRUCTURE, ETC. WILL BE PERMITTED UNTIL THE TECHNICAL REVIEW COMMITTEE HAS APPROVED THE FINAL CONSTRUCTION RELEASE.
3. ANY TREES AND/OR AREA DESIGNATED TO BE SAVED MUST BE PROPERLY BARRICADED OR MARKED WITH FENCING AND PROTECTED THROUGHOUT CONSTRUCTION TO INSURE THAT NO CLEARING AND GRADING WILL OCCUR IN THOSE AREAS.

4. IF ANY CONDITIONS OF THE RELEASE ARE VIOLATED, A STOP WORK ORDER WILL BE ISSUED.
5. THE DEVELOPER ASSUMES ALL RISKS AND PENALTIES WITH ANY DELAY OR STOP WORK ORDER ASSOCIATED WITH THE VIOLATION OF THIS RELEASE. BY SIGNING THIS, THE DEVELOPER ACKNOWLEDGES THE CONDITIONS OF THIS RELEASE AND ASSUMES ALL RESPONSIBILITIES AND RISKS ASSOCIATED WITH IT. THE CITY OF WILMINGTON WILL NOT BE HELD LIABLE FOR ANY COSTS ASSOCIATED WITH THE CLEARING AND GRADING RELEASE.

Signature:   
 Dawn M. Snotherly, Associate Planner

Signature:   
 Developer

Copy:	John Tunstall	Norris and Tunstall Engineers P.C.
	William Thomas Dickson	Legacy Properties
	Rob Gordon	Engineering
	Bret Russell	Construction Manager
	Derek Pielech	Engineering (e-mail only)
	Chris Elrod	Fire Prevention (e-mail only)
	Tara Murphy	Transportation Planning (e-mail only)
	Don Bennett	Traffic Engineering (e-mail only)
	Dave Brent	Traffic Engineering (e-mail only)
	Jim Sahlie	GIS Manager (e-mail only)
	John Fullerton	Zoning Administrator (e-mail only)
	Beth Easley Wetherill	NHC Soil Erosion Specialist (e-mail only)

File: Harris Teeter Store #158 Building Expansion and Renovation Project File # 2012051



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January 4, 2013

Mr. John Tunstall  
Norris and Tunstall Engineers, P.C.  
1127 Floral Parkway, Suite 400  
Wilmington, NC 28403

RE: Harris Teeter Store #158 Building Expansion and Renovation, Project # 2012051,  
located at 820 South College Road– **Release for Clearing and Grading Purposes  
Only**

I have attached a copy of the release for clearing and grading for the Harris Teeter Store #158 Building Expansion and Renovation project located at 820 South College Road, approved plans as of 12/31/2012. **Please make note of the conditions for the clearing and grading release as they appear on the attached release letter. Prior to beginning grading on the site, you must have a pre-construction meeting between City staff and the project's representatives. Any violation of this condition will result in an immediate stop work order and other civil penalties.**

All clearing and grading on the site must be in accordance with applicable federal, state, county and city erosion control standards and regulations. Any trees and areas designated to be saved or protected must be properly barricaded and/or marked throughout construction. In addition, please be aware that no construction activity including buildings, structures, walls, infrastructure, etc. may begin until the City of Wilmington's Technical Review Committee has approved the final plans and final construction release is granted.

Please contact our office at 254-0900 if you have any questions or concerns regarding this information and to schedule a pre-construction meeting with City staff. The City thanks you for your investment in our community and looks forward to working with you towards construction of a quality development project.

Sincerely,

Dawn M. Sotherly  
Associate Planner

CC: Mr. William Thomas Dickson, Manager Legacy Properties  
Harris Teeter Store #158 Building Expansion and Renovation Project File #  
2012051



Development Services
Planning Division
305 Chestnut Street
PO Box 1810
Wilmington, NC 28402-1810

910 254-0900
910 341-3264 fax
www.wilmingtonnc.gov
Dial 711 TTY/Voice

APPROVED: [check] DENIED: [ ]

PERMIT #: TPP-13-43

Application for Tree Removal Permit

Name of Applicant: Legacy Properties - College Road Investments, LLC Phone: 704-962-0466 Date: 09-25-12
William Thomas Dickson, Manager

Name of Property Owner: Legacy Properties - College Road Investments, LLC Phone: 704-962-0466

Property Owner Address: 2600 Fairview Road, Suite 210 Raleigh, NC 27608

Address of Proposed Tree Removal: 820 S. College Road Wilmington, NC

Description of tree(s) to be removed/reason for removal: (provide attachment if necessary)

Twelve (12)
DMD
12/13/12

- 1. Six (6) 10" Crape Myrtles (Significant 6.
2. Trees to be Mitigated) 7.
3. 8.
4. 9.
5. 10.

Description of Replacement Tree(s): Replacement trees for the Harris Teeter Store #158
Building Expansion & Renovation project will be in accordance with the City of Wilmington
Ordinance and approved landscape plan.

