Pender County

Agenda

Board of Adjustment Meeting

Wednesday, December 14, 2022 @ 9:00 AM

Pender County Public Assembly Room

			Presenter	Page
1.	CALL TO ORDER			
2.	ROLL CALL			
3.	INVOCATION			
4.	ADOPTION OF AGENDA			
5.	NEW BUSINESS			
	5.1.	Assign County Attorney Trey Thurman as Moderator		
	5.2.	Nomination and Selection of Chairman and Vice-Chairman		
	5.3.	Adoption of Pender County Board of Adjustment 2023 Meeting Calendar		
6.	ADOPTION OF MINUTES			
	6.1.	BOA Meeting Minutes 11-16-2022 BOA Meeting Minutes 11-16-2022 - Pdf		3 - 171
7.	PUBLIC COMMENT			
8.	PUBLIC HEARINGS			
	8.1.	VAR 2022-12 VAR 2022-12 - Pdf		173 - 229
9.	DISCUSSION ITEMS			
10.	NEXT MEETING DATE			
11.	ADJOURNMENT			

Pender County

TO:	Zoning Board of Adjustment
FROM:	Justin Brantley
DATE:	December 14, 2022
SUBJECT:	BOA Meeting Minutes 11-16-2022

SUMMARY:
BOA Meeting Minutes 11-16-2022

ACTION REQUESTED:
Review and approval of 11-16-2022 meeting minutes

ATTACHMENTS:
11-16-2022 BOA Minutes with Exhibits

Pender County Board of Adjustment Meeting Minutes – November 16, 2022

Members Present: Max Kipfer, Chairman
Kyle Breuer, Vice Chairman
Brett Keeler
Andrew Olsen, Alternate

Members Absent: Jeffrey Snider, Alternate

Others Present: Justin Brantley, Interim Planning Director
Donna Sayre, Administrative Specialist
Trey Thurman, County Attorney
Steve Coggins, Attorney
Matthew Nichols, Attorney
Lauren Walsh, Member of the Public
Brian Walsh, Member of the Public
Adam Winstead, Member of the Public
Dan Ogden, Member of the Public
Phil Holt, Member of the Public

1. Call to Order: 9:02 a.m.

2. Roll Call

3. Pledge of Allegiance and Moment of Silence

4. Adoption of Agenda

Mr. Breuer made a motion to adopt the agenda. Mr. Keeler seconded the motion, and the motion was unanimously approved.

5. Adoption of Minutes

Mr. Breuer made a motion to adopt the minutes from the September 21, 2022, meeting. Mr. Olsen seconded the motion, and the motion was unanimously approved.

6. Public Comment

There was not public comment

7. Public Hearing

Attorney Trey Thurman affirmed Justin Brantley, Steve Coggins, Matthew Nichols, Lauren Walsh, Brian Walsh, Adam Winstead, Dan Ogden, and Phil Holt as to their testimony being truthful and relevant to the respective case.

Mr. Brantley, Interim Planning Director, presented the Staff Report. Adam Winstead, Brian Walsh, and Lauren Walsh, applicants and owners, are requesting an Appeal of an Administrative Decision made by the Pender County Planning and Community Development Department which found that the Special Use Permit Application for Case SUP 2022-36, requesting approval for a Community Boating Facility, was complete. The subject property is located at 120 Hugh Edens Lane, approximately one-half mile southeast of the intersection of Sloop Point Loop Road and Twin Oaks Drive in the Topsail Township. The subject property is zoned RP, Residential Performance zoning district. The subject property, initially shown as Tract A in Map Book 26 Page 104, currently includes two duplex units, Parcels 4214-91-8387-000A and 4214-91-8387-000B each consisting of a single unit respectively, with the surrounding common areas as Parcel 4214-91-8387-0000. The current owners of these parcels include Sloop point Watch HOA (Common area), 4214-91-8387-000A (Brian and Lauren Walsh) and 4214-91-8387-000B (Adam Winstead). Sloop Point Watch HOA is owned jointly by Brian and Lauren Walsh and Adam Winstead.

Mr. Brantley stated that prior to the current ownership, Richard Lehrer and James A. Spicuzza filed a Declaration of Condominium for the Sloop Point Condominium on this property (Tract A) on January 5, 2004, in Book 2295 Page 088. This recording further established the Sloop Point Condominium Owners Association, INC., which included the duplex with surrounding common area. On the same date, a Deed of Easement was recorded with the Pender County Register of Deeds in Book 2295 Page 084. Grantors (Richard A Lehrer, Anna M Lehrer, James Spicuzza, and Amy Spicuzza) granted grantees (Owners of Lots 1A & B, 2A & B, 3A & B, 4A & B, 5A & B, 6A & B, 7A & B, 8A & B, 9A & B, 10 A & B, and Lot 11, Sloop Point Duplexes) with a perpetual easement, for the use of a boat launching/landing ramp and access to the Atlantic Intracoastal Waterway through a portion of Tract A, as previously identified.

Mr. Brantley stated that the respective lots were established in Map Book 35 Page 069 on September 24, 2002, with individual duplex tax parcels being established in Map Book 36 Page 048 on July 3, 2003. Subsequently, Map Book 37 Page 028 was recorded on January 5, 2004, and shows Tract A including duplex units A and B with a water access easement granted under Book 2295 Page 084.

Mr. Brantley stated that in response to a letter sent from the Law Office of Matthew A. Nichols, dated August 13, 2021, Planning Department staff compiled a zoning verification letter that answered a number of questions asked by Mr. Nichols, including those referencing the zoning of the property, the classification of the existing use on site and history related to the site, and how such a use would be permitted under the standards outlined in the Pender County Unified Development Ordinance at that point in time. The zoning verification letter issued by the County clarified that the use was classified as a Community Boating Facility under the definitions outlined in the UDO, that establishing such a use would require the approval of a Special Use Permit by the County, and that there was no record of a Special Use Permit having ever been issued for the subject property.

Mr. Brantley stated that on May 26, 2022, the Planning Staff received an inquiry from Attorney Steve Coggins regarding a pre-submittal meeting for a Special Use Permit Application for a Community Boating Facility, which requires Special Use Permit approval by the Board of County Commissioners. Staff informed Mr. Coggins that the pre-submittal meeting was no longer required and provided him with the application documents.

Mr. Brantley stated that the current Pender County UDO defines Community Boating facility as follows: A private, nonprofit boating facility with navigable water frontage which includes a dock, pier, and/or launching ramp which is intended to serve five (5) or more residential units. Must be owned/controlled by a Homeowners Association (HOA) or any type of development association or collective owners group0 where more than one family has privileges to use facility. Commercial activities of any kind, including commercial letting of slips to parties that are not residents of the association or development, shall be prohibited.

Mr. Brantley stated that on June 6, 2022, Mr. Coggins emailed Planning Staff a digital application submittal and on June 22, 2022, Planning Staff members Justin Brantley, Greg Feldman, and Fire Marshall Mark Haraway met with Mr. Coggins to discuss the initial proposal to install and use a floating dock and kayak launch. After discussing concerns related to emergency access due to the limitation of the twelve foot (12') wide easement leading towards the waterway, it was determined by Mr. Haraway that any modification of the existing facilities would require a twenty-foot (20') wide fire access road and turnaround for emergency vehicles.

Mr. Brantley reported that on July 19, 2022, Mr. Coggins provided Planning Staff with a revised site plan showing no proposed modifications or improvements to the easement area. On August 10, 2022, a revised application was received by Planning Staff and the Special Use Permit Application (Case SUP 2022-36) was determined by Planning Staff to be complete and was subsequently scheduled for a Public Hearing by the Board of Commissioners on September 19, 2022. The application was signed by Steve Coggins as the applicant representing Betty Change signing as the owner on behalf of the Sloop Point Duplex owners which identifies herself and the other twenty (20) owners as easement holders as previously established.

Mr. Brantley further explained that on August 30, 2022, Attorney Matthew Nichols filed an application for the Appeal of an Administrative Decision challenging the completeness determination made by Planning Staff on August 10, 2022. This appeal application filed pursuant to Pender County UDO, Section 3.12.3.F, which provides that an appeal from a completeness determination may be made to the Board of Adjustment with twenty (20) days of the determination.

Mr. Brantley stated that on August 30, 2022, Planning Staff received an application for the Appeal of an Administrative Decision (Appeal Case 2022-9) from Attorney Matthew Nichols, on behalf of Adam Winstead, Brian Walsh, and Lauren Walsh, providing that Special Use Permit Application 2022-36 was incomplete and therefore should have been/should be rejected by the County as incomplete and insufficient to move forward to the Board of County Commissioners.

Mr. Brantley stated that N.C.G.S. 153A-345(b) specifies that an appeal by any person aggrieved by a final order, interpretation, or decision of the Administrator or other administrator in regard to the provisions of this Ordinance may be taken to the Board of Adjustment.

Mr. Brantley provided that it is the determination of the Zoning Administrator that Planning Staff correctly determined Special Use Permit Application 2022-37 to be complete. In this determination it was established that the easement holders had the right to apply for this development approval as it was consistent with their rights as easement holders. It was further established that Steve Coggins had the right to apply as the applicant as an agent of the easement holders.

Mr. Kipfer asked the Board members if there were any questions for the Planning Department staff.

Mr. Keeler asked if Mr. Coggins was allowed to file on behalf of the applicants and Mr. Brantley affirmed that he was.

Mr. Thurman informed the Board members that this Board cannot determine property rights, as a judge or jury would need to make that determination. A Special Use Permit does not determine an individual's rights. What is being brought in front of the Board today is as to whether the application was complete.

Mr. Breuer asked what the Planning staff is looking for to determine at the time of an application submittal. He also asked who can sign an application. Mr. Brantley stated that Betty Chang signed the application as owner of one of the twenty-one duplex sites.

Mr. Breuer asked if Ms. Chang owned one of the duplex sites referred to as Sloop Point Duplexes and Mr. Brantley responded affirmatively.

Mr. Kipfer asked if the dock was damaged. Mr. Brantley stated that it was damaged but has been reconstructed since Hurricane Florence.

Attorney Matthew Nichols, representing the owners, Brian and Lauren Walsh and Mr. Winstead, of 120 Hugh Edens Lane, addressed the Board.

Mr. Nichols, presented the Board with a 3-ring binder, tabs A-M, presentation packet. The presentation packet was submitted into record as **Exhibit A**.

Mr. Nichols spoke of Tab "A' that references a letter, dated August 31, 2021, written by Carlene Shaw, who was a Planner with the Planning Department at the time. He stated that it was a written interpretation of many of his addressed questions and in particular he wanted to draw attention to the part of the letter that states "According to the adopted November 18, 2003, Pender County Ordinance, Community Boating Facilities were not permitted in the R-20C zoning district, the zoning district of the subject property prior to the adoption of the Pender County Unified Development Ordinance in 2010."

Mr. Nichols informed the Board that all the documents that were presented concerning easements and so forth were from 2004 or 2005. At the time the easement was created, the use was not allowed under the zoning ordinance. He stated that he understands that the easement was put on paper, but the use was not allowed until five or so years later and even then, a Special Use Permit is required. Mr. Nichols further stated that the Planning Department was not required to review the easement map that was recorded.

Mr. Nichols stated that Mr. Thurman is correct in that this Board is not the forum to decide or establish easement rights, but that this determination was never appealed and could have been appealed under the statute. He referenced Statute 160D-403, "Administrative development approvals and determinations", Section B which states "It is conclusively presumed that all persons with standing to appeal have constructive notice of the determination form the date a sign providing notice that a determination has been made is prominently posted on the property that is subject of the determination, so long as the sign remains on the property for at least ten (10) days.

Mr. Nichols referenced Tab "D" which contains a picture of the sign that his clients posted in August of 2021. It has been over a year with nobody appealing the zoning decision.

Mr. Nichols stated that he feels that they have a good faith argument that the easement is not enforceable and should not have been created.

Mr. Olsen asked Mr. Nichols if he was to enter into an agreement of interest with a landowner for 100 acres of farmland could he, not as a developer, close in the future if he was able to convince Pender County to rezone it as a shopping center. Mr. Olsen inquired as to how this situation is any different. Mr. Nichols stated that his opinion is that the easement was never reviewed by the County and was not a legal arrangement under the zoning ordinance at the time it was put on paper.

Mr. Nichols stated that his clients own all the property in question. Mr. Winstead owns Unit A and Brian and Lauren Walsh own Unit B and together they own all the common area.

Mr. Nichols stated that the hearing today is not as to whether the Special Use Permit should be granted but rather if the application was complete. He contends that it is not complete due to his clients, the property owners, not signing the application. They do not consent nor were they contacted before the application was filed. Mr. Nichols stated that he found out about the application due to Mr. Thurman contacting him concerning the letter that he had previously written.

Mr. Nichols stated that Mr. Coggins' clients are easement holders and not easement owners and the application specifically states the owner must sign. He stated that when dealing with a Special Use Permit and its conditions, the owner must consent to the conditions being put on the property. His clients pay the taxes on the property and own the property and do not consent.

Mr. Nichols stated that the Planning Department does not have the authority to determine the rights of the easement holders. He stated that Mr. Brantley is not in the position to determine the scope of an easement, the rights of an easement holder, or to establish the rights of an easement holder.

Mr. Olsen stated that the Planning Department does have to determine who the owner of the property is when an application is submitted. He is questioning as to the word "holder" being used and where. Mr. Nichols referred the Board back to Tab C which provides Statute 160D-403. He is referencing the last sentence in Section A, which states "An easement holder may also apply for development approval for such development as is authorized by the easement."

Mr. Nichols then referenced Tab E, Statute 160D-102, Definitions. He read the definition of both Administrative decision (#1) and Quasi-judicial decision (#28).

Mr. Nichols stated that the Planning Department allowed the easement holders to apply for the Special Use Permit when it is clearly not an Administrative decision.

Mr. Nichols referenced both Tab F and Tab I. He spoke of the landowners not consenting to any conditions that may be placed on their land.

Mr. Breuer asked Mr. Nichols if his clients knew of the easement when they purchased the property. Mr. Breuer then went on to state that that may be a question to ask of the landowners under oath when they speak to the Board.

Mr. Nichols referenced under Tab I, Statute 160D-705, Quasi-judicial zoning decisions, Section C, "Any modifications approved apply only to those properties whose owners apply for the modification." He stated that if the Special Use Permit is granted and he hopes that it's not due to the Board ruling that the application is incomplete, then how could the permit be modified if the landowners did not apply or consent to it.

Mr. Keeler asked if the definition of easement holder and easement owner was included in the packet. He stated that Mr. Nichols continues to reference holder and owner but does not supply a written definition of the two.

Mr. Kipfer asked Mr. Thurman if there was a distinct difference between an owner and a holder. Mr. Thurman stated that he has been previously advised by the Board of Commissioners that if a person has been provided an easement, then they have an ownership in real property. There is an ownership interest that attaches to the property.

Mr. Kipfer asked if there is usually some type of compensation given for the easement and Mr. Thurman said that there could be compensation given, the easement given as a gift, or by prescription such as a person has used it for twenty years and will continue to use it.

Mr. Nichols referred the Board to look at Tab M which contains the definition of Community Boating Facility. The definition states that the facility "must be owned and/or controlled by a Homeowners Association (HOA) or any type of development association or collective owners' group where more than one family has privileges to use facility." Mr. Nichols stated that his clients' development is not part of the opposing parties' development and vice versa.

Mr. Nichols, presented the Board with a slideshow presentation. The presentation was accepted by the board and submitted into record as **Exhibit B**. Mr. Nichols provided the Board with a description of what each photo contains.

Mr. Nichols stated that the ramp has two slips and is not of adequate size and is not sufficient for many users.

Owner, Adam Winstead, addressed the Board. He is the owner of Unit A at 120 Hugh Edens Lane. He purchased the property in September of 2019. He purchased his property without a dock, and he went through the proper CAMA process to rebuild it. He shared the expense of rebuilding the dock with the previous owner of Unit B.

Mr. Kipfer asked Mr. Winstead if he was aware of the easement when he purchased the property. Mr. Winstead affirmatively responded but stated that he did not think it was enforceable. He claimed that the easement was set up illegally. Mr. Coggins stated his objection to Mr. Winstead's last statement. The Board acknowledged Mr. Coggins' objection.

Mr. Breuer asked Mr. Winstead if during construction of the new dock, did any of the easement holders acknowledge the work being performed. Mr. Winstead stated that one woman came down

onto his property with no previous permission and was under the assumption that she could apply for a Special Use Permit.

Mr. Kipfer asked Mr. Winstead to specifically tell where the easement is located on the property. Mr. Nichols stated that the easement is to the left of 120 Hugh Edens Lane when facing the home.

Mr. Nichols continued to present photos. Mr. Thurman asked Mr. Nichols to just stick to the situation at hand today due to some of the presentation having nothing to do with today's hearing.

Mr. Nichols stated that his clients are affected differently than the other people in this community since they are the property owners. Mr. Olsen stated that he feels that the Board agrees with Mr. Nichols statement. Mr. Nichols stated that he just wanted to make sure that statement was on record.

Mr. Nichols stated that he wants to make sure that the Application and his clients' deeds are entered as evidence. The items are contained within the 3-inch binder that was presented earlier as **Exhibit A**.

Mr. Nichols referred to Tab J, which contains a time frame of a Special Use Permit. He asked Mr. Brantley about the category "Zoning Permit Issuance". Mr. Brantley stated that any Special Use Permit would have to obtain approval by the Board of Commissioners and then a site plan approval by Planning staff would need to be acquired.

Mr. Nichols referred to Tab K and asked Mr. Brantley if this was the application that would be required in this particular situation. Mr. Brantley stated that the application in Tab K would not be the one that would be required in this situation due to no changes being made to the site. Mr. Brantley clarified that a Minor Site Plan Application would be appropriate in this situation.

Mr. Nichols concluded his presentation and Mr. Coggins requested that Mr. Winstead come back up to the podium so that he may ask questions of him. Mr. Coggins stated to Mr. Winstead that he did not reach out to any of the easement holders for financial assistance when rebuilding the dock. Mr. Winstead stated that this statement was untrue and in fact, he asked one of Mr. Coggins' clients for his checkbook and was cussed out and called names.

Mr. Coggins stated that there is a list of owners of the duplexes, and he was provided the list. Mr. Winstead stated that yes, he did have a list and about three years ago, he contacted the names listed and approximately eight did not want to partake in any financial compensation and that it is in writing. He did reiterate that this took place approximately three years ago and is not sure if anything has changed since then.

Mr. Kipfer asked if Brian or Lauren Walsh would like to speak at this point.

Lauren Walsh, 120B Hugh Edens Lane, addressed the Board. She stated that they were aware of the easement when they brought their property and spoke with Mr. Winstead about how the easement functioned and the legality of it. It became to be their understanding that the easement had been abandoned. Ms. Walsh stated there was no permit ever filed which led to them in believing that the easement was not valid. There has been no financial contribution to the maintenance of the dirt road, yard, or dock which also led them to believe it was abandoned.

Ms. Walsh stated that they decided to pursue a zoning determination due to the faults that they saw in the easement situation and added that the determination was never appealed. The duplex owners had time to appeal and did not do so. In her opinion, that is where this whole process should have ended but instead an application was submitted on their behalf that they never signed or consented to.

Mr. Thurman asked Mr. Nichols if he had any other witnesses wanting to speak and he stated that he thinks there are others who wish to speak but that they are not his witnesses.

Attorney Steve Coggins, representing the owners of the duplexes, spoke to the Board.

Mr. Coggins, presented the Board with a file folder presentation packet. The presentation packet was submitted into record as **Exhibit C**. Mr. Coggins then presented the Board with an email chain supporting himself and Ms. Chang signing the application. The email chain was submitted into record as **Exhibit D**. Both exhibits were submitted and accepted by the Board as evidence.

Mr. Coggins referred to first plat in his presentation which is recorded at Map Book 15 Page 80 and then the second plat which is recorded at Map Book 26 Page 104. The next item referenced was the Agreement of Ingress, Egress, and Road Maintenance recorded in Map Book 770 Page 248.

Mr. Coggins stated that the Maintenance Agreement that was recorded in Map Book 770 Page 248 has been continuously used since the recording. Mr. Kipfer asked if the easement has been continuously maintained since the Agreement was recorded. Mr. Coggins stated that from time to time, different people have had gravel brought in and the gravel has been used to level the road out without incurring significant cost.

Mr. Coggins referred to a plat recorded in Map Book 35 Page 69. He stated that this plat shows the Sloop Point Duplexes and the easement that is currently referred to as Hugh Edens Lane.

The next plat Mr. Coggins references is recorded in Map Book 35 Page 76. This plat identifies Lot 10 of Sloop Point Duplexes. Mr. Coggins stated that he is referring to this map because it references the road which is currently referred to as Hugh Edens Lane.

Mr. Coggins referred to the Enabling Declaration by Mary Edens, which is recorded in Map Book 1969 Page 179 through 185. Mr. Coggins stated that this Declaration gave some but not all the duplex lots access to the boat ramp. He stated that it appears as though Lots 1 through 6 are included in this Declaration. Mr. Coggins then clarified that he had misspoke and that the Declaration is pertaining to Lot 7.

Mr. Coggins then refences the General Warranty Deed that was recorded in Map Book 1969 Page 287, which pertains to Lot 7 of the Sloop Point Duplexes. He stated this the Deed references both the easement and maintenance agreement.

Next, Mr. Coggins referenced another Enabling Declaration by Mary Edens recorded in Map Book 1969 Page 186, which pertains to Lots 1 through 6 of the Sloop Point Duplexes.

Mr. Coggins then referred to a General Warranty Deed recorded in Map Book 1969 Page 312. He stated that on the last page of this recorded Deed, it states “This tract is conveyed subject to the

right of Grantors and their immediate family to use any boat ramp or dock constructed upon said property for and during the lifetimes of such grantors."

Mr. Coggins referenced the plat recorded at Map Book 36 Page 048, titled Lots 1-9, Sloop Point Duplexes. He stated this this plat references the easement.

Mr. Coggins then referred to the Deed of Easement that was recorded by Richard Lehrer, Anna Lehrer, James Spicuzza, and Amy Spicuzza, in Map Book 2295 Page 84. The Grantors granted the Grantees, Lots 1 through 11 of the Sloop Point Duplexes, "a perpetual easement, appurtenant to the lots owned by each of the Grantees, for the use of a boat launching/landing ramp and access to the Atlantic Intracoastal Waterway, together with the use of any pier or dock placed on said property by Grantor. Said easement shall be located per Grantor, and others may construct a boat landing/landing ramp facility and pier/dock on said premises."

Mr. Coggins made a reference to a plat recorded at Map Book 37 Page 028, titled Sloop Point Watch Condominium, that shows the easement that is now known as Hugh Edens Lane, Common Area, Water Access & parking easement, and the dock. Mr. Coggins stated that this plat put the public on notice of the existence of the easement.

Mr. Coggins referenced a General Warranty Deed recorded at Map Book 4693 Page 254-256 showing where Mr. Winstead was granted the property from the Trustees of the Laney Family Revocable Trust.

Mr. Coggins referred the Board to the General Warranty Deed recorded at Book 4716 Page 1523-1525 which shows Sally and Nick Ferrante as being the Grantors with Weihung Betty Chang and Chard Edward Curry being the Grantees. This Deed is referencing Lot 7B, Sloop Point Duplexes. Mr. Coggins stated that Ms. Chang signed the Application and benefits from the easement and boat ramp facility.

Next, Mr. Coggins referenced to the General Warranty Deed recorded in Map Book 4728, Pages 2246-2248, which shows Brian and Lauren Walsh being granted by Megaleg, LLC, Unit B of the Sloop Point Watch Condominium.

Mr. Coggins then referred the Board to the plot plan that was submitted with the Application.

Mr. Coggins stated to the Board that in this situation, the statute places the burden of proof on the Appellants and not on his clients who are the Applicants of the Special Use Permit.
The burden will be on his clients once the Special Use Permit goes before the Board of County Commissioners but not in this setting.

Mr. Coggins references the Unified Development Ordinance, Section 3.1.2 as to the Application Requirements and process. Mr. Coggins stated that according to N.C.G.S. 160D 403 A, an easement holder may also apply for development approval for such development as is authorized by the easement. Also, Subsection 13 of 160D 102, Definitions, states that development approvals include Special Use Permits. Mr. Coggins also stated that a development approval also includes a Quasi-Judicial Decision.

Mr. Coggins stated that in the Unified Development Ordinance it provides who can apply for a Special Use Application of any type. It states that an Applicant can apply but nowhere in the UDO

does it provide a definition of an Applicant. It does not state whether the owner can apply or whether an easement holder can apply, rather it just states that an applicant can apply.
Mr. Coggins stated that the UDO does define an owner as including an association having sufficient proprietary interest and he further stated that the easement presented to Board clearly gives his clients the ability to construct a boating facility.

Mr. Coggins stated that the exhibits provided to the Board grant his clients the right to use the easement and boat ramps, and that the documents also state that his clients have to help maintain the easement and boat ramp, which they are prepared to do.

Mr. Coggins reiterated that all the plat maps and deeds he provided in his exhibit presentation all show and reference the easement known as Hugh Edens Lane.

Mr. Coggins stated that the UDO, Section 3.12.2, shows the responsibility of the Special Use Permit Applicant to show the means, not the right, of access to the site. His clients have shown that through the site plan and recorded plats and deeds.

Mr. Coggins stated that easements are property rights that are immutable that run with the land in perpetuity in contrast to ordinances that are ethereal that are subject to the whim and wisdom of the County Commissioners at any given time.

Mr. Coggins stated that appellate cases in the State of North Carolina to which a body imposed conditions on a Special Use Permit and the applicants of the permit did not like it and appealed. The Courts may have reversed the decision, not because consent was not given but rather whether it was allowed under the statute.

Mr. Coggins stated this his clients as easement holders have a sufficient ownership interest. He stated that nowhere in the UDO does it state that the fee title owner must sign the application. All that is required by the UDO is the signature of the applicant.

Mr. Coggins referred to Mr. Nichols stating that his clients were not sent notice of the Special Use Permit being filed. The UDO required his clients to furnish names and addresses of people owning property within five hundred (500) feet of subject property. Mr. Nichols' clients were sent the mailer by the Planning Staff. The mailer gave his clients notice and the ability to request a copy of the Special Use Permit application from Planning Staff. There is no requirement in the UDO that the actual application is sent.

Mr. Kipfer asked if the mailers were sent out. Mr. Coggins stated that mailing out the notices is the responsibility of the Administrator. Mr. Brantley stated that the Planning staff never got to the point of sending the mailers due to the Planning Department receiving the Appeal. Mr. Brantley stated that notices were sent out pertaining to the Appeal to all required landowners. Mr. Kipfer asked if the landowners had received notice of the original application. Mr. Brantley provided that Mr. Nichols had reached out in August for a Special Use Permit.

Mr. Thurman informed the Board that he contacted Mr. Nichols himself due to Mr. Nichol's prior involvement to let him know that the Special Use Permit application had been submitted. Mr. Thurman stated that the County does not give notice when an application is received, but rather notice is given when the public hearing is scheduled. Mr. Thurman further stated that effective notice was also given to Mr. Nichols by him making the phone call to Mr. Nichols.

Mr. Kipfer asked Mr. Thurman if the clients would not have received notice before the actual public hearing was scheduled, and Mr. Thurman responded affirmatively.

Mr. Coggins addressed the contention that he as the Attorney cannot sign the application as the agent of the applicant. He stated that there is no provision in the UDO that states that an Attorney cannot sign an application on behalf of his or her clients. He is not aware of any form in this context that the party must sign instead of himself. Mr. Coggins reminded the Board that not only did he sign the application but so did Ms. Chang who has been delegated by the owners of the duplexes.

Mr. Coggins referenced the contention that they did not provide all the information needed for the surrounding property owners. He stated that the names and addresses were provided to the Planning staff. His firm does not have the Email addresses and phone numbers of the surrounding property owners, nor are they required to provide those.

Mr. Coggins stated that he feels he has addressed all the contentions brought up by Mr. Nichols and will gladly answer any questions that the Board may have.

Mr. Kipfer asked the Board members if they had any questions for Mr. Coggins. No questions were presented at this point.

Mr. Nichols stated that if the owner's signature is not required, then why is there an owner's block on the application. If the owner's signature is not required, then the application should only have an applicant block and not an owner's block.

Mr. Nichols stated that if the Special Use Permit was granted, which they hope will not be, but if it is, what will happen if there is a violation. As an example of what happens when there is a violation of a Special Use Permit, Mr. Nichols presented a packet which was received by the Board labeled **Exhibit E.** He provides a preview of the different forms contained in the packet. Mr. Nichols referenced the two violation letters that are addressed to the property owner and the application which clearly shows the applicant and the property owner. He stated that the idea that the property owner is not relevant is totally wrong. His clients are not listed on the application, and they should be listed as co-applicants at least.

Mr. Nichols stated that if there is a violation or any type of problem, it will fall back on the property owners. He referred to insurance and liability and who would be responsible for that. Mr. Nichols stated that the property owners would be.

Mr. Nichols stated that he sent a letter well over a year ago to the Planning Department stating that he was representing his clients. Mr. Nichols stated that he was not contacted prior to the Special Use Permit being filed and only received a phone call from Mr. Thurman due to him having knowledge of Mr. Nichols being involved in this matter in the past.

Mr. Nichols stated that when he filed the Appeal, he was required to provide names and addresses of landowners within 500 feet, and he does not think that the duplexes were close enough to be included.

Mr. Nichols contends that the process was not right, and the application should have never been deemed as being complete without his clients' knowledge and consent.

Mr. Nichols stated that Mr. Brantley made the determination that the easement holders had the right to sign the application. Mr. Brantley referenced Statute 160D 403 which states that an easement holder may apply for development approval for such development as is authorized by easement. Mr. Brantley stated that the General Statute provided him with the authority to accept the application based on what was provided by the easement. Mr. Nichols questioned what section of the General Statute he was referring to. Mr. Brantley stated he was referencing Section 160D 403. Mr. Nichols asked if the decision was an administrative decision and Mr. Brantley stated that Planning staff did make an administrative decision in accepting the application.

Mr. Nichols stated that he feels he has made all his points and that the owner block is on the application for a very good reason and that the property owner's signature is required.

Mr. Kipfer asked Mr. Thurman if there are other members of the public who signed up to speak. Mr. Thurman stated that there were others signed up. Mr. Kipfer asked for anyone speaking to have new and relevant information.

Dan Ogden, 363 Twin Oaks Drive, stated that Pender County maintains the asphalt road in front of the duplexes then the road turns to gravel and is private. He lives on the private road, and he has seen only himself maintain that gravel road. Mr. Thurman and Mr. Kipfer stated that they do not feel that what is being presented is relevant to the matter at hand today. People living in the duplexes are often rentals and Mr. Ogden has had some of those people driving trucks with boats attached through his driveway and yard.

Mr. Olsen stated that the points Mr. Ogden is making would most likely be relevant if this matter should move forward and be presented to the Board of Commissioners but does not feel the points are relevant with what is before the Board today. Mr. Kipfer stated that he agrees with Mr. Olsen in that the arguments Mr. Olsen is making are probably more relevant to address to the Board of Commissioners. Mr. Ogden then spoke to the fact that he was under the impression that any easement would need to be at lease 20 feet wide for first responders and that the road is not in great shape so the first responders would have difficulties getting down that road.

Phil Holt, 690 Lewis Road SW, stated that there have been no improvements done to the easement except for what he and his neighbors have done. Mr. Holt stated that there is both a Hugh Edens Road and a Hugh Edens Lane which may have caused some confusion.

Mr. Thurman called out the remaining names listed, and all sign-ups did not wish to speak. Mr. Kipfer inquired as to whether there were any people who did not sign up but wished to speak. No other members of the public requested the opportunity to speak.

Mr. Coggins referenced Mr. Nichol's Tab C in the binder that was presented. He informed the Board that the last line of 160D-403 Subsection A stated, "An easement holder may also apply for development approval for such development as is authorized by easement." He stated that development approval is a defined term and referenced Tab E, 160D Subsection 13. Mr. Coggins read a partial section of the definition. He stated that he thinks the title may cause some confusion, it is the words of the Statute and not the title.

Lauren Walsh stated that she is not disagreeing with the statement that they are able to apply but that does not make the application complete.

Mr. Olsen stated that he has a motion to make but is happy to listen to any concerns that the Board members may have. Mr. Keeler stated that he does not feel that they met the burden of proof to reject this appeal.

Mr. Kipfer stated that he feels that there is a lot more to get done before the process will get to the next level.

Mr. Brantley asked Mr. Kipfer if he closed the public hearing and Mr. Kipfer stated that he had not officially but was now closing the public hearing.

Mr. Olsen made a motion to affirm the decision that the Planning Director made in determining that the application was complete. The easement holder was sufficient owner in applying for that application. Mr. Keeler seconded the motion, and the vote was unanimous.

8. Discussion Items

Wyndwater Appeal Case 2022-8 Board Order Discussion

Mr. Brantley presented the Board with the Wyndwater Appeal draft Order for their review. The Planning Department is wanting to get the Order finalized. Mr. Brantley stated that there was some disagreement as to including language that would allow the removal of Phase Ten but that technically was not brought up during the Appeal hearing. He stated that the rough draft presented to the Board does not include that language.

Mr. Thurman stated that he does not need to be the person to attest to the order. Mr. Brantley asked if he as the Clerk to the Board of Adjustments would be the person to attest and Mr. Kipfer stated that normally the Clerk to the Board is the person to attest.

Mr. Keeler brought up two items for discussion with the other Board members. First, he brought up the concern of not limiting the amount of time each member of the public can speak. His second concern was the time that the Board meets. Mr. Keeler stated that many people are unable to meet during the day due to employment obligations and feels that meeting later in the day or even in the evening may be better for the public. Mr. Kipfer stated that this has been brought up in the past and a main concern is making sure that the Board members are able to attend. He stated if a meeting is scheduled for 3:00 in the afternoon, then work obligations may run behind and a Board member may not be able to free up and attend the meeting. Mr. Breuer stated that regardless of the time of the meeting, if people have an interest in attending, they will find a way.

Mr. Brantley stated that the Board of Commissioner should be adopting the 2023 schedule at their next meeting scheduled for December 5, 2022. The Board of Adjustment will meet again on December 14, 2022, and the 2023 schedule will be brought before the Board for adoption.

Mr. Kipfer asked Mr. Brantley if there are cases to be heard in the December meeting. Mr. Brantley stated that there is one definite variance and another submittal, but he needs to speak to Mr. Thurman concerning that submittal.

Mr. Olsen stated that he hopes that an Alternate will soon be appointed. Mr. Kipfer stated that the previous Planning Director, Travis Henley, said that an aggressive effort was taking place to find Alternates.

Mr. Brantley asked Trey Thurman if it was ultimately up to the Board to change the time of the meeting. Mr. Thurman responded affirmatively.

9. Next Meeting Date

December 14, 2022 @ 9:00 a.m.
Commissioner's Meeting Room
805 S. Walker Street
Burgaw, NC 28425

10. Adjournment

Meeting adjourned at 11:20 a.m.

Exhibit "A"
Tabs A-M

Applicants - Appellants' Exhibits

Pender County Board of Adjustment File No. 2022-09

Tab "A"

Pender County
Planning and Community Development

Planning Division
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

August 31, 2021

Law Office of Matthew A. Nichols
3205 Randall Parkway, Suite 104
Wilmington, North Carolina 28403

VIA EMAIL: matt@mattnicholslaw.com

Re: 120 Hugh Edens Lane – Written Interpretation (Pender County PIN: 4214-91-8387-0000)

Mr. Nichols,

The above-referenced property is currently zoned RP, Residential Performance zoning district and is within the jurisdiction of Pender County for zoning purposes.

Under the current Unified Development Ordinance (UDO), a Community Boating Facility is defined as a private, nonprofit boating facility with navigable water frontage which includes a dock, pier, and/or launching ramp which is intended to serve five (5) or more residential units. Based on the information provided in the determination request letter regarding the number of users of the "easement" area, the described use would be considered a Community Boating Facility. A Special Use Permit is required for Community Boating Facilities in the RP, Residential Performance zoning district.

According to our records, a Community Boating Facility (previously "Boat Access Facilities") Special Use Permit has not been issued on the subject property. In addition, there were no exceptions, exemptions, variances, or other/previous ordinance provisions that would have allowed a Community Boating Facility on the subject property before the map was recorded in 2004. According to the adopted November 18, 2003 Pender County Zoning Ordinance, Community Boating Facilities were not permitted in the R-20C zoning district, the zoning district of the subject property prior to the adoption of the Pender County Unified Development Ordinance in 2010. Based on these findings, a Special Use Permit will be required for the subject site to come into compliance with current UDO standards.

If you have any questions, please do not hesitate to contact me at (910) 259-1408 or cshaw@pendercountync.gov.

Sincerely,

Carlene Shaw

Carlene Shaw
Current Planner
Pender County Department of Planning & Community Development

Tab "B"

LAW OFFICE OF
MATTHEW A. NICHOLS

3205 Randall Parkway, Suite 104
Wilmington, NC 28403

Ph: (910) 508-7476
Email: matt@mattnicholslaw.com

August 13, 2021

VIA E-MAIL: thenley@pendercountync.gov

Travis Henley, MPA, CFM
Pender County Planning Director and Zoning Administrator
805 S. Walker St.
Burgaw, NC 28425

Re: Request for Zoning Interpretation/Determination
RP (Residential Performance) Zoning District
120 Hugh Edens Ln., Hampstead, Pender County Tax PIN: 4214-91-8387-0000

Dear Travis:

I represent Adam Winstead and Brian Walsh, who each own a unit in the two-unit Sloop Point Watch Condominium located at 120 Hugh Edens Lane, Hampstead, Pender County. A copy of the Sloop Point Watch Condominium plat recorded on January 5, 2004, in Map Book 37 at Page 28 of the Pender County Registry is attached hereto as Exhibit "A" for your reference. A copy of the Pender County GIS map for this vicinity with the subject property outlined in red is also attached hereto as Exhibit "B" for your reference. Please accept this letter as a request on behalf of my clients for an official determination regarding whether a Special Use Permit is required for a Community Boating Facility at their property under the Pender County Unified Development Ordinance ("UDO"), as more fully set forth herein.

Mr. Winstead acquired Unit A of the Sloop Point Watch Condominium as more particularly shown on the above-referenced condominium plat, along with a corresponding undivided interest in the condominium common area, by virtue of that general warranty deed recorded on September 11, 2019, in Book 4693 at Page 254 of the Pender County Registry, a copy of which deed is attached hereto as Exhibit "C". Mr. Walsh and his wife, Lauren Cardwell, acquired Unit B, along with a corresponding undivided interest in the condominium common area, by virtue of that general warranty deed recorded on October 21, 2020, in Book 4728 at Page 2246 of the Pender County Registry, a copy of which deed is attached hereto as Exhibit "D". The subject property is zoned RP-Residential Performance on the Pender County zoning map. (Copy showing subject area attached hereto as Exhibit "E").

The Sloop Point Watch Condominium map shows a "12' Water Access Easement" along the northern boundary of the condominium property and a "Water Access & Parking Easement" on the eastern portion of the property. You will also note a pier shown along the riparian area of the condominium property. It is my understanding that owners of more than five (5) non-adjacent, non-waterfront properties in the vicinity have been using the identified "easement" areas shown on my clients' condominium plat for access to the waterway.[1]

The Pender County UDO defines a "Community Boating Facility" as follows:

> A private, nonprofit boating facility with navigable water frontage which includes a dock, pier, and/or launching ramp which is intended to serve five (5) or more residential units. Must be owned/controlled by a Homeowners Association (HOA) or any type of development association or collective owners group where more than one family has privileges to use facility. Commercial activities of any kind, including commercial letting of slips to parties that are not residents of the association or development, shall be prohibited.

(Pender County UDO, Appendix A – Definitions.) Accordingly, the current use of the above-referenced "easement" areas for water access by multiple other property owners appears to fall within the broad definition of "Community Boating Facility" under the UDO. Pender County UDO Sec. 5.2.3 Table of Permitted Uses designates Community Boating Facilities permissible only by SD - Special Use Approval Required w/ Additional Standards.

In light of the foregoing, we respectfully request a determination on the following specific questions:

Question #1. Is the subject property zoned RP-Residential Performance under the Pender County UDO?

Question #2. Would the use of the "easement" areas shown on the Sloop Point Watch Condominium map by more than five (5) other property owners for access to navigable water frontage fall within the broad definition of Community Boating Facility under the UDO?

Question #3. Under the UDO, is a Special Use Permit required for a Community Boating Facility in the RP Zoning District?

[1] This letter does not address the issues of the creation, existence, scope, enforceability or validity of the purported easement, which are separate and distinct from whether the use of the subject property by more than five (5) other property owners for water access complies with the County ordinances, and these issues are not part of this zoning determination request to the County.

Question #4. Has the County ever issued a Special Use Permit for a Community Boating Facility on the subject property?

Question #5. Are there any exceptions, exemptions, variances or other/previous ordinance provisions that allow or would have allowed a Community Boating Facility use on the subject property without the issuance of a Special Use Permit at the time that the Sloop Point Watch Condominium map was recorded in 2004?

Thank you for your time and consideration of the foregoing. If you have any questions or concerns or require any additional information at this time, please let me know.

Also, if there is an administrative or filing fee associated with this zoning determination request, please let me know and my clients will promptly pay the same to the County. We look forward to following up with you regarding this determination request at your earliest convenience.

Sincerely yours,

Matthew A. Nichols

MN/nc
Enclosure

Cc: Adam Winstead
Brian Walsh

EXHIBIT

tabbies

A



PIN: 4214-91-8387-0000
Owner: SLOOP POINT WATCH HOA
120 HUGH EDENS LN
HAMPSTEAD, NC 28443
Deed Ref: 2295/88

Property Address: 120 HUGH EDENS RD
Description: COMMON AREA PB 37/28

Sale Price:
Sale Date: LAST_SALE_DATE
Plat: 00370028
Account No: 982978
Township: TOPSAIL
Subdivision:
Tax Codes: G01 F22 R40

Acres: 0.66
Land Value: $284,832
Building Value: $23,290
Total value: $308,122
Deferred Value: $0
Exempt Amount: 308122
PCL Class: E
Heated Sq Feet:

Pender County

1:1,840
0 0.0125 0.025 0.05 mi
0 0.02 0.04 0.08 km
1 inch = 153 feet

August 12, 2021

BK 4693 PG 254 - 256 (3) DOC# 20053759
This Document eRecorded: 09/11/2019 02:38:21 PM
Fee: $26.00 DocType: DEED Tax: $640.00
Pender County, North Carolina
Sharon Lear Willoughby, Register of Deeds

EXHIBIT
tabbies
C

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $640.00

Parcel Identifier No. 4214-91-8413-0000 Verified by _____ County on the ____ day of _____, 20__
By: _____

Mail/Box to: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

This instrument was prepared by: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

Brief description for the Index: Unit A, Sloop Point Watch Condominium

THIS DEED made this 11 day of September, 2019, by and between

GRANTOR	GRANTEE
Stuart Dalee Laney, Jr. and Melba Thompson Laney, Trustees of the Laney Family Revocable Trust dated June 29, 2006 and any amendments thereto 504 Captain Dexter Wynd Wilmington, NC 28411	Adam Thomas Winstead, an unmarried man 1228 Watauga Street Raleigh, NC 27604

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Hampstead, _____ Township, Pender County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference as if fully set out.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4604 page 2854.
All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 37 page 28.

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

Submitted electronically by "Wilkerson Law"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Pender County Register of Deeds.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

1. The lien of the 2019 Ad Valorem taxes, now due and payable; 2. Restrictions of record applicable to said lot; 3. Easements to public utilities of record; and 4. Zoning and/or building and subdivision ordinances.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

_____ (Entity Name)	Stuart Dalee Laney, Jr. Trustee (SEAL)
By: _____	Print/Type Name: Stuart Dalee Laney, Jr., Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto
Print/Type Name & Title: _____	Melba Thompson Laney, Trustee (SEAL)
	Print/Type Name: Melba Thompson Laney, Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto
By: _____	_____ (SEAL)
Print/Type Name & Title: _____	Print/Type Name: _____
By: _____	_____ (SEAL)
Print/Type Name & Title: _____	Print/Type Name: _____

State of North Carolina - County or City of New Hanover

I, the undersigned Notary Public of the County or City of New Hanover and State aforesaid, certify that Stuart Dalee Laney, Jr., Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 11 day of September, 20 19.

My Commission Expires: 01-30-23
(Affix Seal)

Yvonne R. Snowden
Notary Public
Yvonne R. Snowden
Notary's Printed or Typed Name

State of North Carolina - County or City of New Hanover

I, the undersigned Notary Public of the County or City of New Hanover and State aforesaid, certify that Melba Thompson Laney, Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 11 day of September, 2019.

My Commission Expires: 01-30-23
(Affix Seal)

Yvonne R. Snowden
Notary Public
Yvonne R. Snowden
Notary's Printed or Typed Name

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20___.

My Commission Expires: _____
(Affix Seal)

_____
Notary Public
Notary's Printed or Typed Name

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

EXHIBIT "A"

BEING all of Unit A together with a one-half undivided interest in the lands designated as "common area" and together with the exclusive use of the lands shown on "Unit "A" limited common area" as the same are shown or denominated on a map entitled "Sloop Point Watch Condominium" and recorded in Map Book 37 at Page 28, of the Pender County Registry, to which said plat reference is hereby made for a greater certainty of description and incorporated herein by reference.

Sometimes known as: 120 Hugh Edens Lane, Unit A
Hampstead, NC 28443.

Tax Parcel # 4214-91-8413-0000

BK 4728 PG 2246 - 2248 (3) DOC# 20071984
This Document eRecorded: 10/21/2020 12:05:16 PM
Fee: $26.00 DocType: DEED Tax: $638.00
Pender County, North Carolina
Sharon Lear Willoughby, Register of Deeds

EXHIBIT
tabbies
D

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $638.00

Parcel Identifier No. 4214-91-8387-000B Verified by _____ County on the ____ day of _____, 20__
By: _____

Mail/Box to: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

This instrument was prepared by: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

Brief description for the Index: UNIT B, Sloop Point Watch Condo

THIS DEED made this 2nd day of October, 2020, by and between

GRANTOR	GRANTEE
Megaleg, LLC, a North Carolina limited liability company 112 Broadview Lane Hampstead, NC 28443	Brian C. Walsh and wife, Lauren Cardwell 120 Hugh Edens Lane, #B Hampstead, NC 28443

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Hampstead, _____ Township, Pender County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3993 page 176.
All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 37 page 28.

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

Submitted electronically by "Wilkerson Law"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Pender County Register of Deeds.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:
1. The lien of the 2020 Ad Valorem taxes, now due and payable; 2. Restrictions of record applicable to said lot; 3. Utility easements of record; and 4. Zoning and/or building and subdivision ordinances.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Megaleg, LLC, a North Carolina limited liability company (Entity Name)
By: Mary Diane Edens Thomas, Manager
Print/Type Name & Title: Mary Diane Edens Thomas, Manager

_____ (SEAL)
Print/Type Name: _____

_____ (SEAL)
Print/Type Name: _____

By: _____
Print/Type Name & Title: _____

_____ (SEAL)
Print/Type Name: _____

By: _____
Print/Type Name & Title: _____

_____ (SEAL)
Print/Type Name: _____

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20___.

My Commission Expires: _____
(Affix Seal)

_____ Notary Public
Notary's Printed or Typed Name

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20___.

My Commission Expires: _____
(Affix Seal)

_____ Notary Public
Notary's Printed or Typed Name

State of North Carolina - County or City of New Hanover

I, the undersigned Notary Public of the County or City of New Hanover and State aforesaid, certify that Mary Diane Edens Thomas personally came before me this day and acknowledged that she is the Manager of Megaleg, LLC, a North Carolina ~~corporation~~/limited liability company/~~general partnership/limited partnership~~ (strike through the inapplicable), and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 30th day of October, 2020.

My Commission Expires: 8/11/2024
(Affix Seal)

JANET PATTERSON
NOTARY PUBLIC
NEW HANOVER CO., NC
My Commission Expires 8-11-2024

Janet Patterson Notary Public
Notary's Printed or Typed Name

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

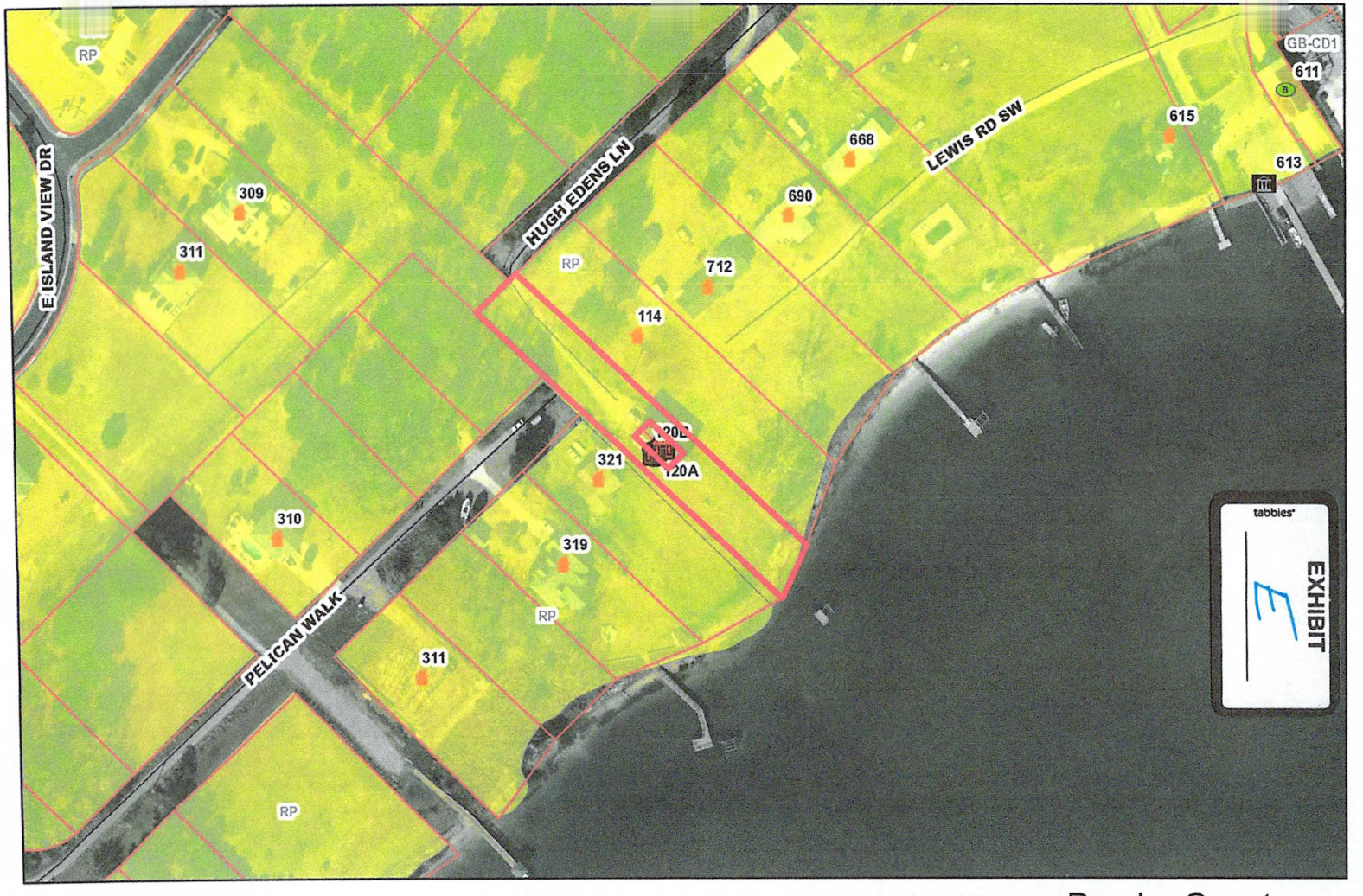
EXHIBIT A

BEING ALL OF UNIT "B" TOGETHER WITH ONE-HALF UNDIVIDED INTEREST IN THE LANDS DESIGNATED AS "COMMON AREAS" AND TOGETHER WITH THE EXCLUSIVE USE OF THE LANDS SHOWN AS "SLOOP POINT WATCH CONDOMINIUM UNIT B LIMITED COMMON AREA" AS THE SAME ARE SHOWN OR DENOMINATED ON A MAP RECORDED IN MAP BOOK 37 AT PAGE 28 OF THE PENDER COUNTY REGISTRY, REFERENCE TO WHICH SAID MAP IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

SAID PROPERTY IS CONVEYED TOGETHER WITH AND SUBJECT TO THE TERMS OF THAT DEED OF EASEMENT RECORDED IN BOOK 2295, PAGE 84 OF THE PENDER COUNTY REGISTRY.

Property address: 120 Hugh Edens Lane, #B, Hampstead, NC 28443

Parcel ID #: 4214-91-8387-000B



PIN: 4214-91-8387-0000
Owner: SLOOP POINT WATCH HOA
120 HUGH EDENS LN
HAMPSTEAD, NC 28443
Deed Ref: 2295/88

Property Address: 120 HUGH EDENS RD
Description: COMMON AREA PB 37/28

Sale Price:
Sale Date: LAST_SALE_DATE
Plat: 00370028
Account No: 982978
Township: TOPSAIL
Subdivision:
Tax Codes: G01 F22 R40

Acres: 0.66
Land Value:
Building Value:
Total value:
Deferred Value:
Exempt Amount: 308122
PCL Class: E
Heated Sq Feet:

Pender County

1:1,840
0 0.0125 0.025 0.05 mi
0 0.02 0.04 0.08 km

1 inch = 153 feet

August 12, 2021

N
W E
S

Tab "C"

§ 160D-403. Administrative development approvals and determinations.

(a) Development Approvals. – To the extent consistent with the scope of regulatory authority granted by this Chapter, no person shall commence or proceed with development without first securing any required development approval from the local government with jurisdiction over the site of the development. A development approval shall be in writing and may contain a provision requiring the development to comply with all applicable State and local laws. A local government may issue development approvals in print or electronic form. Any development approval issued exclusively in electronic form shall be protected from further editing once issued. Applications for development approvals may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landowner. An easement holder may also apply for development approval for such development as is authorized by the easement.

(b) Determinations and Notice of Determinations. – A development regulation enacted under the authority of this Chapter may designate the staff member or members charged with making determinations under the development regulation.

The officer making the determination shall give written notice to the owner of the property that is the subject of the determination and to the party who sought the determination, if different from the owner. The written notice shall be delivered by personal delivery, email, or first-class mail. The notice shall be delivered to the last address listed for the owner of the affected property on the county tax abstract and to the address provided in the application or request for a determination if the party seeking the determination is different from the owner.

It is conclusively presumed that all persons with standing to appeal have constructive notice of the determination from the date a sign providing notice that a determination has been made is prominently posted on the property that is the subject of the determination, so long as the sign remains on the property for at least 10 days. A posted sign shall contain the words "Zoning Decision" or "Subdivision Decision" or similar language for other determinations in letters at least six inches high and shall identify the means to contact a local government staff member for information about the determination. Posting of signs is not the only form of constructive notice. Any sign posting is the responsibility of the landowner, applicant, or person that sought the determination. Verification of the posting shall be provided to the staff member responsible for the determination. Absent an ordinance provision to the contrary, posting of signs is not required.

(c) Duration of Development Approval. – Unless a different period is specified by this Chapter or other specific applicable law, including for a development agreement, a development approval issued pursuant to this Chapter expires one year after the date of issuance if the work authorized by the development approval has not been substantially commenced. Local development regulations may provide for development approvals of shorter duration for temporary land uses, special events, temporary signs, and similar development. Local development regulations may also provide for development approvals of longer duration for specified types of development approvals. Nothing in this subsection limits any vested rights secured under G.S. 160D-108 or G.S. 160D-108.1.

(d) Changes. – After a development approval has been issued, no deviations from the terms of the application or the development approval shall be made until written approval of proposed changes or deviations has been obtained. A local government may define by ordinance minor modifications to development approvals that can be exempted or administratively approved. The local government shall follow the same development review and approval process required for issuance of the development approval in the review and approval of any major modification of that approval.

(e) Inspections. – Administrative staff may inspect work undertaken pursuant to a development approval to assure that the work is being done in accordance with applicable State and local laws and the terms of the approval. In exercising this power, staff may enter any

premises within the jurisdiction of the local government at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials, so long as the appropriate consent has been given for inspection of areas not open to the public or an appropriate inspection warrant has been secured.

(f) Revocation of Development Approvals. – In addition to initiation of enforcement actions under G.S. 160D-404, development approvals may be revoked by the local government issuing the development approval by notifying the holder in writing stating the reason for the revocation. The local government shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval. Development approvals shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any applicable local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State; or for false statements or misrepresentations made in securing the approval. Any development approval mistakenly issued in violation of an applicable State or local law may also be revoked. The revocation of a development approval by a staff member may be appealed pursuant to G.S. 160D-405. If an appeal is filed regarding a development regulation adopted by a local government pursuant to this Chapter, the provisions of G.S. 160D-405(f) regarding stays apply.

(g) Certificate of Occupancy. – A local government may, upon completion of work or activity undertaken pursuant to a development approval, make final inspections and issue a certificate of compliance or occupancy if staff finds that the completed work complies with all applicable State and local laws and with the terms of the approval. No building, structure, or use of land that is subject to a building permit required by Article 11 of this Chapter shall be occupied or used until a certificate of occupancy or temporary certificate pursuant to G.S. 160D-1116 has been issued.

(h) Optional Communication Requirements. – A regulation adopted pursuant to this Chapter may require notice or informational meetings, or both, as part of the administrative decision-making process. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 9, 51(a), (b), (d); 2021-88, s. 1(b).)

Tab "D"



Tab "E"

§ 160D-102. Definitions.

Unless otherwise specifically provided, or unless otherwise clearly required by the context, the words and phrases defined in this section shall have the following meanings indicated when used in this Chapter:

(1) Administrative decision. – Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this Chapter or local government development regulations. These are sometimes referred to as ministerial decisions or administrative determinations.

(2) Administrative hearing. – A proceeding to gather facts needed to make an administrative decision.

(3) Bona fide farm purposes. – Agricultural activities as set forth in G.S. 160D-903.

(4) Charter. – As defined in G.S. 160A-1(2).

(5) City. – As defined in G.S. 160A-1(2).

(6) Comprehensive plan. – A comprehensive plan that has been officially adopted by the governing board pursuant to G.S. 160D-501.

(7) Conditional zoning. – A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment.

(8) County. – Any one of the counties listed in G.S. 153A-10.

(9) Decision-making board. – A governing board, planning board, board of adjustment, historic district board, or other board assigned to make quasi-judicial decisions under this Chapter.

(10) Determination. – A written, final, and binding order, requirement, or determination regarding an administrative decision.

(11) Developer. – A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

(12) Development. – Any of the following:

a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.

b. The excavation, grading, filling, clearing, or alteration of land.

c. The subdivision of land as defined in G.S. 160D-802.

d. The initiation or substantial change in the use of land or the intensity of use of land.

This definition does not alter the scope of regulatory authority granted by this Chapter.

(13) Development approval. – An administrative or quasi-judicial approval made pursuant to this Chapter that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to this Chapter, including plat approvals, permits issued, development agreements entered into, and building permits issued.

(14) Development regulation. – A unified development ordinance, zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code enforcement, or any other regulation adopted pursuant to this Chapter, or a local act or charter that regulates land use or development.

(15) Dwelling. – Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. For the purposes of Article 12 of this Chapter, the term does not include any manufactured home, mobile home, or recreational vehicle, if used solely for a seasonal vacation purpose.

(16) Evidentiary hearing. – A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation adopted under this Chapter.

(17) Governing board. – The city council or board of county commissioners. The term is interchangeable with the terms "board of aldermen" and "boards of commissioners" and means any governing board without regard to the terminology employed in charters, local acts, other portions of the General Statutes, or local customary usage.

(18) Landowner or owner. – The holder of the title in fee simple. Absent evidence to the contrary, a local government may rely on the county tax records to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as his or her agent or representative for the purpose of making applications for development approvals.

(19) Legislative decision. – The adoption, amendment, or repeal of a regulation under this Chapter or an applicable local act. The term also includes the decision to approve, amend, or rescind a development agreement consistent with the provisions of Article 10 of this Chapter.

(20) Legislative hearing. – A hearing to solicit public comment on a proposed legislative decision.

(21) Local act. – As defined in G.S. 160A-1(5).

(22) Local government. – A city or county.

(23) Manufactured home or mobile home. – A structure as defined in G.S. 143-145(7).

(24) Person. – An individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, the State of North Carolina and its agencies and political subdivisions, or other legal entity.

(25) Planning and development regulation jurisdiction. – The geographic area defined in Part 2 of this Chapter within which a city or county may undertake planning and apply the development regulations authorized by this Chapter.

(26) Planning board. – Any board or commission established pursuant to G.S. 160D-301.

(27) Property. – All real property subject to land-use regulation by a local government. The term includes any improvements or structures customarily regarded as a part of real property.

(28) Quasi-judicial decision. – A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of subdivision plats and site plans are quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

(29) Site plan. – A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.

(30) Special use permit. – A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits or special exceptions.

(31) Subdivision. – The division of land for the purpose of sale or development as specified in G.S. 160D-802.

(32) Subdivision regulation. – A subdivision regulation authorized by Article 8 of this Chapter.

(33) Repealed by Session Laws 2020-25, s. 3, effective June 19, 2020.

(34) Zoning map amendment or rezoning. – An amendment to a zoning regulation for the purpose of changing the zoning district that is applied to a specified property or properties. The term also includes (i) the initial application of zoning when land is added to the territorial jurisdiction of a local government that has previously adopted zoning regulations and (ii) the application of an overlay zoning district or a conditional zoning district. The term does not include (i) the initial adoption of a zoning map by a local government, (ii) the repeal of a zoning map and readoption of a new zoning map for the entire planning and development regulation jurisdiction, or (iii) updating the zoning map to incorporate amendments to the names of zoning districts made by zoning text amendments where there are no changes in the boundaries of the zoning district or land uses permitted in the district.

(35) Zoning regulation. – A zoning regulation authorized by Article 7 of this Chapter. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 3, 51(a), (b), (d).)

Tab "F"

§ 160D-406. Quasi-judicial procedure.

(a) Process Required. – Boards shall follow quasi-judicial procedures in determining appeals of administrative decisions, special use permits, certificates of appropriateness, variances, or any other quasi-judicial decision.

(b) Notice of Hearing. – Notice of evidentiary hearings conducted pursuant to this Chapter shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the local development regulation. In the absence of evidence to the contrary, the local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the local government shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. The board may continue an evidentiary hearing that has been convened without further advertisement. If an evidentiary hearing is set for a given date and a quorum of the board is not then present, the hearing shall be continued until the next regular board meeting without further advertisement.

(c) Administrative Materials. – The administrator or staff to the board shall transmit to the board all applications, reports, and written materials relevant to the matter being considered. The administrative materials may be distributed to the members of the board prior to the hearing if at the same time they are distributed to the board a copy is also provided to the appellant or applicant and to the landowner if that person is not the appellant or applicant. The administrative materials shall become a part of the hearing record. The administrative materials may be provided in written or electronic form. Objections to inclusion or exclusion of administrative materials may be made before or during the hearing. Rulings on unresolved objections shall be made by the board at the hearing.

(d) Presentation of Evidence. – The applicant, the local government, and any person who would have standing to appeal the decision under G.S. 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board. The board chair shall rule on any objections, and the chair's rulings may be appealed to the full board. These rulings are also subject to judicial review pursuant to G.S. 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

(e) Appearance of Official New Issues. – The official who made the decision or the person currently occupying that position, if the decision maker is no longer employed by the local government, shall be present at the evidentiary hearing as a witness. The appellant shall not be limited at the hearing to matters stated in a notice of appeal. If any party or the local government would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing.

(f) Oaths. – The chair of the board or any member acting as chair and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board determining a quasi-judicial matter, willfully swears falsely is guilty of a Class 1 misdemeanor.

(g) Subpoenas. – The board making a quasi-judicial decision under this Chapter through the chair or, in the chair's absence, anyone acting as chair may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, the applicant, the local government, and any person with standing under G.S. 160D-1402(c) may make a written request

to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be immediately appealed to the full board. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the board or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties.

(h) Appeals in Nature of Certiorari. – When hearing an appeal pursuant to G.S. 160D-947(e) or any other appeal in the nature of certiorari, the hearing shall be based on the record below, and the scope of review shall be as provided in G.S. 160D-1402(j).

(i) Voting. – The concurring vote of four-fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter under G.S. 160D-109(d) shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

(j) Decisions. – The board shall determine contested facts and make its decision within a reasonable time. When hearing an appeal, the board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing, reflect the board's determination of contested facts and their application to the applicable standards, and be approved by the board and signed by the chair or other duly authorized member of the board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such other office or official as the development regulation specifies. The decision of the board shall be delivered within a reasonable time by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and any person who has submitted a written request for a copy prior to the date the decision becomes effective. The person required to provide notice shall certify to the local government that proper notice has been made, and the certificate shall be deemed conclusive in the absence of fraud.

(k) Judicial Review. – Every quasi-judicial decision shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160D-1402. Appeals shall be filed within the times specified in G.S. 160D-1405(d). The governing board of the local government that is a party to the judicial review of the quasi-judicial decision shall have the authority to settle the litigation, subject to Article 33C of Chapter 143 of the General Statutes. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-168, s. 3(a).)

Tab "G"

duties and responsibilities assigned by § 2-66, Code of Ordinances, Pender County, N.C. and by N.C.G.S. 160D-102; 103; 106; and 502, the Planning Board shall have the specific powers and duties provided within this Ordinance.

2.3.2 Powers and Duties

A. Review and Recommendation - The Planning Board shall review and make a recommendation on the following development review procedures:
   1) Ordinance Text Amendment (Section 3.18)
   2) Rezoning (Section 3.3)

B. Final Action - The Planning Board shall hear and take final action on the following development review procedures within PD, RM, and MH zoning districts:
   1) Master Development Plan Review (Section 3.5)

2.4 BOARD OF ADJUSTMENT

2.4.1 Establishment, Membership, and Rules of Procedure

A. Establishment - A Board of Adjustment (BOA) is hereby created to hear appeals from decisions of the Administrator and to consider requests for variances from the terms of the Unified Development Ordinance. This Board may also be known as the Zoning Board of Adjustment or Zoning Board.

B. Membership
   1) The BOA shall consist of five (5) members who shall be residents of the County of Pender.
   2) The members shall be appointed by the Board of Commissioners for a regular term of office of three (3) years. Board members may be appointed for up to four terms so long as their length of service on the Board does not exceed ten (10) years. In appointing members to fill vacancies, the Board of Commissioners shall appoint persons to serve the remaining term of office rather than a full three (3) years.
   3) There will be two (2) alternate members of the Board of Adjustment.
   4) No member of the Board of Adjustment shall be permitted to sit concurrently on the Planning Board or the Board of Commissioners.

C. Rules of Procedure
   1) The Board of Adjustment is a quasi-judicial body.
   2) Meetings of the Board of Adjustment shall be held at the call of the chairman and at such other times as the majority of the Board may determine.
   3) All meetings of the Board of Adjustment shall be open to the public.
   4) The Board shall keep minutes of its procedures, showing the vote of each member upon each question, or, if absent or failing to vote, an indication of such fact; and final disposition of appeals shall be taken, all of which shall be on public record.
   5) A quorum is not obtained unless four voting members are present. In the event there is abstention for reason declared into the record by a voting member, then a particular matter cannot proceed unless and until four other voting members are present and vote.

6) As required by N.C.G.S. 160D-406(i), no final action shall be taken on a variance without the concurring vote of four-fifths (4/5's) of the members of the Board. All other quasi-judicial matters require a simple majority vote by members of the Board.
7) As early as possible in each new year of the Board, the voting members shall elect a chairman and vice-chairman. Either such party when in the chair shall have the authority to administer oaths to witnesses. The Board may elect such other officers as the Board deems best.
8) All decisions of the Board of Adjustment run with the land, never the person or corporation.
9) The minutes of the Zoning Board of Adjustment shall be kept in such detail as necessary, and do not reflect official action of the Board until adoption of same.
10) Minutes shall be filed in the office of the Administrator, as a public record.
11) The Board of Adjustment shall have the authority through the chair, or in the chair's absence anyone acting as the chair to subpoena witnesses and compel the production of evidence as specified in N.C.G.S. 160D-406(g).

2.4.2 Powers and Duties

A. Final Action - The Board of Adjustment shall hear and take final action on the following development review procedures:
1) Variance (Section 3.14)
2) Determination of Vested Rights (Section 3.13)
3) Appeal of Administrative Decision (Section 3.16)
4) In concert with the Administrator or assignee, interpret zoning lines, and Zoning District boundary lines.

2.5 UNIFIED DEVELOPMENT ORDINANCE ADMINISTRATOR

2.5.1 General

The Unified Development Ordinance Administrator (referred to as the Administrator) shall be responsible for administering the provisions of this Ordinance as set forth in this Section. The Administrator is considered a County official and its authority is delegated by the County Manager. In any absence of a formal position established for the Administrator, the County Manager may delegate this authority to whomever staff member deemed best qualified.

2.5.2 Powers and Duties

A. Review and Recommendation: The Administrator shall review or make a recommendation on the following development review procedures:
1) Rezoning (Section 3.3)
2) Master Development Plan (Section 3.5) (within PD, RM, and MH zoning districts)
3) Minor Site Development Plan (Section 3.6)
4) Minor Subdivision (Section 3.9)
5) Major Subdivision (Section 3.10)
6) Special Use Permit (Section 3.12)
7) Variance (Section 3.14)
8) Appeal of Administrative Decision (Section 3.16)

9) Ordinance Text Amendment (Section 3.18)

B. Final Action: The Administrator shall hear and take final action on the following development review procedures:

1) Master Development Plan (Section 3.5) (within RP, GB, OI, GI, and IT zoning districts)
2) Minor Site Development Plan (Section 3.6)
3) Major Site Development Plan (Section 3.7)
4) Minor Subdivision (Section 3.9)
5) Major Subdivision (Section 3.10)
6) Sketch Development Plan (Section 3.11)
7) Administrative Adjustment (Section 3.15)
8) Written Interpretation (Section 3.17)
9) Zoning Approval (Section 3.2.1)
10) Sign Approval (Article 9)
11) Temporary Use Permit (Section 5.3.12.I)

2.6 RESERVED

2.7 TAX ASSESSOR

2.7.1 General

The Board of County Commissioners shall designate a Tax Assessor and shall be responsible for issuing parcel identifiers during the subdivision process.

2.8 RESERVED

2.9 TECHNICAL REVIEW COMMITTEE

2.9.1 Establishment, Membership, and Procedure

A. Establishment: A Technical Review Committee shall be established to provide a coordinated and centralized technical review process. The members of the Technical Review Committee shall be composed of persons from various departments and agencies which have an interest in the development review process.

B. Membership

1) Chair: The Administrator shall serve as Chair of the Technical Review Committee and shall be responsible for all final decisions of the Committee.
2) Other Members: In addition to the Chair, the Technical Review Committee shall be comprised of the following members or their designated representatives:
   a) County Manager's Office
   b) Pender County Utilities
   c) Pender County Environmental Health
   d) Pender County Emergency Management
   e) Pender County Fire Marshal
   f) Pender County Parks and Recreation

Tab "H"

§ 160D-302. Boards of adjustment.

(a) Composition. – A local government may by ordinance provide for the appointment and compensation of a board of adjustment consisting of five or more members, each to be appointed for three-year terms. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the governing board may appoint certain members for less than three years so that the terms of all members shall not expire at the same time. The governing board may appoint and provide compensation for alternate members to serve on the board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member serving on behalf of any regular member has all the powers and duties of a regular member.

(b) Duties. – The board shall hear and decide all matters upon which it is required to pass under any statute or development regulation adopted under this Chapter. The ordinance may designate a planning board or governing board to perform any of the duties of a board of adjustment in addition to its other duties and may create and designate specialized boards to hear technical appeals. If any board other than the board of adjustment is assigned decision-making authority for any quasi-judicial matter, that board shall comply with all of the procedures and the process applicable to a board of adjustment in making quasi-judicial decisions. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

Tab "I"

§ 160D-705. Quasi-judicial zoning decisions.

(a) Provisions of Ordinance. - The zoning or unified development ordinance may provide that the board of adjustment, planning board, or governing board hear and decide quasi-judicial zoning decisions. The board shall follow quasi-judicial procedures as specified in G.S. 160D-406 when making any quasi-judicial decision.

(b) Appeals. - Except as otherwise provided by this Chapter, the board of adjustment shall hear and decide appeals from administrative decisions regarding administration and enforcement of the zoning regulation or unified development ordinance and may hear appeals arising out of any other ordinance that regulates land use or development. The provisions of G.S. 160D-405 and G.S. 160D-406 are applicable to these appeals.

(c) Special Use Permits. - The regulations may provide that the board of adjustment, planning board, or governing board hear and decide special use permits in accordance with principles, conditions, safeguards, and procedures specified in the regulations. Reasonable and appropriate conditions and safeguards may be imposed upon these permits. Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made for recreational space and facilities. Conditions and safeguards imposed under this subsection shall not include requirements for which the local government does not have authority under statute to regulate nor requirements for which the courts have held to be unenforceable if imposed directly by the local government, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land.

The regulations may provide that defined minor modifications to special use permits that do not involve a change in uses permitted or the density of overall development permitted may be reviewed and approved administratively. Any other modification or revocation of a special use permit shall follow the same process for approval as is applicable to the approval of a special use permit. If multiple parcels of land are subject to a special use permit, the owners of individual parcels may apply for permit modification so long as the modification would not result in other properties failing to meet the terms of the special use permit or regulations. Any modifications approved apply only to those properties whose owners apply for the modification. The regulation may require that special use permits be recorded with the register of deeds.

(d) Variances. - When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment shall vary any of the provisions of the zoning regulation upon a showing of all of the following:

(1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

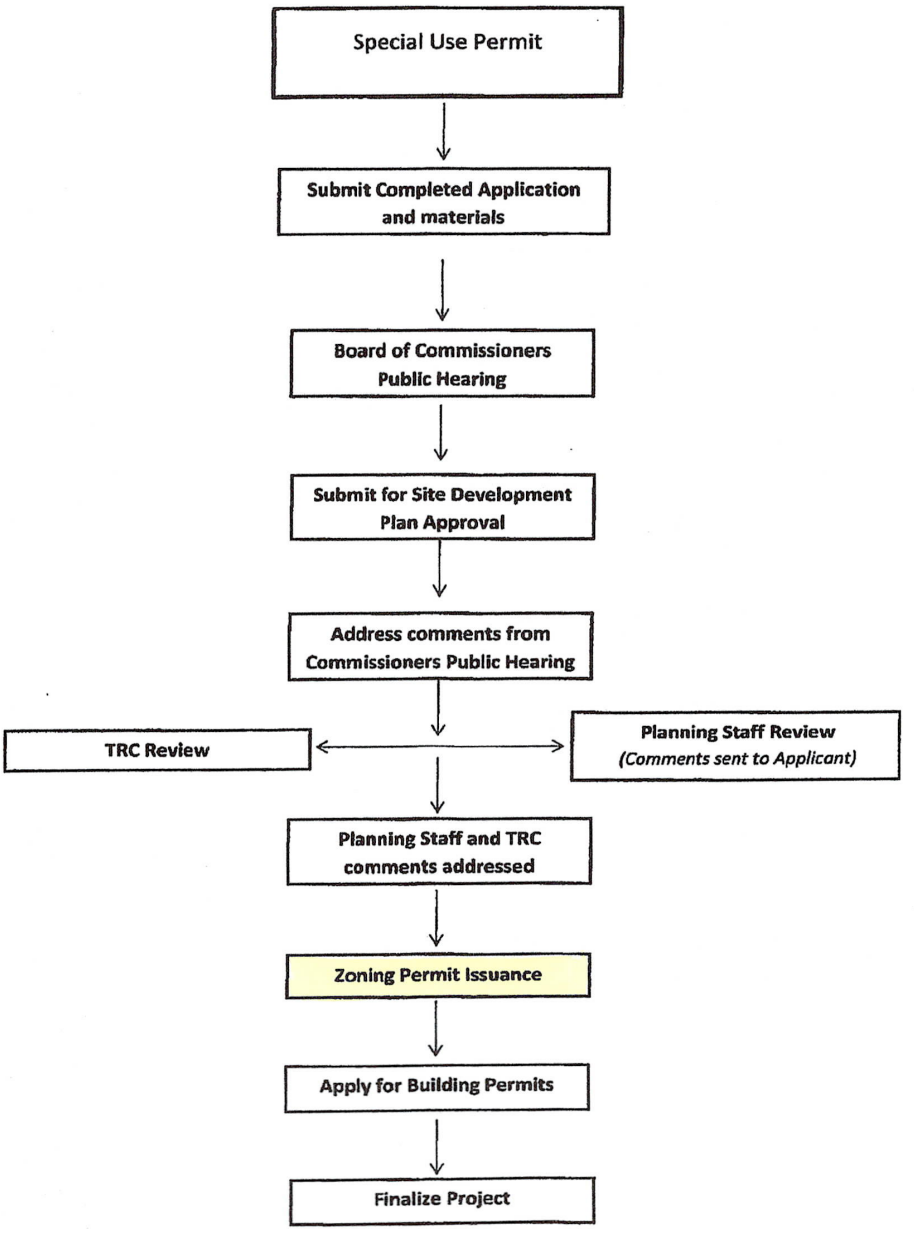
(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.

(4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is

achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other development regulation that regulates land use or development may provide for variances from the provisions of those ordinances consistent with the provisions of this subsection. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 17, 50(b), 51(a), (b), (d).)

Tab "J"


Special Use Permit
Submit Completed Application and materials
Board of Commissioners Public Hearing
Submit for Site Development Plan Approval
Address comments from Commissioners Public Hearing
TRC Review
Planning Staff Review
(Comments sent to Applicant)
Planning Staff and TRC comments addressed
Zoning Permit Issuance
Apply for Building Permits
Finalize Project

Tab "K"

Pender County
Planning and Community Development

Planning Division
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Residential Zoning Permit Application

Owner/Applicant Name: _____ **Date:** _____
NOTE: IF APPLICANT IS NOT THE OWNER OF THE LAND, A LETTER *FROM OWNER* ACKNOWLEDGING PERMISSION OR OFFER TO PURCHASE TO MAKE APPLICATION FOR THE SUBJECT PROPERTY IS REQUIRED.

