



**Planning, Development, &
Transportation Department**
Planning Division
305 Chestnut Street
PO Box 1810
Wilmington, NC 28402-1810

May 6, 2022

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

CONSTRUCTION RELEASE

Ansley Park

4456 Fairview Drive
Project # 2019001

REVISION 4

*Consultant/
Agent:*

David Stoniecki
Foresite Group, LLC
3740 Davinci Court
Peachtree Corners, GA 30092

*Property
Owner:*

Arris Wilmington, LLC
3340 Peachtree Road, Suite 1660
Atlanta, GA 30326

The City thanks you for your investment in our community and we look forward to working with you towards the construction of a quality development project. Your project is hereby conditionally released for construction. Please make note of the conditions for this release as they appear below. These conditions must be followed and met for the construction to be approved.

Conditions of Release

1. A pre-construction meeting must be held between the site contractor/superintendent and city staff prior to any site work, tree removal, clearing or grading commences on site. Failure to comply will result in civil penalties. Please contact our zoning office at 910.254.0900 to schedule the preconstruction meeting.
2. Any trees, including the critical root zone area and/or the area designated to be saved, must be properly barricaded or marked with fencing and protected throughout construction to ensure that no clearing or grading will occur in those areas.
3. No equipment is allowed on the site and no construction of any building, structure, wall, utilities, infrastructure, etc. of any kind, including footings and building slabs, will be permitted until:
 - a. All tree protection fencing and silt fencing has been installed
 - b. New Hanover County has issued the grading permit and authorized the activity
 - c. Cape Fear Public Utility Authority has authorized the water and sewer activities
 - d. The assigned city zoning compliance officer has authorized the activity
4. This development shall comply with all local, regional, state, and federal development regulations. All applicable City of Wilmington Technical Review Committee requirements must be completed prior to the issuance of final zoning approval.
5. All truck traffic to and from the site shall adhere to NCDOT and City of Wilmington truck routes and restrictions (e.g. S. 3rd Street, Market Street). See city GIS gallery for routes, weight restrictions, etc.
6. Failure to comply with the above conditions may result in the issuance of a Stop Work Order (SWO).



Conditions of Final Zoning Approval

1. Contractor shall coordinate infrastructure improvements of Orchid Drive with New Hanover County Public Schools prior to any work on this road section. Contractor must acquire approvals, from the school system, for any closures or construction activity prior to commencement of construction.
2. All improvements included in the approved Traffic Impact Analysis (TIA) shall be installed and inspected prior to the issuance of the final zoning approval.
3. A plat showing all required easements and right(s)-of-way must be reviewed by city staff and recorded at the Register of Deeds prior to issuance of final zoning approval.
4. This project will require the dedication of public drainage easement(s).
5. This project will require the dedication of public access easement(s).
6. Proper dedication of public easements requires an easement plat (or legal description) and a deed of easement. The easement plat or legal description is prepared by a licensed surveyor. The deed of easement is prepared by the City Attorney's Office (CAO). A title policy for the property is necessary to prepare the document. These documents can be submitted to the project planner for distribution to the pertinent city departments. Recordation of both the easement plat and the deed of easement will be required prior to the issuance of a Certificate of Occupancy. Please allow for no less than two weeks for deed preparation.
7. This project will require the dedication of public or private right(s)-of-way.

Name(s): Orchid Drive (public), Ansley Drive (public), Beverly Cove Way (private), Groppo Cove (private)

8. This project will require the creation/recordation of restrictive covenants to ensure compliance with the approved stormwater permit. Restrictive covenants and HOA/POA documents must be reviewed and approved by the City Attorney's Office, Planning Division, and City Engineering prior to recordation of the final plat. This document can be submitted to the project planner for distribution to the pertinent city departments.
9. Per the requirements of the stormwater permit, the following shall occur prior to issuance of a certificate of occupancy or operation of the permitted facility:
 - As-built drawings for all stormwater management facilities shall be submitted to the City of Wilmington Engineering Division.
 - An Engineer's certification shall also be submitted, along with all supporting documentation that specifies, under seal that the as-built stormwater measures, controls and devices are in compliance with the approved stormwater management plans.
 - A final inspection is required by City of Wilmington Engineering personnel (910) 341-5856.
10. Prior to a final inspection, a walkthrough with City Construction Management staff shall take place to verify completeness of site work in right(s)-of-way. Any material test reports and stormwater videos as required shall be submitted prior to and approved by city Engineering. Please contact the City Engineering Department at 910.341.0094.