LAND DEVELOPMENT CODE DMD 12/13/12

Applicant Signature: [Signature] Date: 9/27/12

\*\*\*\*\*FOR OFFICIAL USE ONLY\*\*\*\*\*

Reviewed By: Dawn M. Drotter Date: 12/13/12

Remarks:

ALL WORK MUST BE IN COMPLIANCE WITH THE CITY LAND DEVELOPMENT CODE,
ARTICLE 8, LANDSCAPING AND TREE PRESERVATION.

NEW CONSTRUCTION: EXPANSION: [check] OTHER: PAID: \$50.00

Tree Preservation Permit Fees

Table with 2 columns: Area (Less than 1 acre, 1-5 acres, 5-10 acres, Greater than 10 acres) and Fee (\$25.00, \$50.00, \$100.00, \$150.00)

RECEIVED

DEC 16 2012

PLANNING DIVISION



**WILMINGTON**

City of  
Wilmington  
North Carolina

**Development  
Services**

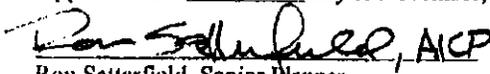
305 Chestnut Street  
PO Box 1810  
Wilmington, NC 28402-1810  
(910) 341-7873 tdd

**POLICY ON THE RELEASE OF PROJECTS FOR THE PURPOSE  
OF CLEARING AND GRADING**

No release of projects for the purpose of clearing and grading will be approved except under the following circumstances:

1. Any applications for State permits, including those for driveways, stormwater, water extensions and sewer extensions, CAMA, etc. must have been applied for and received by the applicable State agency. The application must have been submitted to the applicable State agency for a time period exceeding the minimum review time of such applicable agency, indicating a delay by the State agency in the review of the application. Evidence that the applicable State agencies will issue the permit as submitted shall be provided by the applicant or the clearing and grading release will not be issued.
2. If wetlands exist on the site, no clearing and grading release of the project will occur until all reviewing agencies have completed their review, approved the plan and issued the wetland permit. Any and all wetland permits shall be submitted to and received by the City of Wilmington prior to the clearing and grading release of a project.
3. If a project is released for clearing and grading, then the release shall be for clearing and grading only and subject to the limits as authorized by the approved erosion control plan. However, no walls, utilities, infrastructure, structure (including footings), etc. shall be constructed.
4. If the conditions listed above are violated, a stop work order shall be issued.
5. Pre-construction meetings shall be held with the applicant and city staff to discuss the limits of the conditional approval, construction entrance driveways, tree preservation/removal, and any other issue of concern that staff and/or the developer may have. The Technical Review Committee meeting is not a pre-construction meeting.
6. The developer assumes all risks and penalties with any delay or stop work order associated with the violation of this policy. An indemnification statement shall be placed on each release to guarantee that the City of Wilmington will not be held liable for any costs associated with the clearing and grading release.
7. The applicant will sign the clearing and grading release to acknowledge that he/she understands the conditions and risks associated with the release.
8. No partial release for clearing and grading release will be granted for any applicant that has violated these conditions during a twelve month time period from the date of request for clearing and grading release.

Approved this 19<sup>th</sup> day of November, 2002:

  
Ron Satterfield, Senior Planner

**Community Development**  
(910) 341-7836 telephone  
(910) 341-7802 facsimile

**Planning**  
(910) 341-3258 telephone  
(910) 341-7801 facsimile

**Engineering**  
(910) 341-7807 telephone  
(910) 341-5881 facsimile

**Development Management**  
(910) 254-0900 telephone  
(910) 341-3264 facsimile



# NEW HANOVER COUNTY

Engineering Department  
230 Government Center Drive · Suite 160  
Wilmington, North Carolina 28403  
TELEPHONE (910)-798-7139  
Fax (910) 798-7051

Beth E. Wetherill, C.P.E.S.C.  
Soil Erosion Specialist

December 17, 2012

Legacy Properties – College Road Investments, LLC  
2600 Fairview Road, Suite 210,  
Raleigh, North Carolina 27608

**RE: Grading Permit # 48 Revision #1, Harris Teeter Expansion**

Dear Mr. William Thomas Dickson:

This office has reviewed the revised subject sedimentation and erosion control plan. We find the plan to be acceptable.

The land disturbing fee of **\$188** is due to be paid to New Hanover County Engineering, to Beth Wetherill's attention, prior to issuance of any Certificate of Completion or Occupancy.

**Please read the permit conditions carefully and return the signed blue original to our office and keep the copy for your records.**

A preconstruction meeting is required prior to any land disturbing activity on site. Please contact us at (910) 789-7139 to set this up with us.

Please be advised that a copy of the approved soil erosion plan and a copy of the issued grading permit must be available at all times at the site.

New Hanover County's Erosion and Sedimentation Control Program is performance oriented requiring protection of the natural resources and adjoining properties. If following the commencement of the project, it is determined that the plan is inadequate to meet the requirements of the New Hanover County's Erosion and Sedimentation Control Ordinance, this office may require revisions in the plan and its implementation to insure compliance with the ordinance.

This permit will not preclude any other permits or approvals necessary for beginning or completing this development. It is the owner's responsibility to have all the approvals or permits that are required prior to beginning construction. Approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State Water Quality laws, regulations and rules.