Owner/Applicant's Address: _____ **Phone:** _____

City/State/Zip Code: _____

Project Contact Person: _____ **Phone:** _____
Email Address: _____

Parcel Identification No.: _____ **Deed Book/Page:** _____ / _____ **Map Book/Page:** ____/_____

Project Address: _____ **City:** _____ **Lot #:** _____

A SITE PLAN DRAWN TO A MINIMUM SCALE OF 1" = 60' IS REQUIRED WITH APPLICATION

Proposed Use: New: ☐ Addition: ☐ Accessory: ☐ Renovation: ☐ Other: ☐ _____
Manufactured Home? YES: ☐ NO: ☐
If an accessory structure, please provide the square footage: _____ *and dimensions* _____' x _____'

ZONING DISTRICT: RP: ☐ RA: ☐ PD: ☐ RM: ☐ MH: ☐ Other: ☐ _____
REQUIRED SETBACKS: Front: _____ Side: _____ Rear: _____ Corner: _____
PROPOSED SETBACKS: Front: _____ Left Side: _____ Right Side: _____ Rear: _____ Corner: _____
BUILDING SEPARATION: _____
PROPOSED HEIGHT: _____ NOTE: If the proposed building height is within 5' of the allowed maximum, a height verification survey will be required
LOT SIZE: _____

Are there any platted restrictions on the site/lot? YES: ☐ NO: ☐

PROPERTY ACCESS: Public Roadway: ☐ Private Roadway: ☐ Recorded Easement: ☐

Water Source:
- ☐ County
- ☐ Community System
- ☐ Private Well
- ☐ Other: _____

Sewer Source:
- ☐ County
- ☐ Community System
- ☐ Private Septic
- ☐ Other: _____

Signature: _____ **Date:** _____

(FOR OFFICE USE ONLY)

IS PROPERTY LOCATED IN FLOODPLAIN? YES* / NO; if 'yes' Zone _____

PROPERTY IN AEC? YES / NO

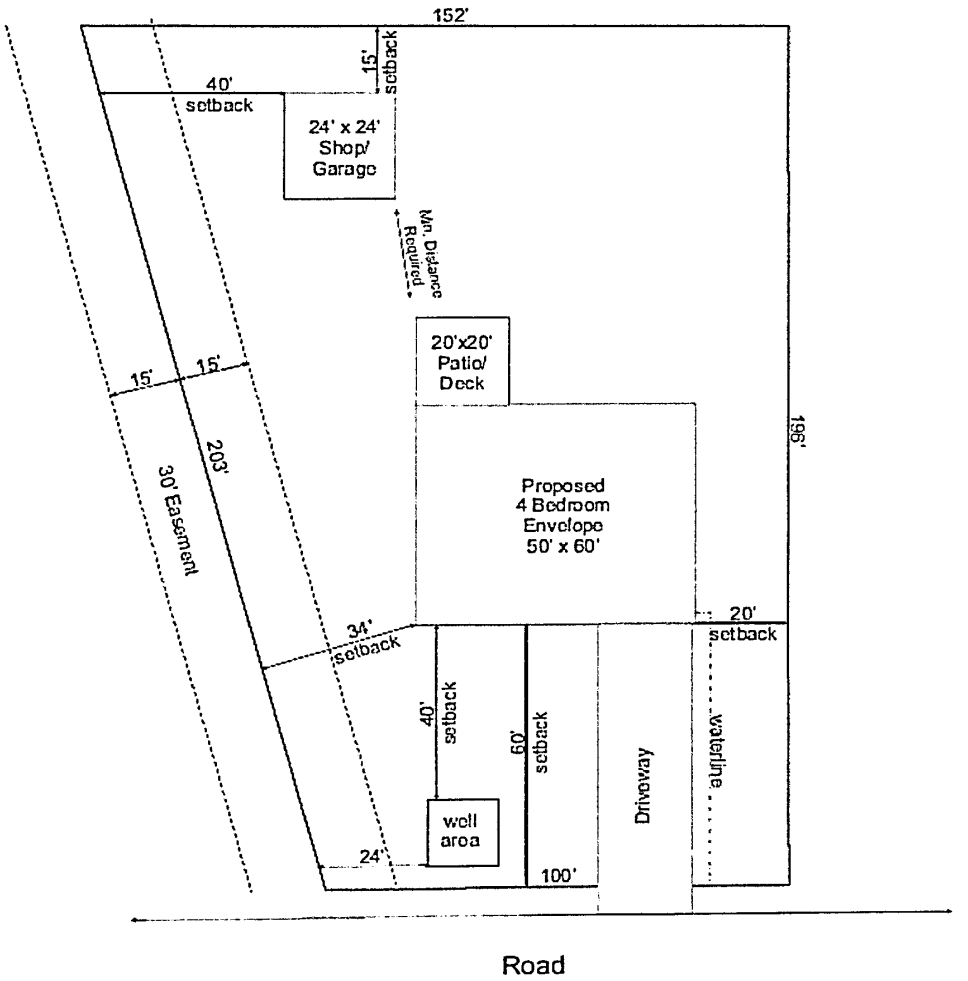
CAMA PERMIT REQUIRED? YES / NO

HEIGHT VERIFICATION REQUIRED? YES / NO

FOUNDATION SURVEY REQUIRED? YES / NO

STAFF INITIALS / DATE: _____
PROPERTIES LOCATED IN A SPECIAL FLOOD HAZARD AREA WILL REQUIRE ADDITIONAL INFORMATION.
Revised: _____
Permit # _____

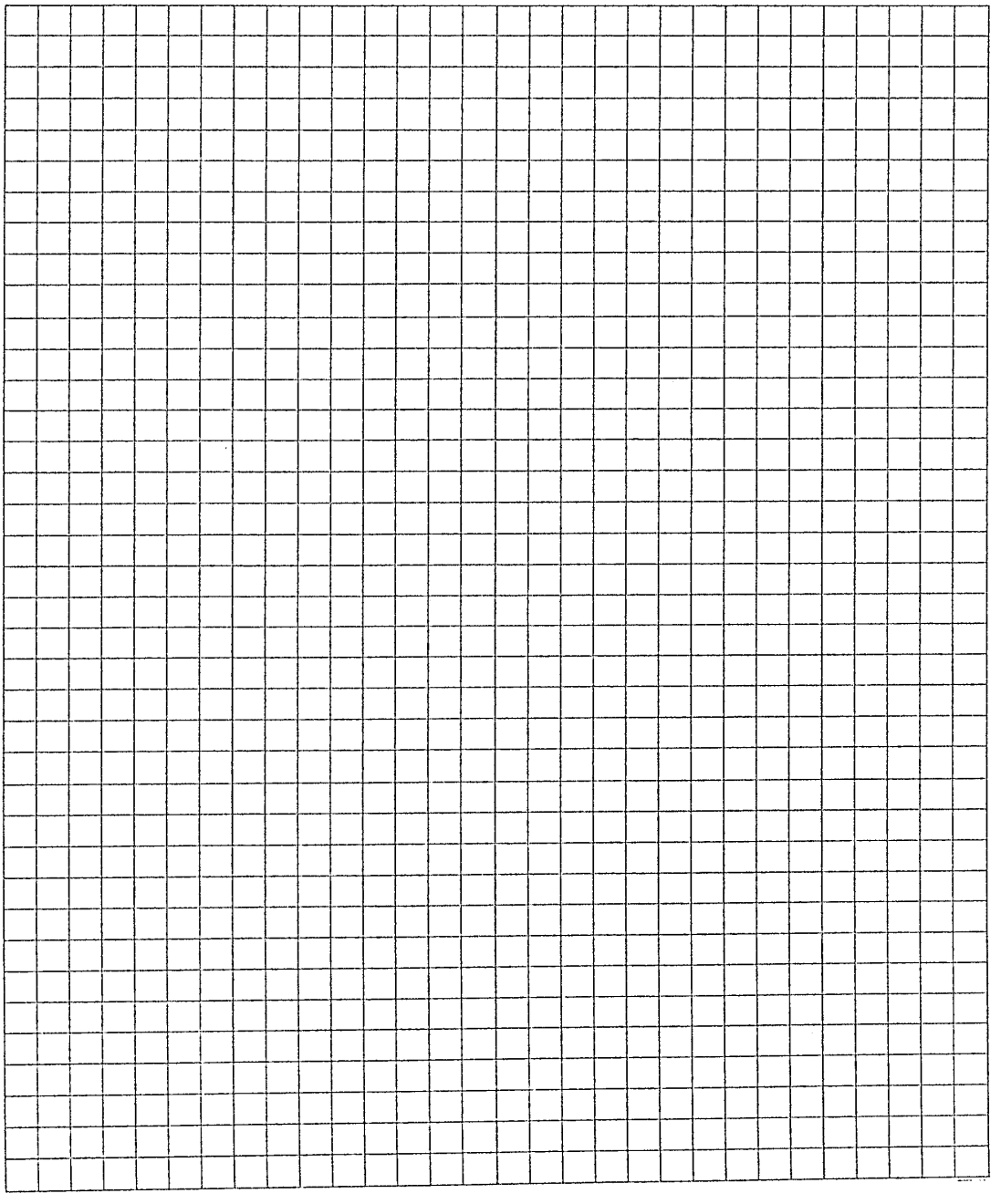
Example Site Plan



Scale 1"=30'

Permit # _____

Revised: _____



Permit # _____

Revised: _____

Tab "L"

Article 26.

Declaratory Judgments.

§ 1-253. Courts of record permitted to enter declaratory judgments of rights, status and other legal relations.

Courts of record within their respective jurisdictions shall have power to declare rights, status, and other legal relations, whether or not further relief is or could be claimed. No action or proceeding shall be open to objection on the ground that a declaratory judgment or decree is prayed for. The declaration may be either affirmative or negative in form and effect; and such declarations shall have the force and effect of a final judgment or decree. (1931, c. 102, s. 1.)

§ 1-254. Courts given power of construction of all instruments.

Any person interested under a deed, will, written contract or other writings constituting a contract, or whose rights, status or other legal relations are affected by a statute, municipal ordinance, contract or franchise, may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract, or franchise, and obtain a declaration of rights, status, or other legal relations thereunder. A contract may be construed either before or after there has been a breach thereof. (1931, c. 102, s. 2.)

§ 1-260. Parties.

When declaratory relief is sought, all persons shall be made parties who have or claim any interest which would be affected by the declaration, and no declaration shall prejudice the rights of persons not parties to the proceedings. In any proceeding which involves the validity of a municipal ordinance or franchise, such municipality shall be made a party, and shall be entitled to be heard, and if the statute, ordinance or franchise is alleged to be unconstitutional, the Attorney General of the State shall also be served with a copy of the proceeding and be entitled to be heard. (1931, c. 102, s. 8.)

Tab "M"

pounds and greater and used for commercial purposes, or (2) any vehicle or trailer, regardless of weight, including vehicles used for a business use or licensed as a "for hire" vehicle, or any limousine or bus used as a common or contract carrier vehicle. For purposes of this chapter, a commercial vehicle shall not be deemed to include any of the following: police vehicle, emergency vehicle, commuter van, motor home, camping trailer, boat trailer or similar recreational equipment used as a personal property and not for hire or used as a school van or bus.

COMMON AREA/OPEN SPACE: Land that is used for recreational purposes, environmental resource protection, buffer areas, stormwater management areas and passive areas that are dedicated to the residents of a development for use and maintenance, and is protected to ensure that it remains in such uses, unless utilized under the provisions of this chapter.

COMMUNITY BOATING FACILITY: A private, nonprofit boating facility with navigable water frontage which includes a dock, pier, and/or launching ramp which is intended to serve five (5) or more residential units. Must be owned/controlled by a Homeowners Association (HOA) or any type of development association or collective owners group where more than one family has privileges to use facility. Commercial activities of any kind, including commercial letting of slips to parties that are not residents of the association or development, shall be prohibited.

COMMUNITY WASTEWATER SYSTEM: A sanitary wastewater facility which is publicly or privately owned and established to serve more than one single residential dwelling, commercial, and/or industrial development and is approved through a state agency or utilities commission.

COMMUNITY WATER SYSTEM: A public water supply system established to serve all or a portion of a residential, commercial, and/or industrial development year round and is approved through a state agency or utilities commission.

COMPATIBLE: Capable of existing together in harmony; congruous.

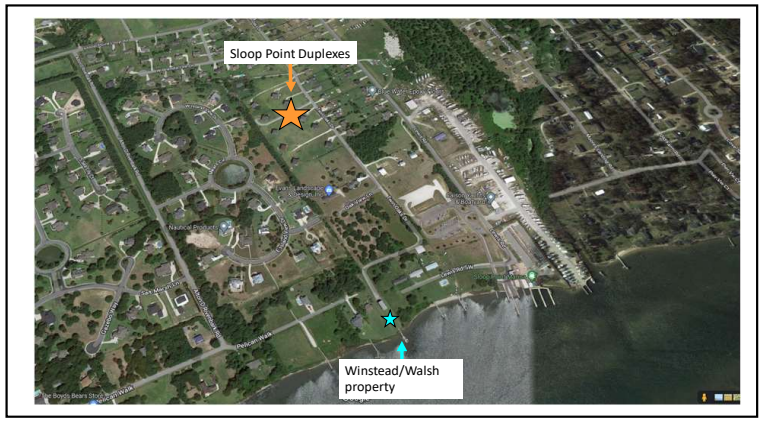
COMPREHENSIVE LAND USE PLAN: A general plan for the future development of Pender County, adopted by the Pender County Board of Commissioners according to the provisions of the North Carolina Code.

CONFERENCE/EVENT CENTER: A structure or facility designed to accommodate meetings and other events with or without food service developed to be either stand-alone or within a hotel or motel.

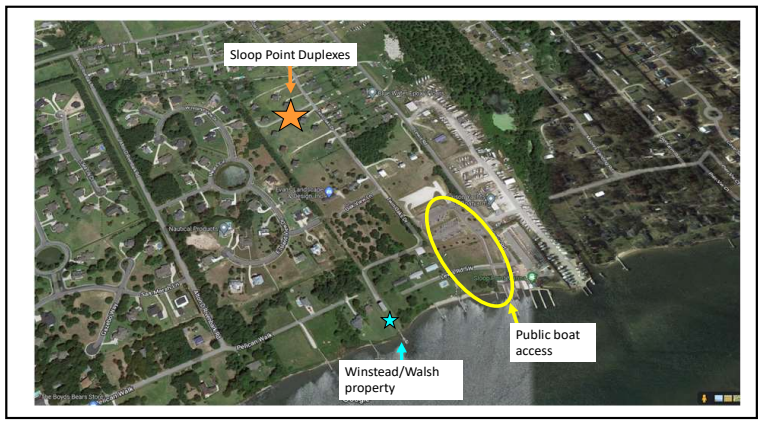
CONFINED/CONCENTRATED ANIMAL FEEDING OPERATION: A lot or facility (other than an aquatic animal production facility) where at least one of the following conditions are met:1) Animals (other than aquatic animals) have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period; 2) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility; OR- Any animal feeding operation that requires a National Pollution Discharge Elimination System (NPDES) permit.


Road Map
Photography

1


Sloop Point Duplexes
Winstead/Walsh property

2


Sloop Point Duplexes
Public boat access
Winstead/Walsh property

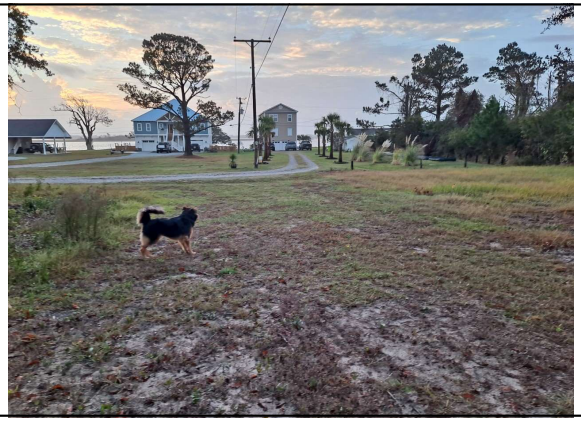
3


Pender County

4



5



6



7



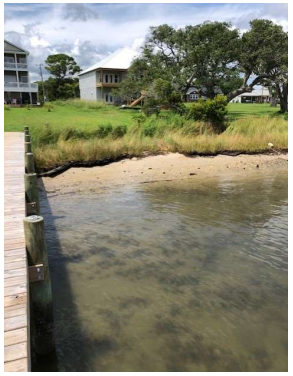
8



9



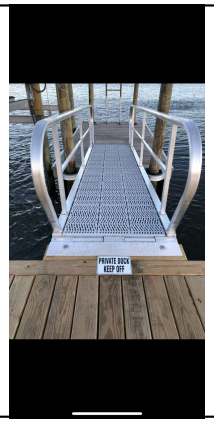
10



11



12



13



14



15



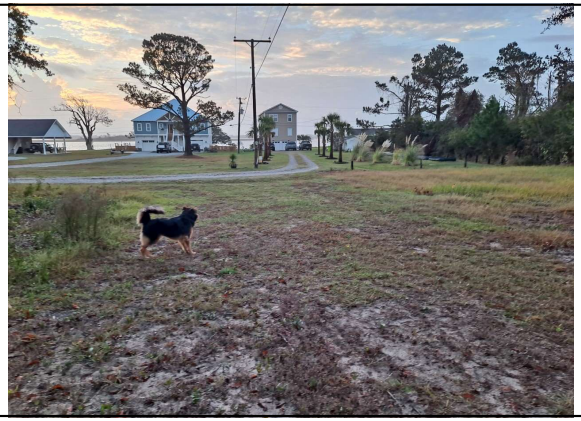
16



17



18



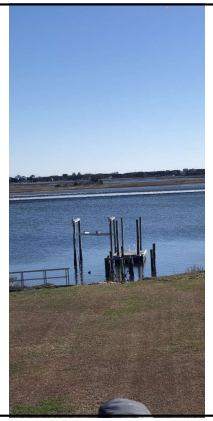
19



20



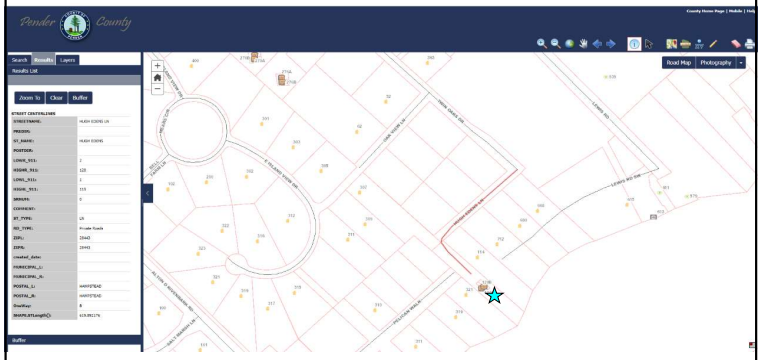
21



22



23



24


DEAD END
PRIVATE ROAD
NO TRESPASSING
PRIVATE ROAD
DO NOT ENTER
FOR USE OF
RESIDENTS &
GUESTS ONLY

25



26



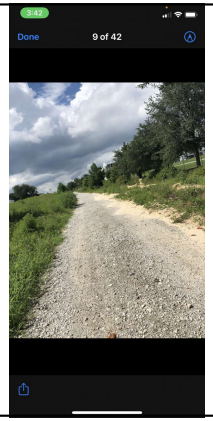
27



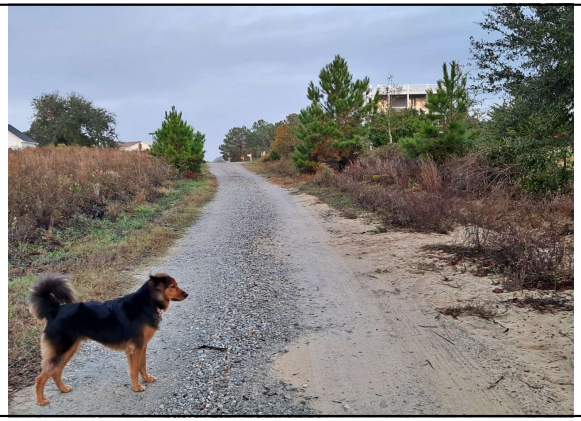
28



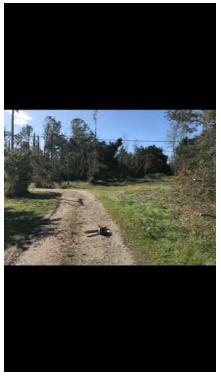
29



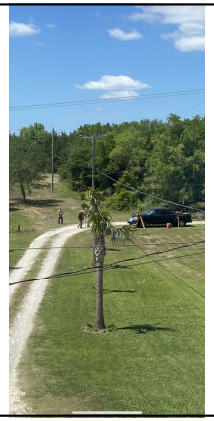
30



31



32



33



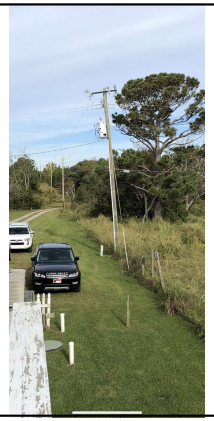
34



35



36



37



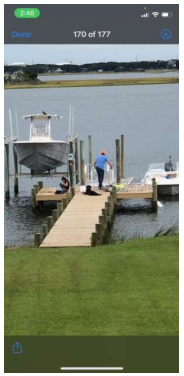
38



39



40



41



42



43



44



45



46



47



48



49



50



51



52



53



54



55

Exhibit “C”

1-17

George Rountree, Jr.
(1904-1979)
Ryan F. Tennant
(1973-2016)
George Rountree, III
Special Counsel
Geoffrey A. Losee
Stephen D. Coggins

Pardis Camarda Moreland
Michael A. Becker
Brian S. Akers

Joseph E. Horowitz
Of Counsel

ROUNTREE LOSEE LLP
Est. 1896

North Carolina Address
2419 Market Street
Wilmington, NC 28403

Tennessee Address
6000 Poplar Ave., Ste 400
Memphis, TN 38119

Phone
910-763-3404

Fax
910-763-0120
910-763-0080

November 15, 2022

To: Pender County Board of Adjustment and its Clerk; Matthew Nichols; Justin Brantley; Pender County Planning Department
From: Stephen D. Coggins, counsel for SUP Applicants Sloop Point Duplex Owners Contesting Administrative Appeal 2022-09 by Adam Winstead and by Brian and Laura Walsh Contending that SUP Application # SUP 2022-36 is Incomplete; our file 2022-00154 SC
Date: November 16, 2022

SLOOP POINT DUPLEX OWNERS (SUP APPLICANTS) REBUTTAL OPPOSING ADMINISTRATIVE APPEAL

A. Introduction

The Appellants appeal the determination of the Planning Staff that the Application ("Application") for a Special Use Permit ("SUP") 2022-36 for a Community Boating Facility is complete. The "SUP Applicants" are the owners of duplexes in the Sloop Point Duplexes development. Each duplex in the development individually has rights of access to, and use of, a boat dock facility at the property owned in fee by the Appellants. The SUP Applicants oppose this Appeal and submit this memorandum in rebuttal.

Once this Appeal was lodged, the Zoning Administrator determined that Planning Staff correctly determined the Application was complete, that it was established that the easement holders had the right to apply for this development approval as it was consistent with their rights as easement holders; and that it was further established that Mr. Stephen D. Coggins had the right to apply as the applicant as an agent of the easement holders. [Appeal Packet (hereinafter "AP"), p. 4]

B. Burden Is On the Appellants

Under Section 3.1.2 of the UDO, upon proof that all the information required in the Planning Department application forms is presented, there is a presumption that the application is deemed complete:

UDO 3.1.2 Application Requirements

***

C. Complete Applications: All applications must be sufficient for processing prior to review. ***The presumption shall be that all of the information required in the ...application forms is necessary to satisfy the requirements of this Section***;

The rule is well established in this State that the burden of proof and persuasion on this Appeal is on the Appellants. See, Owens, *Land Use Law in North Carolina*, p. 146 & n. 30 (2d Edition 2011)

C. Rebuttal to Appellants 11 Contentions Contesting the Application as Complete

A review of the Appeal reveals basically 11 separate arguments on why Appellants contend the Application is incomplete. This Rebuttal provides (a) each of the 11 Contentions, (b) a citation to each location in the Appeal Packet (hereinafter "AP"] where each Contention is made, and (c) the Rebuttal to the particular Contention. Each Rebuttal to a particular Contention is in **bold font**.

1. Appellants 1st Contention:

SUP Applicants Own Only An Easement Interest, Are Not "Owners" Within Meaning of Chapter 160D and Do Not Have a Sufficient Property Interest to Seek an SUP on Appellants' Property [See Appellants Statements In Support of 1st Contention found at AP pp. 10-15, Paras. 1, 8, 22-26, 31-35]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 1st Contention:

(a) Chapter 160D Expressly Authorizes the SUP Applicants as Easement Holders to Apply for a Special Use Permit

Appellants contend that the SUP Applicants own only an easement interest in gaining access over the Appellants' property and that interest is not sufficient under Chapter 160D of the General Statutes to seek a SUP granted under the quasi-judicial process. The briefest examination of the applicable statutes shows this contention is patently erroneous. Those statutes expressly provide that an "easement holder" may apply for a "development approval", which is defined as including "special use permits" granted through the quasi-judicial process.

First, **N.C.G.S. § 160D-403(a) expressly provides that the SUP Applicants as easement holders may apply for a "development approval:**

> **"....An easement holder may also apply for development approval for such development as is authorized by the easement.**

Secondly, **subsection (13) of the definitions applicable to Chapter 160D found at N.C.G.S. § 160D-102 define "Development approvals" as including "special use permits:**

> **(13) Development approval. – An administrative *or quasi-judicial approval* made pursuant to this Chapter that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. *Development approvals include*, but are not limited to...*special use permits*.... (*italics* added for emphasis)**

Third, **N.C.G.S. § 160D-102(13) quoted above expressly states that a "Development approval" can be a "quasi-judicial approval"**

(b) The UDO Is Consistent With Chapter 160D And Does Not Prohibit Easement Holders From Applying for a Special Use Permit

The UDO at Sec. 3.12.2(A) provides for who may apply for a SUP – the "applicant":

> **Applications for Special Use Permits, <u>signed by the applicant</u>, shall be approved or denied by the Board of Commissioners and shall follow the general requirements of Section 3.1.1 and 3.1.2. (<u>underline</u> added)**

The UDO simply provides that an "applicant" may apply for a SUP. The term "applicant" is not defined in the UDO. In consequence, the UDO does not restrict "applicant" solely to one who owns a fee title to property. As "applicant" is not defined, the UDO nowhere prohibits easement holder applicants who are not owners in fee of the subject property from applying for a SUP.

And even if Sec. 3.12.2(A) was deemed to restrict "applicant" to being an "owner" as defined in the UDO, it still would not restrict the SUP Applicants from applying for a SUP. The UDO Definitions found at page 19 of "Appendix A" define an "Owner" as "[a]n individual, firm, association,

syndication, partnership or corporation *having sufficient proprietary interest to seek development of land*."

Here, the SUP Applicants have a "sufficient proprietary interest to seek development of land" because they are "dominant estate" easement holders that have a right to seek development of the Appellants land to the extent provided in their easement ("Easement"). The Easement was granted on January 4, 2004 by Appellants' predecessor in title and recorded at Deed Book 2295, Page 85 of the Pender Registry. Key provisions in the Easement include the following:

> **Grantor has agreed to grant to each Grantee a perpetual easement, appurtenant to the lots owned by each of the Grantees, for the use of a boat launching/ ramp and access to the [AICW], together with the use of any pier or dock placed on said property by Grantor. Said easement shall be located per the Grantor, *and others may construct a boat launching/landing ramp facility and pier/dock on said premises.***
>
> **.... Grantor ...conveys... the rights and privilege on ingress, egress and regress to and from boat launching/landing facilities *to be constructed* for semi-private use on Tract A....together with the right and privileged to use the pier/dock constructed on said site as an accessory to the boat launching/landing facility and as access to the [AICW] (*italics* added)**

The same day the Easement was recorded, the Grantor's predecessor in title at Map Book 37, Page 28 recorded the plat expressly referencing the Easement encumbering Appellants' property.

Thus, the Easement's express wording in both the deed and the plat conveys to the SUP Applicants as easement holders with an express proprietary interest that empowers them to construct a boat launching facility and pier/dock. Thus, the SUP Applicants are "Owners" as that term is defined in the UDO.

(c) SUP Applicants Own a Sufficient Interest in Appellants Property to Seek the "Community Boating Facility"

The Appellants erroneously argue that the SUP Applicants do not own an interest in their land or their boat dock facility. The express wording of the Easement in the deed and plat as discussed above belies this contention.

Further, the Appellants' own deeds refer to the easement shown on the plat at Map Book 37, Page 28 recorded January 4, 2004. (See deed to Appellant Winstead recorded September 11, 2019 at Deed Book 4693, Page 254 to Tract A, Unit A and deed to Appellant Walsh to Tract A, Unit B recorded October 21, 2020 at Deed Book 4728, Page 2245). Consequently, they have been put fully on notice about the "dominant estate" Easement interest encumbering their land in favor of the SUP Applicants.[1]

Finally, the extent the Appellants argue that the Easement language is not sufficient to allow the SUP Applicants to use the Property, such is beyond the purview of the Board of Adjustment and is better resolved by the Courts.

2. Appellants 2nd Contention: SUP Applicants Have Not Demonstrated They Have a Right to Use Private Roads to Get To the Pier and There Is a Question Whether They Are Privy to Easement Rights to Use the Road. [See Appellants Statements In Support of 2nd Contention at AP pp. 15-16, paras. 35-38]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 2nd Contention:

This contention is meritless for several reasons. *First*, the rights of the SUP Applicants as the dominant estate holders of the easement to use Hugh Edens Lane is shown by a number of instruments:

(a) the plat at Map Book 37, Page 28 as illustrating Hugh Edens Lane as the road access via Twin Oaks Drive to gain access to the easement;

(b) the same plat's reference to a plat of the predecessor owner's land at Map Book 26, Page 104 that shows both Twin Oaks Drive and "Oak View Lane (now Hugh Edens Drive) as roads serving both Tract A (Appellants' property) and Tract C (which tract has been subdivided into the SUP Applicants property by the predecessor owner of Tract C);

(c) that plat recorded September 24, 2002, at Map Book 35 at Page 69 showing access from the SUP Applicants properties along Twin Oaks Drive to "Oak View Drive" (now Hugh Edens Lane);

[1] Interestingly, the SUP Applicants are not the only persons who have rights to use the boat ramp and dock. The predecessor grantors of the land to the Appellants reserved a right to use any boat ramp or dock constructed on the property. See Deed Book 1969, Page 316 recorded October 21, 2002.

(d) the Easement at Deed Book 2295, Page 85 referencing the above Map Book 35, Page 69 and stating that the Easement is appurtenant to and running with the lands described in Map Book 36 at Page 69;

(e) the Easement Plat at Map Book 37, Page 28 coming on the heels of Map Book 35, Page 69 showing the right of access along Hugh Edens Lane;

(f) Deeds to the SUP Applicant Owners of Sloop Point Duplexes establishing they have the following easement rights and obligations:

> **Said lot is conveyed subject to a maintenance obligation for such amenities as may be located upon said Tract "A." Each person or entity acquiring a lot hereunder shall bear a proportionate cost of maintaining such amenities and the common areas. The amenities to be constructed upon said Tract "A" shall include a boat ramp and dock.**
> **Said lot is conveyed together with and subject to an easement for ingress, egress and regress over and across those roads labeled Twin Oaks Drive and Oak View Lane as said roads are shown on a map recorded in Map Book 26 at Page 104 of the Pender County Registry, reference to which said map is hereby made for a more particular reference.**
>
> **Said lot is conveyed together with the following maintenance obligation. Each person or entity acquiring a lot hereunder shall bear a proportionate cost of maintaining Twin Oaks Drive and Oak View Lane as said roads are shown on a map recorded in Map Book 26 at Page 104 of the Pender County Registry. This maintenance obligation is further set forth in an instrument recorded in Book 710 at page 248 of the Pender County Registry.**
>
> **(See, e.g, Chang Deed recorded at DB 4716, Page 1523; Flynn deed recorded at DB 4713, Page 1050);**

(g) Maintenance Agreement for Hugh Edens Drive recorded on April 9, 2001 at Deed Book 770, Page 248, which grants rights and responsibilities to the SUP Applicants.

Accordingly, the SUP Applicants' rights to exercise the Easement and to traverse Hugh Edens Lane to gain access to the Easement is well established.

***Second*, to the extent Appellants disagree with that conclusion, determining the full extent of the rights and liabilities of the parties is beyond the scope of the powers of this Board of Adjustment and is more properly resolved in the Courts.**

***Third*, nowhere does the UDO require SUP Applicants to demonstrate that they have a *right* of access along adjacent roads to get to the property on which the easement is located. Rather, all the UDO requires is for the Application to *show the means – not the right -- of access to the site*. See, UDO 3.12.2 B. 4) requiring the application to show "means of access to the site (road or recorded access easement)". The means of access is shown on the SUP Applicants' Site Plan as being Hugh Edens Lane, as well as through the above instruments that are either attached in the SUP Application or referenced therein.**

3. Appellants 3rd Contention:

There Was No Right to Use the Pier as a Community Boating Facility When the Easement Was Created [See Appellants Statements In Support of 3rd Contention at AP p. 15-16, paras. 39-41]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 3rd Contention:

Whether or not uses permitted under the Easement "for the use of a boat launching/ ramp and access to the [AICW], together with the use of any pier or dock placed on said property by Grantor" were allowed by the County at the time the Easement was granted is irrelevant. Land use ordinances are inherently subject to change according to the whims of the County Commissioners or their delegated actors. In contrast, the Easement is perpetual and cannot be extinguished except by mutual consent or adverse possession. The Easement by its express terms is "in perpetuity", is conveyed to the Grantees and "their heirs, successors, and assigns" and "runs with the title to the lots...". See Deed Book 2295 at Page 85. The County zoning ordinances do nothing that affect the validity of this property rights.

Finally, the current UDO without question today allows Easement use of the pier and dock and boat launching area in the form of a Community Boating Facility operating under a Special Use Permit granted by the County. If such was ever prohibited in the past, the right has "sprung back to life" by adoption of the current UDO's Community Boating Facility provisions.

4. Appellants 4th Contention:

Appellants did not sign SUP Application and Appellant Property Owners do not consent [See Appellants Statements In Support of 4th Contention at AP p. 11, paras. 5, 6, 9, 14]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 4th Contention:

A signature on the SUP Application by the Appellants as owners in fee of the property encumbered by the Easement is not necessary. Nowhere does the UDO require the SUP Application be signed by the fee title owner. Instead, the UDO at Sec. 3.12.2(A) provides merely this:

> **Applications for Special Use Permits, signed by the applicant, shall be approved or denied by the Board of Commissioners and shall follow the general requirements of Section 3.1.1 and 3.1.2. (underline added)**

The term "applicant" is not defined in the UDO. Moreover, no other UDO provision requires the fee title owner to sign the Application. All the UDO requires is for there to be "Owner" is "[an] individual, firm, association, syndication, partnership or corporation *having sufficient proprietary interest to seek development of land*." Here, the SUP Applicants are "dominant estate" Easement holders that have a right to seek development of the Appellants land to the extent allowed by the Easement granted by Appellants' predecessor in title and recorded at Deed Book 2295, Page 85. The Appellants' fee title interest is a "servient" estate subject to the SUP Applicants' "dominant estate" Easement interest. Thus, signature by the Appellant fee title servient interest owners is not required.

Further, the SUP Application is signed by both the authorized attorney at law acting as agent of the SUP Applicants, and by one of the Sloop Point Duplex owners (Ms. Betty Chang-Curry) acting as the agent of all the other Duplex Owners.

Finally, each of the SUP Applicant owners of Sloop Point Duplexes and have submitted in writing designating Ms. Chang-Curry as their agent for the purposes of seeking the SUP.

5. Appellants 5th Contention:

SUP Conditions Cannot Be Imposed Without Consent of Appellants [See Appellants Statements In Support of 5th Contention at AP pp. 13-14, paras. 27 - 30]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 5th Contention:

This novel contention is without merit. Nothing in applicable statutes or ordinances provide that SUP conditions can only be imposed with the consent of the owner.

When considering whether to issue a SUP, the County Commissioners are authorized by statute to impose "reasonable and appropriate conditions":

> **N.C.G.S. § 160D-705. Quasi-judicial zoning decisions.**
> ***
> **(c) Special Use Permits. – The regulations may provide that the board of adjustment, planning board, or governing board hear and decide special use permits in accordance with principles, conditions, safeguards, and procedures specified in the regulations. *Reasonable and appropriate conditions and safeguards may be imposed upon these permits.* (*italics* and underlined emphases added)**

Nothing in this statute --- nor anywhere else in Chapter 160D --- provides that the fee title owner of property must give consent. Indeed, just the opposite applies. The County Commissioners under G.S. § 160D-705(c) may *impose* reasonable conditions on the SUP that are binding on the property, with or without the property owners consent. The power to "impose" SUP conditions establishes crystal clearly that consent by the property owner is not required. Indeed, such conditions oftentimes have been imposed in other instances in which the owner of the property contests the legality or appropriateness of those conditions. (See e.g., cases cited in discussion and footnotes in *Land Use Law in North Carolina, supra*, pp. 156-157

The UDO is consistent with G.S. § 160D-705(c) regarding consent as not being a prerequisite to the validity of SUP conditions. Sec. 3.12.1 governing SUPs provides:

> **The development and execution of this Ordinance is based on the division of the county into districts within which the use of land and**

> **buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are some land uses which are basically in keeping with the intent and purposes of the district where permitted, but which may have an impact on the area around them which can only be determined by review of the specific proposal. *These uses may be established, under certain conditions and with proper controls, in such a manner as to minimize any adverse effects. In order to insure that these uses, in their proposed locations, would be compatible with surrounding development and in keeping with the purposes of the district in which they are located, their establishment shall not be as a matter of right, but only after review and approval of a Special Use Permit as hereinafter provided.***

This provision ensures the County Commissioners have the power to impose conditions on the SUP regardless of the particular desires of the SUP Applicant.

The Appellants citation to statutory provisions regarding a modification of an SUP as being with the consent of the owner are inapposite. Indeed, most modifications are driven by an owner request and are inherently with the consent of the owner. Any requirement that the owner consents to a modification of the SUP has no bearing on the power of the Commissioners to impose an original condition in the original SUP regardless of whether the owner consents.

Finally, even if consent were required, the status of the SUP Applicants as an "easement holder" giving their consent is a sufficient ownership interest under Chapter 160D and the UDO for the reasons discussed above in the rebuttal to the 1st Contention.

6. Appellants 6th Contention:

SUP Applicants Did Not Seek Consent of Appellants or Reach Out to Appellants Before Filing SUP Application [See Appellants Statements in Support of 6th Contention [AP pp. 11-12, paras. 10 & 11]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 6th Contention:

The short answer to the 6th Contention is that obtaining the fee title holders' consent is not a prerequisite to a valid or complete Application. The UDO imposes no such requirement. Nor does any provision in Chapter 160D

required consent by the fee title owner. All that is required is a SUP Application submitted on behalf the Easement holder, per N.C.G.S. § 160D-403(a).

7. Appellants 7th Contention:

SUP Application was not sent to Appellants [See Appellants Statements in Support of 7th Contention at AP p. 12, para. 12]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 7th Contention:

Nowhere in the UDO or Chapter 160D is there a requirement that an Easement holder send to the fee title holder a copy of the SUP Application.

What is required instead is for the SUP Applicant to submit with the Application a "a list of names and addresses of the owners of all properties located within 500 feet of the perimeter of the project bounds along with one (1) set of #10 envelopes stamped and with typed addresses to each person on the list." At that point, the Zoning Administrator mails a copy of the legal notice to each of those owners at least thirty days before the SUP hearing. The relevant UDO provision states:

> **UDO 3.12.2 Application and Fees**
> ***
> **B. Each application shall contain the following as stipulated by the County Commissioners and Administrator:**
> ***
> **3) The applicant shall provide to the Administrator a list of names and addresses of the owners of all properties located within 500 feet of the perimeter of the project bounds along with one (1) set of #10 envelopes stamped and with typed addresses to each person on the list. These addressed envelopes and the list shall be submitted at least thirty (30) days prior to the public hearing. The Administrator shall then mail a copy of the legal notice to each adjacent property owner;**

That was done in this case, which is how the Appellants were put on full and fair notice of the SUP proceedings.

8. Appellants 8th Contention:

Attorney Cannot Be Applicant [See Appellants' Statements Supporting 8th Contention at AP p. 12, para. 13]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 8th Contention:

Nowhere does the UDO or Chapter 160D preclude an attorney representing a party from applying for a SUP on behalf of the attorney's client. Nowhere does the UDO or Chapter 160D require an agent form for submitting an SUP Application.

Regardless, any concerns of whether the attorney is authorized to submit the SUP Application is resolved because one of the Sloop Point Duplex Easement holders (Ms. Chang-Curry) while acting on behalf of all the other Duplex owners signed the SUP Application on the same page as their attorney applicant.

9. Appellants 9th Contention:

All Sloop Point Duplex Owners (i.e., the SUP Applicants) Did Not Sign the Application and No Agency Form Was Signed [See Appellants' Statements Supporting 9th Contention at AP p. 12, para. 15-18]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 9th Contention:

Nowhere does the UDO or Chapter 160D preclude a co-owner of an Easement from submitting a SUP Application on behalf of the other co-owners. Nowhere does the UDO or Chapter 160D require an agent form for submitting an SUP Application. Moreover, each duplex owner has in writing designated Ms. Chang-Curry as their agent.

10. Appellants 10th Contention:

There Is No Entity called "Sloop Point Duplex Owners" registered with NC Secretary of State [See Appellants Statements in Support of 10th Contention at AP p. 12, para. 18; AP p. 14, paras. 31]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 10th Contention:

Nowhere does Chapter 160D or the UDO require the Sloop Point Duplex Owners to be an incorporated organization registered with the N.C. Secretary of State.[2]

Moreover, Chapter 160D's requirements applicable to a "person" include a partnership, association or joint venture. See N.C.G.S. § 160D-102(24). Hornbook law in this State is that an association need not be incorporated. That makes sense in this case, as the Sloop Point Duplex Owners are an association of individuals who own duplexes in the development, all of whom each own individually rights in the Easement. The Easement did not convey rights to an incorporated entity. Rather, it conveyed rights to whoever or whatever owns a particular duplex.

Furthermore, this informal association of individuals that own duplexes are a type of a "development association or collective owners group" that is required to exist and have "ownership/control" in order for a SUP for a Community Boating Facility to be issued. The Definitions in Appendix A to the UDO defines "Community Boating Facility" as follows:

> **A private, nonprofit boating facility with navigable water frontage which includes a dock, pier, and/or launching ramp which is intended to serve five (5) or more residential units. *Must be owned/controlled by* a Homeowners Association (HOA) or *any type of development association or collective owners group where more than one family has privileges to use facility….* (*italics* added)**

Note that the Community Boating Facility Ordinance nowhere requires the Facility to be "owned/controlled" by an incorporated HOA. Rather, it is sufficient for the "owner/controller" to be any type of development association or a collective owners group.

---

[2] In addition, the Condominium Act at Chapter 47C of the General Statues nowhere requires incorporation. Moreover, the Planned Community Act at Chapter 47F is inapplicable, for N.C.G.S. § 47F-1-101 applies only to a development consisting of 21 or more lots. Here, the Duplexes are created under two separate declarations. One is for Lots 1 through 6, on each lot being a duplex. The other is for Lots 5 through 11, on six of which are duplexes and on one is a single-family residence. Neither development consists of at least 21 lots. (See DB 1969, Pages 180 and 186). Since neither development is a "planned community" as defined in Chapter 47F, the incorporation provision in N.C.G.S. § 47F-3-101 is inapplicable.

Here, the Sloop Point Duplex Owners are just that. They have ownership and control by way of the terms of the Easement, which provides:

> **Grantor has agreed to grant to each Grantee a perpetual easement, appurtenant to the lots owned by each of the Grantees, for the use of a boat launching/ ramp and access to the [AICW], together with the use of any pier or dock placed on said property by Grantor. Said easement shall be located per the Grantor, and others may construct a boat launching/landing ramp facility and pier/dock on said premises.**
>
> **.... Grantor ...conveys... the rights and privilege on ingress, egress and regress to and from boat launching/landing facilities to be constructed for semi-private use on Tract A as shown on the map entitled Map of Survey for Mary B. Edens recorded in Map Book 26 at Page 104 of the Pender County Registry together with the right and privileged to use the pier/dock constructed on said site as an accessory to the boat launching/landing facility and as access to the [AICW]**
>
> **Said easement is conveyed subject to a maintenance obligation for said facilities. Each person or entity acquiring an easement of right of way hereunder shall bear a proportionate cost of maintaining such amenities, including the pier/dock and the boat launching/landing facilities.**

This easement language gives the Easement holders the express power to construct the boat dock facility and to obligates it to maintain it.

Accordingly, the status of the owners of Sloop Point Duplexes owners as not being an incorporated association is irrelevant.

11. Appellants 11th Contention:

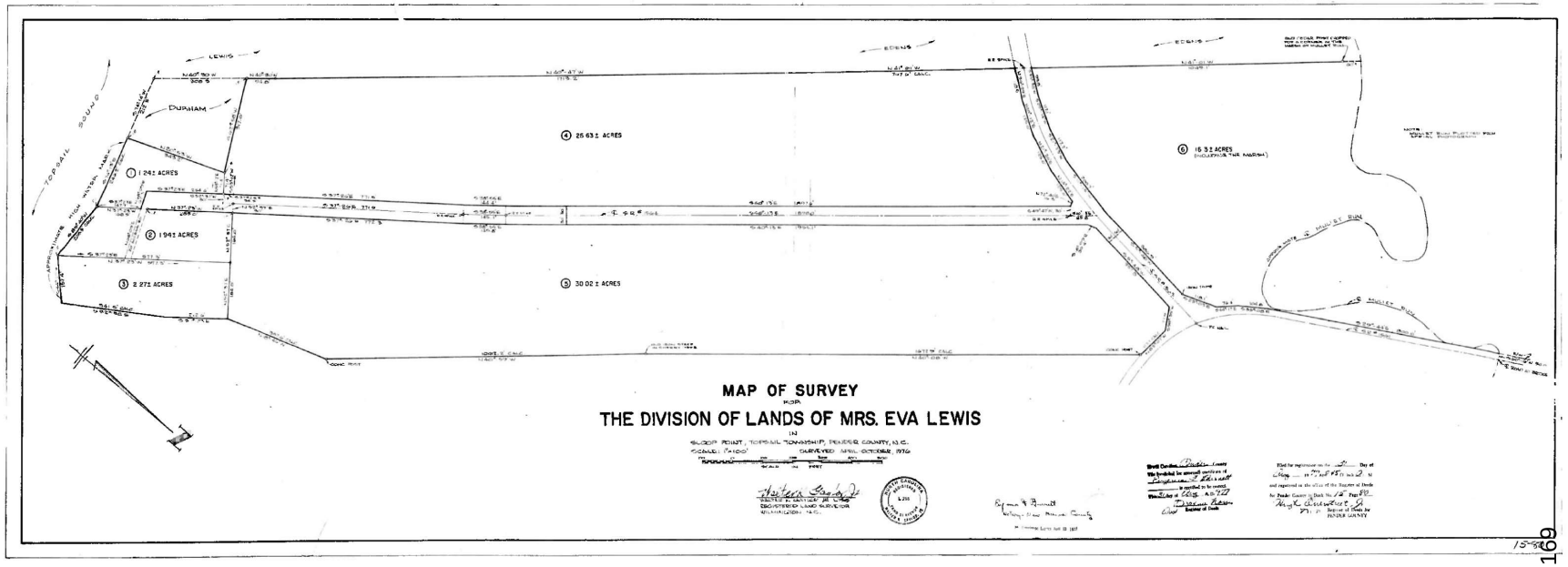
SUP Applicants Did Not Furnish All Contact Information of the Appellant Owners [See Appellants' Statements Supporting 11th Contention at AP p. 12, paras. 19, 20, 21]

SUP Applicants/Sloop Point Duplex Owners Rebuttal to 11th Contention:

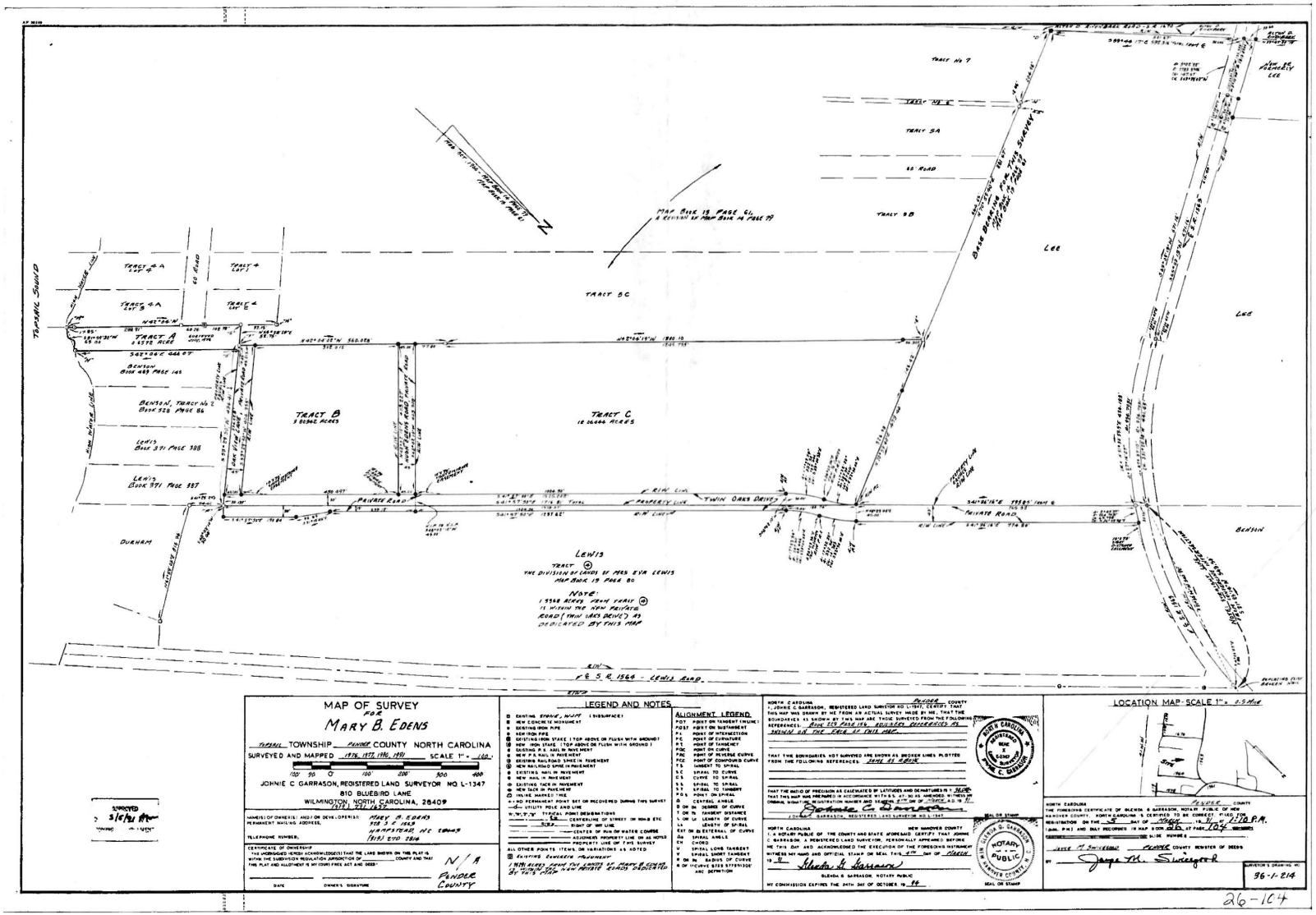
Nowhere does Chapter 160D or the UDO require the SUP Applicant to provide all the contact information of the Appellant fee title holders. Rather, all that is required is the SUP Applicants furnish the names and addresses of each of the Appellants, which was done.

CONCLUSION

The Appellants' contentions are devoid of merit. The SUP Application is complete in all respects. Thus, the Sloop Point Duplex Owners/SUP Applicants respectfully request that the Board of Adjustment affirm in whole the decision of the Zoning Administrator.


LEWIS
EDENS
DURHAM
TOPSAIL SOUND
① 1.24± ACRES
② 1.94± ACRES
③ 2.27± ACRES
④ 25.63± ACRES
⑤ 30.02± ACRES
⑥ 16.3± ACRES
(EXCLUDING THE MARSH)
MULLEN POND
MAP OF SURVEY
FOR
THE DIVISION OF LANDS OF MRS. EVA LEWIS
IN
SLOOP POINT, TOPSAIL TOWNSHIP, PENDER COUNTY, N.C.
SCALE: 1"=100'
SURVEYED APRIL, OCTOBER 1976
REGISTERED LAND SURVEYOR
WILMINGTON, N.C.
L-2151
SEAL
Filed for registration on the ... Day of ... 19...
and registered in the office of the Register of Deeds
for Pender County in Book No. ... Page ...
Register of Deeds for
PENDER COUNTY

2



MAP OF SURVEY
FOR
MARY B. EDENS

TYPICAL TOWNSHIP PENDER COUNTY NORTH CAROLINA

SURVEYED AND MAPPED 1976, 1977, 1976, 1981 SCALE 1" = 100'

100' 50' 0 100' 200' 300' 400'

JOHNIE C. GARRASON, REGISTERED LAND SURVEYOR NO. L-1347
810 BLUEBIRD LANE
WILMINGTON, NORTH CAROLINA, 28409

NAME(S) OF OWNER(S) AND/OR DEVELOPER(S): MARY B. EDENS
PERMANENT MAILING ADDRESS: 703 S. 4 ST.
WAMPSTEAD, NC 28479
TELEPHONE NUMBER: (919) 270-2814

CERTIFICATE OF OWNERSHIP
THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF _____ COUNTY AND THAT THIS PLAT AND SUBDIVISION IS MY (OUR) FREE ACT AND DEED.

DATE _____ OWNER'S SIGNATURE _____

N/A
PENDER COUNTY

LEGEND AND NOTES

- EXISTING IRON PIPE
- NEW CONCRETE MONUMENT
- EXISTING IRON PIPE
- NEW IRON PIPE
- EXISTING IRON STAKE (TOP ABOVE OR FLUSH WITH GROUND)
- NEW IRON STAKE (TOP ABOVE OR FLUSH WITH GROUND)
- EXISTING P.K. NAIL IN PAVEMENT
- NEW P.K. NAIL IN PAVEMENT
- EXISTING RAILROAD SPIKE IN PAVEMENT
- NEW RAILROAD SPIKE IN PAVEMENT
- EXISTING NAIL IN PAVEMENT
- NEW NAIL IN PAVEMENT
- EXISTING TACK IN PAVEMENT
- NEW TACK IN PAVEMENT
- INLINE MARKED TREE
- +-NO PERMANENT POINT SET OR RECOVERED DURING THIS SURVEY
- UTILITY POLE AND LINE
- TYPICAL POINT DESIGNATIONS
- CENTERLINE OF STREET OR ROAD ETC
- RIGHT OF WAY LINE
- CENTER OF RUN OF WATER COURSE
- ADJOINERS PROPERTY LINE OR AS NOTED
- PROPERTY LINE OF THIS SURVEY

ALL OTHER POINTS, ITEMS, OR VARIATIONS AS NOTED

EXISTING CONCRETE MONUMENT

NEW RODS FOUND ON LINES OF MARY B. EDENS AS THIS SURVEY AND NEW PRIVATE ROADS DEDICATED BY THIS MAP

ALIGNMENT LEGEND

POT	POINT ON TANGENT (INLINE)
POST	POINT ON SHRINKAGE
PI	POINT OF INTERSECTION
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
POC	POINT ON CURVE
PRC	POINT OF REVERSE CURVE
PCC	POINT OF COMPOUND CURVE
TS	TANGENT TO SPIRAL
SC	SPIRAL TO CURVE
CS	CURVE TO SPIRAL
SS	SPIRAL TO SPIRAL
ST	SPIRAL TO TANGENT
POS	POINT ON SPIRAL
Δ	CENTRAL ANGLE
D or Da	DEGREE OF CURVE
T or Ts	TANGENT DISTANCE
L or Ls	LENGTH OF CURVE
Ls	LENGTH OF SPIRAL
Ext or E	EXTERNAL OF CURVE
θs	SPIRAL ANGLE
CH	CHORD
V	SPIRAL LONG TANGENT
V'	SPIRAL SHORT TANGENT
R or Rs	RADIUS OF CURVE
R or Rc	RADIUS AT SPIRAL OR ARC DEFINITION

NORTH CAROLINA PENDER COUNTY

I, JOHNIE C. GARRASON, REGISTERED LAND SURVEYOR NO. L-1347, CERTIFY THAT THIS MAP WAS DRAWN BY ME FROM AN ACTUAL SURVEY MADE BY ME; THAT THE BOUNDARIES AS SHOWN BY THIS MAP ARE THOSE SURVEYED FROM THOSE FOLLOWING REFERENCES: BOOK 105 PAGE 176, DEEDS OF RECORDS OF PENDER COUNTY, NORTH CAROLINA AND AS SHOWN ON THE FACE OF THIS MAP.

THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM THE FOLLOWING REFERENCES: SAME AS ABOVE

THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 30,000

THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 27TH DAY OF JUNE, A.D. 19 81

Johnie C. Garrason
JOHNIE C. GARRASON, REGISTERED LAND SURVEYOR NO. L-1347

SEAL OR STAMP

NORTH CAROLINA NEW HANOVER COUNTY

I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT JOHNIE C. GARRASON, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS 27TH DAY OF JUNE, 19 81

Glenda G. Garrason
GLENDA G. GARRASON, NOTARY PUBLIC

MY COMMISSION EXPIRES THE 24TH DAY OF OCTOBER 19 86

SEAL OR STAMP

NOTARY PUBLIC — NEW HANOVER COUNTY, NORTH CAROLINA — JOHNIE C. GARRASON

LOCATION MAP - SCALE 1" = 0.5 MILE

NORTH CAROLINA PENDER COUNTY

THE FOREGOING CERTIFICATE OF JOHNIE G. GARRASON, NOTARY PUBLIC OF NEW HANOVER COUNTY, NORTH CAROLINA IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION ON THE 2 DAY OF JULY, 19 81 AT 2:10 P.M. (MIN. P.M.) AND DULY RECORDED IN MAP BOOK 26 AT PAGE 104 SLIDE NUMBER 6

JAMES H. SUTTENFIELD PENDER COUNTY REGISTER OF DEEDS

BY Jane H. Suttenfield R

SURVEYOR'S DRAWING NO. 81-1-214

APPROVED
7/6/81
ZONING ADMINISTRATOR

26-104

3

3

BLN

BOOK 770 PAGE 248

STATE OF NORTH CAROLINA

COUNTY OF PENDER

AGREEMENT OF INGRESS, EGRESS AND ROAD MAINTENANCE

JOYCE M. SWINDELL WOODS
REGISTER OF DEEDS
PENDER COUNTY, N.C.
91 APR 25 PM 2:44
FILED

THIS AGREEMENT made this 30th day of March, 1991, by and between Mary B. Edens, Widow, party of the first part; Vernon K. Lewis and wife, Teresa Coleman Lewis, parties of the second part; and Ivey W. Lewis and wife, Verona Lewis, parties of the third part.

W I T N E S S E T H :

WHEREAS, party of the first part is the owner of certain lands located in Topsail Township, Pender County, and more particularly described in a deed recorded in Book 229, Page 156 of the Pender County Register of Deeds; and,

WHEREAS, the parties of the second part are the owners of lands adjoining party of the first part, said lands which are designated as Tract 4 of the division of lands of Mrs. Eva Lewis recorded in Map Book 15 at Page 80 of the Pender County Register of Deeds. Parties of the second part are also owners of adjoining lands in Topsail Township, Pender County, North Carolina, described in a deed recorded in Book 371, Page 388 of the Pender County Register of Deeds; and,

WHEREAS, the parties of the third part are the owners of certain adjoining lands located in Topsail Township, Pender County, North Carolina, as further described in a deed recorded in Book 371, Page 387 of the Pender County Register of Deeds; and,

WHEREAS, the party of the first part has caused to be constructed a private roadway called "Twin Oaks Drive", said private road being on both the lands of the party of the first part and the lands of the parties of the second part, with said road being shown on a map entitled "Map of Survey for Mary B. Edens" recorded in Map Book 26, Page 104 of the Pender County Register of Deeds. In addition, this map also shows two additional private roads, "Hugh Edens Road" and "Oak View Lane".

NOW, THEREFORE, the parties for valuable consideration each party as acknowledged by the execution of this agreement.

1

Recorded and Verified
Joyce M. Swindell Wood
Register of Deeds
Pender County, N.C.

3

4

Party of the first part does hereby give, grant and convey unto parties of the second part the parties of the third part, their heirs, successors and assigns a perpetual right-of-way and easement for the purposes of ingress, egress and road maintenance subject to the conditions as stated further herein. Parties of the second part do hereby give, grant and convey unto parties of the first part, her heirs, successors and assigns a perpetual right-of-way and easement for the purposes of ingress, egress and road maintenance across the lands of the parties of the second and parties of the third part. Further conditions are as follows:

1. All of the parties agree that the recording of the aforementioned map hereby dedicates to private use that certain private road known as Twin Oaks Drive as shown on said map.

2. Party of the first part and parties of the second part hereby grant to parties of the third part, their heirs, successors and assigns, an easement for ingress and egress over Twin Oaks Drive and that portion of Oak View Lane that is Northeast of the projection of the Southwestern line of the Lewis Tract described in a Deed recorded in Book 371, Page 387 of the Pender County Register of Deeds and as shown on the aforementioned map.

3. Party of the first party hereby gives, grants and conveys to parties of the second part their heirs, successors and assigns an easement for ingress and egress over that portion of Twin Oaks Drive within the lands of the party of the first part and over that portion of Oak View Lane that is Northeast of the projection of the Southwestern line of the Lewis Tract described in a Deed recorded in Book 371 at Page 388 as shown on the aforementioned map.

4. Parties of the second part hereby give, grant and convey to party of the first part, her heirs, successors and assigns an easement for ingress and egress over that portion of Twin Oaks Drive within the lands of the parties of the second part as shown on the aforementioned map.

5. All parties of this agreement shall proportionately share in the costs and obligation of maintenance of all private road as shown on the aforementioned map. The manner of this proportionate sharing shall be consistent with the usage of said road by the parties. It is anticipated that if party of the first part, parties of the second part and parties of the third part use the road then party of the first part shall be responsible for 33% of the maintenance expense, parties of the second part shall be responsible for 33% of the maintenance and parties of the third part shall be responsible for 33% of the maintenance. Should any of the parties not use the road then it is contemplated that they should not be responsible for road maintenance. As successors in title use the roads, the respective percentages for responsibility shall change in accordance with the number of such successors in title that are actually using said road. The purpose of this scheme of road maintenance cost sharing is to provide a fair mechanism in that the burden of the expense shall fall upon the parties who are actually using the road. It may be necessary at some future time to adopt a different mechanism for road maintenance cost sharing.

6. Party of the first part and parties of the second part hereby agree, each with the other, that either party or their heirs, successors and assigns to the remaining undeveloped lands adjacent to said roads may grant easements to the other parties purchasing or acquiring lands now belonging to the party of the first part or parties of the second part said lands as indicated on the above-referenced map. Any documents required to accomplish the granting of an easement to owners of these undeveloped lands shall be executed subsequent to this agreement by either party of the first part or parties of the second part or their heirs, successors or assigns.

7. Party of the first part and parties of the second part hereby agree, each to the other, that either party may, independently or jointly with the other party, improve the

roads of North Carolina Department of Transportation Subdivision Road Specifications and may convey said roads to the North Carolina Department of Transportation for public use and maintenance. Any independent action by either party of first part or parties of the second part to improve said roads shall be adequate consideration to the other party for the right to convey said roads to the North Carolina Department of Transportation.

TO HAVE AND TO HOLD this right-of-way and easement to party of the first part, parties of the second part and parties of the third part, their successors and their successors in title it being agreed that the right-of-way and easement hereby granted is appurtenant to and run with the lands now owned by party of the first part and parties of the second part and hereinabove referred to.

IN TESTIMONY WHEREOF, the party of the first part, the parties of the second part, and parties of the third part have their hands and seals the day and year first above written.

Mary B. Edens (SEAL)
Mary B. Edens

Vernon K. Lewis (SEAL)
Vernon K. Lewis

Teresa Coleman Lewis (SEAL)
Teresa Coleman Lewis

Ivey W. Lewis (SEAL)
Ivey W. Lewis

Verona Lewis (SEAL)
Verona Lewis

STATE OF NORTH CAROLINA
COUNTY OF Pender

I, Pamela O. Padgett, a Notary Public in said County and State do hereby certify that Mary B. Edens personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 30th day of March, 1991.

Pamela O. Padgett
Notary Public

4

My Commission Expires:
June 28, 1994

STATE OF NORTH CAROLINA
COUNTY OF Pender

I, Pamela O. Padgett, a Notary Public in said County and State do hereby certify that Vernon K. Lewis and wife, Teresa Coleman Lewis personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 30th day March, 1991.

Pamela O. Padgett
Notary Public

My Commission Expires:
June 28, 1994

STATE OF NORTH CAROLINA
COUNTY OF Pender

I, Pamela O. Padgett, a Notary Public in said County and State do hereby certify that Ivey W. Lewis and wife, Verona Lewis personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

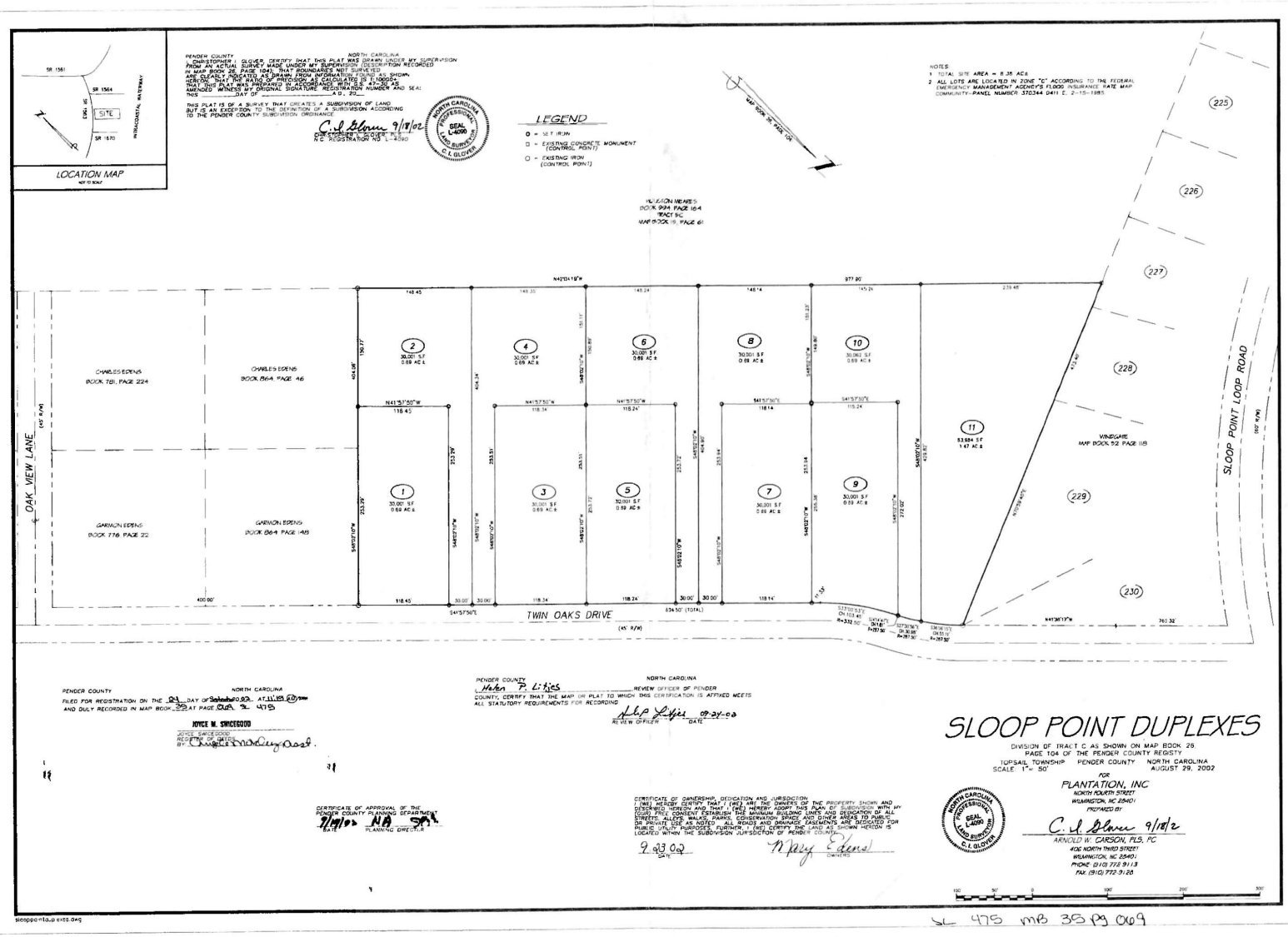
Witness my hand and notarial seal, this the 30th day March, 1991.

Pamela O. Padgett
Notary Public

My Commission Expires:
June 28, 1994

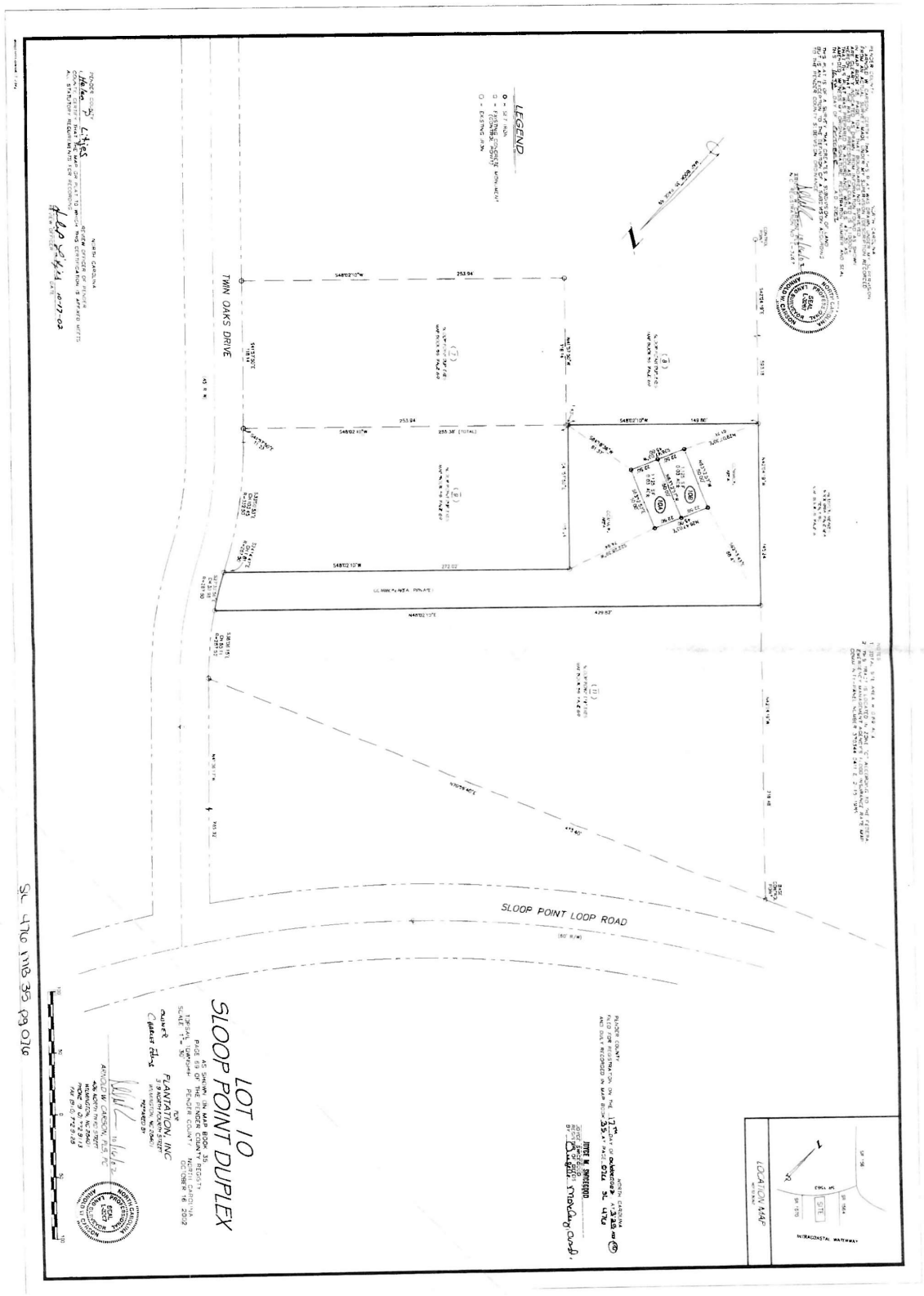
North Carolina Pender County
The foregoing (or annexed) certificate of
Pamela O. Padgett
is certified to be correct,
This 9th day of April, A.D. 1991
Joyce M. Swicegood
Register of Deeds
By: Daphne D. Smith Deputy

5



SL 475 MB 39 PG 069

5



SL 470 118 35 09 016

6

BLACKBURN

FILED in Pender County, NC
on Oct 21 2002 at 02:17:18 PM
by: Joyce M Swicegood
Register of Deeds
BOOK 1969 PAGE 179 - 185

COVER SHEET

(Type of Document: ENABLING DECLARATION

Grantor: MARY EDENS

Trustee (If applicable): N/A

Grantee: SLOOP POINT DUPLEXES

(Brief Description of property, if applicable): Being a portion of Tract C is shown on a map recorded in Map Book 26 Page 104 of the Pender County Registry

Return to: Ray C Blackburn 270-2022

Recorded and Verified
Joyce M. Swicegood
Register of Deeds
Pender County, NC

7

STATE OF NORTH CAROLINA
COUNTY OF PENDER

ENABLING DECLARATION ESTABLISHING A PLAN FOR COMMON OWNERSHIP AND MAINTENANCE

MARY EDENS his/their successors and assigns, hereinafter referred to as grantor, his/their successor(s)and assign(s), and all future owners of the lands described herein, hereby covenant as follows:

SECTION ONE
OWNERSHIP OF PROPERTY

Grantor owns certain real property described in this instrument, which said property, is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION TWO
DESCRIPTION OF PROJECT

The above-described property is improved by the construction of a duplex residence on the tract. The above described real property and duplex residence upon said property will be divided into two separate units (hereinafter a "Unit" or the "Units").

Attached hereto and made a part hereof as Exhibit "B" is a survey by a licensed professional surveyor, illustrating the improvements, the division and the common area of the property.

SECTION THREE
ALLOCATION OF AREAS

Grantor is dividing the real property into the following separate freehold estates:

a. One subdivided tract with a duplex residence upon each tract which results in two separately designated and legally described freehold estates, consisting of the spaces or areas contained within the perimeter walls of each half of the duplex residence together with each Unit's exterior walls. The joint or party walls constructed between the Units shall be considered common area jointly owned by the owners of the Units.

b. One half undivided interest in the common area of tract to be held in common with the owner of the other one half interest in the common area for said tract, as shown on Exhibit B.

c. The undivided interest, established and to be conveyed with each of the two respective Units, cannot be changed, and grantor, its successors and assigns, and grantees, covenant that the undivided interests in the common area and the fee titles to the respective Units conveyed therewith, shall not be separated or separately conveyed, and each undivided interest shall be deemed to be conveyed or

encumbered with its respective Unit even though the description in the instruments of conveyance or encumbrance may refer only to the fee title to the Unit itself.

SECTION FOUR
DESCRIPTION OF UNITS AND COMMON AREAS TO BE CONVEYED

Each Unit to be individually conveyed together with its accompanying undivided interest in its common area shall be known as Unit A and Unit, and each Unit's interest in the common areas shall be fifty percent (50%).

Each Unit shall be conveyed together with a non-exclusive easement for use of all such common areas as shown on Exhibit B, together with sufficient ingress and egress and an access easement to and from said common area.

SECTION FIVE
COVENANT OF GRANTOR

Grantor, the fee owner(s) of real property described above, specifies that this declaration shall constitute covenants to run with the land and shall be binding on Grantor, its successors and assigns, and all subsequent owners of all or any part of the described real property and improvements, together with their grantees, successors, heirs, executors, administrators, devisees, or assigns.

SECTION SIX
RESTRICTIVE COVENANTS

Each individual Unit may be occupied and used by the respective owner as a private dwelling for the owner, and family, tenants, and social guests, or for long or short-term rental and for no other purposes.

Other than the foregoing obligations, the owner of a respective family Unit shall have the absolute right to lease the Unit provided the lease is no less than thirty (30) days and is made subject to the covenants and restrictions contained in the Declaration. The respective family shall be personally liable for the actions and any damages caused by any tenancies.

No Unit owner may add to, delete from, modify, alter, or otherwise make changes to the outside of any Unit without joinder of the adjoining Unit owner. This prohibition shall extent to structural and non-structural changes and shall extend to painting or otherwise modifying the color of each Unit.

SECTION SEVEN
COMPLIANCE WITH DECLARATION

Each owner, tenant, or occupant of a Unit shall comply with the provisions of this Declaration as lawfully amended from time to time. Failure to comply with any such provisions, decisions, or resolutions, shall be grounds for action to recover damages or to seek injunctive relief.

SECTION EIGHT
CONTRIBUTION TO COMMON EXPENSES

(1) Common area driveway and common area as a whole
No owner of a Unit may exempt such owner from liability for contribution toward the common expenses by waiver of the use or enjoyment of any of the common areas and facilities or by the abandonment of any Unit.

By acceptance of a deed conveying title to a Unit, that Unit owner shall be responsible for and agrees to pay a pro-rata share of the cost of maintaining the common area.

The pro-rata share of assessments shall be apportioned equally among each individual Unit and not per capita among Unit owners.

The assessments described above shall be used for maintenance of the common area. The Unit owners shall be responsible for the maintenance of such common area and such area may include roads, walkways, yard, fence and such other improvements as are made to the property described herein.

(2) Individual tracts conveyed hereby
By acceptance of a deed conveying title to a Unit, each Unit owner shall be responsible for and agrees to pay for one half of the common maintenance costs of each duplex. Such common maintenance costs may include but are not limited to upkeep of the exterior of each duplex, shared wells, or septic systems.

The owner of each Unit is hereby granted the authority to bring an action at law or in equity to enforce the obligation against the adjoining Unit. In the event that the owner of one Unit fails to make payment for his/her pro-rata share of common maintenance expenses, the owner of the adjoining Unit may cause any necessary repairs to common areas to be made and seep compensation from the Unit owner who fails to pay his share of such expenses.

SECTION NINE
ASSESSMENT OF LIENS

All sums assessed by the association but unpaid for the common expenses chargeable to any Unit shall constitute a lien on such Unit prior to all other liens excepting only: (1) tax liens on the Unite, and (2) all sums unpaid on any prior mortgages of record. Such lien may be foreclosed by suit the owner of the other Unit.

Suit to recover a money judgment for unpaid expenses shall be maintainable without foreclosing or waiving the lien securing the expenses. The successful party to any suit shall be entitled to reasonable attorney fees and costs.

SECTION TEN
ASSESSMENTS

In a voluntary conveyance of a Unit, grantee of the Unit shall be jointly and severally liable with grantor of all unpaid taxes, liens, and assessments against the grantor for the grantor's

share of the common expenses up to the time of the grant or conveyance, without prejudice to grantee's right to recover from grantor the amounts paid by grantee for such assessments.

SECTION ELEVEN
BLANKET PROPERTY INSURANCE ON DUPLEX

Each duplex shall maintain a common hazard and liability insurance policy upon the duplex structure with the costs of such policy being allocated equally between said Unit owners. The policy amount of said common insurance policy shall not be less than the replacement value of the duplex structure. Each Unit owner may maintain such policies as said Unit owner desires so as to cover losses to personal property of said owner.

SECTION TWELVE
REVOCATION OR AMENDMENT

IN WITNESS WHEREOF, GRANTOR has hereunder set his hand and seal, the day and year first above written.

Mary Edens (SEAL)
Mary Edens

(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Ray C. Blackburn, Jr., a Notary Public of the County and State aforesaid, certify that Mary Edens personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 10th day of October, 2002.

RAY C. BLACKBURN JR NOTARY PUBLIC PENDER COUNTY, NC

Notary Public

My Commission Expires: 5-27-06

The Foregoing Certificate(s) of Ray C. Blackburn, Jr., Notary(s) Public, is/are hereby certified to be correct. This instrument and this certificate are duly registered at the date and time in the Book and Page shown on the first page hereof.

Joyce M. Swicegood, Register of Deeds for Pender County

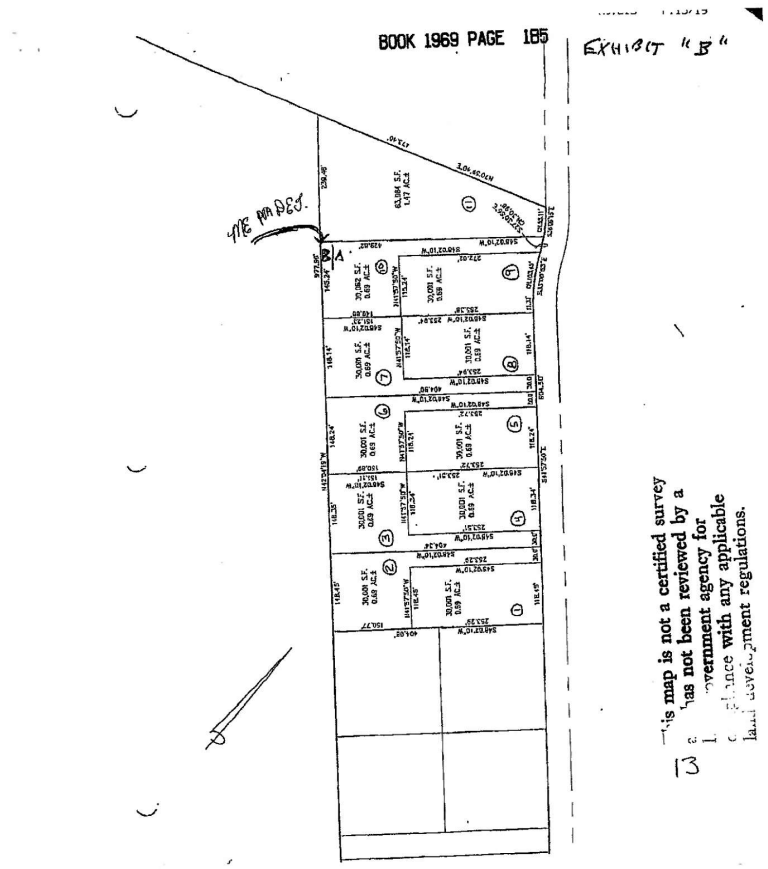
By: Sarah Long
Deputy/~~Assistant~~ Register of Deeds

Exhibit "A" to Enabling Declaration

Being a portion of tract "C" as said Tract C is shown on a map recorded in Map Book 26 at page 104 of the Pender County Registry, reference to which said map is hereby made for a more particular reference.

BOOK 1969 PAGE 185

EXHIBIT "B"



This map is not a certified survey
has not been reviewed by a
government agency for
compliance with any applicable
land development regulations.

13



FILED in Pender County, NC
on Oct 21 2002 at 03:08:38 PM
by: Joyce M Swicegood
Register of Deeds
BOOK 1969 PAGE 287

Issued Oct 21 2002
$80.00
State of North Carolina Pender County
Real Estate Excise Tax

Excise Tax: $ 80.00

Parcel No.: - Portion of -05042

This instrument was prepared by Ray C. Blackburn, Jr., Attorney at Law, PO Box 895, Hampstead, NC 28443.

Mail after recording to: Ray C. Blackburn, Jr., Attorney at Law

STATE OF NORTH CAROLINA

COUNTY OF PENDER

GENERAL WARRANTY DEED

THIS DEED, made this 10th day of October, 2002, by and between, **MARY EDENS (Widow)** Hereinafter called "Grantor"), and Beckhart Exchange Properties, LLC (Hereinafter called "Grantee"). The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

That GRANTOR, for valuable consideration paid by the GRANTEE, receipt of which is hereby acknowledged, has bargained and sold, and by these presents does hereby bargain, grant, sell and convey unto GRANTEE in fee simple, the below described tract or parcel of land located in Topsail Township, Pender County, North Carolina and being more particularly described as follows:

See exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the above described lands and premises, together with all and singular, the rights, privileges, easements, tenements, duties, obligations and appurtenances thereunto belonging, or in anywise appertaining unto said GRANTEE, in fee simple, FOREVER.

