



March 1, 2022

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

CONSTRUCTION RELEASE
RiverLights Conventional V & VI Revision 1

4410 River Road
Project # 2018105

Consultant/Agent: Kathryn Espinoza
McKim & Creed
243 N. Front Street
Wilmington, NC 28401

Property Owner: Nick Cassala
NNP IV – Cape Fear River, LLC
109 Pier Mast Point, Suite 209
Wilmington, NC 28412

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.
3. This project will require the dedication of public drainage 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. This project will require the dedication of public or private right(s)-of-way.

Name(s): TRISAIL TERRACE; CECIL POINT; FOLKLORE WAY; SANCAI RUN; COBALT LANE; AZURE ROW; PROVISION LANE; CAISSON RUN; LAPIS ROW; SOCO CREEK ALLEY; SWEET TEA AVENUE; SUNSHINE CIRCLE; MOLASSESS CREEK ALLEY; FRENSNEL RUN; STEPPING STONE LANE; GATHERING WAY; PATINA LANE; MOON WATCH WAY; FRYING PAN ROW; MICA ROW; SHOAL WAY

6. This project will require the submittal of a request for recycling and trash services form. Submittal of this form will ensure all residents receive city recycling and trash services as required by Section 10-4 of the city code. It is required for public street dedications serving single-family or duplex lots and is optional for private streets. This is not applicable for streets (public/private) serving commercial or multi-family development. This form can be submitted to the City Engineering Department.
7. 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 CAO, Planning and City Engineering prior to recording a final plat.
8. 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.
9. 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.



10. 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.
11. 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.
12. Properties within the special flood hazard area shall be subject to compliance with Article 13 of the Land Development Code. Please contact Kathryn Thurston, Zoning Administrator/Floodplain Manager (910.341.3249) for clarification on requirements for development in the flood plain.
13. 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.
14. 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.
15. Please notify New Hanover County Building Inspections of this release.

Project Planner:

Brian Chambers

3/1/22

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
Riverlights Conventional Phase V & VI Revision 1 Approved Plans	2018105	2/28/22
City of Wilmington Tree Permit	TPP-19-140	2/15/22
New Hanover County Grading Permit	GP 8-19 R2	6/1/21
City Comprehensive Stormwater Management Permit (under separate cover)	2021034R1	2/28/22

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	Wilmington Fire Department (e-mail only)
Brian Blackmon	Surveyor (e-mail only)
Jim Sahlie	GIS Addressing (e-mail only)
Bill McDow	Traffic Engineering (e-mail only)
Mitesh Baxi	Traffic Engineering (e-mail only)
Denys Vielkanowitz	Traffic Engineering (e-mail only)
Bernice Johnson	CFPUA (e-mail letter only)
Beth Easley Wetherill	NHC Erosion Control (e-mail only)
Michelle Hutchinson	GIS Engineer (e-mail only)
Amy Beatty	Community Services (e-mail only)
Ron McMillan	Community Services (e-mail only)
Joan Mancuso	City Zoning (email only)
Catherine Meyer	City Zoning (email only)
Shawn Evans	City Attorney's Office (email only)



Courtney Salgado
Joseph Wurzel
Nick Drees
Jon Roan
Ben Hughes

City Attorney's Office (email only)
NC DOT (email only)
NC DOT (email only)
NC DOT (email only)
NC DOT (email only)

File: **RiverLights Conventional V & VI** Project #: **2018105**
Revision 1



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-19-140

REVISED 2/15/22

Application for Tree Removal Permit

Name of Applicant: Donald J. Henry Phone: 910-473-5409 Date: 2/13/2019

Name of Property Owner: NNP IV Cape Fear River LLC Phone: 910-343-1048

Property Owner Address: 109 Pier Master Point, Suite 209 Wilmington, NC 28412

Address of Proposed Tree Removal: 4410 River Road Wilmington, NC 28412

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

- 1. See Attached 6.
- 2. 7.
- 3. 8.
- 4. 9.
- 5. 10.

Description of Replacement Tree(s): Trees within the Conventional Phase 5 and 6 neighborhood shall be replaced through the planting of street trees, buffer planting, and proposed park areas. See site plan.

