

NOV 7 019





### TRANSMITTAL LETTER

TO:

Christopher Hatcher, Zoning Enforcement Inspector

DATE:

November 7, 2019

SUBJECT:

Oleander Commons (2019051)

Release for Grading Purposes Only

Plans Sealed as of 11/7/19

The following items are being sent to you via this package.

QUAN. DWG./NO.

DESCRIPTION

1 Dated 11/7/19

Oleander Commons (GRADING Only)

1 Dated 11/7/19

Approved Tree Preservation Permit (Revision)

1 Dated 10/25/19

NHC Erosion Control # GP 30-19

1 Dated 11/19/02

Policy on the Release of Projects for the Purpose of Clearing

and Grading

REMARKS: The Oleander Commons Project, located at 5335 and 5429 Oleander Drive, is hereby conditionally released for **Clearing and Grading Purposes Only**. The following conditions must be satisfied as part of this release:

- 1. A PRE-CONSTRUCTION MEETING MUST BE HELD BETWEEN THE SITE CONTRACTOR AND CITY STAFF PRIOR TO ANY GRADING BEGINNING ON THE SITE. FAILURE TO COMPLY WILL RESULT IN IMMEDIATE CIVIL PENALTIES.
- 2. NO CONSTRUCTION OF ANY BUILDING, STRUCTURE, WALL, UTILITIES, INFRASTRUCTURE ETC. OF ANY KIND, INCLUDING FOOTINGS AND BUILDING SLABS, WILL BE PERMITTED UNTIL THE TECHNICAL REVIEW COMMITTEE HAS APPROVED THE FINAL CONSTRUCTION RELEASE.
- 3. ANY TREES AND/OR AREA DESIGNATED TO BE SAVED MUST BE PROPERLY BARRICADED OR MARKED WITH FENCING AND PROTECTED THROUGHOUT CONSTRUCTION TO INSURE THAT NO CLEARING AND GRADING WILL OCCUR IN THOSE AREAS.
- 4. THIS GRADING RELEASE IS GIVEN IN ACCORDANCE WITH THE EROSION CONTROL PLAN APPROVED BY NEW HANOVER COUNTY.
- 5. IFTHE CONDITIONS LISTED ABOVE ARE VIOLATED; A STOP WORK ORDER WILL BE ISSUED.
- 6. THE DEVELOPER ASSUMES ALL RISKS AND PENALTIES WITH ANY DELAY OR STOP WORK ORDER ASSOCIATED WITH THE VIOLATION OF THIS

Planning, Development, & Transportation Department

Planning Division 305 Chestnut Street PO Box 1810 Wilmington, NC 28402-1810

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

RELEASE. BY SIGNING THIS, THE DEVELOPER ACKNOWLEDGES THE CONDITIONS OF THIS RELEASE AND ASSUMES ALL RESPONSIBILITIES AND RISKS ASSOCIATED WITH IT. THE CITY OF WILMINGTON WILL NOT BE HELD LIABLE FOR ANY COSTS ASSOCIATED WITH THE CLEARING AND GRADING RELEASE.

Signature: .

Nicole D. Smith, Associate Planner

Signature:

Applicant/Agent for Applicant

Copy: Jim Cirello, RLA

Bret Russell

Rob Gordon

Chris Walker

Aaron Reese

Rich Christensen

**Trent Butler** 

Eric Seidel

Jim Sahlie

Bill McDow

Mitesh Baxi Bernice Johnson

Beth Easley Wetherill

Michelle Hutchinson

Amy Beatty

Ryan O'Reilly

Joan Mancuso

Catherine Meyer

Debra Hornbuckle

Applicant (email only)

Construction Manager

Engineering

Wilmington Fire Department

**Urban Forestry** 

Engineering (email only)

Engineering (email only)

Engineering (email only)

GIS Addressing (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 Zoning (email only)

RECEIVED

NOV 7 319





November 7, 2019

Paramounte Engineering, Inc. Jim Cirello, RLA 122 Cinema Drive Wilmington NC 28403 Planning, Development, & Transportation Department