And the GRANTOR covenants with the GRANTEE, that the GRANTOR is seized of the

Recorded and Verified
Joyce M. Swicegood
Register of Deeds
Pender County, NC

8

premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that GRANTOR will WARRANT and DEFEND the title against the lawful claims and demands of any and all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Ad Valorem Taxes for 2002 and subsequent years.
2. General utility service easements and rights of way of record.
3. Easements and restrictions of record.
4. Pender County Zoning and/or Subdivision Ordinances and Regulations.

IN WITNESS WHEREOF, GRANTOR has hereunder set his hand and seal, the day and year first above written.

Mary Edens (SEAL)
Mary Edens

(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Mary E. McAllister, a Notary Public of the County and State aforesaid, certify that Mary Edens personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 10th day of October, 2002.

OFFICIAL SEAL
Notary Public, North Carolina
County of Pender
MARY E. McALLISTER

Mary E. McAllister
Notary Public

My Commission Expires: 11-12-2005

The Foregoing Certificate(s) of Mary E. McAllister, Notary(s) Public, is/are hereby certified to be correct. This instrument and this certificate are duly registered at the date and time in the Book and Page shown on the first page hereof.

Joyce M. Swicegood, Register of Deeds for Pender County

By: Joyce M. Swicegood
~~Deputy/Assistant~~ Register of Deeds

Exhibit "A" to Deed

Being all of Lot 7 of Sloop Point Duplexes as the same are shown on a map of said property recorded in Map Book 35 at Page 69 of the Pender County Registry, reference to which said map is hereby made for a more particular description.

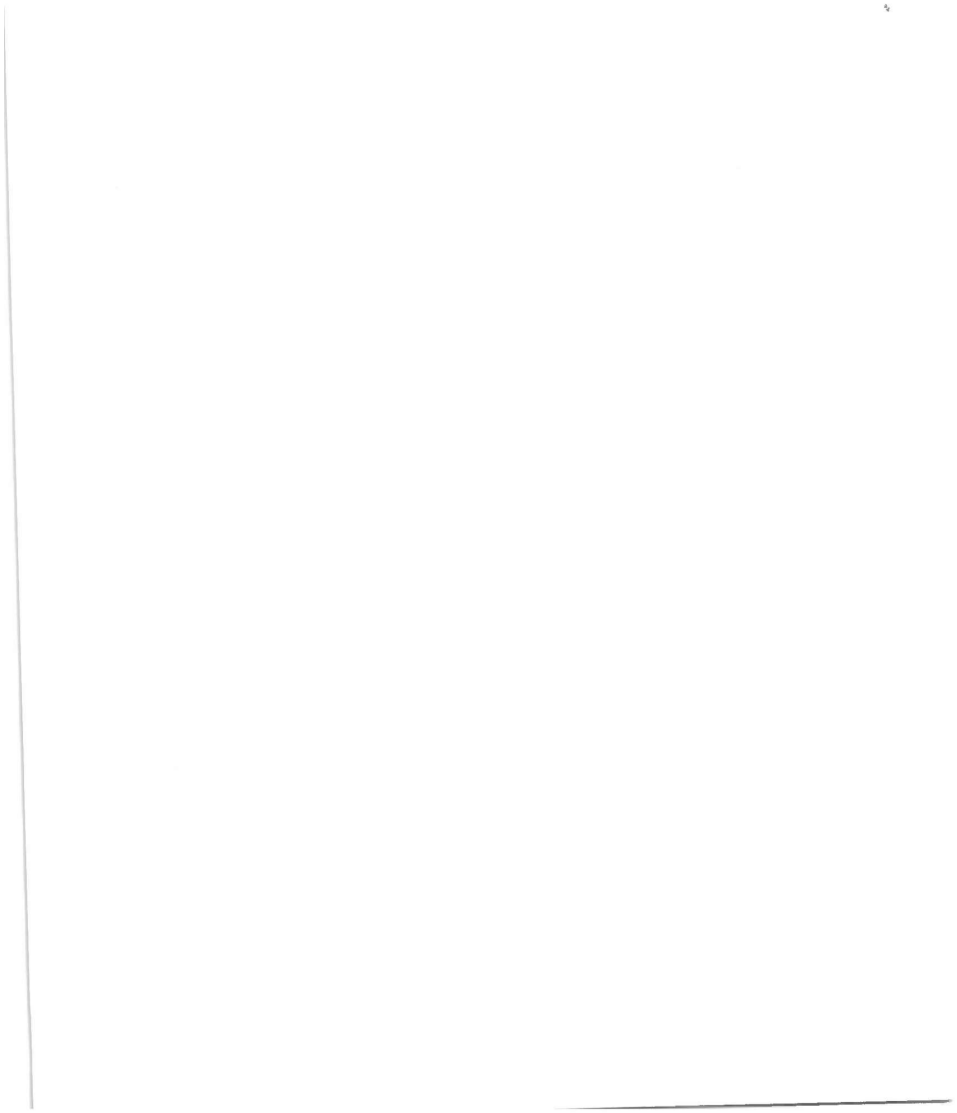
Said lot is taken subject to that Enabling Declaration establishing a plan for Common Ownership and Maintenance which said declaration is recorded in Book 1961 at Page 177 of the Pender County Registry.

Said lot is conveyed together with such rights as may be created by a declaration establishing such amenities upon Tract "A" as said tract is shown on a map recorded in Map Book 26 at Page 104 of the Pender County Registry reference to which said map is hereby made for a more particular description.

Said lot is conveyed subject to a maintenance obligation for such amenities as may be located upon said Tract "A." Each person or entity acquiring a lot hereunder shall bear a proportionate cost of maintaining such amenities and the common areas. The amenities to be constructed upon said Tract "A" shall include a boat ramp and dock.

Said lot is conveyed together with and subject to an easement for ingress, egress and regress over and across those roads labeled Twin Oaks Drive and Oak View Lane as said roads are shown on a map recorded in Map Book 26 at Page 104 of the Pender County Registry, reference to which said map is hereby made for a more particular reference.

Said lot is conveyed together with the following maintenance obligation. Each person or entity acquiring a lot hereunder shall bear a proportionate cost of maintaining Twin Oaks Drive and Oak View Lane as said roads are shown on a map recorded in Map Book 26 at Page 104 of the Pender County Registry. This maintenance obligation is further set forth in an instrument recorded in Book 770 at page 248 of the Pender County Registry.



BLACKBURN

FILED in Pender County, NC
on Oct 21 2022 at 02:16:35 PM
by: Joyce M Swicegood
Register of Deeds
BOOK 1969 PAGE 186

COVER SHEET

(Type of Document: ENABLING DECLARATION

Grantor: GARMON W EDENS, et al

Trustee (If applicable):

Grantee: SLOOP POINT DUPLEXES

(Brief Description of property, if applicable): Being a portion of Tract C as said Tract C is shown on a map recoded in Map Book 26 at page 104 of the Pender County Registry

Return to: Ray C Blackburn, Jr 270-2022

Recorded and Verified
Joyce M. Swicegood
Register of Deeds
Pender County, NC

Exhibit "A" to Enabling Declaration

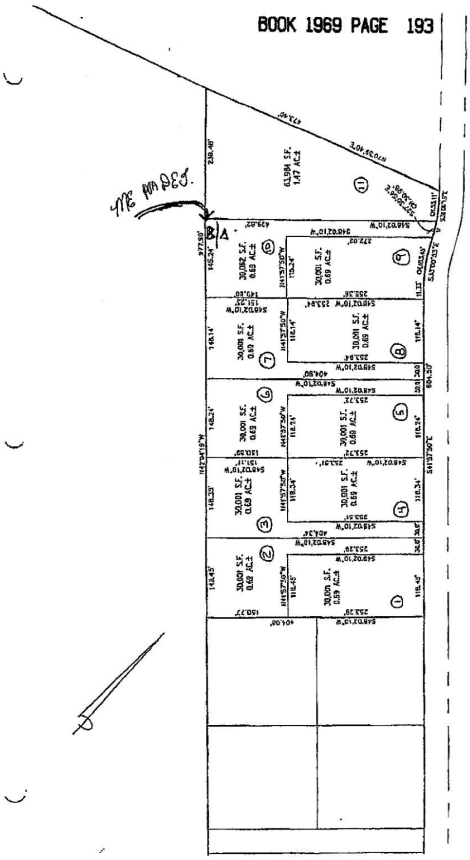
Being a portion of tract "C" as said Tract C is shown on a map recorded in Map Book 26 at page 104 of the Pender County Registry, reference to which said map is hereby made for a more particular reference.

Exhibit "C" to Enabling Declaration

Grantors herein are Garmon W. Edens and wife Hazel M. Edens, Charles Hugh Edens, Jr. Single, Mary E. Thomas and husband Johnie G. Thomas, Jr., and Sandra Siska and husband Gabor Siska.

BOOK 1969 PAGE 193

EXHIBIT "B"



This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.

13

FILED in Pender County, NC
on Oct 21 2002 at 03:16:30 PM
by: Joyce M Sedgwood
Register of Deeds
BOOK 1969 PAGE 312

Issued Oct 21 2002
$136.00
State of North Carolina Pender County
Real Estate Excise Tax

Excise Tax: $ 136.00 Parcel No.: Portion of -41205

This instrument was prepared by Ray C. Blackburn, Jr., Attorney at Law, PO Box 895, Hampstead, NC 28443.

Mail after recording to: Ray C. Blackburn, Jr.

STATE OF NORTH CAROLINA

COUNTY OF PENDER

Recorded and Verified
Joyce M. Sedgwood
Register of Deeds
Pender County, NC

GENERAL WARRANTY DEED

THIS DEED, made this 10th day of October, 2002, by and between, **GARMON W. EDENS and wife HAZEL M. EDENS, CHARLES HUGH EDENS, JR. (Single), MARY E. THOMAS also known as DIANE E. THOMAS and husband JOHNIE G. THOMAS, SANDRA E. SISKA and husband GABOR SISKA** Hereinafter called "Grantor"), and **JAMES A. SPICUZZA and RICHARD A. LEHRER, as tenants in common** (Hereinafter called "Grantee"). The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

That GRANTOR, for valuable consideration paid by the GRANTEE, receipt of which is hereby acknowledged, has bargained and sold, and by these presents does hereby bargain, grant, sell and convey unto GRANTEE in fee simple, the below described tract or parcel of land located in Topsail Township, Pender County, North Carolina and being more particularly described as follows:

See exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the above described lands and premises, together with all and singular, the rights, privileges, easements, tenements, duties, obligations and appurtenances thereunto

19

belonging, or in anywise appertaining unto said GRANTEE, in fee simple, FOREVER.

And the GRANTOR covenants with the GRANTEE, that the GRANTOR is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that GRANTOR will WARRANT and DEFEND the title against the lawful claims and demands of any and all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Ad Valorem Taxes for 2002 and subsequent years.
2. General utility service easements and rights of way of record.
3. Easements and restrictions of record.
4. Pender County Zoning and/or Subdivision Ordinances and Regulations.

IN WITNESS WHEREOF, GRANTOR has hereunder set his hand and seal, the day and year first above written.

Garmon W. Edens (SEAL)

Hazel M. Edens (SEAL)

Charles Hugh Edens, Jr. (SEAL)

Mary E. Thomas aka Diane E. Thomas (SEAL)

Johnie G. Thomas, Jr. (SEAL)

Sandra E. Siska (SEAL)

Gabor Siska (SEAL)

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Mary E. McAllister, a Notary Public of the County and State aforesaid, certify that Charles Hugh Edens, Jr., ~~Sarah Joann Edens~~, Garmon W. Edens, Hazel M. Edens, ~~Mary E. Thomas a.k.a. Diane E. Thomas, Johnie G. Thomas~~, Sandra E. Siska and Gabor Siska personally

appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 10th day of October, 2002.

Notary Public

My Commission Expires: 11-12-2005

The Foregoing Certificate(s) of Mary E. McAllister, Notary(s) Public, is/are hereby certified to be correct. This instrument and this certificate are duly registered at the date and time in the Book and Page shown on the first page hereof.

Joyce M. Swicegood, Register of Deeds for Pender County

By: Joyce M. Swicegood
~~Deputy/Assistant~~ Register of Deeds

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Mary E. McAllister, a NOTARY PUBLIC for said County and State, do hereby certify that **DENISE T. JONES,** Attorney-in-Fact for **JOHNIE G. THOMAS, JR. and MARY EDENS THOMAS,** personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing and annexed instrument for and in behalf of the said **JOHNIE G. THOMAS, JR. and MARY EDENS THOMAS** and that her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the office of the Register of Deeds in the County of Pender, State of North Carolina, on the 21st day of October, 2002, in Book 1969, Page 177, and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney.

I do further certify that the said **DENISE T. JONES** acknowledged the due execution of the foregoing instrument for the purposes therein expressed for and in behalf of the said **JOHNIE G. THOMAS, JR. and MARY EDENS THOMAS.**

Witness my hand and official seal, this 10th day of October, 2002.

(SEAL) OFFICIAL SEAL Notary Public North Carolina County of Pender MARY E. McALLISTER My Commission Expires

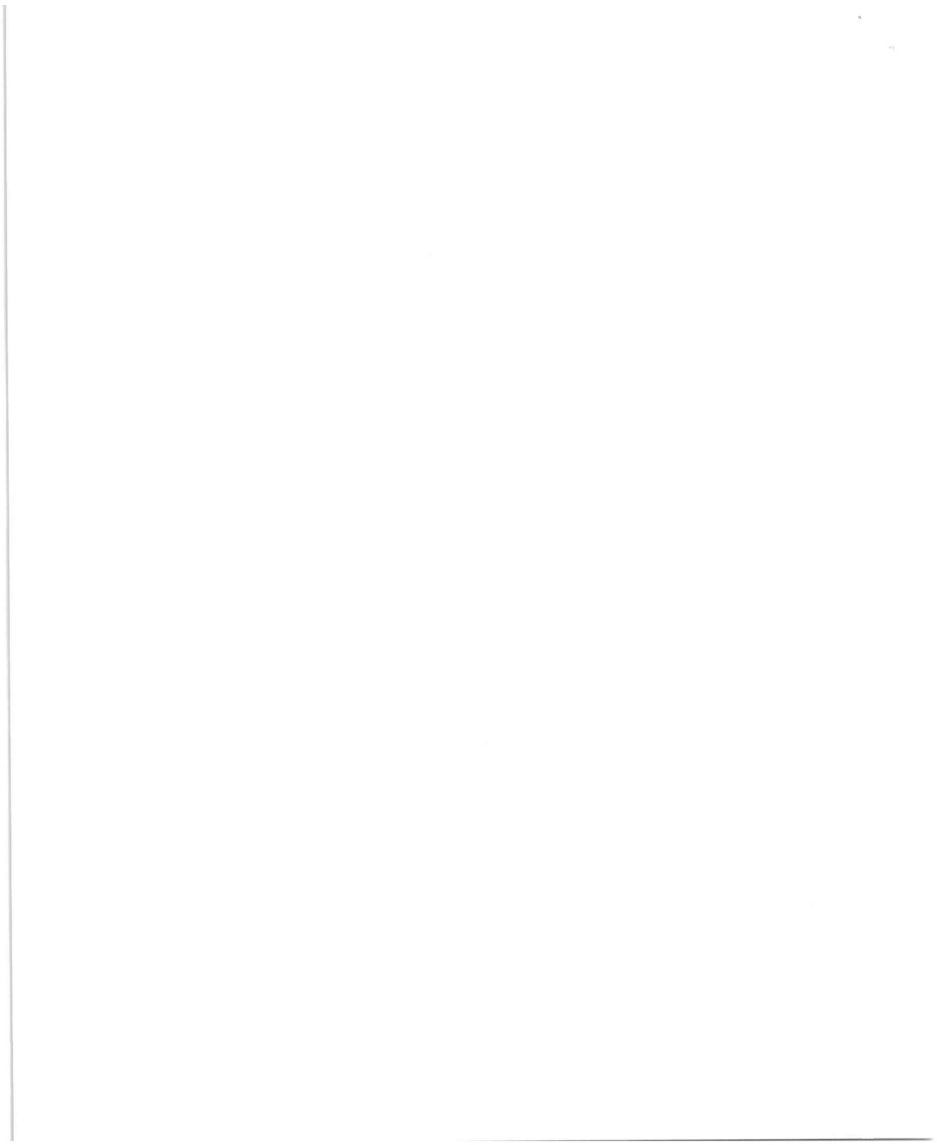
Mary E. McAllister
NOTARY PUBLIC

My Commission Expires: 11-12-2005

Exhibit "A"

Being all of Tract "A" as shown on a map entitled "Map of Survey for Mary B. Edens" which said map is recorded in Map Book 26 at Page 104 of the Pender County Registry, reference to which said map is hereby made for a more particular description.

This tract is conveyed subject to the right of Grantors and their immediate family to use any boat ramp or dock constructed upon said property for and during the lifetimes of such grantors



LOTS 1-9
SLOOP POINT DUPLEXES
TWIN OAKS DRIVE
LEGEND
OWNERS
VARIOUS OWNERS
LOCATION MAP

BK2295PG084

FILED

04 JAN -5 PM 3:42

JUDIE M. NICHOLSON
REGISTER OF DEEDS
PENDER COUNTY, NC

Recorded and Verified
Joyce M. Swinegood
Register of Deeds
Pender County, NC

COVER SHEET

(Type of Document: Deed of Easement

Grantor: Richard A. Lehrer and wife, Anna M. Lehrer and James A. Spicuzza and wife, Amy L. Spicuzza

Trustee (If applicable):

Grantee: Owners of Lots 1A &B, 2A & B, 3A & B, 4A & B, 5A & B, 6A & B 7A & B, 8A & B, 9A & B, 10A & B, and Lot 11, Sloop Point Duplexes

(Brief Description of property, if applicable):

Sloop Point Duplexes

Return to: Ray C. Blackburn, Jr.
PO Box 895, Hampstead, NC 28443

3

12

BK2295PG085

PENDER COUNTY

DEED OF EASEMENT

THIS DEED OF EASEMENT, made as of 30 December 2003, by and between Richard A. Lehrer and wife, Anna M. Lehrer, and James A. Spicuzza and wife Amy L. Spicuzza, herein called Grantor, and the owners of lots 1A and B, 2A and B, 3A and B, 4A and B, 5A and B, 6A and B, 7A and B, 8A and B, 9A and B, 10A and B, and 11 Sloop Point duplexes, herein called Grantee. (The designation Grantor and Grantee, as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context);

WITNESSETH:

RECITALS:

R1. Grantor is the owner of a 2 undivided interest in Tract A as shown on a map entitled Map of Survey for Mary B. Edens recorded in map Book 26 at page 104 of the Pender County Registry, by virtue of a deed recorded in Book 1969 at page 312 of the Pender County Registry.

R2. The owners of lots described in a deed recorded in Book 36 at page 48 and/or Book 35 at Page 69 of the Pender County Registry.

R3. The owners of lots described in Book 35 at page 76, and/or Book 35 at page 69 of the Pender County Registry.

R4. Grantor has agreed to grant to each Grantee a perpetual easement, appurtenant to the lots owned by each of the Grantees, for the use of a boat launching/landing ramp and access to the Atlantic Intracoastal Waterway, together with the use of any pier or dock placed on said property by Grantor. Said easement shall be located per Grantor, and others may construct a boat launching/landing ramp facility and pier/dock on said premises.

NOW, THEREFORE, in consideration of the premises and other good valuable considerations, the receipt, sufficiency and adequacy of which are hereby acknowledged, Grantor gives, grants, bargains and conveys to each of the Grantees and his hei and assigns the right and privilege on ingress, egress and regress to and from boat launching/landing facilities to be constructed for semi-private use on Tract A as shown on the map entitled Map of Survey for Mary B. Edens recorded in Map Book 26 at Page 104 of the Pender County Registry together with the right and privilege to use the pier/dock constructed on said site as an accessory to the boat launching/landing facility and as access to the Atlantic Intracoastal Waterway. This grant shall be appurtenant to and run with the title to the lots described in Book 36 at page 48, Book 35 at page 76 and book 35 at page 69 of the Pender County Registry.

Said easement is conveyed subject to a maintenance obligation for said facilities. Each person or entity acquiring an easement of right of way hereunder shall bear a proportionate cost of maintaining such amenities, including the pier/dock and the boat launching/landing facilities.

TO HAVE AND TO HOLD said easement of right of way to the Grantee in perpetuity.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this, the day and year first above written

(SEAL)

Richard A. Lehrer

Anna M. Lehrer

STATE OF COLORADO
COUNTY OF El Paso

I, Jeneane Bonicelli, a Notary Public in and for the aforesaid County and State, do hereby certify that Richard A. Lehrer and his wife, Anna M. Lehrer, personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this the 30 day of December, 2003.

Notary Public

My Commission Expires: 2/13/05

(SEAL)

James A. Spicuzza

(SEAL)

Amy L. Spicuzza

STATE OF NORTH CAROLINA
COUNTY OF Pender

I, Mary E. McAllister, a Notary Public in and for the aforesaid County and State, do hereby certify that James A. Spicuzza and his wife, Amy L. Spicuzza, personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this the 2nd day of January, 2004.

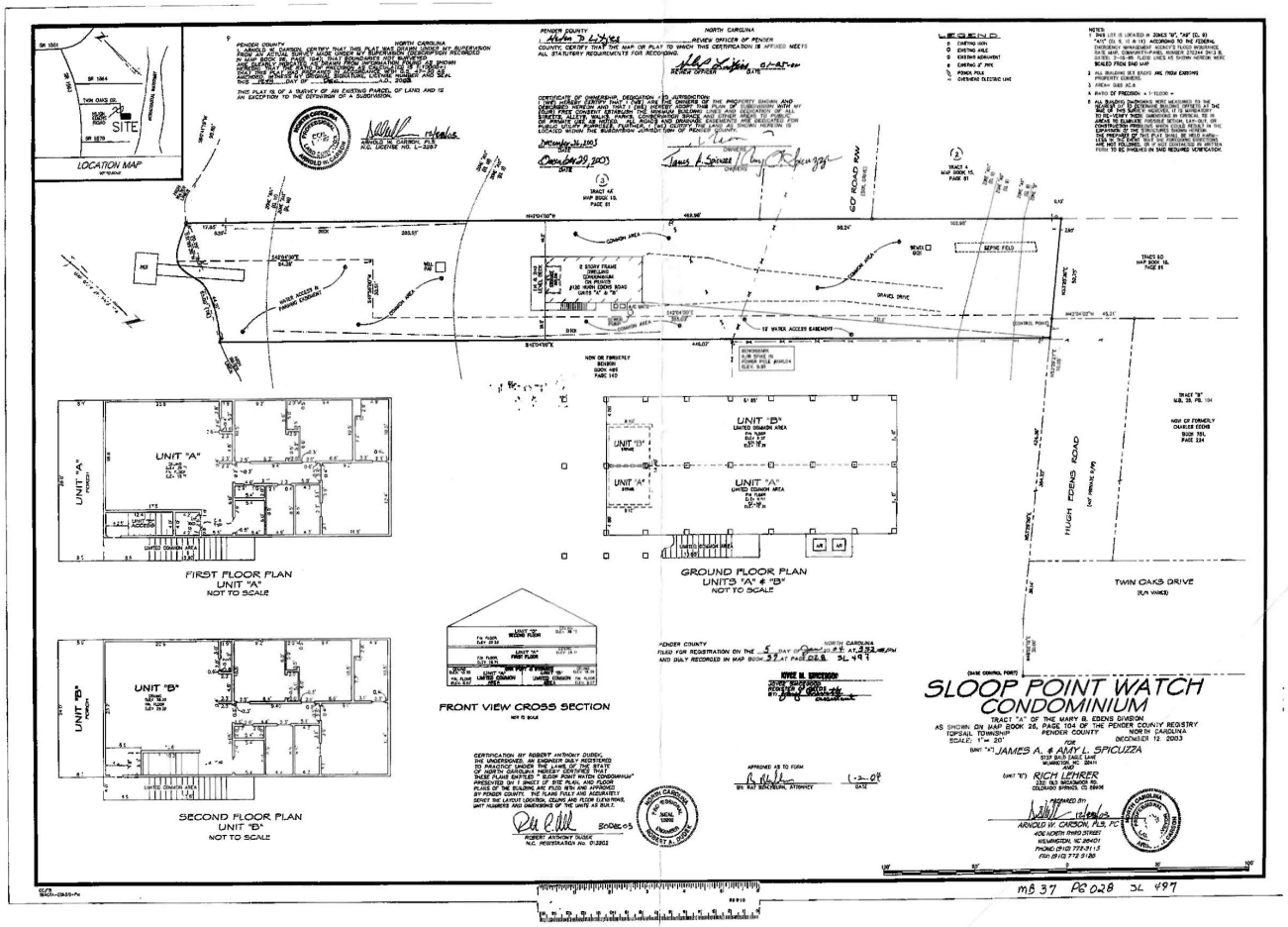
Mary E McAllister

Notary Public

My Commission Expires: 11-12-2005

NORTH CAROLINA - PENDER COUNTY: The foregoing (or annexed) certificate of Jeneane Bonicelli is certified to be correct. This 5 day of Jan, A.D. 2004
JOYCE M. SWICEGOOD - Pender County Register of Deeds
By: Sally P. Green Deputy/~~Assistant~~ Register of Deeds
* Mary E. McAllister




LOCATION MAP
SITE
TWIN OAKS DR.
SR 1564
SR 1579
PENDER COUNTY NORTH CAROLINA
I, ARNOLD W. CARSON, PLS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 3822, PAGE 1043, THIS BOUNDARIES NOT SURVEYED); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS SHOWN; THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000+; AND THAT THIS PLAT MEETS OR EXCEEDS THE REQUIREMENTS OF G.S. 47-30 AS AMENDED.
WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 12th DAY OF December, 2003.
ARNOLD W. CARSON, P.L.S.
THIS PLAT IS OF A SURVEY OF AN EXISTING PARCEL OF LAND AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION.
PENDER COUNTY NORTH CAROLINA
I, Helen P. Holmes, REVIEW OFFICER OF PENDER COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
REVIEW OFFICER
DATE
CERTIFICATE OF OWNERSHIP, DEDICATION TO JURISDICTION AND ESTABLISHMENT OF MINIMUM BUILDING SETBACK LINES
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT ESTABLISH MINIMUM BUILDING SETBACK LINES AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. ALL RIGHTS OF WAY AND EASEMENTS FOR PUBLIC USE ARE HEREBY DEDICATED FOR PUBLIC USE AS NOTED. I ALSO CERTIFY THAT THE LAND AS SHOWN HEREON IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF THE COUNTY OF PENDER COUNTY.
December 29, 2003
DATE
OWNER
OWNER
LEGEND
NOTES
ADJOINING OWNERS
TRACT A MAP BOOK 10, PAGE 81
TRACT AA MAP BOOK 10, PAGE 81
GO ROAD R/W
COMMON AREA
SEPTIC FIELD
DRIVE
12' WATER ACCESS EASEMENT
NOW OR FORMERLY BENSON BOOK 1695 PAGE 140
TRACT 'B' M.B. 28, PG. 104
NOW OR FORMERLY CHARLES EDENS BOOK 751, PAGE 224
HUGH EDENS ROAD
TWIN OAKS DRIVE
UNIT "A"
UNIT "B"
FIRST FLOOR PLAN
UNIT "A"
NOT TO SCALE
GROUND FLOOR PLAN
UNITS "A" & "B"
NOT TO SCALE
SECOND FLOOR PLAN
UNIT "B"
NOT TO SCALE
FRONT VIEW CROSS SECTION
NOT TO SCALE
PENDER COUNTY NORTH CAROLINA
FILED FOR REGISTRATION ON THE 5 DAY OF January 04 AT 2:32 PM
AND DULY RECORDED IN MAP BOOK 37 AT PAGE 028 SL 499
REVIEW OFFICER
DATE
APPROVED AS TO FORM
BY: RAY BOCKELMAN, ATTORNEY
DATE
CERTIFICATION BY ROBERT ANTHONY DUDEK
THE UNDERSIGNED, AN ENGINEER DULY REGISTERED TO PRACTICE UNDER THE LAWS OF THE STATE OF NORTH CAROLINA HEREBY CERTIFIES THAT THESE PLANS ENTITLED " SLOOP POINT WATCH CONDOMINIUM" PROVIDED BY SPICUZZA & LEHRER, PLLC, ARE A TRUE AND ACCURATE REPRESENTATION OF THE BUILDING AND APPROVED BY PENDER COUNTY. THE PLANS FULLY AND ACCURATELY DEPICT THE LAYOUT, LOCATION, CEILING AND FLOOR ELEVATIONS, UNIT NUMBERS AND DIMENSIONS OF THE UNITS AS BUILT.
ROBERT ANTHONY DUDEK
N.C. REGISTRATION No. 019302
SEAL 019302 ENGINEER
SLOOP POINT WATCH CONDOMINIUM
TRACT "A" OF THE MARY B. EDENS DIVISION
AS SHOWN ON MAP BOOK 28, PAGE 104 OF THE PENDER COUNTY REGISTRY
TOPSAIL TOWNSHIP NORTH CAROLINA
SCALE: 1" = 20' PENDER COUNTY
DECEMBER 12, 2003
FOR
UNIT "A" JAMES A. & AMY L. SPICUZZA
9139 BALTUSROL LANE
WILMINGTON, NC 28411
UNIT "B" RICH LEHRER
330 NO. WOODWORD RD.
COLORADO SPRINGS, CO 80906
PREPARED BY:
ARNOLD W. CARSON, PLS, PC
406 NORTH THIRD STREET
WILMINGTON, NC 28401
PHONE (910) 772-3115
FAX (910) 772-3120
MB 37 PG 028 SL 499

BK 4693 PG 254 - 256 (3) DOC# 20053759
This Document eRecorded: 09/11/2019 02:38:21 PM
Fee: $26.00 DocType: DEED Tax: $640.00
Pender County, North Carolina
Sharon Lear Willoughby, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $640.00

Parcel Identifier No. 4214-91-8413-0000 Verified by _____ County on the ____ day of _____, 20__
By: _____

Mail/Box to: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

This instrument was prepared by: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

Brief description for the Index: Unit A, Sloop Point Watch Condominium

THIS DEED made this 11 day of September, 20 19, by and between

GRANTOR	GRANTEE
Stuart Dalee Laney, Jr. and Melba Thompson Laney, Trustees of the Laney Family Revocable Trust dated June 29, 2006 and any amendments thereto 504 Captain Dexter Wynd Wilmington, NC 28411	Adam Thomas Winstead, an unmarried man 1228 Watauga Street Raleigh, NC 27604

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Hampstead, _____ Township, Pender County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference as if fully set out.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4604 page 2854.
All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 37 page 28.

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

Submitted electronically by "Wilkerson Law"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Pender County Register of Deeds.

104

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

1. The lien of the 2019 Ad Valorem taxes, now due and payable; 2. Restrictions of record applicable to said lot; 3. Easements to public utilities of record; and 4. Zoning and/or building and subdivision ordinances.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

_____ (Entity Name)	Stuart Dalee Laney, Jr. TRUSTEE (SEAL)
By: _____	Print/Type Name: Stuart Dalee Laney, Jr., Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto
Print/Type Name & Title: _____	Melba Thompson Laney Trustee (SEAL)
By: _____	Print/Type Name: Melba Thompson Laney, Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto
Print/Type Name & Title: _____	_____ (SEAL)
By: _____	Print/Type Name: _____
Print/Type Name & Title: _____	_____ (SEAL)
	Print/Type Name: _____

State of North Carolina - County or City of New Hanover

I, the undersigned Notary Public of the County or City of New Hanover and State aforesaid, certify that Stuart Dalee Laney, Jr., Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 11 day of September, 20 19

My Commission Expires: 04-30-23
(Affix Seal)

Notary Public
Notary's Printed or Typed Name

State of North Carolina - County or City of New Hanover

I, the undersigned Notary Public of the County or City of New Hanover and State aforesaid, certify that Melba Thompson Laney, Trustee of the Laney Family Revocable Trust dtd 6/29/2006 and any amendments thereto personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 11 day of September, 2019.

My Commission Expires: 04-30-23
(Affix Seal)

Notary Public
Notary's Printed or Typed Name

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20___.

My Commission Expires: _____
(Affix Seal)

_____ Notary Public
Notary's Printed or Typed Name

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

EXHIBIT "A"

BEING all of Unit A together with a one-half undivided interest in the lands designated as "common area" and together with the exclusive use of the lands shown on "Unit "A" limited common area" as the same are shown or denominated on a map entitled "Sloop Point Watch Condominium" and recorded in Map Book 37 at Page 28, of the Pender County Registry, to which said plat reference is hereby made for a greater certainty of description and incorporated herein by reference.

Sometimes known as: 120 Hugh Edens Lane, Unit A
Hampstead, NC 28443

Tax Parcel # 4214-91-8413-0000



BK 4716 PG 1523 - 1525 (3) DOC# 20065690
This Document eRecorded: 07/01/2020 10:10:34 AM
Fee: $26.00 DocType: DEED Tax: $348.00
Pender County, North Carolina
Sharon Lear Willoughby, Register of Deeds

This Instrument was prepared by Daniel D. Mahn, Attorney at Law, without title certification

Parcel ID: 4214-82-7797-000
Excise Tax: $ 348.00

STATE OF NORTH CAROLINA

GENERAL WARRANTY DEED

COUNTY OF PENDER

Brief Description for the Index: Unit 7B, Sloop Point Duplexes

THIS DEED, made and entered into this ___ day of June, 2020, by and between **SALLY FERRANTE (formerly Sally C. Austin, Deed Book 3062, Page 248, Pender County Registry) and husband, NICK FERRANTE**, 200 Twin Oaks Drive, Hampstead, NC 28443, hereinafter referred to as the "Grantor") and **WEIHUNG BETTY CHANG and husband, CHAD EDWARD CURRY**, (hereinafter referred to as the "Grantee") having a mailing address 1100 DALGARVEN DR, APEX, NC 27502

WITNESSETH:

THAT Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple all of that certain lot or parcel of land situated in Pender County, North Carolina, and more particularly described as follows:

BEING ALL OF THAT PROPERTY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property herein described was acquired by Grantor by instrument recorded in Book 3062, at Page 248, Pender County Registry.

Submitted electronically by "Watson Legal, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Pender County Register of Deeds.

15

A map showing the above described property is recorded in Map Book 36, Page 48, Pender County Registry.

All or a portion of the property herein conveyed ___ includes ___ does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee and his heirs, successors and assigns in fee simple forever.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever other than the following exceptions: Restrictions, zoning and land use ordinances, easements and rights of way of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing instrument as of the day and year first above written.

SANDRA C McNEIL NOTARY PUBLIC PENDER COUNTY, NC

Sally Ferrante (SEAL)
Sally Ferrante

Nick Ferrante (SEAL)
Nick Ferrante

STATE OF NORTH CAROLINA
COUNTY OF Pender

I, Sandra C McNeil, a Notary Public of the County and State aforesaid, certify that Sally Ferrante and Nick Ferrante personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and official stamp or seal, this 25th day of June, 2020.

My Commission Expires:
Feb. 26, 2022

Sandra C McNeil
Notary Public

EXHIBIT A

Being all of Lot 7B as shown on a map entitled "Lots 1-9 Sloop Point Duplexes" as recorded in Map Book 36, at Page 48, Pender County Registry, reference to which is hereby made for a more particular description.

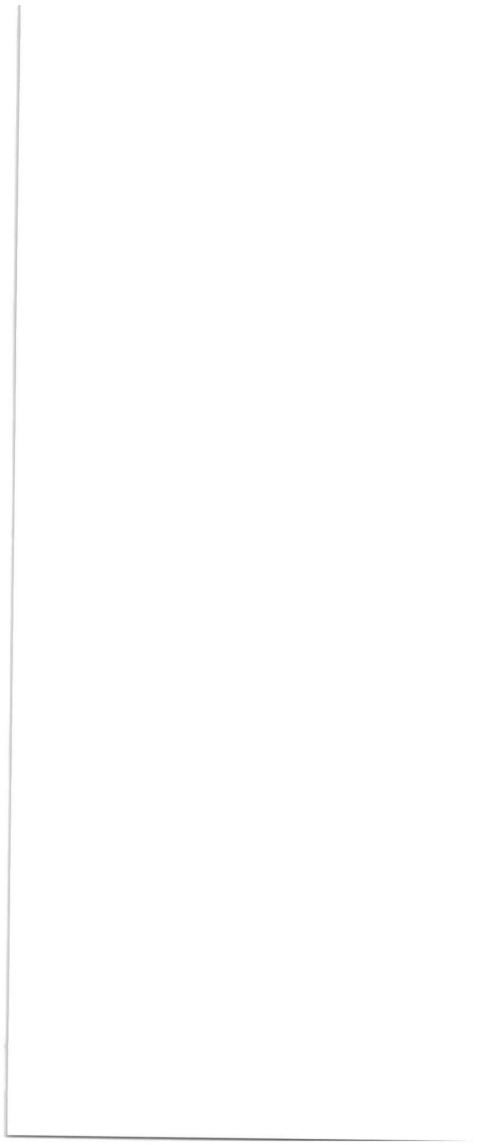
Said lot is taken subject to that Enabling Declaration establishing a plan for Common Ownership and Maintenance which said declaration is recorded in Book 1969, at Page 179 of the Pender County Registry.

Said lot is conveyed together with such rights as may be created by a declaration establishing such amenities upon Tract "A" as said tract is shown on a map recorded in Map Book 26, at Page 104 of the Pender County Registry, reference to which said map is hereby made for a more particular description.

Said lot is conveyed subject to a maintenance obligation for such amenities as may be located upon said Tract "A". Each person or entity acquiring a lot hereunder shall bear a proportionate cost of maintaining such amenities and the common areas. The amenities to be constructed upon said Tract "A" shall include a boat ramp and dock.

Said lot is conveyed together with and subject to an easement for ingress, egress and regress over and across those roads labeled Twin Oaks Drive and Oak View Lane as said roads are shown on a map recorded in Map Book 26, at Page 104 of the Pender County Registry, reference to which map is hereby made for a more particular description.

Said lot is conveyed together with the following maintenance obligation. Each Person or entity acquiring a lot hereunder shall bear a proportionate cost of maintaining Twin Oaks Drive and Oak View Lane as said roads are shown on a map recorded in Map Book 26, at Page 104 of the Pender County Registry. This maintenance obligation is further set forth in an instrument recorded in Book 770, at Page 248 of the Pender County Registry.



BK 4728 PG 2246 - 2248 (3) DOC# 20071984
This Document eRecorded: 10/21/2020 12:05:16 PM
Fee: $26.00 DocType: DEED Tax: $638.00
Pender County, North Carolina
Sharon Lear Willoughby, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $638.00

Parcel Identifier No. 4214-91-8387-000B Verified by _____ County on the ____ day of _____, 20__
By: _____

Mail/Box to: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

This instrument was prepared by: Wilkerson Law, PLLC, 2030 Eastwood Rd, Unit 2, Wilmington, NC 28403

Brief description for the Index: UNIT B, Sloop Point Watch Condo

THIS DEED made this 20th day of October, 2020, by and between

GRANTOR	GRANTEE
Megaleg, LLC, a North Carolina limited liability company 112 Broadview Lane Hampstead, NC 28443	Brian C. Walsh and wife, Lauren Cardwell 120 Hugh Edens Lane, #B Hampstead, NC 28443

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Hampstead, _____ Township, Pender County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3993 page 176.
All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.
A map showing the above described property is recorded in Plat Book 37 page 28.

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

Submitted electronically by "Wilkerson Law"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Pender County Register of Deeds.

NO

TO HAVEAND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:
1. The lien of the 2020 Ad Valorem taxes, now due and payable; 2. Restrictions of record applicable to said lot; 3. Utility easements of record; and 4. Zoning and/or building and subdivision ordinances.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Megaleg, LLC, a North Carolina limited liability company
(Entity Name)
By: Mary Diane Edens Thomas Manager
Print/Type Name & Title: Mary Diane Edens Thomas, Manager

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: _____

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: _____

Print/Type Name: _____ (SEAL)

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20___.

My Commission Expires: _____
(Affix Seal)

_____Notary Public
Notary's Printed or Typed Name

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20___.

My Commission Expires: _____
(Affix Seal)

_____Notary Public
Notary's Printed or Typed Name

State of North Carolina - County or City of New Hanover

I, the undersigned Notary Public of the County or City of New Hanover and State aforesaid, certify that Mary Diane Edens Thomas personally came before me this day and acknowledged that she is the Manager of Megaleg, LLC, a North Carolina or _____ corporation/limited liability company/~~general partnership/limited partnership~~ (strike through the inapplicable), and that by authority duly given and as the act of such entity, s he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 2nd day of October, 2020.

My Commission Expires: 5/11/2024
(Affix Seal)

JANET PATTERSON
NOTARY PUBLIC
NEW HANOVER CO., NC
My Commission Expires 5-11-2024

_____Notary Public
Notary's Printed or Typed Name

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3

EXHIBIT A

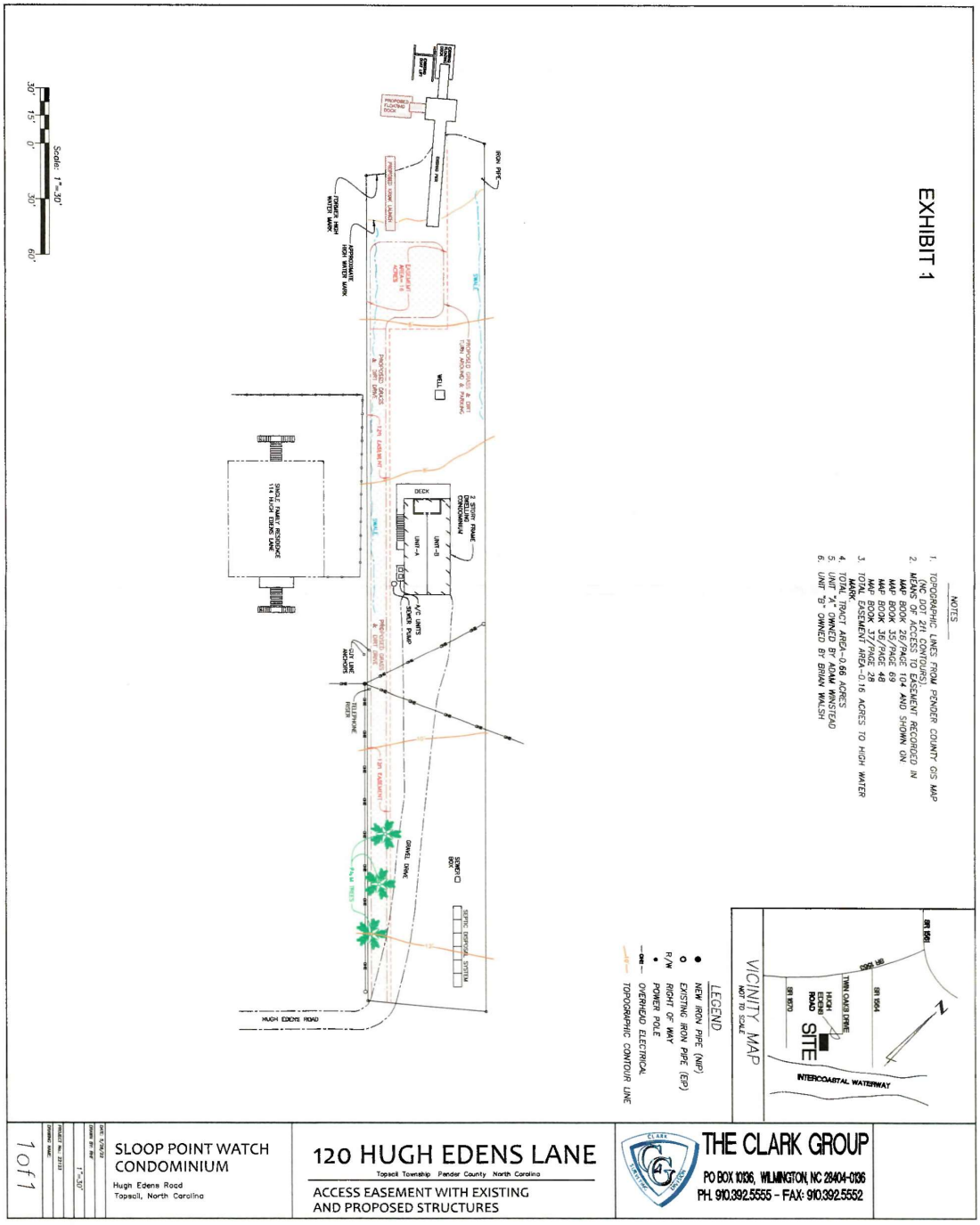
BEING ALL OF UNIT "B" TOGETHER WITH ONE-HALF UNDIVIDED INTEREST IN THE LANDS DESIGNATED AS "COMMON AREAS" AND TOGETHER WITH THE EXCLUSIVE USE OF THE LANDS SHOWN AS "SLOOP POINT WATCH CONDOMINIUM UNIT B LIMITED COMMON AREA" AS THE SAME ARE SHOWN OR DENOMINATED ON A MAP RECORDED IN MAP BOOK 37 AT PAGE 28 OF THE PENDER COUNTY REGISTRY, REFERENCE TO WHICH SAID MAP IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

SAID PROPERTY IS CONVEYED TOGETHER WITH AND SUBJECT TO THE TERMS OF THAT DEED OF EASEMENT RECORDED IN BOOK 2295, PAGE 84 OF THE PENDER COUNTY REGISTRY.

Property address: 120 Hugh Edens Lane, #B, Hampstead, NC 28443

Parcel ID #: 4214-91-8387-000B




EXHIBIT 1
NOTES
1. TOPOGRAPHIC LINES FROM PENDER COUNTY GIS MAP (NC DOT 2ft CONTOURS).
2. MEANS OF ACCESS TO EASEMENT RECORDED IN MAP BOOK 26/PAGE 104 AND SHOWN ON MAP BOOK 33/PAGE 69 MAP BOOK 35/PAGE 49 MAP BOOK 37/PAGE 28
3. TOTAL EASEMENT AREA=0.16 ACRES TO HIGH WATER MARK
4. TOTAL TRACT AREA=0.68 ACRES
5. UNIT "A" OWNED BY ADAM WINSTEAD
6. UNIT "B" OWNED BY BRIAN WALSH
LEGEND
NEW IRON PIPE (NIP)
EXISTING IRON PIPE (EIP)
R/W RIGHT OF WAY
POWER POLE
OHE OVERHEAD ELECTRICAL
TOPOGRAPHIC CONTOUR LINE
VICINITY MAP
NOT TO SCALE
SR 1561
SR 1564
SR 1570
TWIN OAKS DRIVE
HUGH EDENS ROAD
SITE
INTERCOASTAL WATERWAY
Scale: 1"=30'
30' 15' 0' 30' 60'
IRON PIPE
FORMER HIGH WATER MARK
APPROXIMATE HIGH WATER MARK
PROPOSED FLOATING DOCK
PROPOSED WORK LIMITS
EASEMENT AREA= 16 ACRES
TRAIL
PROPOSED GRADE & SOD HUGH AROUND & PARKING
WELL
PROPOSED GRADE & SOD
LOT EASEMENT
SINGLE FAMILY RESIDENCE 114 HUGH EDENS LANE
DECK
2 STORY FRAME CONDOMINIUM
UNIT-A
UNIT-B
A/C UNITS
SEWER PUMP
LOT LINE MARKERS
PROPOSED GRADE & SOD
PROPOSED GRADE & SOD
LOT EASEMENT
PROPERTY LINE
GRAVEL DRIVE
SEWER BOX
SEPTIC DISPOSAL SYSTEM
HUGH EDENS ROAD
SLOOP POINT WATCH CONDOMINIUM
Hugh Edens Road
Topsail, North Carolina
120 HUGH EDENS LANE
Topsail Township Pender County North Carolina
ACCESS EASEMENT WITH EXISTING AND PROPOSED STRUCTURES
THE CLARK GROUP
PO BOX 1036, WILMINGTON, NC 28404-0036
PH. 910.392.5555 - FAX: 910.392.5552
1 of 1
1"=30'

17

Exhibit "D"

Steve Coggins

From: Betty Chang <changwb@yahoo.com>
Sent: Tuesday, November 15, 2022 11:57 AM
To: Steve Coggins
Subject: Caleb Smith: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

----- Forwarded Message -----
From: Caleb Smith <calebsmith63@hotmail.com>
To: Betty Chang <changwb@yahoo.com>
Sent: Tuesday, November 15, 2022 at 11:46:25 AM EST
Subject: Re: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

Hi Betty,

I'm sending this e-mail to confirm my support for the Special Use Permit application filed to Pender County, as well as giving you my permission to submit/sign on my behalf.

From: Betty Chang <changwb@yahoo.com>
Sent: Tuesday, November 15, 2022 10:19 AM
To: calebsmith63@hotmail.com <calebsmith63@hotmail.com>
Cc: Chad Curry <curry_chade@yahoo.com>
Subject: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

Hi Caleb,

In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :

Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.

Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.

Betty
201-294-2119

Steve Coggins

From: Betty Chang <changwb@yahoo.com>
Sent: Tuesday, November 15, 2022 8:48 AM
To: Steve Coggins
Subject: Robert Russell: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

----- Forwarded Message -----
From: Betty Chang <changwb@yahoo.com>
To: Robert Russell <drussell6357@gmail.com>
Cc: Chad Curry <curry_chade@yahoo.com>
Sent: Tuesday, November 15, 2022 at 08:47:29 AM EST
Subject: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

Hi Dale,
Thank you for your confirmation that you received the email we sent regarding your permission for me to act as the agent in our Special Use Permit application submittal.

I have not received your email response back, but per your text you have confirmed your support of the SUP application. I am following up in writing, so that we have record that you have no objections with us taking the necessary steps on behalf of duplex owners (including you), to enforce the easement rights, defend the administrative appeal and pursue the use of our easement.

--Betty

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: melissa danger (mel.danger@hotmail.com)

To: changwb@yahoo.com

Date: Saturday, November 12, 2022 at 10:02 AM EST

You have permission from Kerry and Melissa Danger, owners of 276-B, to sign on our behalf for the SUP for Sloop Point Duplexes

Get Outlook for iOS

From: Betty Chang <changwb@yahoo.com>
Sent: Saturday, November 12, 2022 9:54:31 AM
To: chrian5@aol.com <chrian5@aol.com>; tmflynn50@gmail.com <tmflynn50@gmail.com>; kerry.danger1@gmail.com <kerry.danger1@gmail.com>; drussell6357@gmail.com <drussell6357@gmail.com>; Melissa Danger <mel.danger@hotmail.com>; Robin Flynn <robinlorettaflynn@gmail.com>; Lee Stikeleather <leestikeleather64@gmail.com>; Danny Nobles <dnobles777@gmail.com>; Amy Boardwine <abbwine96@gmail.com>; Chris Frazee <frazeecj@bellsouth.net>
Subject: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

Neighbors,
In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :

Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.

Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.

--Betty
201-294-2119

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: Lee Stikeleather (leestikeleather64@gmail.com)

To: changwb@yahoo.com

Cc: chrian5@aol.com; tmflynn50@gmail.com; kerry.danger1@gmail.com; drussell6357@gmail.com; mel.danger@hotmail.com; robinlorettaflynn@gmail.com; dnobles777@gmail.com; abbwine96@gmail.com; frazeecj@bellsouth.net

Date: Saturday, November 12, 2022 at 10:06 AM EST

Yes, I acknowledge Betty Chang is our duplex owners agent and representative.

Thank you, Lee and Vickie Stikeleather

On Sat, Nov 12, 2022, 9:54 AM Betty Chang <changwb@yahoo.com> wrote:

> Neighbors,
> In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
>
> Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
>
> Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.
>
> --Betty
> 201-294-2119

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: chrian5@aol.com (chrian5@aol.com)

To: tmflynn50@gmail.com; kerry.danger1@gmail.com; drussell6357@gmail.com; mel.danger@hotmail.com; robinlorettaflynn@gmail.com; leestikeleather64@gmail.com; dnobles777@gmail.com; abbwine96@gmail.com; frazeecj@bellsouth.net; changwb@yahoo.com

Date: Saturday, November 12, 2022 at 10:16 AM EST

On Saturday, November 12, 2022, 10:14:21 AM EST, chrian5@aol.com <chrian5@aol.com> wrote:

I Acknowledge and confirm W Betty Chang
As our agent regarding the SUP application for
Use of existing pier and dockage facility.
Authorization is given to W Betty Chang to sign the application on our behalf.

Christopher Ianno and Laura Ianno
256 A and B Twin Oaks Drive
Hampstead NC 28443

On Saturday, November 12, 2022, 09:54:49 AM EST, Betty Chang <changwb@yahoo.com> wrote:

Neighbors,
In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :

Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.

Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.

--Betty
201-294-2119

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: Chris Frazee (frazeecj@bellsouth.net)

To: leestikeleather64@gmail.com

Cc: changwb@yahoo.com; chrian5@aol.com; tmflynn50@gmail.com; kerry.danger1@gmail.com; drussell6357@gmail.com; mel.danger@hotmail.com; robinlorettaflynn@gmail.com; dnobles777@gmail.com; abbwine96@gmail.com

Date: Saturday, November 12, 2022 at 10:17 AM EST

I acknowledge Betty Chang as my agent for Sloop Point Duplex Owners (234 Twin Oaks Dr A/B).

Thanks
Chris Frazee
G Squared Consultants LLC.
Sent from my iPhone

On Nov 12, 2022, at 9:58 AM, Lee Stikeleather <leestikeleather64@gmail.com> wrote:

Yes, I acknowledge Betty Chang is our duplex owners agent and representative.

Thank you, Lee and Vickie Stikeleather

On Sat, Nov 12, 2022, 9:54 AM Betty Chang <changwb@yahoo.com> wrote:

> Neighbors,
> In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
>
> Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
>
> Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.
>
> --Betty
> 201-294-2119

Re: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: Joseph Polansky (jpolansky59@gmail.com)

To: changwb@yahoo.com

Cc: curry_chade@yahoo.com

Date: Saturday, November 12, 2022 at 11:03 AM EST

Hi Betty,

Yes, I approve for you to sign the SUP on my behalf.

Thank you,

Joseph B. polansky
Owner: 270 B twin oaks drive
Hampstead NC 28443

Sent from my iPhone

> On Nov 12, 2022, at 10:17 AM, Betty Chang <changwb@yahoo.com> wrote:
>
> Joe,
>
> In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
>
> Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
>
> Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.
>
> --Betty
> 201-294-2119

Screen Shot 2022-11-12 at 9.33.51 AM.png
122.9kB

Appeal of Administrative Decision 120 Hugh Edens Ln. 8.30.22.pdf
5.4MB

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: Robin L Flynn (robinlorettaflynn@gmail.com)

To: changwb@yahoo.com

Date: Saturday, November 12, 2022 at 12:19 PM EST

I acknowledge Betty Chang as my/our agent and representative for the Sloop Point Duplex owners (200A Twin Oaks Drive).

On Sat, Nov 12, 2022, 9:54 AM Betty Chang <changwb@yahoo.com> wrote:

> Neighbors,
> In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
>
> Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
>
> Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.
>
> --Betty
> 201-294-2119

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: Tom Flynn (tmflynn50@gmail.com)

To: changwb@yahoo.com

Date: Saturday, November 12, 2022 at 12:23 PM EST

I acknowledge Betty Chang as my/our agent and representative for the Sloop Point Duplex owners (200A Twin Oaks Drive).
Tom and Robin Flynn

On Sat, Nov 12, 2022, 9:54 AM Betty Chang <changwb@yahoo.com> wrote:

> Neighbors,
> In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
>
> Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
>
> Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.
>
> --Betty
> 201-294-2119

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: Danny Nobles (dnobles777@gmail.com)

To: changwb@yahoo.com

Cc: chrian5@aol.com; tmflynn50@gmail.com; kerry.danger1@gmail.com; drussell6357@gmail.com; mel.danger@hotmail.com; robinlorettaflynn@gmail.com; leestikeleather64@gmail.com; abbwine96@gmail.com; frazeecj@bellsouth.net

Date: Saturday, November 12, 2022 at 01:46 PM EST

I support the Special Use Permit application filed to Pender County and confirm Betty Chang has permission to submit/sign on my behalf for Twin Oaks duplex.
Danny Nobles.

Sent from my iPhone

On Nov 12, 2022, at 9:54 AM, Betty Chang <changwb@yahoo.com> wrote:

Neighbors,
In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :

Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.

Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.

--Betty
201-294-2119

Screen Shot 2022-11-12 at 9.33.51 AM.png
122.9kB

Appeal of Administrative Decision 120 Hugh Edens Ln. 8.30.22.pdf
5.4MB

Screen Shot 2022-11-12 at 9.39.04 AM.png
318.7kB

Re: For your action: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: Amy Everhart (abbwine96@gmail.com)

To: changwb@yahoo.com

Date: Saturday, November 12, 2022 at 02:29 PM EST

I acknowledge and confirm W Betty Chang
As my agent regarding the SUP application for
use of existing pier and dockage facility.
Authorization is given to W Betty Chang to sign the application on my behalf.

Amy Everhart
276A Twin Oaks Drive
Hampstead, NC. 28443

Amy Everhart
Sent from my iPhone

On Nov 12, 2022, at 9:54 AM, Betty Chang <changwb@yahoo.com> wrote:

Neighbors,
In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :

Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.

Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.

--Betty
201-294-2119

Screen Shot 2022-11-12 at 9.33.51 AM.png
122.9kB

Appeal of Administrative Decision 120 Hugh Edens Ln. 8.30.22.pdf
5.4MB

Screen Shot 2022-11-12 at 9.39.04 AM.png

Re: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for SUP

From: FatalX3rror (ztzoid@gmail.com)

To: changwb@yahoo.com

Date: Sunday, November 13, 2022 at 11:45 AM EST

I Alex Robinson acknowledge and confirm.

On Sat, Nov 12, 2022 at 10:56 AM Betty Chang <changwb@yahoo.com> wrote:

> Alex,
>
> In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
>
> Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
>
> Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.
>
> Betty
> 201-294-2119

Re: Acknowledge and confirm W Betty Chang as agent for duplex owner

From: melissa vernon (melissav84@me.com)

To: changwb@yahoo.com

Date: Sunday, November 13, 2022 at 08:05 PM EST

I Melissa Vernon of 270 Twin Oaks Drive unit A support the special use permit application filed to pender county. I also give Betty Chang permission to submit/ sign on my behalf.

Sent from my iPhone

> On Nov 12, 2022, at 10:40 AM, Betty Chang <changwb@yahoo.com> wrote:
>
> Bob/Melissa,
>
> In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
>
> Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
>
> Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.
>
> --Betty and Chad
> 201-294-2119
> 601-416-4341

Screen Shot 2022-11-12 at 9.33.51 AM.png
122.9kB

Appeal of Administrative Decision 120 Hugh Edens Ln. 8.30.22.pdf
5.4MB

Screen Shot 2022-11-12 at 9.39.04 AM.png
318.7kB

Re: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

From: Colleen Humphrey (humphrey.collen72@gmail.com)

To: changwb@yahoo.com

Date: Sunday, November 13, 2022 at 11:48 AM EST

Betty, i am fine with this.

Collen

On Sun, Nov 13, 2022, 8:53 AM Betty Chang-Curry <changwb@yahoo.com> wrote:

From: Betty Chang <changwb@yahoo.com>
Date: November 12, 2022 at 11:05:20 AM EST
Cc: Chad Curry <curry_chade@yahoo.com>
Subject: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

Ms Colleen,

In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved.":

Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.

Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf. It can be as simple as **"I acknowledge Betty Chang as agent for Sloop Point Duplex Owners (164 Twin Oaks Dr Unit B), regarding the Special Use Permit application. "**

Betty
201-294-2119

RE: [External] Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

From: Adam Slack (adam.slack@rate.com)

To: changwb@yahoo.com

Cc: curry_chade@yahoo.com

Date: Monday, November 14, 2022 at 01:23 PM EST

Hello,

I am replying to confirm that I, Justin Adam Slack am the owner of record for 178 Twin Oaks and that I support the Special Use Permit Application filed to Pender County and I am certifying that you have permission to submit and sign on my behalf.

Best Regards,

BEWARE OF CYBER-FRAUD Before wiring any funds, call the intended recipient at a number you know is valid to confirm the instructions - and be very wary of any request to change wire instructions you already received. a Guaranteed Rate employee will never provide nor confirm wire instructions.



Adam Slack

NMLS# 203603

SVP of Mortgage Lending

guaranteed Rate

Chairman's Circle

Apply Now

VA LOAN EXPERT

Meet My Team:

Kristin Spivey | Production Manager | (910) 623-0282 | kristin.spivey@rate.com
Rachael Jacobson | Mortgage Consultant | (336) 283-3308 | rachael.jacobson@rate.com
Audra Martz | Loan Coordinator | (910) 473-5404 | audra.martz@rate.com
Kim Thornlow | Sales Assistant | (910) 599-9143 | kim.thornlow@rate.com
Joel Shackelford | Licensed Sales Assistant | (910) 238-3427 | joel.shackelford@rate.com

Interested in Personal Loans? Learn more here

(704) 242-4108

(910) 473-5087

Email Me

Visit My Website

1111 Military Cutoff Rd Suite 191 Wilmington, NC 28405

Loan Options | Mobile App | Guaranteed Rate Foundation | Agent Advantage

FW: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

From: rvillari@earthlink.net
To: changwb@yahoo.com
Date: Monday, November 14, 2022 at 09:26 PM EST

Betty

I am Co-owner of 164 A and I support the special use permit application and I give you my permission to submit and sig on my behalf

Rocco Villari
910-290-2900

From: Betty Chang-Curry <changwb@yahoo.com>
Date: November 13, 2022 at 12:49:49 PM EST
To: rvillari@earthlink.net
Cc: Chad Curry <curry_chade@yahoo.com>
Subject: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

Rocco,

In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attacl narrative. No construction or alterations involved." :

Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining th. SUP application is incomplete/insufficient and should have been rejected by the County.

Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have p to submit/sign on your behalf.

Betty
201-294-2119

Re: Acknowledge and confirm W Betty Chang as agent for duplex owner(s) for Special Use Permit

From: Travis Sexton (southernpride445@yahoo.com)

To: changwb@yahoo.com

Date: Monday, November 14, 2022 at 11:14 PM EST

I, Travis Sexton do completely support the Special Use Permit application and give my permission to Betty Curry to sign/submit as the agent on my behalf.

Sent from my iPhone

> On Nov 14, 2022, at 5:54 PM, Betty Chang-Curry <changwb@yahoo.com> wrote:
>
> Great!
>
> Can you respond that you support the Special Use Permit application and that I have your permission to sign/submit as the agent on your behalf.
>
> Betty
> 201-294-2119
>
> > On Nov 14, 2022, at 5:05 PM, Travis Sexton <southernpride445@yahoo.com> wrote:
> >
> > I did receive you message and looked through the information
> >
> > Sent from my iPhone
> >
> > > On Nov 13, 2022, at 7:20 PM, Betty Chang-Curry <changwb@yahoo.com> wrote:
> > >
> > > Travis,
> > >
> > > In response to the appeal that Adam and Brian/Lauren filed, to our SUP application for "Use of existing pier and dockage as a Community Boating Facility per attached narrative. No construction or alterations involved." :
> > >
> > > Specifically, to items 15-18. We need to establish that I had permission to sign the application as the agent for the "Sloop Point Duplex Owners", as they are maintaining that the SUP application is incomplete/insufficient and should have been rejected by the County.
> > >
> > > Please respond with your confirmation as the owner of the unit(s) attached, that you support the Special Use Permit application filed to Pender County. In addition, I have permission to submit/sign on your behalf.

Exhibit "E"

PENDER COUNTY NC

Pender County
Request for Board Action

TO:	Board of County Commissioners
FROM:	Kyle Breuer
DATE:	December 2, 2019
SUBJECT:	Consideration of the Revocation of Special Use Permit 03-07-21-16.

SUMMARY:
Pender County will consider the revocation of Special Use Permit 03-07-21-16, subsequently revised on December 20, 2004 (04-10-25-17), which allowed at the time of approval for the expansion of an existing marina. In accordance with Section 3.12.4 of the Pender County Unified Development Ordinance, the Board of Commissioners may consider revocation based on findings consistent with the Ordinance criteria: The property is located at 128 Broadview Lane and may be identified as Pender County PIN: 3292-63-8007-0000.

ACTION REQUESTED:
To hold a public hearing and consider the revocation of Special Use Permit 04-10-25-17

PLANNING STAFF REPORT
Special Use Permit

SUMMARY:

Hearing Date:	December 2, 2019
Property Owner:	Wooten Holding Co., LLC.
Case Number:	03-07-21-16 Revocation

Action Requested: Pender County will consider the revocation of Special Use Permit 03-07-21-16, subsequently revised on December 20, 2004 (04-10-25-17), which allowed at the time of approval, for the expansion of an existing marina. In accordance with Section 3.12.4 of the Pender County Unified Development Ordinance, the Board of Commissioners may consider revocation based on findings consistent with the Unified Development Ordinance criteria.

Property Record Number and Location: The property is located at 128 Broadview Lane and may be identified as Pender County PIN: 3292-63-8007-0000.

Zoning District of Property: The property is currently zoned RP, Residential Performance zoning district.

Description and History:
Pender County will consider the revocation of Special Use Permit 03-07-21-16, subsequently revised on December 20, 2004 (04-10-25-17), which allowed at the time of approval, for the expansion of an existing marina. In accordance with Section 3.12.4 of the Pender County Unified Development Ordinance, the Board of Commissioners may consider revocation based on findings consistent with the Unified Development Ordinance criteria.

According to the referenced Unified Development Ordinance Section 3.12.4.B, regarding Special Use Permit Revocation:

B. Revocation - In any case where the Special Use Permit or the conditions of a Special Use Permit have not been or are not being complied with, the Administrator may initiate a notice of violation for the provisions of this Ordinance and the conditions of the Special Use Permit not in compliance or the Administrator, may initiate notice of a public hearing to consider revocation of the permit by the Board of Commissioners or both actions may be initiated. Procedures for notice of such hearing shall be the same as procedures for consideration of an initial application for a Special Use Permit and the permittee shall be notified. After a public hearing has been held, the Board of Commissioners may revoke the Special Use Permit upon finding any of the following:

1) *That the approval was obtained by fraud.*
2) *That the use for which such approval was granted is not being executed.*
3) *That the use for which such approval was granted has ceased to exist or has been suspended for one year.*
4) *That the permit granted is being, or recently has been exercised contrary to the terms or conditions of such approval.*
5) *That the permit granted is in violation of an Ordinance or Statute.*
6) *That the use for which the approval was granted was so exercised as to be detrimental to the public health or safety, or so as to constitute a nuisance.*

Following a received complaint regarding the status of the property in relation to the Special Use Permit, Code Enforcement opened an investigation on the property to document its current status. Through site

investigation it was determined that the property's status was inconsistent with the Special Use Permit issued in 2004. On November 30, 2018, the Pender County Code Enforcement Officer issued a Notice of Violation to the referenced property owner. The Notice of Violation took into consideration the current status of the property, its prior approvals, existing use, and conditions in which approval were granted through the Special Use Permit process. Based on observations through the initial investigation, the following items were found to be out of compliance:

- Compliance with Site Plan as approved on May 19, 2004 and subsequently signed by Joyce H. Wooten.
- Conditions applied to the Special Use Permit and approved Site Plan including the following:
  - Fencing
  - Buffering
  - Parking and Surfacing
  - Any other Conditions not being adhered to as apparent through the initial site inspection and subsequent reviews, which includes the lighting standards found on-site.

Over the following months, Code Enforcement attempted to work with the property owner to develop a plan of action for compliance. The property remains in violation due to the lack of action to remedy specific conditions as stated above and documented through the approved Special Use Permit and subsequent revision to that permit.

Ultimately, it was agreed upon the main items that needed to be addressed included the surfacing of the site, fencing, and overhead lighting. Specific to each were that areas on the site had experienced erosion from vehicular and boat trailer traffic. The bare surface was producing sediment transfer from rain events which were being carried over to the adjacent property to the south, photos are attached. The fencing had been severely damaged and needed to be replaced in a manner consistent with the approved Special Use Permit, and overhead lighting that had been replaced by the electrical utility provider (Duke Energy Progress) had introduced additional lighting that was extending beyond the property line.

To date, items that have been addressed include the repair of the fencing, as well as modifications to the lighting. The main point of concern remains the surfacing of the site. In regards to surfacing, the property owner has supplied the County a plan showing proposed parking lot stabilization to include an approximately 5,200 sq. ft. stabilization area, as well as grass filter strips and areas to be reseeded. Staff has had the ability to review the submitted plan but still finds concerns regarding the area of stabilization necessary to maintain stabilization as well as plans to keep vehicular and trailer usage contained to prevent ongoing maintenance issues and ultimate compliance with the Special Use Permit.

EVALUATION:

A. **Public Notifications:** Advertisements for the proposal have been placed in the Pender-Topsail Post & Voice. The property owner and adjacent property owners were notified by first class mail; as well as a sign advertising the public hearing was placed on the subject property.

B. **Basis for Revoking SUP:** Based on a Section 3.12.4.B of the Pender County Unified Development Ordinance, a Special Use Permit may be revoked upon finding any of the following:
   1. That the approval was obtained by fraud.
   2. That the use for which such approval was granted is not being executed.
   3. That the use for which such approval was granted has ceased to exist or has been suspended for one year.

4. That the permit granted is being, or recently has been exercised contrary to the terms or conditions of such approval.
5. That the permit granted is in violation of an Ordinance or Statute
6. That the use for which the approval was granted was so exercised as to be detrimental to the public health or safety, or so as to constitute a nuisance.

Attachments

1. *Notice of Violation*
2. *Final Notice of Violation*
3. *Court-Ordered Compliance*
4. *Special Use Permit (04-10-25-17)*
5. *Revised Stabilization Plan (submitted November 12, 2019)*
6. *Photos of Site*
7. *Correspondence with Property Owner's Representative*

Pender County
Planning and Community Development

Code Enforcement
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

1st NOTICE OF VIOLATION

November 30, 2018

Wooten Holding Co. LLC.
805 Robinwood Street
Burgaw, NC 28425

Dear Property Owner,

NOTICE OF VIOLATION: You are hereby given notice that a violation or violations of the Special Use Permit issued exists at the property described below and owned/occupied by you. As the property owner you are required to comply with the Special Use Permit issued and violations that are not rectified may constitute a permit revocation.

LOCATION AND DESCRIPTION OF PROPERTY WHERE VIOLATION EXIST:
Property located at 128 Broadview Lane, Hampstead, NC, 28443 and identified by the Pender County Tax Office as Parcel Identification Number 3292-63-8007-0000.

CONDITIONS THAT CREATE VIOLATION:
Non-compliance of Special Use Permit issued January 20, 2004 and subsequently revised November 15, 2004, and December 20, 2004 (Attachment 1).

Specific conditions to be complied with are as follows:

- Compliance with Site Plan as approved on May 19, 2004 and subsequently signed by Joyce H. Wooten (Attachment 2)
- Conditions applied to the Special Use Permit and approved Site Plan
    - Fencing (6' high picket fencing) along the southwestern property line being not located in the correct area, this should be at minimum 5' off the property line. Furthermore, the relocated fencing should be supplemented with a retention structure as to control sediment and lateral movement of soil from the parking lot area (Condition #3 – 12/20/04 SUP Approval).
    - Buffering – Lack of vegetation as identified and approved on the Site Plan, please reference Condition #7 – 12/20/04 SUP Approval.
    - Parking and Surfacing – Parking areas are not stabilized and marked as conditioned in the approved SUP (Condition #4/#5/#14 – 1/20/04).
    - Any other Conditions not being adhered to as apparent through the initial site inspection and subsequent review.

CORRECTIVE ACTIONS THAT MUST BE TAKEN BY PROPERTY OWNER/VIOLATOR: All items falling under the above description of violation must be rectified. It's advisable to contact the Pender County Code Enforcement Office to discuss the owner's intent to remedy the violation.

DATE BY WHICH CORRECTIVE ACTION MUST BE COMPLETE:
This violation must be corrected within thirty (30) consecutive calendar days of receipt of this notice. If the violation(s) is/are are not corrected within this period, you will immediately thereafter be subject to the penalties noted herein.

PROPERTY OWNER/VIOLATOR'S RIGHT TO APPEAL:
You are hereby given notice that you have the right to appeal the determination made by the Code Enforcement Officer to the Pender County Board of Adjustment. If you elect to appeal this determination, you must file a written request for appeal, specifying the reason for the appeal and paying the associated fees for appeal within thirty (30) days of receipt of this notice. The appeal shall be filed with the Pender County Planning Department, Zoning Administrator, 805 South Walker Street, Burgaw, NC 28425. An appeal will stay all required proceedings under this notice until the Board of Adjustment acts upon the appeal.

PENALTIES FOR VIOLATIONS NOTED: Violations are subject to civil penalty in the amount of One Hundred ($100.00) for each offense. Each day a violation continues, shall constitute a separate and distinct offense, punishable as set forth in the Pender County Unified Development Ordinance.

REMEDIES IF CORRECTIVE ACTION NOT TAKEN:
The County shall through its County Manager and County Attorney initiate legal action to insure compliance through court action and the violator may be subject to paying the cost of this action, pursuant to G.S. 153A-123, in addition to any penalties noted above.

DATE OF NOTIFICATION:
This determination of violation made on the 27th day of November 2018 by the Pender County Code Enforcement Officer, after inspection of the property and the conditions. Please feel free to contact this office at any time. We will be happy to discuss this issue with you.

Charlie Ring, Code Enforcement Supervisor
(910) 259-1519
cring@pendercountync.gov

Pender County
Planning and Community Development

Code Enforcement
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

FINAL NOTICE OF VIOLATION

March 13, 2019

Wooten Holding Co. LLC.
805 Robinwood Street
Burgaw, NC 28425

Dear Property Owner,

NOTICE OF VIOLATION: You are hereby given notice that a violation or violations of the Special Use Permit issued CONTINUES TO EXIST at the property described below and owned/occupied by you. As the property owner you are required to comply with the Special Use Permit issued and violations that are not rectified may constitute a permit revocation.

LOCATION AND DESCRIPTION OF PROPERTY WHERE VIOLATION EXIST:
Property located at 128 Broadview Lane, Hampstead, NC, 28443 and identified by the Pender County Tax Office as Parcel Identification Number 3292-63-8007-0000.

CONDITIONS THAT CREATE VIOLATION:
Non-compliance of Special Use Permit issued January 20, 2004 and subsequently revised November 15, 2004, and December 20, 2004 (Attachment 1).

Specific conditions to be complied with are as follows:

- Compliance with Site Plan as approved on May 19, 2004 and subsequently signed by Joyce H. Wooten (Attachment 2)
- Conditions applied to the Special Use Permit and approved Site Plan
  - Parking and Surfacing – Parking areas are not stabilized and marked as conditioned in the approved SUP (Condition #4/#5/#14 – 1/20/04).
    - All areas of the marina site that are not stabilized with gravel, aggregate base course or an acceptable paving material or approved facilities shall be stabilized and maintained with a permanent vegetative coverage of 98%. Areas planted in grass shall be maintained at a height of not more than 6". All areas of the site shall be stabilized as specified prior to the issuance of an occupancy permit for the facility.
    - Any other Conditions not being adhered to as apparent through the initial site inspection and subsequent review.

CORRECTIVE ACTIONS THAT MUST BE TAKEN BY PROPERTY OWNER/VIOLATOR: All items falling under the above description of violation must be rectified. It's advisable to contact the Pender County Code Enforcement Office to discuss the owner's intent to remedy the violation.

DATE BY WHICH CORRECTIVE ACTION MUST BE COMPLETE:
This violation will need to be corrected not later than 30 days from this notice. If not corrected by the time indicated civil penalties will begin to accrue.

PROPERTY OWNER/VIOLATOR'S RIGHT TO APPEAL:
You are hereby given notice that you have the right to appeal the determination made by the Code Enforcement Officer to the Pender County Board of Adjustment. If you elect to appeal this determination, you must file a written request for appeal, specifying the reason for the appeal and paying the associated fees for appeal within thirty (30) days of receipt of this notice. The appeal shall be filed with the Pender County Planning Department, Zoning Administrator, 805 South Walker Street, Burgaw, NC 28425. An appeal will stay all required proceedings under this notice until the Board of Adjustment acts upon the appeal.

PENALTIES FOR VIOLATIONS NOTED: Violations are subject to civil penalty in the amount of One Hundred ($100.00) for each offense. Each day a violation continues, shall constitute a separate and distinct offense, punishable as set forth in the Pender County Unified Development Ordinance.

CURRENT CIVIL PENALTY ACCRUED:
A CIVIL PENALTY OF $1,700.00 HAS ACCRUED AS OF, March 13, 2019 AS A RESULT OF THE VIOLATION NOT BEING CORRECTED.

REMEDIES IF CORRECTIVE ACTION NOT TAKEN:
THIS VIOLATION WILL BE FORWARDED TO THE COUNTY MANAGER AND THE COUNTY ATTORNEY TO INITIATE LEGAL ACTION TO INSURE COMPLIANCE AND COLLECT THE CIVIL PENALTIES DUE. THE VIOLATOR MAY BE SUBJECT TO PAYING THE COST OF THIS ACTION, PURSUANT TO G.S. 153A-123, IN ADDITION TO ANY PENALTIES NOTED ABOVE.

DATE OF NOTIFICATION:
The determination of violation was made on the 27th day of November 2018 by the Pender County Code Enforcement Officer, after inspection of the property and the conditions. Please feel free to contact this office at any time. We will be happy to discuss this issue with you.

Charlie Ring, Code Enforcement Supervisor
(910) 259-1519
cring@pendercountync.gov

Pender County
Planning and Community Development

Code Enforcement
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

August 30, 2019

Wooten Holding C. LLC
805 Robinwood Street
Burgaw, NC 28425

Dear Property Owner,

An initial site visit dated 11-27-18 was conducted to determine if any violations of conditions of a previously issued Special Use Permit exist on property owned by you and identified by the Pender County Tax Office as Parcel Identification Number 3292-63-8007-0000. This letter is being forwarded to inform you that the previous areas of concern that were addressed have not been satisfied.

Specifically, failure to correct deficiencies identified during the initial and final Notices of Violation have resulted in submitting this case for Court Ordered Compliance. Deficiencies include failure to comply w/ lighting standards and stabilization/ erosion standards outlined in the conditions tied to the Special Use Permit.

Attached you will find a copy of Court Ordered Compliance.

Regards,

Pender County Code Enforcement

Pender County
Planning and Community Development

Code Enforcement
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

August 30, 2019

Mr. Trey Thurman
Pender County Attorney
3169 Wrightsville Ave.
Wilmington NC 28403

VIOLATION: Special Use Permit
Wooten Holding Co. LLC
805 Robinwood St. Burgaw, NC 28425
PAR. REC. # 3292-63-8007-0000
VIOLATION: Non-compliance of Special Use Permit issued 1-20-2004

Case # 298-2018

Dear Mr. Thurman,

You will find attached a summary of the above noted zoning violation. A copy of the Notice of Violation is on file. Notice has been served on the property owner where this violation exists as required by the Pender County Unified Development Ordinance and procedural requirements approved by the County Attorney. The property owner was given notice that the violation must be corrected within thirty days of receipt of the notice. The violation has not been corrected as of this date.

We have sufficient documented evidence that the property was and still is in violation of the Special Use Permit. At this point, we feel that the Planning Staff has exhausted all efforts to obtain compliance at this site.

It is therefore recommended that this violation be turned over to your office for processing, and a Court Order be obtained, or other action taken to achieve compliance. It is your decision as County Attorney as to whether the court action should request payment of the civil fines involved in this violation. We will provide the documented evidence and other materials necessary for processing as requested.

Sincerely,

Charlie Ring
Code Enforcement Officer

REQUESTED ACTION: **Court Ordered Compliance**
FORWARDED TO: County Attorney Trey Thurman
Wooten Holding Co. LLC
BY: Charlie Ring,
Pender County Code Enforcement Officer
DATE: 08-30-2019

Case Summary and copy of
Notice of Violation are on file.

CC: To Owner
Planning Director

Pender County
Planning and Community Development

Code Enforcement
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

1st NOTICE OF VIOLATION

November 30, 2018

Wooten Holding Co. LLC.
805 Robinwood Street
Burgaw, NC 28425

Dear Property Owner,

NOTICE OF VIOLATION: You are hereby given notice that a violation or violations of the Special Use Permit issued exists at the property described below and owned/occupied by you. As the property owner you are required to comply with the Special Use Permit issued and violations that are not rectified may constitute a permit revocation.

LOCATION AND DESCRIPTION OF PROPERTY WHERE VIOLATION EXIST:
Property located at 128 Broadview Lane, Hampstead, NC, 28443 and identified by the Pender County Tax Office as Parcel Identification Number 3292-63-8007-0000.

CONDITIONS THAT CREATE VIOLATION:
Non-compliance of Special Use Permit issued January 20, 2004 and subsequently revised November 15, 2004, and December 20, 2004 (Attachment 1).

Specific conditions to be complied with are as follows:

- Compliance with Site Plan as approved on May 19, 2004 and subsequently signed by Joyce H. Wooten (Attachment 2)
- Conditions applied to the Special Use Permit and approved Site Plan
  - Fencing (6' high picket fencing) along the southwestern property line being not located in the correct area, this should be at minimum 5' off the property line. Furthermore, the relocated fencing should be supplemented with a retention structure as to control sediment and lateral movement of soil from the parking lot area (Condition #3 – 12/20/04 SUP Approval).
  - Buffering – Lack of vegetation as identified and approved on the Site Plan, please reference Condition #7 – 12/20/04 SUP Approval.
  - Parking and Surfacing – Parking areas are not stabilized and marked as conditioned in the approved SUP (Condition #4/#5/#14 – 1/20/04).
  - Any other Conditions not being adhered to as apparent through the initial site inspection and subsequent review.

