



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

November 8, 2021

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

**CONSTRUCTION RELEASE**  
**Harris Teeter Fuel #264 Crossroads**  
3836 Carolina Beach Road  
Project # 2021024

*Consultant/Agent:* Maggie Houston  
Kimley-Horn  
200 S. Tryon Street  
Charlotte, NC 27606

*Property Owner:* Harris Teeter Properties, LLC  
701 Crestdale Rod  
Matthews, NC 28105

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. 3<sup>rd</sup> 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.
3. This project will require the dedication of public access easement(s).
4. 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.
5. 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.
6. 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.
7. 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.
8. This project is proposing less 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 \$250.00. 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.
9. 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.



10. 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.*

11. 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.

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

Project Planner: *Brian Chambers* 11/8/21  
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
Harris Teeter Fuel #264 Crossroads Approved Plans	2021024	11/4/21
City of Wilmington Tree Permit	TPP-19-038	8/27/18
New Hanover County Grading Permit	GP 46-17	8/31/18
City Comprehensive Stormwater Management Permit	2021043	11/4/21



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  
Ben Hughes

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)  
NC DOT (email only)

File: **Harris Teeter Fuel #264  
Crossroads**

Project #: **2021024**



**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 #: TRP-19-038

**Application for Tree Removal Permit NT#16023**

Name of Applicant: J. Phillip Norris/Norris & Tunstall Phone: 910-287-5900 Date: 08-23-18

Name of Property Owner: Live Oak Development Company Phone: 910-538-5855

Property Owner Address: 5 Allen Avenue, Manchester, MA 01944

Address of Proposed Tree Removal: 3828, 3902, 3904, & 3806 Carolina Beach Road

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

- 1. See Tree Removal Plan dated 08-23-18
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

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

Applicant Signature: [Signature] Date: 8/23/18

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

Reviewed By: [Signature] Date: 8/27/18

Remarks: See Approval Plan

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

\$150.00

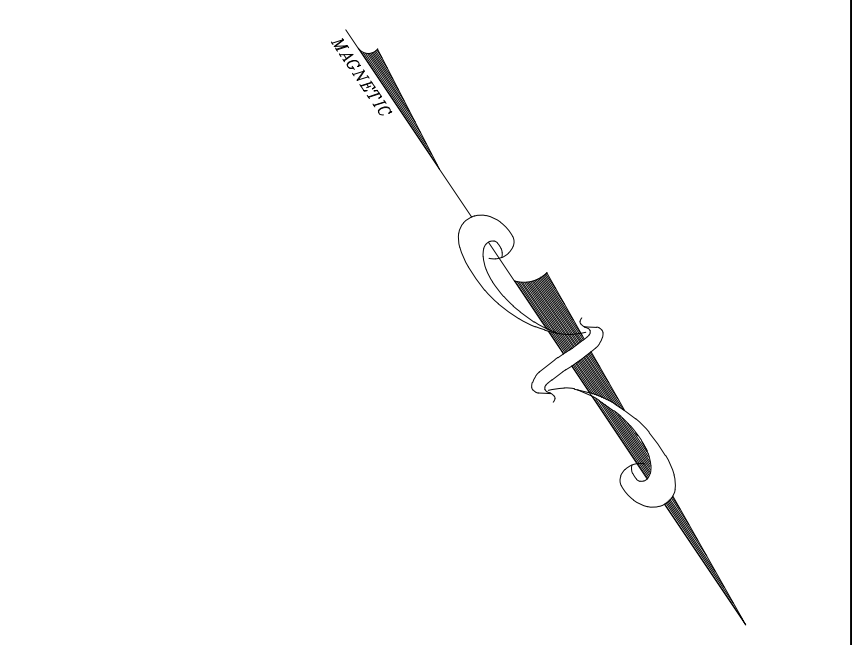
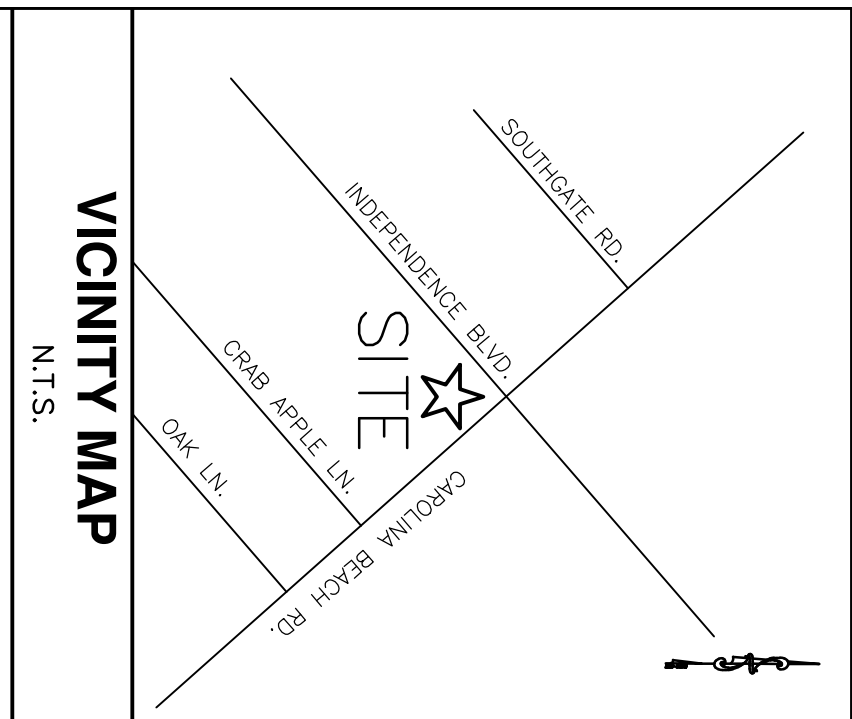
NEW CONSTRUCTION: x EXPANSION:      OTHER:      PAID:     