Planning Division 305 Chestnut Street PO Box 1810 Wilmington, NC 28402-1810

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

RE: The Oleander Commons Project, located at 5335 and 5429 Oleander Drive

I have attached a copy of the release for grading for The Oleander Commons Project, located at 5335 and 5429 Oleander Drive dated sealed on plans as of 11/7/19. Please make note of the conditions for the release as they appear on the attached release letter. These conditions must be followed and met in order for the construction to be approved. Prior to beginning grading on the site, you must have a pre-construction meeting between City staff and the project's representatives. Any violation of this condition will result in an immediate stop work order and other civil penalties.

All grading on the site must be in accordance with New Hanover County erosion control standards and the erosion control plan approved by New Hanover County and the City of Wilmington. Any trees and areas designated to be saved or protected must be properly barricaded and/or marked throughout construction. In addition please be aware that no construction of buildings, structures, walls, etc. may begin until the City of Wilmington's Technical Review Committee has approved the final plans and final construction release is granted.

Please contact our office at 254-0900 if you have any questions or concerns regarding this information and to schedule a pre-construction meeting with City staff. The City thanks you for your investment in our community and looks forward to working with you towards construction of a quality development project.

Sincerely.

Nicole D. Smith, AICP, CZO, CFM

Associate Planner







# Department of Planning, Development and Transportation Planning Division

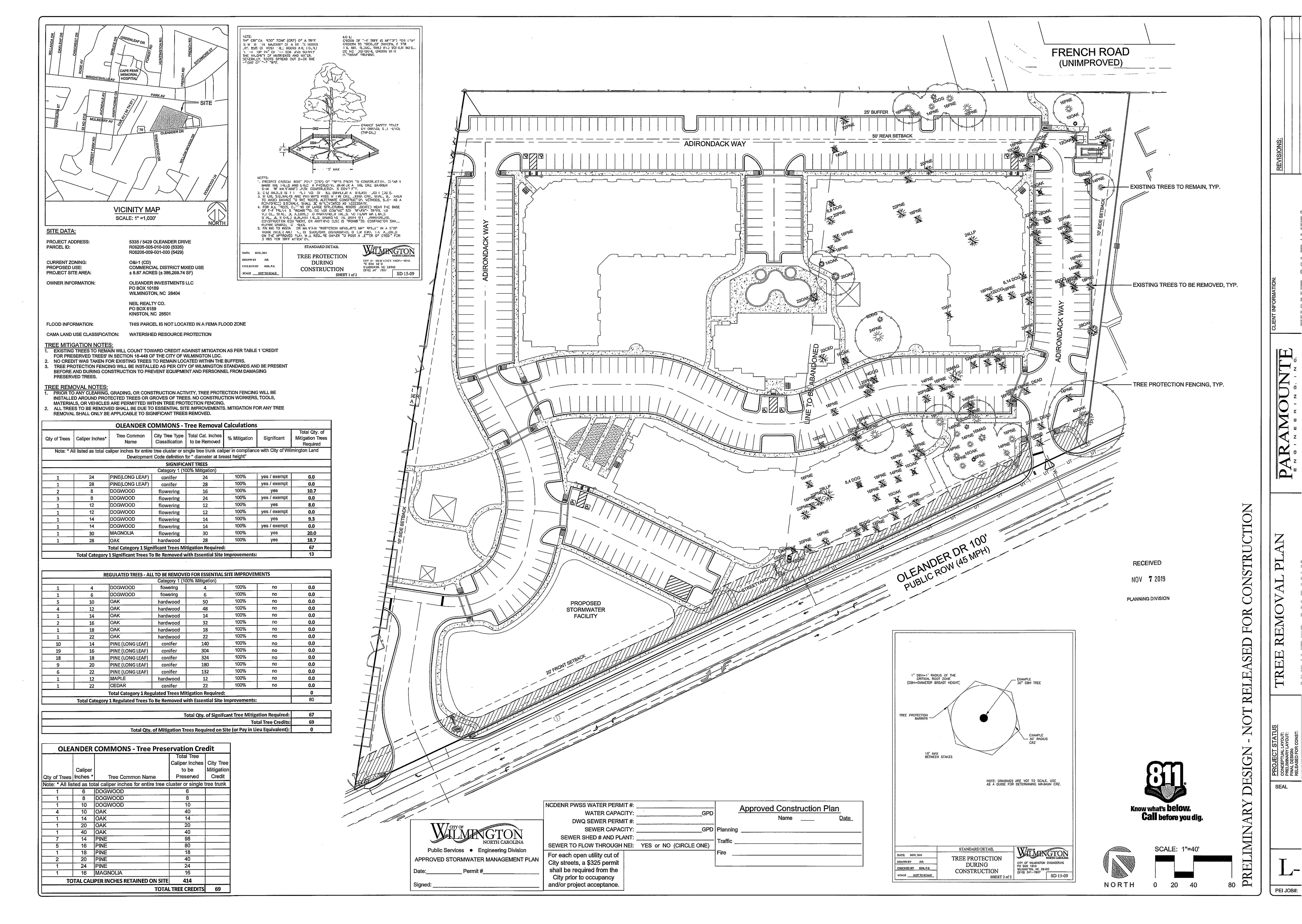
305 Chestnut Street PO Box 1810 Wilmington, NC 28402-1810