CORRECTIVE ACTIONS THAT MUST BE TAKEN BY PROPERTY OWNER/VIOLATOR: All items falling under the above description of violation must be rectified. It's advisable to contact the Pender County Code Enforcement Office to discuss the owner's intent to remedy the violation.

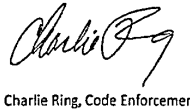
DATE BY WHICH CORRECTIVE ACTION MUST BE COMPLETE:
This violation must be corrected within thirty (30) consecutive calendar days of receipt of this notice. If the violation(s) is/are are not corrected within this period, you will immediately thereafter be subject to the penalties noted herein.

PROPERTY OWNER/VIOLATOR'S RIGHT TO APPEAL:
You are hereby given notice that you have the right to appeal the determination made by the Code Enforcement Officer to the Pender County Board of Adjustment. If you elect to appeal this determination, you must file a written request for appeal, specifying the reason for the appeal and paying the associated fees for appeal within thirty (30) days of receipt of this notice. The appeal shall be filed with the Pender County Planning Department, Zoning Administrator, 805 South Walker Street, Burgaw, NC 28425. An appeal will stay all required proceedings under this notice until the Board of Adjustment acts upon the appeal.

PENALTIES FOR VIOLATIONS NOTED: Violations are subject to civil penalty in the amount of One Hundred ($100.00) for each offense. Each day a violation continues, shall constitute a separate and distinct offense, punishable as set forth in the Pender County Unified Development Ordinance.

REMEDIES IF CORRECTIVE ACTION NOT TAKEN:
The County shall through its County Manager and County Attorney initiate legal action to insure compliance through court action and the violator may be subject to paying the cost of this action, pursuant to G.S. 153A-123, in addition to any penalties noted above.

DATE OF NOTIFICATION:
This determination of violation made on the 27th day of November 2018 by the Pender County Code Enforcement Officer, after inspection of the property and the conditions. Please feel free to contact this office at any time. We will be happy to discuss this issue with you.



Charlie Ring, Code Enforcement Supervisor
(910) 259-1519
cring@pendercountync.gov

Permit # 03-07-21-16

INTRODUCED BY: Johnny Sutton **DATE:** January 20, 2004 **ITEM NO:** 3a

Special Use Permit: Expansion of Existing Hampstead Marina

SUBJECT: **CASE NO:** 03-07-21-16
PROPERTY RECORD NO: 08220 & 08221
APPLICANT: H. Allen and Joyce H. Wooten
OWNER: Joseph N. and Stella M. Honeycutt

ACTION REQUESTED: Approval Of Special Use Permit To Expand Hampstead Marina.

HISTORY/BACKGROUND:

Project Location: The property is adjacent to the Intracoastal Waterway at the end of Broadview Lane and Howards Channel Drive, approx. 0.15 of a mile north of the end of Factory Road in Hampstead, N.C. (See attached location map)

Project Description: Hampstead Marina consists of a boat ramp, bulkhead, pier with gazebo, 9 wet slips, proposed 119 parking spaces, picnic shelter and a single restroom. A single family dwelling is also located on the property and will be maintained as a separate use in a space meeting the Zoning Ordinance set back and area requirements. The expansion will include demolition of an existing accessory structure for parking expansion and addition of a 16 ft. by 16 ft. gazebo and new electrical for the site and pier, part of which has already been completed without required permits. Approval of this permit will also include construction and replacement of the pier, wet slips and boat ramp that has all ready been completed without local permits.

Project History: This property had been used as a marina and boat ramp for many years. The pier and boat slips were destroyed in the Hurricane of 1996 and were not replaced. A CAMA permit was obtained in July 2002 for 9 boat slips, the pier and gazebo. The CAMA permit contained a provision that local permits must be obtained. The boat ramp was subsequently rebuilt and the pier, boat slips and gazebo constructed without local permits. These facilities require a zoning permit for construction or replacement and the pier and gazebo require a building permit for replacement or construction as a commercial structure. In April 2003, Mr. Wooten requested an electrical permit for electrical service relocation for the existing picnic shelter, restroom on the site. The permit was issued. It was later realized that permits for the construction, repair or replacement of the pier boat, boat slips, boat ramp and gazebo had not been issued on the site. The Zoning Permit for the electrical service relocation was revoked. Mr. Wooten subsequently filed an application to the Board of Adjustment for Administrative Review of the Zoning Administrator's decision. At the June 18, 2003 Board of Adjustment meeting the Board ruled as follows:

1. The facility including the boat ramp with loading pier for pedestrian access, 20'x 20' shelter with one restroom and three vending machines, parking (extending to within approx. 220' of the front property line) and 9 boat mooring facilities and associated access piers (marina) could maintain its nonconforming status as an existing marina, since not all elements of the facility had not been destroyed and had continued to operate during the 5 year period when the pier and slips did not exist.
2. The facility and owner were and are subject to all permitting requirements of the Pender County Zoning Ordinance and must obtain the required permits for the facility prior to any operation of the facility.

The owner has therefore commenced the initiation of the permit acquisition process.

EVALUATION:

*A) **Public Notifications:*** Advertisements for the proposal have been placed in the Topsail Voice and Pender Post. Adjacent property owners were notified by first class mail. Special Use Permit signs were posted on or near the proposed site.

*B) **Zoning Ordinance Compliance:*** This property is currently zoned R-20, Residential and marinas are allowed as a special use in the R-20 District.

*C) **Land Use Plan Compliance:*** This property is classified as Limited Transition and is located adjacent to Outstanding Resource waters. The Pender County Land Use Plan prohibits the construction of new marina facilities in Outstanding Resource Water areas. The Pender County Board of Adjustment has ruled that this facility is an existing Marina under the provisions of the Pender County Zoning Ordinance. The Coastal Management staff has issued a CAMA permit for a 9 slip facility. Since this proposal is a minor expansion of an existing marina facility, it is not inconsistent with the Pender County Land Use Plan.

*D) **20/20 Growth Policies Consistency:*** The proposal is not inconsistent with the 20/20 Policies as long as reasonable measures are taken to install and provide long term maintenance of landscape materials appropriate to the site and area conditions.

*E) **Flood Hazard Ordinance Compliance:*** The proposal is in compliance with the Flood Hazard Prevention Ordinance, since the only structure (restroom building) on the site below flood elevation existed prior to the adoption of the Ordinance.

*F) **Existing Land Use In Area:*** Single family uses are located adjacent to the site on the northeast, northwest and southwest sides of the site. Estuarine waters are on the southeast side of the site. (See attached land use map).

*G) **Site Access Conditions:*** The marina site access to a state maintained road is not clear. Additional information must be submitted.

*H) **Conditions To Consider In Issuing A Special Use Permit For This Project:***

1. The following shall be submitted prior to issuance of a zoning permit for the site:
   a) An Existing Waste System Permit from the Pender County Environmental Health Division with a specific reference to the Hampstead Marina and limitations on capacity for the waste system.
   b) NCDOT Driveway Permit for access to the NCDOT state maintained road for the commercial facility identified herein as Hampstead Marina.
   c) A revised site plan complying with the conditions of this permit, including the specific description and location of perimeter fencing as required herein.
   d) Recorded documents showing that the commercial site has access to Broadview Lane or a NCDOT maintained road or other evidence satisfactory to the County Attorney that the commercial site has access to a NCDOT maintained road.
2. A separate Zoning Permit must be obtained for any existing or proposed signs located on the property or that advertise the site or use. All such signs shall be in accordance with Section 16 of the Pender County Zoning Ordinance.
3. Any flood or spotlights shall be oriented away from the street, water navigational channels or adjacent properties.
4. All areas of the marina site that are not stabilized with gravel, aggregate base course or an acceptable paving material or approved facilities shall be stabilized and maintained with a permanent vegetative coverage of 98%. Areas planted in grass shall be maintained at a height of not more than 6". A plan for the seeded areas approved in written form by the NC Agricultural Extension Service or the local SCS office of the USDA shall be submitted with the application for a zoning permit and all areas of the site shall be stabilized as specified prior to the issuance of an occupancy permit for the facility.
5. The site shall be maintained so that there is no visible erosion on the site and no visible transport of sediment off the site on to adjacent properties or into estuarine waters.
6. Occupancy of the site shall be limited to the capacity established by the Existing Septic Permit, the NCDOT driveway permit, the CAMA permit or the limitations established in this permit which ever is more restrictive.
7. A 6 ft high 6 inch by 6 inch wood fence shall be installed along the southwestern boundary from the corner of the residential site on the property to within 10 ft. the mean high water line. The fence shall be left in its

natural state or stained a neutral color and maintained for the duration of the project activity. This item shall be installed prior to issuance of an occupancy permit.

8. A type A buffer 10 ft. wide shall be provided along the southwestern boundary from the corner of the residential site on the property to within 50 ft. of the mean high water line and maintained for the duration of the project activity. This item shall be installed prior to issuance of an occupancy permit.
9. Landscape and buffer plantings as shown on the approved site plan shall be installed before issuance of an occupancy permit for any of the facilities. Such planting shall be installed with the minimum size requirements of Section 14 of the Pender County Ordinance and be surrounded by a physical barrier to protect plants from traffic.
10. Parking bays shall be physically marked on the ground with a physical barrier or other material approved by the zoning administrator as shown of the approved site plan.
11. A drive around shall be provided at the southwest end of the double parking bay in the central area of the site and shown on the revised site plan with a 20 ft. width.
12. Parking areas or access to parking spaces shall not exceed a slope of 8%. Verification of steep slope areas shall be provided by the applicant and parking shall be redesigned, graded or eliminated to comply with this requirement.
13. Other perimeter fencing shall be provided in the locations shown on the site plan to specifications as approved by the Zoning Administrator.
14. All parking bays shall be physically marked on the ground with vehicle physical barriers approved by the Zoning Administrator at the following locations:
    a) The end of each bay of parking,
    b) The center of each double bay of parking,
    c) The forward edge of each single bay of parking.
    d) Surrounding each designated landscape area shown of the approved site plan.
15. The central bay of double parking shown on the approved site plan shall provide for a drive around traffic pattern, so that traffic will not be required to back an excessive distance or turn around in a restricted area.
16. Occupancy of the site shall be limited to individuals that have a rental contract or permit for one of the 9 approved boat slips or use of the boat ramp. An approved permit or sticker as issued by the operator shall be displayed on each vehicle including boats that are parked on the site. The following additional conditions shall apply to capacity and occupancy of the site:
    a) No more than 9 watercraft of any type shall be docked or moored at the pier or wet slip facility at any time,
    b) No more than 5 watercraft of any type shall be temporarily moored in the boat ramp or boat ramp finger pier at any one time,
    c) No more than 16 water craft of any type will occupy or be located in the facility's dredged basin and within 120 ft. of the boat ramp or property shoreline,
    d) All vehicles on the landward side of the water line shall be parked in designated and physically marked parking spaces,
    e) The site on the landward side of the water line shall be limited to no more vehicles or vehicle combinations than there are designated parking spaces as shown on the final site plan approved by the Planning Director. This number shall not under any circumstances exceed 119 vehicles or vehicle combinations.
    f) The site shall be supervised and controlled so that violations of the conditions of this permit do not occur.
    g) The facilities shall not be used by any commercial boat dry stack or storage facility not physically located on the site to launch or store boats.
17. Storage or display of any salvage materials, merchandise or equipment on the site is prohibited.
18. The applicant shall submit a proposal for waste collection containers on the site and maintenance and servicing the containers to be approved by the zoning administrator prior to issuance of a final zoning permit.
19. Boats or boat trailers or other vehicles cannot be parked or stored on the site for more than 48 hours, except in the 9 boat slips shown on the site plan.

20. Applicant must obtain a building permit and certificate of occupancy as required under the NC Building Code for the pier and gazebo, prior to the site being occupied or access being provided to the facility.
21. The project shall maintain compliance with all conditions of the CAMA permit that is at any time in effect.
22. The project must be inspected and approved by the Zoning Administrator, including compliance with buffers, and other conditions of this permit and the Zoning Ordinance prior to an occupancy permit being issued or any occupancy or use of the site.
23. The project shall be maintained in accord with the applicant's final revised site plan as approved by the Zoning Administrator and the conditions of this permit.
24. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue in affect for the duration of this permit.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on January 20, 2004, the Pender County Board of Commissioners considered a Special Use Permit for Hampstead Marina as described herein and Dwight Strickland, Chairman is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS: **

MOVED Williams **SECONDED** Rivenbark

APPROVED X **DENIED** UNANIMOUS

YEA VOTES: Strickland ___ **Williams** ___ **Holland** V **Meadows** ___ **Rivenbark** ___

Dwight Strickland — 01-20-04

Dwight Strickland, Chairman — Date

Glenda Pridgen — 01-20-04

ATTEST — Date

** Remove Item 16g

Remove Item 10, 16d and 16e

Amend Section 7: A 6 ft. high picket fence

Add: To avoid light pollution, no overhead lights should be directed toward Piepmeyer's house.

kbw revis. 12-4-03,jsc review, 12-5-03, jcs revis 12/9/03 fin. jcs rev. 12/15/03
pd bocc resol-04

INTRODUCED BY: Johnny Sutton **DATE:** December 20, 2004 **ITEM NO:** 18.

Special Use Permit: Hampstead Marina Amendment

SUBJECT: **CASE NO:** 04-10-25-17
PROPERTY RECORD NO: 08220 & 08221
APPLICANT: H. Allen and Joyce H. Wooten
OWNER: Wooten Holding

ACTION REQUESTED: Amend the Special Use Permit for Hampstead Marina for the following:
1. Revise the permit requirements for the buffer along the southwestern property line.

HISTORY/BACKGROUND:
Project Location: The property is adjacent to the Intracoastal Waterway at the end of Broadview Lane and Howards Channel Drive, approx. 0.15 of a mile north of the end of Factory Road in Hampstead, N.C. (See attached location map)
Project Description: The project is an existing Marina/Boat Ramp that received Special Use Permit approval for expansion in January 2004. An amendment to the permit in November 2004 dealt with the buffer along the southwestern property boundary. The currently proposed amendment by staff would provide for a change in the conditions applying to the buffer along the southwestern property boundary.

Project History:
1. A Special Use Permit was approved for this facility on January 15, 2004.
2. A revision was approved to the permit on November 15, 2004.

EVALUATION: The permit revision was approved on November 15, 2004 after a two hour plus session of discussing the issue and issues not related to the buffer question. The facility has been judged to be an existing facility by the Pender County Board of Adjustment, a Quasi-Judicial Board. The 7 ft. wide protected buffer width that was approved on November 15, 2004, near the concrete boat ramp is likely not practical and staff feels could not be adequately maintained. The plantings in the buffer area would be the item critical for protection of neighboring properties. The proposed amendment would consist of a minor change in the original permit and would be consistent with Pender County Policies, Plans and Ordinances. Planning Staff recommends approval of this resolution subject to the conditions noted below.

A) Conditions To Consider In Issuing A Special Use Permit For This Project:
1. All conditions of the original permit issued and executed by Pender County on 2-17-04 shall remain in effect, except those that are amended by action of the Board of Commissioners.
2. All plantings for the buffer along the southwestern property line shall be placed with top of the root ball at or within 12 inches of the ground level of the marina property 20 ft. from the property line in the area where the planting is to be placed.
3. The six foot picket fence cannot be used as a retaining wall to prevent the lateral movement of soil from the parking lot area (Note: a building permit is required for any structure that is used to prevent the lateral movement of soil for any required activity associated with a commercial use. The structure may require engineered drawings in these situations prior to a building permit being issued).
4. The required 6 ft. high picket fence shall be 6 ft. high from ground level, 5 ft. from the southwestern property line. The ground level can be determined from the marina/boat ramp property side or from the ground levels on the properties to the southwest, but the fence must be at least 6 ft. high measured from one of these areas.
5. The sediment fence currently nailed to the southwestern side of the picket fence shall be removed and installed on the marina/boat ramp side of the fence to prevent sediment from being deposited on adjacent properties (the erected fence is within a few inches of the property line).
6. All conditions of compliance must be completed by February 15, 2005. This shall include the following:

a. Completion of all requirements for local permits, including Zoning and Building Related.
b. Completion of all requirements for required state permits, including CAMA Permits and verification that all components of the facility have been approved and are in compliance.

7. The type A buffer 10 ft. wide as described in the Pender County Zoning Ordinance and required in condition # 8 of the original permit shall be provided along the southwestern boundary from the corner of the residential site on the property to within 15 ft. (approximately 50 ft. of the MHW line) of the landward edge of the concrete boat ramp and maintained for the duration of the project activity except as follows:
   a. The buffer would begin 15 ft. landward from the edge of the flat pad of the concrete boat ramp.
   b. At this point the buffer would begin and have a protected width of 4 ft. from the property line for a distance of 50 ft.
   c. The buffer will then continue in a landward direction with a protected width of 7 ft. (beginning 65 ft. from the landward edge of the flat pad of the concrete boat ramp) for a distance of 40 ft. and to the top of upper or middle parking level of the property.
   d. The remainder of the buffer to the residential property line shall maintain a protected width of 10 ft.
   e. The area of the buffer described above (from 15 ft. landward of the edge of the flat pad of the concrete boat ramp for a distance of 90 ft.), plus an additional 100 ft. shall provide plantings as follows:
      1. An evergreen hedge that will provide a continuous screen at least 6' high within 4 years.
   f. The remainder of the buffer shall provide plantings as follows:
      1. 3 canopy trees, 3 under story trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on December 20, 2004 the Pender County Board of Commissioners considered a Special Use Permit amendment for Hampstead Marina as described herein and Eugene Meadows, Chairman is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS: Approved as submitted but with stipulation that the solid upper buffer is not required. Discussion clarified that there be no vegetative buffer on the upper level.

MOVED Moore **SECONDED** Rivenbark

APPROVED X **DENIED** _____ **UNANIMOUS** _____

YEA VOTES: Meadows ____ Holland X Moore X Rivenbark X Williams ____

Eugene B. Meadows 12-5-0420
Eugene Meadows, Chairman **Date**

Glenda Pridgen 12-20-04
ATTEST **Date**

Permit # 03-07-21-16

INTRODUCED BY: Johnny Sutton **DATE:** November 15, 2004 **ITEM NO:** 18.

Special Use Permit: Existing Hampstead Marina Special Use Permit Revision

SUBJECT: **CASE NO:** 04-10-25-17
PROPERTY RECORD NO: 08220 & 08221
APPLICANT: H. Allen and Joyce H. Wooten
OWNER: Wooten Holding

ACTION REQUESTED: Revision of an Approved Special Use Permit for Hampstead Marina for the following amendments:

1. Revise the permit to require the planted buffer along the southwest property line end 160 ft. from the high water line.
2. Extend the time allowed for all conditions to be met to February 15, 2005.

HISTORY/BACKGROUND:

Project Location: The property is adjacent to the Intracoastal Waterway at the end of Broadview Lane and Howards Channel Drive, approx. 0.15 of a mile north of the end of Factory Road in Hampstead, N.C. (See attached location map)

Project Description: Hampstead Marina consists of a boat ramp, bulkhead, pier with gazebo, 9 wet slips, 119 parking spaces, picnic shelter and a single restroom. A single family dwelling is also located on the property and will be maintained as a separate use in a space meeting the Zoning Ordinance set back and area requirements. The recently approved expansion will include demolition of an existing accessory structure for parking expansion and addition of a 16 ft. by 16 ft. gazebo and new electrical for the site and pier, part of which was completed without required permits. The expanded Marina also includes a pier, wet slips and boat ramp that was all completed without local permits.

Project History:

1. A Special Use Permit was approved for this facility on January 15, 2004 (see executed permit attached).
2. A site plan as required to be submitted under the Special Use Permit was approved by Planning Staff on May 19, 2004.
3. A Zoning Permit was issued in August 2004 with the requirement that all conditions be completed by December 15, 2004.
4. During this process a neighbor adjacent to the site reviewed the staff approved site plan and the original permit and noticed the following discrepancies between the Approved Permit Conditions and the Staff Approved Site Plan:
   a. The planted buffer along the southwest property line had been approved by staff approximately 160 ft. short of the mean high water line. This in effect allowed the buffer to end 160 ft. from the mean high water line instead of 50 ft. A specific requirement of the permit was that the buffer be provided to within 50 ft. of the mean high water line.
   b. A gate was shown on the staff approved site plan in the required fence along the southwest property line and the gate was not included in the application or in the permit conditions.
   c. A seawall was constructed along the southwest property line that was not shown on the County or CAMA Permit.
5. The applicant has subsequently requested a revision to the approved Special Use Permit.

EVALUATION:

A) ***Public Notifications:*** Advertisements for the proposal have been placed in the Topsail Voice and Pender Post. Adjacent property owners were notified by first class mail.

B) Zoning Ordinance Compliance: This property is currently zoned R-20, Residential. Marinas are allowed as a special use in the R-20 District. The facility will be incompliance with the Zoning Ordinance when all local and state regulation requirements are completed.

C) Land Use Plan Compliance: This property is classified as Limited Transition and is located adjacent to Outstanding Resource waters. The Pender County Land Use Plan prohibits the construction of new marina facilities in Outstanding Resource Water areas. The Pender County Board of Adjustment has ruled that this facility is an existing Marina under the provisions of the Pender County Zoning Ordinance. The Coastal Management staff has issued a CAMA permit for a 9 slip facility. Since this proposal is a minor expansion of an existing marina facility, it is not inconsistent with the Pender County Land Use Plan as long as all required permits are obtained and it is in compliance with local and state regulations.

D) 20/20 Growth Policies Consistency: The proposal is not inconsistent with the 20/20 Policies as long as reasonable measures are taken to install and provide long term maintenance of landscape materials appropriate to the site and area conditions.

E) Flood Hazard Ordinance Compliance: The applicant must verify that all electrical component installations for the pier and gazebo are elevated above FEMA flood elevation in order for the project to comply with the Flood Hazard Prevention Ordinance.

F) Existing Land Use In Area: Single family uses are located adjacent to the site on the northeast, northwest and southwest sides of the site. Estuarine waters are on the southeast side of the site.

G) Site Access Conditions: The marina site has access to a state maintained road along a recorded easement from the site.

H) Staff Comments: Staff will note the following conditions that currently exist.

1. This project has resulted in a long, complicated and controversial process as a result primarily of the applicant not obtaining the required, obvious permits.
2. The property is continuing to be used as a marina without compliance with the local Zoning Ordinance and NC State Building Code and no occupancy being authorized by Pender County.
3. There are numerous permit requirements that must still be fulfilled prior to official occupancy being approved by the County Planning and Building Inspections Department.
4. It will shortly be beyond the normal planting season for required buffer and landscape plants.
5. It should be noted also that the Zoning Ordinance requires required buffers and landscape plants to be installed prior to occupancy of a facility or within 90 days when an adequate security is posted to insure installation of the plantings.
6. The reason for planning staff allowing a change in the approved site plan from the permit conditions were as follows:
   a. It was felt that the planted buffer would be hard if not impossible to maintain in the lower part of this area because of its proximity to the boat ramp traffic. It is likely that at least 60 additional ft. of the deleted buffer could be installed without causing undue hardship for maintenance.
   b. It was felt that a gate in a fence does not change the requirements for the fence to be installed. A condition was noted on the site plan that the gate could only be used for the purposes allowed by the easement that was recorded and not for commercial or marina use.

I) Conditions To Consider In Issuing A Special Use Permit For This Project:

1. All conditions of the original permit executed on 2-17-04 shall remain in effect, except those that are amended by action of the Board of Commissioners.
2. The applicant will install all buffer and landscape plants as required under the original and amended Special Use Permits by 12-15-04, in compliance with the planting specifications of Section 14 of the Zoning Ordinance.
3. All other conditions of compliance must be completed by February 15, 2005. This shall include the following:
   a. Completion of all requirements for local permits, including Zoning and Building Related.
   b. Completion of all requirements for required state permits, including CAMA Permits and verification that all components of the facility have been approved.

4. The type A buffer 10 ft. wide as required in condition # 8 of the original permit shall be provided along the southwestern boundary from the corner of the residential site on the property to within 100 ft. of the mean high water line and maintained for the duration of the project activity. The plantings required in the A buffer shall continue adjacent to the property line for an additional 25 ft. and to within 75 ft. of the mean high water line.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on November 15, 2004 the Pender County Board of Commissioners considered a Special Use Permit for Hampstead Marina as described herein and Dwight Strickland, Chairman is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS: ** See Revisions Below.

MOVED Williams **SECONDED** Rivenbark

APPROVED X **DENIED** UNANIMOUS

YEA VOTES: Strickland ___ Williams ___ Holland ___ Meadows ___ Rivenbark ___

Dwight Strickland, Chairman — 11-15-04 Date

Glenda Pridgen ATTEST — 11-15-04 Date

** To adhere with the original distances (buffer). The seven foot buffer begins at the curve in the fence, down to the dock. Additional time is allowed to complete work on this Special Use Permit until February 15, 2005.

Pender County
VAR 2022-12

TO:	Zoning Board of Adjustment
FROM:	Greg Feldman
DATE:	December 14, 2022
SUBJECT:	VAR 2022-12

SUMMARY:
Pope Properties on 17, LLC, applicant, and owner, is requesting a variance for relief from the Pender County Unified Development Ordinance standards outlined in Section 8.1.3 'Tree Survey Required.' Specifically, the request is to seek relief from the mitigation requirements for the removal of significant trees. The subject properties are located east of US Highway 17 at its intersection with Scotts Hill Loop Road in the Topsail Township. There are four tracts totaling approximately 8.16 acres of land associated with this request and may be further identified by Pender County PINs 3271-41-0365-0000, 3271-41-3641-0000, 3271-41-4387-0000, & 3271-41-2253-0000.

ACTION REQUESTED:
Public Hearing and Consideration of Variance Request

ATTACHMENTS:
1. Staff Report
2. Application
3. Authority for Appointment
4. Attachment 1 - Narrative
5. Attachment 2 - Tree Planting Tables from UDO
6. Attachment 3 - Correspondence Between Applicant and Staff
7. Attachment 4 - Convenience Store Site Plan
8. Attachment 5 - Tree Survey

STAFF REPORT FOR VAR 2022-12
VARIANCE APPLICATION

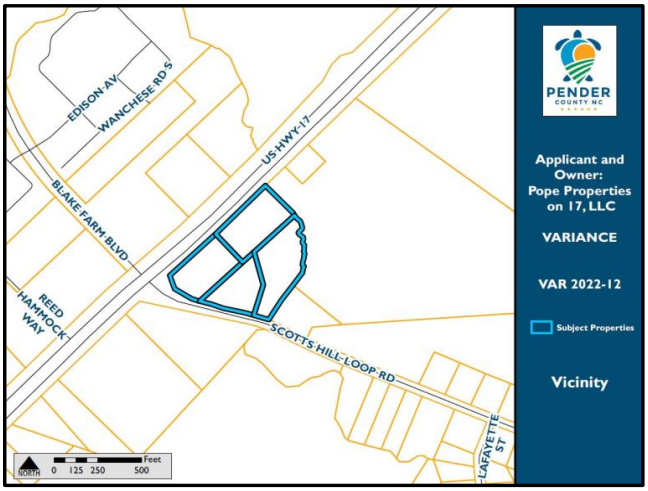
APPLICATION SUMMARY	
Case Number	VAR 2022-12
Hearing Date	December 14, 2022 Board of Adjustment
Applicant	Pope Properties on 17, LLC
Property Owner	Pope Properties on 17, LLC
Parcel Identification Number	3271-41-0365-0000, 3271-41-3641-0000, 3271-41-2253-0000, & 3271-41-4387-0000
Acreage	8.16
Township	Topsail
Zoning District	GB, General Business
Pender 2.0 Future Land Use Category	Regional Mixed Use

VARIANCE PROPOSAL

Pope Properties on 17, LLC, applicant, and owner, is requesting a variance for relief from the Pender County Unified Development Ordinance standards outlined in Section 8.1.3 'Tree Survey Required.' Specifically, the request is to seek relief from the mitigation requirements for the removal of significant trees.

LOCATION

The subject properties are located east of US Highway 17 at its intersection with Scotts Hill Loop Road in the Topsail Township.



PROPERTY DESCRIPTION

There are four tracts of land associated with this request that total approximately 8.13 acres. Each tract is fairly wooded with a residential structure located on PIN 3271-41-2253-0000. Pender County PIN 3271-41-0365-0000 currently has an active Major Site Development Plan application under review for a convenience store and gas station with the Pender County Planning and Community Development Department. During Staff's review of the application, it was determined by the applicant that fulfilling the required significant tree mitigation in accordance with Section 8.1.3 of the Pender County Unified Development Ordinance (UDO) will be challenging without a "fee in lieu" instrument when developing the properties commercially. Additionally, the screen shot below shows four access and utility easements within the subject properties. Section 8.2.5, Planting in Easements, of the UDO does not allow for the planting of new trees in utility or drainage easements which further limits the area where the required mitigation trees could be planted on site. In addition to the existing easements, the applicant has indicated within their submitted narrative that approximately 1.17 acres of the four parcels have been identified as wetlands. The applicant's narrative is included within the board's packet as **Attachment 1**.

Below: Aerial Photograph of Subject Properties with Existing Easements Shown



Below: Aerial Photograph of Subject Property



VARIANCE DESCRIPTION

The applicant is requesting a Variance from the requirement of mitigating all removed Significant Trees at a 2 to 1 ratio. According to Section 8.1.3 'Tree Survey Required' of the Pender County Unified Development Ordinance (UDO), a tree survey is required for any development proposal on commercial or industrial zoned property, as well as in all mixed-use districts. In addition, if any significant tree is proposed to be removed, such removal shall be mitigated by the planting on site of two trees of the same species with a minimum caliper of 2" or greater.

Significant Trees are defined as such in this section of the UDO:

SIGNIFICANT TREE SPECIES	TRUNK CALIPER[1]
Flowering Dogwood	4" or greater
American Holly	6" or greater
Water Oak	8" or greater
Live Oak	8" or greater
Any other in 'planting table', except a loblolly pine[2]	12" or greater

[1] All measurements are taken at 4.5 feet above the ground

[2] Please refer to **Attachment 2** for the complete planting table sourced from Appendix B of the UDO

According to the applicant's narrative, tree survey, and correspondence, there are a total of 144 significant significant trees across all four parcels. Correspondence between the applicant and Planning Staff can be found in the board's packet as **Attachment 3**. The significant trees shown on the submitted Significant Tree Survey include a mix of dogwoods and various types of oaks.

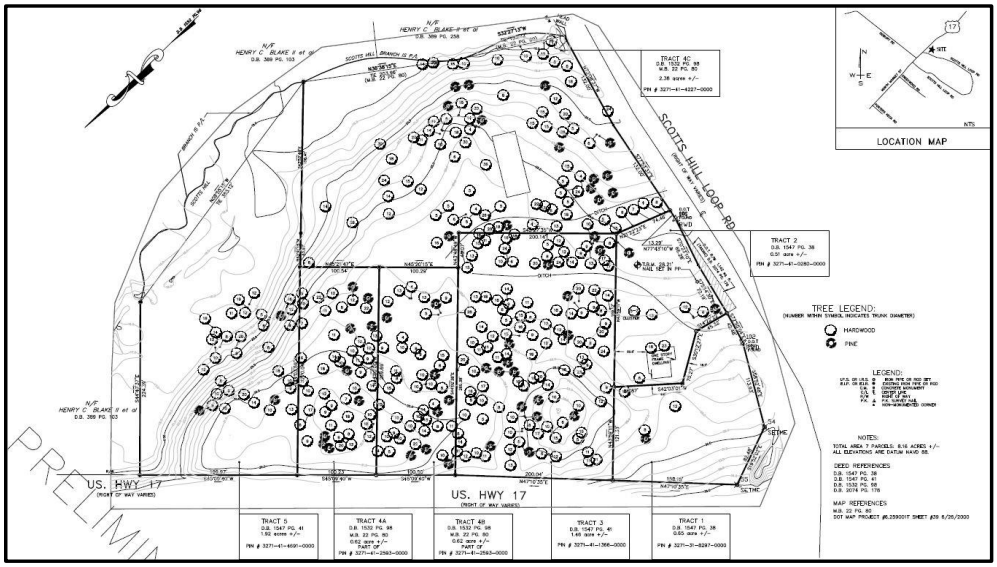
The applicant submitted a Major Site Development Plan to construct a convenience store with a car wash, fuel station, and a stormwater pond that will serve the future commercial developments across the four subject properties. The site plan associated with the reference project may be found in the board's packet as **Attachment 4**. The project consists of two structures totaling 6,712 square feet and was reviewed by the Pender County Technical Review Committee at their January 6, 2022 meeting. During that review, Planning Staff noted the site contained a large number of significant trees requiring mitigation. The applicant conveyed to Planning Staff that 62 significant trees would need to be mitigated at a 2 to 1 ratio based on the proposed convenience store and stormwater pond's location. This number was calculated based on the applicant mitigating to the extent possible. Through the applicant's submitted narrative, they contend that the required 2 to 1 mitigation of the 62 significant trees will not allow enough space to develop the property and is impractical in this location.

While 62 trees are requiring mitigation for the proposed convenience store, gas station, and stormwater pond, the applicant request the Board of Adjustment to consider allowing a "fee in lieu" or off-site planting option for the 144 total significant trees that exits across all four subject properties listed.

Please see the table below for the required landscaping buffers for this development according to Section 8.2.7. 'Project Boundary Buffer' of the UDO.

REQUIRED BUFFERS	
Buffer Type	**Location of Buffer**
Type A	Along US HWY 17 & Scotts Hill Loop Road
Type B	North & Eastern Property Lines

Below: Applicant's Tree Survey (Attachment 5)



ZONING ADMINISTRATOR'S CONCLUSION

The applicant is requesting relief from the significant tree mitigation requirements outlined in Section 8.1.3 'Tree Survey Required'. Rather than mitigating each removed significant tree at a 2 to 1 ratio, the applicant is requesting to pay a fee in lieu or plant the required mitigation trees that exist across all four parcels in another location within Pender County. The applicant is requesting relief from the significant tree mitigation standards due to the extent of the proposed development that constricts enough space to plant the required amount of mitigation trees. Sixty-two (62) trees will require mitigation based on the submitted site plan for a convenience store, gas station, and stormwater pond that is currently under Planning review by the Planning Department, however, the applicant is requesting the Board of Adjustment consider a fee in lieu or off -site planting option for all 144 significant trees located on the four parcels of land included within this Variance application.

PENDER COUNTY UDO VARIANCE EVALUATION

3.14 VARIANCE

3.14.1 Applicability

A. The Board of Adjustment may vary certain requirements of this Ordinance, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical or result in a hardship in making reasonable use of the property.
B. The Board of Adjustment may waive certain requirements when authorized to do so by provisions adopted as a part of this Ordinance.
C. No variance shall be permitted that would have the effect of allowing a use not permitted in the use table of Section 5.2.3.
D. No variance shall be permitted that would allow a project to exceed the maximum density as to number of dwelling units to the acre in a Zoning District. This maximum density shall be inclusive of any density bonus allowance or additional units in a planned unit development.
E. The need for the variance cannot be a result of the owner's own actions and cannot be for strictly economic reasons.
F. The Board of Adjustment may grant variances in the following special circumstances, as indicated in Section 3.14.7 of this Ordinance.

3.14.6 Burden of Proof

The applicant seeking the variance shall have the burden of presenting evidence sufficient to allow the Board of Adjustment to reach the conclusions set forth below (Findings), as well as the burden of persuasion on those issues.

3.14.7 Findings

In granting any variance, the Board of Adjustment shall make the following findings:

A. That special or unique circumstances or conditions or practical difficulties exist which apply to the land, buildings or uses involved which are not generally applicable to other land, buildings, structures, or uses in the same zoning districts;
    1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
    2) The hardship results from conditions that are peculiar to the property, such as location, size, topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
    3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting of a variance shall not be regarded as a self-created hardship.

4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved. B. In making the findings above, the Board of Adjustment may give special weight to the number and percentage of nearby properties that share characteristics for which the variance is requested by the applicant. The Board of Adjustment may grant a variance to expand an existing structure, including the expansion of a nonconforming structure if the findings listed above can be made.

B. In making the findings above, the Board of Adjustment may give special weight to the number and percentage of nearby properties that share characteristics for which the variance is requested by the applicant. The Board of Adjustment may grant a variance to expand an existing structure, including the expansion of a nonconforming structure if the findings listed above can be made.

BOARD OF ADJUSTMENT: FINDING OF FACTS

1. It is the Board's CONCLUSION that the hardship of which the applicant complains **results/does not result** from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
    a. This conclusion is based on the following FINDINGS OF FACT:

2. It is the Board's CONCLUSION that, the hardship **results/does not result** from conditions that are peculiar to the property, such as location, size, topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
    a. This conclusion is based on the following FINDINGS OF FACT:

3. It is the Board's CONCLUSION that the hardship **results/does not result** from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting of a variance shall not be regarded as a self-created hardship.
    a. This conclusion is based on the following FINDINGS OF FACT:

4. It is the Board's CONCLUSION that, the requested variance is **consistent/not consistent** with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.
    a. This conclusion is based on all of the FINDINGS OF FACT:

BOARD OF ADJUSTMENT ACTION FOR VARIANCE	
MOTION	**SECONDED**

APPROVED	DENIED	UNANIMOUS

Kipfer	Breuer	Keeler	ALT: Olsen	ALT: Snider

APPLICATION FOR VARIANCE

THIS SECTION FOR OFFICE USE			
Application No.	VA	**Date**	
Application Fee	$	**Invoice Number:**	

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	Pope Properties on 17, LLC	**Owner's Name:**	Pope Properties on 17, LLC
Applicant's Address:	4701 Wrightsville Ave., Suite 1A	**Owner's Address:**	4701 Wrightsville Ave., Suite 1A
City, State, & Zip	Wilmington, NC 28403	**City, State, & Zip**	Wilmington, NC 28403
Phone Number:	910-520-7522	**Phone Number:**	910-520-7522
Email Address:	glea15@aol.com david.sneeden@gmail.com	**Email Address:**	glea15@aol.com david.sneeden@gmail.com
Legal relationship of applicant to landowner:	Applicant is Landowner		

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	3271-41-0365-0000 3271-41-3641-0000 3271-41-4387-0000 3271-41-2253-0000	**Total property acreage:**	±8.16 acres
Zoning Classification:	GB	**Variance Size:**	±8.16 acres
Variance Location & Address	4314 Scotts Hill Loop Rd., 4260 Scotts Hill Loop Rd., 10642 US 17 Hwy		
Describe Variance and amount or type requested:	Please see attached Exhibit A.		

SECTION 3: SIGNATURES

Applicant's Signature	Glenn Lea	**Date:**	11/2/22
Applicant's Name Printed	Glenn Lea, Member/Manager, Pope Properties on 17, LLC	**Date:**	
Owner's Signature	Glenn Lea	**Date:**	11/2/22
Owner's Name Printed	Glenn Lea, Member/Manager, Pope Properties on 17, LLC	**Date:**	

NOTICE TO APPLICANT:

1. The Board of Adjustment shall review applications for a variance and shall be the approving authority for all requirements.
2. All applicants seeking a variance shall schedule a pre-application conference with the administrator to discuss the procedures, standards, and regulations required for variance approval.
3. An application for a variance shall be submitted in accordance with application requirements.
4. Once the application has been determined complete, the Administrator shall schedule a public hearing and give notice to adjoining/abutting property owners and aggrieved parties in the form of applicant supplied #10 envelopes with paid first class postage.
5. The applicant seeking the variance shall have the burden of presenting evidence sufficient to allow the Board of Adjustment to reach the conclusions set forth below (Findings), as well as the burden of persuasion on those issues.
6. Applicant must also submit the information described in the Variance Checklist provided below.
7. Applicant or agent authorized in writing must attend the public hearing.
8. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Adjustment agrees to table or delay the hearing.

OFFICE USE ONLY

☐	**VA Fees $250**	**Total Fee Calculation $**

Payment Method :	**Cash :** ☐ $_____	**Credit Card:** ☐ Master Card ☐ Visa	**Check:** ☐ Check # _____
Application received by:		Date:	

Application completeness approved by:		Date:
Date scheduled for public hearing:		

AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

The undersigned applicant/owner, Pope Properties on 17, LLC, does hereby appoint Matthew A. Nichols to act on my behalf for the purpose of making application to the Pender County Board of Adjustment for a variance or for an appeal to the Board of Adjustment as described in the attached application.

The applicant/owner does hereby covenant and agree with Pender County that said person has the authority to do the following acts for and on behalf of the applicant/owner:

1. To submit a proper application and the required supplemental materials.
2. To appear at quasi-judicial hearings to give testimony and make commitments on behalf of the applicant/owner.
3. To accept conditions or recommendations of the Board of Adjustment regarding the applicant/owner's property.
4. To act on the applicant/owner's behalf without limitation regarding any and all things directly or indirectly connected with or arising out of any application for a variance from the County regulations or any appeal to the Board of Adjustment.

This appointment agreement shall continue in effect until final disposition of the application submitted in conjunction with this appointment.

Date: 11/2/22

Appointee's Name, Address & Telephone:

Matthew A. Nichols
Law Office of Matthew A. Nichols
3205 Randall Parkway, Suite 104
Wilmington, NC 28403
(910) 508-7476

Signature of Applicant/Owner:

Pope Properties on 17, LLC
By: Glenn Lea, Member/Manager

Exhibit A Narrative

The Applicant/Property owner is requesting a variance from Pender County UDO Sec. 8.1.3.A, which states: "Where any significant tree shown on the significant tree survey is proposed to be removed such removal shall be mitigated by the planting on site of two (2) trees of the same species with a minimum caliper of 2" or greater." Pender County UDO § 8.1.3.A(4).

As illustrated in the attached tree survey, an extraordinary amount of significant trees are located on the site. In order to accommodate the proposed building and site improvements, stormwater pond and public access, utility and drainage easements 65 significant trees would need to be removed, and under the current ordinance would need to be mitigated at a 2:1 ratio. The subject parcels combined are ±7.9 acres, of which ±1.17 acres is wetlands. Further impacting the buildable and plantable area is a large stormwater pond across the back of the property that will be needed to serve the three smaller commercial lots which total ±4.8 acres. Additionally, there are further subtractions from each of the remaining lots for buildable land. There is simply not enough space to accommodate the required replacement trees and still allow reasonable development of the site. The site would be rendered essentially unsuitable and unusable for the permitted uses within the General Business District without relief from the section. That would be contrary to the purpose of the General Business District and the Pender 2.0: Comprehensive Land Use Plan Regional Mixed Use future land use category. The Applicant is requesting a variance to allow for the planting of mitigated trees offsite and/or payment in lieu to the County for the planting of mitigated trees offsite, as determined by the County.

1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

The number of trees that would be required to be planted at a 2:1 mitigation ratio will not allow enough space to develop the property and is impractical in this location. The General Business District, in which the subject property is located, is "established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses." Pender County UDO § 4.9.1 GB: General Business District.

In order to develop the property with uses to serve the surrounding residents consistent with the intent of the District, the Applicant/Property Owner must remove a large number of significant trees. Additionally, to properly design the stormwater system, a large stormwater pond is required which will require the removal off additional trees. Due to the limited area of the subject property there will not be room to make all necessary improvements, construct commercial buildings and mitigate trees at a 2:1 ratio. Without

a variance, the site cannot be developed appropriately for the GB Business District or the Regional Mixed Use future land use type it is located within.

2) The hardship results from conditions that are peculiar to the property, such as location, size, topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

This particular property is unique given its size, shape, location, and unusual amount of significant trees. Access easements and public utility easements are already established and dedicated on the property, as shown on that map recorded in Map Book 68 at Page 144 of the Pender County Registry. Additionally, the stormwater pond required for this property is also quite large in relation to the overall size of the property, and there are site constraints due to wetlands along the northeastern side of the property.

The property consists of ±7.9 acres, which includes ±1.17 acres of wetlands. The large stormwater pond necessary for development of the commercial lots takes up a large portion of the back of the property. What is left over for commercial development (±4.8 acres for 3 commercial lots) after accounting for wetlands and stormwater engineering is then further reduced by additional subtractions from buildable area.

3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting of a variance shall not be regarded as a self-created hardship.

The hardship did not result from actions take by the Applicant or the property owner. The hardship derives from naturally occurring features of the property that prevents reasonable use of the land for the intended purposes under the UDO's General Business District zoning district.

4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

In order to develop the property consistent with the ordinance and with the Pender County Comprehensive Plan a variance is required. The Pender County Comprehensive Plan Future Land Use Map designates this property as Regional Mixed Use. The Regional Mixed Use category is intended to allow for strategic location of future development where water and sewer infrastructure is already in place along major corridors, in this case U.S. Highway 17.

The Comprehensive Plan states:

> The preferred land use mix is primarily commercial/retail and office with multi-family residential uses. Large employment centers and

retail spaces are encouraged. Higher density single-family uses should account for less than 25% of a development proposal and should complement a more substantial mix of commercial/office and multi-family development.

Pender 2.0: Comprehensive Land Use Plan (pp. 5-16).

The proposed development of the site is consistent with both the Pender County UDO and the Comprehensive Plan. Development of commercial businesses in this location will be a benefit to nearby residents and to the County as a whole. The variance request to allow for the planting of mitigated trees offsite and/or payment-in-lieu to the County for the planting of mitigated trees offsite will also allow the County to plant or maintain additional trees where best suited, as determined by the County.

AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

The undersigned applicant/owner, Pope Properties on 17, LLC, does hereby appoint Matthew A. Nichols to act on my behalf for the purpose of making application to the Pender County Board of Adjustment for a variance or for an appeal to the Board of Adjustment as described in the attached application.

The applicant/owner does hereby covenant and agree with Pender County that said person has the authority to do the following acts for and on behalf of the applicant/owner:

1. To submit a proper application and the required supplemental materials.
2. To appear at quasi-judicial hearings to give testimony and make commitments on behalf of the applicant/owner.
3. To accept conditions or recommendations of the Board of Adjustment regarding the applicant/owner's property.
4. To act on the applicant/owner's behalf without limitation regarding any and all things directly or indirectly connected with or arising out of any application for a variance from the County regulations or any appeal to the Board of Adjustment.

This appointment agreement shall continue in effect until final disposition of the application submitted in conjunction with this appointment.

Date: 11/2/22

Appointee's Name, Address & Telephone:

Matthew A. Nichols
Law Office of Matthew A. Nichols
3205 Randall Parkway, Suite 104
Wilmington, NC 28403
(910) 508-7476

Signature of Applicant/Owner:

Pope Properties on 17, LLC
By: Glenn Lea, Member/Manager

Recommended Canopy Trees

Botanical/ Common Name	Recommended Varieties	Height/Spread At Full Maturity	Growth Rate	Exposure	Notes & Culture
Acer rubrum Red Maple*	'October Glory' 'Red Sunset' 'Autumn Blaze'	40-50 ft Ht 25-35 ft Sp	Medium	Full Sun to Light Shade	Moist to well drained soil Does not perform well in parking lots. Needs consistent moisture
Betula Nigra River Birch* %	'Heritage' 'Dura Heat'	40-70 ft Ht 40-60 ft Sp	Fast	Full Sun	Moist to well drained soil
Celtis laevigata Sugarberry* %				Full Sun	Wet to well drained soil Extremely tough but not readily available
Crataegus phaenopyrum Washington Hawthorn*		25-30 ft Ht 20-25 ft Sp	Medium	Sun to Light Shade	Moist to well drained soil White flowers in Spring Red fruit in Fall
Fagus grandiflora American Beech*		50-70 ft Ht 40-60 ft Sp	Slow	Full Sun	Well drained soil Not readily available – not the best choice for parking lots
Ginko biloba Maidenhair Tree %	'Autumn Gold'	50-70 ft Ht 30-40 ft Sp	Slow	Full Sun	Well drained soil Very tough – good urban tree
Lagerstromia indica & fauriei Crepe Myrtle %	'Miami' 'Natchez' 'Tuscarora' Muskogee, Tuskegee, Biloxi, Choctaw, Fantasy	20-40 ft Ht 20-35 ft Sp	Medium	Full Sun	Well drained soil Flowers all Summer Drought tolerant

Magnolia grandiflora Southern Magnolia*	'DD Blanchard' 'Claudia Wanamaker' 'Overton' 'Bracken's Brown Beauty'	20-80 ft Ht 20-50 ft Sp	Slow to Medium	Full Sun to Part Shade	Well drained soil May be considered too large for most parking islands Evergreen
Botanical/ Common Name	**Recommended Varieties**	**Height/Spread At Full Maturity**	**Growth Rate**	**Exposure**	**Notes & Culture**
Pistache chinensis Chinese Pistache%		30-35 ft Ht 25-35 ft Sp	Slow	Full Sun	Well drained soil. Exceptionally tough urban tree.
Quercus alba White Oak*		50-80 ft Ht 40-80 ft Sp	Slow to Medium	Full Sun	Moist to well drained soil Reddish purple fall color Not tough enough for parking lots
Quercus lyrata Overcup Oak* %		40-60 ft Ht 40-60 ft Sp	Medium	Full Sun	Wet to well drained soil Very tough
Quercus nigra Water oak* %		50-80 ft Ht 30-60 ft Sp	Medium to Fast	Full Sun to light Shade	Moist to well drained soil Salt Tolerant
Quercus nutallii Nutall Oak* %		40-60 ft Ht 30-50 ft Sp	Medium	Full Sun	Moist to well drained soil Red fall color. Faster growing than Shumard Oak.
Quercus phellos Willow Oak* %		40-80 ft Ht 30-80 ft Sp	Medium to Fast	Full Sun	Moist to well drained soil Fine texture foliage
Quercus shumardii Shumard Oak* %		40-60 ft Ht 40-60 ft Sp	Medium	Full Sun	Moist to well drained. Very similar to Nutall Oak
Quercus virginiana Southern Live Oak* %		40-80 ft Ht 60-100 ft Sp	Medium	Full Sun to part Shade	Adapts to most soil types Salt Tolerant Evergreen
Taxodium distichum Bald Cypress* %		50-70 ft Ht 20-30 ft Sp	Medium	Full Sun	Wet to well drained soils Lacey foliage Extremely tough

Ulmus parvifolia Lacebark Elm %	'Bosque' 'Allee' 'Athena'	40-50 ft Ht 30-40 ft Sp	Fast	Full Sun	Well drained soil Exfoliating bark extremely tough

Native Plants*

Plants native to Southeastern USA are marked with an asterisk (*). These plants are endemic to Southeastern United States from Virginia to eastern Texas.

Trees recommended for parking islands %

Trees marked with a percent sign (%) indicates which trees are most likely to be successful in limited root zone areas (parking lot islands). Some of the others are great trees for our area (i.e. Red Maple and American beech) but they may not be suitable for confined areas such as parking lots. This does not mean they should not be considered for larger planting spaces such as common areas, buffer plantings or large islands.

Drought Tolerant Plants

Extremely drought tolerant plants are marked with an underline. When planted in their preferred soil type, these plants are able to withstand extended periods of drought, 4-6 weeks, without supplemental irrigation once established. Most trees and shrubs take two to three growing seasons to become fully established. Perennials, grasses and groundcovers usually require one to two seasons to become established. Regular supplemental water should be provided until plants become established.

Mature Size

Mature sizes of all plants are given as height and spread, though it may take many years to reach these dimensions. Mature size can vary depending on growing conditions.

Recommended Varieties

For many plants, recommended varieties are given. These are selections of that plant that either perform better in our area or are more suitable to the landscape than the plain species. Plant varieties, also known as cultivars, are listed enclosed in single quotes.

Exposure

Exposure refers to the amount of sunlight a site receives as follows:

- **Full Sun** indicates a site that receives at least 6-8 hours of direct sun each day.
- **Light Shade** indicates a site that is shaded less than half of the day by a light high shade such as that cast by pine trees.
- **Part Shade** indicates a site that is shaded half of the day by a dense shade like that cast by buildings or shade trees.
- **Full Shade** indicates a site that is in shade all day.

Soil Conditions

- **Wet** indicates a site that stays moist most of the time and receives periodic flooding
- **Moist** indicates a site that is moist most of the time with brief (less than 12 Hrs.) periods of standing water.
- **Well drained** indicates a site where water drains from the surface and rarely stands.
- **Xeric** indicates a site that is extremely dry and sandy with very little ability to hold water.

Recommended Understory Trees

Deciduous Species

Botanical/ Common Name	Recommended Varieties	Height/Spread At Full Maturity	Growth Rate	Exposure	Notes & Culture
Acer barbatum Southern Sugar Maple*		20-25 ft Ht 15-20 ft Sp	Medium	Sun to Light Shade	Moist to well drained soil Yellow & orange Fall color
Acer buergerianum Trident maple		20-25 ft Ht 10-15 ft Sp	Medium	Sun	Well drained soil Yellow, orange & red Fall color
Acer palmatum Japanese Maple		10-25 ft. Ht 10-20 ft Sp	Slow	Sun to Part Shade	Well drained, consistently moist soil. Good specimen tree. Does best under irrigation.
Amelanchier arborea Serviceberry*	'Autumn Brilliance'	20-25 ft Ht 10-15 ft Sp	Medium	Sun to Part Shade	Moist to well drained soil Orange fall color White flowers in Spring
Carpinus caroliniana Ironwood*		20-30 ft Ht 15-25 ft Ht	Slow	Sun to Shade	Wet to well drained soil Interesting bark Very shade tolerant
Cercis canadensis Redbud*	'Forest Pansy' 'Royal White' 'Oklahoma'	12-30 ft Ht 15-25 ft Sp	Medium	Sun to part Shade	Moist to well drained soil Purple or white flowers in Spring
Chionanthus retusus% Chinese Fringetree		12-25 ft. Ht 15-25 ft Sp	Slow	Sun to Part Shade	Well drained soil White flowers in Spring Very drought tolerant

Cornus florida Dogwood*	'Cloud 9' 'Cherokee Princess'	15-25 ft Ht 10-20 ft Sp	Slow to Medium	Sun to Part Shade	Moist to well drained soil White flowers in Spring Burgundy Fall color Performs best under irrigation.
Botanical/ Common Name	**Recommended Varieties**	**Height/Spread At Full Maturity**	**Growth Rate**	**Exposure**	**Notes & Culture**
Cornus kousa Kousa Dogwood		15-30 ft Ht 15-30 ft Sp	Slow to Medium	Sun to Light Shade	Well drained soil White flowers in Spring
Ilex decidua Possumhaw*	'Warren's Red' 'Council Fire'	15-20 ft Ht 10-15 ft Sp	Medium	Sun to Light Shade	Moist to well drained soil. Red berries in Fall and Winter
Lagerstromia indica% Crepe Myrtle	'Apalachee' 'Catawba' 'Osage' 'Seminole' 'Sioux' 'Tuskegee' 'Yuma'	10-30 ft Ht 10-25 ft Sp	Fast	Sun	Well drained soil Blooms in Smmer
Magnolia stellata Star Magnolia		15-20 ft Ht 10-15 ft Sp	Slow	Sun to Light Shade	Well drained soil White or pink flowers in Spring
Magnolia x soulangiana Saucer Magnolia		20-30 ft Ht 15-25 ft Sp	Medium	Sun to Light Shade	Pink flowers in Spring
Prunus campanulata% 'Okame' Cherry		15-30 ft Ht 15-30 ft Sp	Medium	Sun to Light Shade	Well drained soil Pink flowers in Spring More drought tolerant than most flowering cherries.
Prunus mume Japanese Flowering Apricot		15-25 ft Ht 15-25 ft Sp	Medium	Sun to Light Shade	Well drained soil Pink, Red or White flowers in Winter
Prunus serrulata Japanese Flowering Cherry	'Kwanzan'	20-30 ft Ht 20-30 ft Sp	Medium	Sun to Light Shade	Well drained soil Pink flowers in Spring

					Performs best under irrigation.
Prunus x yedoensis Yoshino Cherry		15-25 ft Ht 15-25 ft Sp	Medium	Sun to Light Shade	Well drained soil Light Pink flowers in Spring Performs best under irrigation.
Botanical/ Common Name	**Recommended Varieties**	**Height/Spread At Full Maturity**	**Growth Rate**	**Exposure**	**Notes & Culture**
Styrax japonicus Japanese Snowbell	'Emerald Pagoda' 'Pink Chimes'	20-30 ft Ht 20-30 ft Sp	Medium	Sun to Part Shade	Well drained soil White or Pink flowers in Spring Performs best under irrigation.
Viburnum prunifolium Blackhaw Viburnum*		10-20 ft Ht 10-15 ft Sp	Medium	Sun to part Shade	Moist to well drained soil White flowers in Spring Edible black fruit in Fall
Vitex agnus-castus% Chastetree		15-20 ft Ht 10-15 ft Sp	Medium	Sun	Well drained soil Pink or Lavender blue flowers in Summer Very drought tolerant

Evergreen Species

Botanical/ Common Name	Recommended Varieties	Height/Spread At Full Maturity	Growth Rate	Exposure	Notes & Culture
Butia capitata Pindo palm		10-15 ft Ht 10-15 ft Sp	Medium	Sun to Light Shade	Moist to well drained soil
Eriobotrya japonica Loquat		15-20 ft Ht 15-20 ft Sp	Medium	Sun to light Shade	Well drained soil Fragrant white flowers in Fall
Ilex Hybrids% Red Hollies	'Oakleaf' 'Cardinal' 'Robin' 'Liberty' 'Patriot'	10-15 ft Ht 8-15 ft Sp	Medium	Sun to light Shade	Well drained soil

Ilex latifolia Lusterleaf holly		20-25 ft Ht 15-20 ft Sp	Medium	Sun to Part Shade	Well drained soil Red berries in Fall and Winter
Ilex opaca American Holly*		20-30 ft Ht 15-20 ft Sp	Slow	Sun to Part Shade	Moist to well drained soil Red berries in Fall and Winter
Ilex vomitoria% Yaupon Holly*	'Hoskin's shadow' 'Kathy Ann' 'Katherine'	15-20 ft Ht 10-15 ft Sp	Medium to Fast	Sun to Light Shade	Moist to Xeric soils Red Orange or Yellow berries in Fall and Winter
Botanical/ Common Name	**Recommended Varieties**	**Height/Spread At Full Maturity**	**Growth Rate**	**Exposure**	**Notes & Culture**
Ilex x attenuata% Topel Holly*	'Savannah' 'Foster's #2' 'East Palatka'	20-30 ft Ht 10-15 ft Sp	Medium	Sun to Part Shade	Moist to well drained soils Red berries in Fall and Winter
Ilex x 'Nellie R. Stevens'% Nellie Stevens Holly		15-25 ft Ht 10-15 ft Sp	Medium	Sun to Part Shade	Moist to well drained soils Red berries in Fall and Winter
Magnolia grandiflora 'Little Gem'% Little Gem Magnolia*		15-25 ft Ht 10-15 ft Sp	Slow to Medium	Sun to Part Shade	Moist to well drained soils Fragrant White flowers in Summer
Magnolia virginiana Sweet Bay Magnolia*		20-30 ft Ht 10-20 ft Sp	Medium to Fast	Sun to Part Shade	Moist to well drained soil Fragrant White flowers in Spring Moderately evergreen – may lose most of its foliage in harsh winters
Myrica cerifera% Southern Wax Myrtle*		10-20 ft Ht 10-20 ft Sp	Fast	Sun to Light Shade	Wet to Xeric soil Blue-Black berries on female plants in winter
Prunus caroliniana% Carolina Cherry Laurel*		15-30 ft Ht 15-20 ft Sp	Fast	Sun to Light Shade	Well drained to Xeric soil White flowers in Spring
Osmanthus fragrans Fragrant Tea Olive		15-30 ft Ht 8-15 ft Sp	Medium	Sun to Light Shade	Moist to well drained soil Fragrant White flowers in Fall and Winter May be grown as a large shrub or small tree
Osmanthus fortunei		15-25 ft Ht 8-20 ft Sp	Medium to Fast	Sun to Light Shade	Moist to well drained soil

Fortune's Osmanthus					May be grown as a large shrub or small tree
Sabal palmetto Palmetto Palm*		10-30 ft Ht 10-15 ft Sp	Slow	Sun to Part Shade	Moist to well drained soil

Native Plants*

Plants native to Southeastern USA are marked with an asterisk (*). These plants are endemic to Southeastern United States from Virginia to eastern Texas.

Trees recommended for parking islands %

Trees marked with a percent sign (%) indicates which trees are most likely to be successful in limited root zone areas (parking lot islands). Some of the others are great trees for our area (ie. Red Maple and American beech) but they just are not going to make it in parking lots. This does not mean they should not be considered for larger planting spaces such as common areas, buffer plantings or large islands.

Drought Tolerant Plants

Extremely drought tolerant plants are marked with an underline. When planted in their preferred soil type, these plants are able to withstand extended periods of drought, 4-6 weeks, without supplemental irrigation once established. Most trees and shrubs take two to three growing seasons to become fully established. Perennials, grasses and groundcovers usually require one to two seasons to become established. Regular supplemental water should be provided until plants become established.

Mature Size

Mature sizes of all plants are given as height and spread, though it may take many years to reach these dimensions. Mature size can vary depending on growing conditions.

Recommended Varieties

For many plants, recommended varieties are given. These are selections of that plant that either perform better in our area or are more suitable to the landscape than the plain species. Plant varieties, also known as cultivars, are listed enclosed in single quotes.

Exposure

Exposure refers to the amount of sunlight a site receives as follows:

- **Full Sun** indicates a site that receives at least 6-8 hours of direct sun each day.
- **Light Shade** indicates a site that is shaded less than half of the day by a light high shade such as that cast by pine trees.
- **Part Shade** indicates a site that is shaded half of the day by a dense shade like that cast by buildings or shade trees.
- **Full Shade** indicates a site that is in shade all day.

Soil Conditions

- **Wet** indicates a site that stays moist most of the time and receives periodic flooding

Greg Feldman

From: David Sneeden <david.sneeden@gmail.com>
Sent: Tuesday, December 6, 2022 4:38 PM
To: Greg Feldman
Cc: Glenn Lea; Matthew Nichols
Subject: [External]Significant Tree Count for Variance Application at Scotts Hill, Bd of Adjustment Hearing 12-14-22

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greg, I tried calling you on this earlier today and was told you were out of the office all day. You had said that you needed to submit Staff's package to the Board by this afternoon
so I am sending you this email in hopes it will cover what you need.

Lot 1 (Circle K) with the easements for access, DOT and Lot 4 (Storm Water Pond) contains a Total of 235 Trees over 5" diameter, of which:

Lot 1 (Circle K) contains: 39 Significant Trees as defined in the UDO

Lot 4 (Storm Water Pond) contains: 26 Significant Trees as define in the UDO

65 Significant Tree Total on Lots 1 (Circle K) and Lot 4 (Storm Water Pond)

- 3 Significant generic Oak Trees that have died or blown down since the survey.

62 Significant Trees remaining to be Mitigated

Lots 2 and 3 (future use unknown) and there are no plans or discussion to develop them in the foreseeable future.

Lot 2 contains a Total of 117 Trees over 5" diameter, of which approximately:

54 are significant Trees as defined in the UDO.

Lot 3 contains a Total of 56 Trees over 5" diameter, of which approximately:

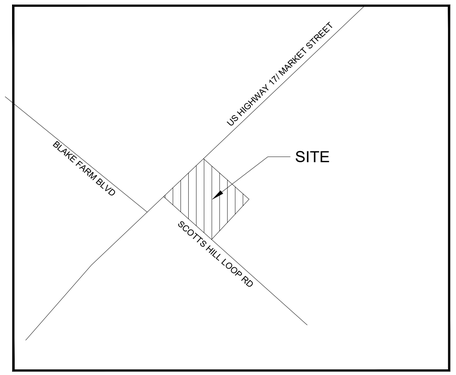
28 are significant Trees as defined in the UDO.

Total Trees on all four Lots exceeding 5" diameter on site: 408,
Total Significant Trees on all four Lots as defined in UDO: 144.

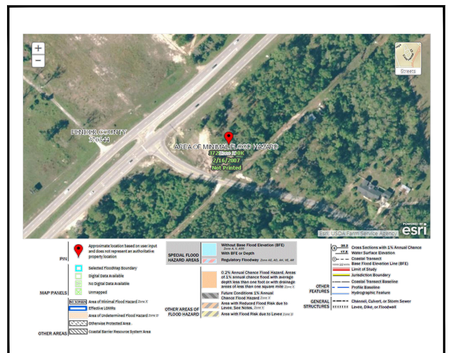
I hope this is what you needed but please call me anytime if you have questions.
Thank you.
David Sneeden
910-520-7522

CIRCLE K - WILMINGTON NC

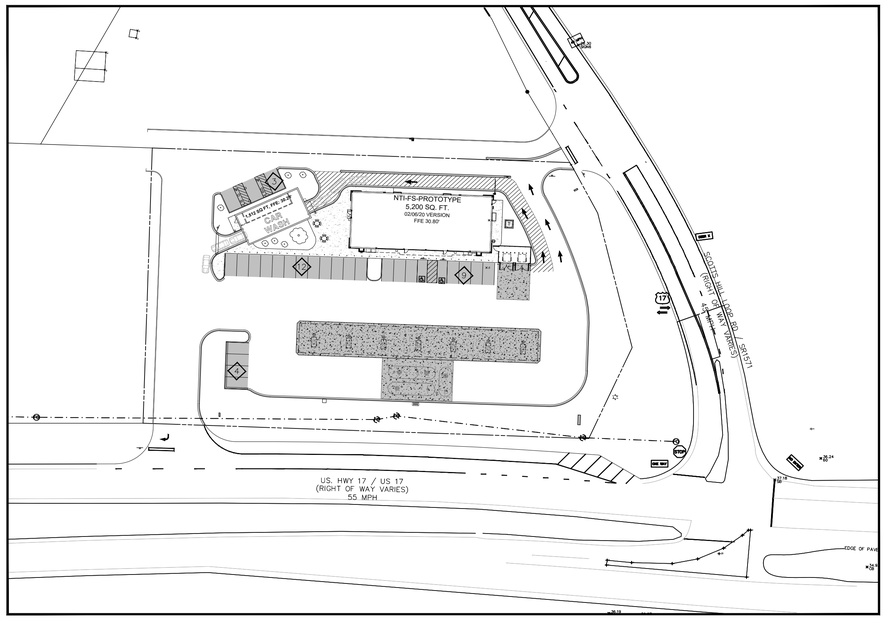
4314 SCOTTS HILL LOOP ROAD
WILMINGTON, NC 28411



VICINITY MAP
NOT TO SCALE



FEMA FIRM MAP
NOT TO SCALE



SITE LOCATION MAP
1" = 50'

SITE NOTES

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY CAPE FEAR SURVEYING, DATED 04/12/2021.
2. FLOOD PLAIN IS NOT PRESENT ON THIS SITE AS SHOWN ON THE FEMA FIRM MAP NUMBER 3720327000K, DATED 2/16/2007.
3. THERE ARE NO WETLANDS OR STATE WATERS ON THIS SITE PER THE PHASE 1 ESA BY ATC GROUP SERVICES LLC, DATED 05/04/2021.

PROJECT TEAM

OWNER/DEVELOPER	SURVEYOR	CIVIL ENGINEERING	LANDSCAPE ARCHITECT
CIRCLE K STORES INC. 2550 W. TYVOLA RD, SUITE 200 CHARLOTTE, NC 28217 KATHERINE LLOYD (803)-371-2204 klloyd@circlek.com	CAPE FEAR SURVEYING, PC ONE NORTH 6TH ST. WILMINGTON, NC 28401 STUART Y. BENSON (910)-762-9496 capefearsurveying@yahoo.com	BOWMAN CONSULTING GROUP, LTD. 4350 MAIN STREET, SUITE 219 HARRISBURG, NC 28075 BRANDON J. SHREVES (980)-446-3308 bshreves@bowman.com	EVERGREEN DESIGN GROUP 2500 REGENCY PKWY CARY, NORTH CAROLINA RODNEY McNABB (800)-680-6630 rodney@evergreendesigngroup.com

PROJECT CONTACTS

ELECTRIC	SEWER	WATER	TELE-COMM/INTERNET
DUKE ENERGY JESSE ROSKO, ENGINEER TECHNOLOGIST jesse.rosko@dukeenergy.com ALEK SKIPPER, ENGINEER TECHNOLOGIST alek.skipper@duke-energy.com RELOCATIONS highway.relocations@duke-energy.com	PLURIS RANDY HOFFER, REGIONAL MANAGER rhoffer@plurisusa.com KAARIN WILLIAMS, PERMITTING (910)-218-7653 kwilliams@plurisusa.com	PENDER COUNTY JAMES PROCTOR, WATER AND SEWER SUPERINTENDENT (910)-2591327 jproctor@pendercountync.gov	CENTURY LINK 910-763-1200

Bowman

SITE SUMMARY TABLE

SITE INFORMATION		
	PIN:	3271-41-0365-0000
	SITE AREA:	±1.92 AC.
	DISTURBED AREA:	±2.04 AC.
	IMPERVIOUS AREA:	1.44± AC. (81.8%)
	PERVIOUS AREA:	0.32± AC. (18.2%)
	EXISTING USES:	SINGLE FAMILY DWELLINGS
ZONING		
	JURISDICTION:	PENDER COUNTY
	ZONING:	GB-GENERAL BUISNESS
	FRONT SETBACK:	25'
	SIDE SETBACK:	10'
	REAR SETBACK:	10'
	CORNER YARD:	12'
BUILDING INFORMATION		
	C-STORE BUILDING AREA:	5,200'
	C-STORE HEIGHT:	21' 6"
	CANOPY BUILDING AREA:	5,550'
	CANOPY HEIGHT:	17' 6"
	CAR WASH HEIGHT:	21' 6"
PARKING SUMMARY		
	MAXIMUM PARKING RETAIL & SERVICE:	1 SPACE / 225 S.F.
		24 SPACES
	MAXIMUM PARKING CAR WASH:	2 SPACE / WASH BAY
		2 SPACES
	MAXIMUM TOTAL PARKING:	26 SPACES
	ADA PARKING:	2 SPACES FOR 26-50 TOTAL SPACES
	PROVIDED PARKING:	28 SPACES
	STANDARD STALL DIMENSION:	9.5' x 18'
	MIN. DRIVE WIDTH:	24'
TIA SUMMARY		
	AM PEAK TRIPS	160
	PM PEAK TRIPS	122
	AVERAGE DAILY TRIPS	282

SHEET INDEX

Sheet Number	Sheet Title
C0.0	COVER SHEET
S	ASBUILT SURVEY
C0.1	PROJECT NOTES
C1.0	EXISTING CONDITIONS AND DEMO PLAN
C2.0	INITIAL EROSION AND SEDIMENT CONTROL PLAN
C2.1	FINAL EROSION AND SEDIMENT CONTROL PLAN
C2.2	EROSION AND SEDIMENT CONTROL DETAILS
C3.0	SITE PLAN
C3.1	PAVING PLAN
C3.2	ROAD IMPROVEMENT PLAN - SCOTTS HILL LOOP ROAD
C3.3	ROAD IMPROVEMENT PLAN - US 17TH RIGHT TURN
C3.4	ROAD IMPROVEMENT PLAN - US 17TH U-TURN
C3.5	SIGHT DISTANCE - SCOTTS HILL LOOP
C3.6	SIGHT DISTANCE - SCOTTS HILL LOOP
C 4.0	GRADING PLAN
C4.1	ROADWAY IMPROVEMENT GRADING PLAN
C5.0	UTILITY PLAN
C5.1	STORM PROFILES
C7.0	CONSTRUCTION DETAILS
C7.1	CONSTRUCTION DETAILS
C7.2	CONSTRUCTION DETAILS
C7.3	CONSTRUCTION DETAILS
C7.4	NCDOT STANDARD DETAILS
LI-1	LANDSCAPE IRRIGATION
LI-2	LANDSCAPE IRRIGATION
LI-3	LANDSCAPE IRRIGATION
LP-1	LANDSCAPE PLANTIN
LP-2	LANDSCAPE PLANTING
TD-1	TREE DISPOSITION
TD-2	TREE DISPOSITION

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 BRANDON J SHREVES

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
COVER SHEET

SHEET NUMBER
C0.0

Drawing Name: N:\180001 - Circle K - Scotts\Construction\180001-01-005 ENG - Hampstead (Hwy17 and Scotts Hill)\Engineering\Engineering Plans\Sheet Set\C 0.0 Cover.dwg Last Modified: Jul 08, 2022 - 3:37pm Plotted on: Jul 08, 2022 - 3:39pm by McNabb

TABLE A ITEMS

1. PROPERTY ADDRESS: 4314 SCOTTS HILL LOOP ROAD, WILMINGTON NC 28429
2. THIS SITE LIES IN ZONE X, A MINIMAL FLOOD RISK FLOOD ZONE, PER COMMUNITY–PANEL NO. 3720327100J EFFECTIVE MAP DATE: 2/16/2007
3. GROSS LAND AREA: AS SHOWN HEREON
4. SUBSTANTIAL FEATURES OBSERVED: AS SHOWN HEREON.
5. NUMBERS AND TYPE OF PARKING: NONE DESINATED OR ANY HANDICAP SPACES.
6. LOCATIONS OF UTILITIES AND EASEMENTS: AS SHOWN HEREON
7. ADJOINING OWNERS: AS SHOWN HEREON.
8. NO RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED DURING THE DATES OF SURVEY.

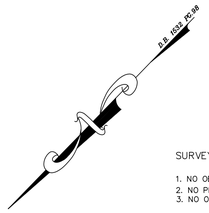


EXHIBIT A
PROPERTY DESCRIPTION

THE LAND REFERED TO IN THIS COMMINTMENT IS DESCRIBED AS FOLLOWS:
BEING ALL THAT OF LAND LOCATED IN THE COUNTY OF PENDER TOPSAIL TOWNSHIP, AND STATE OF NORTH CAROLINA AND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS: BEING ALL OF LOT 1 OF RECOMBINATION SURVEY FOR POPE PROPERTIES ON 17, LLC AS RECORDED IN MAP BOOK 68 PAGE 144 OF THE PENDER COUNTY REGISTRY, CONTAINING 1.92 ACRES+/–.

EXHIBIT B
LEGAL DESCRIPTION:

BEING ALL OF LOT 1 AS SHOWN ON THAT PLAT ENTITLED RECOMBINATION SURVEY FOR POPE PROPERTIES ON 17, LLC AS RECORDED IN MAP BOOK 68 PAGE 144 OF THE PENDER COUNTY REGISTRY.
REFERENCE TO WHICH IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.
OF THE PENDER COUNTY REGISTRY, CONTAINING 1.92 ACRES+/–.

SURVEYORS NOTES:

1. NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
2. NO PROPOSED CHANGES IN STREET RIGHT OF WAY.
3. NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

I, STUART Y. BENSON, P.L.S HEREBY CERTIFY THAT THE CHECKED ITEM(S) BELOW APPLY TO THIS MAP.

(C) THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.

TO:
POPE PROPERTIES ON 17, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY
201 S. COLLEGE STREET, STE. 1440 CHARLOTTE, N.C. 28244

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1,2,3,4,6,8,9,11,13,16,17 OF THE TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 16, 2021.

PRELIMINARY

STUART Y. BENSON PROFESSIONAL LAND SURVEYOR NO. L–2675

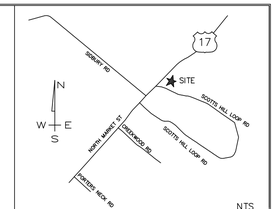
FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NUMBERNCS–1063626–CHAR

SCHEDULE B, PART II
Exceptions

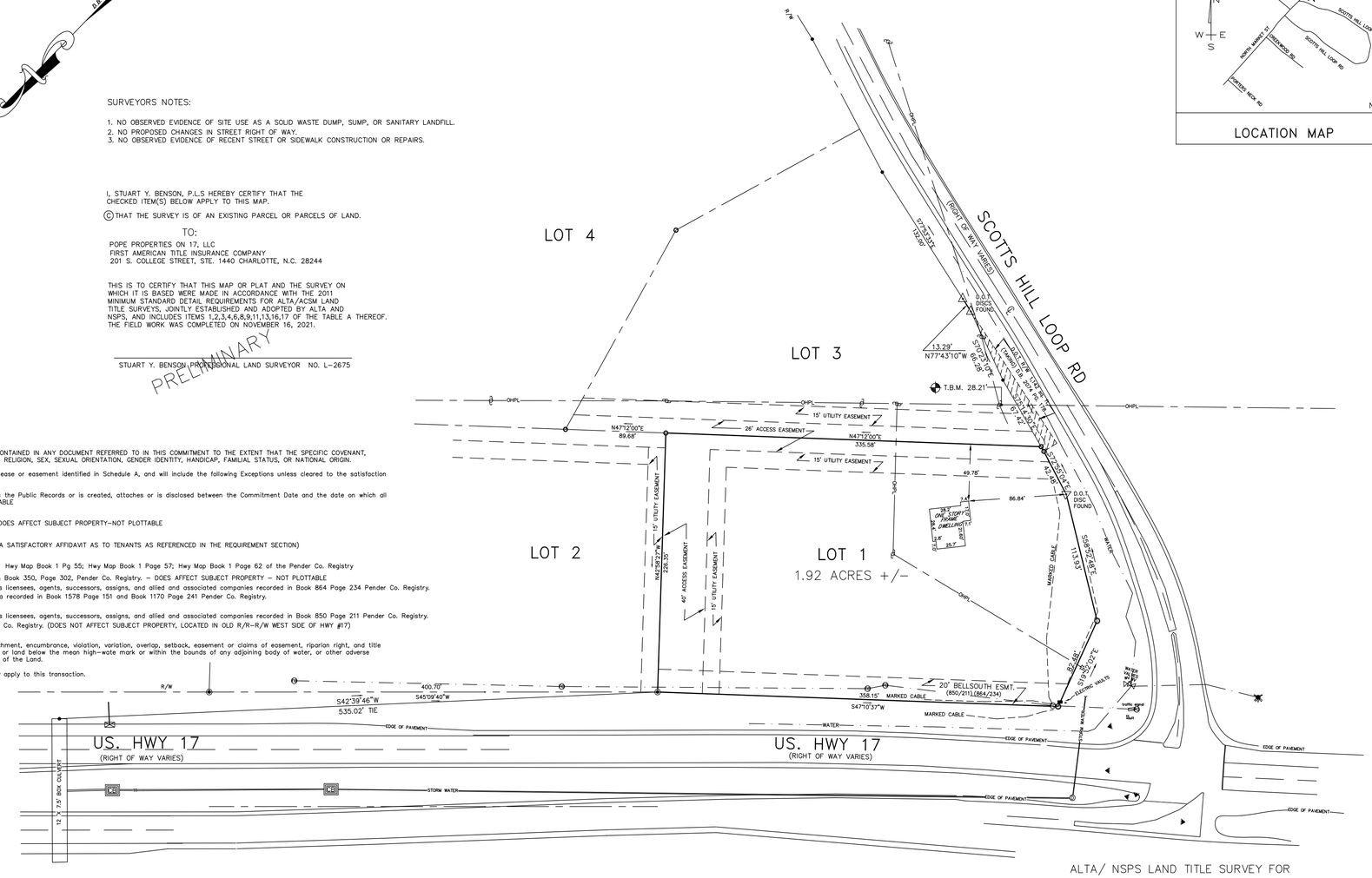
THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I Requirements are met. – DOES AFFECT SUBJECT PROPERTY–NOT PLOTTABLE
2. Taxes and assessments for the year 2021 and subsequent years, not net due and payable. – DOES AFFECT SUBJECT PROPERTY–NOT PLOTTABLE
3. Rights of tenants in possession under unrecorded lease(s). (TO BE DELETED UPON RECEIPT OF A SATISFACTORY AFFIDAVIT AS TO TENANTS AS REFERENCED IN THE REQUIREMENT SECTION) – DOES AFFECT SUBJECT PROPERTY–NOT PLOTTABLE
4. Easements, setback lines and other matters shown on Plat recorded in Map Book 53 Page 81; Hwy Map Book 1 Pg 55; Hwy Map Book 1 Page 57; Hwy Map Book 1 Page 62 of the Pender Co. Registry
5. Agreement by Carolina Power and Light Co. d/b/a/ Progress Energy Carolinas, Inc., recorded in Book 350, Page 302, Pender Co. Registry. – DOES AFFECT SUBJECT PROPERTY – NOT PLOTTABLE
6. Right of way Easement to Bellsouth, Inc. d/b/a Southern Bell Telephone and Telegraph Co., its licensees, agents, successors, assigns, and allied and associated companies recorded in Book 864 Page 234 Pender Co. Registry.
7. Temporary Easement to Department of Transportation, an agency of the State of North Carolina recorded in Book 1578 Page 151 and Book 1170 Page 241 Pender Co. Registry.
8. Consent Judgement to Department of Transportation Book 2021 Page 328 Pender Co. Registry.
9. Right of way Easement to Bellsouth, Inc. d/b/a Southern Bell Telephone and Telegraph Co., its licensees, agents, successors, assigns, and allied and associated companies recorded in Book 850 Page 211 Pender Co. Registry.
10. Final Judgement Easement to American Telephone and Telegraph Co.Book 729 Page 27 Pender Co. Registry. (DOES NOT AFFECT SUBJECT PROPERTY, LOCATED IN OLD R/R–R/W WEST SIDE OF HWY #17)
11. Any discrepancy, conflict, matter affecting access, shortage in area or boundary lines, encroachment, encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercorses, burial grounds, marshes, dredged or filled areas or land below the mean high–wate mark or within the bounds of any adjoining body of water, or other adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
12. This policy specifically excludes any closing protection services (coverage or insurance) as they apply to this transaction.