**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

PO 8/27/18





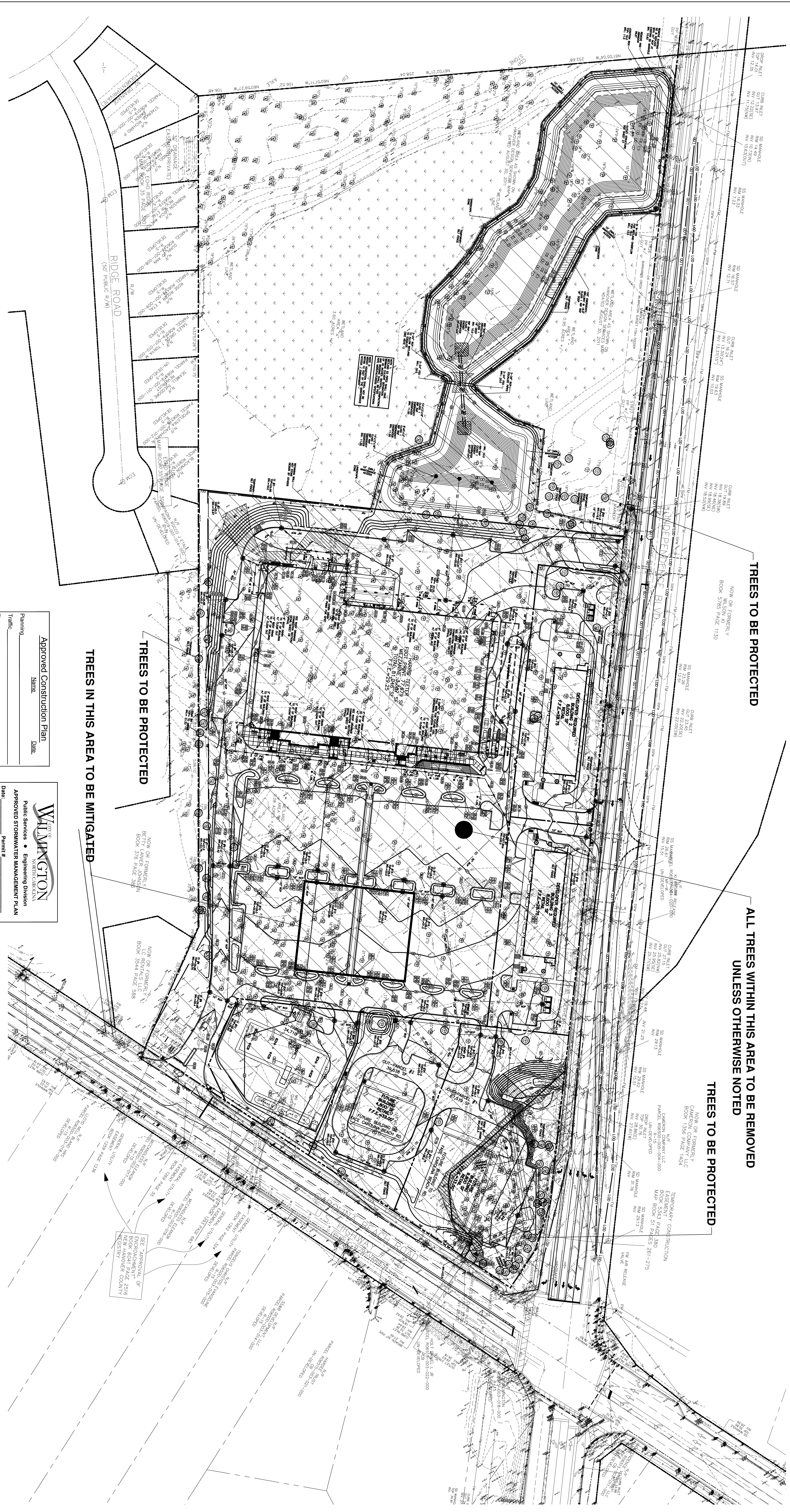
VICINITY MAP  
N.T.S.

