Pender County

Agenda

Board of Adjustment Meeting

Wednesday, August 17, 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.	ADOPTION OF MINUTES		
5.1.	Approve BOA Minutes 7-20-2022 July 20 BOA Minutes - Pdf		3 - 139
6.	PUBLIC COMMENT		
7.	VARIANCE		
8.	APPEAL		
8.1.	APPEAL 2022-08 - Appeal of Administrative Decision - Planning Board Denial of Wyndwater Master Development Plan Revision (Case # MDP-R 2022-38) APPEAL 2022-08 - Pdf		141 - 262
9.	DISCUSSION ITEMS		
10.	NEXT MEETING DATE		
11.	ADJOURNMENT		

Pender County
Request for Board Action

TO:	Board of Adjustment
FROM:	Travis Henley
DATE:	August 17, 2022
SUBJECT:	July 20, 2022 Meeting Minutes

SUMMARY:
Minutes and exhibits from the July 20, 2022 meeting of the Board of Adjustment are attached.

ACTION REQUESTED:
Review and approve July 20, 2022 meeting minutes.

Pender County Board of Adjustment Meeting Minutes – July 20, 2022

Members Present: Max Kipfer, Chairman
Kyle Breuer, Vice Chairman
Douglas-Scott Rivenbark
Andrew Olsen, Alternate

Members Absent: Jeffrey Snider, Alternate

Others Present: Travis Henley, Planning Director
Justin Brantley, Senior Planner
Donna Sayre, Administrative Specialist
Sean Donahue, Applicant
Shari Donahue, Applicant
Linda Davenport, Member of the Public
Joe Maccini, Member of the Public
Randy Lee, Member of the Public
Kristen Case, Member of the Public
Brad Case, Member of the Public

1. Call to Order: 9:05 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. Olsen seconded the motion, and the motion was unanimously approved.

5. Adoption of Minutes

Mr. Olsen made a motion to adopt the minutes from the May 18, 2022, meeting. Mr. Breuer seconded the motion, and the motion was unanimously approved.

6. Public Comment

There was not public comment

7. Swearing in of Applicants, Witnesses, and Other Interested Parties

Due to the absence of the County Attorney, Planning Director Travis Henley swore in and/or affirmed himself, Justin Brantley, Sean Donahue, Shari Donahue, Linda Davenport, Joe Maccini, Randy Lee, Kristen Case, and Brad Case as to their testimony being truthful and relevant to the respective case.

8. Public Hearing

APPEAL CASE 2022-07 – Applicants Sean Donahue and Shari Donahue

Mr. Brantley, Senior Planner, presented the Staff Report. Sean Donahue, applicant and owner of Surf City Farm, is requesting an Appeal of an Administrative Decision which found that selling produce grown on other farms does not fall under the bona-fide farm exemption established by North Carolina General Statutes and is thus subject to local zoning requirements. The subject property is located at 101 Northern Escape Way, approximately one-half mile northwest of the mainland intersection of NC 50 and NC 210 in the Topsail Township and may be furthered identified by Pender County PINs 4236-00-7179-000 and 4235-00-9594-0000.

Mr. Brantley provided the case history including the Zoning Determination Letter that was issued on March 7, 2022. The Determination Letter addressed that the resale of crops and/or products from other farms is not considered an exempt bona-fide farm purpose and would therefore be subject to Pender County zoning regulations. The Determination Letter was discussed by the Board.

Mr. Brantley read North Carolina General Statute 160D-903, Agricultural Uses, and NCGS 106-581.1, Agriculture defined.

Mr. Henley explained that the bona-fide farm definition was established back in the 1950's and 1960's when zoning was not applicable due to no zoning being in place. Allowing counties to have jurisdiction over zoning matters did not take place until the late 1960's. He stated that the statute was very vague and has evolved over time.

Mr. Henley stated that a Conditional Farmer Exemption issued by the North Carolina Department of Revenue was presented to the Planning Department by Surf City Farm to be qualified as a bona-fide farm. He stated that Pender County does not have the authority to enforce as to whether something is a bona-fide farm.

Mr. Kipfer asked if other farms' products qualify, and Mr. Henley stated that the General Statute reads any farms owned by applicants or leased by the farm.

Mr. Kipfer asked the Board Members if they had any additional questions or comments for the Planning Board staff and Mr. Olsen stated that under Agriculture Business, there is not a clear answer. Mr. Olsen feels that weddings can be held at the farm and food service would add to the enjoyment of the event.

Mr. Henley stated that the General Statutes are always evolving and changing, and many situations are a case-by-case basis.

Applicant, Sean Donahue, presented the Board with a presentation packet while Applicant, Shari Donahue gave an overview of the packet. The presentation packet was submitted into record as **Exhibit A**. Also presented to the Board at this time was a 3-ring binder that was submitted into record as **Exhibit B**.

Ms. Donahue stated that the business closed down on March 17, 2022 and hasn't been open since due to all the issues that they have encountered.

Ms. Donahue presented the Board with the past and current numbers of bona-fide farms located in Pender County and stated that the Planning Department's determination will not only affect her farm but will affect all bona-fide farms in Pender County. The list was provided as a part of **Exhibit A**.

Ms. Donahue stated that on July 7, 2022, additional language was added to clarify North Carolina General Statute 143-138(b4) stating that "A farm building shall include;" (b) "Any structure used for the display and sale of produce, no more than 1000 square feet in size, open to the public for no more than 180 days per year and certified by the Department of Agricultural and Consumer Services as a Certified Roadside Farm Market."

Ms. Donahue provided information pertaining to the Certified Roadside Farm Market Program. The program is designed to promote North Carolina roadside farm markets that primarily sell produce (horticultural crops) grown by the operator or other local farmers. The goal of this program is to increase sales to consumers of products grown and sold by North Carolina farmers. The program also seeks to assist roadside farm markets with improving their marketing skills, to improve the quality of products sold, and to promote fair and honest marketing practices. Ms. Donahue stated that they applied to be a Certified Roadside Market on March 14, 2022, and the application is pending.

Mr. Kipfer asked if a Certified Roadside Market is different than a bona-fide farm and Mr. Henley affirmed that they are different.

Mr. Kipfer stated that 1000 square feet is the size limit for a Certified Roadside Market and the Applicant is over the size limit. Ms. Donahue stated that there current building is 54x30, 1620 square feet. Ms. Donahue stated that she is interested in having another outside building to sell the produce which will be less than 1000 square feet.

Ms. Donahue stated that produce that is grown by another farmer would be considered Agritourism. She has provided information that was supplied to her by Annie Baggett, North Carolina Department of Agricultural and Consumer Services Marketing Division Specialist, showing examples of Agritourism that includes roadside stands and farm stores, and that selling value-added items produced by the farm and items stocked by other agricultural producers and community partners is another potential revenue stream.

Ms. Donahue stated that they pay full property tax and do not request any farming tax breaks.

Ms. Donahue referred to the USDA, AGMRC Agricultural Marketing Resource Center sheet in **Exhibit A** and brought attention to the highlighted areas. She also referred to the documentation from the Pender County website where their farm is listed under Agritourism and not as a farm. Ms. Donahue stated that Pender County is using their farm to promote Pender County. She then presented the NCDA & CS "Got to be NC" sheet which lists Surf City Farms as a Farmer's Market.

Ms. Donahue informed the Board that most of their sales would be retail and not sit down eating and she believes that agritourism includes products bought from other farms to be re-sold.

Mr. Olsen asked about the farm not being open and Ms. Donahue stated that they are currently closed. She stated that numerous complaints have been made against the farm from three neighboring properties and that has contributed to their decision to shut down.

Mr. Kipfer asked about the Fresh Point deliveries and Ms. Donahue stated that it is a produce company that she receives a weekly list of produce that is available and from a variety of farms. This allows her to choose products that are grown on North Carolina farms all throughout the year.

Mr. Kipfer stated that the individuals that signed up to speak will be called up to the podium and have two minutes to speak. He asked that the comments keep in line with the matter on hand.

Linda Davenport of 121 Marcil Lane, Hampstead, stated that her home is part of a very small housing development with approximately forty houses. There is only one way in and one way out. She stated that the Fresh Point trucks started coming in every Thursday since June of 2021 and have continued since then. Ms. Davenport stated that the growing season in North Carolina is approximately ninety days so what items is Surf City Farms buying locally in January. Ms. Davenport presented the Board with a five-page packet that she would like to submit into the record as **Exhibit C**.

Joe Maccini of 211 Triton Lane, Surf City, stated that he supports the farm, and he feels that the Board should grant the Appeal. The farm is a positive for people to have in the county and the County should not stop the farm from selling products. The farm has had acts of vandalism against it and that is just un-necessary. Mr. Maccini feels that Pender County and the residents of Pender County should support small businesses.

Randy Lee of 166 Northern Escape Way stated that he lives across from the farm. The buildings that are on currently constructed on the property does not resemble a farm. He stated that he contacted Fresh Point and “local” to them means within a 250-mile radius. Mr. Lee also stated that he was told by a Fresh Point representative that they don’t deliver to farms so the Applicants must be using Donahue Restaurant to purchase items. The items that are being brought it are not local, as they should be.

Kristen Case of 76 Northern Escape Way stated that she is in no way against farming or small businesses. She is concerned that this space is becoming too retail and commercial for a rural area.