LOCATION MAP



PRELIMINARY

I, STUART Y. BENSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION SHOWN HEREON). THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS NOTED HEREON: THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 20,000+/– THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47–30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL, THIS 11TH DAY OF NOVEMBER, 2021 A.D..

STUART Y. BENSON PROFESSIONAL LAND SURVEYOR NO. L–2675

CAPE FEAR SURVEYING, PC
ONE NORTH 6th ST., WILMINGTON, NC 28401
(910) 762–9496 FAX: (910) 762–5949
EMAIL: capefearsurveying@yahoo.com

LEGEND:

I.P.S. OR I.R.S.	o	IRON PIPE OR ROD SET
E.I.P. OR E.I.R.	●	EXISTING IRON PIPE OR ROD
C.M.	⊕	CONCRETE MONUMENT
C/L	℄	CENTER LINE
R/W		RIGHT OF WAY
P.K.	△	P.K. SURVEY NAIL
	▪	NON–MONUMENTED CORNER

UTILITY LEGEND

SV	SEPTIC VAULT
CB	CATCH BASIN
ST	STORMWATER
OHPL	OVERHEAD POWER & POLES
W	MARKED WATER LINE
F	MARKER FIBER OPTIC LINE
	FIRE HYDRANT
MC	MARKED CABLE LINE
WV	WATER VALVE

NOTES:
TOTAL AREA PARCEL: 1.92 ACRES +/–
ALL ELEVATIONS ARE DATUM NAVD 88.

DEED REFERENCES
D.B. 1547 PG. 38
D.B. 1547 PG. 41
D.B. 1532 PG. 98
D.B. 2074 PG. 178

MAP REFERENCES
M.B. 53 PG. 81
M.B. 22 PG. 80
DOT MAP PROJECT #6.259001T SHEET #39 6/26/2000

GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

OWNER OF RECORD:
Pope Properties on 17 LLC
PO BOX 4014
WILMINGTON,, NC 28406

ALTA/ NSPS LAND TITLE SURVEY FOR

POPE PROPERTIES ON 17 LLC

4314 SCOTTS HILL LOOP ROAD
PIN: 3271–41–0365–0000
ZONING: GB_GENERAL BUSINESS
1.92 ACRES +/–
TOPSAIL TOWNSHIP
PENDER COUNTY, NORTH CAROLINA
MAP BOOK 68 PAGE 144
DEED BOOK 4752 PAGE 1035–1036
DEED BOOK 4048 PAGE 180
NOVEMBER 15, 2021

GENERAL SITE NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL STATE, CITY AND COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. CONTRACTOR SHALL OBTAIN, AT HIS OWN EXPENSE, ALL APPLICABLE CODES, LICENSES, STANDARDS, SPECIFICATIONS, PERMITS, BONDS, ETC., WHICH ARE NECESSARY TO PERFORM THE PROPOSED WORK.
3. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
4. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS AT AND ADJACENT TO THE JOB SITE INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND MUST COMPLY WITH OSHA REGULATIONS.
5. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE OWNER/DEVELOPER AND ENGINEER OF ANY PROBLEM CONFORMING TO THE APPROVED PLANS FOR ANY ELEMENT OF THE PROPOSED IMPROVEMENTS PRIOR TO ITS CONSTRUCTION.
6. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO THE OWNER ANY DISCREPANCIES FOUND BETWEEN THE ACTUAL FIELD CONDITIONS AND THE CONSTRUCTION DOCUMENTS AND SHALL WAIT FOR INSTRUCTION PRIOR TO PROCEEDING.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN THE BID.
8. REFER TO FINAL RECORDED PLAT FOR ACTUAL LOT, TRACT, PARCEL, AND EASEMENT LOCATIONS AND DESIGNATIONS.
9. THE CONTRACTOR SHALL PROTECT ALL MONUMENTS, IRON PINS, AND PROPERTY CORNERS DURING CONSTRUCTION.
10. THE CONTRACTOR SHALL PROTECT ALL ADJACENT PROPERTY TO THE PROJECT WORK SITE (SEE THE EROSION CONTROL PLAN). THE CONTRACTOR SHALL OBTAIN ALL PERMITS NECESSARY (IF APPLICABLE) TO COMPLETE THE CONSTRUCTION AND SHALL COMPLY WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.
11. ALL DIMENSIONS AND RADII ARE REFERENCED TO THE FACE OF CURB UNLESS OTHERWISE NOTED. ALL BUILDING DIMENSIONS ARE REFERENCED TO THE OUTSIDE FACE OF THE STRUCTURE UNLESS OTHERWISE NOTED.
12. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS, BUILDING UTILITY ENTRANCE LOCATIONS, EXACT LOCATIONS AND DIMENSIONS OF ENTRIES, SIDEWALKS, DOWNSPOUTS, AND BOLLARDS IN BUILDING SIDEWALKS. CONTRACTOR SHALL NOTIFY CIVIL ENGINEER IF ANY DISCREPANCIES ARE IDENTIFIED BETWEEN ARCHITECTURAL/MEP UTILITY TIE INS AND CIVIL DRAWINGS.
13. WHEN DURING THE COURSE OF CONSTRUCTION, ANY OBJECT OF AN UNUSUAL NATURE IS ENCOUNTERED, THE CONTRACTOR SHALL CEASE WORK IN THAT AREA AND IMMEDIATELY NOTIFY THE OWNER, APPROPRIATE GOVERNING AGENCY, AND/OR THE ARCHITECT/ENGINEER.
14. THE CONTRACTOR WILL BE RESPONSIBLE FOR PREPARING ANY DAMAGE TO THE EXISTING ROADS AND UTILITIES WHICH OCCURS AS A RESULT OF THE PROJECT CONSTRUCTION WITHIN OR CONTIGUOUS TO THE EXISTING RIGHT-OF-WAY.
15. THE APPROVAL OF THIS PLAN SHALL IN NO WAY GRANT PERMISSION FOR THE CONTRACTOR TO TRESPASS ON OFF-SITE PROPERTIES.
16. THE APPROVAL OF THESE PLANS SHALL IN NO WAY RELIEVE THE CONTRACTOR OF COMPLYING WITH OTHER APPLICABLE LOCAL, STATE, AND FEDERAL REQUIREMENTS.
17. THE CONTRACTOR IS RESPONSIBLE FOR ARRANGING ALL NECESSARY INSPECTIONS.
18. EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED DURING ALL PHASES OF CONSTRUCTION.
19. THE ENGINEER SHALL NOT HAVE CONTROL OVER OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK SHOWN ON THESE PLANS. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S SCHEDULES OR FAILURE TO CARRY OUT THE WORK. THE ENGINEER IS NOT RESPONSIBLE FOR ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS, OR THEIR AGENTS OR EMPLOYEES, OR OF ANY OTHER PERSONS PERFORMING PORTIONS OF THE WORK.
20. CONTRACTOR SHALL BE RESPONSIBLE FOR THE DIGGING OF TEST HOLES PRIOR TO BEGINNING OF ANY CONSTRUCTION ON THE PROJECT. IF CONFLICTS ARE DISCOVERED AS A RESULT OF TEST HOLE FINDINGS, NOTIFY OWNER'S REPRESENTATIVE AND CIVIL ENGINEER IMMEDIATELY.
21. UNLESS SHOWN OTHERWISE ON THE PLANS, CONTRACTOR SHALL APPLY 4" OF TOP SOIL TO ALL DISTURBED AREAS OF THE SITE, PLANT GRASS SEED OR SOD, APPLY STRAW, AND WATER. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH A HEALTHY STAND OF GRASS ON ALL SEEDED OR SODDED AREAS. IF A HEALTHY STAND OF GRASS CANNOT BE ESTABLISHED BY THE TIME THE BUILDING BECOMES OCCUPIED, THEN SOD SHALL BE INSTALLED AND WATER UNTIL GRASS IS STABLISHED.
22. AT LOCATIONS WHERE THE FINAL SURFACE COURSE OF ASPHALT PAVEMENT IS TO BE FEATHERED INTO THE EXISTING SURFACE COURSE, THE EXISTING SURFACE COURSE IS TO BE SCABBLED TO A MINIMUM DEPTH OF 1" AND A TACK COAT APPLIED PRIOR TO FINAL PAVING TO INSURE A SMOOTH, WELL BONDED JOINT.
23. ANY NEW PAVEMENT OPENED TO TRAFFIC SHALL RECEIVE A TACK COAT PRIOR TO PLACEMENT OF ANY OVERLYING ASPHALT COURSE.
24. ALL SIDEWALKS TO BE 4" THICK CONCRETE UNLESS OTHERWISE SHOWN ON THE PLAN.
25. THE CONTRACTOR MUST HAVE THE APPROVED CONSTRUCTION DRAWINGS IN POSSESSION PRIOR TO THE START OF CONSTRUCTION. AT LEAST ONE (1) COPY OF THE APPROVED PLANS, WITH REVISIONS, MUST BE KEPT ON-SITE AT ALL TIMES.
26. ALL HANDICAPPED SPACES SHALL HAVE AN ABOVE GRADE IDENTIFICATION SIGN MEETING APPROPRIATE GOVERNING AGENCY STANDARDS. ACCESSIBLE SIGNS WITH A "VAN" MARKING SHALL HAVE ADDITIONAL SIGN MOUNTED BELOW THE SYMBOL OF ACCESSIBILITY SIGN DENOTING VAN ACCESSIBILITY.
27. ALL HANDICAP RAMPS SHALL BE BUILT IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE APPROPRIATE GOVERNING AGENCY STANDARDS, DOT STANDARDS, AND CURRENT ADA REQUIREMENTS.
28. THE CONTRACTOR IS RESPONSIBLE FOR INSURING THAT ALL ADA ACCESSIBLE SIDEWALKS MAINTAIN SLOPES NOT TO EXCEED 5% LONGITUDINALLY AND 2% CROSS SLOPES. SLOPES AT ACCESSIBLE PARKING SPACES AND ACCESS AISLE SHALL BE A MAXIMUM OF 2%, AND THE MANEUVERING CLEARANCE AT EXTERIOR ENTRANCES SHALL HAVE A MAXIMUM SLOPE OF 2%.
29. REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION) FOR DETAILS OF STANDARD TRAFFIC CONTROL SIGNS AND STANDARDS.
30. THE CONTRACTOR SHALL PROVIDE ALL SIGNS, BARRICADES, FLAGMEN, LIGHTS OR OTHER DEVICES NECESSARY FOR SAFE TRAFFIC CONTROL IN ACCORDANCE WITH THE CURRENT EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL.
31. NO FLAMMABLE MATERIAL SHALL BE STORED ON-SITE BEFORE A FULLY OPERATIONAL FIRE HYDRANT HAS BEEN INSTALLED WITHIN 500' OF THE PROPOSED STRUCTURE.

DEMOLITION NOTES

1. ALL APPLICABLE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO COMMENCING DEMOLITION.
2. THE CONTRACTOR SHALL FIELD VARIFY AND LOCATE ALL EXISTING UTILITIES ON SITE PRIOR TO ANY DEMOLITION.
3. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES TO REMAIN IN PLACE.
4. THE CONTRACTOR SHALL REPAIR ANY EXCAVATIONS OR PAVEMENT FAILURES CAUSED BY HIS/HER CONSTRUCTION.
5. THE DEMOLITION PLAN IS INTENDED TO DEPICT GENERAL DEMOLITION AND UTILITY WORK. IT IS NOT INTENDED TO IDENTIFY EACH ELEMENT OF DEMOLITION OR RELOCATION. CONTRACTOR SHALL COORDINATE WITH THE OWNER AND APPROPRIATE UTILITY COMPANY PRIOR TO WORK.
6. REMOVE AND/OR PLUG EXISTING UTILITIES SUCH AS SANTIARY SEWER, WATER, GAS, ELECTRIC, AND TELEPHONE AS SHOWN. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING EACH UTILITY COMPANY TO COORDINATE REMOVAL OF ALL UTILITIES AND FOR DETERMINING HORIZONTAL AND VERTICAL LOCATIONS OF UTILITIES PRIOR TO COMMENCING WORK.
7. THE CONTRACTOR SHALL CUT AND PLUG, OR ARRANGE FOR THE APPROPRIATE UTILITY COMPANY TO CUT AND PLUG, ALL SERVICE PIPING AT THE STREET LINE OR MAIN, AS REQUIRED, OR AS OTHERWISE NOTED. ALL SERVICES MAY NOT BE SHOWN ON THIS PLAN. THE CONTRACTOR SHALL INVESTIGATE THE SITE PRIOR TO BIDDING TO DETERMINE THE EXTEND OF SERVICE PIPING TO BE REMOVED, CUT OR PLUGGED.
8. THE CONTRACTOR SHALL ARRANGE FOR RESETTING OF CURB BOXES, VALVE BOXES AND REMOVAL AND/OR RELOCATION OF OVERHEAD UTILITIES AND POLES WITH THE APPROPRIATE UTILITY COMPANY.
9. WHERE EXCAVATION IS REQUIRED UNDER EXISTING ASPHALT OR CONCRETE PAVEMENT, THE EXISTING PAVEMENT SHALL BE SAW CUT IN A MANNER TO EFFECT A SMOOTH, STRAIGHT-CUT EDGE. ASPHALT PATCH SHALL BE PER APPROPRIATE GOVERNING AGENCY STANDARDS.
10. ALL DEMOLITION SHALL BE PERFORMED IN STRICT COMPLIANCE WITH THE APPROPRIATE GOVERNING AGENCY.
11. ALL EXISTING ITEMS TO REMAIN WHICH ARE DAMAGED DURING CONSTRUCTION SHALL BE RESTORED TO ITS ORIGINAL CONDITION AT THE SOLE EXPENSE OF THE CONTRACTOR.
12. THE CONTRACTOR SHALL MAINTAIN ALL UTILITY SERVICES TO THE ADJOINING PROPERTIES DURING THE DEMOLITION PROCESS.
13. ITEMS SHOWN TO BE RELOCATED SHALL BE CAREFULLY REMOVED AND STORED BY THE CONTRACTOR UNTIL SUCH TIME AS THEY CAN BE PLACED IN THEIR NEW LOCATION. CONTRACTOR SHALL VERIFY THESE ITEMS WITH THE OWNER, PRIOR TO CONSTRUCTION.
14. CONTRACTOR SHALL COORDINATE REMOVAL OR RELOCATION OF ALL EXISTING UNDERGROUND AND OVERHEAD ELECTRICAL, TELEPHONE AND CABLE TV LINES AND REMOVAL OF UTILITY POLES, PEDESTALS AND TRANSFORMERS WITH UTILITY COMPANIES AND WITH DEVELOPER PRIOR TO DEMOLITION.

EROSION CONTROL NOTES

1. CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES AS REQUIRED BY THESE DRAWINGS. ADDITION BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED AS DICTACTED BY CONDITIONS AT NO ADDITIONAL COST TO OWNER THROUGHOUT ALL PHASES OF CONSTRUCTION.
2. BEST MANAGEMENT PRACTICES AND CONTROLS SHALL CONFORM TO FEDERAL, STATE, OR LOCAL REQUIREMENTS, AS APPLICABLE. CONTRACTOR SHALL IMPLEMENT ADDITIONAL CONTROLS AS DIRECTED BY PERMITTING AGENCY OR OWNER.
3. DISTURBED PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITY HAS PERMANENTLY STOPPED SHALL BE PERMANENTLY SEEDED. THESE AREAS SHALL BE SEEDED NO LATER THAN 14 DAYS AFTER THE LAST CONSTRUCTION ACTIVITY OCCURRING IN THESE AREAS. REFER TO THE EROSION CONTROL PLANS AND/OR LANDSCAPE PLAN.
4. THE CONTRACTOR SHALL REMOVE ALL SEDIMENT, MUD AND CONSTRUCTION DEBRIS THAT MAY ACCUMULATE IN THE FLOWLINES AND PUBLIC RIGHTS-OF-WAY OF THE APPROPRIATE GOVERNING AGENCY AS A RESULT OF THIS CONSTRUCTION PROJECT. SAID REMOVAL SHALL BE CONDUCTED IN A TIMELY MANNER.
5. THE CONTRACTOR SHALL PREVENT SEDIMENT, DEBRIS AND ALL OTHER POLLUTANTS FROM ENTERING THE STORM SEWER SYSTEM DURING ALL DEMOLITION AND CONSTRUCTION OPERATIONS THAT ARE A PART OF THIS PROJECT. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR REMEDIATION OF ANY ADVERSE IMPACTS TO ADJACENT WATERWAYS, WETLANDS, ETC., RESULTING FROM WORK DONE AS A PART OF THIS PROJECT.
6. THE CONTRACTOR SHALL INSURE THAT ALL LOADS OF CUT AND FILL MATERIAL IMPORTED TO OR EXPORTED FROM THIS SITE SHALL BE PROPERLY COVERED TO PREVENT LOSS OF THE MATERIAL DURING TRANSPORT ON PUBLIC RIGHTS-OF-WAY.
7. THE USE OF REBAR, STEEL STAKES, OR STEEL FENCE POSTS TO STAKE DOWN STRAW OR HAY BALES; OR TO SUPPORT SILT FENCE USED AS AN EROSION CONTROL MEASURE; IS PROHIBITED. THE USE OF OSHA APPROVED COLORED WARNING CAPS ON REBAR OR FENCE POSTS USED WITH EROSION CONTROL MEASURES IS NOT ACCEPTABLE.
8. IF THE ACTION OF VEHICLES TRAVELING OVER THE CONSTRUCTION ENTRANCE IS NOT SUFFICIENT TO REMOVE DIRT OR MUD, THEN THE TIRES MUST BE WASHED BEFORE THE VEHICLES ENTER A PUBLIC ROAD.
9. ALL WASH WATER (CONCRETE TRUCKS, VEHICLE CLEANING, EQUIPMENT CLEANING, ETC.) SHALL BE CONTAINED AND PROPERTY TREATED OR DISPOSED.
10. CONTRACTOR IS RESPONSIBLE FOR REMOVING SEDIMENT FROM THE EROSION CONTROL BASINS AND ANY SEDIMENT THAT MAY HAVE COLLECTED IN THE STORM SEWER DRAINAGE SYSTEMS IN CONJUNCTION WITH THE STABILIZATION OF THE SITE.
11. SLOPES SHALL BE LEFT IN A ROUGHENED CONDITION DURING THE GRADING PHASE TO REDUCE RUNOFF VELOCITIES AND EROSION.
12. THE CONTRACTOR SHALL DILIGENTLY AND CONTINUOUSLY MAINTAIN ALL EROSION CONTROL DEVICES AND STRUCTURES TO MINIMIZE EROSION. THE CONTRACTOR SHALL MAINTAIN CLOSE CONTACT WITH THE INSPECTOR SO THAT PERIODIC INSPECTIONS CAN BE PERFORMED AT APPROPRIATE STAGES OF CONSTRUCTION.
13. DUST ON THE SITE SHALL BE CONTROLLED. THE USE OF MOTOR OILS AND OTHER PETROLEUM BASED OR TOXIC LIQUIDS FOR DUST SUPPRESSION OPERATIONS IS PROHIBITED.
14. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION.
15. EROSION BALES SHALL BE PLACED SUCH THAT RUNOFF WILL NOT FLOW BETWEEN, AROUND OR UNDER BALES. BALES TO BE ANCHORED WITH 2" X 2" X 3' WOODEN STAKES OR TWO PER BALE.
16. ALL DRAINAGE INLETS SHALL BE PROTECTED FROM SILTATION. INEFFECTIVE PROTECTION DEVICES SHALL BE IMMEDIATELY REPLACED AND THE INLET CLEANED. FLUSHING IS NOT AN ACCEPTABLE METHOD OF CLEANING.
17. SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND DISTURBED ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBING ACTIVITIES TAKE PLACE.
18. STABILIZATION MEASURES SHALL BE APPLIED TO STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.
19. BEST MANAGEMENT PRACTICES (BMP) DETAILS SHOWN ON THESE PLANS ARE CONCEPTUAL ONLY. ADJUST AS NECESSARY TO FIT FIELD CONDITIONS. ALL ADJUSTMENTS SHALL BE INCLUDED IN CONTRACTORS BASE BID.
20. TEMPORARY SEDIMENT BASINS SHALL BE USED DURING CONSTRUCTION TO CONTAIN ALL RUNOFF FROM THE SITE. IF TRENCH DEWATERING OR GROUND WATER REMOVAL IS REQUIRED, THE SEDIMENT POND OR OTHER APPROVED MEANS SHALL BE USED TO DETAIN ALL WATER PUMPED BY THESE OPERATIONS.
21. THE CONTRACTOR SHALL SUBMIT A SCHEDULE OF CONSTRUCTION, GRADING AND LANDSCAPING, INCLUDING THE NAME AND 24 HOUR PHONE NUMBER OF THE RESPONSIBLE PARTY TO CONTACT REGARDING ANY EROSION OR SEDIMENT PROBLEM TO THE APPROPRIATE GOVERNING AGENCY PRIOR TO BEGINNING ANY CONSTRUCTION.
22. EROSION CONTROL MEASURES TO BE COORDINATED WITH CONSTRUCTION MANAGER.
23. EROSION AND SEDIMENT CONTROL SHALL BE INSTALLED IN ACCORDANCE WITH REGULATIONS OF THE APPROPRIATE GOVERNING AGENCY.
24. ANY SETTLEMENT OR SOIL ACCUMULATIONS BEYOND THE PROPERTY LIMITS DUE TO GRADING OR EROSION SHALL BE REPAIRED IMMEDIATELY BY THE CONTRACTOR.
25. ANY CONSTRUCTION DEBRIS OR MUD TRACKING IN THE PUBLIC RIGHT-OF-WAY RESULTING FROM THIS DEVELOPMENT SHALL BE REMOVED IMMEDIATELY BY THE CONTRACTOR. THE CONTRACTOR SHALL IMMEDIATELY FIX ANY EXCAVATIONS OR PAVEMENT FAILURES CAUSED BY THE DEVELOPMENT AND SHALL PROPERLY BARRICADE THE SITE UNTIL CLEAN UP OR REPAIR IS COMPLETE.
26. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE SURE ALL APPROPRIATE PERMITS FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY HAVE BEEN OBTAINED PRIOR TO GRADING. CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL TEMPORARY WATER DIVERSION/CONTROL DEVICES AND EROSION CONTROL DEVICES NECESSARY TO PROTECT ADJACENT PROPERTIES, WATERWAYS AND PUBLIC RIGHT-OF-WAY. CONTRACTOR IS RESPONSIBLE FOR THE MAINTENANCE OF SAID DEVICES THROUGHOUT CONSTRUCTION AND UNTIL THE PERMANENT PROTECTION NECESSARY HAS BEEN COMPLETED.

EROSION CONTROL MAINTENANCE NOTES:

27. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION UNTIL NO LONGER REQUIRED FOR A COMPLETED PHASE OF WORK OR FINAL STABILIZATION OF THE SITE. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BY A QUALIFIED PERSON AT LEAST ONCE EVERY SEVEN CALENDAR DAYS AND WITHING 24 HOURS OF THE END OF A 0.5" RAINFALL EVENT, AND CLEANED AND REPAIRED IN ACCORDANCE WITH THE FOLLOWING:
28. CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES AS REQUIRED BY THE CONSTRUCTION DRAWINGS. ADDITIONAL BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED AS DICTACTED BY CONDITIONS AT NO ADDITIONAL COST TO THE OWNER THROUGHOUT ALL PHASES OF CONSTRUCTION.
29. INLET PROTECTIONS DEVICES AND BARRIERS SHALL BE REPAIRED OR REPLACED IF THEY SHOW SIGNS OF UNDERMINING, OR DETERIORATION.
30. ALL SEEDED AREAS SHALL BE CHECKED REGULARLY TO SEE THAT A GOOD STAND IS MAINTAINED. AREAS SHOULD BE FERTILIZED, WATERED, AND RESEEDED AS NEEDED.
31. SILT FENCES SHALL BE REPAIRED TO THEIR ORIGINAL CONDITIONS IF DAMAGED. SEDIMENT SHALL BE REMOVED FROM THE SILT FENCES WHEN IT REACHES ONE0HALF THE HEIGHT OF THE SILT FENCE.
32. THE CONSTRUCTION ENTRANCES SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE CONSTRUCTION ENTRANCES AS CONDITIONS DEMAND.
33. OUTLET STRUCTURES IN THE SEDIMENTATION BASINS SHALL BE MAINTAINED IN OPERATIONAL CONDITIONS AT ALL TIMES. SEDIMENT SHALL BE REMOVED FROM SEDIMENT BASINS OR TRAPS WHEN THE DESIGN CAPACITY HAS BEEN REDUCED BY 50%.

GRADING AND DRAINAGE NOTES

1. STREET CONTOURS SHOWN AT PROPOSED STREET LOCATIONS REPRESENT FINISHED GRADE ELEVATION TO TOP OF ASPHALT.
2. COMPACTION FILL MATERIAL SHALL BE COMPACTED ACCORDING TO THE APPROPRIATE GOVERNING AGENCY REGULATIONS AND THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
3. TOLERANCE ROUGH GRADING: TOLERANCE SHALL BE +/- 0.1 FEET.
4. A SMOOTH GRADE SHALL BE MAINTAINED FROM THE CENTERLINE OF EXISTING ROAD TO PROPOSED CURB AND GUTTER AND/OR PROPOSED EDGE OF PAVEMENT TO PRECLUDE THE FORMING OF FALSE GUTTERS AND/OR THE PONDING OF ANY WATER IN THE ROADWAY. REMOVE AND RECONSTRUCT EXISTING PAVEMENT AND/OR CURB AS DICTATED BY FIELD CONDITIONS TO PROVIDE POSITIVE DRAINAGE AT TIE-IN-POINTS.
5. ALL RETAINING WALLS 4' IN HEIGHT AND OVER (MEASURED FROM BOTTOM OF FOOTER TO TOP OF WALL) REQUIRE A SEPARATE BUILDING PERMIT.
6. THESE PLANS MAKE NO REPRESENTATION AS TO THE SUBSURFACE CONDITIONS AND THE PRESENCE OF SUBSURFACE WATER OR THE NEED FOR SUBSURFACE DRAINAGE FACILITIES.
7. ALL FINISHED GRADING, SEEDING, SODDING OR PAVING SHALL BE DONE IN SUCH A MANNER TO PRECLUDE THE PONDING OF WATER.
8. THE STORM DRAIN, STORMWATER MANAGEMENT AND WATER QUALITY FACILITIES MUST BE MAINTAINED BY THE CONTRACTOR UNTIL SUCH TIME AS THEY ARE NOT ONLY 100% COMPLETE, BUT ALSO THAT 100% OF THE DRAINAGE AREA TO EACH FACILITY IS PERMANENTLY STABILIZED. SEED AND MULCH DOES NOT CONSTITUTE STABILIZATION IN TERMS OF THE CONTRACTOR MAINTENANCE OF THE STORM DRAIN, STORMWATER MANAGEMENT, AND WATER QUALITY FACILITIES. ALL STORM DRAIN, STORMWATER MANAGEMENT AND WATER QUALITY FACILITIES SHALL BE TURNED OVER TO THE OWNER COMPLETELY CLEAN AND FREE FROM ANY CONSTRUCTION RELATED SEDIMENT OR DEBRIS.

UTILITY NOTES

1. UTILITY CONFLICTS: ALL EXISTING UTILITIES SHOWN WERE COMPILED USING THE BEST AVAILABLE INFORMATION AND FIELD OBSERVATION. BOWMAN CONSULTING INC. DOES NOT GUARANTEE THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON. CONTRACTOR TO BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATION OF AND PROTECTING ALL EXISTING UTILITIES, INCLUDING THOSE NOT SHOWN OR SHOWN INCORRECTLY ON THE PLANS. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED IN A TIMELY FASHION TO THE SATISFACTION OF THE APPROPRIATE GOVERNING AGENCY AND THE OWNER OF THE IMPACTED UTILITY AT THE CONTRACTOR'S EXPENSE.
2. THE EXISTING UNDERGROUND UTILITIES SHOW HEREON ARE BASED UPON AVAILABLE INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK AND FOR ANY DAMAGES WHICH OCCUR BY HIS FAILURE TO LOCATE OR PRESERVE THESE UNDERGROUND UTILITIES. IF DURING CONSTRUCTION OPERATIONS THE CONTRACTOR SHOULD ENCOUNTER UTILITIES OTHER THAN IN THOSE SHOWN ON THE PLANS, HE SHALL IMMEDIATELY NOTIFY THE ENGINEER AND TAKE NECESSARY AND PROPER STEPS TO PROTECT THE FACILITY AND ASSURE THE CONTINUANCE OF SERVICE.
3. ALL STREET CUT AND PATCH WORK IN PUBLIC RIGHT-OF-WAY REQUIRED FOR UTILITIES INSTALLATION SHALL BE PERFORMED IN STRICT ACCORDANCE WITH CITY, COUNTY, AND/OR APPROPRIATE GOVERNING AGENCY STANDARDS AND SPECIFICATIONS.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR ADJUSTMENTS AND/OR RECONSTRUCTION OF ALL UTILITY COVER (MANHOLE FRAMES AND COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.
5. DURING CONSTRUCTION, NO TEMPORARY CONNECTIONS TO FIRE HYDRANTS MAY BE MADE WITHOUT THE EXPRESS AUTHORIZATION OF THE UTILITY OWNER.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL SEAL 052534 ENGINEER BRANDON J SWEARS — 07/08/22

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

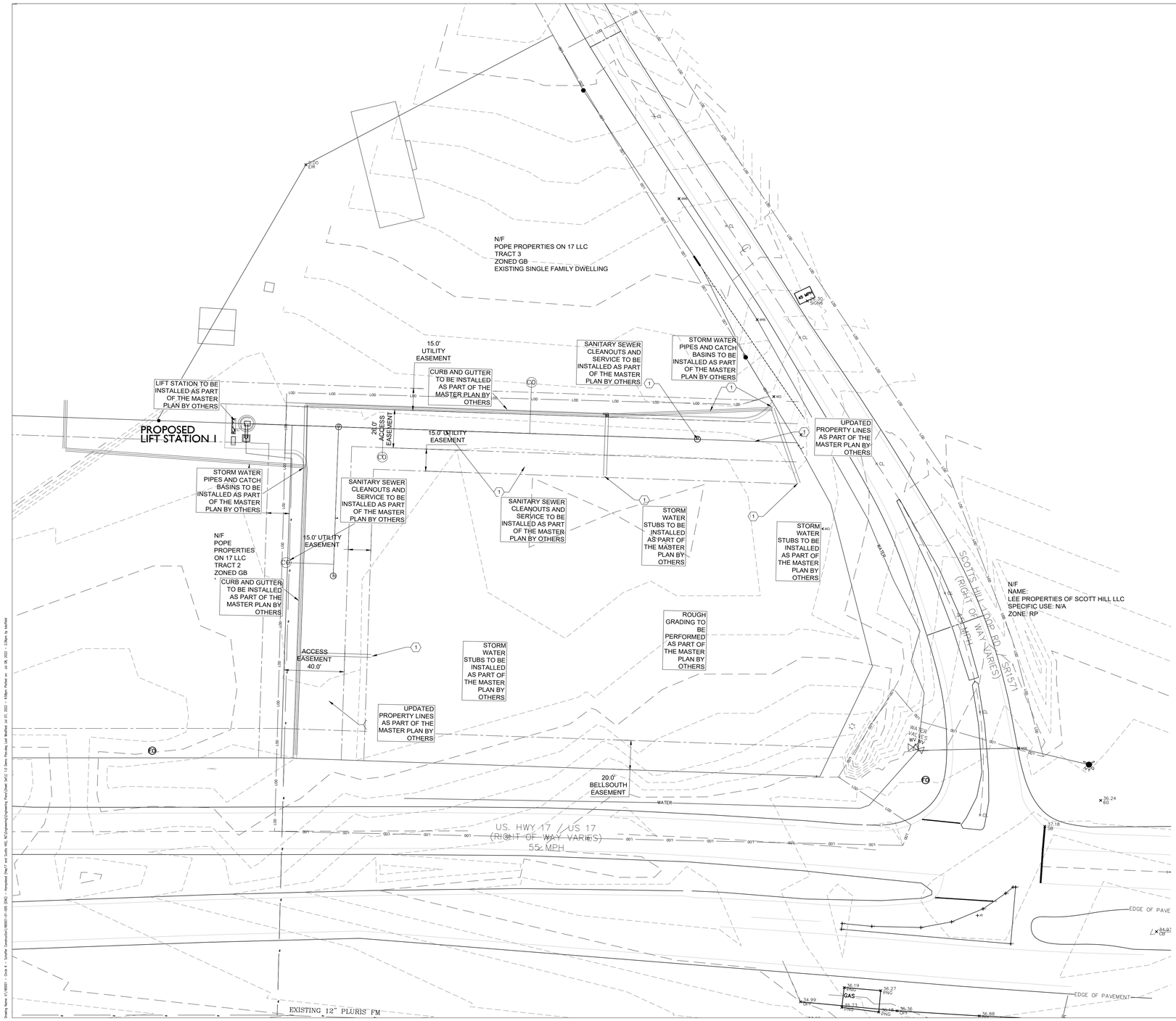
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
PROJECT NOTES

SHEET NUMBER
C0.1

Drawing Name: N:\180001 - Circle K - Staffel Construction\180001-01-005 (NC) - Hampstead (Hwy17 and Scotts Hill)\4)Engineering\Engineering Plans\Sheet Set\01 Cover Sheet.dwg Last Modified: Jan 26, 2022 - 3:47pm Plotted on: Jul 08, 2022 - 2:20pm By MJRifkin



GENERAL DEMOLITION NOTES:

1. CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL DEBRIS FROM THE SITE AND DISPOSING OF THE DEBRIS IN A LAWFUL MANNER. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS REQUIRED FOR DEMOLITION AND DISPOSAL.
2. CONTRACTOR TO ABIDE BY ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS CONCERNING THE REMOVAL, DEOMLITION, AND/OR DISPOSAL OF POSSIBLE HARMFUL MATERIALS INCLUDING LEAD PAINT, ASBESTOS, ETC. DURING ALL PHASES OF CONSTRUCTION.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING SERVICES TO ANY NECESSARY UTILITIES DURING CONSTRUCTION.
4. CONTRACTOR TO ENSURE ALL APPROPRIATE EROSION CONTROL MEASURES, INCLUDING TREE PROTECTION FENCING, ARE IN PLACE PRIOR TO ANY DEMOLITION ACTIVITY TAKING PLACE.
5. CONTRACTOR TO SAW CUT EXISTING PAVEMENT FULL DEPTH AT EDGE OF DEMOLITION LIMITS.
6. BOUNDARY AND TOPOGRAPHIC SURVEY BY CAPE FEAR SURVEYING, DATED 04/12/2012.
7. IT IS UNDERSTOOD THAT THESE CONDITIONS REFLECTED WITHIN THIS SHEET DO NOT REFLECT WHAT IS CURRENTLY EXISTING. THE CONDITIONS REFLECTED WITHIN THIS SHEET REFLECT WHAT THE SITE CONDITIONS WILL BE WHEN CONSTRUCTION IS STARTED, AFTER THE MASTER PLAN IMPROVEMENTS BY OTHERS TAKE PLACE.

KEY NOTES

1	INFRASTRUCTURE INSTALLED AS PART OF THE MASTER PLANBY OTHERS

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 BRANDON J. SWEETEN 07/08/22

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD,
NORTH CAROLINA

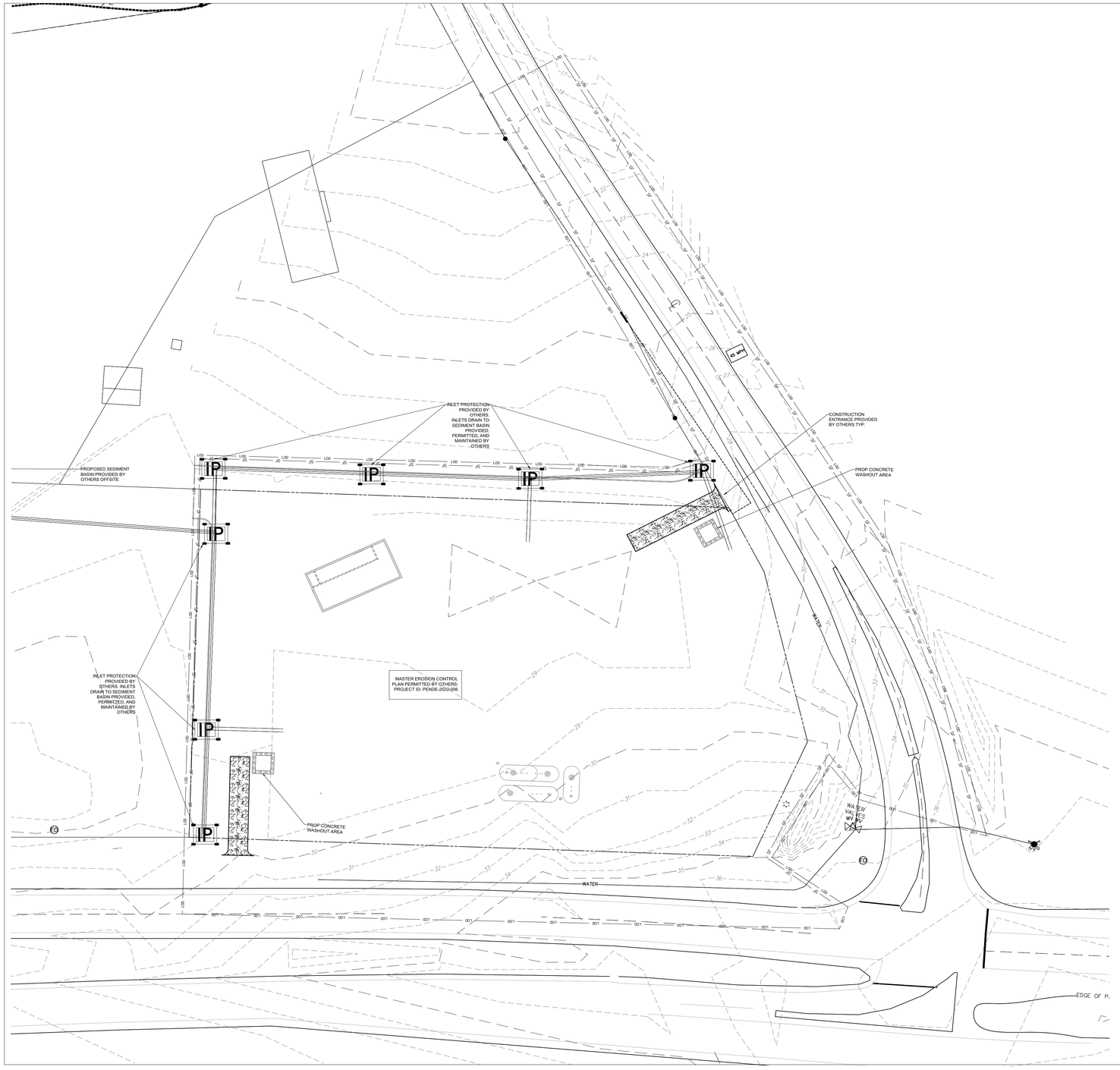
US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
EXISTING CONDITIONS AND DEMO PLAN

SHEET NUMBER
C1.0



SOIL DATA TABLE

SYMBOL	SOIL NAME	PERCENTAGE	HYDROLOGIC SOIL GROUP
AnB	ALPIN FINE SAND	20.2	A
AuB	AUTRYVILLE FINE SAND	79.8	A

OWNER INFORMATION: POPE PROPERTIES ON 17 LLC.
PROJECT NAME: CIRCLE K - HAMPSTEAD, SCOTTS HILL LOOP
PROJECT ADDRESS: 4314 SCOTTS HILL LOOP RD
WILMINGTON, NC, 28411

WATERSHED: WHITE OAK
LATITUDE: 34° 19' 26.6226"
LONGITUDE: -77° 45' 40.6074"
TOTAL SITE AREA: 1.76 ACRES

BMP MAINTENANCE NOTES

ALL MEASURES STATED ON THESE PLANS SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION UNTIL NO LONGER REQUIRED FOR COMPLETED PHASE OF WORK OF FINAL STABILIZATION OF THE SITE. SEDIMENTATION CONTROL MEASURES SHALL BE CHECKED BY A QUALIFIED PERSON IN ACCORDANCE WITH THE CONSTRUCTION GENERAL PERMIT, AND REPAIRED IN ACCORDANCE WITH THE FOLLOWING:

1. INLET PROTECTION DEVICES AND BARRIERS SHALL BE REPAIRED OR REPLACED IF THEY SHOW SIGNS OF DETERIORATION.
2. ALL SEEDED/SODDED AREAS SHALL BE CHECKED REGULARLY TO SEE THAT A GOOD STAND IS MAINTAINED. AREAS SHALL BE FERTILIZED, WATERED AND REPAIRED AS NEEDED.
3. SILT FENCES SHALL BE REPAIRED TO THEIR ORIGINAL CONDITIONS IF DAMAGED. SEDIMENT SHALL BE REMOVED FROM THE SILT FENCE WHEN IT REACHES ONE-HALF THE HEIGHT OF THE FENCE.
4. THE CONSTRUCTION ENTRANCE/EXIT SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF SEDIMENT FROM THE SITE. THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE EXIT AS CONDITIONS DEMAND.
5. THE TEMPORARY PARKING AND STORAGE AREA SHALL BE KEPT IN A GOOD CONDITION. THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE AREA AS CONDITIONS DEMAND.
6. PRIOR TO LEAVING THE SITE, ALL VEHICLES SHALL BE CLEANED OF DEBRIS. ANY DEBRIS AND/OR SEDIMENT LEAVING THE SITE SHALL BE CLEANED IMMEDIATELY.
7. ALL INLETS AND STORM DRAINS SHALL BE KEPT CLEAN OF DEBRIS AND SEDIMENT. ANY DEBRIS AND/OR SEDIMENT THAT ENTERS ANY INLET OR STORM DRAIN SHALL BE CLEANED IMMEDIATELY. FLUSHING SHALL NOT BE USED TO CLEAN DEBRIS AND/OR SEDIMENT FROM STORM DRAINS.
8. INSPECTIONS TO BE EVERY 7 CALENDAR DAYS AND WITHIN 24 HOURS AFTER EACH RAINFALL EVENT THAT PRODUCES 0.5 INCHES OR MORE OF PRECIPITATION

CONSTRUCTION SEQUENCE-INITIAL PHASE

1. CONDUCT LIMITED CLEARING, GRADING, AND STRIPPING AS REQUIRED TO INSTALL CONSTRUCTION ENTRANCE AND PERIMETER BMPS.
2. INSTALL CONSTRUCTION ENTRANCE, SILT FENCE, CONCRETE WASHOUT, SEDIMENT TRAP AND INLET PROTECTION BMP AS SHOWN ON PLAN AND IN ACCORDANCE WITH SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (SCDEHC). STORMWATER REGULATIONS SHALL BE FOLLOWED BY THE DESIGN ENGINEER AND THE CONTRACTOR. IN ADDITION, ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE DESIGNED IN ACCORDANCE WITH SCDHEC DESIGN GUIDELINES.
3. TEMPORARY SEDIMENT TRAP VOLUME AND TOPOGRAPHY TO BE CONTRACTOR VERIFIED PRIOR TO CONTINUING WITH GRADING.
4. INSPECTIONS TO BE EVERY 7 CALENDAR DAYS AND WITHIN 24 HOURS AFTER EACH RAINFALL EVEN THAT PRODUCES ¼ INCH OR MORE PRECIPITATION.
5. CONTRACTOR TO MAINTAIN ALL BMPS THROUGH THE LIFE OF THE PROJECT. ONCE SITE IS STABILIZED CONTRACTOR TO PROCEED TO FINAL PHASE.

EROSION CONTROL LEGEND

- PROPERTY LINE
- SOIL BOUNDARY
- LOD — LIMITS OF DISTURBANCE
- SF — SILT FENCE - SEE EROSION CONTROL DETAILS
- STABILIZED CONSTRUCTION ENTRANCE - SEE EROSION CONTROL DETAILS
- IP — INLET PROTECTION - SEE EROSION CONTROL DETAILS
- SILT FENCE OUTLET - SEE EROSION CONTROL DETAILS
- CONCRETE WASHOUT - SEE EROSION CONTROL DETAILS
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL SEAL 052534 ENGINEER BRANDON J SIKES
Brandon Sikes

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

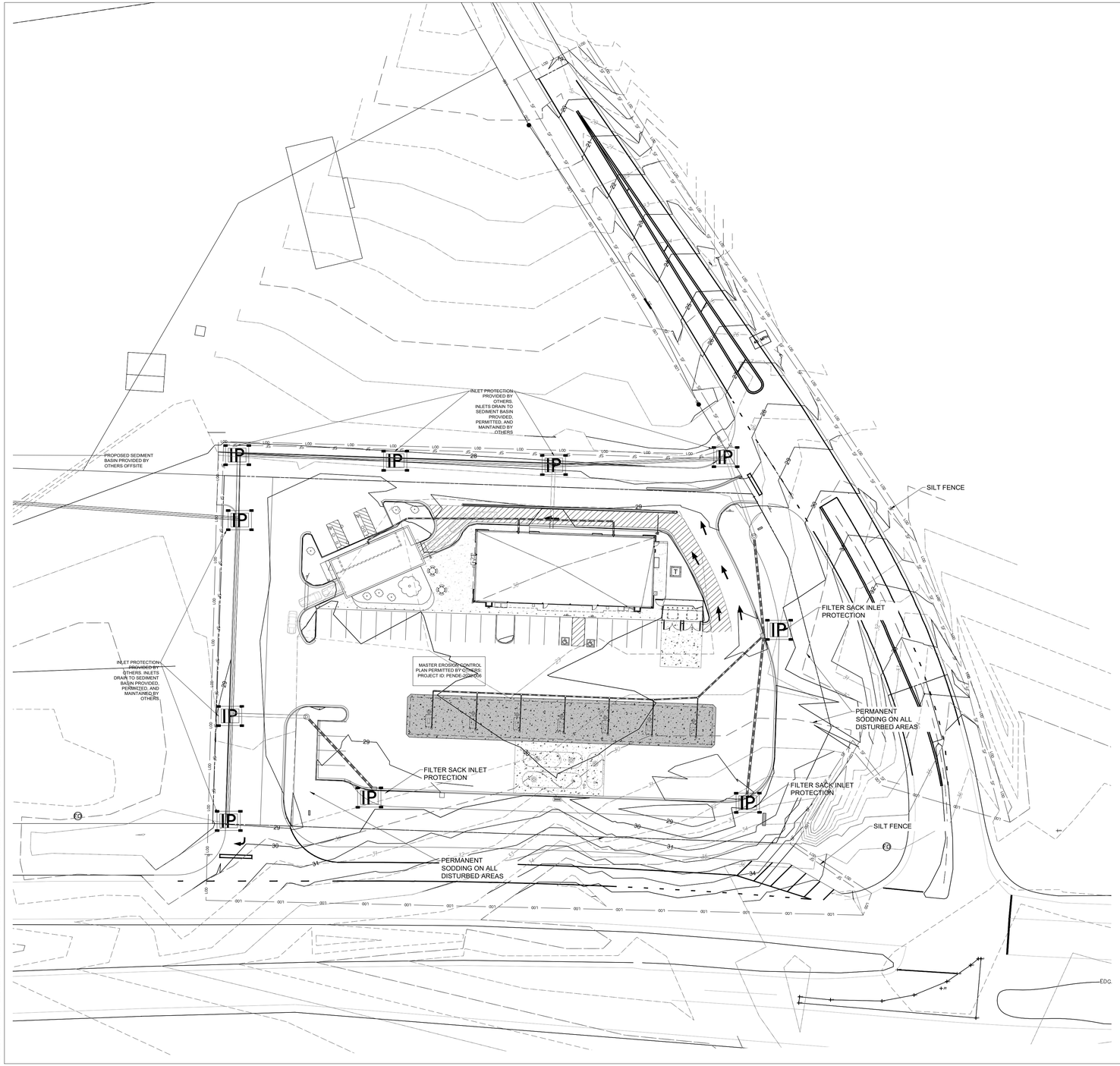
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
INITIAL EROSION AND SEDIMENT CONTROL PLAN

SHEET NUMBER
C2.0

Drawing Name: N:\180001 - Circle K - Utility Construction\180001-01-005 ENGL - Hampstead (Rear)\1 and Scotts Hill, NC\Engineering\Engineering Files\Sheet Set\C2.0 Initial Plan and Details.dwg Last Modified: Jul 28, 2022 - 1:29pm Plotted on: Jul 28, 2022 - 1:31pm by kstofel



SOIL DATA TABLE

SYMBOL	SOIL NAME	PERCENTAGE	HYDROLOGIC SOIL GROUP
AnB	ALPIN FINE SAND	20.2	A
AuB	AUTRYVILLE FINE SAND	79.8	A

OWNER INFORMATION: POPE PROPERTIES ON 17 LLC.
PROJECT NAME: CIRCLE K - HAMPSTEAD, SCOTTS HILL LOOP
PROJECT ADDRESS: 4314 SCOTTS HILL LOOP RD
WILMINGTON, NC, 28411
WATERSHED: WHITE OAK
LATITUDE: 34° 19' 26.6226"
LONGITUDE: -77° 45' 40.6074"
TOTAL SITE AREA: 1.76 ACRES

BMP MAINTENANCE NOTES

ALL MEASURES STATED ON THESE PLANS SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION UNTIL NO LONGER REQUIRED FOR COMPLETED PHASE OF WORK OF FINAL STABILIZATION OF THE SITE. SEDIMENTATION CONTROL MEASURES SHALL BE CHECKED BY A QUALIFIED PERSON IN ACCORDANCE WITH THE CONSTRUCTION GENERAL PERMIT, AND REPAIRED IN ACCORDANCE WITH THE FOLLOWING:

1. INLET PROTECTION DEVICES AND BARRIERS SHALL BE REPAIRED OR REPLACED IF THEY SHOW SIGNS OF DETERIORATION.
2. ALL SEEDED/SODDED AREAS SHALL BE CHECKED REGULARLY TO SEE THAT A GOOD STAND IS MAINTAINED. AREAS SHALL BE FERTILIZED, WATERED AND REPAIRED AS NEEDED.
3. SILT FENCES SHALL BE REPAIRED TO THEIR ORIGINAL CONDITIONS IF DAMAGED. SEDIMENT SHALL BE REMOVED FROM THE SILT FENCE WHEN IT REACHES ONE-HALF THE HEIGHT OF THE FENCE.
4. THE CONSTRUCTION ENTRANCE/EXIT SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF SEDIMENT FROM THE SITE. THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE EXIT AS CONDITIONS DEMAND.
5. THE TEMPORARY PARKING AND STORAGE AREA SHALL BE KEPT IN A GOOD CONDITION. THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE AREA AS CONDITIONS DEMAND.
6. PRIOR TO LEAVING THE SITE, ALL VEHICLES SHALL BE CLEANED OF DEBRIS. ANY DEBRIS AND/OR SEDIMENT LEAVING THE SITE SHALL BE CLEANED IMMEDIATELY.
7. ALL INLETS AND STORM DRAINS SHALL BE KEPT CLEAN OF DEBRIS AND SEDIMENT. ANY DEBRIS AND/OR SEDIMENT THAT ENTERS ANY INLET OR STORM DRAIN SHALL BE CLEANED IMMEDIATELY. FLUSHING SHALL NOT BE USED TO CLEAN DEBRIS AND/OR SEDIMENT FROM STORM DRAINS.
8. INSPECTIONS TO BE EVERY 7 CALENDAR DAYS AND WITHIN 24 HOURS AFTER EACH RAINFALL EVENT THAT PRODUCES 0.5 INCHES OR MORE OF PRECIPITATION

CONSTRUCTION SEQUENCE-FINAL PHASE

1. GRADE THE SITE, APPLYING TEMPORARY STABILIZATION DURING THE GRADING PROCESS. CLEAT, GRUB, AND STRIP AS NECESSARY.
2. BEGIN BUILDING PAD PREPARATION AND BUILDING CONSTRUCTION.
3. REMOVE ROCK CHECK DAMS, DIVERSIONS, CONCRETE WASHOUT AND CONSTRUCTION EXIT AS NECESSARY AS PAVING IS INSTALLED.
4. BEGIN ALL WET AND DRY UTILITY INSTALLATION.
5. STORMWATER INFRASTRUCTURE TO BE INSTALLED AFTER AREA THAT DRAINS TO THE SYSTEM IS STABILIZED.
6. ENGINEER TO CERTIFY PERMANENT STORMWATER BMP FOR VOLUME, TOPOGRAPHY, AND DIMENSIONS.
7. PERMANENTLY STABILIZE DISTURBED AREAS AS SHOWN ON PLAN AND IN ACCORDANCE WITH THE NCDEQ EROSION CONTROL MANUAL.
8. REMOVE INLET PROTECTION BMPS AND SILT FENCE AFTER ENTIRE AREA DRAINING TO THE STRUCTURE IS STABILIZED.
9. CONTINUE WEEKLY INSPECTION REPORTS UNTIL THE SITE IS FULLY STABILIZED.
10. INSPECTIONS TO BE EVERY 7 CALENDAR DAYS AND WITHIN 24 HOURS AFTER EACH RAINFALL EVEN THAT PRODUCES ½ INCH OR MORE PRECIPITATION.
11. MAINTAIN ALL SEDIMENT AND EROSION CONTROL FEATURES THROUGHOUT THE LIFE OF THE PROJECT.
12. REMOVAL OF SEDIMENT AND PERIMETER CONTROLS AFTER SITE IS FULLY PERMANENTLY STABILIZED.

EROSION CONTROL LEGEND

- PROPERTY LINE
- SOIL BOUNDARY
- LOD — LIMITS OF DISTURBANCE
- SF — SILT FENCE - SEE EROSION CONTROL DETAILS
- STABILIZED CONSTRUCTION ENTRANCE - SEE EROSION CONTROL DETAILS
- IP — INLET PROTECTION - SEE EROSION CONTROL DETAILS
- SILT FENCE OUTLET - SEE EROSION CONTROL DETAILS
- CONCRETE WASHOUT - SEE EROSION CONTROL DETAILS
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL Brandon J Shreves SEAL 052534 07/08/22 ENGINEER BRANDON J SHREVES

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

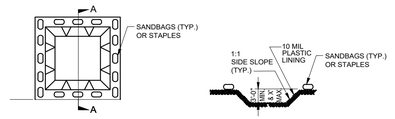
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
FINAL EROSION AND SEDIMENT CONTROL PLAN

SHEET NUMBER
C2.1

ONSITE CONCRETE WASHOUT STRUCTURE WITH LINER



SECTION A-A

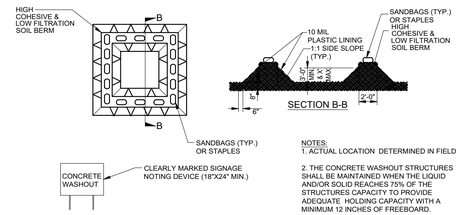
PLAN

NOTES:
1. ACTUAL LOCATION DETERMINED IN FIELD

2. THE CONCRETE WASHOUT STRUCTURES SHALL BE MAINTAINED WHEN THE LIQUID AND/OR SOLID REACHES 75% OF THE STRUCTURES CAPACITY.

3.CONCRETE WASHOUT STRUCTURE NEEDS TO BE CLEARY MARKED WITH SIGNAGE NOTING DEVICE.

BELOW GRADE WASHOUT STRUCTURE
NOT TO SCALE



SECTION B-B

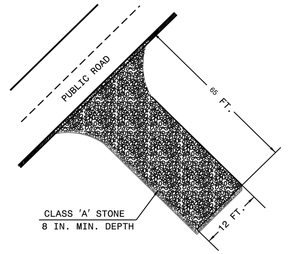
PLAN

NOTES:
1. ACTUAL LOCATION DETERMINED IN FIELD

2. THE CONCRETE WASHOUT STRUCTURES SHALL BE MAINTAINED WHEN THE LIQUID AND/OR SOLID REACHES 75% OF THE STRUCTURES CAPACITY TO PROVIDE ADEQUATE HOLDING CAPACITY WITH A MINIMUM 12 INCHES OF FREEBOARD.

3.CONCRETE WASHOUT STRUCTURE NEEDS TO BE CLEARY MARKED WITH SIGNAGE NOTING DEVICE.

ABOVE GRADE WASHOUT STRUCTURE
NOT TO SCALE



NOTES

1. PROVIDE TURNING RADIUS SUFFICIENT TO ACCOMMODATE LARGE TRUCKS.
2. LOCATE ENTRANCES TO PROVIDE FOR UTILIZATION BY ALL CONSTRUCTION VEHICLES.
3. MUST BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR DIRECT FLOW OF MUD ONTO STREETS. PERIODIC TOPDRESSING WITH STONE WILL BE NECESSARY.
4. ANY MATERIAL TRACKED ONTO THE ROADWAY MUST BE CLEANED UP IMMEDIATELY.
5. LOCATE GRAVEL CONSTRUCTION ENTRANCE AT ALL POINTS OF INGRESS AND EGRESS UNTIL SITE IS STABILIZED. PROVIDE FREQUENT CHECKS OF THE DEVICE AND TIMELY MAINTENANCE.
6. NUMBER AND LOCATION OF CONSTRUCTION ENTRANCES TO BE DETERMINED BY THE ENGINEER.
7. USE CLASS 'A' STONE OR OTHER COARSE AGGREGATE APPROVED BY THE ENGINEER.
8. INSTALL CONSTRUCTION ENTRANCES IN A WAY TO PREVENT VEHICLES FROM BYPASSING CONSTRUCTION ENTRANCE LEAVING PROJECT SITE.

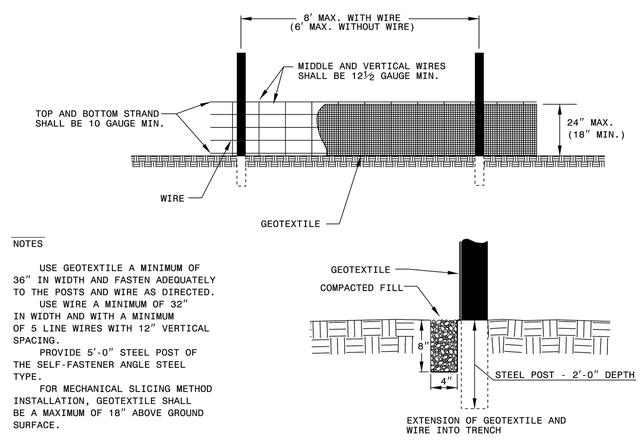
NOTE: PLACE GEOTEXTILE FOR DRAINAGE BENEATH STONE

STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

1-18

ROADWAY STANDARD DRAWING FOR
GRAVEL CONSTRUCTION ENTRANCE

SHEET 1 OF 1
1607.01



NOTES

USE GEOTEXTILE A MINIMUM OF 36" IN WIDTH AND FASTEN ADEQUATELY TO THE POSTS AND WIRE AS DIRECTED.

USE WIRE A MINIMUM OF 32" IN WIDTH AND WITH A MINIMUM OF 5 LINE WIRES WITH 12" VERTICAL SPACING.

PROVIDE 5'-0" STEEL POST OF THE SELF-FASTENER ANGLE STEEL TYPE.

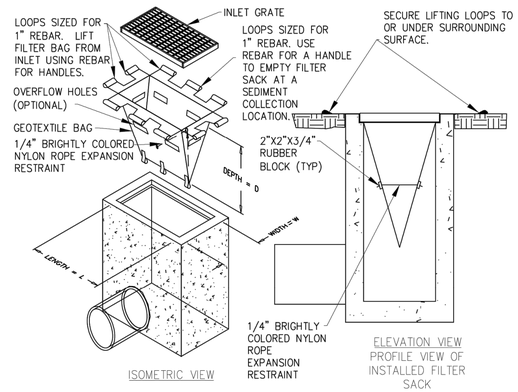
FOR MECHANICAL SLICING METHOD INSTALLATION, GEOTEXTILE SHALL BE A MAXIMUM OF 18" ABOVE GROUND SURFACE.

STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

1-18

ROADWAY STANDARD DRAWING FOR
TEMPORARY SILT FENCE

SHEET 1 OF 1
1605.01



ISOMETRIC VIEW

ELEVATION VIEW
PROFILE VIEW OF INSTALLED FILTER SACK

FILTER SACK INLET PROTECTION

1. EMPTY FILTER SACK WHEN BRIGHTLY COLORED EXPANSION RESTRAINT CAN NO LONGER BE SEEN.
2. GEOTEXTILE WILL BE A WOVEN POLYPROPYLENE FABRIC THAT MEETS OR EXCEEDS REQUIREMENTS IN THE SPECIFICATIONS TABLE.
3. AN OIL ADSORBENT PAD OR PILLOW CAN BE PURCHASED WHEN OIL SPILLS ARE A CONCERN.
4. INSPECT PER REGULATORY REQUIREMENTS.
5. THE WIDTH, "W", OF THE FILTER SACK WILL MATCH THE INSIDE WIDTH OF THE GRATED INLET BOX.
6. THE DEPTH, "D", OF THE FILTER SACK WILL BE BETWEEN 18 INCHES AND 36 INCHES.
7. THE LENGTH, "L", OF THE FILTER SACK WILL MATCH THE INSIDE LENGTH OF THE GRATED INLET BOX.

LOW TO MODERATE FLOW GEOTEXTILE FABRIC SPECIFICATION TABLE		
PROPERTIES	TEST METHOD	UNITS
GRAB TENSILE STRENGTH	ASTM D-4632	300 LBS
GRAB TENSILE ELONGATION	ASTM D-4632	20 %
PUNCTURE	ASTM D-4833	120 LBS
MULLEN BURST	ASTM D-3786	800 PSI
TRAPEZOID TEAR	ASTM D-4533	120 LBS
UV RESISTANCE	ASTM D-4355	80 %
APPARENT OPENING SIZE	ASTM D-4751	40 US SIEVE
FLOW RATE	ASTM D-4491	40 GAL/MIN/SQ FT
PERMITTIVITY	ASTM D-4491	0.55 SEC -1
MODERATE TO HIGH FLOW GEOTEXTILE FABRIC SPECIFICATION TABLE		
PROPERTIES	TEST METHOD	UNITS
GRAB TENSILE STRENGTH	ASTM D-4632	265 LBS
GRAB TENSILE ELONGATION	ASTM D-4632	20 %
PUNCTURE	ASTM D-4833	135 LBS
MULLEN BURST	ASTM D-3786	420 PSI
TRAPEZOID TEAR	ASTM D-4533	45 LBS
UV RESISTANCE	ASTM D-4355	90 %
APPARENT OPENING SIZE	ASTM D-4751	20 US SIEVE
FLOW RATE	ASTM D-4491	200 GAL/MIN/SQ FT
PERMITTIVITY	ASTM D-4491	1.5 SEC -1

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL



PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
EROSION AND SEDIMENT CONTROL DETAILS

SHEET NUMBER
C2.2

Drawing Name: V:\180001 - Circle K - Idaho Construction\180001-01 CAD FILES - Hampstead\Plan\1 set Drafts MD\Engineering\Engineering Plans\Sheet Set\C2.2 Erosion Plans and Details.dwg Last Modified on Jul 08, 2022 - 1:25pm Plotted on Jul 08, 2022 - 3:22pm by kdeffet

GROUND STABILIZATION AND MATERIALS HANDLING PRACTICES FOR COMPLIANCE WITH THE NCG01 CONSTRUCTION GENERAL PERMIT

Implementing the details and specifications on this plan sheet will result in the construction activity being considered compliant with the Ground Stabilization and Materials Handling sections of the NCG01 Construction General Permit (Sections E and F, respectively). The permittee shall comply with the Erosion and Sediment Control plan approved by the delegated authority having jurisdiction. All details and specifications shown on this sheet may not apply depending on site conditions and the delegated authority having jurisdiction.

SECTION E: GROUND STABILIZATION

Required Ground Stabilization Timeframes		
Site Area Description	**Stabilize within this many calendar days after ceasing land disturbance**	**Timeframe variations**
(a) Perimeter dikes, swales, ditches, and perimeter slopes	7	None
(b) High Quality Water (HQW) Zones	7	None
(c) Slopes steeper than 3:1	7	If slopes are 10' or less in length and are not steeper than 2:1, 14 days are allowed
(d) Slopes 3:1 to 4:1	14	-7 days for slopes greater than 50' in length and with slopes steeper than 4:1 -7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed
(e) Areas with slopes flatter than 4:1	14	-7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed unless there is zero slope

Note: After the permanent cessation of construction activities, any areas with temporary ground stabilization shall be converted to permanent ground stabilization as soon as practicable but in no case longer than 90 calendar days after the last land disturbing activity. Temporary ground stabilization shall be maintained in a manner to render the surface stable against accelerated erosion until permanent ground stabilization is achieved.

GROUND STABILIZATION SPECIFICATION

Stabilize the ground sufficiently so that rain will not dislodge the soil. Use one of the techniques in the table below:

Temporary Stabilization	Permanent Stabilization
• Temporary grass seed covered with straw or other mulches and tackifiers • Hydroseeding • Rolled erosion control products with or without temporary grass seed • Appropriately applied straw or other mulch • Plastic sheeting	• Permanent grass seed covered with straw or other mulches and tackifiers • Geotextile fabrics such as permanent soil reinforcement matting • Hydroseeding • Shrubs or other permanent plantings covered with mulch • Uniform and evenly distributed ground cover sufficient to restrain erosion • Structural methods such as concrete, asphalt or retaining walls • Rolled erosion control products with grass seed

POLYACRYLAMIDES (PAMS) AND FLOCCULANTS

1. Select flocculants that are appropriate for the soils being exposed during construction, selecting from the *NC DWR List of Approved PAMS/Flocculants*.
2. Apply flocculants at or before the inlets to Erosion and Sediment Control Measures.
3. Apply flocculants at the concentrations specified in the *NC DWR List of Approved PAMS/Flocculants* and in accordance with the manufacturer's instructions.
4. Provide ponding area for containment of treated Stormwater before discharging offsite.
5. Store flocculants in leak-proof containers that are kept under storm-resistant cover or surrounded by secondary containment structures.

EQUIPMENT AND VEHICLE MAINTENANCE

1. Maintain vehicles and equipment to prevent discharge of fluids.
2. Provide drip pans under any stored equipment.
3. Identify leaks and repair as soon as feasible, or remove leaking equipment from the project.
4. Collect all spent fluids, store in separate containers and properly dispose as hazardous waste (recycle when possible).
5. Remove leaking vehicles and construction equipment from service until the problem has been corrected.
6. Bring used fuels, lubricants, coolants, hydraulic fluids and other petroleum products to a recycling or disposal center that handles these materials.

LITTER, BUILDING MATERIAL AND LAND CLEARING WASTE

1. Never bury or burn waste. Place litter and debris in approved waste containers.
2. Provide a sufficient number and size of waste containers (e.g dumpster, trash receptacle) on site to contain construction and domestic wastes.
3. Locate waste containers at least 50 feet away from storm drain inlets and surface waters unless no other alternatives are reasonably available.
4. Locate waste containers on areas that do not receive substantial amounts of runoff from upland areas and does not drain directly to a storm drain, stream or wetland.
5. Cover waste containers at the end of each workday and before storm events or provide secondary containment. Repair or replace damaged waste containers.
6. Anchor all lightweight items in waste containers during times of high winds.
7. Empty waste containers as needed to prevent overflow. Clean up immediately if containers overflow.
8. Dispose waste off-site at an approved disposal facility.
9. On business days, clean up and dispose of waste in designated waste containers.

PAINT AND OTHER LIQUID WASTE

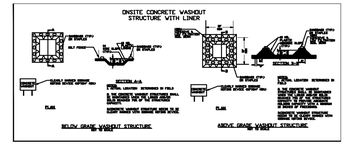
1. Do not dump paint and other liquid waste into storm drains, streams or wetlands.
2. Locate paint washouts at least 50 feet away from storm drain inlets and surface waters unless no other alternatives are reasonably available.
3. Contain liquid wastes in a controlled area.
4. Containment must be labeled, sized and placed appropriately for the needs of site.
5. Prevent the discharge of soaps, solvents, detergents and other liquid wastes from construction sites.

PORTABLE TOILETS

1. Install portable toilets on level ground, at least 50 feet away from storm drains, streams or wetlands unless there is no alternative reasonably available. If 50 foot offset is not attainable, provide relocation of portable toilet behind silt fence or place on a gravel pad and surround with sand bags.
2. Provide staking or anchoring of portable toilets during periods of high winds or in high foot traffic areas.
3. Monitor portable toilets for leaking and properly dispose of any leaked material. Utilize a licensed sanitary waste hauler to remove leaking portable toilets and replace with properly operating unit.

EARTHEN STOCKPILE MANAGEMENT

1. Show stockpile locations on plans. Locate earthen-material stockpile areas at least 50 feet away from storm drain inlets, sediment basins, perimeter sediment controls and surface waters unless it can be shown no other alternatives are reasonably available.
2. Protect stockpile with silt fence installed along toe of slope with a minimum offset of five feet from the toe of stockpile.
3. Provide stable stone access point when feasible.
4. Stabilize stockpile within the timeframes provided on this sheet and in accordance with the approved plan and any additional requirements. Soil stabilization is defined as vegetative, physical or chemical coverage techniques that will restrain accelerated erosion on disturbed soils for temporary or permanent control needs.



CONCRETE WASHOUTS

1. Do not discharge concrete or cement slurry from the site.
2. Dispose of, or recycle settled, hardened concrete residue in accordance with local and state solid waste regulations and at an approved facility.
3. Manage washout from mortar mixers in accordance with the above item and in addition place the mixer and associated materials on impervious barrier and within lot perimeter silt fence.
4. Install temporary concrete washouts per local requirements, where applicable. If an alternate method or product is to be used, contact your approval authority for review and approval. If local standard details are not available, use one of the two types of temporary concrete washouts provided on this detail.
5. Do not use concrete washouts for dewatering or storing defective curb or sidewalk sections. Stormwater accumulated within the washout may not be pumped into or discharged to the storm drain system or receiving surface waters. Liquid waste must be pumped out and removed from project.
6. Locate washouts at least 50 feet from storm drain inlets and surface waters unless it can be shown that no other alternatives are reasonably available. At a minimum, install protection of storm drain inlet(s) closest to the washout which could receive spills or overflow.
7. Locate washouts in an easily accessible area, on level ground and install a stone entrance pad in front of the washout. Additional controls may be required by the approving authority.
8. Install at least one sign directing concrete trucks to the washout within the project limits. Post signage on the washout itself to identify this location.
9. Remove leavings from the washout when at approximately 75% capacity to limit overflow events. Replace the tarp, sand bags or other temporary structural components when no longer functional. When utilizing alternative or proprietary products, follow manufacturer's instructions.
10. At the completion of the concrete work, remove remaining leavings and dispose of in an approved disposal facility. Fill pit, if applicable, and stabilize any disturbance caused by removal of washout.

HERBICIDES, PESTICIDES AND RODENTICIDES

1. Store and apply herbicides, pesticides and rodenticides in accordance with label restrictions.
2. Store herbicides, pesticides and rodenticides in their original containers with the label, which lists directions for use, ingredients and first aid steps in case of accidental poisoning.
3. Do not store herbicides, pesticides and rodenticides in areas where flooding is possible or where they may spill or leak into wells, stormwater drains, ground water or surface water. If a spill occurs, clean area immediately.
4. Do not stockpile these materials onsite.

HAZARDOUS AND TOXIC WASTE

1. Create designated hazardous waste collection areas on-site.
2. Place hazardous waste containers under cover or in secondary containment.
3. Do not store hazardous chemicals, drums or bagged materials directly on the ground.

NCG01 GROUND STABILIZATION AND MATERIALS HANDLING | EFFECTIVE: 04/01/19

PART III
SELF-INSPECTION, RECORDKEEPING AND REPORTING

SECTION A: SELF-INSPECTION

Self-inspections are required during normal business hours in accordance with the table below. When adverse weather or site conditions would cause the safety of the inspection personnel to be in jeopardy, the inspection may be delayed until the next business day on which it is safe to perform the inspection. In addition, when a storm event of equal to or greater than 1.0 inch occurs outside of normal business hours, the self-inspection shall be performed upon the commencement of the next business day. Any time when inspections were delayed shall be noted in the Inspection Record.

Inspect	Frequency (during normal business hours)	Inspection records must include:
(1) Rain gauge maintained in good working order	Daily	Daily rainfall amounts. If no daily rain gauge observations are made during weekend or holiday periods, and no individual-day rainfall information is available, record the cumulative rain measurement for those un-attended days (and this will determine if a site inspection is needed). Days on which no rainfall occurred shall be recorded as "zero." The permittee may use another rain-monitoring device approved by the Division.
(2) E&SC Measures	At least once per 7 calendar days and within 24 hours of a rain event ≥ 1.0 inch in 24 hours	1. Identification of the measures inspected, 2. Date and time of the inspection, 3. Name of the person performing the inspection, 4. Indication of whether the measures were operating properly, 5. Description of maintenance needs for the measure, 6. Description, evidence, and date of corrective actions taken.
(3) Stormwater discharge outfalls (SDOs)	At least once per 7 calendar days and within 24 hours of a rain event ≥ 1.0 inch in 24 hours	1. Identification of the discharge outfalls inspected, 2. Date and time of the inspection, 3. Name of the person performing the inspection, 4. Evidence of indicators of stormwater pollution such as oil sheen, floating or suspended solids or discoloration, 5. Indication of visible sediment leaving the site, 6. Description, evidence, and date of corrective actions taken.
(4) Perimeter of site	At least once per 7 calendar days and within 24 hours of a rain event ≥ 1.0 inch in 24 hours	If visible sedimentation is found outside site limits, then a record of the following shall be made: 1. Actions taken to clean up or stabilize the sediment that has left the site limits, 2. Description, evidence, and date of corrective actions taken, and 3. An explanation as to the actions taken to control future releases.
(5) Streams or wetlands onsite or offsite (where accessible)	At least once per 7 calendar days and within 24 hours of a rain event ≥ 1.0 inch in 24 hours	If the stream or wetland has increased visible sedimentation or a stream has visible increased turbidity from the construction activity, then a record of the following shall be made: 1. Description, evidence and date of corrective actions taken, and 2. Records of the required reports to the appropriate Division Regional Office per Part III, Section C, Item (2)(a) of this permit.
(6) Ground stabilization measures	After each phase of grading	1. The phase of grading (installation of perimeter E&SC measures, clearing and grubbing, installation of storm drainage facilities, completion of all land-disturbing activity, construction or redevelopment, permanent ground cover). 2. Documentation that the required ground stabilization measures have been provided within the required timeframe or an assurance that they will be provided as soon as possible.

NOTE: The rain inspection resets the required 7 calendar day inspection requirement.

PART III
SELF-INSPECTION, RECORDKEEPING AND REPORTING

SECTION B: RECORDKEEPING

1. E&SC Plan Documentation

The approved E&SC plan as well as any approved deviation shall be kept on the site. The approved E&SC plan must be kept up-to-date throughout the coverage under this permit. The following items pertaining to the E&SC plan shall be kept on site and available for inspection at all times during normal business hours.

Item to Document	Documentation Requirements
(a) Each E&SC measure has been installed and does not significantly deviate from the locations, dimensions and relative elevations shown on the approved E&SC plan.	Initial and date each E&SC measure on a copy of the approved E&SC plan or complete, date and sign an inspection report that lists each E&SC measure shown on the approved E&SC plan. This documentation is required upon the initial installation of the E&SC measures or if the E&SC measures are modified after initial installation.
(b) A phase of grading has been completed.	Initial and date a copy of the approved E&SC plan or complete, date and sign an inspection report to indicate completion of the construction phase.
(c) Ground cover is located and installed in accordance with the approved E&SC plan.	Initial and date a copy of the approved E&SC plan or complete, date and sign an inspection report to indicate compliance with approved ground cover specifications.
(d) The maintenance and repair requirements for all E&SC measures have been performed.	Complete, date and sign an inspection report.
(e) Corrective actions have been taken to E&SC measures.	Initial and date a copy of the approved E&SC plan or complete, date and sign an inspection report to indicate the completion of the corrective action.

2. Additional Documentation to be Kept on Site

In addition to the E&SC plan documents above, the following items shall be kept on the site and available for inspectors at all times during normal business hours, unless the Division provides a site-specific exemption based on unique site conditions that make this requirement not practical:

(a) This General Permit as well as the Certificate of Coverage, after it is received.

(b) Records of inspections made during the previous twelve months. The permittee shall record the required observations on the Inspection Record Form provided by the Division or a similar inspection form that includes all the required elements. Use of electronically-available records in lieu of the required paper copies will be allowed if shown to provide equal access and utility as the hard-copy records.

3. Documentation to be Retained for Three Years

All data used to complete the e-NOI and all inspection records shall be maintained for a period of three years after project completion and made available upon request. [40 CFR 122.41]

PART III
SELF-INSPECTION, RECORDKEEPING AND REPORTING

SECTION C: REPORTING

1. Occurrences that Must be Reported

Permittees shall report the following occurrences:

(a) Visible sediment deposition in a stream or wetland.

(b) Oil spills if:
- They are 25 gallons or more,
- They are less than 25 gallons but cannot be cleaned up within 24 hours,
- They cause sheen on surface waters (regardless of volume), or
- They are within 100 feet of surface waters (regardless of volume).

(c) Releases of hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (Ref: 40 CFR 110.3 and 40 CFR 117.3) or Section 102 of CERCLA (Ref: 40 CFR 302.4) or G.S. 143-215.85.

(d) Anticipated bypasses and unanticipated bypasses.

(e) Noncompliance with the conditions of this permit that may endanger health or the environment.

2. Reporting Timeframes and Other Requirements

After a permittee becomes aware of an occurrence that must be reported, he shall contact the appropriate Division regional office within the timeframes and in accordance with the other requirements listed below. Occurrences outside normal business hours may also be reported to the Department's Environmental Emergency Center personnel at (800) 858-0368.

Occurrence	Reporting Timeframes (After Discovery) and Other Requirements
(a) Visible sediment deposition in a stream or wetland	• ***Within 24 hours***, an oral or electronic notification. • ***Within 7 calendar days,*** a report that contains a description of the sediment and actions taken to address the cause of the deposition. Division staff may waive the requirement for a written report on a case-by-case basis. • If the stream is named on the NC 303(d) list as impaired for sediment-related causes, the permittee may be required to perform additional monitoring, inspections or apply more stringent practices if staff determine that additional requirements are needed to assure compliance with the federal or state impaired-waters conditions.
(b) Oil spills and release of hazardous substances per Item 1(b)-(c) above	• ***Within 24 hours***, an oral or electronic notification. The notification shall include information about the date, time, nature, volume and location of the spill or release.
(c) Anticipated bypasses [40 CFR 122.41(m)(3)]	• ***A report at least ten days before the date of the bypass, if possible.*** The report shall include an evaluation of the anticipated quality and effect of the bypass.
(d) Unanticipated bypasses [40 CFR 122.41(m)(3)]	• ***Within 24 hours***, an oral or electronic notification. • ***Within 7 calendar days,*** a report that includes an evaluation of the quality and effect of the bypass.
(e) Noncompliance with the conditions of this permit that may endanger health or the environment[40 CFR 122.41(l)(7)]	• ***Within 24 hours***, an oral or electronic notification. • ***Within 7 calendar days,*** a report that contains a description of the noncompliance, and its causes; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time noncompliance is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [40 CFR 122.41(l)(6). • Division staff may waive the requirement for a written report on a case-by-case basis.

PART II, SECTION G, ITEM (4)
DRAW DOWN OF SEDIMENT BASINS FOR MAINTENANCE OR CLOSE OUT

Sediment basins and traps that receive runoff from drainage areas of one acre or more shall use outlet structures that withdraw water from the surface when these devices need to be drawn down for maintenance or close out unless this is infeasible. The circumstances in which it is not feasible to withdraw water from the surface shall be rare (for example, times with extended cold weather). Non-surface withdrawals from sediment basins shall be allowed only when all of the following criteria have been met:

(a) The E&SC plan authority has been provided with documentation of the non-surface withdrawal and the specific time periods or conditions in which it will occur. The non-surface withdrawal shall not commence until the E&SC plan authority has approved these items,
(b) The non-surface withdrawal has been reported as an anticipated bypass in accordance with Part III, Section C, Item (2)(c) and (d) of this permit,
(c) Dewatering discharges are treated with controls to minimize discharges of pollutants from stormwater that is removed from the sediment basin. Examples of appropriate controls include properly sited, designed and maintained dewatering tanks, weir tanks, and filtration systems,
(d) Vegetated, upland areas of the sites or a properly designed stone pad is used to the extent feasible at the outlet of the dewatering treatment devices described in Item (c) above,
(e) Velocity dissipation devices such as check dams, sediment traps, and riprap are provided at the discharge points of all dewatering devices, and
(f) Sediment removed from the dewatering treatment devices described in Item (c) above is disposed of in a manner that does not cause deposition of sediment into waters of the United States.

