

COMPREHENSIVE STORMWATER MANAGEMENT PERMIT

LOW DENSITY DEVELOPMENT WITH CURB-OUTLET SWALES

SECTION 1 – APPROVAL

Having reviewed the application and all supporting materials, the City of Wilmington has determined that the application is complete and the proposed development meets the requirements of the City of Wilmington's Comprehensive Stormwater Ordinance.

PERMIT HOLDER: **Shinnwood West, LLC**
PROJECT: **Shinnwood West**
ADDRESS: **6361 Greenville Loop Road**
PERMIT #: **2013012**

Therefore, the above referenced site is hereby approved and subject to all conditions set forth in Section 2 of this approval and all applicable provisions of the City of Wilmington Comprehensive Stormwater Management Ordinance.

This permit shall be effective from the date of issuance until April 29, 2028 and shall be subject to the following specified conditions and limitations:

Section 2 - CONDITIONS

1. This approval is valid only for the stormwater management system as proposed on the approved stormwater management plans dated 4/29/13.
2. The project will be limited to the amount and type of built-upon area indicated in Section IV of the Stormwater Management Application Form submitted as part of the approved stormwater permit application package, and per the approved plans.
3. For the per lot BUA allotment, please reference Exhibit 'A' – *Shinnwood West Lot BUA Table*, attached to this permit.
4. All built-upon areas associated with this project shall be located at least 30 feet landward of all perennial and intermittent surface waters.
5. This project proposes a curb outlet system. Each designated curb outlet swale or 100' vegetated area shown on the approved plan must be maintained at a minimum of 100' long, maintain 5:1 (H:V) side slopes or flatter, have a longitudinal slope no steeper than 5%, carry the flow from a 10 year storm in a non-erosive manner, maintain a dense vegetated cover, and be located in either a dedicated common area or a recorded drainage easement. Runoff conveyances other than the curb outlet system swales, such as perimeter ditches, must be vegetated with side slopes no steeper than 3:1 (H:V).
6. No piping shall be allowed except those minimum amounts necessary to direct runoff beneath an impervious surface such as a road or under driveways to provide access to lots.



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7. The approved stormwater management system does not allow for encroachments within the conservation resource setback encroachments per Sec. 18-741 (d)(5) of City code. Any additional encroachment will have to provide a separate engineered stormwater management system or otherwise demonstrate compliance with the conservation resource setback encroachment requirements.
8. This permit shall become void unless the facilities are constructed in accordance with the approved stormwater management plans, specifications and supporting documentation, including information provided in the application and supplements.
9. The runoff from all built-upon area within any permitted drainage area must be directed into the permitted stormwater control system for that drainage area.
10. The permittee shall submit a revised stormwater management application packet to the City of Wilmington and shall have received approval prior to construction, for any modification to the approved plans, including, but not limited to, those listed below:
 - Any revision to any item shown on the approved plans, including the stormwater management measures, built-upon area, details, etc.
 - Redesign or addition to the approved amount of built-upon area or to the drainage area.
 - Further subdivision, acquisition, lease or sale of any part of the project area.
 - Filling in, altering, or piping of any vegetative conveyance shown on the approved plan.
 - Construction of any permitted future areas shown on the approved plans.
11. A copy of the approved plans and specifications shall be maintained on file by the Permittee.
12. During construction, erosion shall be kept to a minimum and any eroded areas of the system will be repaired immediately.
13. If the stormwater system was used as an Erosion Control device, it must be restored to design condition prior to operation as a stormwater treatment device, and prior to issuance of any certificate of occupancy for the project.
14. All areas must be maintained in a permanently stabilized condition. If vegetated, permanent seeding requirements must follow the guidelines established in the North Carolina Erosion and Sediment Control Planning and Design Manual unless an alternative is specified and approved by the City of Wilmington.
15. Required deed restrictions for Low Density Residential Subdivisions with Curb Outlet Swales as outlined in the approved stormwater permit application package must be recorded with the Office of the Register of Deeds prior to the sale of any lot.
16. The permittee must submit a copy of the recorded deed restrictions within 30 days of recording.
17. All stormwater treatment systems as well as access to nearest right-of-way must be located in recorded easements.
18. The final plats for the project will be recorded showing all required drainage easements and common areas, in accordance with the approved plans.