Applicant Signature: [Signature] Date: 2/14/19

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

Reviewed By: [Signature] Date: 3/28/19

Remarks: Per Plan
no significant tree removal

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

NEW CONSTRUCTION: EXPANSION: OTHER: PAID: 9500 pd
2/21/19

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

RECEIVED
 FEB 21 2019

City of Wilmington Tree Removal
RiverLights Conventional Phase 5 and 6

Minimum number of Trees to be on Post Development Site	
15 Trees/Acre	* 106 Project Area
Equals =	1,590 Trees

Protected Trees to be Removed			
2002	Pines	0	Gum/Maple
0	Mimosa	0	Cherry
121	Oaks	0	Poplar
0	Crape Myrtle	0	Magnolia
0	Amer. Holly	0	Amer. Holly
<i>Total =</i>		2123	<i>Trees</i>
Type		Regulated	Significant
Conifers		2002	0
Hardwoods		120	1
Flowering Trees		0	0
Total Protected Removed =		2122	1

Note: "Protected Trees to be Removed" numbers above are total between Original Phase 5 & 6 Tree Removal Plan (TPP_19_140) and attached list of additional trees.

Regulated Trees for Mitigation					
Pines	(12,696 DBH	* 50%	) /	3 =	2,116 Trees
Oaks	(607 DBH	* 100%	) /	3 =	202 Trees
Gum/Maple	(0 DBH	* 50%	) /	3 =	0 Trees
Cherry	(0 DBH	* 0%	) /	3 =	0 Trees
Crate Myrtle	(0 DBH	* 0%	) /	3 =	0 Trees
Magnolia	(0 DBH	* 0%	) /	3 =	0 Trees
Mimosa	(0 DBH	* 0%	) /	3 =	0 Trees
Poplar	(0 DBH	* 0%	) /	3 =	0 Trees
Amer. Holly	(0 DBH	* 100%	) /	3 =	0 Trees

Significant Trees for Mitigation					
Oaks	(24 DBH	*2* 100%	) /	3 =	16 Trees
Gum/Maple	(0 DBH	*2* 50%	) /	3 =	0 Trees
Cherry	(0 DBH	*2* 0%	) /	3 =	0 Trees
Crate Myrtle	(0 DBH	*2* 0%	) /	3 =	0 Trees
Magnolia	(0 DBH	*2* 0%	) /	3 =	0 Trees
Mimosa	(0 DBH	*2* 0%	) /	3 =	0 Trees
Poplar	(0 DBH	*2* 0%) /	3 =	0 Trees
Amer. Holly	(0 DBH	*2* 100%) /	3 =	0 Trees

TOTAL MITIGATION REQUIRED =	2,334 Trees
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RIVERLIGHTS SF5-6**ADDITIONAL TREE REMOVAL**