NCG01 SELF-INSPECTION, RECORDKEEPING AND REPORTING | EFFECTIVE: 04/01/19

Drawing Name: 6178001 - Circle K - Schaffer Construction\180001-01-005 (SNS) - Hampstead (Hwy17 and Scotts Hill)_NCG\Engineering\Engineering Plans\Sheet Set\C 2.3 Erosion Plans and Details.dwg Last Modified: Jul 08, 2022 - 1:29pm Plotted on: Jul 08, 2022 - 3:37pm by tsutton

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEER BRANDON J SWEENS

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
EROSION AND SEDIMENT CONTROL DETAILS

SHEET NUMBER
C2.3

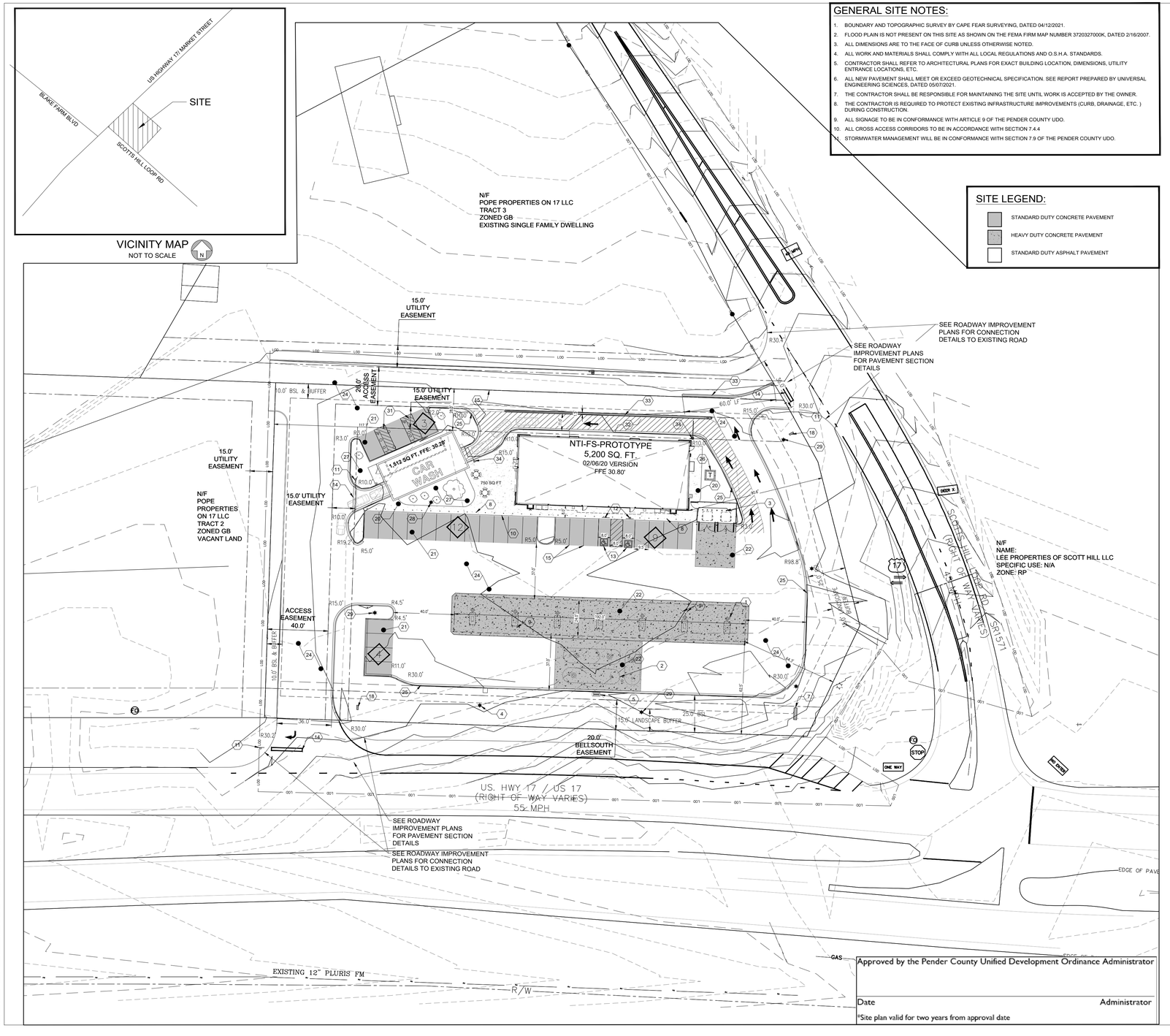
VICINITY MAP
NOT TO SCALE

GENERAL SITE NOTES:

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY CAPE FEAR SURVEYING, DATED 04/12/2021.
2. FLOOD PLAIN IS NOT PRESENT ON THIS SITE AS SHOWN ON THE FEMA FIRM MAP NUMBER 3720327000K, DATED 2/16/2007.
3. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
4. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL LOCAL REGULATIONS AND O.S.H.A. STANDARDS.
5. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING LOCATION, DIMENSIONS, UTILITY ENTRANCE LOCATIONS, ETC.
6. ALL NEW PAVEMENT SHALL MEET OR EXCEED GEOTECHNICAL SPECIFICATION. SEE REPORT PREPARED BY UNIVERSAL ENGINEERING SCIENCES, DATED 05/07/2021.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SITE UNTIL WORK IS ACCEPTED BY THE OWNER.
8. THE CONTRACTOR IS REQUIRED TO PROTECT EXISTING INFRASTRUCTURE IMPROVEMENTS (CURB, DRAINAGE, ETC.) DURING CONSTRUCTION.
9. ALL SIGNAGE TO BE IN CONFORMANCE WITH ARTICLE 9 OF THE PENDER COUNTY UDO.
10. ALL CROSS ACCESS CORRIDORS TO BE IN ACCORDANCE WITH SECTION 7.4.4
11. STORMWATER MANAGEMENT WILL BE IN CONFORMANCE WITH SECTION 7.9 OF THE PENDER COUNTY UDO.

SITE LEGEND:

- STANDARD DUTY CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY ASPHALT PAVEMENT



Approved by the Pender County Unified Development Ordinance Administrator

Date Administrator

*Site plan valid for two years from approval date

SITE SUMMARY TABLE

SITE INFORMATION		
	PIN:	3271-41-0365-0000
	SITE AREA:	±1.92 AC.
	DISTURBED AREA:	±2.04 AC.
	IMPERVIOUS AREA:	1.44± AC. (81.8%)
	PERVIOUS AREA:	0.32± AC. (18.2%)
	EXISTING USES:	SINGLE FAMILY DWELLINGS
ZONING		
	JURISDICTION:	PENDER COUNTY
	ZONING:	GB-GENERAL BUISNESS
	FRONT SETBACK:	25'
	SIDE SETBACK:	10'
	REAR SETBACK:	10'
	CORNER YARD:	12'
BUILDING INFORMATION		
	C-STORE BUILDING AREA:	5,200'
	C-STORE HEIGHT:	21' 6"
	CANOPY BUILDING AREA:	5,550'
	CANOPY HEIGHT:	17' 6"
	CAR WASH HEIGHT:	21' 6"
PARKING SUMMARY		
	MAXIMUM PARKING RETAIL & SERVICE:	1 SPACE / 225 S.F.
		24 SPACES
	MAXIMUM PARKING CAR WASH:	2 SPACE / WASH BAY
		2 SPACES
	MAXIMUM TOTAL PARKING:	26 SPACES
	ADA PARKING:	2 SPACES FOR 26-50 TOTAL SPACES
	PROVIDED PARKING:	28 SPACES
	STANDARD STALL DIMENSION:	9.5' x 18'
	MIN. DRIVE WIDTH:	24'
TIA SUMMARY		
	AM PEAK TRIPS	160
	PM PEAK TRIPS	122
	AVERAGE DAILY TRIPS	282

KEY NOTES

1	FUEL CANOPY, REFER TO ARCH PLANS FOR DETAILS
2	UNDERGROUND FUEL STORAGE TANKS, REFER TO FUEL SYSTEM PLANS FOR DETAILS
3	DUMPSTER ENCLOSURE, REFER TO C 7.1 AND ARCH PLANS FOR DETAILS
4	AIR AND VACUUM MACHINE, REFER TO ARCH PLANS FOR DETAILS
5	FUEL SYSTEM VENT PIPES, REFER TO FUEL SYSTEM PLANS FOR DETAILS
7	SITE SIGNAGE, REFER TO SIGNAGE PLANS FOR DETAILS
8	4" BOLLARD, SPACED EVERY 6' OFF CENTER, SEE CONSTRUCTION DETAILS
9	4" BOLLARD AT FUEL CANOPY, REFER TO FUEL SYSTEM PLANS FOR DETAILS
10	FLUSH PAVEMENT AND SIDEWALK
11	STOP SIGN (R1-1), SEE MUTCD
12	ADA PARKING SIGN, SEE CONSTRUCTION DETAILS
13	ADA PARKING AREA
14	24" WHITE STOP BAR
15	4" WIDE SINGLE SOLID WHITE LINE (SSWL)
16	4" WIDE DOUBLE SOLID YELLOW LINE (DSYL)
18	DIRECTIONAL SIGNAGE - SEE SIGNAGE PLANS BY OTHERS
20	CONCRETE SIDEWALK, SEE PAVING PLAN
21	STANDARD DUTY CONCRETE PAVEMENT, SEE PAVING PLAN
22	HEAVY DUTY CONCRETE PAVEMENT, SEE PAVING PLAN
24	HEAVY DUTY ASPHALT PAVEMENT, SEE PAVING PLAN
25	18" CURB AND GUTTER, SEE CONSTRUCTION DETAILS
26	CONCRETE TRANSFORMER PAD PER UTILITY OWNER'S REQUIREMENTS
27	LANDSCAPE AREA, SEE LANDSCAPE PLAN FOR PLANTING LAYOUT
28	PATIO AREA, REFER TO ARCH PLANS FOR DETAILS
29	LIGHT POLE LOCATION, REFER TO PHOTOMERIC PLAN (BY OTHERS)
30	LOCATION OF PROPOSED FIRE HYDRANT ASSEMBLY
31	VACUUM PARKING
32	4" WHITE SOLID STRIPING FOR CAR WASH LINE
33	RAISED 6" MEDIAN , SEE CONSTRUCTION DETAILS
34	CLEARANCE BAR

GRAPHIC SCALE

30 0 15 30 40 120

(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEER BRANDON J SHREVES

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME

MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE

SITE PLAN

SHEET NUMBER

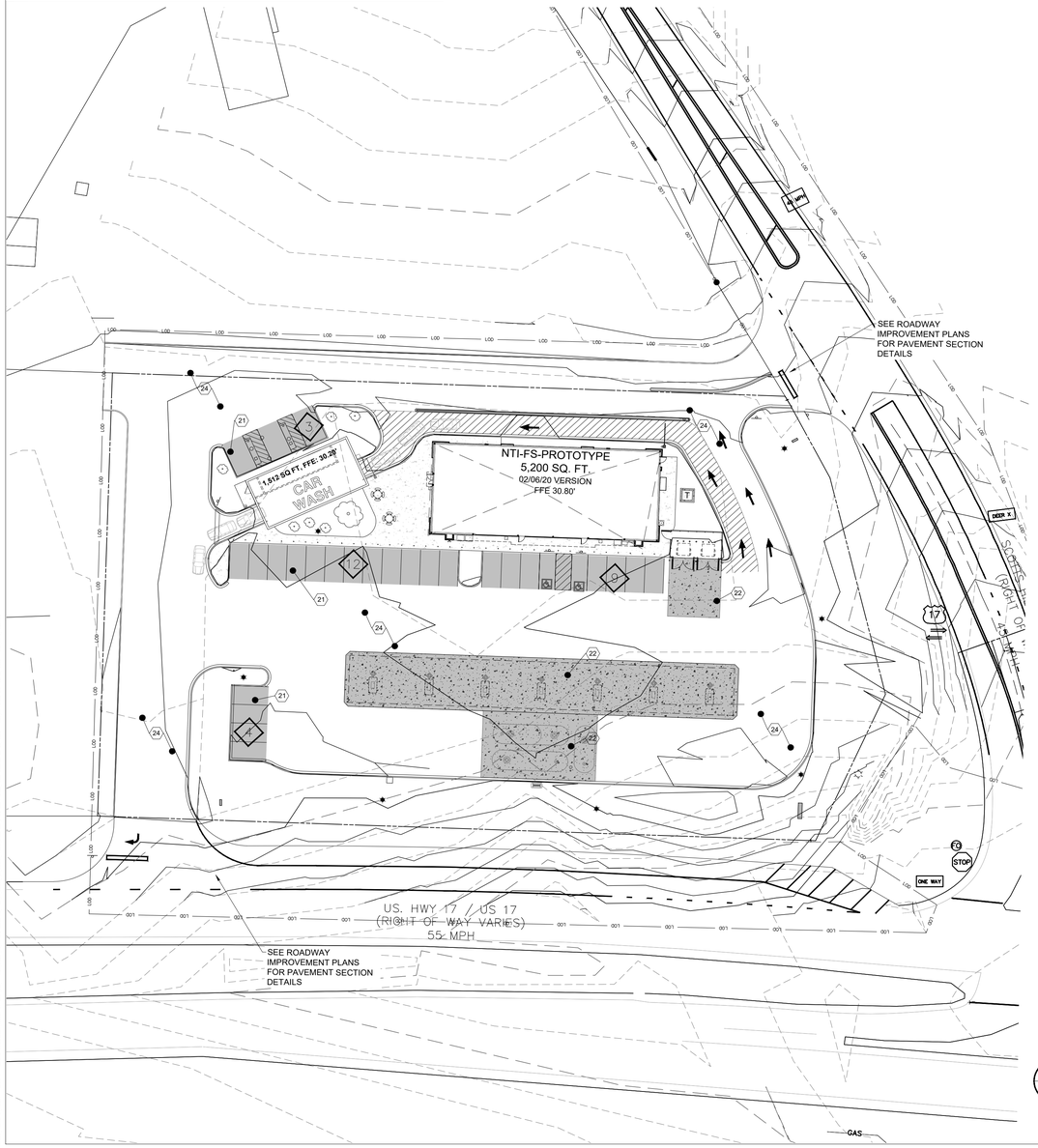
C3.0

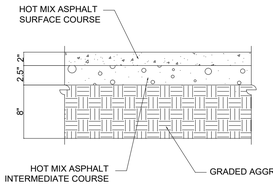
GENERAL SITE NOTES:

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY CAPE FEAR SURVEYING, DATED 04/12/2021.
2. FLOOD PLAIN IS NOT PRESENT ON THIS SITE AS SHOWN ON THE FEMA FIRM MAP NUMBER 3720327000K, DATED 2/16/2007.
3. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
4. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL LOCAL REGULATIONS AND O.S.H.A. STANDARDS.
5. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING LOCATION, DIMENSIONS, UTILITY ENTRANCE LOCATIONS, ETC.
6. ALL NEW PAVEMENT SHALL MEET OR EXCEED GEOTECHNICAL SPECIFICATION. SEE REPORT PREPARED BY UNIVERSAL ENGINEERING SCIENCES, DATED 05/07/2021.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SITE UNTIL WORK IS ACCEPTED BY THE OWNER.
8. THE CONTRACTOR IS REQUIRED TO PROTECT EXISTING INFRASTRUCTURE IMPROVEMENTS (CURB, DRAINAGE, ETC.) DURING CONSTRUCTION.
9. ALL SIGNAGE TO BE IN CONFORMANCE WITH ARTICLE 9 OF THE PENDER COUNTY UDO.
10. ALL CROSS ACCESS CORRIDORS TO BE IN ACCORDANCE WITH SECTION 7.4.4
11. STORMWATER MANAGEMENT WILL BE IN CONFORMANCE WITH SECTION 7.9 OF THE PENDER COUNTY UDO.

SITE LEGEND:

- STANDARD DUTY CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY ASPHALT PAVEMENT

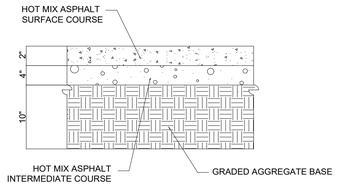




NOTE:
REFER TO GEOTECHNICAL REPORT OR CONFIRM WITH CIRCLE K CONSTRUCTION REP AT TIME OF BIDDING

STANDARD DUTY FLEXIBLE PAVEMENT

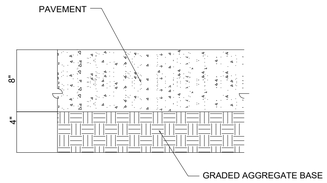
SCALE : N.T.S.



NOTE:
REFER TO GEOTECHNICAL REPORT OR CONFIRM WITH CIRCLE K CONSTRUCTION REP AT TIME OF BIDDING

HEAVY DUTY FLEXIBLE PAVEMENT

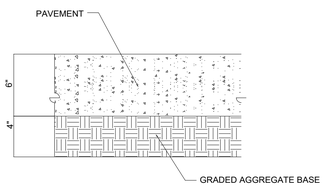
SCALE : N.T.S.



NOTES :
1. MAXIMUM CONTROL JOIN SPACING: 12' X 12'
2. RECOMMENDED SAW CUT DEPTH: 2 2/3"
3. REFER TO GEOTECHNICAL REPORT OR CONFIRM WITH CIRCLE K CONSTRUCTION REP AT TIME OF BIDDING

HEAVY DUTY RIGID PAVEMENT

SCALE : N.T.S.



NOTES :
1. MAXIMUM CONTROL JOIN SPACING: 12' X 12'
2. RECOMMENDED SAW CUT DEPTH: 2"
3. REFER TO GEOTECHNICAL REPORT OR CONFIRM WITH CIRCLE K CONSTRUCTION REP AT TIME OF BIDDING

STANDARD DUTY RIGID PAVEMENT

SCALE : N.T.S.

SITE SUMMARY TABLE

SITE INFORMATION		
	PIN:	3271-41-0365-0000
	SITE AREA:	±1.92 AC.
	DISTURBED AREA:	±2.04 AC.
	IMPERVIOUS AREA:	1.44± AC. (81.8%)
	PERVIOUS AREA:	0.32± AC. (18.2%)
	EXISTING USES:	SINGLE FAMILY DWELLINGS
ZONING		
	JURISDICTION:	PENDER COUNTY
	ZONING:	GB-GENERAL BUISNESS
	FRONT SETBACK:	25'
	SIDE SETBACK:	10'
	REAR SETBACK:	10'
	CORNER YARD:	12'
BUILDING INFORMATION		
	C-STORE BUILDING AREA:	5,200'
	C-STORE HEIGHT:	21' 6"
	CANOPY BUILDING AREA:	5,550'
	CANOPY HEIGHT:	17' 6"
	CAR WASH HEIGHT:	21' 6"
PARKING SUMMARY		
	MAXIMUM PARKING RETAIL & SERVICE:	1 SPACE / 225 S.F.
		24 SPACES
	MAXIMUM PARKING CAR WASH:	2 SPACE / WASH BAY
		2 SPACES
	MAXIMUM TOTAL PARKING:	26 SPACES
	ADA PARKING:	2 SPACES FOR 26-50 TOTAL SPACES
	PROVIDED PARKING:	28 SPACES
	STANDARD STALL DIMENSION:	9.5' x 18'
	MIN. DRIVE WIDTH:	24'
TIA SUMMARY		
	AM PEAK TRIPS	160
	PM PEAK TRIPS	122
	AVERAGE DAILY TRIPS	282

KEY NOTES

1	FUEL CANOPY, REFER TO ARCH PLANS FOR DETAILS
2	UNDERGROUND FUEL STORAGE TANKS, REFER TO FUEL SYSTEM PLANS FOR DETAILS
3	DUMPSTER ENCLOSURE, REFER TO ARCH PLANS FOR DETAILS
4	AIR AND VACUUM MACHINE, REFER TO ARCH PLANS FOR DETAILS
5	FUEL SYSTEM VENT PIPES, REFER TO FUEL SYSTEM PLANS FOR DETAILS
7	SITE SIGNAGE, REFER TO SIGNAGE PLANS FOR DETAILS
8	4" BOLLARD, SPACED EVERY 6' OFF CENTER, SEE CONSTRUCTION DETAILS
9	4" BOLLARD AT FUEL CANOPY, REFER TO FUEL SYSTEM PLANS FOR DETAILS
10	FLUSH PAVEMENT AND SIDEWALK
11	STOP SIGN (R1-1), SEE MUTCD
12	ADA PARKING SIGN, SEE CONSTRUCTION DETAILS
13	ADA PARKING AREA
14	24" WHITE STOP BAR
15	4" WIDE SINGLE SOLID WHITE LINE (SSWL)
18	DIRECTIONAL SIGNAGE
20	CONCRETE SIDEWALK, SEE PAVING PLAN
21	STANDARD DUTY CONCRETE PAVEMENT, SEE PAVING PLAN
22	HEAVY DUTY CONCRETE PAVEMENT, SEE PAVING PLAN
24	HEAVY DUTY ASPHALT PAVEMENT, SEE PAVING PLAN
25	18" CURB AND GUTTER, SEE CONSTRUCTION DETAILS
26	CONCRETE TRANSFORMER PAD PER UTILITY OWNER'S REQUIREMENTS
27	LANDSCAPE AREA, SEE LANDSCAPE PLAN FOR PLANTING LAYOUT
28	PATIO AREA, REFER TO ARCH PLANS FOR DETAILS
29	LIGHT POLE LOCATION, REFER TO PHOTOMERIC PLAN (BY OTHERS)
30	LOCATION OF PROPOSED FIRE HYDRANT ASSEMBLY
31	VACUUM PARKING
32	4" WHITE SOLID STRIPING FOR CAR WASH LINE
33	RAISED 6" MEDIAN , SEE CONSTRUCTION DETAILS
34	CLEARANCE BAR

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 BRANDON J SWEENS

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

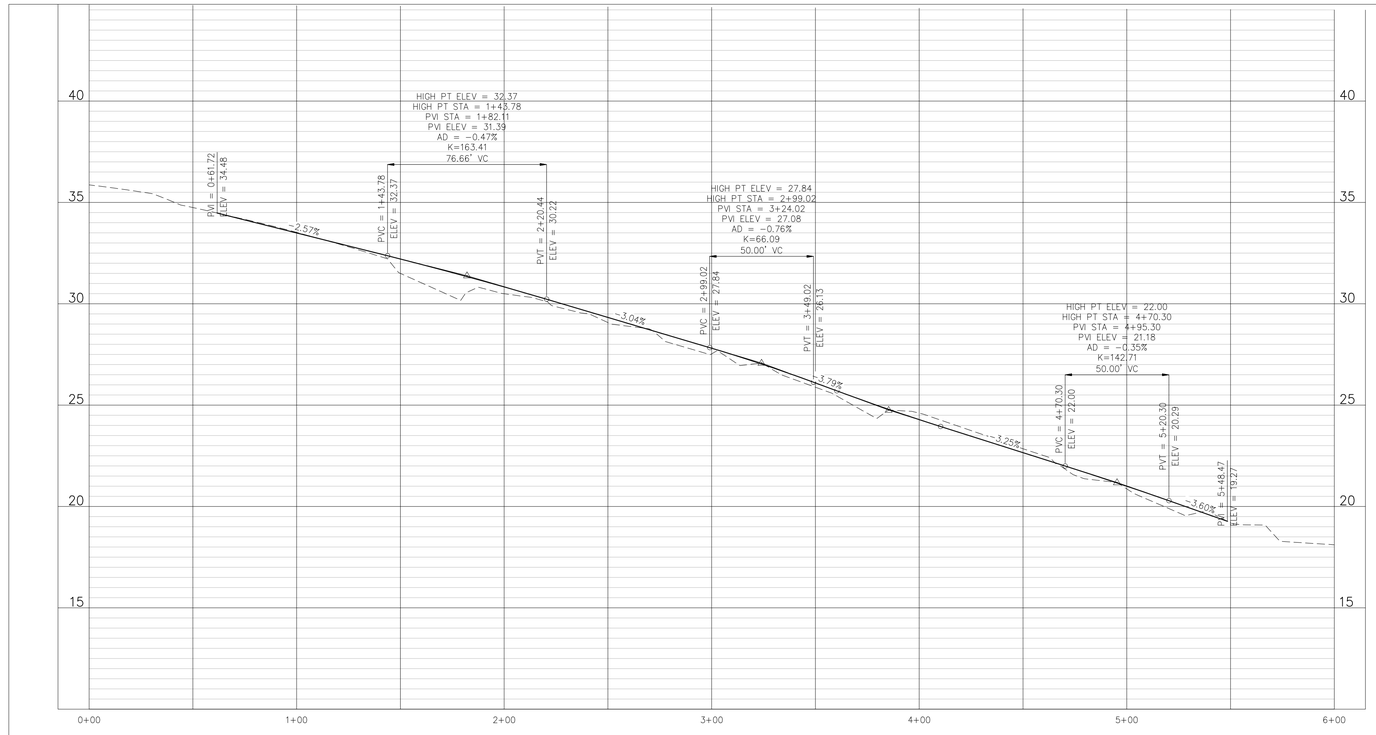
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE

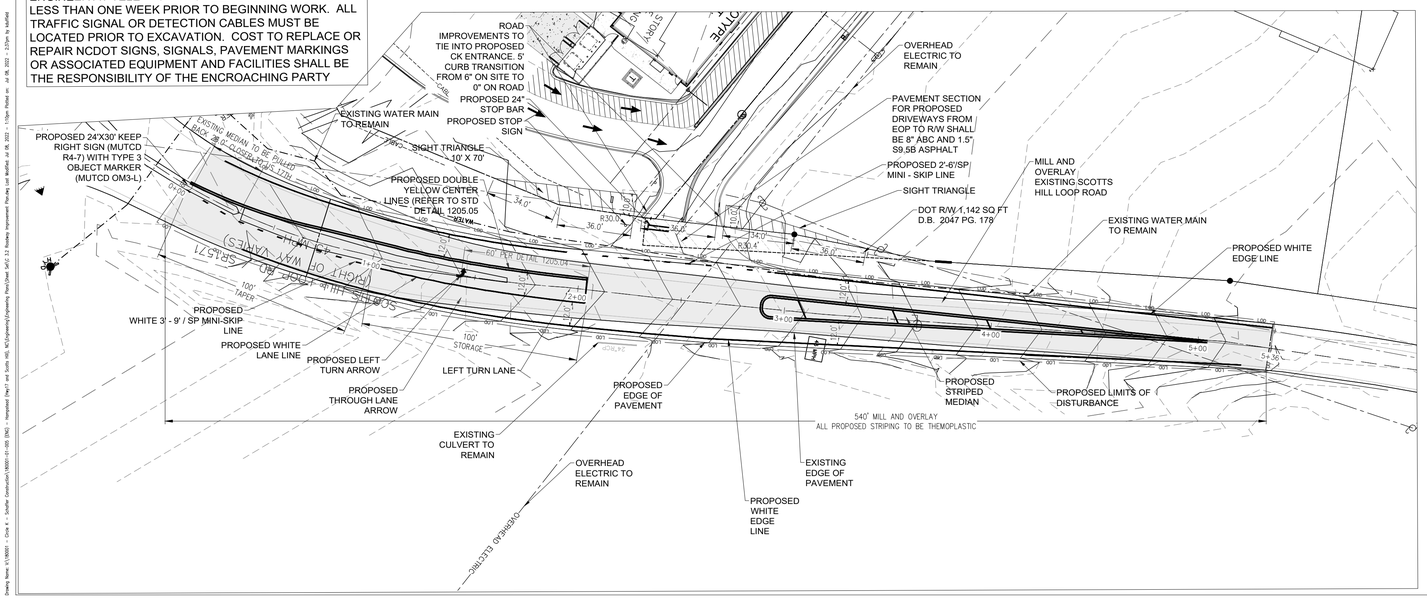
PAVING PLAN

SHEET NUMBER
C3.1



SR 1571 SCOTTS HILL ROAD PROFILE VIEW
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=3'

NOTE: EXCAVATION WITHIN 1000 FEET OF A SIGNALIZED INTERSECTION WILL REQUIRE NOTIFICATION BY THE ENCROACHING PARTY TO THE DIVISION TRAFFIC ENGINEER AT TELEPHONE NUMBER 910-341-2200. NO LESS THAN ONE WEEK PRIOR TO BEGINNING WORK. ALL TRAFFIC SIGNAL OR DETECTION CABLES MUST BE LOCATED PRIOR TO EXCAVATION. COST TO REPLACE OR REPAIR NCDOT SIGNS, SIGNALS, PAVEMENT MARKINGS OR ASSOCIATED EQUIPMENT AND FACILITIES SHALL BE THE RESPONSIBILITY OF THE ENCROACHING PARTY



NOTE: ALL PROPOSED STRIPING TO BE THERMOPLASTIC, FOR THICKNESS OF THERMOPLASTIC MARKINGS SEE MARKING NOTES. SEE PAVEMENT MARKING LEGEND ON SHEET C7.4 DETAIL NC1205.01

NOTE: ALL TURN LANE ARROWS SHALL MEET THE DESIGN SPECIFICATIONS OF ROADWAY STANDARD DRAWINGS 1205.08 SHEET 1 OF 9

North Carolina One-Call Center
2500 N. Westshore Blvd, Suite 227
Wrightsville Beach, NC 28480
(919) 855-1700
2 DAYS BEFORE DIGGING IN NORTH CAROLINA
CALL 1-800-632-4949
UNDERGROUND LOCATORS, CONTRACTOR SHALL CONTACT ONE-CALL CENTER BEFORE DIGGING. 10 DAYS FOR AN UPDATE TO UTILITY LOCATIONS.
Call BEFORE you DIG!
"It's The Law"

EXTRUDED THERMOPLASTIC PAVEMENT MARKING THICKNESS:
(03-19-19)

Revise the *2018 Standard Specifications* as follows:

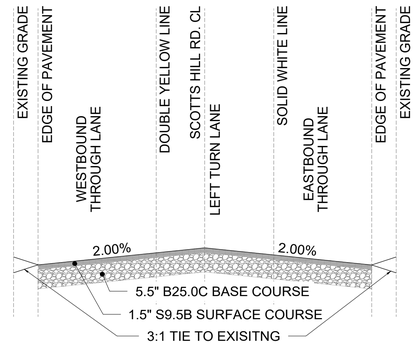
Page 12-6, Subarticle 1205-4(A)(1) General, lines 5-8, delete the second sentence and replace with the following:

Use application equipment that provides multiple width settings ranging from 4 inches to 12 inches and multiple thickness settings to achieve a minimum pavement marking thickness of 0.090 inch above the surface of the pavement.

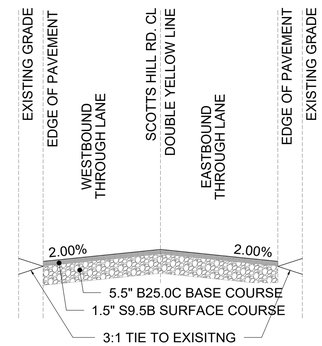
Page 12-7, Table 1205-3, THICKNESS REQUIREMENTS FOR THERMOPLASTIC, replace with the following:

TABLE 1205-3
MINIMUM THICKNESS REQUIREMENTS FOR THERMOPLASTIC

Thickness	Location
240 mils	In-lane and shoulder-transverse pavement markings (rumble strips). May be placed in 2 passes.
90 mils	Center lines, skip lines, transverse bands, mini-skip lines, characters, bike lane symbols, crosswalk lines, edge lines, gore lines, diagonals, and arrow symbols



NOTE: ANY OVERLAY OF EXISTING PAVEMENT IS TO THE A MINIMUM OF 1.5" S9.5B



NOTE: ANY OVERLAY OF EXISTING PAVEMENT IS TO THE A MINIMUM OF 1.5" S9.5B

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 BRANDON J SWEENS

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

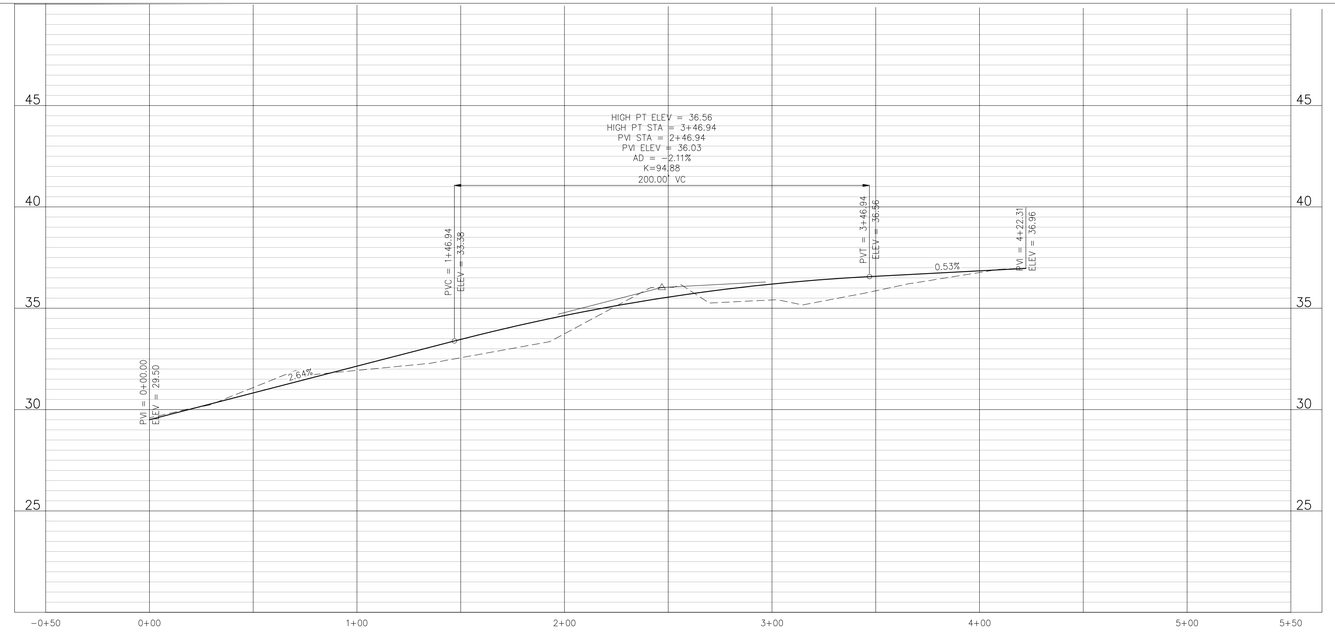
US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

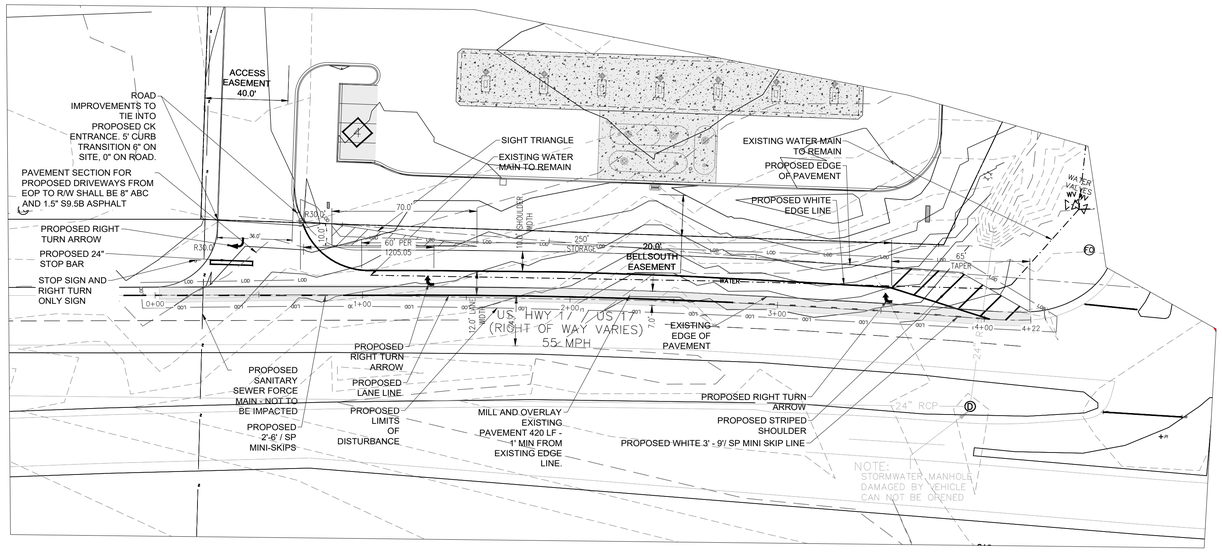
BOWMAN PROJECT NUMBER
180001-01-005

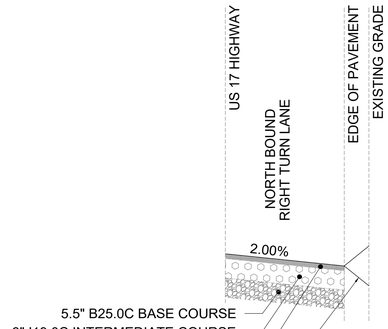
SHEET TITLE
ROAD IMPROVEMENT PLAN - SCOTTS HILL LOOP ROAD

SHEET NUMBER
C3.2

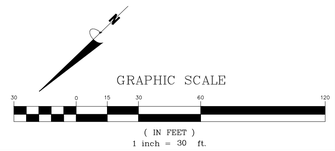


US 17 RIGHT TURN PROFILE VIEW
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=3'





NOTE: ANY OVERLAY OF EXISTING PAVEMENT IS TO THE A MINIMUM OF 1.5" S9.5C



NOTE: ALL PROPOSED STRIPING TO BE THERMOPLASTIC, FOR THICKNESS OF THERMOPLASTIC MARKINGS SEE MARKING NOTES. SEE PAVEMENT MARKING LEGEND ON SHEET C7.4 DETAIL NC1205.01

NOTE: ALL TURN LANE ARROWS SHALL MEET THE DESIGN SPECIFICATIONS OF ROADWAY STANDARD DRAWINGS 1205.08 SHEET 1 OF 9

North Carolina One-Call Center
3509 N. Mackenzie Road, Suite 227
Kinston, North Carolina 28504
(919) 806-1790

2 DAYS BEFORE DIGGING IN NORTH CAROLINA
CALL 1-800-632-4949
UNDERGROUND LOCATORS, CONTRACTOR SHALL CONTACT ONE-CALL CENTER AGAIN IF OVER 10 DAYS FOR AN UPDATE TO UTILITY LOCATIONS!

Call BEFORE you DIG!
"It's The Law"

EXTRUDED THERMOPLASTIC PAVEMENT MARKING THICKNESS:
(03-19-19)

Revise the *2018 Standard Specifications* as follows:

Page 12-6, Subarticle 1205-4(A)(1) General, lines 5-8, delete the second sentence and replace with the following:

Use application equipment that provides multiple width settings ranging from 4 inches to 12 inches and multiple thickness settings to achieve a minimum pavement marking thickness of 0.090 inch above the surface of the pavement.

Page 12-7, Table 1205-3, THICKNESS REQUIREMENTS FOR THERMOPLASTIC, replace with the following:

TABLE 1205-3
MINIMUM THICKNESS REQUIREMENTS FOR THERMOPLASTIC

Thickness	Location
240 mils	In-lane and shoulder-transverse pavement markings (rumble strips). May be placed in 2 passes.
90 mils	Center lines, skip lines, transverse bands, mini-skip lines, characters, bike lane symbols, crosswalk lines, edge lines, gore lines, diagonals, and arrow symbols

NOTE: EXCAVATION WITHIN 1000 FEET OF A SIGNALIZED INTERSECTION WILL REQUIRE NOTIFICATION BY THE ENCROACHING PARTY TO THE DIVISION TRAFFIC ENGINEER AT TELEPHONE NUMBER 910-341-2200. NO LESS THAN ONE WEEK PRIOR TO BEGINNING WORK. ALL TRAFFIC SIGNAL OR DETECTION CABLES MUST BE LOCATED PRIOR TO EXCAVATION. COST TO REPLACE OR REPAIR NCDOT SIGNS, SIGNALS, PAVEMENT MARKINGS OR ASSOCIATED EQUIPMENT AND FACILITIES SHALL BE THE RESPONSIBILITY OF THE ENCROACHING PARTY

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075

Phone: 704.412.7424
bowman.com

License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEER BRANDON J SWEENEY

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PB
QUALITY CONTROL
BS/PB
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

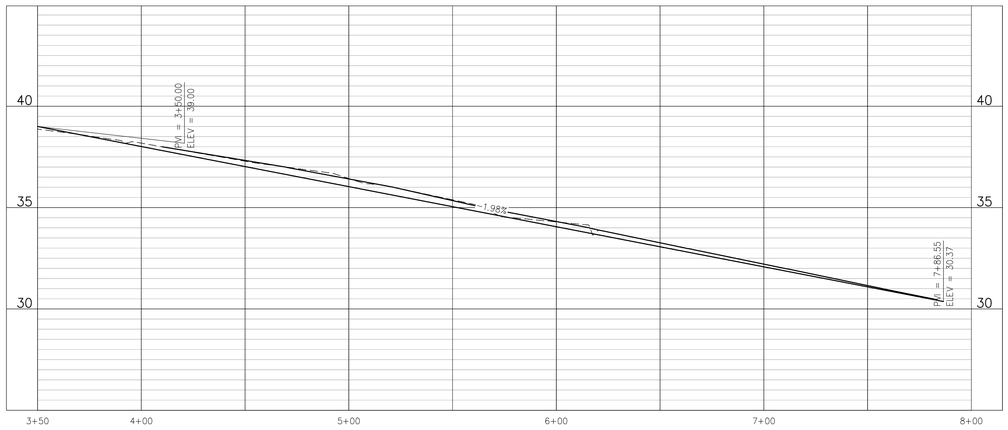
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

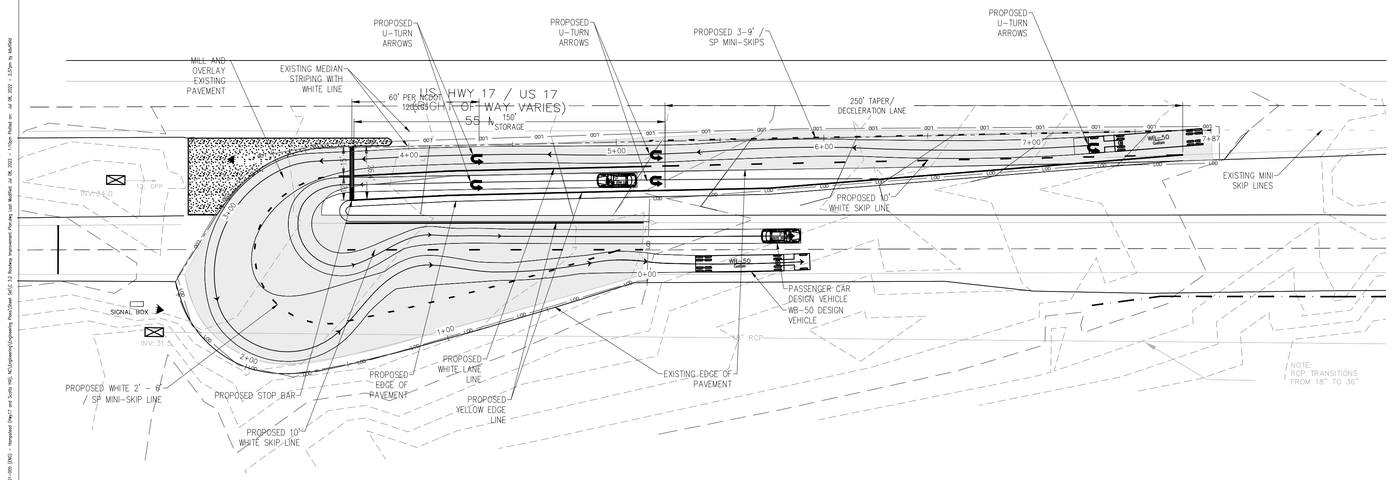
SHEET TITLE
ROAD IMPROVEMENT PLAN - US 17TH RIGHT TURN

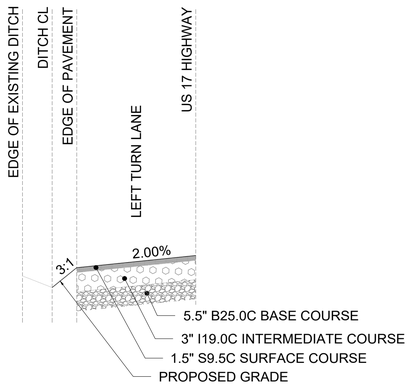
SHEET NUMBER
C3.3

Drawing Name: S:\180001 - Circle K - Scotts\Construction\180001-01-005 (ENG) - Hampstead (Hwy17 and Scotts Hill)\02\plans\[Engineering Plans]Sheet Set\C3.3 Roadway Improvement Plan.dwg and ModiFied on: Jul 08, 2022 - 2:07pm by MModi



US 17 U-TURN 1 PROFILE VIEW
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=3'





NOTE: ANY OVERLAY OF EXISTING PAVEMENT IS TO THE A MINIMUM OF 1.5" S9.5C

NOTE: ALL PROPOSED STRIPING TO BE THERMOPLASTIC, FOR THICKNESS OF THERMOPLASTIC MARKINGS SEE MARKING NOTES. SEE PAVEMENT MARKING LEGEND ON SHEET C7.4 DETAIL NC1205.01

NOTE: ALL TURN LANE ARROWS SHALL MEET THE DESIGN SPECIFICATIONS OF ROADWAY STANDARD DRAWINGS 1205.08 SHEET 1 OF 9

North Carolina One-Call Center
3508 N. Manchester Road, Suite 227
Greensboro, North Carolina 27407
(919) 855-1700

2 DAYS BEFORE DIGGING IN NORTH CAROLINA
IT'S THE LAW!
CALL 1-800-632-4949
UNDERGROUND LOCATIONS. CONTRACTOR SHALL CONTACT ONE-CALL CENTER 48 HOURS, OVER, 10 DAYS FOR AN UPDATE TO UTILITY LOCATIONS.
Call BEFORE you DIG!
"It's The Law"

EXTRUDED THERMOPLASTIC PAVEMENT MARKING THICKNESS:
(03-19-19)

Revise the *2018 Standard Specifications* as follows:

Page 12-6, Subarticle 1205-4(A)(1) General, lines 5-8, delete the second sentence and replace with the following:

Use application equipment that provides multiple width settings ranging from 4 inches to 12 inches and multiple thickness settings to achieve a minimum pavement marking thickness of 0.090 inch above the surface of the pavement.

Page 12-7, Table 1205-3, THICKNESS REQUIREMENTS FOR THERMOPLASTIC, replace with the following:

TABLE 1205-3
MINIMUM THICKNESS REQUIREMENTS FOR THERMOPLASTIC

Thickness	Location
240 mils	In-lane and shoulder-transverse pavement markings (rumble strips). May be placed in 2 passes.
90 mils	Center lines, skip lines, transverse bands, mini-skip lines, characters, bike lane symbols, crosswalk lines, edge lines, gore lines, diagonals, and arrow symbols

NOTE: EXCAVATION WITHIN 1000 FEET OF A SIGNALIZED INTERSECTION WILL REQUIRE NOTIFICATION BY THE ENCROACHING PARTY TO THE DIVISION TRAFFIC ENGINEER AT TELEPHONE NUMBER 910-341-2200. NO LESS THAN ONE WEEK PRIOR TO BEGINNING WORK. ALL TRAFFIC SIGNAL OR DETECTION CABLES MUST BE LOCATED PRIOR TO EXCAVATION. COST TO REPLACE OR REPAIR NCDOT SIGNS, SIGNALS, PAVEMENT MARKINGS OR ASSOCIATED EQUIPMENT AND FACILITIES SHALL BE THE RESPONSIBILITY OF THE ENCROACHING PARTY

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEERING BRANDON J SWEENS

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PB
QUALITY CONTROL
BS/PB
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

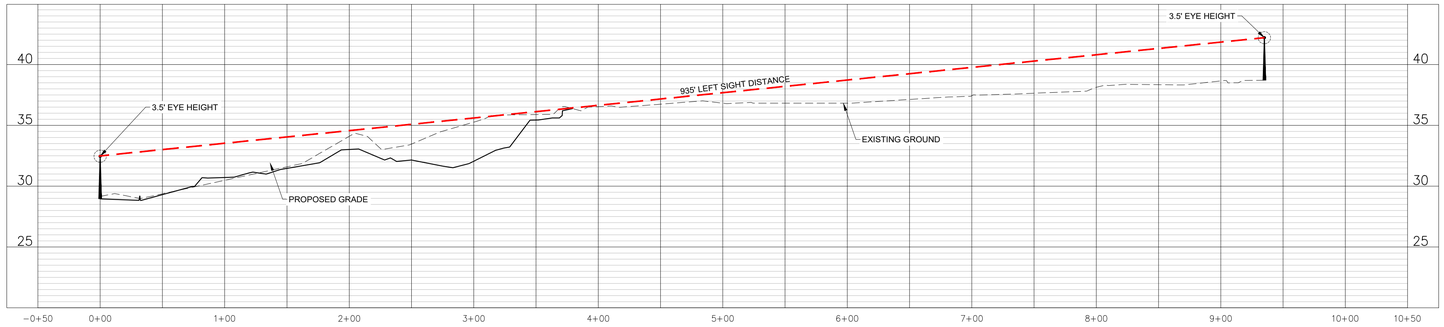
US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

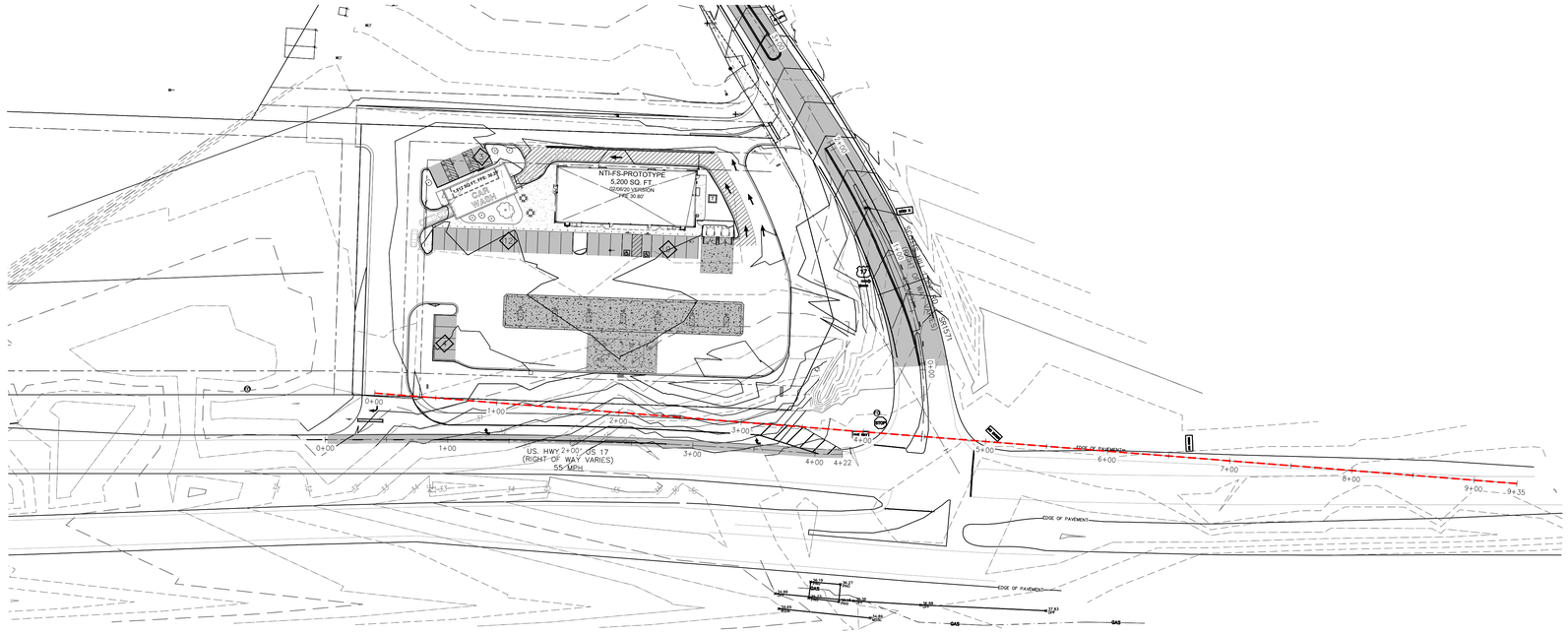
BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
ROAD IMPROVEMENT PLAN - US 17TH U-TURN

SHEET NUMBER
C3.4



SIGHT DISTANCE 17 PROFILE VIEW
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=3'



US 17TH SIGHT DISTANCE CALCULATIONS

SIGHT DISTANCE (ft) PER 10 MPH OF ARTERIAL DESIGN SPEED FOR APPROPRIATE ARTERIAL WIDTH OF CROSSING			
Design Vehicle Crossing the Arterial	Two Lanes	Four Lanes	Six Lanes
Passenger Vehicle	100	120	130
Single Unit Truck	130	150	170
WB-50 Tractor Trailer	170	200	210

WB-50 TRACTOR TRAILER - 170 FT / 10 MPH
SPEED = 55 MPH
SIGHT DISTANCE = 170 FT * 55MPH/10MPH
= 935 FT
SIGHT DISTANCE IS ONLY ON RIGHT TURN AS PROPOSED ENTRANCE IS RIRO

GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 BRANDON J SHREVES 07/08/22

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

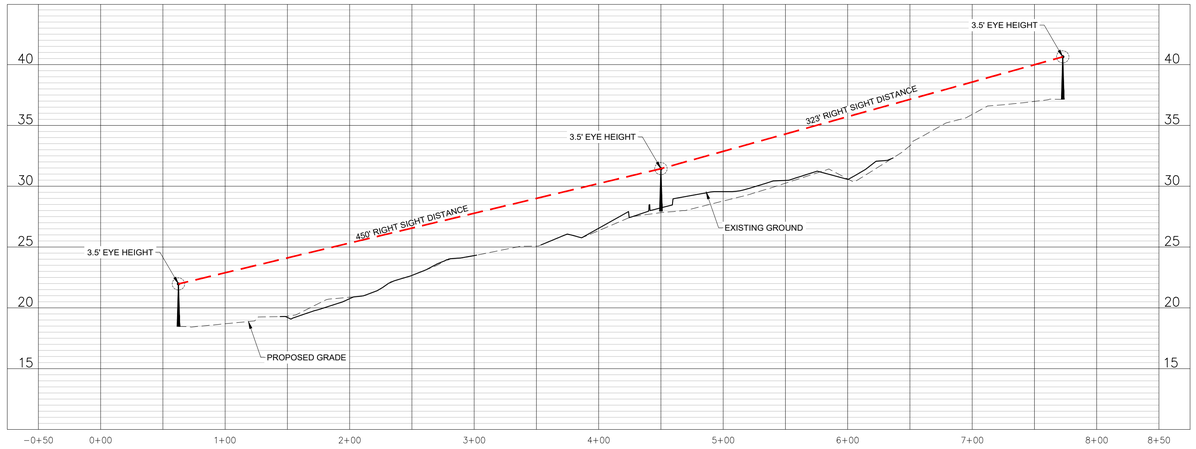
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
US 17TH SIGHT DISTANCE PLAN

SHEET NUMBER
C3.6

Plotted By: KYLE BASS - Date & Time: 7/7/2022 - 2:54 PM - Drawing Name: I:\180001 - Circle K - Pender Contracts\180001-01-005 (NC) - Hampstead (Hwy17 and Scotts Hill)\Engineering\Engineering Plans\Sheet Set\C3.2 Overlay Improvement Plan.dwg - Last Modified: Jul 08, 2022 - 1:28pm - Plotted on: Jul 08, 2022 - 2:38pm by kbass

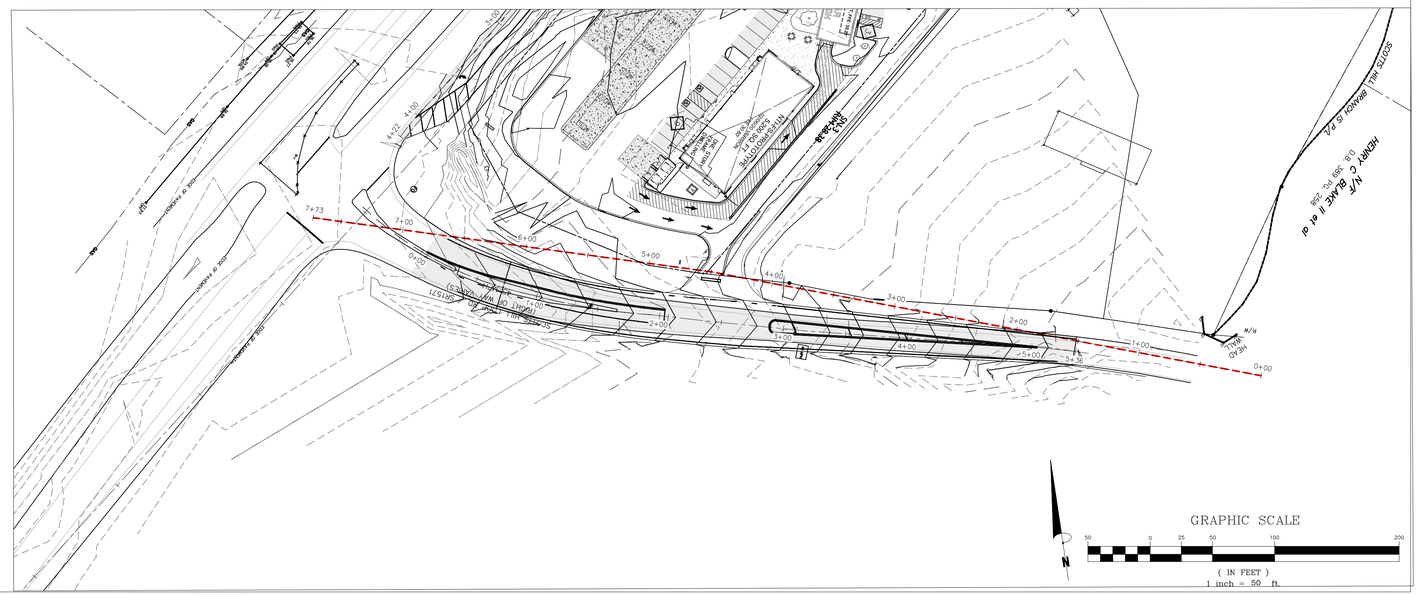


SIGHT DISTANCE SCOTTS HILL PROFILE VIEW
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=3'

SCOTTS HILL LOOP SIGHT DISTANCE CALCULATIONS

SIGHT DISTANCE (ft) PER 10 MPH OF ARTERIAL DESIGN SPEED FOR APPROPRIATE ARTERIAL WIDTH OF CROSSING			
Design Vehicle Crossing the Arterial	Two Lanes	Four Lanes	Six Lanes
Passenger Vehicle	100	120	130
Single Unit Truck	130	150	170
WB-50 Tractor Trailer	170	200	210

PASSENGER VEHICLE - 100 FT / 10 MPH
SPEED = 45 MPH
SIGHT DISTANCE = 100 FT * 45MPH/10MPH
= 450 FT



Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEERING BRANDON J SHREVE

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

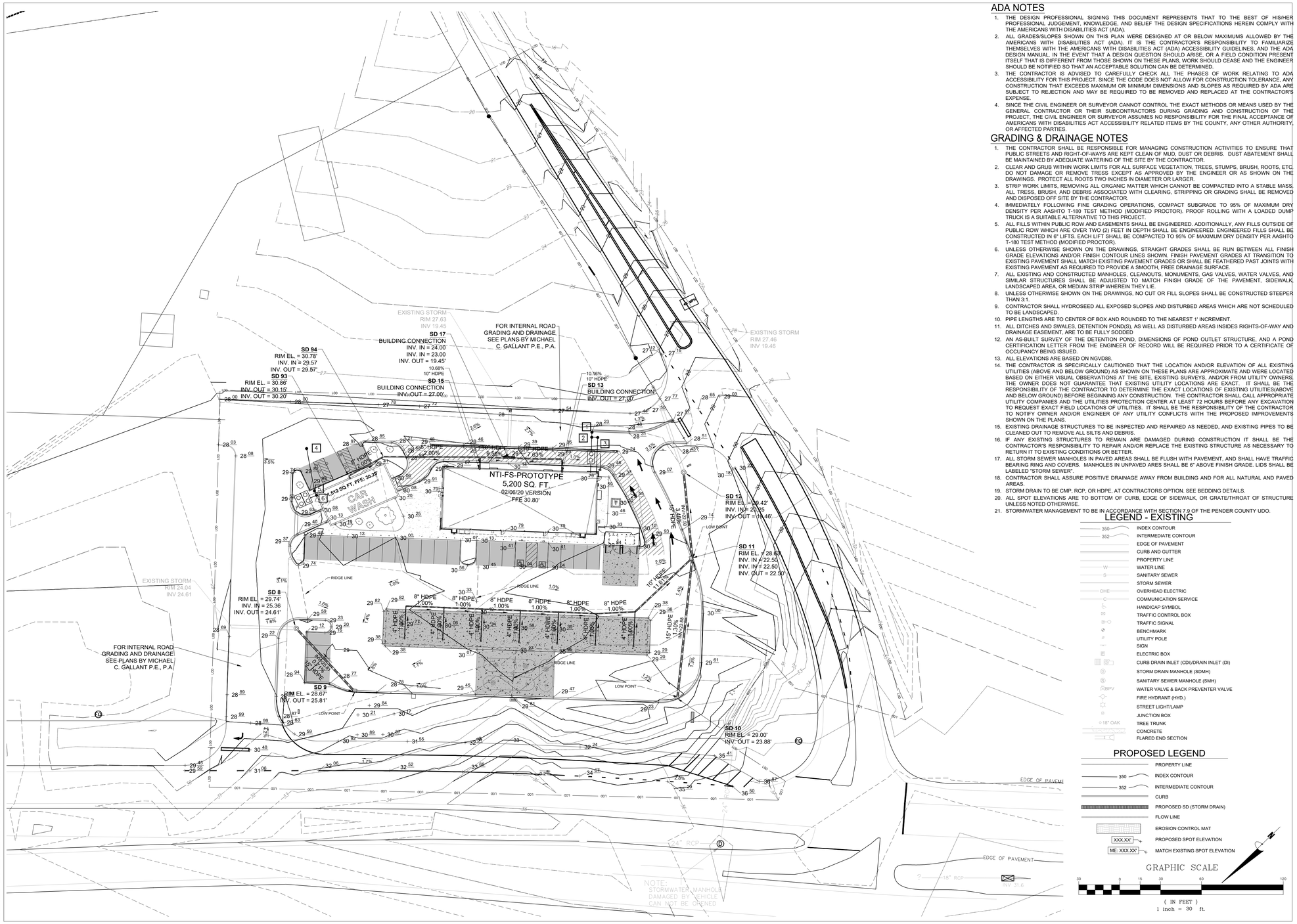
US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
SCOTTS HILL LOOP ROAD SIGHT DISTANCE

SHEET NUMBER
C3.5



ADA NOTES

1. THE DESIGN PROFESSIONAL SIGNING THIS DOCUMENT REPRESENTS THAT TO THE BEST OF HIS/HER PROFESSIONAL JUDGEMENT, KNOWLEDGE, AND BELIEF THE DESIGN SPECIFICATIONS HEREIN COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA).
2. ALL GRADES/SLOPES SHOWN ON THIS PLAN WERE DESIGNED AT OR BELOW MAXIMUMS ALLOWED BY THE AMERICANS WITH DISABILITIES ACT (ADA). IT IS THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE THEMSELVES WITH THE AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY GUIDELINES, AND THE ADA DESIGN MANUAL. IN THE EVENT THAT A DESIGN QUESTION SHOULD ARISE, OR A FIELD CONDITION PRESENT ITSELF THAT IS DIFFERENT FROM THOSE SHOWN ON THESE PLANS, WORK SHOULD CEASE AND THE ENGINEER SHOULD BE NOTIFIED SO THAT AN ACCEPTABLE SOLUTION CAN BE DETERMINED.
3. THE CONTRACTOR IS ADVISED TO CAREFULLY CHECK ALL THE PHASES OF WORK RELATING TO ADA ACCESSIBILITY FOR THIS PROJECT. SINCE THE CODE DOES NOT ALLOW FOR CONSTRUCTION TOLERANCE, ANY CONSTRUCTION THAT EXCEEDS MAXIMUM OR MINIMUM DIMENSIONS AND SLOPES AS REQUIRED BY ADA ARE SUBJECT TO REJECTION AND MAY BE REQUIRED TO BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.
4. SINCE THE CIVIL ENGINEER OR SURVEYOR CANNOT CONTROL THE EXACT METHODS OR MEANS USED BY THE GENERAL CONTRACTOR OR THEIR SUBCONTRACTORS DURING GRADING AND CONSTRUCTION OF THE PROJECT, THE CIVIL ENGINEER OR SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE FINAL ACCEPTANCE OF AMERICANS WITH DISABILITIES ACT ACCESSIBILITY RELATED ITEMS BY THE COUNTY, ANY OTHER AUTHORITY, OR AFFECTED PARTIES.

GRADING & DRAINAGE NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MANAGING CONSTRUCTION ACTIVITIES TO ENSURE THAT PUBLIC STREETS AND RIGHT-OF-WAYS ARE KEPT CLEAN OF MUD, DUST OR DEBRIS. DUST ABATEMENT SHALL BE MAINTAINED BY ADEQUATE WATERING OF THE SITE BY THE CONTRACTOR.
2. CLEAR AND GRUB WITHIN WORK LIMITS FOR ALL SURFACE VEGETATION, TREES, STUMPS, BRUSH, ROOTS, ETC. DO NOT DAMAGE OR REMOVE TREES EXCEPT AS APPROVED BY THE ENGINEER OR AS SHOWN ON THE DRAWINGS. PROTECT ALL ROOTS TWO INCHES IN DIAMETER OR LARGER.
3. STRIP WORK LIMITS, REMOVING ALL ORGANIC MATTER WHICH CANNOT BE COMPACTED INTO A STABLE MASS. ALL TRESS, BRUSH, AND DEBRIS ASSOCIATED WITH CLEARING, STRIPPING OR GRADING SHALL BE REMOVED AND DISPOSED OFF SITE BY THE CONTRACTOR.
4. IMMEDIATELY FOLLOWING FINE GRADING OPERATIONS, COMPACT SUBGRADE TO 95% OF MAXIMUM DRY DENSITY PER AASHTO T-180 TEST METHOD (MODIFIED PROCTOR). PROOF ROLLING WITH A LOADED DUMP TRUCK IS A SUITABLE ALTERNATIVE TO THIS PROJECT.
5. ALL FILLS WITHIN PUBLIC ROW AND EASEMENTS SHALL BE ENGINEERED. ADDITIONALLY, ANY FILLS OUTSIDE OF PUBLIC ROW WHICH ARE OVER TWO (2) FEET IN DEPTH SHALL BE ENGINEERED. ENGINEERED FILLS SHALL BE CONSTRUCTED IN 6" LIFTS. EACH LIFT SHALL BE COMPACTED TO 95% OF MAXIMUM DRY DENSITY PER AASHTO T-180 TEST METHOD (MODIFIED PROCTOR).
6. UNLESS OTHERWISE SHOWN ON THE DRAWINGS, STRAIGHT GRADES SHALL BE RUN BETWEEN ALL FINISH GRADE ELEVATIONS AND/OR FINISH CONTOUR LINES SHOWN. FINISH PAVEMENT GRADES AT TRANSITION TO EXISTING PAVEMENT SHALL MATCH EXISTING PAVEMENT GRADES OR SHALL BE FEATHERED PAST JOINTS WITH EXISTING PAVEMENT AS REQUIRED TO PROVIDE A SMOOTH, FREE DRAINAGE SURFACE.
7. ALL EXISTING AND CONSTRUCTED MANHOLES, CLEANOUTS, MONUMENTS, GAS VALVES, WATER VALVES, AND SIMILAR STRUCTURES SHALL BE ADJUSTED TO MATCH FINISH GRADE OF THE PAVEMENT, SIDEWALK, LANDSCAPED AREA, OR MEDIAN STRIP WHEREIN THEY LIE.
8. UNLESS OTHERWISE SHOWN ON THE DRAWINGS, NO CUT OR FILL SLOPES SHALL BE CONSTRUCTED STEEPER THAN 3:1.
9. CONTRACTOR SHALL HYDROSEED ALL EXPOSED SLOPES AND DISTURBED AREAS WHICH ARE NOT SCHEDULED TO BE LANDSCAPED.
10. PIPE LENGTHS ARE TO CENTER OF BOX AND ROUNDED TO THE NEAREST 1' INCREMENT.
11. ALL DITCHES AND SWALES, DETENTION POND(S), AS WELL AS DISTURBED AREAS INSIDES RIGHTS-OF-WAY AND DRAINAGE EASEMENT, ARE TO BE FULLY SODDED
12. AN AS-BUILT SURVEY OF THE DETENTION POND, DIMENSIONS OF POND OUTLET STRUCTURE, AND A POND CERTIFICATION LETTER FROM THE ENGINEER OF RECORD WILL BE REQUIRED PRIOR TO A CERTIFICATE OF OCCUPANCY BEING ISSUED.
13. ALL ELEVATIONS ARE BASED ON NGVD88.
14. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF ALL EXISTING UTILITIES (ABOVE AND BELOW GROUND) AS SHOWN ON THESE PLANS ARE APPROXIMATE AND WERE LOCATED BASED ON EITHER VISUAL OBSERVATIONS AT THE SITE, EXISTING SURVEYS, AND/OR FROM UTILITY OWNERS. THE OWNER DOES NOT GUARANTEE THAT EXISTING UTILITY LOCATIONS ARE EXACT. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXACT LOCATIONS OF EXISTING UTILITIES(ABOVE AND BELOW GROUND) BEFORE BEGINNING ANY CONSTRUCTION. THE CONTRACTOR SHALL CALL APPROPRIATE UTILITY COMPANIES AND THE UTILITIES PROTECTION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY OWNER AND/OR ENGINEER OF ANY UTILITY CONFLICTS WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
15. EXISTING DRAINAGE STRUCTURES TO BE INSPECTED AND REPAIRED AS NEEDED, AND EXISTING PIPES TO BE CLEANED OUT TO REMOVE ALL SILTS AND DEBRIS.
16. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITIONS OR BETTER.
17. ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH PAVEMENT, AND SHALL HAVE TRAFFIC BEARING RING AND COVERS. MANHOLES IN UNPAVED ARES SHALL BE 6" ABOVE FINISH GRADE. LIDS SHALL BE LABELED "STORM SEWER".
18. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDING AND FOR ALL NATURAL AND PAVED AREAS.
19. STORM DRAIN TO BE CMP, RCP, OR HDPE, AT CONTRACTORS OPTION. SEE BEDDING DETAILS.
20. ALL SPOT ELEVATIONS ARE TO BOTTOM OF CURB, EDGE OF SIDEWALK, OR GRATE/THROAT OF STRUCTURE UNLESS NOTED OTHERWISE.
21. STORMWATER MANAGEMENT TO BE IN ACCORDANCE WITH SECTION 7.9 OF THE PENDER COUNTY UDO.

LEGEND - EXISTING

- 350 — INDEX CONTOUR
- 352 — INTERMEDIATE CONTOUR
- EDGE OF PAVEMENT
- CURB AND GUTTER
- PROPERTY LINE
- W — WATER LINE
- S — SANITARY SEWER
- STORM SEWER
- OHE — OVERHEAD ELECTRIC
- C — COMMUNICATION SERVICE
- HANDICAP SYMBOL
- TRAFFIC CONTROL BOX
- TRAFFIC SIGNAL
- BENCHMARK
- UTILITY POLE
- SIGN
- ELECTRIC BOX
- CURB DRAIN INLET (CDI)/DRAIN INLET (DI)
- STORM DRAIN MANHOLE (SDMH)
- SANITARY SEWER MANHOLE (SMH)
- BPV — WATER VALVE & BACK PREVENTER VALVE
- FIRE HYDRANT (HYD.)
- STREET LIGHT/LAMP
- JUNCTION BOX
- 18" OAK — TREE TRUNK
- CONCRETE
- FLARED END SECTION

PROPOSED LEGEND

- PROPERTY LINE
- 350 — INDEX CONTOUR
- 352 — INTERMEDIATE CONTOUR
- CURB
- PROPOSED SD (STORM DRAIN)
- FLOW LINE
- EROSION CONTROL MAT
- XXX.XX — PROPOSED SPOT ELEVATION
- ME: XXX.XX' — MATCH EXISTING SPOT ELEVATION

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEER BRANDON J SWREES

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME

MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

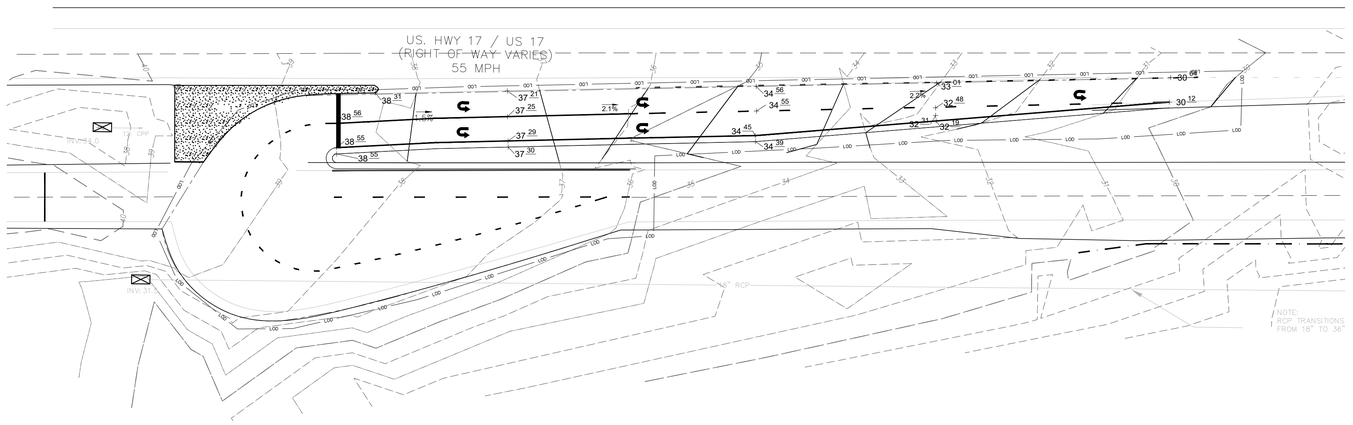
BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE

GRADING PLAN

SHEET NUMBER

C 4.0



GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

Bowman

Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075

Phone: 704.412.7424
bowman.com

License Number: 4523

COPYRIGHT NOTICE

This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 BRANDON J SHREVE

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME

MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD,
NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

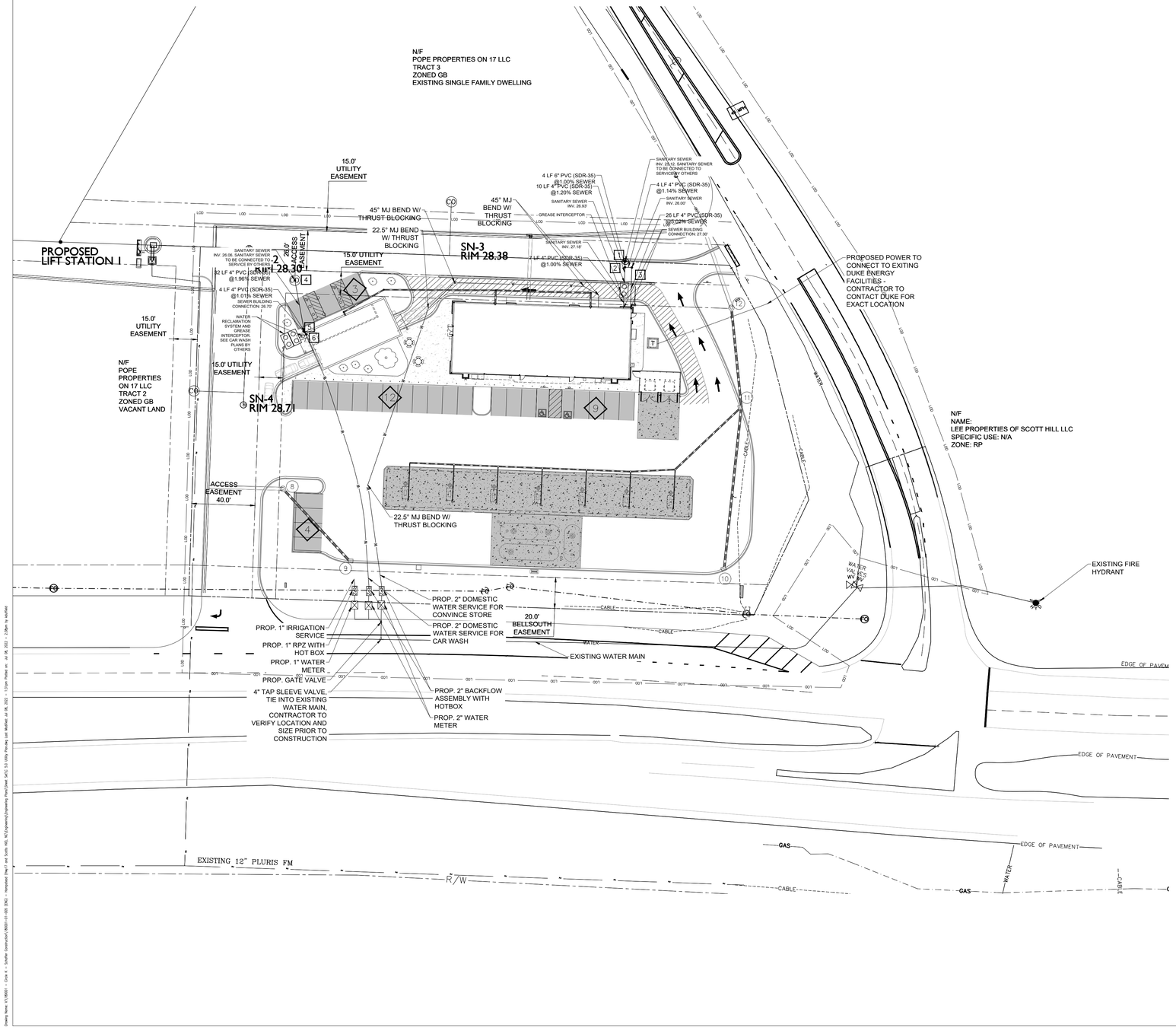
SHEET TITLE

ROADWAY IMPROVEMENTS GRADING PLAN

SHEET NUMBER

C 4.1

Drawing Name: N:\180001 - Circle K - Scotts Hill\Construction\180001-01-005 ENG - Improvement Plans\1 Hwy 17 and Scotts Hill\ RD\Engineering\Engineering Plans\Sheet Set\C 4.0 Grading Plan-Hwy 17 and Scotts Hill.dwg Last Modified: Jul 08, 2022 - 3:23pm Plotted on: Jul 08, 2022 - 3:26pm by mattfield



GENERAL UTILITY NOTES

1. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND IS RESPONSIBLE TO REPAIR ANY DAMAGE TO EXISTING UTILITIES DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. ALL UTILITIES ARE SHOWN FROM INFORMATION GATHERED AND SHOULD NOT BE USED AS EXACT. CONTRACTOR SHALL VERIFY EXACT DEPTHS AND LOCATIONS PRIOR TO UTILITY INSTALLATION.
3. CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITY COMPANY FOR INSTALLATION AND SPECIFICATION REQUIREMENTS.
4. ALL PIPE MATERIALS SHALL COMPLY WITH LOCAL REGULATIONS.
5. ALL TRENCHING AND BEDDING SHALL BE PER THE UTILITY TRENCH AND BEDDING DETAIL.
6. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR ALL BUILDING UTILITY TIE INS.
7. ALL CERTIFICATES AND SHOP DRAWINGS MUST BE SUBMITTED, REVIEWED, AND APPROVED PRIOR TO STARTING CONSTRUCTION.
8. THE CONTRACTOR WILL COORDINATE THE WORK WITH THE UTILITY COMPANIES AND WILL VERIFY ALL EXISTING PIPE INVERTS AND EXISTING ROAD ELEVATIONS PRIOR TO CONSTRUCTION.
9. PROPOSED ELECTRIC UTILITY IMPROVEMENTS TO BE UNDERGROUND.
10. ALL WATER UTILITIES TO CONFORM TO THE PENDER COUNTY WATER CONSTRUCTION SPECIFICATIONS FOR WATER MAINS.

PENDER COUNTY FIRE PROTECTION NOTES

1. CONTRACTOR/BUILDER WILL NEED TO NOTIFY FM FOR VISUAL INSPECTION OF TANK AND FUEL SYSTEM PIPING, PUMP INSTALLATION, PRESSURE TESTING OF PIPING AND OTHER FIELD INSPECTIONS AS LISTED IN CHAPTER 23 OF THE NCSFC AND REF. IN NFPA 30A.
2. SIGNAGE FOR THE "EMERGENCY SHUT OFF, NO SMOKING" SHALL BE INSTALLED AS REQUIRED BY NCSFC.
3. IF LPG TANKS ARE STORED ON SITE, STORAGE, SIGNAGE AND PROTECTIVE MEASURES MUST BE IN PLACE.
4. FIRE EXTINGUISHERS MUST BE MOUNTED AND READILY AVAILABLE IN THE EVENT OF FIRE. MUST BE WITHIN 75 FEET OF PUMPS DISPENSING DEVICES.
5. ALL ELECTRICAL MUST BE COMPLIANT WITH NFPA 30A AND 70.
6. BUILDING WILL REQUIRE EMERGENCY EXIT SIGNAGE AND EMERGENCY LIGHTING.

