



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

TRANSMITTAL LETTER

TO: Traci Lunceford, Zoning Enforcement Inspector
DATE: April 22, 2021
SUBJECT: **Splash and Dash Mayfaire** Project # 2020051
LOCATION: 1445 Eastwood Road

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

QUAN.	DWG./NO.	DESCRIPTION
1	Dated 4/14/21	Splash and Dash Mayfaire Approved Plans
1	Dated 2/12/21	Approved Tree Preservation Permit
1	Under Separate Cover	City Comprehensive Stormwater Management Permit No. 2021004
1	Dated 4/8/21	NHC Grading Permit #6-21
1	Dated 8/8/16	US Army Corps Wetland Jurisdictional Determination No. SAW-2016-00652

REMARKS: The **Splash and Dash Mayfaire** project, located at 1445 Eastwood Road, is hereby conditionally released for construction. The following conditions must be satisfied as part of this release:

- A. **A PRE-CONSTRUCTION MEETING MUST BE HELD BETWEEN THE SITE CONTRACTOR AND CITY STAFF PRIOR TO ANY SITE WORK, TREE REMOVAL, CLEARING, OR GRADING BEGINNING ON THE SITE. FAILURE TO COMPLY WILL RESULT IN IMMEDIATE CIVIL PENALTIES. CONTACT 910-254-0900.**
- B. **ANY TREES, INCLUDING THE CRITICAL ROOT ZONE AREA, 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.**
- C. **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:**
 1. **ALL TREE PROTECTION FENCING AND SILT FENCING HAS BEEN INSTALLED**
 2. **BETH WETHERILL HAS FORMALLY ISSUED THE GRADING PERMIT AND AUTHORIZED THE ACTIVITY**
 3. **THE CFPUA HAS AUTHORIZED THE WATER AND SEWER ACTIVITIES. THE CONTRACTOR MUST HAVE A PRECON WITH CFPUA 332-6560.**

4. THE CITY ZONING INSPECTOR AUTHORIZES THE ACTIVITY.

- D. ALL IMPROVEMENTS, AS RECOMMENDED BY THE SUBMITTED AND APPROVED TRAFFIC IMPACT ANALYSIS (TIA) SHALL BE INSTALLED AND INSPECTED PRIOR TO THE ISSUANCE OF THE FINAL ZONING APPROVAL.**
- E. THIS DEVELOPMENT SHALL COMPLY WITH ALL LOCAL, CITY TECHNICAL STANDARDS, REGIONAL, STATE AND FEDERAL DEVELOPMENT REGULATIONS. ALL APPLICABLE TRC REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF THE FINAL ZONING APPROVAL.**
- F. 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.**
- G. PRIOR TO A FINAL INSPECTION, A WALKTHROUGH WITH CITY INSPECTIONS SHALL TAKE PLACE TO VERIFY COMPLETENESS OF SITE WORK IN ROW. ANY MATERIAL TEST REPORTS AND STORMWATER VIDEOS AS REQUIRED SHALL BE SUBMITTED PRIOR TO AND APPROVED BY CITY ENGINEERING. PLEASE CONTACT THE CITY ENGINEERING DIVISION AT 910.341.0094.**
- H. 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.**
- I. 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.**
- J. 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 \$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.**
- K. 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.**

- L. THE DEVELOPER ASSUMES ALL RISKS AND PENALTIES WITH ANY DELAY OR STOP WORK ORDER ASSOCIATED WITH THE VIOLATION OF THIS RELEASE. 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 CONSTRUCTION RELEASE.**
- M. APPROVAL OF A MAJOR OR MINOR SITE PLAN SHALL EXPIRE AFTER EIGHTEEN (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.**
- N. IF THE CONDITIONS LISTED ABOVE ARE VIOLATED, A STOP WORK ORDER WILL BE ISSUED.**

Please notify New Hanover County Building Inspections of this release.

