



January 31, 2022

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

CONSTRUCTION RELEASE

Flats at Hanover Center

3500 Park Avenue
Project # 2020038

Consultant/Agent: John Tunstall
Norris & Tunstall
2602 Iron Gate Drive
Wilmington, NC 28412

Property Owner: New Market-Hanover, L.P.
3284 Northside Pkwy, NW
Suite 150
Atlanta, GA 30327

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. All improvements included in the approved Traffic Impact Analysis (TIA) shall be installed and inspected prior to the issuance of the final zoning approval.
2. 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. Submit Private Utility and Drainage Easement Plat for Review & Approval by City Engineering.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

10. Please notify New Hanover County Building Inspections of this release.

Project Planner: Brian Chambers 1/31/22
 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 Officer Date

The following items are included in this release package:

Item	Permit Number	Date
Flats at Hanover Center Approved Plans	2020038	1/27/22
City of Wilmington Tree Permit	TPP-21-076	10/19/20
New Hanover County Grading Permit	GP 13-21	1/12/22
City Comprehensive Stormwater Management Permit	2022005	1/27/22

- | | |
|-------------------|--|
| Copy: John Barham | Zoning Compliance |
| Bret Russell | Construction Manager |
| Rob Gordon | Engineering (email only) |
| Jim Quinn | Stormwater Specialist (email only) |
| Aaron Reese | Urban Forestry (email only) |
| Rich Christensen | Engineering (email only) |
| Eric Seidel | Engineering (email only) |
| Trent Butler | Engineering (email only) |
| Chris Elrod | Wilmington Fire Department (e-mail only) |



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
Ben Hughes

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)
NC DOT (email only)

File: **Flats at Hanover Center**

Project #: **2020038**



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: X DENIED:

PERMIT #: TPP-21-076

Application for Tree Removal Permit

Name of Applicant: New Market - Hanover, L.P. Phone: 770-635-3390 Date: 09-16-2020

Name of Property Owner: New Market - Hanover, L.P. Phone: 770-635-3390

Property Owner Address: 3284 Northside Parkway, NW, Suite 150 Atlanta, GA 30327

Address of Proposed Tree Removal: Park Avenue, Wilmington, NC

Description of tree(s) to be removed/reason for removal: (provide attachment if necessary) *- See Attached Tree Table*

1. _____	6. _____
2. _____	7. _____
3. _____	8. _____
4. _____	9. _____
5. _____	10. _____

Description of Replacement Tree(s): Replacement trees for the Flats at Hanover Center
will be in accordance with the City of Wilmington Ordinance and approved landscape plan.

Applicant Signature: _____ Date: 9-11-2020

Jeffrey Sprain

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

Reviewed By: B. Chambers Date: 10/19/20

Remarks: _____

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

NEW CONSTRUCTION: EXPANSION: OTHER: PAID: \$100 paid 9/22/20

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

Flats at Hanner Center
(Rev. 03-05-21)

TREE REMOVAL TABLE (SIGNIFICANT)

SIGNIFICANT PINES	SIGNIFICANT MAGNOLIAS	SIGNIFICANT HOLLY
35" (1) LOBLOLLY	8" (1)	10" (1)
	9" (1)	
	11" (2)	
	12" (1)	
	13" (1)	
	14" (2)	
	16" (1)	

TREE REMOVAL TABLE (REGULATED)

REGULATED PINES	REGULATED OAKS	REGULATED GUMS	REGULATED MAGNOLIA	REGULATED PALM	REGULATED CRAPE MYRTLE
12" (1)	8" (2)	9" (1)	7" (1)	23" (1)	4" (1)
13" (1)	9" (1)	10" (3)			
14" (1)	10" (2)	13" (4)			
16" (3)	11" (2)	14" (4)			
17" (1)	12" (3)	15" (1)			
18" (1)	13" (2)				
20" (2)	14" (1)				
21" (2)	15" (4)				
22" (1)	16" (4)				
24" (1)	17" (6)				
26" (1)	18" (5)				
28" (1)	19" (1)				
30" (1)	21" (2)				



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

January 12, 2022

**New Market – Hanover, LP
3284 Northside Parkway, NW, Suite 150,
Atlanta Georgia 30327**

RE: GP# 13-21, Flats @ Hanover Center

Dear Mr. Jeffery Sprain,

This office has reviewed the revised erosion and sedimentation control plan. We find the plan to be acceptable. ***Please read the permit conditions carefully and return the signed blue original to our office and keep the copy for your records.*** Approval of this land disturbing permit hereby give notice of our right of periodic inspection to ensure compliance with the approved plan.

As of April 1, 2019, all new construction activities are required to complete and submit an electronic Notice of Intent (NOI) form requesting a Certificate of Coverage (COC) under the NCG010000 Construction Stormwater General Permit. This form MUST be submitted prior to the commencement of and 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, a COC will be emailed to you within three business days. Initially, DEMLR will not charge a fee for coverage under the NCG01 permit. However, on or after May 1, 2019, a \$100 fee will be charged annually. This fee is to be sent to the DEMLR Stormwater Central Office staff in Raleigh. Once the project is stabilized and completed a Notice of Termination (NOT) should be filed 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 30 days and a rain gauge must be posted at the job site.