PROPOSED LEGEND

2"W	WATER SERVICE LINE
FM	SANITARY SERVICE FORCE MAIN
E	ELECTRICAL SERVICE LINE
	PROPOSED SD (STORM DRAIN)
T	TRANSFORMER
	GREASE TRAP
	CLEANOUT
WM	WATER METER
BFP	BACKFLOW PREVENTER
	PUMP STATION

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075

Phone: 704.412.7424
bowman.com

License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEER BRANDON J SWEEBES

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME

MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

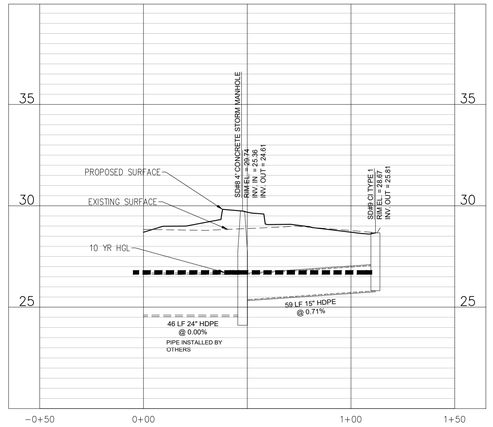
BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE

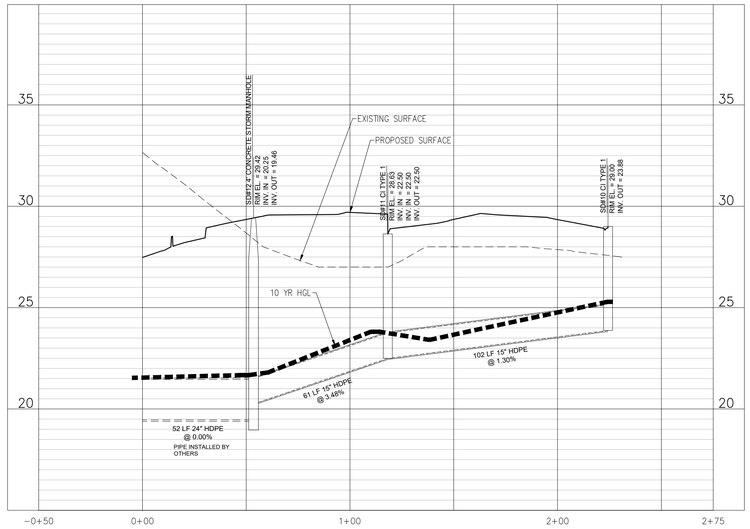
UTILITY PLAN

SHEET NUMBER

C5.0



SD 9 TO OUTFALL PROFILE VIEW
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=3'



SD 10 TO OUTFALL PROFILE VIEW
HORIZONTAL SCALE: 1"=30'
VERTICAL SCALE: 1"=3'

Drawing Name: S:\180001 - Circle K - Scotts\Construction\180001-01-005 (CNC) - Hampstead (Hwy17 and Scotts Hill)\4.0\planning\[Cplanning Plan(Sheet Set)].5.0 Utility Plan.dwg Last Modified: Jul 26, 2022 - 1:37pm Plotted on: Jul 26, 2022 - 2:28pm by kwhite

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075

Phone: 704.412.7424
bowman.com

License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 ENGINEER BRANDON J SWEENEY

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

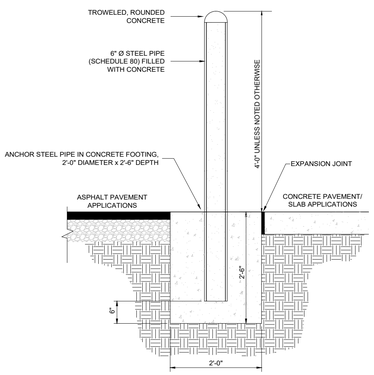
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE

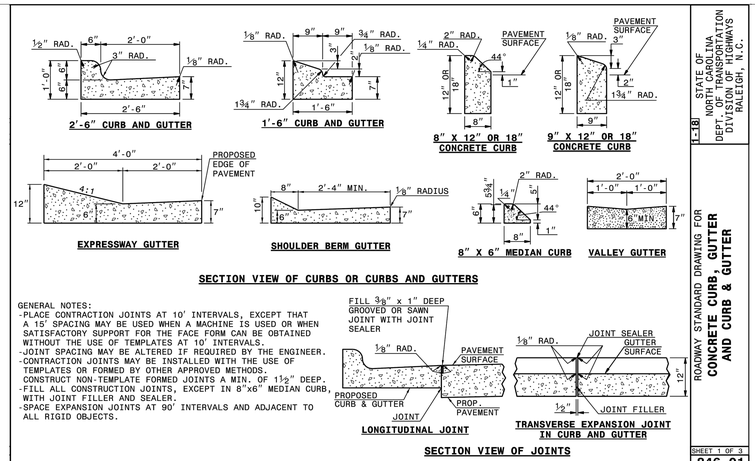
STORM PROFILES

SHEET NUMBER
C5.1



2 BOLLARD DETAIL

SCALE : N.T.S.



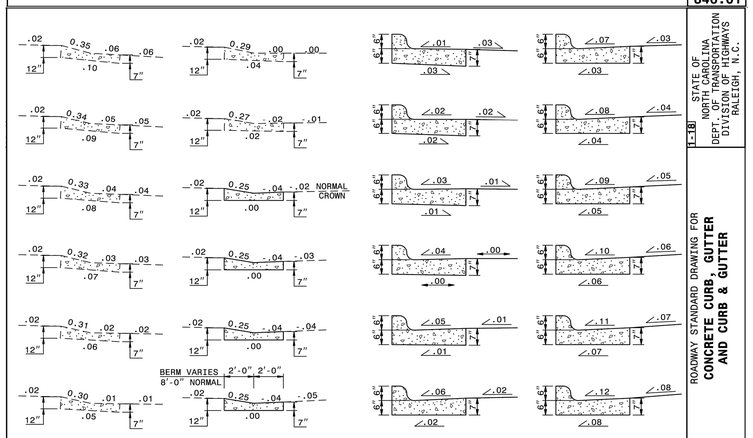
STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

1-18

ROADWAY STANDARD DRAWING FOR CONCRETE CURB, GUTTER AND CURB & GUTTER

SHEET 1 OF 3

846.01



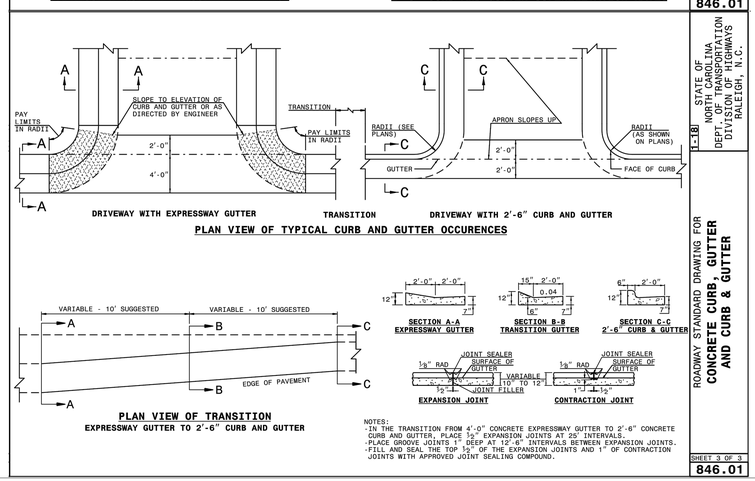
STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

1-18

ROADWAY STANDARD DRAWING FOR CONCRETE CURB, GUTTER AND CURB & GUTTER

SHEET 2 OF 3

846.01



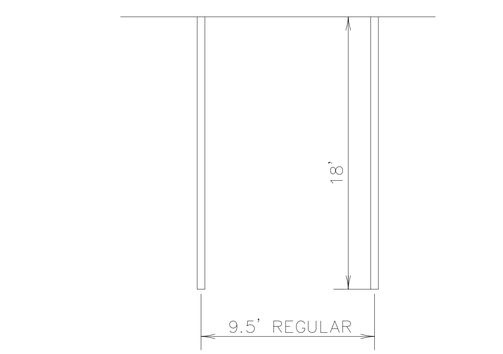
STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

1-18

ROADWAY STANDARD DRAWING FOR CONCRETE CURB, GUTTER AND CURB & GUTTER

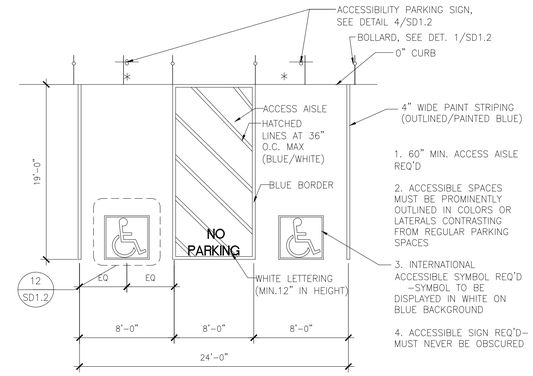
SHEET 3 OF 3

846.01



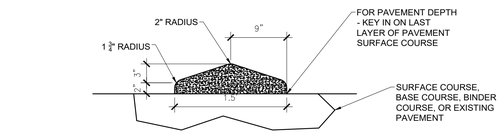
PARKING SPACE

SCALE : N.T.S.



ACCESSIBLE PARKING STALL

SCALE : N.T.S.



5" MONOLITHIC CONCRETE ISLAND

SCALE : N.T.S.

NOTE:
WHEN MONOLITHIC CONCRETE ISLAND IS ON TOP OF SURFACE COURSE, DRIVE 40d SPIKES INTO SURFACE UNDER MONOLITHIC CONCRETE ISLAND. STAGGER SPIKED ON 2" CENTER EACH WAY.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL SEAL 052534 ENGINEER BRANDON J SWEENEY

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME

MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE

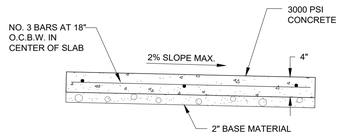
CONSTRUCTION DETAILS

SHEET NUMBER

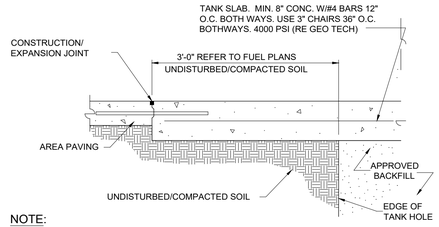
C7.0

Drawing Name: S:\180001 - Circle K - Scotts Hampstead\180001-01-005 (SNC) - Hampstead (Perf)\Civil Sets, NC\Engineering\Engineering Plans\Sheet Set\C7.0 Details.dwg Last Modified: Jul 26, 2022 - 3:52pm Plotted on: Jul 26, 2022 - 3:52pm by bsellers

NOTE:
SAW/TOOL JOINTS 5'-0" O.C. EXPANSION JOINTS 20'-0" O.C.



CONCRETE SIDEWALK
SCALE : N.T.S.



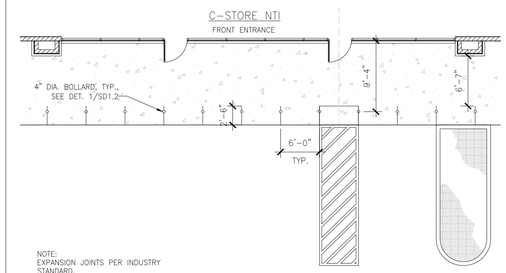
NOTE:
1. REFER TO SITE PLAN FOR LOCATION OF TANK SLAB.
2. A VALERO CONSTRUCTION REPRESENTATIVE MUST APPROVE TANK SLAB STEEL MAT PRIOR TO CONCRETE POUR.
3. SEE GAS PLANS FOR ADDITIONAL INFORMATION.

TANK SLAB
SCALE : N.T.S.

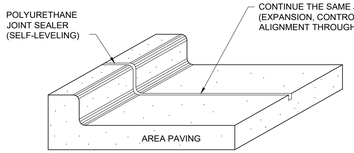


NOTES:
1. ALL ACCESSIBLE SIGNS (R7-8P, R7-8, R7-1, AND 50.10C) SHALL BE MOUNTED AT 7 FEET FROM GRADE TO BOTTOM EDGE OF SIGN FACE (PER MUTCD). MOUNTING HEIGHT CAN BE REDUCED TO 5 FEET IF PLACED IN AN AREA BETWEEN SIDEWALK AND BUILDING FACE IN WHICH PEDESTRIANS ARE NOT EXPECTED TO USE.
2. IF ACCESSIBLE ROUTE IS A RAISED SIDEWALK AREA, THEN RAMPS ARE REQUIRED AT LOADING ZONE AREA. MAINTAIN MIN. 4' WIDE CONTINUOUS PASSAGE.
3. VERTICAL CLEARANCE FOR VANS MUST BE GREATER THAN 98-INCHES.
4. THIS DETAIL IS TO PROVIDE GENERAL GUIDANCE FOR PARKING LAYOUT AND DESIGN; REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) U.S. DEPARTMENT OF TRANSPORTATION AND NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SUPPLEMENT AND NC BUILDING CODE FOR ADDITIONAL INFORMATION.

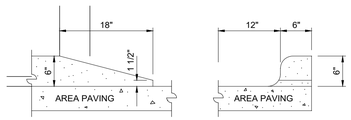
RESERVED PARKING SIGN
SCALE : N.T.S.



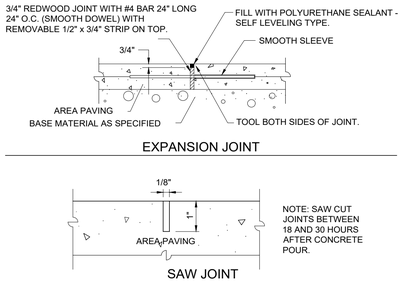
FRONT COLORED CONCRETE + BOLLARD
SCALE : N.T.S.



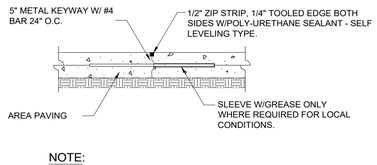
CONTINUOUS JOINT AT CURB
SCALE : N.T.S.



CURB TERMINAL
SCALE : N.T.S.



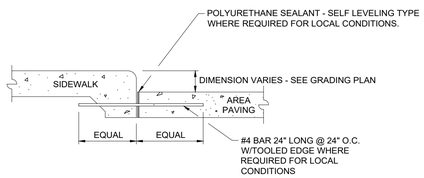
TYPICAL AREA CONCRETE JOINTS
SCALE : N.T.S.



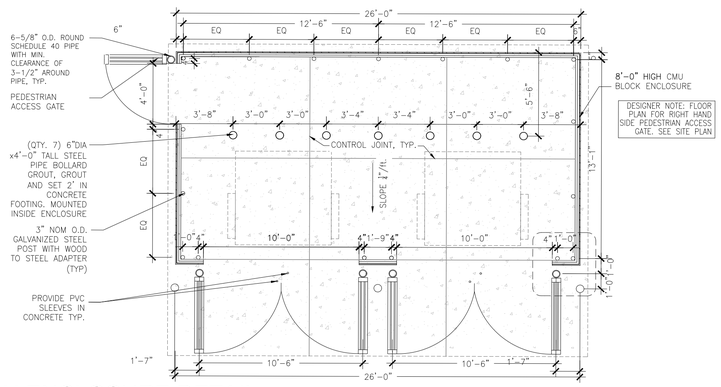
NOTE:
NOTE: 1. CONSTRUCTION JOINTS TO BE USED ON PIPE CHASES AND BETWEEN CONCRETE POURS ONLY.

NOTE: 2. CONSTRUCTION JOINTS TO BE USED FOR ALL JOINT DETAILS WHERE REQUIRED FOR LOCAL CONDITIONS.

CONSTRUCTION JOINT
SCALE : N.T.S.



CONTROL JOINT AT BUILDING
SCALE : N.T.S.



TRASH ENCLOSURE DETAIL
SCALE : N.T.S.

CONCRETE SPECIFICATIONS
ALL CONCRETE SHALL BE 3500 PSI UNLESS NOTED OTHERWISE

GENERAL NOTE:
ALL DETAILS SHOWN ON THIS SHEET ARE TO BE USED ONLY CONDITIONS ARE NOT DETAILED ELSEWHERE IN THE IN THE CONSRUCTION DOCUMENTS.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL SEAL 052534 ENGINEER BRANDON J SWEENEY
07/08/22

PROFESSIONAL IN CHARGE
BS
PROJECT MANAGER
BS/PD
QUALITY CONTROL
BS/PD
DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE
HAMPSTEAD, NORTH CAROLINA
US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
CONSTRUCTION DETAILS

SHEET NUMBER
C7.1

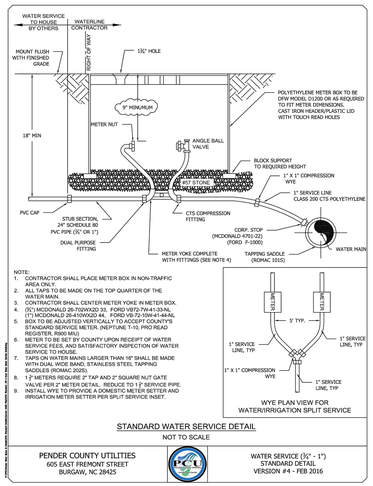
Drawing Name: 5179000 - Circle K - Scotts Construction\180001-01-005 - Hampstead (Rev7 and Scotts Hill)\Engineering\Engineering Plans\Sheet Set\C7.1 Details.dwg Last Modified: Jul 26, 2022 - 10:02am Plotted on: Jul 26, 2022 - 2:28pm by dwilson

PCU STANDARD NOTES

1. A PRECONSTRUCTION MEETING IS REQUIRED BEFORE BEGINNING WORK. THE MEETING MUST BE SCHEDULED WITH PENDER COUNTY UTILITIES (PCU) AT LEAST ONE WEEK IN ADVANCE. ATTENDEES MUST INCLUDE PCU, THE SELECTED CONTRACTOR'S SUPERINTENDENT, THE SUPPLIER, AND THE CONSULTING ENGINEER.
2. ALL MATERIALS USED SHALL CONFORM TO PENDER COUNTY UTILITIES REQUIREMENTS. NON-CONFORMING MATERIAL WILL NOT BE ACCEPTED FOR FINAL CERTIFICATION.
3. ALL PIPE SHALL BE C900 DR18 PVC, UNLESS OTHERWISE NOTED (SEE PCU STANDARD DETAIL). PVC PIPE TO BE SDR 21 WHERE C900 IS UNAVAILABLE. THE USE OF DIP PIPE IS REQUIRED UNDER PAVED AREAS. PCU MUST APPROVE THE USE OF DIP IN THE FIELD BEFORE INSTALLATION IN OTHER LOCATIONS.
4. PCU STANDARD WATERLINE PIPE RESTRAINING METHOD IS MJ GRIP RINGS. AT A MINIMUM ALL FITTINGS, VALVES, ETC. MUST BE RESTRAINED. (SEE PCU STANDARD DETAIL).
5. PCU MUST INSPECT CASING INSTALLATIONS PRIOR TO BACK-FILL. PCU MUST WITNESS PRESSURE TESTS, AND WITHDRAWAL OF BACTERIOLOGICAL SAMPLES. CONTACT JAMES PROCTOR TO SCHEDULE 910-259-1327.
6. CLOSE-OUT DOCUMENTS WHICH MUST BE RECEIVED PRIOR TO PCU SIGNING THE NC PWSS APPLICANT CERTIFICATION INCLUDE: BACTERIOLOGICAL TESTS, PRESSURE TESTS, DEED OF DEDICATION, AFIDAVIT/RELEASE OF LIENS, WARRANTY, AND RECORD DRAWINGS (PDF & CAD).
7. AN 18 MONTH WARRANTY PERIOD APPLIES TO ALL WATERLINE CONSTRUCTION. THIS WARRANTY PERIOD DOES NOT BEGIN UNTIL FINAL APPROVAL OF THE SYSTEM HAS BEEN RECEIVED FROM NC PWSS.

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425

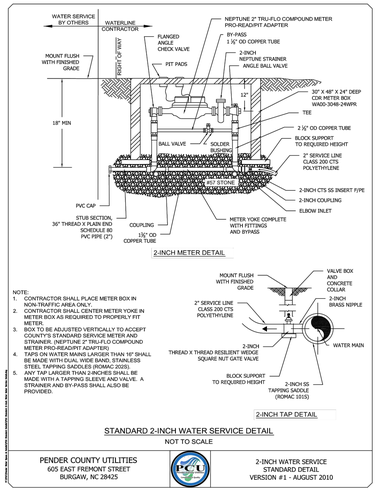
STANDARD NOTES
VERSION #2 - JANUARY 2021



STANDARD WATER SERVICE DETAIL
NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425

WATER SERVICE (¾" - 1")
STANDARD DETAIL
VERSION #4 - FEB 2016



2-INCH METER DETAIL

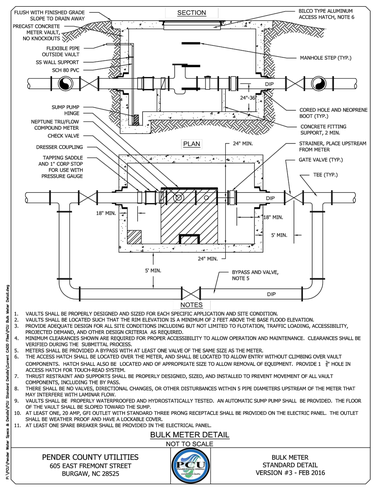
NOTE:
1. CONTRACTOR SHALL PLACE METER BOX IN NON-TRAFFIC AREA ONLY.
2. CONTRACTOR SHALL CENTER METER YOKE IN METER BOX AS REQUIRED TO PROPERLY FIT METER.
3. BOX TO BE ADJUSTED VERTICALLY TO ACCEPT COUNTY'S STANDARD SERVICE METER AND STRAINER. (NEPTUNE 2" TRU-FLO COMPOUND METER PRO-READ/PIT ADAPTER).
4. TAPS ON WATER MAINS LARGER THAN 16" SHALL BE MADE WITH DUAL HOSE BAND, STAINLESS STEEL TAPPING SADDLES (ROMAC 202S).
5. ANY TAP LARGER THAN 2-INCHES SHALL BE MADE WITH A TAPPING SLEEVE AND VALVE. A STRAINER AND BY-PASS SHALL ALSO BE PROVIDED.

2-INCH TAP DETAIL

STANDARD 2-INCH WATER SERVICE DETAIL
NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425

2-INCH WATER SERVICE
STANDARD DETAIL
VERSION #1 - AUGUST 2010

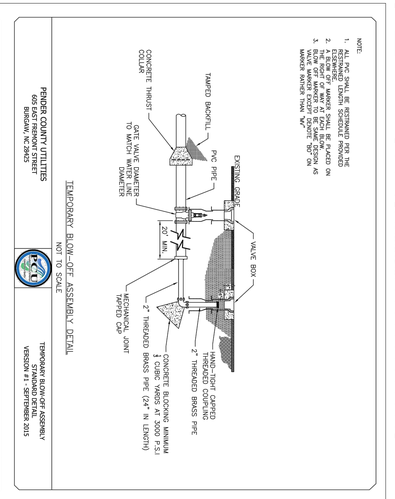


NOTES
1. VAULTS SHALL BE PROPERLY DESIGNED AND SIZED FOR EACH SPECIFIC APPLICATION AND SITE CONDITION.
2. VAULTS SHALL BE LOCATED SUCH THAT THE RIM ELEVATION IS A MINIMUM OF 2 FEET ABOVE THE BASE FLOOD ELEVATION.
3. PROVIDE ADEQUATE DESIGN FOR ALL SITE CONDITIONS INCLUDING BUT NOT LIMITED TO FLOTATION, TRAFFIC LOADING, ACCESSIBILITY, PROTECTED DRAINS, AND OTHER DESIGN CRITERIA AS REQUIRED.
4. VERTICAL CLEARANCES SHOWN ARE REQUIRED FOR PROPER ACCESSIBILITY TO ALLOW OPERATION AND MAINTENANCE. CLEARANCES SHALL BE INSPECTED AND APPROVED BY PCU.
5. METERS SHALL BE PROVIDED A BYPASS WITH AT LEAST ONE VALVE OF THE SAME SIZE AS THE METER.
6. THE ACCESS HATCH SHALL BE LOCATED OVER THE METER, AND SHALL BE LOCATED TO ALLOW ENTRY WITHOUT CLIMBING OVER VAULT COMPONENTS. HATCH SHALL ALSO BE LOCATED AND OF APPROPRIATE SIZE TO ALLOW REMOVAL OF EQUIPMENT. PROVIDE 1 2" HOLE IN ACCESS HATCH FOR TOUCH-READ SYSTEM.
7. THRUST RESTRAINT AND SUPPORTS SHALL BE PROPERLY DESIGNED, SIZED, AND INSTALLED TO PREVENT MOVEMENT OF ALL VAULT COMPONENTS, INCLUDING THE BY PASS.
8. THERE SHALL BE NO VALVES, DIRECTIONAL CHANGES, OR OTHER DISTURBANCES WITHIN 5 PIPE DIAMETERS UPSTREAM OF THE METER THAT MAY INTERFERE WITH LAMINAR FLOW.
9. SUMP PUMP SHALL BE ELECTRICALLY PROVIDED AND HYDROSTATICALLY TESTED. AN AUTOMATIC SUMP PUMP SHALL BE PROVIDED. THE FLOOR OF THE VAULT SHALL BE SLOPED TOWARD THE SUMP.
10. AT LEAST ONE, 20 AMP, GFI OUTLET WITH STANDARD THREE PRONG RECEPTACLE SHALL BE PROVIDED ON THE ELECTRIC PANEL. THE OUTLET SHALL BE WEATHER PROOF AND HAVE A LOCKABLE COVER.
11. AT LEAST ONE SPARE BREAKER SHALL BE PROVIDED IN THE ELECTRICAL PANEL.

BULK METER DETAIL
NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28525

BULK METER
STANDARD DETAIL
VERSION #3 - FEB 2016



VALVE INSTALLATION DETAIL
NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425

VALVE INSTALLATION
STANDARD DETAIL
VERSION #3 - JUNE 2016

TAPPING SLEEVE AND VALVE ASSEMBLY DETAIL
NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425

TAPPING SLEEVE AND VALVE ASSEMBLY
STANDARD DETAIL
VERSION #3 - FEB 2016

Restrained Length In Feet Each Side of Fitting Joint

PIPE DIAMETER (INCHES)	D. I. P.				P. V. C.			
	90°	45°	22 ½°	11 ¼°	90°	45°	22 ½°	11 ¼°
3"	30'	10'	10'	5'	40'	20'	10'	5'
4"	35'	15'	10'	5'	55'	25'	15'	10'
6"	55'	25'	10'	5'	80'	35'	20'	10'
8"	65'	30'	15'	10'	90'	40'	20'	10'
10"	80'	35'	20'	10'	110'	50'	25'	15'
12"	95'	40'	20'	10'	130'	55'	30'	15'
16"	120'	50'	25'	15'	165'	70'	35'	20'
20"	150'	65'	30'	15'	200'	85'	40'	20'
24"	180'	70'	35'	20'	210'	90'	45'	25'
30"	190'	80'	40'	20'	250'	105'	50'	25'
36"	220'	95'	45'	25'	0	0	0	0
42"	240	100'	50'	25'	0	0	0	0
48"	260'	120'	60'	30'	0	0	0	0

Restrained lengths for valves, dead ends and branches from tees shall be the same as for 90° (degree) bends

Restrained Length In Feet For Reducer

PIPE DIAMETER (INCHES)	3"	4"	6"	8"	10"	12"	16"	20"	24"	30"
3"	0	0	0	0	0	0	0	0	0	0
4"	40'	0	0	0	0	0	0	0	0	0
6"	50'	45'	0	0	0	0	0	0	0	0
8"	75'	70'	40'	0	0	0	0	0	0	0
10"	95'	90'	70'	40'	0	0	0	0	0	0
12"	120'	115'	100'	75'	40'	0	0	0	0	0
16"	160'	155'	140'	120'	100'	70'	0	0	0	0
20"	200'	195'	185'	170'	150'	130'	75'	0	0	0
24"	160'	155'	150'	140'	130'	120'	90'	50'	0	0
30"	195'	190'	185'	180'	170'	160'	130'	100'	70'	0
36"	225'	220'	215'	210'	200'	190'	160'	130'	100'	70'
42"	245'	240'	235'	230'	225'	220'	205'	180'	155'	105'
48"	255'	250'	245'	240'	235'	230'	215'	195'	170'	125'

Length of restrained joint for larger diameter pipe

NOTES:
1. PENDER COUNTY STANDARD RESTRAINT METHOD IS MJ "GRIP RING" TYPE. ALL RJ TO BE MJ "GRIP RING" TYPE, UNLESS SPECIFICALLY APPROVED BY PCU IN WRITING.
2. ALL FITTINGS AND JOINTS SHALL BE RESTRAINED JOINT.
3. "L" ABOVE IS GIVEN IN FEET FROM FITTING JOINT

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425

RESTRAINED JOINT TABLE
STANDARD DETAIL
VERSION #1 - OCTOBER 2015

NOTES:
1. INSTALL MARKER POSTS AT THE EDGE OF THE ROAD RIGHT-OF-WAY OR EASEMENT.
2. PROVIDE MARKER POSTS AT ALL VALVES.
3. POSTS SHALL BE PAINTED BLUE FOR WATER AND GREEN FOR SEWER.
4. LETTERING STAMPED ON MARKER AS SPECIFIED IN 3" LETTERS:
   MV = MAIN VALVE
   BO = BLOW-OFF
   AV = AIR VALVE
   LM = LINE MARKER

VALVE MARKER POST DETAIL
SCALE : N.T.S.

FITTING	**NO. OF RESTRAINED JOINTS ON EITHER SIDE OF FITTING
22.5° BEND	1
45° BEND	1
90° BEND	2
TEE	2

**OR PER MANUFACTURER'S RECOMMENDATIONS

TYPICAL FITTING AND JOINT RESTRAINT
SCALE : N.T.S.

NOTES:
1. REINFORCED PRECAST CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI.
2. LID ON TANK SHALL BE RATED FOR AN H-20 TRAFFIC LOADING.
3. LENGTH TO WIDTH RATIO SHALL BE 2:1.

GREASE TRAP (1,000 GALLON CAPACITY)
SCALE : N.T.S.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and connot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 049782 ENGINEER BRANDON J SYREENS

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

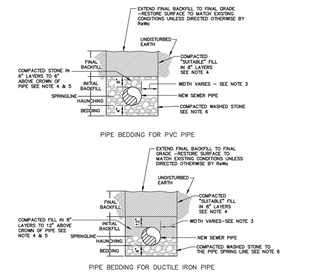
US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
CONSTRUCTION DETAILS

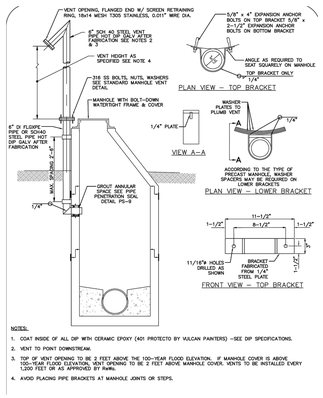
SHEET NUMBER
C7.2



NOTES:

1. PIPE BEDDING DETAIL APPLIES TO ALL NEW SEWER PIPE. CONTRACTOR SHALL CONSULT WITH ENGINEER FOR DEPTHS GREATER THAN 20' ENGINEER TO PROVIDE PROJECT SPECIFIC BEDDING AND PIPE DESIGN.
2. THE CONTRACTOR SHALL USE A TRENCH BOX OR SHEETING AND SHORING IN ACCORDANCE WITH OSHA REGULATIONS WHILE INSTALLING NEW SEWERS. THE CONTRACTOR WILL NOT BE ALLOWED TO SLOPE TRENCH WALLS.
3. TRENCH WIDTH SHALL BE LIMITED TO THE FOLLOWING UNLESS OTHERWISE APPROVED BY Rwlks:
   - 4" AND 6" PIPE — 12" EACH SIDE
   - 8" TO 15" PIPE — 15" EACH SIDE
   - 16" TO 20" PIPE — 18" EACH SIDE
   - 36" AND LARGER — 21" EACH SIDE
4. IN GRASSED AREAS, SUITABLE (COMMON) FILL MAY BE USED AS BACKFILL UNLESS SPECIFIED OTHERWISE BY Rwlks/ENGINEER. IN PAVED ROADS, COMMON FILL MAY BE USED AS BACKFILL UNLESS SPECIFIED OTHERWISE BY Rwlks/ENGINEER. CRUSHER RUN OR FLOWABLE FILL SHALL BE USED AS BACKFILL IN ROADWAY CUTS OF 5 YEARS OR LESS. IN WHICH CASE, THE EXCAVATED MATERIAL SHALL BE REMOVED AND DISPOSED OF OFFSITE. IF FLOWABLE FILL IS USED, BACKFILL WITH WASHED STONE TO MIN 12" ABOVE THE TOP OF THE PIPE.
5. COMPACT STONE AND/OR COMMON FILL TO 12" MIN. ABOVE PIPE.
6. MAINTAIN GROUND WATER LEVEL AT LEAST 1 FOOT BELOW THE BOTTOM OF THE STONE BEDDING AT ALL TIMES.

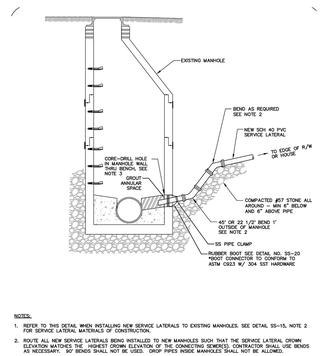
STANDARD PIPE BEDDING
NOT TO SCALE



NOTES:

1. COAT INSIDE OF ALL DIP WITH CERAMIC EPOXY (401 PROTECTO BY VULCAN PAINTERS) –SEE DIP SPECIFICATIONS.
2. VENT TO POINT DOWNSTREAM.
3. TOP OF VENT OPENING TO BE 2 FEET ABOVE THE 100-YEAR FLOOD ELEVATION. IF MANHOLE COVER IS ABOVE 100-YEAR FLOOD ELEVATION, VENT OPENING TO BE 2 FEET ABOVE MANHOLE COVER. VENTS TO BE INSTALLED EVERY 1,200 FEET OR AS APPROVED BY Rwlks.
4. AVOID PLACING PIPE BRACKETS AT MANHOLE JOINTS OR STEPS.

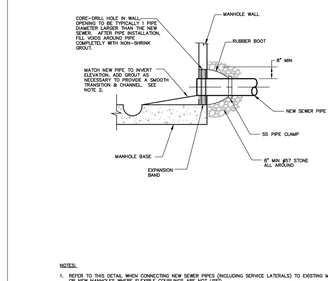
MANHOLE VENT PIPE
NOT TO SCALE



NOTES:

1. REFER TO THIS DETAIL WHEN INSTALLING NEW SERVICE LATERALS TO EXISTING MANHOLES. SEE DETAIL SS-15, NOTE 2 FOR SERVICE LATERAL MATERIALS OF CONSTRUCTION.
2. ROUTE ALL NEW SERVICE LATERALS BEND INSTALLED TO NEW MANHOLES SUCH THAT THE SERVICE LATERAL CROWN ENTERS THE MANHOLE AT THE SAME ELEVATION AS THE EXISTING SEWER MAIN. ADDITIONAL BENDS MAY BE INSTALLED AS NECESSARY. 90° BENDS SHALL NOT BE USED. DROP PIPES INSIDE MANHOLES SHALL NOT BE ALLOWED.
3. CORE DRILL HOLE THROUGH WALL OF MANHOLE AND EXISTING BENCH AS DEPICTED IN THE DETAIL. PROVIDE A WATERTIGHT SEAL AT THE PIPE CONNECTION USING A FLEXIBLE RUBBER BOOT PER DETAIL NO. SS-20.

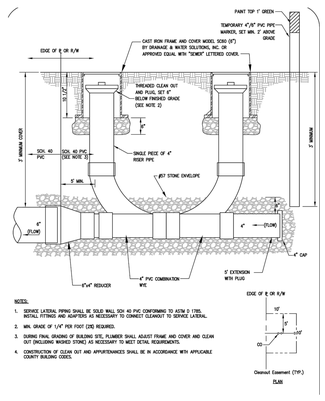
NEW SERVICE LATERAL INSTALLATION TO EXISTING MANHOLE
NOT TO SCALE



NOTES:

1. REFER TO THIS DETAIL WHEN CONNECTING NEW SEWER PIPES (INCLUDING SERVICE LATERALS) TO EXISTING MANHOLES OR NEW MANHOLES WHERE FLEXIBLE COUPLINGS ARE NOT USED.
2. THIS DETAIL DEPICTS THE NEW SEWER ENTERING AT THE EXIST INVERT ELEVATION. THIS WILL NOT BE THE CASE FOR ALL MAIN SEWERS. PROVIDE A SMOOTH TRANSITION AND INVERT CHANNEL FOR ANY INCOMING ELEVATION PER THE STANDARD BENCH AND INVERT DETAIL.
3. BOOT CONNECTOR TO CONFORM TO ASTM C923 W/ 304 SST HARDWARE

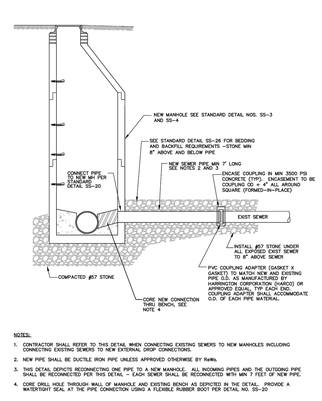
NEW PIPE CONNECTION AT MANHOLE
NOT TO SCALE



NOTES:

1. SERVICE LATERAL PIPING SHALL BE SOLID WALL SCH 40 PVC CONFORMING TO ASTM D 1785. INSTALL FITTINGS AND ADAPTERS AS NECESSARY TO CONNECT CLEANOUT TO SERVICE LATERAL.
2. MIN. GRADE OF 1/4" PER FOOT (2%) REQUIRED.
3. DURING FINAL GRADING OF BUILDING SITE, PLUMBER SHALL ADJUST FRAME AND COVER AND CLEAN OUT (INCLUDING WASHED STONE) AS NECESSARY TO MEET ACTUAL REQUIREMENTS.
4. CONSTRUCTION OF CLEAN OUT AND APPURTENANCES SHALL BE IN ACCORDANCE WITH APPLICABLE COUNTY BUILDING CODES.

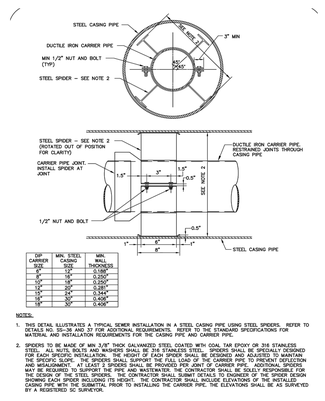
SERVICE LATERAL TWO WAY CLEANOUT
NOT TO SCALE



NOTES:

1. CONTRACTOR SHALL REFER TO THIS DETAIL WHEN CONNECTING EXISTING SEWERS TO NEW MANHOLES INCLUDING CONNECTING EXISTING SEWERS TO NEW EXTERNAL DROP CONNECTIONS.
2. NEW PIPE SHALL BE DUCTILE IRON PIPE UNLESS APPROVED OTHERWISE BY Rwlks.
3. THIS DETAIL DEPICTS RECONNECTING ONE PIPE TO A NEW MANHOLE. ALL INCOMING PIPES AND THE OUTGOING PIPE SHALL BE RECONNECTED PER THIS DETAIL – EACH SEWER SHALL BE RECONNECTED WITH MIN 1 FEET OF NEW PIPE.
4. CORE DRILL HOLE THROUGH WALL OF MANHOLE AND EXISTING BENCH AS DEPICTED IN THE DETAIL. PROVIDE A WATERTIGHT SEAL AT THE PIPE CONNECTION USING A FLEXIBLE RUBBER BOOT PER DETAIL NO. SS-20

CONNECTION OF EXISTING SEWER TO NEW MANHOLE
NOT TO SCALE

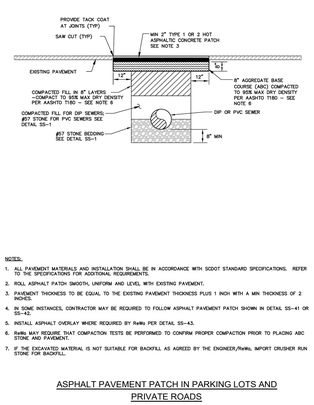


DIP CARRIER SIZE	MIN. STEEL CASING SIZE	MIN. WALL THICKNESS
6"	12"	0.188"
8"	14"	0.250"
10"	16"	0.250"
12"	18"	0.281"
14"	24"	0.344"
16"	24"	0.406"
18"	30"	0.406"

NOTES:

1. THIS DETAIL ILLUSTRATES A TYPICAL SEWER INSTALLATION IN A STEEL CASING PIPE USING STEEL SPIDERS. REFER TO DETAILS NO. SS–36 AND 37 FOR ADDITIONAL REQUIREMENTS. REFER TO THE STANDARD SPECIFICATIONS FOR MATERIAL AND INSTALLATION REQUIREMENTS FOR THE CASING PIPE AND CARRIER PIPE.
2. SPIDERS TO BE MADE OF MIN 3/8" THICK GALVANIZED STEEL COATED WITH COAL TAR EPOXY OR 316 STAINLESS STEEL. ALL NUTS, BOLTS AND WASHERS SHALL BE 316 STAINLESS STEEL. SPIDERS SHALL BE SPECIALLY DESIGNED FOR EACH SPECIFIC INSTALLATION. THE HEIGHT OF EACH SPIDER SHALL BE DESIGNED AND ADJUSTED TO MAINTAIN THE CARRIER PIPE AT THE CORRECT GRADE AND ALIGNMENT AS SHOWN ON THE PLANS AND PROFILES. AFTER PIPE INSTALLATION AND MEASUREMENT, AT LEAST 2 SPIDERS SHALL BE PROVIDED PER JOINT OF CARRIER PIPE. ADDITIONAL SPIDERS MAY BE REQUIRED TO SUPPORT THE PIPE AND WATER-TIGHTEN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE DESIGN OF THE STEEL SPIDERS. THE CONTRACTOR SHALL SUBMIT DETAILS TO ENGINEER OF THE SPIDER DESIGN AND SPACING FOR REVIEW PRIOR TO INSTALLATION. THE CONTRACTOR SHALL SUBMIT DETAILS OF THE SPIDER FOR THE CASING PIPE WITH THE SUBMITTAL PRIOR TO INSTALLING THE CARRIER PIPE. THE ELEVATIONS SHALL BE AS SURVEYED BY A REGISTERED SC SURVEYOR.

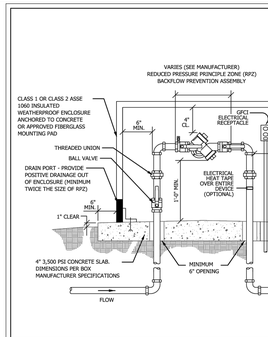
SEWER INSTALLATION WITHIN CASTING PIPE
NOT TO SCALE



NOTES:

1. ALL PAVEMENT MATERIALS AND INSTALLATION SHALL BE IN ACCORDANCE WITH SCDOT STANDARD SPECIFICATIONS. REFER TO THE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
2. ROLL ASPHALT PATCH SMOOTH, UNIFORM AND LEVEL WITH EXISTING PAVEMENT.
3. PAVEMENT THICKNESS TO BE EQUAL TO THE EXISTING PAVEMENT THICKNESS PLUS 1 INCH WITH A MIN THICKNESS OF 2 INCHES.
4. IN SOME INSTANCES, CONTRACTOR MAY BE REQUIRED TO FOLLOW ASPHALT PAVEMENT PATCH SHOWN IN DETAIL SS-41 OR SS-42.
5. INSTALL ASPHALT OVERLAY WHERE REQUIRED BY Rwlks PER DETAIL SS-43.
6. Rwlks MAY REQUIRE THAT COMPACTION TESTS BE PERFORMED TO CONFIRM PROPER COMPACTION PRIOR TO PLACING ABC STONE AND PAVEMENT.
7. IF THE EXCAVATED MATERIAL IS NOT SUITABLE FOR BACKFILL AS AGREED BY THE ENGINEER,Rwlks, IMPORT CRUSHER RUN STONE FOR BACKFILL.

ASPHALT PAVEMENT PATCH IN PARKING LOTS AND PRIVATE ROADS
NOT TO SCALE



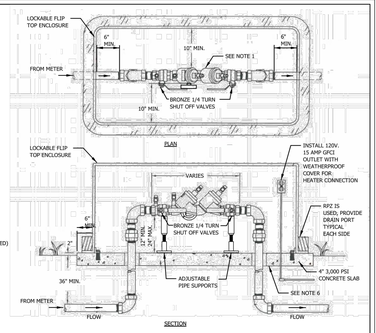
NOTES:

1) REDUCED PRESSURE PRINCIPLE ZONE (RPZ) BACKFLOW PREVENTION ASSEMBLY SHALL COMPLY WITH ASSE 1013 & AWWA C511.
2) BACKFLOW PREVENTION ASSEMBLY SHALL BE INSTALLED WITHIN 5-FT OF THE METER BOX.
3) BACKFLOW PREVENTION ASSEMBLY SHALL BE CENTERED ON CONCRETE OR APPROVED FIBERGLASS MOUNTING PAD AND CENTERED WITHIN ENCLOSURE.
4) MINIMUM INSULATED CLASS I OR CLASS II, ASSE 1060 WEATHERPROOF ENCLOSURE WITH REQUIRED HEATING.
5) 120V GFCI ELECTRICAL RECEPTACLE TO BE INSTALLED IN ACCORDANCE WITH THE NC ELECTRICAL CODE FOR OUTDOOR OPERATION.
6) PIPE MATERIAL SHALL BE PVC (SCH. 80 OR BETTER), COPPER (TYPE K) OR BRASS (ASTM B43).
7) INSTALLATION SHALL BE IN COMPLIANCE WITH ALL APPLICABLE CITY ORDINANCES AND SPECIFICATIONS IN ADDITION TO THE NC PLUMBING CODE.

1" RPZ BACKFLOW ASSEMBLY

DATE:	REVISIONS

STANDARD DETAIL



NOTES:

1) REGARDLESS OF THE DEGREE OF HAZARD, USE A NO LEAD REDUCED PRESSURE ZONE ASSEMBLY. SELECTED TYPE MUST BE APPROVED BY THE CITY.
2) BACKFLOW PREVENTION ASSEMBLY SHALL BE INSTALLED ON THE CUSTOMERS' SIDE OF METER WITHIN 5 FEET OF THE METER BOX. ALTERNATE LOCATION MUST BE APPROVED BY THE CITY.
3) MINIMUM INSULATE CLASS I OR CLASS II ASSE 1060 WEATHERPROOF ENCLOSURE REQUIRED. (HEATING REQUIRED)
4) SLOPE CONCRETE PAD TO DRAIN PORTS.
5) PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE AND OPERATION OF BACKFLOW ASSEMBLY AND COMPLIANCE WITH TESTING AND REPORTING REQUIREMENTS.
6) CONCRETE SLAB 3,000 PSI @ 28 DAYS (CHECK ENCLOSURE SIZE FOR SLAB DIMENSIONS)

STANDARD 2" BACKFLOW ASSEMBLY

DATE:	REVISIONS

STANDARD DETAIL

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and connot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL



PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME
MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
CONSTRUCTION DETAILS

SHEET NUMBER
C7.3

Drawing Name: N:\180001 - Circle K - Scottish Construction\180001-01-005 (SNC) - Hampstead (Hwy17 and Scotts Hill)\4.0\planning\Engineering Prep\Sheet Set\C7.3 Details.dwg Last Modified: Jul 08, 2022 - 10:52am Plotted on: Jul 08, 2022 - 2:28pm by kshrive

CONTINUOUS LINES

EDGE LINE — YELLOW OR WHITE — 4"/6"

LANE LINE — WHITE — 4"/6"

CENTER LINE — YELLOW — 4"/6"

GORE LINE — WHITE — 8"/12"

DIAGONAL LINE — YELLOW OR WHITE — 12" 45 MPH OR HIGHER; 8" LESS THAN 45 MPH

CROSSWALK LINE — WHITE — 8" TRANSVERSE, 24" LONGITUDINAL

RxR LINE — WHITE — 16"

STOP OR TRANSVERSE BAR — WHITE — 24"

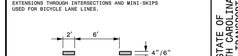
10'-30'/SP SKIP LINE

UNLESS OTHERWISED SHOWN, USE 10'-30'/SP SKIPS FOR SKIP LANE LINES AND SKIP CENTER LINES.



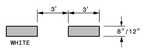
2'-6'/SP MINI-SKIP LINE

UNLESS OTHERWISED SHOWN, USE 2'-6'/SP MINI-SKIPS FOR LANE LINE EXTENSIONS THROUGH INTERSECTIONS, EDGE LINE EXTENSIONS THROUGH INTERSECTIONS AND MINI-SKIPS USED FOR BICYCLE LANE LINES.



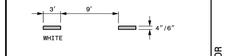
3'-3'/SP MINI-SKIP LINE

UNLESS OTHERWISED SHOWN, USE 3'-3'/SP MINI-SKIPS FOR THE WHITE EDGE LINE EXTENSIONS AT ROUNDABOUTS.



3'-9'/SP MINI-SKIP LINE

UNLESS OTHERWISED SHOWN, USE 3'-9'/SP MINI-SKIPS FOR MINI-SKIP LANE LINES AND LINE EXTENSIONS THROUGH TAPERS.



GENERAL NOTES:

1- USE 6" LANE, EDGE, AND CENTER LINES ON ALL FULL CONTROL OF ACCESS FACILITIES AND OTHER ROUTES AS DIRECTED BY THE ENGINEER.

2- LANE LINES INDICATED AS "WIDE" ON THE ROADWAY STANDARD DRAWINGS SHALL BE AT LEAST TWICE THE WIDTH OF THE NORMAL LINE.

3- GORE LINES SHALL BE TWICE THE WIDTH OF THE NORMAL LINE.

STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

1-18

ROADWAY STANDARD DRAWING FOR **PAVEMENT MARKINGS** LINE TYPES AND OFFSETS

SHEET 1 OF 2

1205.01

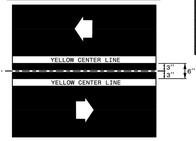
EDGE LINE OFFSET DETAIL



2" MAX., REFER ALSO TO TABLE 1

E.O.T.

CENTER LINE OFFSET DETAIL



LANE LINE OFFSET DETAIL

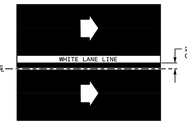


TABLE 1

EDGE LINE OFFSETS FOR 2-LANE, 2-WAY ROADWAYS WITH UN-PAVED SHOULDERS

WIDTH (W) OF TRAVEL PAVEMENT	MAX. EDGE LINE OFFSET FROM E.O.T.	MINIMUM LANE WIDTH (W)
16' - 18'	2"	8' - 9'
19'	4"	9'
20'	6"	9.5'
21'	8"	10'
22'	10"	10'
23'	10"	10.5'
24'	1'	11'
26'	2'	11'
28'	2'	12'
30'	3'	12'
32'	4'	12'

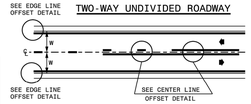
LEGEND

W = WIDTH OF TRAVEL LANE

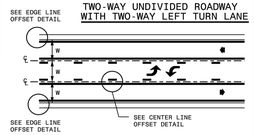
E.O.T.= EDGE OF TRAVEL

DIRECTION OF TRAFFIC FLOW

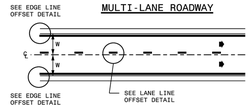
TWO-WAY UNDIVIDED ROADWAY



TWO-WAY UNDIVIDED ROADWAY WITH TWO-WAY LEFT TURN LANE



MULTI-LANE ROADWAY



STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

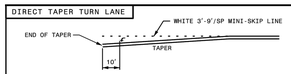
1-18

ROADWAY STANDARD DRAWING FOR **PAVEMENT MARKINGS** LINE TYPES AND OFFSETS

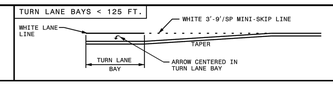
SHEET 2 OF 2

1205.01

DIRECT TAPER TURN LANE



TURN LANE BAYS < 125 FT.



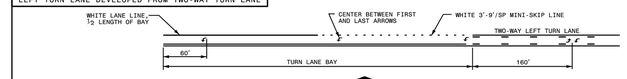
TURN LANE BAYS 125 - 250 FT.



TURN LANE BAYS 250 FT. OR GREATER

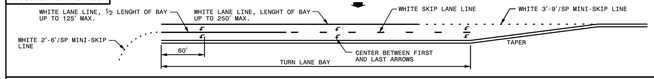


LEFT TURN LANE DEVELOPED FROM TWO-WAY TURN LANE



DOUBLE TURN LANES

SAME PAVEMENT MARKING LINES, NUMBER OF ARROWS, AND ARROW SPACING APPLY AS FOR THE VARIOUS TURN LANE BAY LENGTHS SHOWN ABOVE



GENERAL NOTES:

1- USE THE GUIDANCE SHOWN ABOVE IN CONJUNCTION WITH THE INTERSECTION GUIDANCE SHOWN ON ROADWAY STANDARD DRAWING 1205.04.

2- THE NUMBER OF ARROWS SHOWN IS THE WINIMUM REQUIRED. USE ADDITIONAL ARROWS AS DIRECTED BY THE ENGINEER.

LEGEND

PAVEMENT MARKING SYMBOL

STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

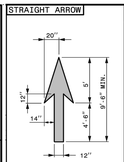
1-18

ROADWAY STANDARD DRAWING FOR **PAVEMENT MARKINGS** TURN LANES

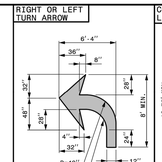
SHEET 1 OF 1

1205.05

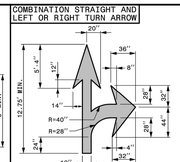
STRAIGHT ARROW



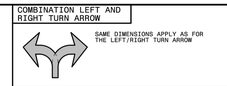
RIGHT OR LEFT TURN ARROW



COMBINATION STRAIGHT AND LEFT OR RIGHT TURN ARROW

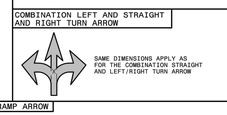


COMBINATION LEFT AND RIGHT TURN ARROW



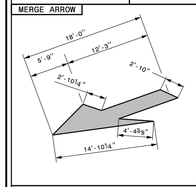
SAME DIMENSIONS APPLY AS FOR THE LEFT/RIGHT TURN ARROW

COMBINATION LEFT AND STRAIGHT AND RIGHT TURN ARROW

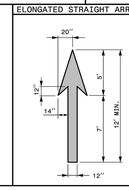


SAME DIMENSIONS APPLY AS FOR THE COMBINATION STRAIGHT AND LEFT/RIGHT TURN ARROW

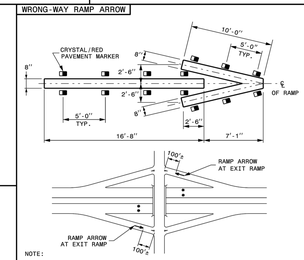
MERGE ARROW



ELONGATED STRAIGHT ARROW



WRONG-WAY RAMP ARROW



GENERAL NOTES:

1- USE THE COLOR WHITE FOR ALL PAVEMENT MARKING SYMBOLS.

2- DO NOT LOCATE PAVEMENT MARKING SYMBOLS AS TO ENCROACH INTO INTERSECTION AREAS.

3- DO NOT PLACE SYMBOLS ACROSS TRANSVERSE EXPANSION JOINTS ON PORTLAND CEMENT CONCRETE PAVEMENTS, UNLESS APPROVED BY THE ENGINEER.

4- CONFORM ALL SYMBOLS TO THE FHWA "STANDARD HIGHWAY SIGNS" MANUAL WHICH INCLUDES PAVEMENT MARKING AND STANDARD ALPHABETS (REFER TO SHEETS 9 THRU 11). DIMENSIONS CAN VARY AMONG MANUFACTURERS, THEREFORE SLIGHT VARIANCES ARE ACCEPTABLE. HOWEVER, ALL SYMBOLS ARE REQUIRED TO BE APPROVED BY THE DEPARTMENT.

NOTE:

1- WHEN INSTALLING COLD APPLIED PLASTIC ON CONCRETE, IT IS RECOMMENDED TO USE COLD APPLIED PLASTIC WITH A BLACK CONTRASTING BOLDER.

STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

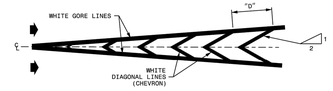
1-18

ROADWAY STANDARD DRAWING FOR **PAVEMENT MARKINGS** SYMBOLS AND WORD MESSAGES

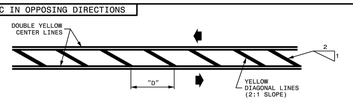
SHEET 1 OF 9

1205.08

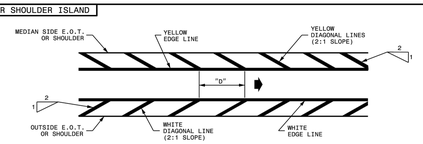
CHANNELIZING ISLAND SEPARATING TRAFFIC IN SAME DIRECTION



MEDIAN ISLAND SEPARATING TRAFFIC IN OPPOSING DIRECTIONS



EDGE OF PAVEMENT OR SHOULDER ISLAND



GENERAL NOTES:

1- "D" = SPACING OF DIAGONAL LINES (TYPICALLY EQUAL IN FEET TO THE POSTED SPEED LIMIT).

2- INCREASE SPACING OF DIAGONALS TO 200' OR MORE ON INTERSTATE ROADWAYS.

3- ADJUST SPACING OF DIAGONALS DEPENDING ON THE LENGTH OF THE ISLAND. SPACING MAY BE ADJUSTED AS DETERMINED BY THE ENGINEER.

LEGEND

E.O.T.= EDGE OF TRAVEL

DIRECTION OF TRAFFIC FLOW

STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

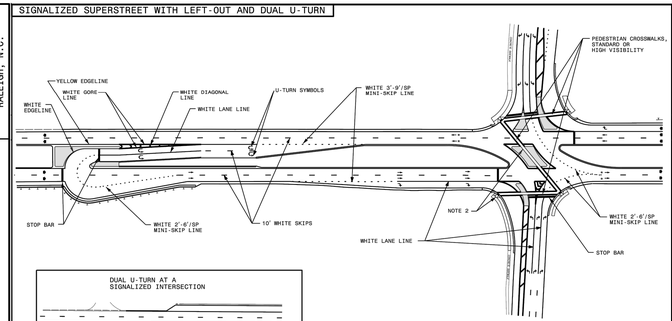
1-18

ROADWAY STANDARD DRAWING FOR **PAVEMENT MARKINGS** PAINTED ISLANDS

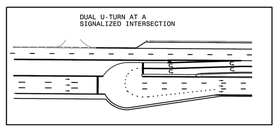
SHEET 1 OF 1

1205.09

SIGNALIZED SUPERSTREET WITH LEFT-OUT AND DUAL U-TURN



DUAL U-TURN AT A SIGNALIZED INTERSECTION



GENERAL NOTES:

1- USE THE GUIDANCE SHOWN ABOVE IN CONJUNCTION WITH THE INTERSECTION GUIDANCE SHOWN ON ROADWAY STANDARD DRAWING 1205.04.

2- CURB RAMPS AND MEDIAN ISLANDS SHALL BE CONSTRUCTED USING THE PAVEMENT MARKING AND ROADWAY PLANS.

LEGEND

DIRECTION OF TRAFFIC FLOW

PAVEMENT MARKING SYMBOLS

CURB RAMPS WITH DETECTABLE WARNING DOMES

OPTIONAL

STATE OF NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

1-18

ROADWAY STANDARD DRAWING FOR **PAVEMENT MARKINGS** SUPERSTREETS

SHEET 2 OF 2

1205.15

Bowman

Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075

Phone: 704.412.7424
bowman.com

License Number: 4523

COPYRIGHT NOTICE

This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

12/01/21	PLAN CREATION/INITIAL SUBMITTAL
02/01/22	TRC COMMENTS REVISION
04/12/22	PENDER COUNTY RESUBMITTAL
05/12/22	NCDOT SUBMITTAL
07/08/22	PENDER COUNTY SUBMITTAL
07/08/22	NCDOT SUBMITTAL

PROFESSIONAL SEAL

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 052534 07/08/22 BRANDON J. STREETS

PROFESSIONAL IN CHARGE
BS

PROJECT MANAGER
BS/PD

QUALITY CONTROL
BS/PD

DRAWN BY
KD

PROJECT NAME

MAJOR SITE PLAN - CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

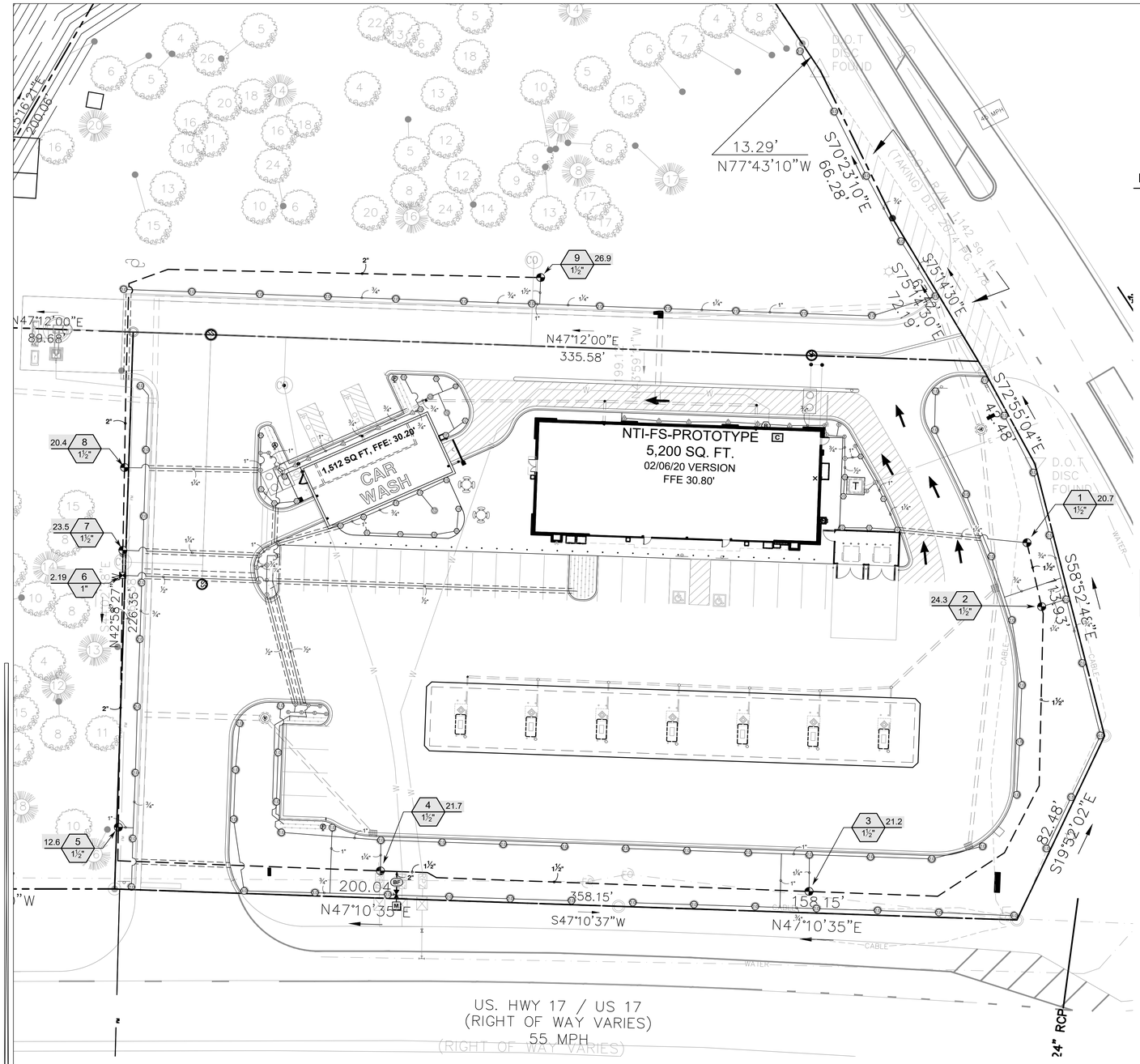
SHEET TITLE

NCDOT STANDARD DETAILS

SHEET NUMBER

C7.4

Drawing Name: S:\180001 - Circle K - Scotts Hill\NCDOT\01-00 DWG - Standard Plan\7 and Scotts Hill_NCDOTgraphicsSystemVars_PrintToDwf_SxSC1.ctb Modified: Jul 26, 2022 - 2:32pm Plotted on: Jul 26, 2022 - 2:32pm by bstreets



0' 10' 20' 40'

Scale 1" = 20'

EVERGREEN
DESIGN GROUP
of north carolina, pllc
(800) 680-6630
4509 Creedmoor Rd., Ste 201
Raleigh, NC 27612
www.EvergreenDesignGroup.com

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI
EST LCS RCS CST SST	Rain Bird 1806 15 Strip Series Turf Spray 6.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2" NPT Female Threaded Inlet.	11	25
Q T H F	Rain Bird 1806 10 Series MPR Turf Spray 6.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2" NPT Female Threaded Inlet.	2	25
Q T H TQ F	Rain Bird 1806 12 Series MPR Turf Spray 6.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2" NPT Female Threaded Inlet.	1	25
Q H TQ	Rain Bird 1806 ADJ Turf Spray 6.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2" NPT Female Threaded Inlet.	56	25

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI	GPM	RADIUS
1.0	Rain Bird 3504-PC Turf Rotor, 4" Pop-Up. Adjustable and Full Circle.	11	25	0.77	20'
1.9	Rain Bird 3504-PC Turf Rotor, 4" Pop-Up. Adjustable and Full Circle.	2	25	1.06	23'
2.0	Rain Bird 3504-PC Turf Rotor, 4" Pop-Up. Adjustable and Full Circle.	52	25	1.40	27'
2.6	Rain Bird 3504-PC Turf Rotor, 4" Pop-Up. Adjustable and Full Circle.	8	25	2.17	29'
2.9	Rain Bird 3504-PC Turf Rotor, 4" Pop-Up. Adjustable and Full Circle.	2	25	2.97	31'

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Rain Bird LFV-100 1" Low Flow DV Valve	1
P	Rain Bird MDCFCAP Dripline Flush Valve cap in compression fitting coupler.	2
A	Rain Bird ARV050 1/2" Air Relief Valve, made of quality rust-proof materials, with a 6" drip valve box (SEB 7XB emitter box). Use with installation below soil. The valve will allow air to escape the pipeline, thus preventing water hammer or blockage.	1
	Area to Receive Dripline Rain Bird XFD-06-18 XFD On-Surface Pressure Compensating Landscape Dripline. 0.6 GPH emitters at 18" O.C. Dripline laterals spaced at 18" apart, with emitters offset for triangular pattern. UV Resistant. Specify XF insert fittings.	326.1 l.f.

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Rain Bird PEB 1-1/2" Plastic Industrial Valves. Low Flow Operating Capability, Globe Configuration.	8
	Nibco Ball Valve Brass, Two-Piece, Full Port, NPT x NPT, T-FP-600A	1
BF	Febco 825Y 1-1/2" Reduced Pressure Backflow Preventer	1
C	Rain Bird ESP8LXME w/ (1) ESPLXMSM12 20 Station, Traditionally-Wired, Commercial Controller. (1) ESP8LXME 8-Station, Indoor/Outdoor, Plastic Wall-Mount Enclosure w/ (1) ESPLXMSM12 - 12-Station Expansion Modules.	1
R	Rain Bird WR2-RFC Wireless Rain and Freeze Sensor Combo, includes 1 receiver and 1 rain/freeze sensor transmitter.	1
M	Water Meter 1"	1
	Irrigation Lateral Line: PVC Class 200 SDR 21	3,022 l.f.
	Irrigation Mainline: PVC Schedule 40	900.7 l.f.
	Pipe Sleeve: PVC Schedule 40	486.8 l.f.

Valve Callout
Valve Number
Valve Flow
Valve Size

VALVE SCHEDULE

NUMBER	MODEL	SIZE	TYPE	GPM	PSI	PSI @ POC	PRECIP
1	Rain Bird PEB	1-1/2"	Turf Spray	20.70	33.1	52.83	2.01 in/h
2	Rain Bird PEB	1-1/2"	Turf Rotor	24.34	33.27	55.35	0.48 in/h
3	Rain Bird PEB	1-1/2"	Turf Rotor	21.17	33.65	50.77	0.49 in/h
4	Rain Bird PEB	1-1/2"	Turf Rotor	21.70	33.32	48.35	0.52 in/h
5	Rain Bird PEB	1-1/2"	Turf Rotor	12.60	33.71	47.18	0.61 in/h
6	Rain Bird LFV-100	1"	Area for Dripline	2.19	24.21	36.72	0.43 in/h
7	Rain Bird PEB	1-1/2"	Turf Spray	23.53	32.82	49.53	2.41 in/h
8	Rain Bird PEB	1-1/2"	Turf Spray	20.40	33.03	48.68	1.88 in/h
9	Rain Bird PEB	1-1/2"	Turf Rotor	26.88	33.68	53.46	0.51 in/h

NOTE: ALL IRRIGATION WORK AND TRENCHING NEAR EXISTING TREES SHALL BE DONE MANUALLY WITH HAND TOOLS. HEAVY MACHINERY WHICH COULD COMPACT SOILS OR DAMAGE EXISTING TREES SHALL NOT BE USED WITH 15' OF ANY EXISTING TREES.

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

10/20/21 COUNTY PLAN REVIEW

COMPANY SEAL

PROFESSIONAL SEAL
JAMES W. GRIFFIN IV
SEAL 043213
NORTH CAROLINA
LANDSCAPE ARCHITECT
DATE: 7/7/22

PROFESSIONAL IN CHARGE
PL
PROJECT MANAGER
PL
QUALITY CONTROL
SF / BS / PL
DRAWN BY
JWG

PROJECT NAME
CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
LANDSCAPE IRRIGATION

SHEET NUMBER
LI-1

IRRIGATION SPECIFICATIONS

GENERAL

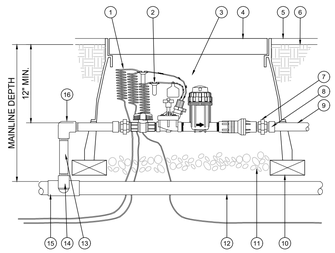
A. QUALIFICATIONS OF IRRIGATION CONTRACTOR
   1. ALL WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE IRRIGATION CONTRACTING FIRM SPECIALIZING IN IRRIGATION SYSTEMS. SEE THE IRRIGATION PLAN FOR SPECIFIC EQUIPMENT AND SYSTEM LAYOUT.
   2. THE IRRIGATION CONTRACTOR MUST HAVE ON ITS STAFF A LICENSED IRRIGATION INSTALLER, AS REGULATED BY THE APPROPRIATE LOCAL JURISDICTION. A LICENSED IRRIGATION INSTALLER SHALL BE PRESENT AT THE PROJECT SITE AT ALL TIMES AS WORK IS IN PROGRESS. THE OWNER MAY DEMAND THAT WORK STOP UNTIL THE CONTRACTOR PROVIDES FOR A LICENSED IRRIGATION INSTALLER TO BE PRESENT AT THE PROJECT SITE AND SUPERVISING ALL IRRIGATION WORK.
   3. A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
B. SCOPE OF WORK
   1. WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES, FEES, AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND/OR SHOWN ON THE IRRIGATION PLANS, NOTES, AND DETAILS.
   2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS. IN CASE OF CONFLICT BETWEEN THESE PLANS AND LOCAL AND/OR STATE CODES, CODES SHALL PREVAIL.
   3. THE INTENT OF THE IRRIGATION SYSTEM IS TO PROVIDE 100% COVERAGE OF ALL LANDSCAPE AREAS. THE IRRIGATION PLAN IS GENERALLY DIAGRAMMATIC; COORDINATE IRRIGATION INSTALLATION WITH UTILITY INSTALLATIONS. ACTUAL LOCATION OF CONTROLLER, BACKFLOW DEVICE, PIPING, VALVES, SPRAY HEADS, DRIP IRRIGATION, AND RELATED EQUIPMENT MAY NEED TO BE ADJUSTED BASED ON ACTUAL SITE CONDITIONS.
   4. FOR CLARITY PURPOSES, SOME IRRIGATION LINES AND EQUIPMENT ARE SHOWN IN HARDSCAPE AREAS WITHOUT ACCESS SLEEVES; THESE LINES SHALL BE INSTALLED IN A COMMON TRENCH OR AT THE BACK OF CURB IN LANDSCAPE AREAS. MINOR FIELD ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO THE OWNER.

PRODUCTS

A. ALL MATERIALS SHALL BE NEW AND WITHOUT FLAWS OR DEFECTS OF ANY TYPE AND SHALL BE THE BEST OF THEIR CLASS AND KIND. ALL MATERIALS SHALL HAVE A MINIMUM GUARANTEE OF ONE YEAR AGAINST MATERIAL DEFECTS OR DEFECTIVE WORKMANSHIP. ALL MATERIALS SHALL BE OF THE BRANDS AND TYPES NOTED ON THE DRAWINGS OR AS SPECIFIED HEREIN, OR APPROVED EQUAL. THE CONTRACTOR MUST FIRST OBTAIN APPROVAL FROM THE IRRIGATION DESIGNER FOR AN 'APPROVED EQUAL' BEFORE INSTALLING SUCH MATERIALS IN THE FIELD, OR THE CONTRACTOR MAY BE REQUIRED TO REPLACE SUCH MATERIALS AT HIS OWN COST.
B. BACKFLOW PREVENTION DEVICES SHALL BE OF THE SIZE AND TYPE INDICATED ON THE DRAWINGS. INSTALL BACKFLOW PREVENTION UNITS IN ACCORDANCE WITH IRRIGATION CONSTRUCTION DETAILS AND ALL APPLICABLE STATE AND LOCAL CODES AND ORDINANCES.
C. PIPING
   1. PRESSURE SUPPLY LINES, DOWNSTREAM OF THE POINT-OF-CONNECTION:
      a. SCHEDULE 40 PVC FOR ALL PIPE 1-1/2" OR LESS
      b. CLASS 315 PVC FOR ALL PIPE 2" TO 2-1/2"
      c. CLASS 200 PVC, GASKETED, FOR ALL PIPE 3" AND LARGER
   2. SLEEVING AND NON-PRESSURE LATERAL LINES (DOWNSTREAM FROM VALVES): SCHEDULE 40 PVC
   3. FITTINGS: SCH. 40 PVC, EXCEPT AS NOTED OTHERWISE.
D. VALVES AND DRIP VALVE ASSEMBLIES: TYPE AND SIZE AS NOTED ON PLANS. EACH VALVE SHALL BEAR A PRE-MANUFACTURED, NUMBERED WATERPROOF TAG BEARING A NUMBER CORRESPONDING TO ITS VALVE SEQUENCE OF OPERATION ON THE CONTROLLER. THE OPERATION SEQUENCE SHALL MATCH THAT AS SHOWN ON THE PLANS.
E. QUICK COUPLERS, BALL VALVES, AND GATE VALVES: TYPE AND SIZE PER PLANS.
F. VALVE BOXES: TYPE AND SIZE AS NOTED ON DETAILS. ALL VALVES BOXES SHALL BE LOCKING BOLT-DOWN TYPE, FURNISHED WITH LIDS AND BOLTS. BOXES SHALL BE OF A SIZE TO CONTAIN THE ENTIRE VALVE AND/OR VALVE ASSEMBLY. THE VALVE BOX LID SHALL HAVE THE VALVE STATION NUMBER HEAT-BRANDED INTO THE LID WITH 2" HIGH LETTERS.
G. FIXED SPRAY HEADS AND ROTORS: PLASTIC BODY POP-UP, WITH A REMOVABLE PLASTIC SPRAY NOZZLE. EXACT TYPE, MODEL, AND NOZZLE SHALL BE AS INDICATED ON PLANS.
H. INTEGRAL EMITTER DRIP TUBING: TUBING MODEL AND FLOW RATE AS NOTED ON PLANS, WITH INTEGRAL EMITTERS WELDED TO THE INSIDE WALL OF THE TUBING AS AN INTEGRAL PART OF THE TUBING ASSEMBLY.
I. AUTOMATIC CONTROLLER: TYPE AND MODEL PER PLANS. PROVIDE VANDAL-PROOF ENCLOSURE FOR ALL EXTERIOR INSTALLATIONS. PROVIDE LINE-VOLTAGE DISCONNECT SWITCH WITH GROUND FAULT PROTECTION.
J. 24 VOLT VALVE WIRE SHALL BE A MINIMUM OF #14 GAUGE, U.F. APPROVED FOR DIRECT BURIAL, SINGLE CONDUCTOR IRRIGATION WIRE. EACH CONTROLLER SHALL HAVE A DIFFERENT COLOR STATION AND COMMON WIRE.
   1. STATION WIRE - RED
   2. COMMON WIRE - WHITE
   3. EXTRA COMMON WIRES - BLUE
K. WIRE SPLICES SHALL BE ENCASED IN A WATERPROOF COMPOUND OR GEL. ALL FIELD SPLICES SHALL BE LOCATED IN A 6 INCH ROUND VALVE BOX.
L. RAIN SENSOR: TYPE AND MODEL PER PLANS.