Signature: Nicole D Smith
Associate Planner

Copy:	Jarrett Senkbeil	Applicant (e-mail only)
	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)
	Ryan O'Reilly	Community Services (e-mail only)
	Joan Mancuso	City Zoning (email only)
	Catherine Meyer	City Zoning (email only)
	Debra Hornbuckle	City Zoning (email only)

Shawn Evans
Courtney Salgado
Joseph Wurzel
Nick Drees
Jon Roan
Ben Hughes

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: **Splash and Dash Mayfaire**

Project File # 2020051



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April 22, 2021

Mr. Jarrett Senbeil
Onsite Civil Group
980 Birmingham Rd, Ste. 501-340
Milton GA 30004

RE: **Splash and Dash Mayfaire** project, located at 1445 Eastwood Road

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 any construction or 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. Please contact our zoning office at 254-0900 to schedule the preconstruction meeting.***

All construction on the site must be in accordance with the City of Wilmington standards and the approved construction plans stamped by the City. All trees and areas designated to be saved or protected must be properly barricaded and/or marked throughout construction. In addition please be aware that 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.***

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.

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.

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
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APPROVED: DENIED:

PERMIT #: TPP-21-137

Application for Tree Removal Permit

Name of Applicant: Arendelle Holdings, LLC Phone: 910-256-2211 Date: 11/20/20

Name of Property Owner: same Phone: same

Property Owner Address: 1131-B Military Cutoff Rd, Wilmington, NC 28405

Address of Proposed Tree Removal: 1445 Eastwood Rd

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

- 1. see attached tree plan 6. _____
- 2. _____ 7. _____
- 3. _____ 8. _____
- 4. _____ 9. _____
- 5. _____ 10. _____

Description of Replacement Tree(s): see attached tree plan

I, Jason David Sumin, certify that the property owner has given me permission to apply for this permit on his/her behalf.

Applicant Signature: [Signature] Date: 11/23/2020

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

Reviewed By: Nicole D Smith Date: 2/12/21

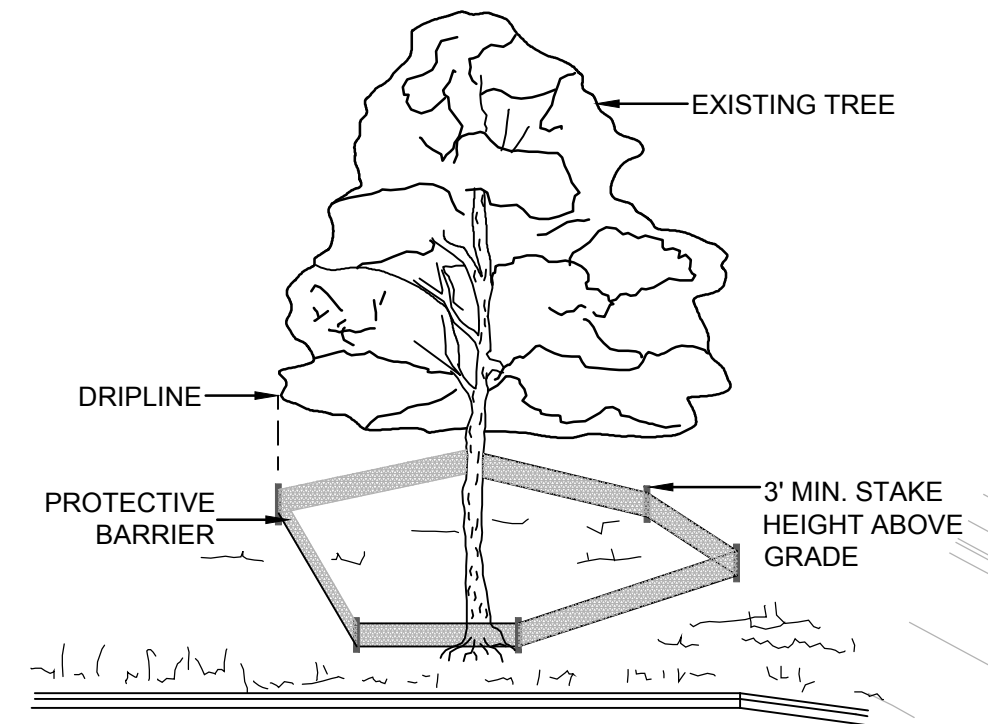
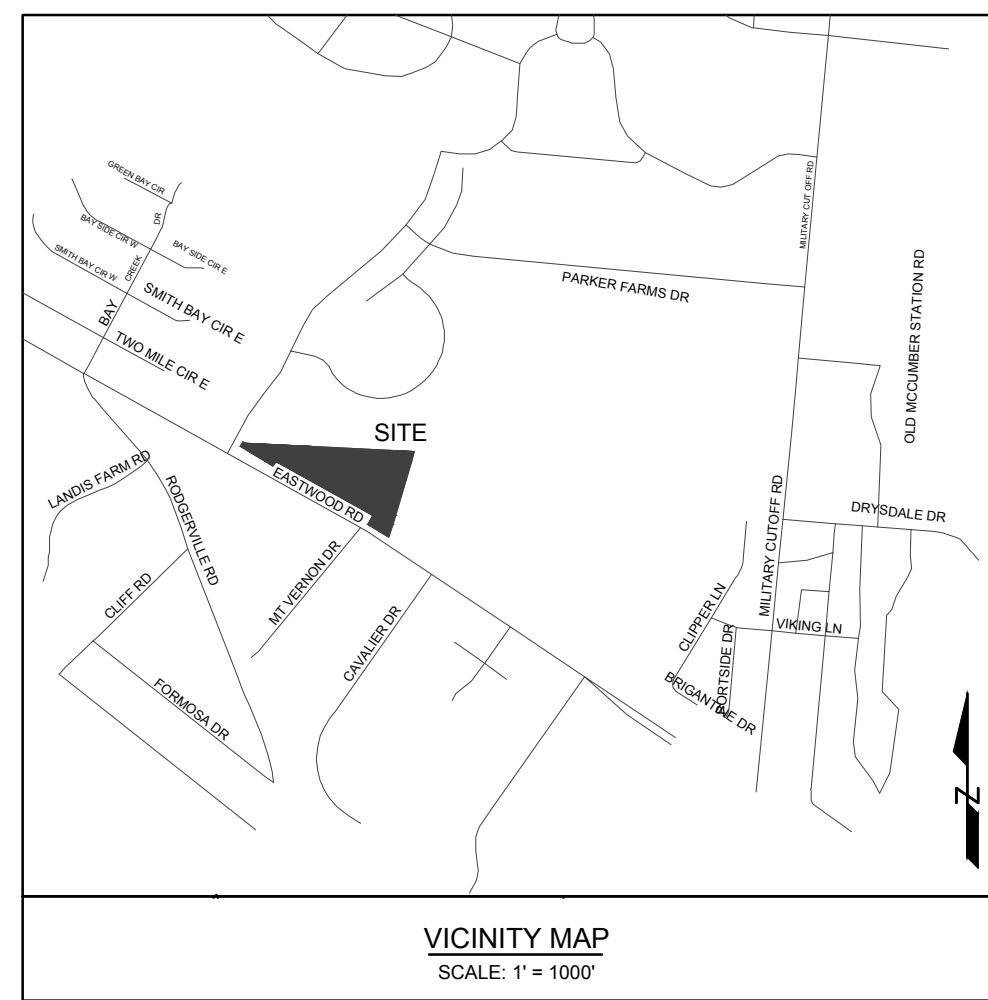
Remarks: Required tree mitigation is offset by the preserved tree credits.