Respectfully yours,

*Beth Easley Wetherill*

Beth Easley Wetherill  
NHC Soil Erosion Specialist



## Permit for a Land Disturbing Activity

New Hanover County  
Department of Engineering  
230 Government Center Drive - Suite 160  
Wilmington, North Carolina 28403  
(910) 798-7139

### As authorized by the New Hanover County Erosion and Sedimentation Control Ordinance

This permit issued to Legacy Properties - College Road Investments, LLC authorizes the development of 0.47 acres of land at 820 S. College Road for Harris Teeter Expansion in New Hanover County. This permit issued on March 17, 2008 is subject to compliance with the application and site drawings, all applicable regulations and special conditions and notes set forth below. Any plan modifications must be approved by this office prior to field changes.

It is understood by the applicant that a representative of New Hanover County's Engineering Department may inspect the site at any time following the issuance of this Permit. A copy of the approved Soil Erosion Control Plan and this permit must be available at all times at the site.

Failure to execute the provisions of this permit and the approved Soil Erosion Plan, or any other provisions of the New Hanover County Soil Erosion and Sedimentation Control Ordinance, shall result in immediate legal action by the County to the limits prescribed by the Ordinance. If the measures outlined on the approved Soil Erosion Control Plan and this Permit prove insufficient, additional Erosion Control measures can and will be required which in turn will be considered provisions of this Permit. This Permit does not preclude any other permits or approvals necessary for beginning or completing this development. Approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State laws, regulations and rules. It is the Permittee's responsibility to obtain all necessary permits and approvals.

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### SPECIAL CONDITIONS

#### **(THESE CONDITIONS MUST BE FOLLOWED IN ADDITION TO THE PLANS AND SPECIFICATIONS)**

- \*All the soil erosion control measures will be installed as the site is cleared and maintained throughout construction. These include a construction entrance and silt fence. Inlet protection may also be required.
- \*Tree Removal Permits must be acquired from the City of Wilmington and/or New Hanover County prior to clearing the site.
- \*Silt fence stakes must be metal and will be placed **six feet apart without wire reinforcement** or **eight feet apart with wire reinforcement**. Silt fence is not allowed as inlet protection.
- \*This permit does not preclude any permits or approvals which may be necessary such as NCDENR Water Quality, C.A.M.A., and the US Army Corps. of Engineers, DEM Solid Waste or any other agencies.
- \*No sediment shall leave the site.
- \*If plan revisions are necessary you must submit a copy to this office for approval prior to any field changes.
- \*If soil is removed from the site, it must be taken to an approved or permitted site to be identified to this office prior to removal from the site.
- \*All City and/or County and State drainage and stormwater requirements will be adhered to.

- \*If these measures fail to adequately control erosion, more restrictive measures will be required.
  - \*If any phase of grading ceases for more than 15 working days, the site will be temporarily stabilized.
  - \*All slopes must be stabilized within 21 calendar days of any phase of activity.
- The approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State Water Quality laws, regulations and rules.

**\*Note the enclosed NPDES information from the State for sites disturbing 1 acre or more and the required rates for seed, lime, fertilizer and mulch in your seeding specifications.**

All **NEW** projects permitted after August 3, 2011 **must include** the following surface water withdrawal locations and stabilization requirement designations on the plan in order to qualify for coverage under the most recent NPDES Construction General Permit. All settling basins must have outlet structures that withdraw water from the surface, with the exception of basins or traps that have a drainage area of less than 1 acre. The NPDES permit requires ground cover within 14 calendar days on disturbed flat areas and ground cover within 7 calendar days on all areas within HQW Zones, perimeter dikes, swales, ditches, perimeter slopes and all slopes steeper than 3:1. Exceptions include slopes that are 10 feet or less in length and not steeper than 2:1 which must be stabilized within 14 calendar days and slopes greater than 50 feet which must be stabilized within 7 calendar days. This permit also includes other new requirements which are listed in the text of the NPDES Stormwater Discharge Permit for Construction Activities.

**\*Note the enclosed Self Inspection Program Requirements. This program is separate from the NPDES reporting and requires inspection and documentation after each phase of construction. These phases include: Installation of perimeter erosion control measures, Clearing and Grubbing of existing ground cover, Completion of any phase of grading of slopes or fills, Installation of storm drainage facilities, Completion of construction or development, Establishment of permanent ground cover sufficient to restrain erosion and any Deviation from the approved plan.**

**\*A pre-construction meeting is required prior to any activity on site. Please contact Beth E. Wetherill at (910) 798-7139 to set up this meeting.**

This Permit will expire one year from date of issue if no construction activity begins on site. This permit may not be amended or transferred to another party without approval of this office.

Acknowledgment of receipt of Permit

\_\_\_\_\_  
Owner

\_\_\_\_\_  
By (please print)

\_\_\_\_\_  
Signature

*Beth Easley Wetherill*

\_\_\_\_\_  
Beth E. Wetherill, C.P.E.S.C.  
Soil Erosion Specialist/New Hanover County