11. No construction activity shall occur within the North Carolina Department of Transportation (NCDOT) right-of-way until all NCDOT permits have been issued and received by the City. All improvements required shall be installed and approved by NCDOT prior to issuance of a certificate of occupancy.
12. Contractor shall submit a Radio Signal Strength Study for all commercial buildings that demonstrates that existing emergency responder radio signal levels meet the requirements of Section 510 of the 2018 NC Fire Code.
13. This project is proposing greater than 500 linear feet of right-of-way or public improvements. Per Chapter V of the City Fee schedule, the project will require Engineering inspection fees in the amount of \$500. This fee must be paid prior to issuance of plat recordation of certificate of occupancy. Please contact City Engineering at 910.341.0094 for payment options.
14. Approval of a major or minor site plan shall expire after 18 months from the date of such approval if the applicant has failed to make substantial progress on the site. The technical review committee may grant a single, six-month extension of this time limit for major and minor site plans, for good cause shown, upon receiving a request from the applicant before the expiration of the approved plan. In the event approval of a site plan has expired, for whatever reasons, the owner and/or applicant will be required to resubmit for approval of a site plan that meets current development standards unless otherwise noted in this chapter.
15. To obtain a final zoning inspection for this construction project, the appropriate departments within the City of Wilmington must perform and approve final inspections. To arrange for inspections please contact the assigned Zoning Enforcement Officer, at 254-0900. Staff will coordinate the inspections and provide a punch-list to the Developer within 5 working days. Upon correction of the punch-list items, a final inspection will be performed.
Note: Zoning will not issue final approval until all requirements of the City of Wilmington are fulfilled.
16. Please also be advised that any party aggrieved by the issuance of this approval may file a notice of appeal to the City Clerk within 30 days of receipt of active or constructive notice of this decision. It shall be presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required. Reference NC GS 160d-403.
17. Please notify New Hanover County Building Inspections of this release.

Project Planner:

Brian Chambers

5/6/22

Brian Chambers, Senior Planner

Date



I hereby acknowledge receipt of this construction release and understand and agree to adhere to all conditions as contained herein. The owner/developer assumes all risks and penalties with any delay or stop work order associated with a violation of this release. The City of Wilmington assumes no liability for any costs associated with this construction release.

Authorized Representative

Date

Zoning Compliance Officer: _____

John Barham, Compliance Czar

Date

The following items are included in this release package:

Item	Permit Number	Date
Ansley Park Revision 4 Approved Plans	2021099	4/26/22
City of Wilmington Tree Permit	TPP-20-001	7/11/19
New Hanover County Grading Permit	GP 21-19 R1	8/17/20
City Comprehensive Stormwater Management Permit	2019045R4	4/26/22

Copy: John Barham

Bret Russell

Rob Gordon

Jim Quinn

Aaron Reese

Rich Christensen

Eric Seidel

Trent Butler

Chris Elrod

Chris Walker

Brian Blackmon

Jim Sahlie

Bill McDow

Mitesh Baxi

Denys Vielkanowitz

Bernice Johnson

Beth Easley Wetherill

Michelle Hutchinson

Amy Beatty

Ron McMillan

Joan Mancuso

Catherine Meyer

Shawn Evans

Courtney Salgado

Joseph Wurzel

Nick Drees

Jon Roan

Zoning Compliance

Construction Manager

Engineering (email only)

Stormwater Specialist (email only)

Urban Forestry (email only)

Engineering (email only)

Engineering (email only)

Engineering (email only)

Wilmington Fire Department (e-mail only)

Wilmington Fire Department (e-mail only)

Surveyor (e-mail only)

GIS Addressing (e-mail only)

Traffic Engineering (e-mail only)

Traffic Engineering (e-mail only)

Traffic Engineering (e-mail only)

CFPUA (e-mail letter only)

NHC Erosion Control (e-mail only)

GIS Engineer (e-mail only)

Community Services (e-mail only)

Community Services (e-mail only)

City Zoning (email only)

City Zoning (email only)

City Attorney's Office (email only)

City Attorney's Office (email only)

NC DOT (email only)

NC DOT (email only)

NC DOT (email only)



Ben Hughes

NC DOT (email only)

File: **Ansley Park**
Revision 4

Project #: **2019001**



Department of Planning,
Development and Transportation
Planning Division
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APPROVED: X DENIED: _____

PERMIT #: TPP-20-001

Application for Tree Removal Permit

Name of Applicant: Will Avant (Foresite Group, Inc.) Phone: (770) 368-1399 Date: 07/11/19

Name of Property Owner: Claud L. Efir, Alex M. Efir, Sr., & T. Ed. Efir Phone: (404) 504-8777
Current Owner:
Future Owner:

Arris Wilmington LLC

Property Owner Address: Current Owner Address: 5409 Efir Rd, Wilmington, NC 28409
Future Owner Address: 3340 Peachtree Rd, Suite 1660, Atlanta, GA 30326