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

NEW CONSTRUCTION: EXPANSION: OTHER: PAID: \$50 pd. 11/25/20

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



NOTE:
TREES TO BE SAVED WILL BE CLEARLY MARKED PRIOR TO CONSTRUCTION AND A PROTECTIVE BARRIER IS TO BE INSTALLED AT THE DRIPLINE. DRIPLINE - THE AREA OF SOIL DIRECTLY BENEATH THE TREE EXTENDING OUT TO THE TIPS OF THE OUTERMOST BRANCHES.

METHOD OF TREE PROTECTION DURING CONSTRUCTION
NOT TO SCALE

- NOTES:
1. AREA CALCULATED BY COORDINATES.
 2. HORIZONTAL (NAD83-NRS2007) AND VERTICAL (NAVDS8) DATUM WERE ESTABLISHED UTILIZING A TOPCON HYPERLITE GPS RECEIVER OPERATING IN VRS MODE WITH REPEAT OBSERVATIONS.
 3. NO NCGS MONUMENT WAS LOCATED WITHIN 2,000' OF THE SUBJECT PARCEL.
 4. PORTIONS OF THIS TRACT LAYS WITHIN DESIGNATED FLOOD ZONE AE (BFE=18.6) AND 0.2% ANNUAL CHANCE FLOOD HAZARD, ACCORDING TO FEMA FIRM COMMUNITY-PANEL NUMBER 3720315700K, BEARING AN EFFECTIVE DATE OF AUGUST 28, 2018.
 5. NO 5 REBAR SET AT ALL CORNERS UNLESS OTHERWISE SPECIFIED.
 6. NO NCGS MONUMENT WAS RECOVERED WITHIN 2,000 FEET OF THE PARCEL.
 7. SITE TOPOGRAPHIC FEATURES WERE PROVIDED TO PARAMOUNT ENGINEERING (FIELD CONFIRMED-4/8/2020) FROM THE CLIENT AND WERE PRODUCED BY MCKIM & CREED.
 8. LOT 2 TO BE ACCESSED BY A RECIPROCAL CROSS-ACCESS EASEMENT WITH LOT 1.