19. All applicable operation & maintenance agreements and easements pertaining to each stormwater treatment system shall be referenced on the final plat and recorded with the Register of Deeds upon final plat approval. If no plat is recorded for the site the operation and maintenance agreements and easements shall be recorded with the Register of Deeds so as to appear in the chain of title of all subsequent purchasers under generally accepted searching standards.
20. The stormwater management system shall be constructed in its entirety, vegetated and operational for its intended use prior to the construction of any built-upon surface unless prior approval is obtained. City Staff must be notified of any deviation prior to construction of the built-upon surface. Any deviation request shall include justification and must propose an alternative timeline or construction sequence. Notification shall not constitute approval. Any alternative timeline approved by City staff shall become an enforceable component of this permit.
21. The permittee shall at all times provide the operation and maintenance necessary to assure the permitted stormwater system functions at optimum efficiency. The approved Operation and Maintenance Agreement must be followed in its entirety and maintenance must occur at the scheduled intervals including, but not limited to:
 - Scheduled quarterly inspections (interval as noted on the agreement).
 - Sediment removal.
 - Mowing and revegetation of slopes and the vegetated areas.
 - Maintenance of landscape plants, including those within the landscape buffer and on the vegetated shelf.
 - Immediate repair of eroded areas.
 - Maintenance of all slopes in accordance with approved plans and specifications.
 - Debris removal and unclogging of outlet structure, orifice device, flow spreader, catch basins and piping.
 - Access to the outlet structure must be available at all times.
22. Records of inspection, maintenance and repair for the permitted stormwater system must be kept by the permittee for at least 5 years from the date of record and made available upon request to authorized personnel of the City of Wilmington. The records will indicate the date, activity, name of person performing the work and what actions were taken.
23. Upon completion of construction, before a Certificate of Occupancy shall be granted, and prior to operation of this permitted facility, the applicant shall submit to the City of Wilmington as-built plans for all stormwater management facilities. The plans shall show the final design specifications and the field location, type, depth, invert and planted vegetation of all measures, controls and devices, as-installed. A certification shall be submitted, along with all supporting documentation that specifies, under seal that the as-built stormwater measures, controls and devices are in substantial compliance with the approved stormwater management plans. Any deviation from the approved plans must be noted on the Certification. A final inspection by City of Wilmington personnel will be required prior to issuance of a certificate of occupancy or operation of the permitted facility.
24. This permit is not transferable except after application and approval by the City of Wilmington. In the event of a change of ownership, name change or change of address the permittee must submit a completed Name/Ownership Change form to the City of Wilmington at least 30 days prior to the change. It shall be signed by all applicable parties, and be accompanied by all required supporting documentation.



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Submittal of a complete application shall not be construed as an approved application. The application will be reviewed on its own merits by the City of Wilmington and may or may not be approved. The project must be in compliance with the terms of this permit in order for the transfer request to be considered. The permittee is responsible for compliance with all permit conditions until such time as the City of Wilmington approves the transfer request. Neither the sale of the project nor the conveyance of common area to a third party should be considered as an approved transfer of the permit.

25. Failure to abide by the conditions and limitations contained in this permit may subject the Permittee to enforcement action by the City of Wilmington, in accordance with Sections 18-52 and 18-53 and any other applicable section of the Land Development Code.
26. The City of Wilmington may notify the permittee when the permitted site does not meet one or more of the minimum requirements of the permit. Within the time frame specified in the notice, the permittee shall submit a written time schedule to the City of Wilmington for modifying the site to meet minimum requirements. The permittee shall provide copies of revised plans and certification in writing to the City of Wilmington that the changes have been made.
27. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances, which may be imposed by other government agencies (local, state, and federal) having jurisdiction.
28. In the event that the facilities fail to perform satisfactorily, including the creation of nuisance conditions, the Permittee shall take immediate corrective action, including those as may be required by the City of Wilmington, such as the construction of additional or replacement stormwater management systems.
29. The permittee grants City of Wilmington Staff permission to enter the property during normal business hours for the purpose of inspecting all components of the permitted stormwater management facility.
30. The permit issued shall continue in force and effect until revoked or terminated by the City of Wilmington. The permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and re-issuance or termination does not stay any permit condition.
31. The approved stormwater management plans and all documentation submitted as part of the approved stormwater management permit application package for this project are incorporated by reference and are enforceable parts of the permit.
32. The permittee shall submit a renewal request with all required forms and documentation at least 180 days prior to the expiration date of this permit.
33. If any one or more of the conditions of this permit is found to be unenforceable or otherwise invalidated, all remaining conditions shall remain in full effect.