The land-disturbing fee of **\$2715** is due to be paid to New Hanover County Engineering, to my attention, prior to issuance of any Certificate of Occupancy or Certificate of Completion.

A preconstruction meeting is optional prior to any 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 the preconstruction meeting, you need to contact us with the date 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 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 to the plan and its implementation of the revisions to ensure compliance with the ordinance.

This land disturbing permit will expire within 1 year following the date of approval if no land disturbing activity has been undertaken. 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 on your compliance with Federal and State water quality laws, regulations, and rules. 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 and permits 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,



Beth Easley Wetherill
NHC Soil Erosion Specialist

cc: Brian Chambers, Senior Planner City of Wilmington
John Tunstall PE, Norris & Tunstall Consulting Engineers, PC
Vcorp Services, LLC



Permit# **GP 13-21**
LNDP 21-00036

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 New Market – Hanover, LP authorizes the development of 9.05 acres of land at 3500 Park Avenue for Flats @ Hanover Center in New Hanover County with modifications. This permit issued on January 12, 2022, 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. These include specific construction sequences for each phase of construction. Phase I includes 2 construction entrances, silt fences, additional silt fence will be required to be installed above the 48-inch RCP under Park Avenue with an energy dissipator and all disturbed area rear of the silt fence must be lined, inlet protection, silt sacks, outlet protection, 3 lined 3:1 sloped diversion ditches with check dams, additional check dams in the R/W ditch with a check dam at the end of the limits of disturbance in the east ditch along Park Avenue, 3 coir baffles in the 3 sediment traps with Faircloth skimmers, the skimmer in trap 1 will be a 3 inch skimmer with a 2.5 inch orifice and will have a minimum of 20383 cf of sediment storage, in sediment trap 2 the skimmer will be a 1.5 inch skimmer with a 1.3 inch orifice and will have a minimum of 3991 cf of sediment storage and in sediment trap 3 the skimmer will be a 2 inch skimmer with a 1.9 inch orifice and have a minimum of 9642 cf of sediment storage, 1 sediment basin with a 2 inch Faircloth skimmer with a 1.8 inch orifice with a minimum of 9005 cf sediment storage, **NOTE: the area below the existing pond sediment basin must NOT be disturbed until the pipe is installed in Phase 2 and ALL sediment basins and sediment traps are to remain in place as long as possible per the PE.**

Phase 2 includes 2 construction entrances, inlet, and outlet protection, 3 lined diversions ditches with check dams, 2 sediment traps with baffles and Faircloth skimmers, the skimmer in trap 1-2 will be a 2.5 inch skimmer with a 2.4 inch orifice with a minimum of 17881 cf of sediment storage and the skimmer in trap 3 will be a 2 inch skimmer with a 1.9 inch orifice and a minimum of 9642 cf of sediment storage, **all sediment traps are to remain in place as long as possible per the PE**, and a rip rapped 3:1 sloped bypass swale 4 feet deep with a 6 foot bottom with check dams and silt fence at the top of the slopes, the bypass slopes above the riprap may be required to be lined, this bypass swale must be installed, lined and erosion control completed prior to any rain event, this bypass swale will remain until the offsite stormdrain is connected to the Contech drainage system. **NOTE: the Final Grading Phase will not take place until the Engineer, New Hanover County Erosion Control Supervisor and the Contractor agree.** The Phase III Final Grading Phase includes stormdrain installation with inlet and outlet protection, installation of the Contech drainage system, outlet protection, installation of a 5:1 sloped sodded or lined swale 1, silt fence above the 48 inch RCP under Park Avenue and a check dam at the end of disturbance in the Park Avenue ditch downstream of the 18 inch FES on the east side of Park Avenue.

****Note the required separate NCG01 permit that requires concrete washouts and other NCG01 regulations.**
***In issuing this permit New Hanover County has relied on the representations of the permit applicant. The county has no jurisdiction to determine any contested property rights or ownership.**
***Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County PRIOR to 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.**

****Note the NCG01 permit requires concrete washouts and other regulations.**
***In issuing this permit New Hanover County has relied on the representations of the permit applicant. The county has no jurisdiction to determine any contested property rights or ownership.**
***Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County PRIOR to 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 including but not limited to the City of Wilmington, New Hanover County, NC DEMLR, C.A.M.A., the US Army Corps. of Engineers, DEM Solid Waste, any other agency or any approvals that may be necessary.**

***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 following completion of construction or development the site will be stabilized.**

***All slopes must be stabilized within 21 calendar days of completion 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 NC DEMLR 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 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. 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.

***All construction activities 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.

***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 E. Wetherill

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