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

PLANNING DIVISION

APPROVED: X DENIED: PERMIT #: TPP-20-075			
<b>Application for Tree Removal Permit</b>			
Name of Applicant: Evolve Companies Phone: 336-389-9992 Date: 10/9/19			
Name of Property Owner: Hawthorne at Oleander Apts Phone: 910-256-2211			
Property Owner Address: 2918-A Martinsville Road, Greensboro, NC 27408			
Address of Proposed Tree Removal: 5335 Oleander Drive & 5429 Oleander Drive			
Description of tree(s) to be removed/reason for removal: (provide attachment if necessary)			
1. See Landscape Plan, sheet L-1.0 for 6.			
2. Tree Removal Quantities and 7.			
Calculations			
3			
4 9			
5			
J			
I,			
**************************************			
Remarks: PEN TREE ROMOUNE PUN			
DATES PECEIVED 10/24/19 (ATACHED) 11/7/	9.		
ALL WORK MUST BE IN COMPLIANCE WITH THE CITY LAND DEVELOPMENT CODE, ARTICLE 8, LANDSCAPING AND TREE PRESERVATION.  NEW CONSTRUCTION: EXPANSION: OTHER: PAID 105.00			
Tree Preservation Permit Fees RECEIVED 80 10/24	1.		
Less than 1 acre \$25.00	'7		
Tree Preservation Permit Fees			
5-10 acres \$100.00			
Greater than 10 acres \$150.00			

Greater than 10 acres





## **NEW HANOVER COUNTY**

## **ENGINEERING**

230 Government Center Drive, Suite 160, Wilmington, NC 28403 P: (910) 798-7139 | F: (910) 798-7051 | NHCgov.com

Jim lannucci, PE, CFM, County Engineer

October 25, 2019

Evolve Companies 2918-A Martinsville Road, Greensboro, North Carolina 27408

RE: Grading Permit #30-19, Oleander Commons

Dear Mr. Winstead

This office has reviewed the erosion and sedimentation control plan. We find the plan to be acceptable with performance reservations and modifications. <u>Please read the permit conditions carefully and return the signed blue original to our office and keep the copy for your records.</u> 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 <a href="mailto:Annette.lucas@ncdenr.gov">Annette.lucas@ncdenr.gov</a> or Paul Clark at <a href="Paul.clark@ncddenr.gov">Paul.clark@ncddenr.gov</a>. 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.

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.

The land disturbing fee of <u>\$2850</u> is due to be submitted to New Hanover County, to my attention, prior to issuance of any Certificate of Occupancy.