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Stormwater Management Permit issued this the 29th day of April, 2013

A handwritten signature in blue ink, appearing to read 'S. Cheatham'.

for Sterling Cheatham, City Manager
City of Wilmington

EXHIBIT 'A'

Shinnwood West Lot BUA Table

LOT #	HOUSE	D/W	TOTAL	LOT #	HOUSE	D/W	TOTAL
1	2,409	1,508	3,917	48	1,992	180	2,172
2	2,318	918	3,236	49	1,992	180	2,172
3	2,477	574	3,051	50	1,992	281	2,273
4	2,476	507	2,983	51	1,177	284	1,461
5	2,476	401	2,877	52	1,177	180	1,357
6	2,476	401	2,877	53	1,992	229	2,221
7	1,992	189	2,181	54	1,177	220	1,397
8	1,177	186	1,363	55	1,177	180	1,357
9	1,177	184	1,361	56	1,992	180	2,172
10	2,476	396	2,872	57	1,992	180	2,172
11	2,476	396	2,872	58	1,992	180	2,172
12	2,476	396	2,872	59	2,409	1372	3,781
13	1,177	294	1,471	60	2,409	1392	3,801
14	2,476	690	3,166	61	2,409	1422	3,831
15	2,476	267	2,743	62	2,476	495	2,971
16	2,476	399	2,875	63	2,409	1392	3,801
17	2,476	485	2,961	64	2,409	1392	3,801
18	2,476	396	2,872	65	2,409	1392	3,801
19	2,476	396	2,872	66	2,318	768	3,086
20	2,476	381	2,857	67	2,476	396	2,872
21	2,476	396	2,872	68	1,177	184	1,361
22	2,476	396	2,872	69	2,476	396	2,872
23	2,409	1,392	3,801	70	2,409	1392	3,801
24	2,476	419	2,895	71	2,409	1392	3,801
25	2,476	442	2,918	72	2,318	768	3,086
26	2,476	396	2,872	73	2,318	765	3,083
27	2,476	420	2,896	74	2,476	401	2,877
28	1,177	180	1,357	75	2,476	396	2,872
29	1,177	180	1,357	76	2,476	370	2,846
30	1,177	180	1,357	77	2,476	396	2,872
31	1,992	185	2,177	78	2,476	396	2,872
32	2,476	396	2,872	79	2,476	407	2,883
33	2,476	396	2,872	80	2,318	792	3,110
34	2,318	768	3,086	81	2,318	768	3,086
35	2,318	768	3,086	82	2,318	769	3,087
36	2,318	768	3,086	83	2,318	792	3,110
37	2,409	1,392	3,801	84	2,318	792	3,110
38	2,409	1,451	3,860	85	2,318	792	3,110
39	2,409	1,392	3,801	86	2,409	1442	3,851
40	2,409	1,392	3,801	87	2,409	1401	3,810
41	2,409	1,392	3,801	88	2,409	1397	3,806
42	2,409	1,397	3,806	89	2,409	1612	4,021
43	2,318	768	3,086	90	2,318	1398	3,716
44	2,318	760	3,078	91	2,409	1567	3,976
45	2,318	775	3,093	92	2,409	1564	3,973
46	2,476	396	2,872	93	2,409	1423	3,832
47	1,992	180	2,172	94	2,476	234	2,710
Subtotals:	105,485	28,341			103,904	36,301	
	Totals	Lots		209,389	sf		
		D/W's		64,642	sf		
		Total Lot BUA		274,031	sf		