Address of Proposed Tree Removal: 4456 Fairview Drive, Wilmington, NC 28412

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

1. (See attached for trees that will be removed)
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Description of Replacement Tree(s): 1. Street yard trees, street trees, buffer trees, and interior parking trees are not calculated toward mitigation trees. 2. Regulated trees removed due to essential site improvements are exempt from mitigation requirements. 3. Significant inches removed: 367.5 (367.5 x 2 / 3 = 245 caliper inches required). 4. 254 tree credits

I, Will Avant, certify that the property owner has given me permission to apply for this permit on his/her behalf.
Arris Wilmington LLC

Applicant Signature: [Signature]

Date: 7/11/19

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

Reviewed By: [Signature]

Date: 7/11/19

Remarks: Tree credits exceed required mitigation

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

NEW CONSTRUCTION: _____ EXPANSION: _____ OTHER: _____ PAID: \$150.00

Tree Preservation Permit Fees

Less than 1 acre	\$25.00
1-5 acres	\$50.00
5-10 acres	\$100.00
Greater than 10 acres	\$150.00



NEW HANOVER COUNTY

ENGINEERING

230 Government Center Drive, Suite 160, Wilmington, NC 28403

P: (910) 798-7139 | F: (910) 798-7051 | NHCgov.com

Jim Iannucci, PE, CFM, County Engineer

August 17, 2020

Arris Wilmington, LLC
3340 Peachtree Road, Suite 1660,
Atlanta, Georgia 30326

RE: Grading Permit #21-19 Revision #1, Ansley Park

Dear Mr. Dillard:

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this land-disturbing permit. **Please read the permit conditions carefully, return the signed blue original to our office and keep the copy for your records.** A copy of the enclosed land-disturbing permit must be posted at the job site. This letter gives the notice required by GS 113A-61.1(a) and Chapter 23 Article VI Section 23-250 (a) and Article VIII Section 8.21 of our right of periodic inspection to ensure compliance with the approved plan.

As of April 1, 2019, all new construction activities or are required to complete and submit an electronic Notice of Intent (eNOI) form requesting a Certificate of Coverage (COC) under the NCG010000 Construction General Permit. The COC **MUST** be obtained prior to the commencement of any land disturbing activity on the above named project, according to State Stormwater requirements. The NOI form may be accessed at deq.nc.gov/NCG01. Please direct questions about the NOI form to Annette Lucas at Annette.lucas@ncdenr.gov or Paul Clark at Paul.clark@ncddenr.gov. After you submit a complete and correct NOI Form, you will receive a link with payment instructions for the \$100 annual permit fee. After the fee is received, you will receive the COC via email. The \$100 fee will be charged annually until the project receives a final land disturbance inspection. Once the project is stabilized and receives the final land disturbance inspection, you should file a Notice of Termination (NOT) with the State to final out the project.

A copy of the enclosed land disturbing permit, a copy of the approved erosion and sedimentation control plan as well as any approved deviations, the NCG01 permit, a copy of the Certificate of Compliance (COC), records of inspections made during the previous 12 months and a rain gauge must be posted at the job site as required by 15A NCAC 4B .0118(a), the NCG01 permit, Chapter 23 Article VI Section 23-248(o) and Article VIII Section 8.19(o).

The land disturbing permit fee of **\$5790** is due to be paid to New Hanover County, to my attention, prior to issuance of any Certificate of Occupancy.

A preconstruction meeting is optional prior to land-disturbing activity on this project. Please contact me at (910) 798-7139 if you would like to schedule this meeting in our office. If you choose not to have a preconstruction meeting, **you must contact us with the date the land-disturbing activity will take place onsite and again once the initial erosion control measures are installed.**

New Hanover County's Erosion and Sedimentation Control Program is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, it is determined that the erosion and sedimentation control plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes 113A-51 through 66), and the New Hanover County Erosion and Sedimentation Control Ordinance, Chapter 23 Article VI Section 23-248 (f) and Article VIII Section 8.19 (f), this office may require revisions to the plan and its implementation of the revisions to ensure compliance with the Act and ordinance.

This land-disturbing permit will expire within 1 year following the date of approval, if no land-disturbing activity has been undertaken, as required by Chapter 23 Article VI Section 23-247(d) and Article VIII Section 8.18 (d). If no activity takes place within one year after work has begun onsite, the permit will expire. Please contact this office to reactivate a permit that has expired.

Acceptance and approval of this erosion control plan is conditioned upon your compliance with Federal and State water quality laws, regulations and rules and local city or county ordinances or rules. This land-disturbing permit approval does not supersede any other permits or approvals. It is the owner's responsibility to have all the permits and approvals that are required, prior to beginning construction.

Please note this approval is based in part on the accuracy of the information provided in the Financially Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form.