Brad Case of 76 Northern Escape Way stated that this hearing is not about farming but rather a retail operation taking place in a residential area. This farm is a retail store focusing on retail sales. Mr. Case states that the store should be moved but keep the farm.

Mr. Olsen discussed with the other Board members the need to allow the public to speak for a longer period due to them only having two minutes. Mr. Kipfer stated he had no objection to the suggestion. Mr. Breuer stated he did not object if the speakers keep testimony related to the matter at hand.

Ms. Davenport stated that the Fresh Point truck is not only delivering produce but is also delivering soups, soap, baked goods, and other items. She added that this farm is a retail commercial market, and the Applicants aren’t farmers.

Mr. Maccinni stated that he has purchased items from the farm and has no issues with the farm and its location. Every farm is a commercial entity often with commercial buildings.

Mr. Lee stated that Fresh Point only delivers to restaurants and not farms. In his research, he discovered that ten acres of land producing crops is required and the Applicants don't meet this requirement. He added that half of their land is considered wetlands.

Mr. Olsen questioned the speaker as to what Statute states the ten-acre requirement and Mr. Lee stated Statute 105-277.3. Mr. Henley stated that the quoted Statute is not under the Bona-farm section and that the Statute quoted is related to taxation.

Ms. Case questioned what the actual definition of Agritourism is and how is it being defined. She feels Pender County needs to define Agritourism.

Mr. Case stated that the Planning Department's determination should stand since too much interpretation is left open.

Ms. Donahue showed the Board members the Fresh Point website and how the buyer can narrow down the selections to North Carolina produce, which does have a longer growing season than three months. Surf City Farm could "survive" without Fresh Point by picking up produce at local farms up to Raleigh but that would be more time consuming and would require a refrigerated truck, which the farm does not own. Ms. Donahue also stated that the complaints that have been issued have nothing to do with the produce issue.

The Planning Board members reminded all parties involved that testimony needs to stay in line with what is being appealed.

Mr. Henley stated that the Planning Department does not control the Pender County website. He also stated the UNC School of Government produced an article called "What is Agritourism?" and read the three main points from the article. Mr. Henley stated that where property is zoned RP, Residential Performance, being established as a bona-fide farm is not the only way to handle a situation such as this. A Special Use Permit would be an option as would applying for a rezoning of the property.

Mr. Brantley submitted the UNC School of Government's article, published July 7, 2022, into the record as **Exhibit D**.

Mr. Breuer asked if the Planning Department staff grants bona-fide farm status and Mr. Henley stated yes but the farm itself is not at issue rather the actions taking place at the farm.

Mr. Olsen reiterated the different activities that can take place at the farm by reviewing General Statute 106-581.1(6).

Mr. Breuer stated that things would be much simpler if the language in Section 106.581.1(6) was more consistent and definite.

Mr. Kipfer asked Ms. Davenport if the Fresh Point was the prime complaint and she stated that there are many issues with this farm. She is a business person also and has no issues with small

businesses but if the Applicants are proclaiming to be a farm, then they need to farm. There are no crops on the farm, and this is a retail business only.

Mr. Kipfer asked the Board members if they had any questions, comments or motions and Mr. Breuer gave an overview of this appeal and feels that the interpretation that the Planning Department made is correct. He made a motion to uphold the Planning Staff's interpretation. Mr. Olsen stated that this is a difficult case, and that this location is not the best area for retail. He does not feel that the Applicants are utilizing the section of the General Statute that states "a farm operated by the owner."

Mr. Olsen made a second motion to deny the Appeal and Mr. Kipfer seconded the motion. The vote was unanimous.

9. Discussion Items

a) Mr. Henley informed the Board members that on the next month's agenda is another Appeal that will likely attract much of the public to attend. Due to the potential amount of the public who may attend, are the Board members willing to hold the meeting in the Hampstead Annex to allow for more room.

Mr. Kipfer asked for the location of the property attached to the Appeal and Mr. Henley stated that the property is in Hampstead.

Mr. Olsen stated that he has no issues holding the August meeting at the Hampstead Annex due to that location making more sense.

Mr. Kipfer stated that he is fine with holding the August meeting in Hampstead if the location of the meeting is put on all the mailers and on the Pender County website.

Mr. Kipfer made a motion to hold the August 2022 meeting at the Hampstead Annex and Mr. Olsen seconded the motion. The vote was unanimous.

b) Mr. Kipfer addressed the resignation of a recent Board member. He stated that he is aware of an individual that is interested in becoming a Board member but is not in the district needed. Mr. Henley stated that there is an interested individual for District 3 but are now needing an individual from District 4.

10. Next Meeting Date

August 17, 2022
Hampstead Annex Building
15060 US Hwy. 17
Hampstead, NC 28443

11. Adjournment

Meeting adjourned at 11:03 a.m.

Exhibit A

SURF CITY FARM, BOARD OF ADJUSTER'S MEETING 7/20/2022

APPEAL OF DETERMINATION LETTER ,PENDER COUNTY PLANNING AND ZONING

SEAN & SHARI DONAHUE aka SURF CITY FARM

BRIEF TIMELINE

*JUNE 11, 2021
SCF RE-OPENED FOR BUSINESS
(post covid)

*JULY 28, 2021
FULL DESCRIPTION OF BUSINESS PRACTICES SENT TO PENDER COUNTY PLANNING AND ZONING (EMAIL)

*DEC 2, 2021
SCF MEETING WITH PLANNING AND ZONING, (county attorney not present)

*MARCH 7,2022
DETERMINATION LETTER

*MARCH 17,2022
SCF CLOSED FOR BUSINESS, (owners decide to sell property)

DETERMINATION LETTER,
TO SCF MARCH 7,2022

*NOTE THE HIGHLIGHTED SECTION

"WHILE WRITTEN IN THE CONTEXT OF SURF CITY FARM, THIS DETERMINATION SHALL ALSO BE APPLICABLE TO ANY OTHER CURRENT OR FUTURE BONA-FIDE FARMS LOCATED WITHIN PENDER COUNTY'S PLANNING AND ZONING JURISTICTION"

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

March 7, 2022

Shari and Sean Donohue
190 Northern Escape Way
Hampstead, NC 28443

VIA EMAIL: surfcityfarm@gmail.com

Re: Zoning Verification Letter regarding Pender County PINs: 4235-00-9594-0000 and 4236-00-7179-0000

Mr. and Mrs. Sean and Shari Donohue,

On June 27th, 2019, Sean and Shari Donohue submitted an application for a Bona Fide Farm Determination to the Pender County Planning Department. On July 18th, 2019, the Bona-Fide Farm Determination was approved by Pender County Planning Staff. The criteria for farm exemption that met the bona-fide farm requirements was a Conditional Farmer Sales Tax Exemption through the North Carolina Department of Revenue. The Conditional Farmer Exemption was due to expire on December 31st, 2021. As of December 7th, 2021, Surf City Farm has met the requirements to obtain Qualifying Farmer Exemption, according to the letter from the North Carolina Department of Revenue forwarded to Planning Staff. For this reason, Surf City Farm **is currently exempt from zoning for bona-fide farm purposes.**

The following is a list of uses currently either ongoing or regularly occurring on the Surf City Farm property as has been reported to the Department, along with a final determination as to whether or not each use is considered a bona-fide farm purpose. The listed uses are not intended to be exhaustive nor take into account future uses; such uses shall require additional evaluation by Planning Staff upon request. Furthermore, while written in the context of Surf City Farm, this determination shall also be applicable to any other current or future bona-fide farms located within Pender County's planning and zoning jurisdiction.

Surf City Farm has grown crops on site in ground and hydroponically to be sold at the farm stand. This **DOES** meet the standard of a bona-fide farm purpose under state statute. Additionally, the creation and selling of products that are wholly or partly made from crops grown on-site, including but not limited to jams, sauces, and baked goods, also **DOES** meet the standard of a bona-fide farm purpose under state statute. Finally,

meet the standard of a bona-fide farm purpose under state statute. The above determinations are based on North Carolina General Statutes 160D-903 and GS 106-581.1(6), which state that the production, marketing, and selling of agricultural products as well as "other activities that add value to agricultural products produced on the farm" and "activities relating to and incidental to the production of crops" are considered a bona-fide farm purpose.

Surf City Farm has confirmed that crops/products from other local farms as well as crops/products from other farms from across North Carolina through a third-party vendor. This **DOES NOT** meet the standard of a bona-fide farm purpose under state statute. This interpretation is based on G.S. 160D-903 and GS 106-581.1(6) as mentioned above, specifically in that items sold on the farm must be either produced on the farm or through activities that add value to items produced on the farm or are related or incidental to the production of crops.

Surf City Farm has hosted public events at various points since opening. A public event hosted on site **DOES** meet the standard of a bona-fide farm purpose **IF** the primary reason for the event is to allow attendees to view, participate, and enjoy the activities that render Surf City Farm a bona-fide farm. This is based on NC GS 160D-903 that states that agritourism includes events or activities that "allow members of the general public to view or enjoy rural activities like farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions." Public events that are not taking place on the farm because of its farm or rural setting but nonetheless on-site may be permitted through other means including but not limited to a Temporary Event Permit issued by Planning and Community Development, dependent upon the context of the event. Furthermore, purely private events held by individual property owners are not regulated by Pender County Planning and Community Development generally and therefore are not subject to any review for conformance to bona-fide farm requirements, nor would they be on any other property whether established as a bona-fide farm or not.