- TREE SYMBOLS**
- B - BIRCH
  - C - CEDAR
  - CD - CEDAR
  - DW - DOGWOOD
  - G - GUM
  - H - HICKORY
  - M - MAPLE
  - MO - MADONIA
  - O - OAK
  - P - PINE (LDBOLD)
  - PCN - PECAN
  - POP - POPULAR
  - W - WILLOW

**LEGEND**

---	PROPERTY LINE
---	RIGHT OF WAY
---	EXISTING LOT LINES
---	PROPOSED STORM DRAIN
---	PROPOSED 6" SEWER
---	PROPOSED 8" WATER LINE
---	PROPOSED CONTOUR
---	EXISTING SS FORCEMAIN
---	EXISTING SEWER LINE
---	EXISTING STORM DRAIN
---	EXISTING WATER MAIN

BY	DESCRIPTION	DATE	SYMBOL
REVISIONS			
© 2018 NORRIS & TUNSTALL			



**Approved Construction Plan**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Planning: \_\_\_\_\_

Traffic: \_\_\_\_\_

File: \_\_\_\_\_

**WILMINGTON**  
NORTH CAROLINA

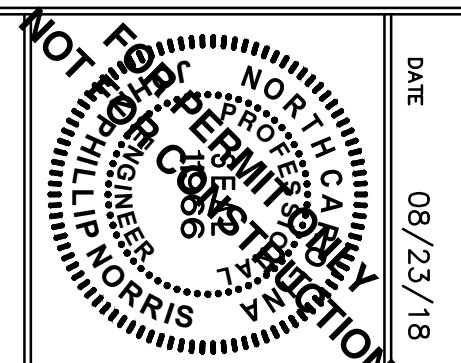
Public Services • Engineering Division  
APPROVED STORMWATER MANAGEMENT PLAN

Date: \_\_\_\_\_ Permit #: \_\_\_\_\_

Signed: \_\_\_\_\_

SCALE: 1" = 60'

0 60 120 180



16023

DES. JFN  
CHA. JFN  
EDS. EDS

DATE: 08/23/18

**NORRIS & TUNSTALL**  
CONSULTING ENGINEERS, P.C.

902 MARKET STREET WILMINGTON, NC 28401  
1429 ASH-LITTLE RIVER RD, NW ASH, NC 28420  
PHONE (910) 343-9653 PHONE (910) 287-5900

licence #C-3641

**OWNER:**  
Live Oak Development Company  
5 Allen Avenue  
Manchester, MA 01944  
910-538-5855  
deanscarafon@comcast.net

**TREE REMOVAL PLAN**  
**THE CROSSROADS AT INDEPENDENCE**  
**INDEPENDENCE AND CAROLINA BEACH ROAD**  
**CITY OF WILMINGTON, NORTH CAROLINA**





# 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

August 31, 2018

Live Oak Crossroads, LLC  
5 Allen Avenue,  
Manchester, MA 01944

**RE: Grading Permit #46-17, Crossroads @ Independence**

Dear Mr. Dean Scarafoni:

This office has reviewed the revised subject sedimentation and erosion control plan. We find the plan to be acceptable with performance reservations and modifications. A construction sequence from the engineer needs to be approved prior to clearing of the existing ditch on site and installation of the 2- 60 inch pipes.

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

The land disturbing fee of **\$7384** is due to be paid to New Hanover County Engineering, to my attention, prior to issuance of any Certificate of Occupancy.

**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, please contact us with the date land disturbing activity will take place onsite and once the initial erosion control measures are installed.

Please be advised that a copy of the approved soil erosion plan, a copy of the grading permit, a rain gauge and the Combined Inspection Reports 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

cc: Brian Chambers Senior Planner, City of Wilmington  
Phillip Norris PE, Norris & Tunstall Consulting Engineers, PC





## 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 Live Oak Crossroads, LLC authorizes the development of 18.46 acres of land at 3802 - 3906 Carolina Beach Road for Crossroads @ Independence in New Hanover County with performance reservations and modifications. This permit issued on August 31, 2018 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, this permit, a rain gauge 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.

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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, barricades or construction at all other entrances, silt fences, inlet and outlet protection, a 3:1 sloped 10 feet wide bottom Ditch #1 with its slopes and bottom immediately sodded or lined prior to any rain event and wire backed silt fence on either side of the top of the slopes, a concrete washout, and immediate construction of the sediment basin, its slopes and outlet structure with a 6 inch Faircloth skimmer with a 5.6-inch orifice. Note: A construction sequence must be approved prior to any disturbance in the existing ditch or installation of the 2 60 inch pipes. All disturbed area between the existing 54-inch pipe and the 2 60 inch pipes will be immediately lined and armored with rip rap and wire backed silt fence will be installed adjacent to the rip rap prior to any rain event. By pass pumping may be required during clearing until the 2 60 inch pipes are installed.

\*Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County prior to issuance of this permit and clearing 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 Stormwater, 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 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 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 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 ½ 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/1r/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 NCDENR 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 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. It requires inspections of all erosion control measures and reporting every 7 days and within 24 hours of every ½ 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 attached to 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.

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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

*Beth Easley Wetherill*

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

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

\_\_\_\_\_  
Signature