	COUNT
REGULATED*	146
REGULATED	1033
SIGNIFICANT	1
UNPROTECTED	1237
TOTAL REMOVED	2417

*EXEMPT FROM MITIGATION DUE TO LOCATION WITHIN ESSENTIAL SITE IMPROVEMENTS

TREES TO BE REMOVED**LOCATED WITHIN ESSENTIAL SITE IMPROVEMENTS****(REGULATED TREES EXEMPT FROM MITIGATION)**

POINT NUMBER	EASTING	NORTHING	ELEVATION	TYPE	DIAMETER	STATUS
81943	143034.8786	2324074.647	11.238	OAK	3	UNPROTECTED
17907	144122.8472	2323783.661	12.9177	OAK	5	UNPROTECTED
17908	144124.5955	2323783.234	12.931	OAK	5	UNPROTECTED
18575	143971.4056	2323701.339	11.7908	OAK	5	UNPROTECTED
18583	143949.9712	2323717.125	11.5317	OAK	5	UNPROTECTED
18584	143931.6381	2323727.024	11.4829	OAK	5	UNPROTECTED
18621	143941.2524	2323791.433	12.15	OAK	5	UNPROTECTED
58956	142948.7005	2323208.789	14.4625	OAK	5	UNPROTECTED
18576	143976.5086	2323690.806	11.98	OAK	6	UNPROTECTED
18582	143935.6689	2323704.698	11.7831	OAK	6	UNPROTECTED
18580	143939.7638	2323700.085	11.8068	OAK	7	UNPROTECTED
16682	143930.5255	2323156.437	8.5307	OAK	8	REGULATED*
18581	143938.2919	2323694.769	11.8808	OAK	8	REGULATED*
19565	143687.0376	2324745.981	21.5711	OAK	8	REGULATED*
58949	142917.8009	2323299.004	14.2769	OAK	8	REGULATED*
59091	142789.6377	2323375.14	11.3146	OAK	8	REGULATED*
16020	2322401.726	144164.148	9.796	OAK	8	REGULATED*
16021	2322390.999	144167.2699	9.8879	OAK	8	REGULATED*
16206	2322425.704	144132.422	7.8837	OAK	8	REGULATED*
58955	142949.4465	2323138.951	10.5465	OAK	9	REGULATED*
76144	143410.2117	2323776.913	21.9117	OAK	10	REGULATED*
16019	2322405.998	144154.0018	9.3848	OAK	10	REGULATED*
77118	142985.0067	2323697.609	8.176	OAK	12	REGULATED*
12853	143425.4505	2323129.501	9.4026	PINE	10	UNPROTECTED
16683	143909.6193	2323168.239	7.3738	PINE	10	UNPROTECTED
16684	143896.2496	2323152.52	6.9637	PINE	10	UNPROTECTED
16687	143890.386	2323131.86	7.3836	PINE	10	UNPROTECTED
16688	143881.39	2323136.638	6.8841	PINE	10	UNPROTECTED
16690	143879.9734	2323116.218	6.9749	PINE	10	UNPROTECTED
16700	143911.3817	2323063.078	10.5953	PINE	10	UNPROTECTED

CONVENTIONAL NEIGHBORHOOD PHASE 4

NOTE:

- TREES REMOVED FROM THE PROPOSED RIGHT OF WAY WERE APPROVED FOR REMOVAL UNDER EARLY GRADING RELEASE PROJECT NUMBER 2018105 DATED 05/07/2019 AND SUBSEQUENTLY CLEARED FROM THE SITE.
- WHERE SILT FENCE IS REQUIRED IN THE SAME PLACE AS TREE PROTECTION FENCING, ORANGE SILT FENCE AND SIGNAGE FOR TREE PROTECTION MAY BE USED INSTEAD OF DUPLICATE FENCING. SIGNAGE MUST MEET CITY OF WILMINGTON REQUIREMENTS FOR TREE PROTECTION DURING CONSTRUCTION (SD 15-09).

CONVENTIONAL - PHASE 1

CONVENTIONAL - PHASE 2

CONVENTIONAL NEIGHBORHOOD PHASE 6

FUTURE RIVERLIGHTS

Protected Trees to be Removed			
2002 Pines	0	Mimosa	0
121 Oaks	0	Gum/Maple	0
0 Cherry	0	Poplar	0
0 Grape/Vitile	0	Magnolia	0
		0 Amer. Holly	
Total =	2123	Trees	
Type	Regulated	Significant	
Conifers	2002	0	
Hardwoods	120	1	
Flowering Trees	0	0	
Total Protected Removed =	2122	1	

LEGEND

TREE LEGEND

OAK
 PINE

REMAIN & CAP
 POWER POLE
 SANITARY SEWER MANHOLE
 SANITARY SEWER MAN
 TREE PROTECTION FENCE
 SILT FENCE
 STREAM DRAIN
 LIMITS OF DISTURBANCE

DEMOLITION NOTES:

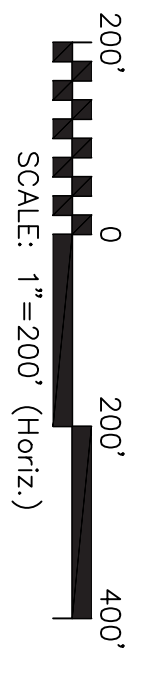
- NO EARTH DISTURBING ACTIVITIES SHALL COMMENCE UNTIL ALL PERMETER EROSION CONTROL MEASURES ARE IN PLACE IN ACCORDANCE WITH THE EROSION CONTROL SEQUENCE SHOWN IN THESE PLANS.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTE WETLAND LIMITS AND PREVENT DISTURBANCE OR OTHER ACTIVITY WITHIN WETLANDS.
- THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR THE PROTECTION OF ALL PROPERTY CORNER MONUMENTS, AND SHALL HAVE, AT HIS EXPENSE, ALL CORNER MONUMENTS REPLACED WHICH ARE DISTURBED BY CONSTRUCTION ACTIVITIES.
- CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING IMPROVEMENTS, AT HIS EXPENSE, DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO, DRAINAGE, UTILITIES, PAVEMENT, STRIPING, CURB, ETC. REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
- CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH ALL REGULATIONS GOVERNING THE DEMOLITION, REMOVAL, TRANSPORTATION AND DISPOSAL OF ALL DEMOLITION DEBRIS.
- CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH THE LATEST OSHA STANDARDS FOR EXCAVATION AND TRENCHING PROCEDURES. CONTRACTOR SHALL USE SUPPORT SYSTEMS, SLOPING, BEHONING, ETC. AS NECESSARY FOR THESE OPERATIONS, AND SHALL COMPLY WITH ALL OSHA PERFORMANCE CRITERIA.
- CONTRACTOR SHALL TAKE SPECIAL CARE TO PROTECT ALL UTILITIES AND APPURTENANCES TO REMAIN.

NOTE:
EXISTING TREE CALIPER INCH SIZE IS SHOWN WITHIN THE TREE SYMBOL.

EXAMPLE ONLY

REGULATIONS:

1	CITY OF WILMINGTON	CONVENTIONAL PHASE 1 ADDITIONAL LOTS	07/27/2021
2	CITY OF WILMINGTON	CONVENTIONAL PHASE 2 ADDITIONAL LOTS	11/22/2021
3	CITY OF WILMINGTON	CONVENTIONAL PHASE 3 ADDITIONAL LOTS	07/27/2021
4	CITY OF WILMINGTON	CONVENTIONAL PHASE 4 ADDITIONAL LOTS	07/27/2021
5	CITY OF WILMINGTON	CONVENTIONAL PHASE 5 ADDITIONAL LOTS	07/27/2021
6	CITY OF WILMINGTON	CONVENTIONAL PHASE 6 ADDITIONAL LOTS	07/27/2021
7	CITY OF WILMINGTON	CONVENTIONAL PHASE 7 ADDITIONAL LOTS	07/27/2021



CAPE FEAR RIVER

TREES REMOVED DUE TO FORCE MAIN INSTALLATION FROM PUMP STATION 2

TRACT PRODUCT BOUNDARY

EXISTING 10-FT NON-MUNICIPAL EASEMENT RIVER ROAD R/W

EXISTING 12\"/>

PROPOSED PUBLIC DRAINAGE ACCESS EASEMENT

FINAL DRAWING FOR REVIEW PURPOSES ONLY

McKIM & CREED
 243 North Front Street
 Wilmington, North Carolina 28401
 Phone: (910)343-1048, Fax: (910)251-8282
 License: F-1222
 www.mckimcreed.com

NAAH RIVERLIGHTS
 North America Steel House, LLC

RIVERLIGHTS CONVENTIONAL PHASE 5 & 6 TREE REMOVAL PLAN

DATE: 09/11/2021
 MCK PROJ. # 027235-0250
 DRAWN: ALM/DOO
 DESIGNED: ALM/DOO/REM
 CHECKED: REM
 PROJ. MGR: KOBZ

SCALE: HORIZONTAL: 1\"/>

MCK FILE NUMBER: CX-102
 DRAWING NUMBER: 5
 STATUS: FINAL DRAWINGS NOT FOR CONSTRUCTION
 REGION: Z



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

June 1, 2021

NNP IV-Cape Fear River, LLC
13777 Ballantyne Corporate Place, Suite 250,
Charlotte, North Carolina 28277

RE: Grading Permit #8-19 Revision #2, River Lights Conventional Phase V & VI Infrastructure

Dear Nick Cassala:

This office has reviewed the revised erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this land-disturbing permit with modifications. **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 New Hanover County's Erosion and Sedimentation Control Ordinance 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 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, and Article VIII Section 8.19(o).