The above determination is purely applicable to the regulations contained within the Pender County Unified Development Ordinance as informed and permitted by State Statute. There may be planning processes available to establish uses not determined to be bona-fide farm purposes under the existing regulations within the Unified Development Ordinance, potentially including but not limited to a General Use or Conditional Rezoning, or a Special Use Permit. Furthermore, the determination may not exempt Surf City Farm from permitting requirements made by other agencies, such as the Permitting and Inspections Divisions of Pender County Planning and Community Development, Pender County Environmental Health, Pender County Utilities, the Pender County Fire Marshal, the North Carolina Department of Environmental Quality, North Carolina Department of Transportation, North Carolina Alcoholic Beverage Control Commission, or the United States Army Corps of Engineers. Finally, this

agreements made between property owners or private parties, or items covered in other sections of the Pender County Code of Ordinances.

By virtue of the facts laid out in this Zoning Determination Letter and in accordance with Articles 3 and 13 of the Pender County Unified Development Ordinance, any activity occurring on-site that does not meet the standard of a Bona-Fide Farm Purpose following the date of issuance of this Letter shall be considered a violation of the Pender County Unified Development Ordinance and shall be subject to any enforcement action deemed necessary under Article 13 of the Ordinance as applicable until such point as those uses are ceased, or permitted through the applicable and appropriate methods laid out in the Unified Development Ordinance.

Further, in accordance with provisions laid out in Article 3 of the Unified Development Ordinance, any portion of this determination can be appealed to the Pender County Board of Adjustment within 30 days of receipt of this determination by anyone aggrieved by this determination.

If you have any questions, please do not hesitate to contact me at (910) 259-2110 or thenley@pendercountync.gov.

Sincerely,



Travis Henley – Director
Planning and Community Development
Pender County, North Carolina

PAST AND CURRENT
BONA-FIDE FARMS IN PENDER COUNTY
(attached records supplied by planning dept.)

RECORDS AVAILABLE ONLY FROM
1994-2020

1994-2004	132 FARMS
2005-2011	NO RECORDS AVAILABLE
2012-2015	54 FARMS
2016-2020	210 FARMS

YOUR DECISION TODAY WILL AFFECT ALL OF THEM ,INCLUDING SURF CITY FARM

*THE STATUTES
NC GS
160D-903
106-581.1(6)
* THE NEW STATUTE
NC FARM BILL 2022 (S762) signed 7/8/22
*ADDED SUBSECTIONS TO
GS 160D-903(a)
("evidence other then the four types specified in the statute may be considered in determining whether a property is being used for a bona fam purpose")
*ADDED TO GS 143-138(b4)
"A building or structure that is used for a bona fide farm purpose as provided in GS 160D-903(a)
"A farm building shall include:"
(b). " Any structure used for the display and sale of produce,no more than 1000 square feet in size,open to the public for no more than 180 days per year,and certified by the Department of Agriculture and Consumer Sevices as a Certified Roadside Market"
*NCDA&CS ROADSIDE MARKET

§ 160D-903. Agricultural uses.

(a) Bona Fide Farming Exempt From County Zoning. – County zoning regulations may not affect property used for bona fide farm purposes; provided, however, that this section does not limit zoning regulation with respect to the use of farm property for nonfarm purposes. Except as provided in G.S. 106-743.4 for farms that are subject to a conservation agreement under G.S. 106-743.2, bona fide farm purposes include the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture, as defined in G.S. 106-581.1. Activities incident to the farm include existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation. For purposes of this section, "when performed on the farm" in G.S. 106-581.1(6) includes the farm within the jurisdiction of the county and any other farm owned or leased to or from others by the bona fide farm operator, no matter where located. For purposes of this section, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. For purposes of determining whether a property is being used for bona fide farm purposes, any of the following is sufficient evidence that the property is being used for bona fide farm purposes:

(1) A farm sales tax exemption certificate issued by the Department of Revenue.
(2) A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3.
(3) A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
(4) A forest management plan.

A building or structure that is used for agritourism is a bona fide farm purpose if the building or structure is located on a property that (i) is owned by a person who holds a qualifying farm sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105-164.13E(a) or (ii) is enrolled in the present-use value program pursuant to G.S. 105-277.3. Failure to maintain the requirements of this subsection for a period of three years after the date the building or structure was originally classified as a bona fide farm purpose pursuant to this subsection subjects the building or structure to applicable zoning and development regulation ordinances adopted by a county pursuant to G.S. 160D-702 in effect on the date the property no longer meets the requirements of this subsection. For purposes of this section, "agritourism" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.

(b) County Zoning of Residential Uses on Large Lots in Agricultural Districts. – A county zoning regulation shall not prohibit single-family detached residential uses constructed in accordance with the North Carolina State Building Code on lots greater than 10 acres in size and in zoning districts where more than fifty percent (50%) of the land is in use for agricultural or silvicultural purposes, except that this restriction does not apply to commercial or industrial districts where a broad variety of commercial or industrial uses are permissible. A zoning regulation shall not require that a lot greater than 10 acres in size have frontage on a public road or county-approved private road or be served by public water or sewer lines in order to be developed for single-family residential purposes.

(c) Agricultural Areas in Municipal Extraterritorial Jurisdiction. – Property that is located in a city's extraterritorial planning and development regulation jurisdiction and that is used for bona fide farm purposes is exempt from the city's zoning regulation to the same extent bona fide farming activities are exempt from county zoning pursuant to this section. As used in this subsection, "property" means a single tract of property or an identifiable portion of a single tract. Property that ceases to be used for bona fide farm purposes becomes subject to exercise of the city's extraterritorial planning and development regulation jurisdiction under this Chapter. For purposes of complying with State or federal law, property that is exempt from municipal zoning pursuant to this subsection is subject to the county's floodplain regulation or all floodplain regulation provisions of the county's unified development ordinance.

(d) Accessory Farm Buildings. – A city may provide in its zoning regulation that an accessory building of a "bona fide farm" has the same exemption from the building code as it would have under county zoning.

(e) City Regulations in Voluntary Agricultural Districts. – A city may amend the development regulations applicable within its planning and development regulation jurisdiction to provide flexibility to farming operations that are located within a city or county, voluntary agricultural district, or enhanced voluntary agricultural district adopted under Article 61 of Chapter 106 of the General Statutes. Amendments to applicable development regulations may include provisions regarding on-farm sales, pick-your-own operations, road signs, agritourism, and other activities incident to farming. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 22, 51(a), (b), (d); 2020-74, s. 20.)

§ 106-581.1. Agriculture defined.

For purposes of this Article, the terms "agriculture", "agricultural", and "farming" refer to all of the following:

(1) The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.

(2) The planting and production of trees and timber.

(3) Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing.

(4) Aquaculture as defined in G.S. 106-758.

(5) The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.

(6) When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on a farm, and similar activities incident to the operation of a farm.

(7) A public or private grain warehouse or warehouse operation where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses consisting of one or more warehouse sections and considered a single delivery point with the capability to receive, load out, weigh, dry, and store grain. (1991, c. 81, s. 1; 2005-390, s. 18; 2006-255, s. 6; 2013-347, s. 2; 2017-108, s. 8.1.)

Article 4.

Agritourism Activity Liability.

§ 99E-30. Definitions.

As used in this Article, the following terms mean:

(1) Agritourism activity. – Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity. "Agritourism activity" includes an activity involving any animal exhibition at an agricultural fair licensed by the Commissioner of Agriculture pursuant to G.S. 106-520.3.

(2) Agritourism professional. – Any person who is engaged in the business of providing one or more agritourism activities, whether or not for compensation.

(3) Inherent risks of agritourism activity. – Those dangers or conditions that are an integral part of an agritourism activity including certain hazards, including surface and subsurface conditions, natural conditions of land, vegetation, and waters, the behavior of wild or domestic animals, and ordinary dangers of structures or equipment ordinarily used in farming and ranching operations. Inherent risks of agritourism activity also include the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, including failing to follow instructions given by the agritourism professional or failing to exercise reasonable caution while engaging in the agritourism activity.

(4) Participant. – Any person, other than the agritourism professional, who engages in an agritourism activity.

(5) Person. – An individual, fiduciary, firm, association, partnership, limited liability company, corporation, unit of government, or any other group acting as a unit. (2005-236, s. 1; 2007-171, s. 1; 2020-18, s. 5(a).)

Governor Cooper Signs 19 Bills into Law

Raleigh

Jul 8, 2022

Today, Governor Roy Cooper signed the following bills into law:

- Senate Bill 762: North Carolina Farm Act of 2022

Contact Information

Mary Scott Winstead
(919) 814-2100
govpress@nc.gov

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2022-55
SENATE BILL 762

AN ACT TO MAKE VARIOUS CHANGES TO THE AGRICULTURAL LAWS OF THIS STATE.