SITE DATA:
OWNER/APPLICANT: AREDELLE HOLDINGS LLC
1131-B MILITARY CUTOFF ROAD
WILMINGTON, NC 28405

PROJECT ADDRESS: 1445 EASTWOOD ROAD
WILMINGTON, NC 28405

TAX PARCEL IDENTIFICATION #: R05600-001-007-000

RECORDED DEED BOOK: BK 5963, PG 212

TOTAL SITE AREA: 3.555 ACRES (154,838 SF)

CURRENT & PROPOSED ZONING: CB (CD) COMMUNITY BUSINESS DISTRICT

- LEGEND:
- IPF IRON PIPE FOUND
 - IRF IRON ROD FOUND
 - IRON ROD SET
 - CMF CONCRETE MONUMENT FOUND
 - PNF PK NAIL FOUND
 - PMS PK NAIL SET
 - ESMT LINE
 - ADJOINER PROPERTY LINE
 - SETBACK LINE
 - 100-YR FLOOD ZONE LINE
 - R.O.W. LINE
 - PARCEL/BOUNDARY LINE



1445 EASTWOOD ROAD - Tree Removal Calculations

Qty of Trees	Caliper Inches*	Tree Common Name	City Tree Type Classification	Total Cal. Inches to be Removed	% Mitigation	Significant	Total Qty. of Mitigation Trees Required
Note: * All listed as total caliper inches for entire tree cluster or single tree trunk caliper in compliance with City of Wilmington Land Development Code definition for "diameter at breast height"							
SIGNIFICANT TREES							
Category 1 (100% Mitigation)							
1	8	CHERRY	flowering	8	100%	yes	5.3
1	10	CHERRY	flowering	10	100%	yes	6.7
1	24	GUM	hardwood	24	100%	yes	16.0
2	24	POPLAR	hardwood	48	100%	yes	32.0
Total Category 1 Significant Trees Mitigation Required:							60
Total Category 1 Significant Trees To Be Removed:							5

REGULATED TREES - ALL TO BE REMOVED FOR ESSENTIAL SITE IMPROVEMENTS

Qty of Trees	Caliper Inches*	Tree Common Name	City Tree Type Classification	Total Cal. Inches to be Removed	% Mitigation	Significant	Total Qty. of Mitigation Trees Required
Category 1 (100% Mitigation)							
5	8	OAK	hardwood	40	100%	no	0.0
4	10	OAK	hardwood	40	100%	no	0.0
2	12	OAK	hardwood	24	100%	no	0.0
1	14	OAK	hardwood	14	100%	no	0.0
2	16	OAK	hardwood	32	100%	no	0.0
1	18	OAK	hardwood	18	100%	no	0.0
3	20	OAK	hardwood	60	100%	no	0.0
7	12	LOBLOLLY PINE	conifer	84	100%	no	0.0
18	14	LOBLOLLY PINE	conifer	252	100%	no	0.0
9	16	LOBLOLLY PINE	conifer	144	100%	no	0.0
6	18	LOBLOLLY PINE	conifer	108	100%	no	0.0
1	20	LOBLOLLY PINE	conifer	20	100%	no	0.0
5	22	LOBLOLLY PINE	conifer	110	100%	no	0.0
1	24	LOBLOLLY PINE	conifer	24	100%	no	0.0
10	8	GUM	hardwood	80	100%	no	0.0
16	10	GUM	hardwood	160	100%	no	0.0
14	12	GUM	hardwood	168	100%	no	0.0
6	14	GUM	hardwood	84	100%	no	0.0
8	16	GUM	hardwood	128	100%	no	0.0
4	18	GUM	hardwood	72	100%	no	0.0
3	20	GUM	hardwood	60	100%	no	0.0
1	24	GUM	hardwood	24	100%	no	0.0
Total Category 1 Regulated Trees Mitigation Required:							0
Total Category 1 Regulated Trees To Be Removed with Essential Site Improvements:							127