The land-disturbing fee for the additional 0.55 acres is **\$165** which is due to be paid to New Hanover County Engineering, to my attention, prior to Plat Recordation.

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 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 New Hanover County's Erosion and Sedimentation Control Ordinance 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. **You must ensure you have tree approval PRIOR to any land disturbing activity onsite.** 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,



Beth Easley Wetherill
NHC Soil Erosion Specialist

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

cc: Kathryn Espinoza PE, McKim & Creed
Brian Chambers, City of Wilmington Planning



Permit# GP 8-19

Revision #2

LNDP # 19-00060

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 NNP IV-Cape Fear River, LLC authorizes the development of 105.98 acres of land at 4410 River Road for River Lights Conventional Phase V & VI, Phase I ONLY in New Hanover County with performance reservations and modifications. This permit issued on April 18, 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 this permit, the approved Soil Erosion and Sedimentation Control Plan as well as any approved deviations, a copy of DEMLR's NCG01 Certificate of Compliance, records of inspections made during the previous 30 days and a rain gauge must be posted at the job site at all times.

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. Additional plan submittals and approvals may be required. Acceptance and approval of this erosion control plan is conditioned on the applicant's compliance with Federal and State laws, regulations and rules. This Permit does not preclude any other permits or approvals necessary for beginning or completing this development. It is the Permittee's responsibility to obtain all necessary permits and approvals that are required prior to beginning construction.

This approval is based in part on the accuracy of the information provided on the Financially Responsibility Form, which you provided. You are required to file an amended form if there is any change in the information that was provided.

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 99.4 acres was approved 4/18/19. Erosion control included clearing and grubbing only in the redlined limits of disturbance on the Phase I plan with 2 construction entrances, silt fences, stabilized buffers and stabilization within the timeframes on the plan and according to NCG01 rules. This approval does not include any future Phase 2 stormwater infrastructure or lot work shown in black on the plan. Additional approvals will be necessary for land disturbance in Phase 2

*Revision #1 for the addition of 6.03 acres for forcemain and stormwater outfall construction which is shown on the plan in the blue limits of disturbance, is approved on 12/21/20 and includes 2 construction entrances, silt fences, silt fence outlets, stabilization, concrete washouts and all NCG01 regulation. Phase 2 stormwater infrastructure and Lot disturbance shown in black on the plans, will require additional approvals and erosion control.

**Revision #2 includes 0.55 additional acres approved 6/1/2021 for Phase 1B and 2 stormwater infrastructure and initial lot disturbance. Erosion control will be installed in 2 phases. Phase 1B includes 2 construction entrances, silt fences, silt fence outlets, 3 lined diversion ditches with 5 check dams in TDD 1, and 3 check dams in TDD 2 & 3, immediate construction and stabilization of 3 skimmer sediment basins, there slopes and outlets structures, Basin 1 will have a 3 inch Faircloth skimmer with a 2.8 inch orifice, Basin 2 will have a 2.5 inch Faircloth skimmer with a 2.10 inch orifice and

Basin 3 will have a 1.5 inch Faircloth skimmer with a 0.07 inch orifice, outlet protection, a lined perimeter dike with 9 check dams, concrete washouts and all NCG01 regulations. Note: Basins shall be constructed prior to diversion ditches, Phase 2 erosion control includes 2 construction entrances, silt fences, silt fence outlets, inlet and outlet protection, 3 stabilized skimmer sediment basins, the skimmer in SCM 1 will be a 4 inch Faircloth skimmer with a 3.6 inch orifice, the skimmer in SCM 4 will be a 2.5 inch Faircloth skimmer with a 2.10 inch orifice, the skimmer in SCM 10 will be a 4 inch Faircloth skimmer with a 3.3 inch orifice and all SCMs will be immediately built and stabilized with outlet structures, immediate construction and stabilization of 6 infiltration basins with specific storage requirements, a lined perimeter dike with 9 check dams, concrete washouts and all NCG01 regulation. Note: Individual lot SFD construction may require additional land disturbing permits.

*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.

*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.

*No sediment shall leave the site.

*If these measures fail to adequately control erosion, more restrictive measures will be required.