The General Assembly of North Carolina enacts:

CLARIFY THE APPLICABILITY OF THE FARM BUILDING EXCEPTION TO THE BUILDING CODE

SECTION 1. G.S. 143-138(b4) reads as rewritten:

"(b4) Exclusion for Certain Farm Buildings. – Building rules do not apply to (i) farm buildings that are located outside the building-rules jurisdiction of any municipality, (ii) farm buildings that are located inside the building-rules jurisdiction of any municipality if the farm buildings are greenhouses or therapeutic equine facilities, (iii) a primitive camp, or (iv) a primitive farm building. For the purposes of this subsection:

(1) ~~For the purposes of this subdivision, a~~ A "farm building" means any nonresidential building or structure that is used for a bona fide farm purpose as provided in ~~G.S. 153A-340.~~ G.S. 160D-903(a). A "farm building" shall include:

a. Any structure used or associated with equine activities, including, but not limited to, the care, management, boarding, or training of horses and the instruction and training of riders. Structures that are associated with equine activities include, but are not limited to, free standing or attached sheds, barns, or other structures that are utilized to store any equipment, tools, commodities, or other items that are maintained or used in conjunction with equine activities. The specific types of equine activities, structures, and uses set forth in this subdivision are for illustrative purposes, and should not be construed to limit, in any manner, the types of activities, structures, or uses that may be considered under this subsection as exempted from building rules. A farm building that might otherwise qualify for exemption from building rules shall remain subject only to an annual safety inspection by the applicable city or county building inspection department of any grandstand, bleachers, or other spectator-seating structures in the farm building. An annual safety inspection shall include an evaluation of the overall safety of spectator-seating structures as well as ensuring the spectator-seating structure's compliance with any building codes related to the construction of spectator-seating structures in effect at the time of the construction of the spectator-seating.

b. Any structure used for the display and sale of produce, no more than 1,000 square feet in size, open to the public for no more than 180 days per year, and certified by the Department of Agriculture and Consumer Services as a Certified Roadside Farm Market.

c. Any unoccupied structure built upon land owned by the State of North Carolina and administratively allocated to the North Carolina Department of Agriculture and Consumer Services or North Carolina State University which is used primarily for forestry production and research or agriculture production and research. The term "agriculture" has the same meaning as in G.S. 106-581.1. The term "unoccupied" does not exclude the keeping of livestock.

d. A building used primarily for the storage of agricultural commodities or products or storage and use of materials for agricultural purposes, whether or not the building is located on the same property where the agricultural commodities or products were produced, provided the building is surrounded and adjoined by public ways and yards, as those terms are defined in the 2018 North Carolina Building Code, of not less than 60 feet in width. The owner of a qualifying building under this sub-subdivision shall post a placard on the front of the building. The placard shall be not less than 24 inches by 24 inches in size with a red background, white reflective stripes, and a white reflective border. The placard shall display the words "Ag. Exempt" in white reflective letters not less than 12 inches tall.

...."

AGRICULTURAL USE CLARIFICATION

SECTION 2. G.S. 160D-903 reads as rewritten:

"**§ 160D-903. Agricultural uses.**

(a) Bona Fide Farming Exempt From County Zoning. – County zoning regulations may not affect property used for bona fide farm purposes; provided, however, that this section does not limit zoning regulation with respect to the use of farm property for nonfarm purposes. Except as provided in G.S. 106-743.4 for farms that are subject to a conservation agreement under G.S. 106-743.2, bona fide farm purposes include the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture, as defined in G.S. 106-581.1. Activities incident to the farm include existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation. A building or structure that is used solely for storage of cotton, peanuts, or sweetpotatoes, or any byproduct of those commodities, is a bona fide farm purpose, including a building or structure on a property that does not have the documentation listed in subdivisions (1) through (4) of this subsection. For purposes of this section, "when performed on the farm" in G.S. 106-581.1(6) includes the farm within the jurisdiction of the county and any other farm owned or leased to or from others by the bona fide farm operator, no matter where located. For purposes of this section, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. For purposes of determining whether a property is being used for bona fide farm purposes, any of the following is sufficient evidence that the property is being used for bona fide farm ~~purposes:~~purposes, but other evidence may also be considered:

(1) A farm sales tax exemption certificate issued by the Department of Revenue.

(2) A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3.

(3) A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.

(4) A forest management plan.

...."

STUDY FAIR REPAIR REQUIREMENTS FOR MANUFACTURERS OF FARM EQUIPMENT

SECTION 3. The Agriculture and Forestry Awareness Study Commission shall study whether to establish requirements for manufacturers of farm equipment to make documentation, parts, software, or tools required to diagnose, maintain, or repair electronically enabled farm equipment available to owners of the farm equipment or independent repair providers in the same manner as the documentation, parts, software, or tools are available to the manufacturer's authorized repair provider and, if so, the limitations and enforcement mechanisms that should apply to those requirements. In conducting the study, the Committee shall seek input from farm equipment manufacturers, independent repair providers and owners of farm equipment, the Department of Justice, and the Department of Agriculture and Consumer Services. The Commission shall report its findings, including any proposed legislation, prior to the convening of the 2023 Regular Session of the General Assembly.

PRESERVE CONSERVATION EASEMENTS AFTER PROPERTY TAX FORECLOSURES

SECTION 4.(a) G.S. 105-374(k) reads as rewritten:

"(k) Judgment of Sale. – Any judgment in favor of the plaintiff or any defendant taxing unit in an action brought under this section shall order the sale of the real property or as much as may be necessary for the satisfaction of all of the following:

(1) Taxes adjudged to be liens in favor of the plaintiff, other than taxes the amount of which has not been definitely determined, together with penalties, interest, and costs.

(2) Taxes adjudged to be liens in favor of other taxing units, other than taxes the amount of which has not yet been definitely determined, if those taxes have been alleged in answers filed by the other taxing units, together with penalties, interest, and costs.

The judgment shall appoint a commissioner to conduct the sale and shall order that the property be sold in fee simple, free and clear of all interests, rights, claims, and liens whatever, except that the sale shall be subject to (i) taxes the amount of which cannot be definitely determined at the time of the judgment, (ii) taxes and special assessments of taxing units which are not parties to the action, ~~and~~ (iii) in the discretion of the court, taxes alleged in other tax foreclosure actions or proceedings pending against the same real ~~property.~~property, and (iv) conservation agreements, as defined in G.S. 121-35(1).

In all cases in which no answer is filed within the time allowed by law, and in cases in which answers filed do not seek to prevent sale of the property, the clerk of the superior court may enter the judgment, subject to appeal as provided in G.S. 1-301.1."

SECTION 4.(b) G.S. 105-375(i) reads as rewritten:

"(i) Issuance of Execution. – At any time after three months and before two years from the indexing of the judgment as provided in subsection (b) of this section, execution shall be issued at the request of the tax collector in the same manner as executions are issued upon other judgments of the superior court, and the real property shall be sold by the sheriff in the same manner as other real property is sold under execution with the following exceptions:

(1) No debtor's exemption shall be allowed.

(2) At least 30 days prior to the day fixed for the sale, the sheriff shall send notice by registered or certified mail, return receipt requested, to the taxpayer at the taxpayer's last known address, in lieu of personal service, and to all lienholders of record. If within 10 days following the mailing of a notice, a return receipt

has not been received by the sheriff indicating receipt of the notice, then the sheriff shall make additional efforts to locate and notify the taxpayer, if not yet notified, and all unnotified lienholders of record of the sale under execution in accordance with subdivision (4) of subsection (c) of this section.

(3) The sheriff shall add to the amount of the judgment as costs of the sale any postage expenses incurred by the tax collector and the sheriff in foreclosing under this section.

(4) In any advertisement or posted notice of sale under execution, the sheriff may (and at the request of the governing body shall) combine the advertisements or notices for properties to be sold under executions against the properties of different taxpayers in favor of the same taxing unit or group of units; however, the property included in each judgment shall be separately described and the name of the taxpayer specified in connection with each property.

The purchaser at the execution sale acquires title to the property in fee simple free and clear of all claims, rights, interests, and liens except the liens of other taxes or special assessments not paid from the purchase price and not included in the ~~judgment.~~judgment and conservation agreements, as defined in G.S. 121-35(1)."

FARMED CERVID ASSESSMENT CLARIFICATION

SECTION 5. G.S. 106-1056 reads as rewritten:

"§ 106-1056. Definitions.

As used in this Article:

(1) "Association" means the North Carolina Deer and Elk Farmers Association.

(2) "Cervid farmer" means a person who (i) is a North Carolina resident and (ii) holds at least one cervid in captivity subject to a captivity license issued by the Department.

(3) "Department" means the Department of Agriculture and Consumer Services.

(4) "Farmed cervid" means any member of the Cervidae family that is held in captivity and produced, bought, or sold for commercial purposes.

(5) "Farmed cervid feed" means any commercial feed, as defined in G.S. 106-284.33, ~~labeled or marketed~~ sold to a cervid farmer for farmed cervid use."

SPECIFY THAT COMMERCIAL PRODUCTION OR GROWING OF ANIMALS FOR PURPOSES OF PRESENT USE VALUE TAXATION INCLUDES BOARDING HORSES

SECTION 6.(a) G.S. 105-277.2(1) reads as rewritten:

"(1) Agricultural land. – Land that is a part of a farm unit that is actively engaged in the commercial production or growing of crops, plants, or animals under a sound management program. For purposes of this definition, the commercial production or growing of animals includes the rearing, feeding, training, caring, boarding, and managing of horses. Agricultural land includes woodland and wasteland that is a part of the farm unit, but the woodland and wasteland included in the unit must be appraised under the use-value schedules as woodland or wasteland. A farm unit may consist of more than one tract of agricultural land, but at least one of the tracts must meet the requirements in G.S. 105-277.3(a)(1), and each tract must be under a sound management program. If the agricultural land includes less than 20 acres of woodland, then the woodland portion is not required to be under a sound management program. Also, woodland is not required to be under a sound management program if it is determined that the highest and best use of the woodland is to diminish wind erosion of adjacent agricultural land, protect

water quality of adjacent agricultural land, or serve as buffers for adjacent livestock or poultry operations."