Your cooperation is appreciated,
Sincerely,

Beth Easley Wetherill

Beth Easley Wetherill
NHC Soil Erosion Specialist

Enclosures: Land-Disturbing Permit
NPDES NCG01 Fact Sheet and Monitoring Form

cc: Brian Chambers Senior Planner, City of Wilmington
Will Avant PE, Foresite Group, Inc.
Richard Cotton Multifamily Realty Advisors, Inc.



Permit# GP #21-19
Revision #1
LDNP 19-00103

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 Arris Wilmington, LLC authorizes the development of 19.3 acres of land at 4456 Fairview Drive for Ansley Park in New Hanover County. This permit issued on July 29, 2019 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 as well as any approved deviations, this permit, a rain gauge, a copy of the NCG01 permit, a copy of the Certificate of Coverage (COC) from the State and copies of the Combined Self-Monitoring and Self-Inspection Reports 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, may 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.

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. The original permit for 18.6 acres was issued 7/29/19. This project will be built in 2 Phases. Phase 1 includes 2 construction entrances, 12-inch compost-socks, silt fences, 5 temporary diversions, 4 sediment traps with earthen dams and Faircloth skimmers with 3 porous coir baffles across the entire length of each sediment trap, 2:1 sloped stabilized stockpiles and concrete washouts. The Faircloth skimmer in trap #1 is 2 inches with a 1.6-inch orifice, in trap 2 the skimmer is 2 inches with a 1.9-inch orifice, in trap 3 the skimmer is 2 inches with a 1.6-inch orifice and in trap 4 the skimmer is 1.5 inches with a 1.2-inch orifice. Phase 2 includes installation of the drainage system with inlet and outlet protection, 4 lined vegetated swales, 5 drainage swales of which swales 3 & 5 will be lined, concrete washouts and a stormwater pond with lined slopes and an 8 inch Faircloth skimmer with a 7.9-inch orifice. NOTE: Portions of the offsite sidewalk are not to be constructed until notarized offsite permission or an easement from Codington Elementary School is sent to New Hanover County Engineering and approved for land disturbing activity per notes on C-1.3 and C-2. Baffles must be extended across the entire pond storage area and sediment traps will have earthen dams with Faircloth Skimmers.

Revision #1 approved 8/17/20 includes storm drain modifications with inlet and outlet protection and the addition of 0.7 acres for a stockpile and extension of a 60-inch storm drain pipe offsite with silt fence and well-pointing. If the well-pointed water is more than 50 NTU's polyacrylamide and dirt bags must be used. If the adjacent pond requires maintenance due to this activity. It may require additional approval from this office and will be Arris Wilmington, LLC's responsibility.

***Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County prior to issuance of the land disturbing-permit and clearing of the site.**

***Silt fence stakes must be steel 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 City of Wilmington or New Hanover County, NCDEMLR, C.A.M.A., and/or the US Army Corps. of Engineers, DEM Solid Waste or any other agencies.**

***No sediment shall leave the site in suspension of water.**

***If plan revisions are necessary you must submit a copy to this office for approval prior to any field changes.**

***If soil is brought onto this site or removed from this site, it must come from or be taken to an approved or permitted site, to be identified to this office prior to being brought onsite or 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 90 calendar 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 required rates for seed, lime, fertilizer and mulch in your seeding specifications.**

***Enclosed is a Combined Self-Monitoring and Self-Inspection Form that meets the requirements of both the NPDES Stormwater Permit for Construction Activities, NCG 010000 reporting and the Land Resources Self-Inspection Program that satisfies the requirements of the Sedimentation Pollution Control Act. These are mentioned below with specific requirements for each program. These reports are the responsibility of the property owner. They require a rain gauge onsite, inspections and reporting every 7 calendar days and within 24 hours of every 1.0-inch rain per 24-hour period and at specific phases of construction. Additional copies of this Combined Construction Inspection Report can be found at <http://portal.ncdenr.org/web/lr/erosion> . Reports must be available onsite at all times. If you have questions, please contact New Hanover County Engineering (910) 798-7139 or the Land Quality Section at the NCDEMLR Regional office at (910) 796-7215.**

***Note the NPDES information from the State for sites disturbing 1 acre or more and the reporting requirements. 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 also requires ground cover within 15 calendar days on disturbed flat areas and ground cover within 7 calendar days on all areas within HWQ 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. It requires inspections of all erosion control measures and reporting every 7 days and within 24 hours of every 1.0-inch rain event in a 24-hour period. This permit also includes other new requirements which are listed in the text of the NPDES Stormwater Discharge Permit for Construction Activities, which is included with the original copy of each land-disturbing permit.**

***Note the Land Resources 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.**

***Pre-construction meetings are optional. Contact Beth E. Wetherill at (910) 798-7139 to set up a meeting prior to land-disturbing activity onsite. If you do not choose to have a preconstruction meeting prior to starting work on site, you should contact us when activity begins and again when the initial measures have been installed.**

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