Total Qty. of Significant Tree Mitigation Required:	60
Total Tree Credits:	270
Total Qty. of Mitigation Trees Required on Site (or Pay in Lieu Equivalent):	0

1445 EASTWOOD RD - Tree Preservation Credit

Qty of Trees	Caliper Inches*	Tree Common Name	Total Tree Caliper Inches to be Preserved	City Tree Mitigation Credit
Note: * All listed as total caliper inches for entire tree cluster or single tree trunk				
4	12	LOBLOLLY PINE	48	
2	14	LOBLOLLY PINE	28	
4	16	LOBLOLLY PINE	64	
1	18	LOBLOLLY PINE	18	
3	20	LOBLOLLY PINE	60	
4	28	LOBLOLLY PINE	104	
1	32	LOBLOLLY PINE	32	
9	8	GUM	72	
24	10	GUM	240	
6	12	GUM	72	
11	14	GUM	154	
2	16	GUM	32	
3	18	GUM	54	
2	20	GUM	40	
1	22	GUM	22	
1	24	GUM	24	
12	8	OAK	96	
11	10	OAK	110	
9	12	OAK	108	
4	14	OAK	56	
1	16	OAK	16	
1	18	OAK	18	
5	8	MAPLE	40	
6	10	MAPLE	60	
1	12	MAPLE	12	
1	8	CHERRY	8	
1	10	CHERRY	10	
1	20	POPLAR	20	
TOTAL CALIPER INCHES RETAINED ON SITE			1618	
TOTAL TREE CREDITS				270

PRELIMINARY DESIGN - NOT FOR CONSTRUCTION

REVISIONS:

CLIENT INFORMATION:
SND MAYFAIRE, LLC
1217 BAYSIDE CIRCLE W
WILMINGTON, NC 28405

PARAMOUNT ENGINEERING
122 Cinema Drive
Wilmington, North Carolina 28403
(910) 791-6707 (O) (910) 791-6760 (F)
NC License #: C-2846

TREE REMOVAL PLAN
SPLASH AND DASH CARWASH
1445 EASTWOOD ROAD
CITY OF WILMINGTON
NEW HANOVER COUNTY, NC

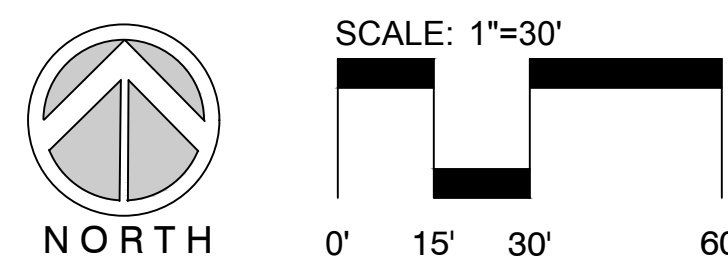
PROJECT STATUS:
CONCEPTUAL LAYOUT:
FINAL DESIGN LOGS:
RELEASED FOR CONSTRUCTION

DRAWING INFORMATION:
DATE: 01/29/21
SCALE: 1" = 30'
DRAWN BY: JWC
CHECKED: JWC

SEAL

L-1.0

PEI JOB#: 20184.PE





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

April 8, 2021

SND Mayfaire, LLC
943 Baldwin Park Drive,
Wilmington, North Carolina 28411

RE: Grading Permit #6-21, Splash n Dash 1445 Eastwood Road

Dear Mr. Stephen Umstead:

This office has reviewed the 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).

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: Jarrett Senkbeil PE, Onsite Civil Group
Nicole Smith Associate Planner, City of Wilmington
Jason Swain, Arendelle Holdings, LLC



Permit GP #6-21
LNDP 21-00020

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 SND Mayfaire, LLC authorizes the development of 1.65 acres of land at 1445 Eastwood Road for Splash n Dash Car Wash in New Hanover County with modifications. This permit issued on April 8, 2021 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. This project will be built in 3 phases. Erosion control includes 1 construction entrance, silt fences, 2 lined 3:1 sloped diversions with 3 foot bottoms and rock check dams, immediate construction and stabilization of the sediment basin with a 2 inch Faircloth Skimmer with a 1.6 inch orifice and 3 coir baffles, 2 lined 2:1 sloped 1 foot deep diversion flumes on either side to the retaining wall with energy dissipators, inlet and outlet protection, concrete washouts and all NCG01 regulations.