SECTION 6.(b) This section is effective for taxes imposed for taxable years beginning on or after July 1, 2022.

UPDATE BONA FIDE FARM CROSS REFERENCES

SECTION 7.(a) G.S. 106-743.4(a) reads as rewritten:

"(a) Property that is subject to a conservation agreement under G.S. 106-743.2 that remains in effect may receive up to twenty-five percent (25%) of its gross sales from the sale of nonfarm products and still qualify as a bona fide farm that is exempt from zoning regulations under ~~G.S. 153A-340(b).~~ G.S. 160D-903. For purposes of ~~G.S. 153A-340(b),~~ G.S. 160D-903, the production of any nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm that is subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. A farmer seeking to benefit from this subsection shall have the burden of establishing that the property's sale of nonfarm products did not exceed twenty-five percent (25%) of its gross sales. A county may adopt an ordinance pursuant to this section that sets forth the standards necessary for proof of compliance."

SECTION 7.(b) G.S. 106-850(b)(10) reads as rewritten:

"(10) To be eligible for cost share funds under this program, each applicant must establish that the applicant meets the definition of a bona fide farm as described by ~~G.S. 153A-340(b)(2).~~G.S. 160D-903(a)."

SECTION 7.(c) G.S. 130A-247(13) reads as rewritten:

"(13) "Temporary food establishment" means an establishment not otherwise exempted from this part pursuant to G.S. 130A-250 that (i) prepares or serves food, (ii) operates for a period of time not to exceed 30 days in one location, and (iii) is affiliated with and endorsed by a transitory fair, carnival, circus, festival, public exhibition, or agritourism business. For purposes of this subdivision, "agritourism" means the same as in ~~G.S. 153A-340(b)(2a).~~ G.S. 160D-903(a). Notwithstanding the time limit set out in this subdivision, a local health department may, upon the request of a temporary food establishment, grant a one-time, 15-day extension of the establishment's permit if the establishment continues to meet all of the requirements of its permit and applicable rules."

SECTION 7.(d) G.S. 130A-291.1(g) reads as rewritten:

"(g) Production of a crop in accordance with an approved nutrient management plan on land that is permitted as a septage land application site is a bona fide farm purpose under ~~G.S. 153A-340.~~G.S. 160D-903."

SECTION 7.(e) G.S. 139-60(c1) reads as rewritten:

"(c1) To be eligible for assistance under this program, each applicant must establish that the applicant meets the definition of a bona fide farm as described by ~~G.S. 153A-340(b)(2).~~G.S. 160D-903(a)."

SECTION 7.(f) G.S. 153A-471(b)(6) reads as rewritten:

"(6) ~~G.S. 153A-340(b) (Zoning of Bona Fide Farms)~~ G.S. 160D-903(a) and (b) shall apply to all areas within the county boundaries."

SECTION 7.(g) G.S. 160A-58.54(c) reads as rewritten:

"(c) As used in this subsection, "bona fide farm purposes" is as described in ~~G.S. 153A-340.~~ G.S. 160D-903(a). As used in this subsection, "property" means a single tract of property or an identifiable portion of a single tract. Property that is being used for bona fide farm purposes on the date of the resolution of intent to consider annexation may not be annexed without the written consent of the owner or owners of the property."

NONREVERSION OF FUNDS FOR NEMATODE MITIGATION RESEARCH

SECTION 8. The funds appropriated by S.L. 2021-180 to the North Carolina SweetPotato Commission for a contract with NC State University to study nematode mitigation shall remain available until expended and shall not revert.

SEVERABILITY CLAUSE AND EFFECTIVE DATE

SECTION 9. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions of this act that can be given effect without the invalid provision or application, and, to this end, the provisions of this act are declared to be severable.

SECTION 10. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 2:02 p.m. this 8th day of July, 2022

North Carolina Department of Agriculture and Consumer Services

Division of Marketing

North Carolina Farm Fresh



Home Farms Farmers Markets Nurseries & Garden Centers Sign In | Sign Up

Certified Roadside Farm Market Program – Membership Criteria

1. The Certified Roadside Farm Market Program is designed to promote North Carolina roadside farm markets that primarily sell produce (horticultural crops) grown by the operator and other local farmers. The goal of this program is to increase sales to consumers of products grown and sold by North Carolina farmers. The program also seeks to assist roadside farm markets with improving their marketing skills, to improve the quality of products sold, and to promote fair and honest marketing practices.

2. To qualify for participation in this program, a roadside farm market must sell primarily agricultural commodities direct to the public, with a minimum of 51% of total sales from farm products grown by the market operator. Applicants must submit a NCDA&CS Grower's Certification, signed by their county extension agent, along with their application.

3. The operator of any roadside farm market as herein defined, may apply to the North Carolina Department of Agriculture & Consumer Services, Division of Marketing, for participation in this program. A separate application must be filed for each location.

4. Membership in the North Carolina Certified Roadside Farm Market program will be granted upon NCDA&CS committee approval of application. Membership will be under continual review by the NCDA&CS, Division of Marketing.

5. The business whose name appears on the Certified Roadside Farm Market application shall give written assurance of the business's compliance with all applicable Federal, State and local laws, rules and ordinances, including all applicable license and permit requirements.

6. Certified Roadside Farm Markets will receive a sign to display at their market that identifies them as a North Carolina Dept. of Agriculture & Consumer Services, Certified Roadside Farm Market. The sign shall at all times remain the property of the N.C. Department of Agriculture & Consumer Services. Certified markets will also receive a marketing kit with posters and price cards to use in their displays, a checklist of suggestions for successful roadside markets (information on displays, market appearance, product quality, parking, etc.), camera ready logo to use in ads, sample newspaper or radio ads, and sample press releases.

7. The applicant shall have a permanent sign posted in a prominent and visible location at the roadside market that states the name of the business. Certified Roadside Farm Market Program – Membership Criteria

8. If ownership of an approved roadside farm market changes, the new owner must reapply for membership. In no event shall market approval or signs be transferable from one location to another.

9. All approved farm markets must maintain adequate parking space for all vehicles to park clear of the highway and highway right-of-way.

10. Produce or other agricultural products packaged with the topping or facing of containers exposing produce with inferior produce or products concealed underneath shall constitute "False Packs" and as such shall not be offered for sale at any Certified Roadside Farm Market.

11. With respect to size, quality, weights, volumes, packaging, and labeling, all products sold at a Certified Roadside Farm Markets must comply with all laws and rules and regulations applicable to that product.

12. Failure to comply with the membership criteria of the Certified Roadside Market Program shall constitute grounds for disapproval of any application for participation or for revocation of any approval previously granted.

- Certified Roadside Farm Market Program – Membership Application (PDF)
- Certified Roadside Farm Market Program – Grower Certification (PDF)

NC Farm Fresh Disclaimer Produce Availability Contact Us

Accessibility Statement Disclaimer Privacy Statement

Surf City Farm,
Is happy to adjust it's " selling of produce grown by another farmer" to meet the requirements of the NCDA&CS program for Certified Roadside Markets,

Our application for Certified Roadside Market (submitted March 14,2022) is still pending,see emails (as of this date ,a request for update has been unanswered)

Gmail

shari donahue <surfcityfarm@gmail.com>

NCDA&CS NC Farm Fresh Account Created - 14581 -

1 message

agweb@ncagr.gov <agweb@ncagr.gov> Mon, Mar 14, 2022 at 1:41 PM
To: surfcityfarm@gmail.com

This is a confirmation email of your NC Farm Fresh Account.
Your listing must be completed by you, and then reviewed and approved by the Department before it is included in the NC Farm Fresh Directory. You will receive another email when your listing is approved and posted. The review process may take up to 10 days.

Your Account Information Appears Below. Please print it and keep it in a safe place.

##########

Your User Name is: SurfCityFarm
Your Password is: [redacted]
##########

Gmail shari donahue <surfcityfarm@gmail.com>

NC Farm Fresh

1 message

SURF CITY FARM <surfcityfarm@gmail.com> Sat, Jul 16, 2022 at 10:46 AM
To: "ncfarmfresh@ncagr.gov" <ncfarmfresh@ncagr.gov>

I would like to check the status of my application,

SURF CITY FARM

101 NORTHERN ESCAPE WAY,

HAMPSTEAD NC.28443

SHARI DONAHUE

860-810-9271

Sent from Mail for Windows

PRODUCE GROWN BY ANOTHER FARMER IS AGRITOURISM
ADDITIONAL INFORMATION

*NCDA&CS
EMAIL CHAIN, ANNIE BAGGETT ,DIRECTOR OF AGRITOURISM MARKETING'
HER POWER POINT PRESENTATION
EXAMPLES OF AGRITOURISM INCLUDE
"ROADSIDE STANDS"
" FARM STORES"
"Selling value added items produced by the farm and items stocked by other agricultural producers and community partners is another potential revenue stream"

*USDA MARKETING RESOURCE CENTER
"Some farmers sell only produce they grow themselves. Others find that it is not economically sensible to grow all the crops that they'd ideally offer ,so they purchase additional produce or products to supplement what they grow"

Gmail shari donahue <surfcityfarm@gmail.com>

Call follow up.
5 messages

Baggett, Annie <Annie.Baggett@ncagr.gov> Wed, Mar 16, 2022 at 2:40 PM
To: "surfcityfarm@gmail.com" <surfcityfarm@gmail.com>

Hello, Sherry.
Thank you for your time this afternoon. Please find attached and below resources to assist with next steps.

https://affiliate.wcu.edu/agriculturalmediation/ncamp/

North Carolina Agricultural Mediation | NCAMP and FARMVA Agricultural Mediation - NCAMP - Home

Non-Discrimination Statement. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's ...

affiliate.wcu.edu

https://ncadfp.org/Pender.htm
Voluntary Ag District Program

Pender County Visit NC Farms app program: https://www.visitncfarmstoday.com/pender-county

Pender County — Visit NC Farms

App Administrators: Colleen Worrell, Marketing Coordinator, Feast Down East
Email: colleen@feastdowneast.org

www.visitncfarmstoday.com

Let me know how I may assist further. Thanks for all that you're doing!