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

*Any borrow material brought onto this site must be from a legally operated mine or other approved source including a separate construction site with an active land disturbing permit. Borrow from any other location would require this permit to be revised to include the area where the borrow was generated as part of this site. Any soil waste that leaves this site can be transported to a permitted mine or separate construction site with an active land disturbing permit without additional permits. Disposal at any other location would require the disposal site to be included in this permit and would require submittal and approval of revised plans.

*Note the required rates for seed, lime, fertilizer, and mulch in your seeding specifications.

*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.

*Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County.

*All City and/or County and State drainage and stormwater requirements will be adhered to.

*This permit does not preclude any permits or approvals which may be necessary. These include but are not limited to, City of Wilmington or New Hanover County Stormwater, Planning or Zoning, State or County C.A.M.A., DEMLR Water Quality, Water Resources or Solid Waste, the US Army Corps. of Engineers or any other agencies.

The approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State Water Quality laws, regulations, and rules.

* This land disturbing permit requires inspections and record keeping to be performed by the landowner, the financially responsible party or their agent, during and after each phase of the plan has been completed and after establishment of temporary ground cover. Records shall be maintained onsite until permanent ground cover has been established to provide sufficient root structure to restrain erosion. These phases include: installation of perimeter erosion and sediment control measures; clearing and grubbing of existing ground cover; completion of any phase of grading on slopes or fills that requires provision of temporary or permanent ground cover; completion of storm drainage facilities; completion of construction or development; and quarterly until the establishment of permanent ground cover sufficient to restrain erosion. Or, until the financially responsible party has conveyed ownership or control of the tract of land for which the erosion and sedimentation control plan has been approved and the agency that approved the plan has been notified. If the financially responsible party has conveyed ownership or control of the tract of land for which the erosion and sedimentation control plan has been approved, the new owner's or person in control shall conduct and document inspections quarterly until the establishment of permanent ground cover sufficient to restrain erosion. The person who performs the inspections shall maintain and make available a record of the inspection at the site of the land disturbing activity until permanent ground cover has been established. The records will document: the installation of the erosion and sedimentation control measures, practices and devices as set forth by the approved plan or if the measures, practices and devices are modified after initial installation; the completion of any phase of grading for all graded slopes and fills shown on the approved plan, specifically noting the location and condition of the graded slopes and fills; the location of temporary or permanent ground cover, and

that the installation of the ground cover does not significantly deviate from the approved plan; that maintenance and repair requirements for all temporary and permanent erosion and sedimentation control measures, practices and devices have been performed and that they don't significantly deviate from the approved plan; any significant deviation from the approved erosion control plans and identify measures that may be required to correct the deviation and document the completion of the corrective actions; it includes contact information for the person conducting the inspection and the date of the inspection. These requirements are in addition to inspections required by GS 113A 61.1.

* 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 unless this project has applied for an Individual Construction Stormwater Permit. The NOI form must be submitted 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@ncdenr.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.

*Additional self-inspections, record keeping and reporting is required by the Construction Stormwater General Permit - NCG01 per State Stormwater. It requires inspections and record keeping at least once per 7 calendar days and within 24 hours of a rain event of 1.0 inch or more, in 24 hours. Rain inspections reset the required 7 calendar day inspection requirement. Records of inspection made during the previous 30 days must be kept onsite. Other reports are to be made available for 3 years. Reporting is required to the States Stormwater Divisions Regional Office for sediment deposits in streams or wetlands, oil spills, release of hazardous substances, anticipated bypasses, unanticipated bypasses and noncompliance with conditions of the permit that may endanger health or the environment. There are specific time frames for reporting and submittal of reports to the Divisions Regional Office. NCG01 includes 7 and 14 calendar day ground stabilization and materials handling requirements. Materials are to be kept in leak proof containers, under storm resistant cover or have secondary control structures. They are to be stored 50 feet away from storm drains, surface waters and wetlands. They include flocculants, equipment and vehicle maintenance, litter, building materials and land clearing waste, paint and other liquids, portable toilets, earthen stockpile management, concrete washouts, herbicides, pesticides and rodenticides, and hazardous and toxic waste. Contact the Department of Energy, Mineral and Land Resources Stormwater Division at deq.nc.gov/NCG01 or the Wilmington Regional Office at 910) 798-7215 for additional information.

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