***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 such as City of Wilmington or New Hanover County, NC DEMLR, C.A.M.A., and/or the US Army Corps. of Engineers, DEM Solid Waste or any other agencies.

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

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

*If soil is brought onto this site or removed from this site, it must come from or be taken to an approved or permitted site, to be identified to this office prior to being brought onsite or removal from the site.

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

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

*If any phase of grading ceases for more than 90 calendar days, the site will be temporarily stabilized.

*All slopes must be stabilized within 21 calendar days of any phase of activity.

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

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

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

***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**

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Action Id. SAW-2016-00652
(Associated SAW-2005-01220)

County: New Hanover

U.S.G.S. Quad: Wrightsville Beach

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner: Wetherill Family Land, LLC
c/o Richard Wetherill
1814 Azalea Drive
Wilmington, North Carolina 28403

Agent: Paul Farley
Land Management Group, Inc.
3805 Wrightsville Avenue, Suite 15
Wilmington, North Carolina 28403

Size (acres) 8.11-acres
Nearest Waterway UNT to Bradley Creek
USGS HUC 03020302

Nearest Town Wilmington
River Basin White Oak
Coordinates Latitude: 34.2323 N
Longitude: -77.8361 W

Location description: The project site is located at 1451 Eastwood Road (Parcel No. R05600-001-006-000), in Wilmington, New Hanover County, North Carolina. The project consists of undeveloped, forested land that borders Eastwood Road to the southwest, Town Center Drive to the northwest, residential development to the north, and Cavalier Drive to the east.

Indicate Which of the Following Apply:

A. Preliminary Determination

- There appear to be waters, including wetlands, on the above described property, as depicted on the attached exhibit, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344). This preliminary jurisdictional determination may be used in the permit evaluation process, including determining compensatory mitigation. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.

B. Approved Determination

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are waters of the U.S. including wetlands on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

We strongly suggest you have the waters of the U.S. including wetlands on your project area delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this

wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.

The waters of the U.S. including wetlands on your property have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.

The waters of the U.S. including wetlands have been delineated and surveyed and are accurately depicted on the figure identified below. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

There are no waters of the U.S., to include wetlands, present on the above described property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Wilmington, NC, at (910) 796-7215 to determine their requirements.

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **John N. Policarpo at 910-251-4487 or John.N.Policarpo@usace.army.mil.**

C. Basis for Determination: This site exhibits wetland criteria as described in the 1987 Corps Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. Wetlands on-site are considered abutting a Relatively Permanent Water (RPW), also located on-site, and are jurisdictional under Section 404 of the Clean Water Act. This determination is based on a site visit conducted by John Policarpo of the Corps on April 1, 2016. The enclosed survey titled, "Wetlands Survey of Wetherill Family Land LLC, Client: Little Diversified Architectural Consulting, City of Wilmington, New Hanover County, North Carolina", dated July 25, 2016, accurately depicts the extent of on-site jurisdictional waters of the U.S., including wetlands.

D. Remarks:

E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Jason Steele, Review Officer
60 Forsyth Street SW, Room 10M15
Atlanta, Georgia 30303-8801

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **October 8, 2016**.

****It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.****

Corps Regulatory Official: _____



Date: **August 8, 2016**

Expiration Date: **August 8, 2021**

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at <http://regulatory.usacesurvey.com/>.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Wetherill Family Land, LLC	File Number: SAW-2016-00652	Date: August 8, 2016
Attached is:		See Section below
<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)		B
<input type="checkbox"/> PERMIT DENIAL		C
<input checked="" type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION		D
<input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
District Engineer, Wilmington Regulatory Division,
Attn: John N. Policarpo
(910) 251-4487
John.N.Policarpo@usace.army.mil

If you only have questions regarding the appeal process you may also contact:
 Mr. Jason Steele, Administrative Appeal Review Officer
 CESAD-PDO
 U.S. Army Corps of Engineers, South Atlantic Division
 60 Forsyth Street, Room 10M15
 Atlanta, Georgia 30303-8801
 Phone: (404) 562-5137

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
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For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, John N. Policarpo, 69 Darlington Ave., Wilmington, NC 28403

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801 Phone: (404) 562-5137