Warmest regards,

Annie
Agribusiness Developer & Agritourism Marketing Specialist
visitncfarmstoday.com
--
Annie Baggett
North Carolina Department of Agriculture and Consumer Services
Marketing Division

annie.baggett@ncagr.gov
919-414-4982

SAVE THE DATES, hosted by the NC Agritourism Networking Association:
August 15, 2022 - Summer Agritourism Farm Tour (Charlotte, NC)
February 20-21, 2023 - NC Agritourism Farm Tour & Conference (Charlotte, NC)
--
Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

NC_Agritourism_Resources_NCDACS_NCANA_2022.pdf
207K

shari donahue <surfcityfarm@gmail.com> Wed, Mar 16, 2022 at 3:47 PM
To: "Baggett, Annie" <Annie.Baggett@ncagr.gov>

Thank you so much for taking the time today to "listen", you were very helpful,and the information you sent is beyond priceless to our litttel farm..it was truly a pleasure speaking to you today,
Shari Donahue
Surf City Farm
[Quoted text hidden]

How? Farmers use what they have & what they know

Barnyard Animals . Fiber Animals . Farm Riding Trails . Walking Trails . Crafts . Camping . Bird Watching . Fishing . Hunting . Farm Stays or Bed & Breakfast . Country Cabins . Retreats . Hay Rides . Crop Mazes . Pumpkin Patches . Historic Farms . Quilt Barns & Trails . Reunions . Museums. Workshops . Festivals . Holiday Events . Christmas Trees . Pick Your Own Produce . Roadside Stands . Nurseries . Flowers . Picnics . Parties . Weddings & Receptions . School Field Trips . Summer Camps . Farm Vacations . Slow Food Dining or Farm to Table Dining . Vineyards . Wineries

FARM STORES

Selling value added items produced by the farm and items stocked by other agriculture producers and community partners is another potential revenue stream.

A farm can maximize profitability when selling direct to the consumer.

External Origin

OPPORTUNITIES	THREATS
■ Located on highly trafficked road	■ Possibility of theft
■ There is no farm stand for our community within 15 miles	■ Country store down the road is not on board with our farm stand
■ Our farmers' market customers have expressed interest in buying from us throughout the week – there is a demand	■ Cost of additional permits, insurance, etc.
■ Possibly partner with other local farms/producers to have some of their products also at the farm stand (honey, maple syrup, bread, fruit, cheese, meats)	

GENERATING INCOME WITH YOUR OWN PRODUCT VERSUS "BOUGHT IN"

Some farmers sell only produce they grow themselves. Others find that it is not economically sensible to grow all the crops that they'd ideally offer, so they purchase additional produce or products to supplement what they grow. For example, many small-scale farmers find it unprofitable to grow sweet corn, but find that sales of other produce are compromised if sweet corn is not offered. In response, they will purchase sweet corn from farms producing it at a larger scale and resell it. Supplementing your own produce with other products like bread, local honey, maple syrup, local milk, crafts, jams, pickles, etc., can improve the economic viability of your farm stand by making it more interesting to customers, many of whom are looking for three meals from one stop.

> **"Define success in an ephemeral way — however it befits your personality, ethos, etc. But, remember, if it won't make money, then it won't survive — and that benefits no one. So, what does success mean to you?"**
>
> – Scott Woolsey, Retail and Customer Service Manager
> Killdeer Farm and Farm Stand, Norwich, VT

When purchasing for resale, you must maintain the integrity of your vision by establishing guidelines for sourcing products. These guidelines must be easily communicated by you and your staff. For example, some growers only purchase certified organic or locally

USDA AGMRC Agricultural Marketing Resource Center.

SELLING PRODUCE GROWN BY ANOTHER FARMER IS AGRITOURISM …
AGRITOURISM IN PENDER COUNTY

*PENDER COUNTY WEBSITE
VISIT PENDER
PLAY, AGRITOURISM
*VISIT PENDER NC FACEBOOK PAGE/POST
TOPSAIL MAGAZINE PROMO (7/15/22)
PHOTO & ARTICLE (highlighted farms)
*OTHER LOCAL FARMERS ADVERTISING PRODUCE GROWN BY OTHER FARMERS,WEB AND FACEBOOK

*NC VSA PROGRAM, PENDER ,
(Vacation Supported Agriculture)
USDA,GRANGE,NC STATE,NC TOBACCO FUND

*NCDA&CS "GOT TO BE NC"
Surf City Farm
FARMERS MARKET & DESCRIPTION OF FARM

visitpender.com/play
PENDER COUNTY
PLAY | SHOP | EAT | STAY | EVENTS
PENDER
COUNTY NC
Find Your Treasure
AgriTourism
Arts
Beach
Blueberry Farms
Breweries
Children's Activities
Farms
Festivals
Film
Fishing
Get Outdoors
PLAY
With us

what-to-do/category/agritourism

Surf City Farm

Surf City Farm is a 10.5 acre farm, nestled in woodlands of Surf City N.C. A seaside paradi mainland to Topsail Island. Our goal is to offe locally grown N.C. produce to local residents Keep track of our progress by visiting our we Facebook.

AgriTourism, Beach, Get Outdoors

190 Northern Escape Way
Surf City, NC 28445
Phone: (910) 803-2006
Website: surfcityfarm.com
www.facebook.com/surfcityfarm
Email: surfcityfarm@gmail.com

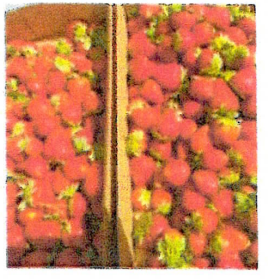
PLAY

With Us

Surf City Farm is NOT listed as a farm in Pender County only under Agritourism.

- Play
- AgriTourism
- Arts
- Beach
- Blueberry Farms
- Breweries
- Children's Activities
- Farms
- Festivals
- Film
- Fishing
- Get Outdoors
- Golf
- History & Culture
- Seafood Markets
- Special Occasions
- Trails
- Wedding Destinations

Because of seasonal hours, please call or check individual websites before visiting.



Bear Ridge Farms Inc.

Local, family-owned and operated farm offing a variety of products such as strawberries pre-picked and you-pick, sweet corn, peanuts, collards, and other items. Visit their country store for ice cream, bread, jellies, jams, and more.

Farms

270 Old Maple Hill Rd.
Maple Hill, NC 28454
Phone: (910) 289-1722
Website:
www.facebook.com/BearRidgeFarm



Carol Sue Farms

Visitors can enjoy U-PICK or pre-picked berries while visiting, sit back and relax with some refreshing ice cream. We grow and sell strawberries and blueberries. U-pick strawberries starting mid-April. Blueberry season lasts through May to late June early July

Farms, AgriTourism, Get Outdoors

19874 Hwy 17
Hampstead, NC 28443
Phone: (910) 520-6629
Website: www.carolsuefarms.com
www.facebook.com/carosuefarms
Email: morrishouse@aol.com

Visit Pender NC

Yesterday at 10:28 AM ·

If you're looking for farm-fresh vegetables, fruits, and more, you don't have to go far from Topsail Island.

Local fruits and vegetables are not hard to find within Pender County with our many available farms, produce stands, and farmers' markets.

https://www.topsailmag.com/farm-fresh-bounty/

TOPSAILMAG.COM

Farm-Fresh Bounty | Topsail Magazine

If you're looking for farm-fresh vegetables, fruits and more, you don't have to go...

Like Comment Share

The Trading Post at Humphrey Farms, Inc. in Burgaw is also the ideal place to shop for special gifts for family and friends. Feel free to enjoy a cup of locally roasted coffee and take a bag home to brew later.

You can also plan to enjoy some of our community's great southern foods from one of the featured local food trucks we will have each month. We love supporting our community!

The Trading Post

at Humphrey's Farm

Organic Farmer's Market

The Trading Post has an organic farmers market within the west wing of the barn. Our fresh farm market fosters a community atmosphere and delivers fresh organic foods from largely Pender County Organic Farms to your table. It features locally grown seasonal produce, fresh eggs, and other locally grown foods and condiments.

As the seasons change, so will our produce inventory but you can count on it being fresh, locally grown and yummy and you may even get to chat with one of our farming neighbors while filling your bags with all kinds of goodness! We take pride in supporting our community and this is just one way we can help by giving our farming neighbors a place to bring their finest produce for you and your family and friends to enjoy.

Seasonal boxes containing fruit and vegetables will become available online soon!