METHODS

A. THIS DESIGN IS DIAGRAMMATIC. ALL PIPING, VALVES, AND OTHER EQUIPMENT SHOWN WITHIN PAVED AREAS OR OUT OF PROPERTY BOUNDARIES ARE FOR DESIGN CLARIFICATION ONLY, AND SHALL BE INSTALLED IN PLANTING AREAS WITHIN THE PROPERTY LINES OR LIMITS INDICATED ON PLAN. THE IRRIGATION CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE-GRADE IRRIGATION EQUIPMENT WITH THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION, OR IRRIGATION CONTRACTOR MAY BE REQUIRED TO MOVE SUCH ITEMS AT HIS OWN COST. ENSURE FIELD COORDINATION IS MADE EARLY ON IN THE CONSTRUCTION PHASE SO PLACEMENT LOCATION IS CORRECT.
B. THE IRRIGATION CONTRACTOR SHALL MEET WITH THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF WORK, AND SHALL OBTAIN ALL ENGINEERING, LANDSCAPE, AND OTHER APPLICABLE PLANS & DOCUMENTS. THE CONTRACTOR SHALL THOROUGHLY REVIEW THE PLANS AND REPORT ANY CONFLICTS OR DISCREPANCIES TO THE LANDSCAPE ARCHITECT AND OWNER'S REPRESENTATIVE IMMEDIATELY.
C. THE IRRIGATION CONTRACTOR SHALL NOT WILFULLY INSTALL THE IRRIGATION SYSTEM AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS, GRADES OR DIMENSIONS EXIST THAT MIGHT NOT HAVE BEEN CONSIDERED IN THE ENGINEERING. SUCH OBSTRUCTIONS OR DIFFERENCES SHALL BE BROUGHT TO THE ATTENTION OF THE IRRIGATION DESIGNER. IN THE EVENT THAT THIS NOTIFICATION IS NOT PERFORMED, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS AND NECESSARY COSTS.
D. SEE UTILITY PLANS FOR IRRIGATION POINTS OF CONNECTION (TAP) AND DOMESTIC WATER SUPPLY.
E. THE IRRIGATION CONTRACTOR SHALL PAY ANY AND ALL FEES AND PERMITS ASSOCIATED WITH THE INSTALLATION OF THE IRRIGATION SYSTEM.
F. AT LEAST SEVEN DAYS BEFORE BEGINNING WORK, CONFIRM THE STATIC WATER PRESSURE IS AT LEAST 65 PSI AND LESS THAN 70 PSI. IF STATIC WATER PRESSURE IS OUTSIDE OF THE STATED RANGE, DO NOT PROCEED WITHOUT FIRST NOTIFYING THE IRRIGATION DESIGNER AND OWNER IN WRITING, AND OBTAINING SUBSEQUENT DIRECTION FOR CORRECTIONAL MEASURES. SHOULD THE IRRIGATION CONTRACTOR CHOOSE TO BEGIN THE INSTALLATION WITHOUT SUCH NOTIFICATION, THE IRRIGATION CONTRACTOR WILL ASSUME THE RESPONSIBILITY FOR ALL COSTS INCURRED TO ENSURE THE SYSTEM IS WORKING PROPERLY. NO CHANGE ORDERS WILL BE AUTHORIZED IN SUCH CIRCUMSTANCES.
G. THE IRRIGATION CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK. THE CONTRACTOR SHALL BE FAMILIAR WITH ALL GRADE DIFFERENCES, LOCATIONS OF WALLS, STRUCTURES AND UTILITIES.
H. COORDINATE WITH THE OWNER THE PROPOSED LOCATIONS OF THE AUTOMATIC CONTROLLER AND ANY REQUIRED SLEEVES THROUGH THE BUILDING FOR CONTROL WIRES.
I. TRENCHING NEAR EXISTING TREES:
   1. CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1' FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
   2. ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
   3. ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER. WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
   4. ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.
J. BACKFILL
   1. ALL BACKFILL MATERIAL SHALL BE SUBJECT TO APPROVAL BY THE OWNER. BACKFILL MATERIAL SHALL BE FREE FROM RUBBISH, ROCK LARGER THAN 1", LARGE STONES, BRUSH, SOD, FROZEN MATERIAL OR OTHER UNSUITABLE SUBSTANCES THAT MAY DAMAGE PIPE DURING THE BACKFILLING OPERATIONS. SEPARATE OUT ROCKS LARGER THAN 1 INCH IN ANY DIRECTION FROM EXCAVATED MATERIAL, AND REMOVE FROM AREAS TO RECEIVE LANDSCAPING. COVER FOR BOTH TOP AND SIDES OF PIPE SHALL BE A MINIMUM OF 2 INCHES OF ROCK-FREE SOIL, SAND, OR OTHER APPROVED MATERIAL.
   2. IN THE EVENT THAT THE MATERIAL FROM THE EXCAVATION OR TRENCHING IS FOUND TO BE UNSUITABLE FOR USE IN BACKFILL, IT SHALL BE REMOVED FROM THE SITE AND PROPERLY AND LEGALLY DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL THEN PURCHASE AND IMPORT AND FURNISH SUITABLE BACKFILL MATERIAL CONSISTING OF EARTH, LOAM, SANDY CLAY, SAND OR OTHER APPROVED MATERIALS FREE OF DEBRIS.
K. BACKFLOW PREVENTER INSTALLATION: CONTRACTOR SHALL MAKE CONNECTIONS TO EXISTING WATER SOURCES AT LOCATION SHOWN ON PLANS AND AS APPROVED BY THE OWNER, AND SHALL MAKE ANY MINOR CHANGES IN LOCATION AS MAY BE NECESSARY DUE TO ACTUAL SITE CONDITIONS. BACKFLOW PREVENTER HEIGHT SHALL BE AS PER LOCAL CODES AND IRRIGATION DETAILS. INSTALL A BRASS BALL VALVE IMMEDIATELY UPSTREAM OF THE BACKFLOW DEVICE TO SERVE AS AN ISOLATION VALVE. TO EVERY EXTENT POSSIBLE, INSTALL BACKFLOW PREVENTER ION A LOCATION SCREENED FROM PUBLIC VIEW (SUCH AS BEHIND A SHRUB ROW).
L. PIPING:
   1. PIPE SIZE SHALL CONFORM TO THOSE SHOWN ON THE DRAWINGS. NO SUBSTITUTIONS OF SMALLER PIPE SIZES SHALL BE PERMITTED, BUT SUBSTITUTIONS FOR LARGER SIZES MAY BE APPROVED.
   2. MAINLINE PIPE AND WIRES SHALL BE INSTALLED WITH A MINIMUM COVER OF 18 INCHES. LATERAL PIPE SHALL BE INSTALLED WITH A MINIMUM COVER OF 12 INCHES.
   3. ASSEMBLE ALL THREADED FITTINGS WITH TEFLON TAPE, WHICH SHALL BE APPLIED TO MALE THREADS ONLY.
   4. ALL SOLVENT-WELD CONNECTIONS SHALL BE MADE WITH APPROVED SOLVENT-WELD PRIMER AND GLUE.
   5. PIPE SHALL BE INSTALLED WITH A MINIMUM OF 4" HORIZONTAL CLEARANCE FROM ANY OTHER PIPE AND 2" VERTICAL CLEARANCE FROM ANY PIPES THAT CROSS OVER OR UNDER.
M. VALVES
   1. VALVES SHALL BE INSTALLED PER MANUFACTURER'S DIRECTIONS AND THE IRRIGATION DETAILS.
   2. VALVE BOXES SHALL BE INSTALLED FLUSH WITH THE GRADE, WITH CLEAN PEA GRAVEL LOCATED BELOW THE VALVE AS NOTED ON THE DETAILS. LOCATE BOXES WITHIN 12 TO 24" OF SIDEWALKS OR LANDSCAPE EDGES, WITH TOPS OF BOXES 1" ABOVE FINISH GRADE IN TURF, AND 3" ABOVE FINISH GRADE IN SHRUB AREAS (TO AVOID BEING COVERED BY MULCH).
   3. EACH VALVE BOX COVER SHALL BE HEAT-BRANDED WITH THE CONTROLLER STATION NUMBER.
   4. DO NOT INSTALL MORE THAN TWO VALVES IN A JUMBO BOX.
N. DRIP IRRIGATION EQUIPMENT SHALL BE INSTALLED PER MANUFACTURER'S DIRECTIONS AND THE IRRIGATION DETAILS.
   1. SUBSURFACE DRIP LINES SHALL BE BURIED NO MORE THAN 2" BELOW FINISH GRADE.
   2. DRIP LINES MOUNTED ON GRADE SHALL BE LOCATED BENEATH LANDSCAPE FABRIC, AND SECURED IN PLACE WITH WIRE STAPLES AT A MAXIMUM OF 48" ON CENTER.
O. SPRAY, ROTOR, AND BUBBLER HEADS:
   1. ALL SPRAY AND ROTOR HEAD LOCATIONS SHALL BE STAKED, FLAGGED AND/OR OTHERWISE CLEARLY MARKED ON THE GROUND PRIOR TO INSTALLATION. SPRINKLER HEAD STAKING SHALL BE INSPECTED AND APPROVED BY THE OWNER'S REPRESENTATIVE BEFORE INSTALLATION.
   2. ALL SPRAY HEADS SHALL BE CONNECTED WITH A 12 INCH MINIMUM LENGTH OF 1" INCH FLEX PVC. THE FLEX PVC SHALL BE SOLVENT WELDED TO SCHEDULE 40 PVC FITTINGS WITH WELD-ON #795 SOLVENT AND #P-70 PRIMER. ALL ROTORS SHALL BE CONNECTED TO LATERAL LINES WITH PRE-MANUFACTURED SWING JOINTS.
   3. ALL ROTOR, SPRAY AND BUBBLER HEADS SHALL BE SET PERPENDICULAR AND FLUSH TO FINISH GRADE AND WITH A CLEARANCE OF FOUR INCHES (MINIMUM) FROM THE EDGE OF ANY BUILDINGS, WALLS, BOULDERS, AND HARDSCAPE, UNLESS OTHERWISE SPECIFIED.
   4. ALL ROTOR, SPRRAY AND BUBBLER HEADS AND VALVES SHALL BE FLUSHED AND ADJUSTED FOR OPTIMUM COVERAGE WITH MINIMUM OVERSPRAY ON WALKS, STREETS, WALLS, ETC.
P. AUTOMATIC CONTROLLER:
   1. INSTALL THE CONTROLLER AT THE LOCATION INDICATED BY THE OWNER. INSTALL CONTROLLER WITH A BACKUP BATTERY AS RECOMMENDED BY THE MANUFACTURER.
   2. THE IRRIGATION CONTRACTOR SHALL COORDINATE 120 V.A.C. ELECTRICAL POWER TO CONTROLLER AND DEDICATE ONE (1) 20-AMP BREAKER FOR EACH CONTROLLER. IT SHALL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO MAKE THE FINAL HOOK-UP FROM THE ELECTRICAL SOURCE TO THE CONTROLLER UNIT ONLY.
   3. ALL VALVE CONTROL WIRE SHALL BE AWG 14 TYPE UF, 600 VOLT TEST, DIRECT BURIAL. NO SPLICES SHALL BE ALLOWED EXCEPT AT VALVES AND CONTROLLER. WHERE SPLICES MAY BE NECESSARY DUE TO EXCESSIVELY LONG WIRE RUNS, THE CONTRACTOR SHALL MAKE ALL SPLICES IN 6" ROUND VALVE BOXES WITH 3M'S "DBY-DIRECT BURIAL SPLICE KIT". THE CONTRACTOR SHALL LABEL ALL WIRES WITH WATERPROOF TAGS AND MARKERS AT ALL SPLICES AND VALVE MANIFOLDS, AND SHALL LEAVE A 24" COIL OF EXCESS WIRE AT EACH CONNECTION.
   4. PROVIDE #10 COMMON WIRE, DIRECT BURIAL, TO ALL REMOTE CONTROL VALVES.
   5. CONNECT ALL DIRECT BURIAL WIRES TO VALVES USING 3M'S "DBY-DIRECT BURIAL SPLICE KIT" (UNLESS OTHERWISE SPECIFIED).
   6. PROVIDE THREE ADDITIONAL IRRIGATION CONTROL WIRES ALONG EACH BRANCH OF MAINLINE FOR FUTURE EXPANSION. STUB ADDITIONAL CONTROL WIRES INTO BACK OF IRRIGATION CONTROLLERS.
   7. THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ALL CONTROL WIRE SLEEVES AND PIPE SLEEVES UNDER PAVED AREAS PRIOR TO PAVING - SEE SLEEVING NOTES.
Q. INSTALL THE RAIN SENSOR IN THE VICINITY OF THE CONTROLLER, AND COORDINATE LOCATION WITH THE OWNER. IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO ENSURE THE RAIN SENSOR IS PLACED IN A LOCATION WHERE IT CAN RECEIVE ADEQUATE RAINFALL WITHOUT OBSTRUCTIONS. IF IT IS PLACED IN AN INADEQUATE LOCATION, THE IRRIGATION CONTRACTOR MAY BE REQUIRED TO RELOCATE IT AT NO ADDITIONAL COST TO THE OWNER.
R. ALL IRRIGATION EQUIPMENT NOT OTHERWISE DETAILED OR SPECIFIED SHALL BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.
S. QUALITY CONTROL
   1. PERFORM COVERAGE TESTS AFTER SPRINKLER SYSTEM IS COMPLETED, BUT PRIOR TO ANY PLANTING AND PERFORM TESTING IN THE PRESENCE OF THE IRRIGATION DESIGNER AND THE CONSTRUCTION MANAGER.
   2. TEST SYSTEM TO ASSURE THAT ALL LAWN AND PLANTING AREAS ARE WATERED COMPLETELY AND UNIFORMLY.
   3. MAKE ALL NECESSARY ADJUSTMENTS TO PROVIDE COMPLETE COVERAGE, INCLUDING REALIGNMENT OF HEADS AND REPLACEMENT OF NOZZLES.
U. CLEAN UP
   1. DURING IRRIGATION EXCAVATION AND INSTALLATION, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
   2. DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.
V. INSPECTION AND ACCEPTANCE
   1. UPON COMPLETION OF THE WORK, THE IRRIGATION CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE IRRIGATION CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
   2. WHEN THE INSPECTED WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
   3. THE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.
   4. CONTROLLER CHART. THE IRRIGATION CONTRACTOR SHALL PROVIDE A 11" X 17" COLOR-CODED, LAMINATED COPY OF THE IRRIGATION LAYOUT AND PLACE IT IN THE CONTROLLER'S COVER. THE CONTROLLER CHART SHALL CLEARLY DELINEATE THE AREAS COVERED BY EACH VALVE, USING A SEPARATE COLOR FOR EACH ZONE.
   5. TURN THE FOLLOWING ITEMS IN TO THE OWNER UPON COMPLETION OF THE INSTALLATION:
      a. QUICK COUPLER KEYS (2)
      b. CONTROLLER MANUAL (1)
      c. CONTROLLER KEYS (2)
      d. A MINIMUM OF (2) COPIES OF RECORD DRAWINGS. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.
W. REFER TO THE PLANTING SPECIFICATIONS FOR ADDITIONAL CONDITIONS OF FINAL ACCEPTANCE AND START OF THE MAINTENANCE PERIOD.
X. WARRANTY
   1. THE IRRIGATION SYSTEM SUPPLIED AND INSTALLED SHALL BE WARRANTED (LABOR AND MATERIALS) TO REMAIN OPERATIONAL FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF FINAL ACCEPTANCE. DURING THIS PERIOD, THE CONTRACTOR SHALL ALSO REPAIR ANY SETTLEMENT OF THE IRRIGATION TRENCHES.
   2. BY THE END OF THE WARRANTY PERIOD, ANY IRRIGATION PART THAT IS EITHER NON-OPERATIONAL OR THAT IS OPERATING BELOW STANDARDS AS DETERMINED BY THE OWNER, SHALL BE REMOVED FROM THE SITE AND SHALL BE REPLACED. REPLACEMENTS SHALL BE OF THE SAME KIND AS SPECIFIED IN THE IRRIGATION LEGEND, AND SHALL BE INSTALLED AS ORIGINALLY SPECIFIED.
   3. IRRIGATION PARTS DAMAGED OR IMPAIRED DUE TO ACTS OF GOD, VANDALISM, AND/OR THE OWNER'S IMPROPER MAINTENANCE SHALL NOT BE COVERED BY THIS WARRANTY.
Y. SHOULD THE PERMITTING JURISDICTION REQUIRE AN IRRIGATION AUDIT, THE IRRIGATION CONTRACTOR SHALL RETAIN THE SERVICES OF A THIRD-PARTY CERTIFIED LANDSCAPE IRRIGATION AUDITOR, AT NO ADDITIONAL COST TO THE OWNER.



1. 30-INCH LINEAR LENGTH OF WIRE, COILED
2. WATERPROOF CONNECTION (ANY APPROVED)
3. REMOTE CONTROL VALVE ASSEMBLY
4. JUMBO PLASTIC VALVE BOX BY CARSON (OR EQUAL)
5. TOP OF MULCH
6. FINISHED GRADE-1" BELOW TOP OF BOX IN TURF AREAS, 2" IN SHRUB AREAS
7. PVC UNION (2)
8. PVC SCH 40 MALE ADAPTER (2)
9. PVC LATERAL PIPE
10. BRICK (1 OF 4)
11. 3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL
12. PVC MAINLINE PIPE
13. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
14. SCH. 40 PVC ELL
15. SCH. 40 PVC TEE OR ELL
16. SCH. 40 PVC THREADED ELL

D DRIP CONTROL ZONE KIT
SCALE: NTS

SLEEVING / WIRING NOTES:

IN ADDITION TO PROVIDING SLEEVES FOR ALL PIPING UNDER ROADWAYS AND WALKWAYS, THE IRRIGATION CONTRACTOR SHALL PROVIDE AND INSTALL SCH. 40 PVC SLEEVES FOR ALL CONTROLLER WIRES OCCURRING UNDER ALL ROADWAYS AND WALKWAYS. SLEEVES FOR CONTROLLER WIRES SHALL BE 2" DIA. AND CONTAIN NO MORE THAN 25 WIRES.

CONTROLLER NOTE

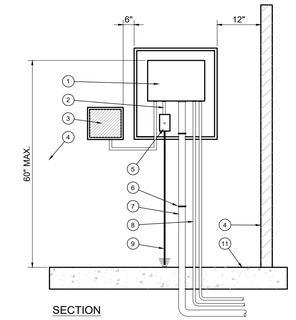
LOCATE CONTROLLER AT LOCATION SHOWN ON PLAN. VERIFY LOCATION IN FIELD WITH OWNER'S REPRESENTATIVE.

120 VAC POWER TO CONTROLLER LOCATION IS NOT WITHIN THE IRRIGATION CONTRACTOR'S SCOPE OF WORK, AND SHALL BE PROVIDED BY OTHERS. HOOK-UP OF CONTROLLER TO 120 VAC SHALL BE PERFORMED BY THE IRRIGATION CONTRACTOR. IRRIGATION CONTRACTOR SHALL COORDINATE LOCATION OF WIRE SLEEVE PENETRATIONS THROUGH BUILDING WITH OWNER AND GENERAL CONTRACTOR. STATION RUN ORDER SHALL MATCH PLANS.

IRRIGATION DISCLAIMER

THIS DESIGN IS DIAGRAMMATIC. ALL PIPING, VALVES, AND OTHER EQUIPMENT SHOWN WITHIN PAVED AREAS OR OUT OF PROPERTY BOUNDARIES ARE FOR DESIGN CLARIFICATION ONLY, AND SHALL BE INSTALLED IN PLANTING AREAS WITHIN THE PROPERTY LINES OR LIMITS INDICATED ON PLAN. THE IRRIGATION CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE-GRADE IRRIGATION EQUIPMENT WITH THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION, OR IRRIGATION CONTRACTOR MAY BE REQUIRED TO MOVE SUCH ITEMS AT HIS OWN COST.

IRRIGATION CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL FINAL QUANTITIES PER DRAWINGS AND SPECIFICATIONS. ANY QUANTITIES PROVIDED ARE PROVIDED AS A CONVENIENCE TO THE CONTRACTOR ONLY AND SHALL NOT BE CONSIDERED ABSOLUTE.

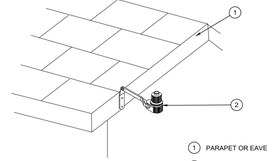


SECTION

1. CONTROLLER PER LEGEND
2. 1/2" ELECTRICAL CONDUIT BETWEEN CONTROLLER AND ELECT. BOX CLAMP TO WALL
3. SENSOR MONITOR PANEL OR RECEIVER (WHERE OCCURS)
4. WALL (WHERE OCCURS)
5. 120 VOLT SERVICE IN WATERPROOF JUNCTION BOX WITH DISCONNECT SWITCH, INSTALL INSIDE STAINLESS ENCLOSURE
6. C-CLAMPS (TYP.)
7. CONDUIT(S) FOR 24 VOLT CONTROL WIRES. CLAMP TO WALL. USE 1 CONDUIT FOR 0-24 STATIONS. USE 2 CONDUITS FOR 25-48 STATIONS
8. SENSOR CABLES IN CONDUITS (WHERE OCCURS)
9. GROUNDING PER MANUFACTURER
10. FINISH FLOOR SURFACE

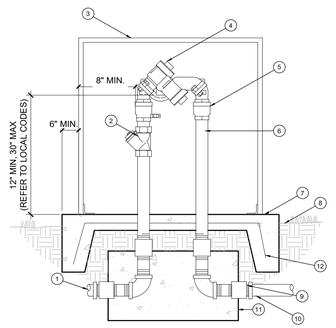
NOTES:
1) MOUNT CONTROLLER AND CABINET PER MANUFACTURER'S DIRECTIONS.
2) 120 V.A.C. POWER PROVIDED BY OTHERS. LANDSCAPE CONTRACTOR SHALL MAKE FINAL CONNECTION AT CONTROLLER. CONNECT TO ELECTRICAL SUPPLY PER NATIONAL ELECTRIC CODE AND LOCAL CODE.
3) LOCATE GROUND ROD IN MIN. FROM CONTROLLER. VERIFY LOCATION OF GROUND ROD, CONTROLLER AND SOURCE OF ELECTRICITY WITH MANUFACTURER'S REPRESENTATIVE AND OWNER AS PART OF PRE CONSTRUCTION MEETING.

A CONTROLLER - WALL MOUNT, INDOOR
SCALE: NTS



1. PARAPET OR EAVE
2. AUTOMATIC RAIN SENSOR - INSTALL PER MANUFACTURER'S INSTRUCTIONS

B RAIN SENSOR, ROOF MOUNT
SCALE: NTS



1. TO POINT OF CONNECTION - ADAPT AS NECESSARY. ALL WORK SHALL CONFORM TO ALL APPLICABLE CODES
2. BRASS WYE STRAINER W/60 MESH SCREEN
3. ENCLOSURE PER IRRIGATION LEGEND
4. BACKFLOW PREVENTER UNIT
5. BRASS UNION (TYPICAL)
6. BRASS NIPPLES (TYPICAL)
7. 4" 3,000 psi CONCRETE PAD, SLOPE TO DRAIN AWAY FROM BACKFLOW PREVENTER
8. FINISH GRADE, 2" BELOW PAD
9. BRASS COUPLING
10. PVC ADAPTER AND MAINLINE PIPE
11. 12"X12"X24" THRUST BLOCK
11. WELDED WIRE MESH

C BACKFLOW PREVENTER
SCALE: NTS

EVERGREEN
DESIGN GROUP
of north carolina, pllc
(800) 680-6630
4509 Creedmoor Rd., Ste 201
Raleigh, NC 27612
www.EvergreenDesignGroup.com

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

10/20/21 COUNTY PLAN REVIEW

COMPANY SEAL

PROFESSIONAL SEAL
NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 213
DATE: 3/18/22

PROFESSIONAL IN CHARGE
PL
PROJECT MANAGER
PL
QUALITY CONTROL
SF / BS / PL
DRAWN BY
JWC

PROJECT NAME
CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

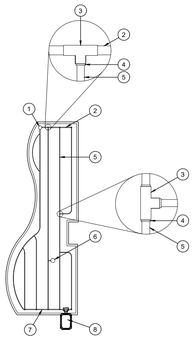
US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
IRRIGATION DETAILS AND SPECIFICATIONS

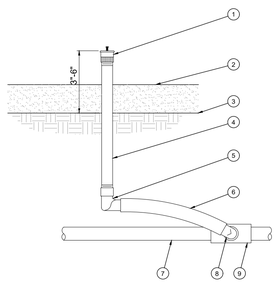
SHEET NUMBER
LI-2



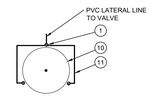
1. FLUSH VALVE
2. SCH. 40 PVC EXHAUST HEADER
3. SCH. 40 PVC TEE OR ELL
4. COMPRESSION ADAPTER
5. DRIP LINE
6. AIR RELIEF VALVE AT HIGH POINT OF SYSTEM (WHERE INDICATED ON PLANS)
7. SCH. 40 PVC SUPPLY HEADER
8. CONTROL VALVE

NOTE: SET DRIP LINES 3"-6" AWAY FROM HARDSCAPE

J SUBSURFACE DRIP LINE LAYOUT
SCALE: NOT TO SCALE

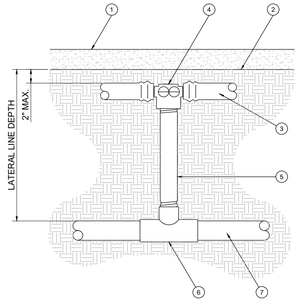


1. BUBBLER PER LEGEND - 3 PER TREE
2. MULCH
3. FINISH GRADE/TOP OF MULCH
4. UV RADIATION RESISTANT 1/2-INCH PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
5. 1/2-INCH FEMALE NPT x 0.490-INCH BARB ELBOW
6. SWING PIPE, 12-INCH LENGTH
7. PVC LATERAL PIPE
8. 1/2-INCH MALE NPT x .490-INCH BARB ELBOW
9. SCH 40 TEE OR ELL
10. EDGE OF ROOTBALL
11. PVC LATERAL LINE - 3/4"



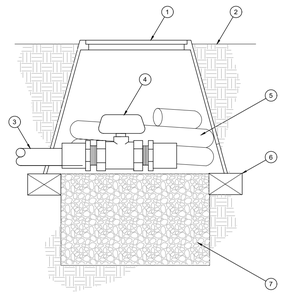
BUBBLER LAYOUT PLAN VIEW

K BUBBLER
SCALE: NTS



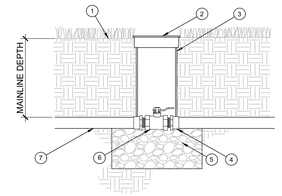
1. TOP OF MULCH
2. FINISH GRADE
3. DRIP LINE PER PLAN
4. INSERT TEE OR ELBOW
5. SCH. 80 PVC NIPPLE (LINE SIZE)
6. SCH. 40 PVC TEE (SST)
7. SCH. 40 PVC SUPPLY HEADER (SIZE PER PLAN)

G SUBSURFACE DRIPLINE CONNECTION
SCALE: NOT TO SCALE



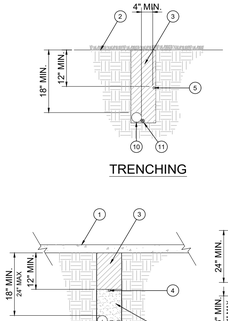
1. 10" ROUND PLASTIC VALVE BOX WITH LOCKABLE LID, "CARSON" OR APPROVED EQUAL
2. FINISH GRADE - TOP OF VALVE BOX TO BE 2" ABOVE FINISH GRADE IN PLANTER AREAS
3. DRIP EXHAUST HEADER
4. BALL VALVE, LINE SIZE
5. 3' COILED LENGTH OF LINE SIZE FLEX HOSE. SOLVENT WELD TO VALVE
6. RED BRICK TYPICAL, 3 REQUIRED
7. 6" DEEP LAYER OF PEA GRAVEL

H FLUSH VALVE
SCALE: NTS



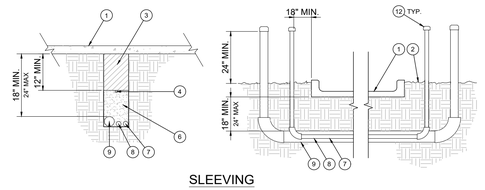
1. FINISH GRADE AT 1" BELOW TOP OF BOX IN TURF AREAS; 2" BELOW TOP OF BOX IN SHRUB/GROUNDCOVER AREAS
2. 9" ROUND VALVE BOX WITH LOCKABLE LID
3. EXTENSION SECTION AS NECESSARY TO MEET GRADE
4. PVC MALE ADAPTER
5. 3-INCH MINIMUM DEPTH OF ¾-INCH WASHED GRAVEL
6. BRASS BALL VALVE (SIZED PER MAINLINE)
7. IRRIGATION MAINLINE

E BRASS BALL VALVE
SCALE: NTS



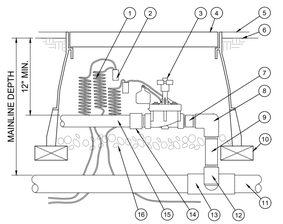
1. PAVEMENT SURFACE
2. FINISH GRADE
3. TRENCH BACKFILL
4. LOCATOR WIRE W/BURIED CAUTION TAPE
5. PVC IRRIGATION LATERAL
6. SAND BACKFILL
7. SCH. 40 PVC LATERAL SLEEVE - SEE PLANS FOR SIZE
8. SCH. 40 PVC WIRE SLEEVE FOR CONTROL WIRES, MIN. 2" DIA.
9. SCH. 40 PVC MAINLINE SLEEVE - SEE PLANS FOR SIZE
10. PVC IRRIGATION MAINLINE
11. CONTROL WIRES - TAPE TO MAINLINE AT 10' INTERVALS
12. PVC CAP, SOLVENT WELDED

TRENCHING



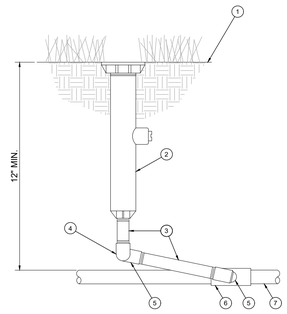
SLEEVING

F PIPE AND SLEEVE INSTALLATION
SCALE: NTS



1. 30-INCH LINEAR LENGTH OF WIRE, COILED
2. WATERPROOF CONNECTION (ANY APPROVED)
3. REMOTE CONTROL VALVE
4. JUMBO PLASTIC VALVE BOX BY CARSON (OR EQUAL)
5. TOP OF MULCH
6. FINISHED GRADE:1" BELOW TOP OF BOX IN TURF AREAS, 2" IN SHRUB AREAS
7. PVC SCH 80 NIPPLE (CLOSE)
8. PVC SCH 40 ELL
9. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
10. BRICK (1 OF 4)
11. PVC MAINLINE PIPE
12. SCH. 40 PVC ELL
13. PVC SCH 40 TEE OR ELL
14. PVC SCH 40 MALE ADAPTER
15. PVC LATERAL PIPE
16. 3-INCH MINIMUM DEPTH OF ¾-INCH WASHED GRAVEL

L REMOTE CONTROL VALVE
SCALE: NTS



1. FINISH GRADE
2. POP-UP SPRAY HEAD
3. SCH. 80 PVC NIPPLE (LENGTH AS REQUIRED)
4. SCH. 40 PVC ELL
5. SCH. 40 PVC STREET ELL
6. SCH. 40 PVC TEE OR ELL
7. PVC LATERAL PIPE

I POP-UP SPRAY HEAD
SCALE: NTS

EVERGREEN
DESIGN GROUP
of north carolina, pllc
(800) 680-6630
4509 Creedmoor Rd., Ste 201
Raleigh, NC 27612
www.EvergreenDesignGroup.com

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

10/20/21 COUNTY PLAN REVIEW

COMPANY SEAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 047213 GINGERICH
DATE: 3/18/22

PROFESSIONAL IN CHARGE
PL
PROJECT MANAGER
PL
QUALITY CONTROL
SF / BS / PL
DRAWN BY
JWG

PROJECT NAME
CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

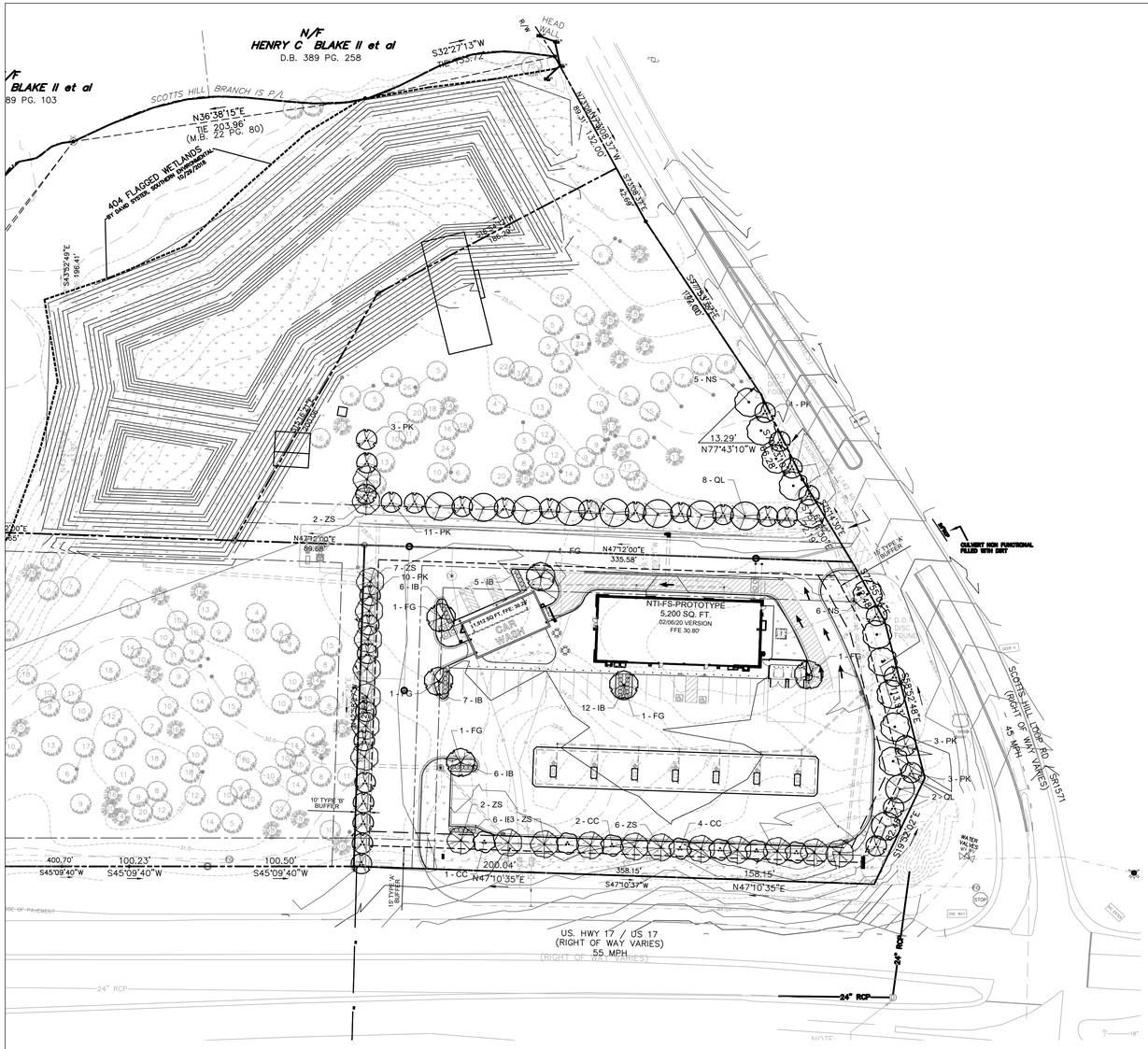
US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
IRRIGATION DETAILS

SHEET NUMBER
LI-3


N/F
HENRY C BLAKE II et al
D.B. 389 PG. 258
N/F
BLAKE II et al
89 PG. 103
SCOTTS HILL BRANCH IS P/A
N36°36'15"E
TIE 203.96'
(M.B. 22 PG. 80)
404 FLAGGED WETLANDS
BY DAVE STEEL, SOUTHERN ENVIRONMENTAL
10/25/2018
S43°52'49"E
186.41'
S32°27'13"W
196.57'
HEAD WALL
R/W
N32°08'47"E
89.37'
132.00'
S32°08'47"W
S32°08'47"E
42.59'
S27°34'15"E
199.60'
S43°08'47"W
195.82'
5 - NS
1 - PK
3 - PK
13.29'
N77°43'10"W
8 - QL
2 - ZS
11 - PK
N42°12'00"E
69.68'
1 - FG
N47°12'00"E
335.58'
7 - ZS
10 - PK
6 - IB
5 - IB
1 - FG
11,972 SQ FT; FFE: 30.28
CAR WASH
NTI-FS-PROTOTYPE
5,200 SQ. FT.
02/06/20 VERSION
FFE 30.80'
6 - NS
1 - FG
12 - IB
1 - FG
7 - IB
1 - FG
6 - IB
2 - ZS
6 - II3 - ZS
2 - CC
6 - ZS
4 - CC
3 - PK
3 - PK
2 - QL
S58°05'48"E
S58°05'48"E
200.04'
358.15'
158.15'
S47°10'37"W
N47°10'35"E
1 - CC
N47°10'35"E
400.70'
S45°09'40"W
100.23'
S45°09'40"W
100.50'
S45°09'40"W
10' TYPE 'B' BUFFER
10' TYPE 'B' BUFFER
10' TYPE 'A' BUFFER
CULVERT NON FUNCTIONAL FILLED WITH DIRT
SCOTTS HILL LOOP RD (RIGHT OF WAY VARIES) 45 MPH
SR 1571
US. HWY 17 / US 17
(RIGHT OF WAY VARIES)
55 MPH
24" RCP
24" RCP
24" RCP
WATER VALVES
STOP
INC WAY
ENTRANCE
EXIT ONLY
ENTRANCE
EXIT ONLY
ENTRANCE
EXIT ONL

PLANTING SPECIFICATIONS

GENERAL

A. QUALIFICATIONS OF LANDSCAPE CONTRACTOR
   1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING.
   2. A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
   3. THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID CONTRACTOR'S LICENSE ISSUED BY THE APPROPRIATE LOCAL JURISDICTION.

B. SCOPE OF WORK
   1. WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND / OR SHOWN ON THE LANDSCAPE PLANS, NOTES, AND DETAILS.
   2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
   3. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK.

PRODUCTS

A. ALL MANUFACTURED PRODUCTS SHALL BE NEW.
B. CONTAINER AND BALLED-AND-BURLAPPED PLANTS:
   1. FURNISH NURSERY-GROWN PLANTS COMPLYING WITH ANSI Z60.1-2014. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. ALL PLANTS WITHIN A SPECIES SHALL HAVE SIMILAR SIZE, AND SHALL BE OF A FORM TYPICAL FOR THE SPECIES. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE, AND WITH SIMILAR CLIMACTIC CONDITIONS.
   2. ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED ROOT SYSTEMS, NON-POT-BOUND, FREE FROM ENCIRCLING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).
   3. TREES MAY BE PLANTED FROM CONTAINERS OR BALLED-AND-BURLAPPED (B&B), UNLESS SPECIFIED ON THE PLANTING LEGEND. BARE-ROOT TREES ARE NOT ACCEPTABLE.
   4. ANY PLANT DEEMED UNACCEPTABLE BY THE LANDSCAPE ARCHITECT OR OWNER SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND SHALL BE REPLACED WITH AN ACCEPTABLE PLANT OF LIKE TYPE AND SIZE AT THE CONTRACTOR'S OWN EXPENSE. ANY PLANTS APPEARING TO BE UNHEALTHY, EVEN IF DETERMINED TO STILL BE ALIVE, SHALL NOT BE ACCEPTED. THE LANDSCAPE ARCHITECT AND OWNER SHALL BE THE SOLE JUDGES AS TO THE ACCEPTABILITY OF PLANT MATERIAL.
   5. ALL TREES SHALL BE STANDARD IN FORM, UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING.
   6. CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER.
   7. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL. WHERE CALIPER MEASUREMENTS ARE USED, THE CALIPER SHALL BE CALCULATED AS ONE-HALF OF THE SUM OF THE CALIPER OF THE THREE LARGEST TRUNKS.
   8. ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.
C. SOD: PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURF WITH SOIL THICKNESS OF 3/4" TO 1". EACH PALLET OF SOD SHALL BE ACCOMPANIED BY A CERTIFICATE FROM SUPPLIER STATING THE COMPOSITION OF THE SOD.
D. SEED: PROVIDE BLEND OF SPECIES AND VARIETIES AS NOTED ON THE PLANS, WITH MAXIMUM PERCENTAGES OF PURITY, GERMINATION, AND MINIMUM PERCENTAGE OF WEED SEED AS INDICATED ON PLANS. EACH BAG OF SEED SHALL BE ACCOMPANIED BY A TAG FROM THE SUPPLIER INDICATING THE COMPOSITION OF THE SEED.
E. TOPSOIL: SANDY TO CLAY LOAM TOPSOIL, FREE OF STONES LARGER THAN ½ INCH, FOREIGN MATTER, PLANTS, ROOTS, AND SEEDS.
F. COMPOST: WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8; MOISTURE CONTENT 35 TO 55 PERCENT BY WEIGHT; 100 PERCENT PASSING THROUGH 3/4-INCH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISIEMENS/M; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCES TOXIC TO PLANTINGS. NO MANURE OR ANIMAL-BASED PRODUCTS SHALL BE USED.
G. FERTILIZER: GRANULAR FERTILIZER CONSISTING OF NITROGEN, PHOSPHORUS, POTASSIUM, AND OTHER NUTRIENTS IN PROPORTIONS, AMOUNTS, AND RELEASE RATES RECOMMENDED IN A SOIL REPORT FROM A QUALIFIED SOIL-TESTING AGENCY (SEE BELOW).
H. MULCH: SIZE AND TYPE AS INDICATED ON PLANS, FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS.
I. TREE STAKING AND GUYING
   1. STAKES: 6' LONG GREEN METAL T-POSTS.
   2. GUY AND TIE WIRE: ASTM A 641, CLASS 1, GALVANIZED-STEEL WIRE, 2-STRAND, TWISTED, 0.106 INCH DIAMETER.
   3. STRAP CHAFING GUARD: REINFORCED NYLON OR CANVAS AT LEAST 1-1/2 INCH WIDE, WITH GROMMETS TO PROTECT TREE TRUNKS FROM DAMAGE.
L. STEEL EDGING: PROFESSIONAL STEEL EDGING, 14 GAUGE THICK X 4 INCHES WIDE, FACTORY PAINTED DARK GREEN. ACCEPTABLE MANUFACTURERS INCLUDE COL-MET OR APPROVED EQUAL.
M. PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

METHODS

A. SOIL PREPARATION
   1. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST.
   2. SOIL TESTING:
      a. AFTER FINISH GRADES HAVE BEEN ESTABLISHED, CONTRACTOR SHALL HAVE SOIL SAMPLES FROM THE PROJECT'S LANDSCAPE AREAS TESTED BY AN ESTABLISHED SOIL TESTING LABORATORY. EACH SAMPLE SUBMITTED TO THE LAB SHALL CONTAIN NO LESS THAN ONE QUART OF SOIL, TAKEN FROM BETWEEN THE SOIL SURFACE AND 6" DEPTH. IF NO SAMPLE LOCATIONS ARE INDICATED ON THE PLANS, THE CONTRACTOR SHALL TAKE A MINIMUM OF THREE SAMPLES FROM VARIOUS REPRESENTATIVE LOCATIONS FOR TESTING.
      b. THE CONTRACTOR SHALL HAVE THE SOIL TESTING LABORATORY PROVIDE RESULTS FOR THE FOLLOWING: SOIL TEXTURAL CLASS, GENERAL SOIL FERTILITY, pH, ORGANIC MATTER CONTENT, SALT (CEC), LIME, SODIUM ADSORPTION RATIO (SAR) AND BORON CONTENT.
      c. THE CONTRACTOR SHALL ALSO SUBMIT THE PROJECT'S PLANT LIST TO THE LABORATORY ALONG WITH THE SOIL SAMPLES.
      d. THE SOIL REPORT PRODUCED BY THE LABORATORY SHALL CONTAIN RECOMMENDATIONS FOR THE FOLLOWING (AS APPROPRIATE): SEPARATE SOIL PREPARATION AND BACKFILL MIX RECOMMENDATIONS FOR GENERAL ORNAMENTAL PLANTS, XERIC PLANTS, TURF, AND NATIVE SEED, AS WELL AS PRE-PLANT FERTILIZER APPLICATIONS AND RECOMMENDATIONS FOR ANY OTHER SOIL RELATED ISSUES. THE REPORT SHALL ALSO PROVIDE A FERTILIZER PROGRAM FOR THE ESTABLISHMENT PERIOD AND FOR LONG-TERM MAINTENANCE.
   3. THE CONTRACTOR SHALL INSTALL SOIL AMENDMENTS AND FERTILIZERS PER THE SOILS REPORT RECOMMENDATIONS. ANY CHANGE IN COST DUE TO THE SOIL REPORT RECOMMENDATIONS, EITHER INCREASE OR DECREASE, SHALL BE SUBMITTED TO THE OWNER WITH THE REPORT.
   4. FOR BIDDING PURPOSES ONLY, THE SOIL PREPARATION SHALL CONSIST OF THE FOLLOWING:
      a. TURF: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
         i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
         ii. PREPLANT TURF FERTILIZER (10-20-10 OR SIMILAR, SLOW RELEASE, ORGANIC) - 15 LBS PER 1,000 S.F.
         iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
      b. TREES, SHRUBS, AND PERENNIALS: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
         i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
         ii. 12-12-12 FERTILIZER (OR SIMILAR, ORGANIC, SLOW RELEASE) - 10 LBS. PER CU. YD.
         iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
         iv. IRON SULPHATE - 2 LBS. PER CU. YD.
   5. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
      a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
      b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
      c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
      d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
      e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
      f. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
   6. ONCE SOIL PREPARATION IS COMPLETE, THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT THERE ARE NO DEBRIS, TRASH, OR STONES LARGER THAN 1" REMAINING IN THE TOP 6" OF SOIL.

B. SUBMITTALS
   1. THE CONTRACTOR SHALL PROVIDE SUBMITTALS AND SAMPLES, IF REQUIRED, TO THE LANDSCAPE ARCHITECT, AND RECEIVE APPROVAL IN WRITING FOR SUCH SUBMITTALS BEFORE WORK COMMENCES.
   2. SUBMITTALS SHALL INCLUDE PHOTOS OF PLANTS WITH A RULER OR MEASURING STICK FOR SCALE, PHOTOS OR SAMPLES OF ANY REQUIRED MULCHES, AND SOIL TEST RESULTS AND PREPARATION RECOMMENDATIONS FROM THE TESTING LAB (INCLUDING COMPOST AND FERTILIZER RATES AND TYPES, AND OTHER AMENDMENTS FOR TREES/SHRUB, TURF, AND SEED AREAS AS MAY BE APPROPRIATE).
   3. SUBMITTALS SHALL ALSO INCLUDE MANUFACTURER CUT SHEETS FOR PLANTING ACCESSORIES SUCH AS TREE STAKES AND TIES, EDGING, AND LANDSCAPE FABRICS (IF ANY).
   4. WHERE MULTIPLE ITEMS ARE SHOWN ON A PAGE, THE CONTRACTOR SHALL CLEARLY INDICATE THE ITEM BEING CONSIDERED.

C. GENERAL PLANTING
   1. REMOVE ALL NURSERY TAGS AND STAKES FROM PLANTS.
   2. EXCEPT IN AREAS TO BE PLANTED WITH ORNAMENTAL GRASSES, APPLY PRE-EMERGENT HERBICIDES AT THE MANUFACTURER'S RECOMMENDED RATE.
   3. TRENCHING NEAR EXISTING TREES:
      a. CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1' FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
      b. ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
      c. ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER. WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
      d. ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.

C. TREE PLANTING
   1. TREE PLANTING HOLES SHALL BE EXCAVATED TO MINIMUM WIDTH OF TWO TIMES THE WIDTH OF THE ROOTBALL, AND TO A DEPTH EQUAL TO THE DEPTH OF THE ROOTBALL LESS TWO TO FOUR INCHES.
   2. SCARIFY THE SIDES AND BOTTOM OF THE PLANTING HOLE PRIOR TO THE PLACEMENT OF THE TREE. REMOVE ANY GLAZING THAT MAY HAVE BEEN CAUSED DURING THE EXCAVATION OF THE HOLE.
   3. FOR CONTAINER AND BOX TREES, TO REMOVE ANY POTENTIALLY GIRDLING ROOTS AND OTHER ROOT DEFECTS, THE CONTRACTOR SHALL REMOVE A 1" LAYER OFF OF THE SIDES AND BOTTOM OF THE ROOTBALL OF ALL TREES JUST BEFORE PLACING INTO THE PLANTING PIT. DO NOT "TEASE" ROOTS OUT FROM THE ROOTBALL.
   4. INSTALL THE TREE ON UNDISTURBED SUBGRADE SO THAT THE TOP OF THE ROOTBALL IS TWO TO FOUR INCHES ABOVE THE SURROUNDING GRADE.
   5. BACKFILL ALL TREE HOLE UTILIZING THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1" DIA. AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. SHOULD ADDITIONAL SOIL BE REQUIRED TO ACCOMPLISH THIS TASK, USE STORED TOPSOIL FROM ON-SITE OR IMPORT ADDITIONAL TOPSOIL FROM OFF-SITE AT NO ADDITIONAL COST TO THE OWNER. IMPORTED TOPSOIL SHALL BE OF SIMILAR TEXTURAL CLASS AND COMPOSITION IN THE ON-SITE SOIL.
   6. TREES SHALL NOT BE STAKED UNLESS LOCAL CONDITIONS (SUCH AS HEAVY WINDS OR SLOPES) REQUIRE STAKES TO KEEP TREES UPRIGHT. SHOULD STAKING BE REQUIRED, THE TOTAL NUMBER OF TREE STAKES (BEYOND THE MINIMUMS LISTED BELOW) WILL BE LEFT TO THE LANDSCAPE CONTRACTOR'S DISCRETION. SHOULD ANY TREES FALL OR LEAN, THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN THE TREE, OR REPLACE IT SHOULD IT BECOME DAMAGED. TREE STAKING SHALL ADHERE TO THE FOLLOWING GUIDELINES:
      a. 1"-2" TREES: TWO STAKES PER TREE
      b. 2-1/2"-4" TREES: THREE STAKES PER TREE
      c. TREES OVER 4" CALIPER: GUY AS NEEDED
      d. MULTI-TRUNK TREES: THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE
   7. UPON COMPLETION OF PLANTING, CONSTRUCT AN EARTH WATERING BASIN AROUND THE TREE, COVER THE INTERIOR OF THE TREE RING WITH MULCH (TYPE AND DEPTH PER PLANS).

D. SHRUB, PERENNIAL, AND GROUNDCOVER PLANTING
   1. DIG THE PLANTING HOLES TWICE AS WIDE AND 2" LESS DEEP THAN EACH PLANT'S ROOTBALL. INSTALL THE PLANT IN THE HOLE. BACKFILL AROUND THE PLANT WITH SOIL AMENDED PER SOIL TEST RECOMMENDATIONS.
   2. WHEN PLANTING IS COMPLETE, INSTALL MULCH (TYPE AND DEPTH PER PLANS) OVER ALL PLANTING BEDS, COVERING THE ENTIRE PLANTING AREA.

E. SODDING
   1. SOD VARIETY TO BE AS SPECIFIED ON THE LANDSCAPE PLAN.
   2. LAY SOD WITHIN 24 HOURS FROM THE TIME OF STRIPPING. DO NOT LAY IF THE GROUND IS FROZEN.
   3. LAY THE SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS. BUTT ENDS AND SIDES OF SOD STRIPS - DO NOT OVERLAP. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES.
   4. ROLL THE SOD TO ENSURE GOOD CONTACT OF THE SOD'S ROOT SYSTEM WITH THE SOIL UNDERNEATH.
   5. WATER THE SOD THOROUGHLY WITH A FINE SPRAY IMMEDIATELY AFTER PLANTING TO OBTAIN AT LEAST SIX INCHES OF PENETRATION INTO THE SOIL BELOW THE SOD.

F. HYDROMULCHING
   1. TURF HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
      a. WINTER MIX (OCTOBER 1 - MARCH 31)
         50# CELLULOSE FIBER MULCH
         2# UNHULLED BERMUDA SEED
         2# ANNUAL RYE SEED
         15# 15-15-15 WATER SOLUBLE FERTILIZER
      b. SUMMER MIX (APRIL 1 - SEPTEMBER 30)
         50# CELLULOSE FIBER MULCH
         2# HULLED BERMUDA SEED
         15# 15-15-15 WATER SOLUBLE FERTILIZER
   2. SEED HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
      a. GENERAL
         50# CELLULOSE FIBER MULCH
         15# 15-15-15 WATER SOLUBLE FERTILIZER
         SEED RATE PER LEGEND

G. DRILL SEEDING
   1. ALL SEED SHALL BE DRILL SEEDED AT THE RATES SHOWN ON THE PLANS, WITH A HYDROMULCH MIX APPLIED AFTER SEEDING.
   2. THE HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
      50# CELLULOSE FIBER MULCH
      15# 15-15-15 WATER SOLUBLE FERTILIZER
      4# ORGANIC BINDER

H. MULCH
   1. INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING AREAS AND TREE RINGS.
   2. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE AND WITHIN 24" OF HABITABLE STRUCTURES, EXCEPT AS MAY BE NOTED ON THESE PLANS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.

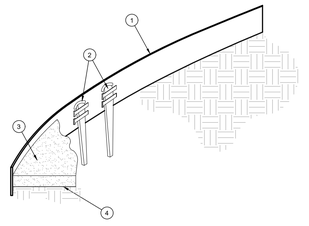
I. CLEAN UP
   1. DURING LANDSCAPE PREPARATION AND PLANTING, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
   2. LEGALLY DISPOSE ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.

J. INSPECTION AND ACCEPTANCE
   1. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
   2. WHEN THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
   3. THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.

K. LANDSCAPE MAINTENANCE
   1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTING OF PLANTS THAT HAVE SETTLED, MOWING AND AERATION OF LAWNS, WEEDING, RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES,REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
   2. SHOULD SEEDED AND/OR SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL, HEALTHY STAND OF PLANTS AT NO ADDITIONAL COST TO THE OWNER.
   3. TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
      a. THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
      b. ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
      c. SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN TWELVE SQUARE INCHES MUST BE RESODDED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOWED.

L. WARRANTY PERIOD, PLANT GUARANTEE AND REPLACEMENTS
   1. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS, PERENNIALS, SOD, SEEDED/HYDROMULCHED AREAS, AND IRRIGATION SYSTEMS FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE OWNER'S FINAL ACCEPTANCE (90 DAYS FOR ANNUAL PLANTS). THE CONTRACTOR SHALL REPLACE, AT HIS OWN EXPENSE AND TO THE SATISFACTION OF THE OWNER, ANY PLANTS WHICH DIE IN THAT TIME, OR REPAIR ANY PORTIONS OF THE IRRIGATION SYSTEM WHICH OPERATE IMPROPERLY.
   2. AFTER THE INITIAL MAINTENANCE PERIOD AND DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL ONLY BE RESPONSIBLE FOR REPLACEMENT OF PLANTS WHEN PLANT DEATH CANNOT BE ATTRIBUTED DIRECTLY TO OVERWATERING OR OTHER DAMAGE BY HUMAN ACTIONS.

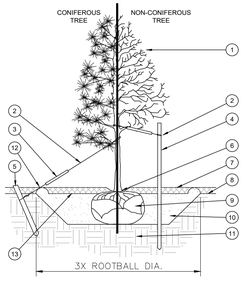
M. PROVIDE A MINIMUM OF (2) COPIES OF RECORD DRAWINGS TO THE OWNER UPON COMPLETION OF WORK. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.



1. ROLLED-TOP STEEL EDGING PER PLANS.
2. TAPERED STEEL STAKES.
3. MULCH, TYPE AND DEPTH PER PLANS.
4. FINISH GRADE.

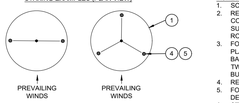
NOTES:
1) INSTALL EDGING SO THAT STAKES WILL BE ON INSIDE OF PLANTING BED.
2) BOTTOM OF EDGING SHALL BE BURIED A MINIMUM OF 1" BELOW FINISH GRADE.
3) TOP OF MULCH SHALL BE 1" LOWER THAN TOP OF EDGING.

D STEEL EDGING
SCALE: NOT TO SCALE



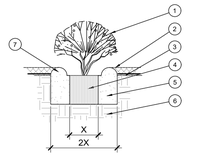
1. TREE CANOPY.
2. CINCH-TIES (24" BOX/2" CAL. TREES AND SMALLER) OR 12 GAUGE GALVANIZED WIRE WITH NYLON TREE STRAPS AT TREE AND STAKE (36" BOX/2.5" CAL. TREES AND LARGER). SECURE TIES OR STRAPS TO TRUNK JUST ABOVE LOWEST MAJOR BRANCHES.
3. 24" X 3/4" P.V.C. MARKERS OVER WIRES.
4. GREEN STEEL T-POSTS. EXTEND POSTS 12" MIN. INTO UNDISTURBED SOIL.
5. PRESSURE-TREATED WOOD DEADMAN, TWO PER TREE (MIN.). BURY OUTSIDE OF PLANTING PIT AND 18" MIN. INTO UNDISTURBED SOIL.
6. TRUNK FLARE.
7. MULCH, TYPE AND DEPTH PER PLANS. DO NOT PLACE MULCH WITHIN 6" OF TRUNK.
8. FINISH GRADE.
9. ROOT BALL.
10. BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
11. UNDISTURBED NATIVE SOIL.
12. 4" HIGH EARTHEN WATERING BASIN.
13. FINISH GRADE.

STAKING EXAMPLES (PLAN VIEW)



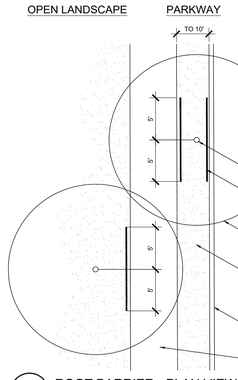
NOTES:
1. SCARIFY SIDES OF PLANTING PIT PRIOR TO SETTING TREE.
2. REMOVE EXCESS SOIL APPLIED ON TOP OF THE ROOTBALL THAT COVERS THE ROOT FLARE. THE PLANTING HOLE DEPTH SHALL BE SUCH THAT THE ROOTBALL RESTS ON UNDISTURBED SOIL, AND THE ROOT FLARE IS 2"-4" ABOVE FINISH GRADE.
3. FOR B&B TREES, CUT OFF BOTTOM 1/3 OF WIRE BASKET BEFORE PLACING TREE IN HOLE. CUT OFF AND REMOVE REMAINDER OF BASKET AFTER TREE IS SET IN HOLE. REMOVE ALL NYLON TIES, TWINE, ROPE, AND OTHER PACKING MATERIAL. REMOVE AS MUCH BURLAP FROM AROUND ROOTBALL AS IS PRACTICAL.
4. REMOVE ALL NURSERY STAKES AFTER PLANTING.
5. FOR TREES 36" BOX/2.5" CAL. AND LARGER, USE THREE STAKES OR DEADMEN (AS APPROPRIATE), SPACED EVENLY AROUND TREE.
6. STAKING SHALL BE TIGHT ENOUGH TO PREVENT TRUNK FROM BENDING, BUT LOOSE ENOUGH TO ALLOW SOME TRUNK MOVEMENT IN WIND.

A TREE PLANTING
SCALE: NOT TO SCALE

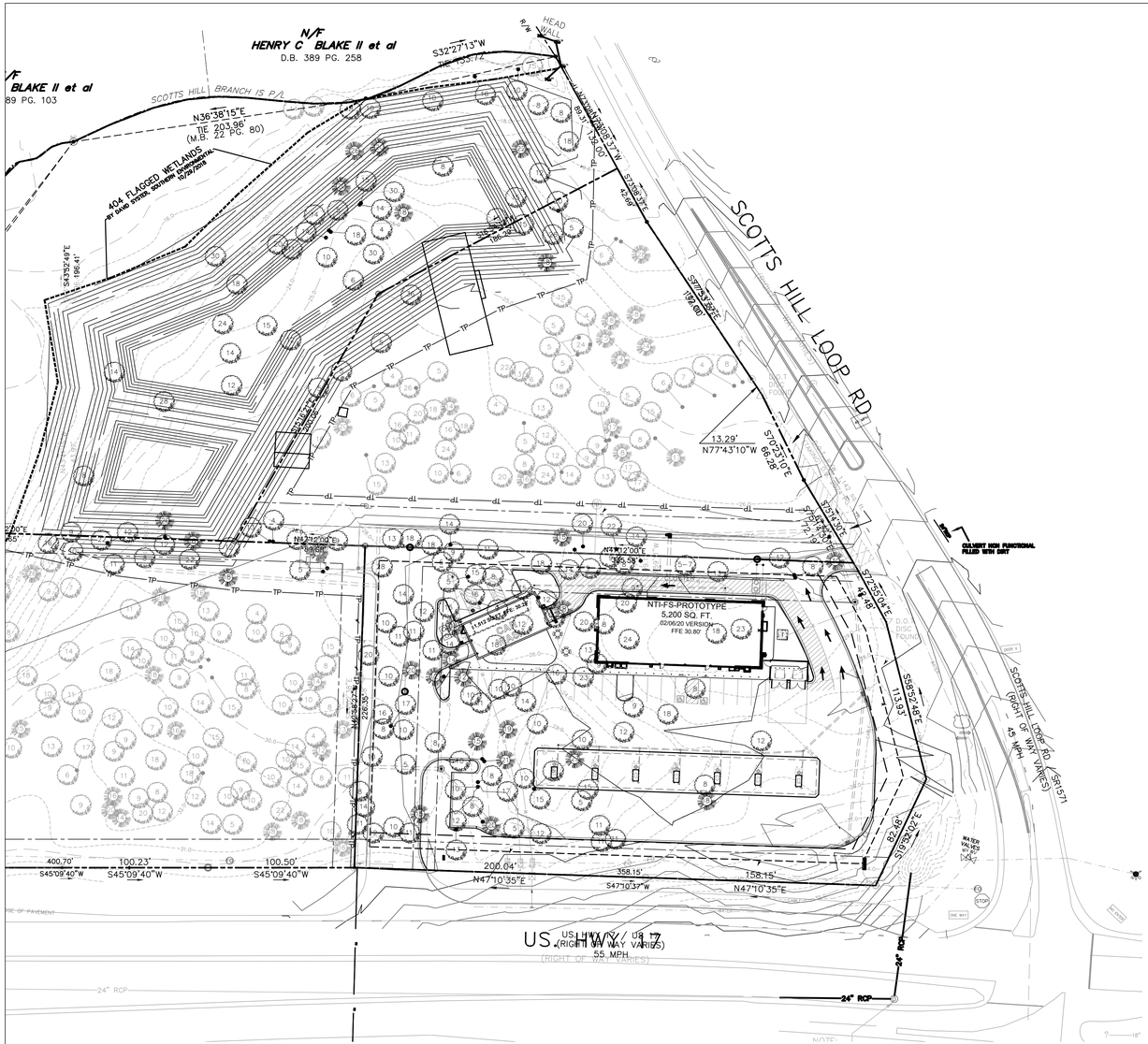


1. SHRUB, PERENNIAL, OR ORNAMENTAL GRASS.
2. MULCH, TYPE AND DEPTH PER PLANS. PLACE NO MORE THAN 1" OF MULCH WITHIN 6" OF PLANT CENTER.
3. FINISH GRADE.
4. ROOT BALL.
5. BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
6. UNDISTURBED NATIVE SOIL.
7. 3" HIGH EARTHEN WATERING BASIN.

B SHRUB AND PERENNIAL PLANTING
SCALE: NTS



1. TYPICAL WALKWAY OR PAVING
2. TREE TRUNK
3. TYPICAL SYMBOL



0' 20' 40' 80'

Scale 1" = 40'

LEGEND

- HARDWOOD TREE TO REMAIN
- CONIFER TREE TO REMAIN
- HARDWOOD TREE TO BE REMOVED
- CONIFER TREE TO BE REMOVED

NOTE: NUMBER WITHIN SYMBOL INDICATES TRUNK DIAMETER

—TP—TP—TP— TREE PROTECTION FENCING

LIMITS OF DISTURBANCE

MITIGATION NOTES

2) FOR PURPOSES OF THIS ORDINANCE, A SIGNIFICANT TREE SHALL BE DEFINED AS FOLLOWS:
a) AN AMERICAN HOLLY WITH A TRUNK CALIPER MEASUREMENT OF 6" OR GREATER MEASURED AT 4.5 FEET ABOVE GROUND;
b) A FLOWERING DOGWOOD WITH A TRUNK CALIPER MEASUREMENT OF 4" OR GREATER MEASURED AT 4.5 FEET ABOVE GROUND;
c) A WATER OAK WITH A TRUNK CALIPER MEASUREMENT OF 8" OR GREATER MEASURED AT 4.5 FEET ABOVE GROUND;
d) A LIVE OAK WITH A TRUNK CALIPER MEASUREMENT OF 8" OR GREATER MEASURED AT 4.5 FEET ABOVE GROUND; AND
e) ANY TREE SPECIES INCLUDED IN THE PLANTING TABLE, EXCEPT A "LOBLOLLY PINE" (SEE APPENDIX C WITH A TRUNK CALIPER MEASUREMENT OF 12" OR GREATER MEASURED AT 4.5 FEET ABOVE GROUND

MITIGATION REQUIREMENTS

TOTAL TREES ON SITE	353
TOTAL SIGNIFICANT TREES ON SITE	235
TOTAL SIGNIFICANT TREES REMOVED	138
TOTAL MITIGATION REQUIRED	276 2" TREES

EVERGREEN
DESIGN GROUP
of north carolina, pllc
(800) 680-6630
4509 Creedmoor Rd., Ste 201
Raleigh, NC 27612
www.EvergreenDesignGroup.com

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

10/20/21 COUNTY PLAN REVIEW

COMPANY SEAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 034213 GREGORY JAMES LEMIEUX
DATE: 7/7/22

PROFESSIONAL IN CHARGE
PL
PROJECT MANAGER
PL
QUALITY CONTROL
SF / BS / PL
DRAWN BY
JWG

PROJECT NAME
CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
TREE DISPOSITION PLAN

SHEET NUMBER
TD-1

TREE PROTECTION SPECIFICATIONS

MATERIALS

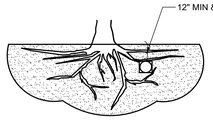
1. FABRIC: 4 FOOT HIGH ORANGE PLASTIC FENCING AS SHOWN ON THE PLANS AND SHALL BE WOVEN WITH 2 INCH MESH OPENINGS SUCH THAT IN A VERTICAL DIMENSION OF 23 INCHES ALONG THE DIAGONALS OF THE OPENINGS THERE SHALL BE AT LEAST 7 MESHES.
2. POSTS: POSTS SHALL BE A MINIMUM OF 72 INCHES LONG AND STEEL "T" SHAPED WITH A MINIMUM WEIGHT OF 1.3 POUNDS PER LINEAR FOOT.
3. TIE WIRE: WIRE FOR ATTACHING THE FABRIC TO THE T-POSTS SHALL BE NOT LESS THAN NO. 12 GAUGE GALVANIZED WIRE.
4. USED MATERIALS: PREVIOUSLY-USED MATERIALS, MEETING THE ABOVE REQUIREMENTS AND WHEN APPROVED BY THE OWNER, MAY BE USED.

CONSTRUCTION METHODS

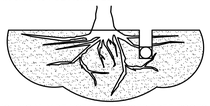
1. ALL TREES AND SHRUBS SHOWN TO REMAIN WITHIN THE PROXIMITY OF THE CONSTRUCTION SITE SHALL BE PROTECTED PRIOR TO BEGINNING ANY DEVELOPMENT ACTIVITY.
2. EMPLOY THE SERVICES OF AN ISA (INTERNATIONAL SOCIETY OF ARBORICULTURE) CERTIFIED ARBORIST AND OBTAIN ALL REQUIRED PERMITS TO PRUNE THE EXISTING TREES FOR CLEANING, RAISING AND THINNING, AS MAY BE REQUIRED.
3. PROTECTIVE FENCING SHALL BE ERECTED OUTSIDE THE CRITICAL ROOT ZONE (CRZ, EQUAL TO 1' FROM THE TRUNK FOR EVERY 1" OF DBH) AT LOCATIONS SHOWN IN THE PLANS OR AS DIRECTED BY THE LANDSCAPE CONSULTANT AND/OR CITY ARBORIST, AND IN ACCORDANCE WITH THE DETAILS SHOWN ON THE PLANS. FENCING SHALL BE MAINTAINED AND REPAIRED BY THE CONTRACTOR DURING SITE CONSTRUCTION. TREES IN CLOSE PROXIMITY SHALL BE FENCED TOGETHER, RATHER THAN INDIVIDUALLY.
4. PROTECTIVE FENCE LOCATIONS IN CLOSE PROXIMITY TO STREET INTERSECTIONS OR DRIVES SHALL ADHERE TO THE APPLICABLE JURISDICTION'S SIGHT DISTANCE CRITERIA.
5. THE PROTECTIVE FENCING SHALL BE ERECTED BEFORE SITE WORK COMMENCES AND SHALL REMAIN IN PLACE DURING THE ENTIRE CONSTRUCTION PHASE.
6. THE INSTALLATION POSTS SHALL BE PLACED EVERY 6 FEET ON CENTER AND EMBEDDED TO 18 INCHES DEEP. MESH FABRIC SHALL BE ATTACHED TO THE INSTALLATION POSTS BY THE USE OF SUFFICIENT WIRE TIES TO SECURELY FASTEN THE FABRIC TO THE T-POSTS TO HOLD THE FABRIC IN A STABLE AND UPRIGHT POSITION.
7. WITHIN THE CRZ:
   a. DO NOT CLEAR, FILL OR GRADE IN THE CRZ OF ANY TREE.
   b. DO NOT STORE, STOCKPILE OR DUMP ANY JOB MATERIAL, SOIL OR RUBBISH UNDER THE SPREAD OF THE TREE BRANCHES.
   c. DO NOT PARK OR STORE ANY EQUIPMENT OR SUPPLIES UNDER THE TREE CANOPY.
   d. DO NOT SET UP ANY CONSTRUCTION OPERATIONS UNDER THE TREE CANOPY (SUCH AS PIPE CUTTING AND THREADING, MORTAR MIXING, PAINTING OR LUMBER CUTTING).
   e. DO NOT NAIL OR ATTACH TEMPORARY SIGNS METERS, SWITCHES, WIRES, BRACING OR ANY OTHER ITEM TO THE TREES.
   f. DO NOT PERMIT RUNOFF FROM WASTE MATERIALS INCLUDING SOLVENTS, CONCRETE WASHOUTS, ASPHALT TACK COATS (MC-30 OIL), ETC. TO ENTER THE CRZ. BARRIERS ARE TO BE PROVIDED TO PREVENT SUCH RUNOFF SUBSTANCES FROM ENTERING THE CRZ WHENEVER POSSIBLE, INCLUDING IN AN AREA WHERE RAIN OR SURFACE WATER COULD CARRY SUCH MATERIALS TO THE ROOT SYSTEM OF THE TREE.
8. ROUTE UNDERGROUND UTILITIES TO AVOID THE CRZ. IF DIGGING IS UNAVOIDABLE, BORE UNDER THE ROOTS, OR HAND DIG TO AVOID SEVERING THEM.
9. WHERE EXCAVATION IN THE VICINITY OF TREES MUST OCCUR, SUCH AS FOR IRRIGATION INSTALLATION, PROCEED WITH CAUTION, AND USING HAND TOOLS ONLY.
10. THE CONTRACTOR SHALL NOT CUT ROOTS LARGER THAN ONE INCH IN DIAMETER WHEN EXCAVATION OCCURS NEAR EXISTING TREES. ALL ROOTS LARGER THAN ONE INCH IN DIAMETER ARE TO BE CUT CLEANLY. FOR OAKS ONLY, ALL WOUNDS SHALL BE PAINTED WITH WOUND SEALER WITHIN 30 MINUTES
11. REMOVE ALL TREES, SHRUBS OR BUSHES TO BE CLEARED FROM PROTECTED ROOT ZONE AREAS BY HAND.
12. TREES DAMAGED OR KILLED DUE TO CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED AT THE CONTRACTOR'S EXPENSE AND TO THE PROJECT OWNER'S AND LOCAL JURISDICTION'S SATISFACTION.
13. ANY TREE REMOVAL SHALL BE APPROVED BY THE OWNER AND LOCAL JURISDICTION PRIOR TO ITS REMOVAL, AND THE CONTRACTOR SHALL HAVE ALL REQUIRED PERMITS FOR SUCH ACTIVITIES.
14. COVER EXPOSED ROOTS AT THE END OF EACH DAY WITH SOIL, MULCH OR WET BURLAP.
15. IN CRITICAL ROOT ZONE AREAS THAT CANNOT BE PROTECTED DUING CONSTRUCTION AND WHERE HEAVY TRAFFIC IS ANTICIPATED, COVER THE SOIL WITH EIGHT INCHES OF ORGANIC MULCH TO MINIMIZE SOIL COMPACTION. THIS EIGHT INCH DEPTH OF MULCH SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
16. WATER ALL TREES IMPACTED BY CONSTRUCTION ACTIVITIES, DEEPLY ONCE A WEEK DURING PERIODS OF HOT DRY WEATHER. SPRAY TREE CROWNS WITH WATER PERIODICALLY TO REDUCE DUST ACCUMULATION ON THE LEAVES.
17. WHEN INSTALLING CONCRETE ADJACENT TO THE ROOT ZONE OF A TREE, USE A PLASTIC VAPOR BARRIER BEHIND THE CONCRETE TO PROHIBIT LEACHING OF LIME INTO THE SOIL.
18. CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL TREE PROTECTION FENCING WHEN ALL THREATS TO THE EXISTING TREES FROM CONSTRUCTION-RELATED ACTIVITIES HAVE BEEN REMOVED.

TREES THAT ARE MARKED TO BE PRESERVED ON A SITE PLAN AND FOR WHICH UTILITIES MUST PASS TROUGH THEIR ROOT PROTECTION ZONES MAY REQUIRE TUNNELING AS OPPOSED TO OPEN TRENCHES. THE DECISION TO TUNNEL WILL BE DETERMINED ON A CASE BY CASE BASIS BY THE ENGINEER.

TUNNELS SHALL BE DUG THROUGH THE ROOT PROTECTION ZONE IN ORDER TO MINIMIZE ROOT DAMAGE.



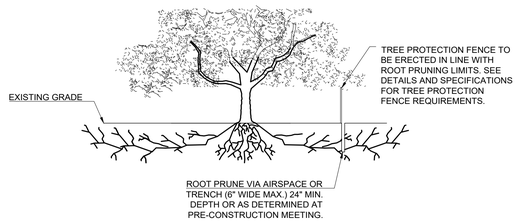
TUNNEL TO MINIMIZE ROOT DAMAGE (TOP) AS OPPOSED TO SURFACE-DUG TRENCHES IN ROOT PROTECTION ZONE WHEN THE 5' MINIMUM DISTANCE FROM TRUNK CAN NOT BE ACHIEVED.



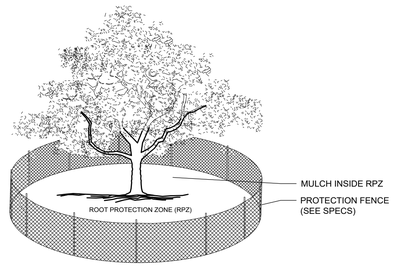
OPEN TRENCHING MAY BE USED IF EXPOSED TREE ROOTS DO NOT EXCEED 3" OR ROOTS CAN BE BENT BACK.

C BORING THROUGH ROOT PROTECTION ZONE
SCALE: NOT TO SCALE

NOTES
1. RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS AND PRE-CONSTRUCTION MEETING.
2. BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRE-CONSTRUCTION MEETING AND FLAGGED PRIOR TO ROOT PRUNING.
3. EXACT LOCATION OF ROOT PRUNING SHALL BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FORESTRY INSPECTOR.
4. TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH EXCAVATED SOIL OR OTHER ORGANIC SOIL AS SPECIFIED PER PLAN OR BY THE FORESTRY INSPECTOR.
5. ROOTS SHALL BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT. ROT PRUNING METHODS AND MEANS MUST BE IN ACCORDANCE WITH ANSI STANDARD A3000.
6. ALL PRUNING MUST BE EXECUTED AT LOD SHOWN ON PLANS OR AS AUTHORIZED IN WRITING BY THE FORESTRY INSPECTOR.
7. SUPPLEMENTAL WATERING MAY BE REQUIRED FOR ROOT PRUNED TREES THROUGHOUT THE GROWING SEASON DURING CONSTRUCTION AND SUBSEQUENT WARRANTY AND MAINTENANCE PERIOD.

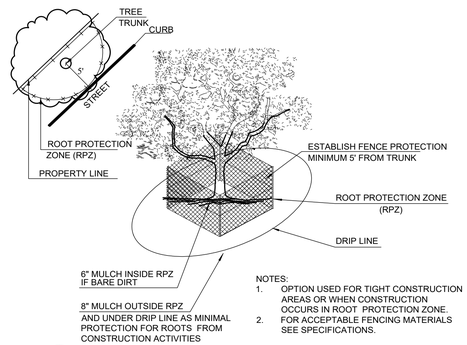


D ROOT PRUNING DETAIL
SCALE: NOT TO SCALE



NOTES:
1. THE FENCING LOCATION SHOWN ABOVE IS DIAGRAMATIC ONLY AND WILL CONFORM TO THE DRIP LINE AND BE LIMITED TO PROJECT BOUNDARY. WHERE MULTIPLE ADJACENT TREES WILL BE ENCLOSED BY FENCING, THE FENCING SHALL BE CONTINUOUS AROUND ALL TREES.
2. FOR ACCEPTABLE FENCING MATERIALS SEE SPECIFICATIONS.

A TREE PROTECTION FENCE
SCALE: NOT TO SCALE



NOTES:
1. OPTION USED FOR TIGHT CONSTRUCTION AREAS OR WHEN CONSTRUCTION OCCURS IN ROOT PROTECTION ZONE.
2. FOR ACCEPTABLE FENCING MATERIALS SEE SPECIFICATIONS.

B TREE PROTECTION FENCE - TIGHT CONSTRUCTION
SCALE: NOT TO SCALE

EVERGREEN
DESIGN GROUP
of north carolina, pllc
(800) 680-6630
4509 Creedmoor Rd., Ste 201
Raleigh, NC 27612
www.EvergreenDesignGroup.com

Bowman
Bowman Consulting Group, Ltd.
4350 Main Street, Suite 219
Harrisburg, NC 28075
Phone: 704.412.7424
bowman.com
License Number: 4523

COPYRIGHT NOTICE
This drawing is the property of the above referenced Professional and is not to be used for any purpose other than the specific project and site named herein, and cannot be reproduced in any manner without the express written permission from the Professional

10/20/21 COUNTY PLAN REVIEW

COMPANY SEAL

PROFESSIONAL SEAL
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 042213 ENGINEER JAMES W. GLEASON
DATE: 3/18/22

PROFESSIONAL IN CHARGE
PL
PROJECT MANAGER
PL
QUALITY CONTROL
SF / BS / PL
DRAWN BY
JWG

PROJECT NAME
CIRCLE K STORE

HAMPSTEAD, NORTH CAROLINA

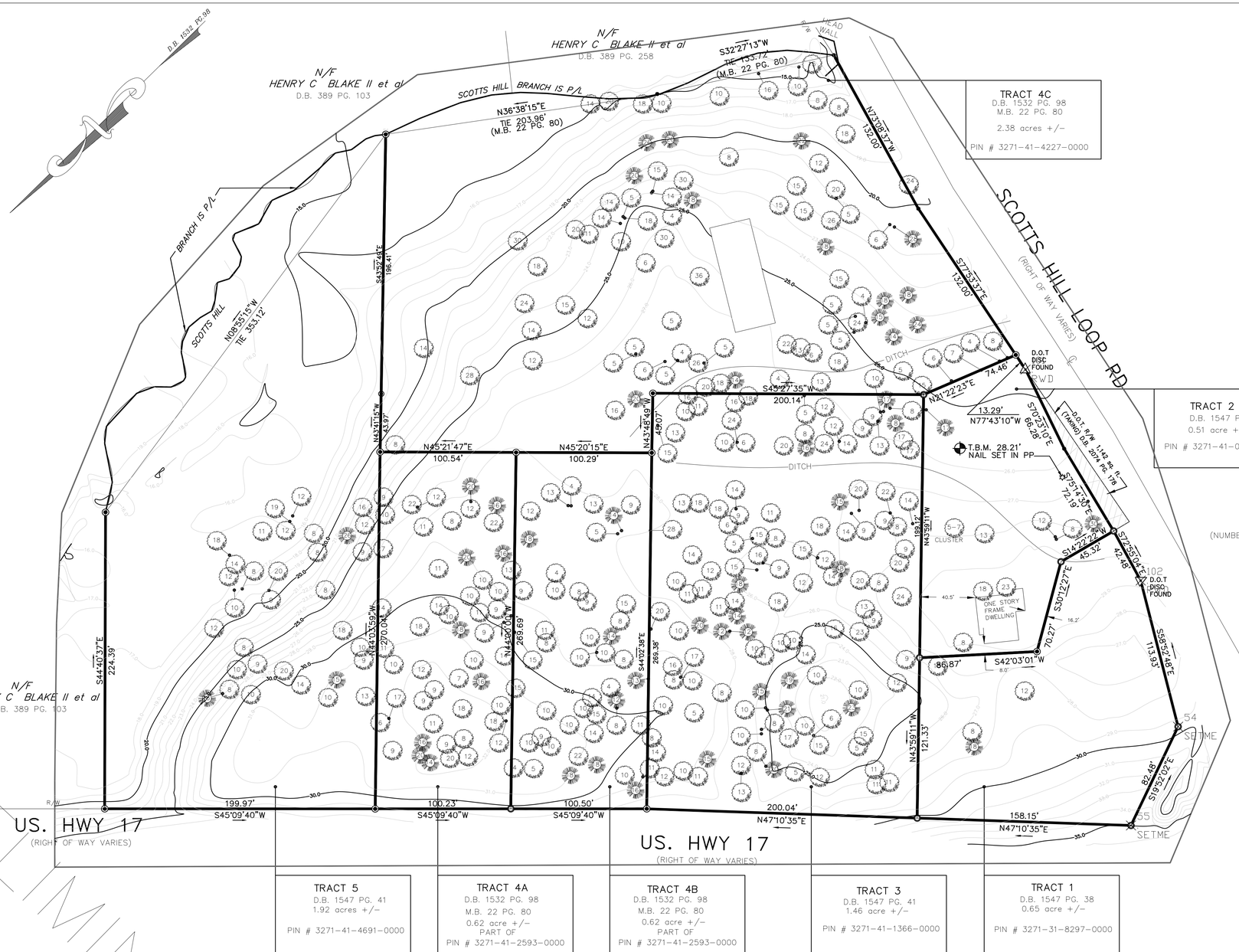
US HWY 17 & SCOTTS HILL LOOP ROAD
HAMPSTEAD, NC, 28411

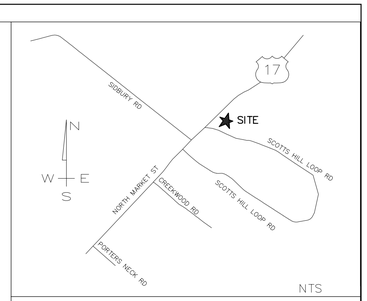
CIRCLE K STORES INC.

BOWMAN PROJECT NUMBER
180001-01-005

SHEET TITLE
TREE PROTECTION NOTES AND DETAILS

SHEET NUMBER
TD-2





LOCATION MAP

TREE LEGEND:
(NUMBER WITHIN SYMBOL INDICATES TRUNK DIAMETER)

HARDWOOD

PINE

LEGEND:

I.P.S. OR I.R.S.	○	IRON PIPE OR ROD SET
E.I.P. OR E.I.R.	◉	EXISTING IRON PIPE OR ROD
C.M.	□	CONCRETE MONUMENT
C/L	℄	CENTER LINE
R/W		RIGHT OF WAY
P.K.	△	P.K. SURVEY NAIL
	•	NON-MONUMENTED CORNER

NOTES:

TOTAL AREA 7 PARCELS: 8.16 ACRES +/-
ALL ELEVATIONS ARE DATUM NAVD 88.

DEED REFERENCES

D.B. 1547 PG. 38
D.B. 1547 PG. 41
D.B. 1532 PG. 98
D.B. 2074 PG. 178

MAP REFERENCES

M.B. 22 PG. 80
DOT MAP PROJECT #6.259001T SHEET #39 6/26/2000

PRELIMINARY

CAPE FEAR SURVEYING, PC
ONE NORTH 6th ST., WILMINGTON, NC 28401
(910) 762-9496 FAX: (910) 762-5949
EMAIL: capefearsurveying@yahoo.com
LICENSE # C-3199

GRAPHIC SCALE

40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

TOPOGRAPHIC AND TREE SURVEY
POPE PROPERTIES ON 17 LLC

TRACTS 1,2,3,4A,4B,&5
TOPSAIL TOWNSHIP
PENDER COUNTY, NORTH CAROLINA
MAY 2, 2017
MAP BOOK 53 PAGE 81

C:\Land Projects R2\SNEEDEN_SCOTTSHILLLOOP_TOPO_TREE_XPLODE.dwg 5/2/2017 4:51:39 PM EDT