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 insure 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

Beth Easley Wetherill

**NHC Soil Erosion Specialist** 

cc: Brian Chambers Senior Planner City of Wilmington Jason Swain, Oleander Investments. LLC Hawthorne @ Oleander Apartments, LLC



### **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 <u>Evolve Companies</u> authorizes the development of <u>9.5 acres</u> of land at <u>5335 Oleander Drive for Oleander Commons</u> in New Hanover County with performance reservations and modifications. This permit issued on <u>October 25, 2019</u> is subject to compliance with the application and site drawings, all applicable regulations and special conditions and notes set forth below. <u>Any plan modifications must be approved by this office prior to field changes.</u>

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.

#### **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 2 construction entrances, silt fences, inlet and outlet protection, 2 lined 3:1 sloped temporary diversion ditches 1-foot-deep with 2 18 inch pipes and energy dissipaters, immediate construction and stabilization of the sediment basin, its slopes and outlet structure with a 1.5 inch Faircloth skimmer with a 1.0 inch orifice, installation of an infiltration system, concrete washouts and all NCG01 regulations.
- \*Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County <u>prior</u> 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 <u>not</u> allowed as inlet protection.
- \*This permit does not preclude any permits or approvals which may be necessary such as the City of Wilmington or New Hanover County Stormwater, Planning or Zoning, NCDEQ Stormwater, Water Resources or Waste Management, C.A.M.A., The US Army Corps. of Engineers 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 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 <a href="http://portal.ncdenr.org/web/lr/erosion">http://portal.ncdenr.org/web/lr/erosion</a>. 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 projects 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 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. We activity onsite. If you do not choose to have a preconstruction activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activity begins and again when the initial measures have been activities activi	on meeting prior to starting work on site, you need to conta	disturbing act us when
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	Acknowledgment of Receipt of Permit	
without approval of this office.	Owner	
Beth Easley Wetherill	By (please print)	
Beth E. Wetherill, C.P.E.S.C.		
Soil Erosion Specialist/New Hanover County	Signature	



City of Wilmington North Carolina

#### Development Services

305 Chestnut Street PO Box 1810 Wilmington, NC 28402-1810 (910) 341-7873 tdd

#### POLICY ON THE RELEASE OF PROJECTS FOR THE PURPOSE OF CLEARING AND GRADING

No release of projects for the purpose of clearing and grading will be approved except under the following circumstances:

- 1. Any applications for State permits, including those for driveways, stormwater, water extensions and sewer extensions, CAMA, etc. must have been applied for and received by the applicable State agency. The application must have been submitted to the applicable State agency for a time period exceeding the minimum review time of such applicable agency, indicating a delay by the State agency in the review of the application. Evidence that the applicable State agencies will issue the permit as submitted shall be provided by the applicant or the clearing and grading release will not be issued.
- 2. If wetlands exist on the site, no clearing and grading release of the project will occur until all reviewing agencies have completed their review, approved the plan and issued the wetland permit. Any and all wetland permits shall be submitted to and received by the City of Wilmington prior to the clearing and grading release of a project.
- 3. If a project is released for clearing and grading, then the release shall be for clearing and grading only and subject to the limits as authorized by the approved erosion control plan. However, no walls, utilities, infrastructure, structure (including footings), etc. shall be constructed.
- 4. If the conditions listed above are violated, a stop work order shall be issued.
- 5. Pre-construction meetings shall be held with the applicant and city staff to discuss the limits of the conditional approval, construction entrance driveways, tree preservation/removal, and any other issue of concern that staff and/or the developer may have. The Technical Review Committee meeting is not a preconstruction meeting.
- 6. The developer assumes all risks and penalties with any delay or stop work order associated with the violation of this policy. An indemnification statement shall be placed on each release to guarantee that the City of Wilmington will not be held liable for any costs associated with the clearing and grading release.
- 7. The applicant will sign the clearing and grading release to acknowledge that he/she understands the conditions and risks associated with the release.
- 8. No partial release for clearing and grading release will be granted for any applicant that has violated these conditions during a twelve month time period from the date of request for clearing and grading release.

Approved this

day of November, 2002:

Ron Satterfield, Senior Planner