Country Store

The Country Store is located at the center of the Trading Post barn and the home for:

- Sauces, jams, jellies, pickles, relishes, etc. and including Mama Lou's barbecue sauce.
- Baked goods, cakes, and snacks.
- Jewelry, apparel, hats, shoes, handbags, wallets, and other accessories.
- Refreshments such as locally roasted coffee, cold drinks, hand dipped ice cream, and other locally sourced snacks.

In addition, you will also find home decor, hardware, key chains, fishing bait, and more.

The baked goods we feature are the best around ! It's always a special treat to have some "Sweeties" to take home with you such as amazing pound cakes, "cow patties" (officially known as no bake peanut butter cookies), and grandmas pecan sandies; just to name a few. These "Sweeties" are made by some of the sweetest people you will be glad to know so come and get yours today!

Privacy - Terms

Old River Farms

September 24, 2021

We had the pleasure of getting a little sneak peek of the beautiful pumpkins at Clover Meadows Farm this morning when we delivered their mums. Don't forget to pay them a visit this weekend for their season opening!

Clover Meadows is located:
2238 Henry Brown Road
Burgaw, NC 28425... See more

95

13 Shares

Bear Ridge Farms Inc.
LOCAL FRESH FOOD
DELIVERED TO YOU
ON VACATION
https://www.plprovisions.com/
Ward Realty · Topsail Island, North Carolina
See more
Like
Comment
Share

Carol Sue Farms

May 3 ·

JUST IN! Our succulents have arrived from Plants By Claire

Carol Sue Farms
May 7 ·
WE ARE OPEN!!! Come out today at 10am for fresh berries, fresh flowers, fresh chocolates! Treat your mom to our Mothers Day specia and bu d your own planter for only $14... soil, pot, and 6 plants included
#MothersDay #FreshBerries #FreshFlowers #CarolSueFarms
#PineAndPeta Designs
Mother's Day Special
BUILD YOUR OWN
Julie Lacey and 57 others
14 Comments 5 Shares
Like
Comment
Share

AGRICULTURE
got to be NC
BECOME A MEMBER
UPDATE PROFILE
FIND LOCAL
MEMBERS
EVENTS
INSPIRATION
ABOUT
NCDA+CS
"Got to Be NC"
formerly Goodness Grows in NC
FARMERS MARKETS
3 results of 3
Changed to Got to be NC in 2018
SEARCH BY FILTERS
Certified Roadside Market
Produce Stand
State Farmers Market
City
County
pender
SURF CITY FARM
Hampstead, NC 28443
More Information
FARMER'S MARKET AT POPLAR GROVE
Wilmington, NC 28411
More Information
HUMPHREY FARMS INC
Burgaw, NC 28425
More Information

FIND LOCAL MEMBERS EVENTS INSPIRATION ABOUT

Surf City Farm

We are a small local farm that supports other local farms and businesses. We provide a warm comfortable gather space for ag

Location Hampstead NC 28443

Website

Hours of Operation

FRI 10-4 SAT 10-4 SUN 10-4

Products Sold

Artisan Breads Basil Bread : Baked Goods Canned / Jarred Goods Cilantro Cucumbers Eggs Fruits Grape Tomatoes Greenhouse Vegetables Herbs House Plants Hydroponic Lettuce Jalapeno Peppers Local Crafts Potted Plants Red Peppers Sauces Condiments Rubs Spices Snacks / Candy Soft Drinks Specialty Food Products Honey Jams Jellies Pickles Salsas Scallions Yellow Tomatoes Vegetable Plants Vegetable Starter Plants Vegetables Water Zucchini

Services Offered

Farm to Table Meals

STEPS TO BECOME A BONA FIDE FARM IN ,PENDER COUNTY N.C.

MORE DETAILED TIMELINE INCLUDING COMPLAINTS AND VISIT FROM ENFORCEMENT AGENCIES

* PENDER COUNTY PLANNING AND ZONING,
* PENDER COUNTY CODE ENFORCEMENT
*USDA&CS MEAT & POULTRY ENFORCEMENT DIV (RALEIGH OFFICE)
* PENDER COUNTY ENVIRONMENTAL HEALTH (Ben Kane)

N.C. RIGHT TO FARM LAWS
*NUISANCE ACTIONS

STEPS TO BECOME A BONA FIDE FARM

1 OBTAIN EMPLOYERS ID NUMBER EIN
2 SET UP AN LLC COMPANY
3 REGISTER THE LLC TO THE NC SEC OF STATE
FILE PENDER COUNTY DBA, DOING BUSINESS AS
5 REGISTER BUSINESS WITH NC DEPT OF REVENUE, TAX NUMBER IS RESELLERS PERMIT & CERTIFICATE OF REGISTRATION
6 APPY FOR CONDITIONAL FARMERS EXEMPTION NUMBER WITH NCDOR
7 OBTAIN BUSINESS AND FARM INSURANCE
8 CREATE A PROPOSAL TO THE COUNTY FOR THE BONA FIDE FARM
9 APPLY TO PENDER COUNTY FOR BONA FIDE FARM STATUS
10 APPROVAL OF BONA FIDE FARM STATUS
11 APPLY FOR SEPTIC PERMIT, PERK TESTING THRU ENVIROMENTAL HEALTH
12 APPROVAL GRANTED TO BEGIN BARN BUILD
13 WELL AND ELECTRICAL PERMITS INSPECTIONS AND APPROVALS
14 MEET ALL ADA REQUIREMENTS DURING CONSTRUCTION
15 FILE FOR ADDRESS # PENDER COUNTY
16 FIRE INSPECTION
17 WELL INSPECTION AND WATER TESTING
18 APPLY FOR FOOD STAND, PENDER COUNTY TRANSFERED TO U1SDA&CS
19 APPROVAL FOR FOOD MANUFACTURER ON PREMISIS
20

STEPS TO BECOME A BONA FIDE FARM

REGISTER VALUE ADDED FOOD PRODUCTS WITH NCDA&CS AND GOODNESS GROWS IN NC (aka GOT TO BE NC)
REGISTER BUSINESS WITH NCDA&CS AGRITOURISM DEPT

AT NO TIME HAS SURF CITY FARM EVER APPLIED FOR ANY LOCAL OR GOVERNMENT GRANTS OR FUNDING, S
CF HAS BEEN SELF FUNDED SINCE INCEPTIÓN
SCF DOES NOT PARTAKE IN ANY AGRICULTURAL TAX BREAKS OR BENEFITS, SCF PAYS FULL PROPERTY VALUE TAX ON ALL OWNED PROPERTY

TIMELINE TO TODAY

JUNE ,2019 APPLICATION FOR BONA FIDE FARM
JULY 2019 APPROVAL GRANTED
FALL 2019 NORTHERN ESCAPE WAY NEIGHBOR MEETING WITH DONAHUE, CASE & LEE FAMILIES,concerning the farm
DEC 2019-SEPT,2020 BARN CONSTRUCTION
DEC 9, 2020 FIRST EVENT HELD AT THE BARN
DEC 19 SECOND EVENT HELD AT THE BARN
JAN 2021, LINDA DAVENPORT PURCH 121 MARCIL LANE, A NEIGHBORING..BUT NOT CONNECTED PROPERTY TO THE FARM
CLOSED DUE TO COVID
JUNE 7,2021 COMPLAINTS AGAINST THE FARM (PER MS. DAVENPORT) BEGIN BEFORE THE RE-OPENING
JUNE 11 ,2021 REOPNING OF THE BARN/MARKET
JUNE 2021 VISIT AT BARN FROM C.S. PENDER P&Z(IFOUND N FULL COMPLIANCE)
JUNE 17,20211COMPLAINT FROM 2ND NEIGHBOR
JULY 2021 VISIT FOR INSPECTION FROM NCDA MEAT & POUTLRY ENFORCEMENT DIV (RALEIGH OFFICE) fARM IN FULL COMPLIANCE ,SINCE THE FARM DOES NOT SELL ,RAISE OR OFFER MEATS
JULY 26,2021 ANOTHER COMPLAINT TO P&Z FROM 2ND NEIGHBOR
JULY 28,2021 EMAIL CHAIN WITH CARLENE SHAW OF PENDER P&Z ,FULL EXPLAINATION OF THE CURRENT BUSINESS ACTIVITIES LETTER REPLY SENT
JULY 2021 VISIT FROM C.S. PENDER P&Z AND A PENDER COUNTY CODE ENFORCEMENT AGENT (IN FULL COMPLIANCE)

TIMELINE TO TODAY

JNOV 2021 RECEIVED REQUEST FOR MEETING WITH PENDI
DEC 2 2021 MEETING WITH P&Z (county attorney did not at
DEC 2021 2ND VISIT FROM NCDA MEAT AND POULTRY ENFORCEMENT DIV (FARM IN FULL COMPLIANCE,STILLNO I
DEC 18 2022 SCF CALLED PENDER COUNTY SHERRIF, TO EXPRESS CONCERNS THAT MS. DAVENPORT WAS HARRASSING CUSTOMERS AND BLOCKING TRAFFIC
(MS.DAVENPORT WAS CITED FOR BLOCKING TRAFFIC)

MARCH 2022 3RD VISIT FROM NCDA MEAT AND POULTRY ENFORCEMENT DIV(IN FULL COMPLIANCE ,STILL NO MEAT
MARCH 7 2022 LETTER OF DETERMINATION RECEIVED
MARCH 17 2022 CLOSE OF THE BARN

JULY 12 2022 BRRAD CASE,RANDY LEE,LINDA DAVENPOT S PUBLICALLY AT THE PENDER COMMISSIONERS MEETING,SLANDER THE FARM
JULY 13,2022 VISIT PER COMPLAINT FROM PENDER ENVIROMENTAL HEALTH, HEALTH INSPECTOR SUPERVISOR(FOUND IN FULL COMPLIANCE SINCE THE BUSINESS/MARKET HAS BEEN CLOSED FOR 4 MONTHS)
BETWEEN THE MONTHS OF AUG 2021 AND JUNE 2022 A MULTITUDE OF COMPLAINTS HAVE BEEN LODGED AGAINST FARM,IN A CONSTSNT HARRASSMENT AGAINST THE FARM. IS WHAT ACTUALLY LEADS US HERE TODAY

Our farm info and photos show:

Support from Share the Table food bank, and how much produce was donated on average.
(compare to amount of produce stocked)

Size and scale of the Barn,

Community relationships, children

Some farm struggles for Surf City Farm
Farming isn't pretty
Drought,flooding,wind,hail,freezing temps,wildlife all affect production. Therefore affecting the bottomline and profit.



Dear Pender County,

We wanted to write in support of Surf City Farm. When they were operating their open to the public facility, each week they would donate left over produce from crops grown by their farm and other farmers to our food pantry. Surf City Farm is a great way for the community to support local famers.

Share the Table is striving to offer our clients healthy food options and the produce we received was very beneficial to our program.

The owners of Surf City Farm are very community minded individuals and care about the neighbors we serve and were willing to help however they could.

Please consider their appeal.

Sincerely,
Dawn Ellis
Executive Director
Share the Table
sharethetablenc@gmail.com
910-264-9509



SURF CITY FARM

For the entire Board (1 packet)

(1) Pender County Farms 1st. Exhibit B

(2) NCDA+CS Certified Roadside Market Program - Application
- GrowersCert Application
Emails of pending Application

(3) NCDA+CS Agritourism Power Point

(4) USDA Power Point Report on Agritourism.

(5) Topsail Magazine Article (3 Pender Farms Highlighted, Selling produce other local By others)

(6) Vacation Supported Agriculture - Showing local farms sell produce By others.

(7) Right to Farm Act Nuisance laws - actions.

(8) Letter From Maral Village HOA.

(9) Various photos of Farming on the property and the subject property to show - Size/Donations and the ugly side of Farming.

Bonafide Farms Cases 2016-2020.xlsx — Open with

	A	B	C	D	E	
1	Pin	Address	Applicant	Owner	Farm_Name	BFF_Case_Numb
2	3320-27-5221-0000	2665 US HWY 117	MILTON LEWIS	MELTON LEWIS	<Null>	BFF-000102-201
3	3283-66-9455-0000	447 GODFREY CREEK RD	DONALD KELLEHER	DONALD KELLEHER	<Null>	BFF-000117-201
4	3320-87-0018-0000	<Null>	HERBERT MARINO	HERBERT MARINO	MARINO	BFF-000163-201
5	2384-10-9414-0000	4173 ENGLISHTOWN RD	JEFFREY PREDDY	JEFFREY PREDDY	KLUCKIN KOUNTRY FARM	BFF-000210-201
6	2383-19-8571-0000	4173 ENGLISHTOWN RD	JEFFREY PREDDY	JEFFREY PREDDY	KLUCKIN KOUNTRY FARM	BFF-000210-201
7	3300-66-2780-0000	523 SHADY LANE RD	AMANDA BENTON	AMANDA BENTON	<Null>	BFF-000223-201
8	2360-20-4525-0000	1362 HALFWAY BRANCH SCHOOL RD	PRESTAGE FARMS INC	PRESTAGE FARMS INC	MOORES CREEK FARM	BFF-000251-201
9	3284-61-8189-0000	187 SAPS RD	DANIEL PERRY	DANIEL PERRY	<Null>	BFF-000285-201
10	3234-76-0569-0000	9438 US HWY 17	CASEY THURMAN	CASEY THURMAN	CASEY FARMS	BFF-000288-201
11	3264-81-8135-0000	5595 NC HWY 210	TERRY ADKINS	TERRY ADKINS	SONSET FARMS	BFF-000327-201
12	2383-28-7679-0000	4294 ENGLISHTOWN RD	RUBEN ROSADO	RUBEN ROSADO	TRIPLE R FARMS	BFF-000350-201
13	2383-38-0555-0000	4294 ENGLISHTOWN RD	RUBEN ROSADO	RUBEN ROSADO	TRIPLE R FARMS	BFF-000350-201
14	3237-22-3115-0000	<Null>	JIMMY SMITH	JIMMY SMITH	SMITH FARM	BFF-000351-201
15	2299-95-2192-0000	<Null>	FRED JONES	FRED JONES	<Null>	BFF-000370-201
16	3247-61-8321-0000	<Null>	TIOGA LLC	TIOGA LLC	<Null>	BFF-000386-201
17	3264-83-0772-0000	<Null>	JAMES WATROUS	JAMES WATROUS	TALL PINES FARM	BFF-000387-201
18	3248-38-2262-0000	<Null>	KARA WILBURN	KARA WILBURN	WILBURN - JORDAN GREEN ACRE	BFF-000409-201
19	2392-21-4059-0000	252 LAMB RD	MICHAEL REECE	MICHAEL REECE	TRIPLE R RANCH	BFF-000462-201
20	2249-23-7030-0000	<Null>	JOHN JORDAN	JOHN JORDAN	JORDAN FARMS	BFF-000492-201
21	3372-79-4305-0000	<Null>	FLETCHER EDDENS	FLETCHER EDDENS	EDDENS FARM	BFF-000505-201
22	3372-79-4305-0000	<Null>	FLETCHER EDDENS	FLETCHER EDDENS	EDDENS FARM	BFF-000505-201
23	3257-48-0572-0000		GRAH CREATIONS/GARY HELMS	GRAH CREATIONS/GARY HELM	GRAH FARMS	BFF-000546-201
24	3208-02-7436-0000	5224 NEW SAVANNAH RD	<Null>	DALE MAKIN	DALE MAKIN	BFF-000550-201
25	3208-12-5492-0000	5224 NEW SAVANNAH RD	<Null>	DALE MAKIN	DALE MAKIN	BFF-000550-201
26	4225-44-1155-0000	<Null>	DAN JAMES	DAN JAMES	JAMES FARM	BFF-000558-201
27	4224-23-2582-0000	<Null>	ERIK FUGUNT	ERIK FUGUNT	FUGUNT FARMS	BFF-000562-201
28	2351-94-5774-0000	<Null>	MATTHEW MOORE	MATTHEW MOORE	INDIAN HILL	BFF-000566-201
29	2351-93-4975-0000	<Null>	MATTHEW MOORE	MATTHEW MOORE	INDIAN HILL	BFF-000566-201
30	2381-95-2521-0000	<Null>	RANDALL GLAZIER	RANDALL GLAZIER	GLAZIER FAMILY FARMS	BFF-000581-201
31	3226-34-3120-0000	13127 ASHTON RD	JOHN HODGSON	JOHN HODGSON	HODGSON	BFF-000584-201
32	3226-45-3684-0000	13127 ASHTON RD	JOHN HODGSON	JOHN HODGSON	HODGSON	BFF-000584-201
33	3234-89-1784-0000	8824 HWY 117	MARGARET OVERBY	CHARLES OVERBY	OVERBY FARM	BFF-000684-201
34	3223-95-0512-0000	<Null>	JAMES STEELE	LAYSAN BAY, LLC	CHICKEN FARM STEELE	BFF-000686-201
35	2274-89-8911-0000	<Null>	GREGORY FARMS VINYARD, LLC	GREGORY FARMS VINYARD, LLC	GREGORY FARMS	BFF-000708-201
36	3314-21-0531-0000	<Null>	SYNERGY PROPERTIES OF JOHNSON FAMILY FA	SYNERGY PROPERTIES OF JOHNSON FAMILY FA	SYNERGY PROPERTIES OF JOHNSON FAMILY FA	BFF-000712-201

Surf City farm pg 3

37	2256-22-3283-0000	<Null>	CHRIS BARNES	CHRIS BARNES	RIVERSIDE FARMS	BFF-000807-20
38	2351-43-6388-0000	10210 SHILOH RD	PRESTAGE FARMS INC	PRESTAGE FARMS INC	PRESTAGE FARM	BFF-2018-0000
39	2351-43-6388-0000	10210 SHILOH RD	PRESTAGE FARMS INC	PRESTAGE FARMS INC	PRESTAGE FARM	BFF-2018-0000
40	3314-00-7982-000L	<Null>	GARDENS DIRECT INC	JOHNSON FAMILY FARM HOLDINGS INC	JOHNSONS NURSERY GARDENS	BFF-2018-0000
41	3314-00-7982-000L	<Null>	GARDENS DIRECT INC	JOHNSON FAMILY FARM HOLDINGS INC	JOHNSONS NURSERY GARDENS	BFF-2018-0000
42	3205-37-6136-0000	595 SAWMILL RD	PAT MAZZARONE	PAT MAZZARONE	PENDER ACRES	BFF-2018-0000
43	3205-47-2218-0000	<Null>	PAT MAZZARONE	PAT MAZZARONE	PENDER ACRES	BFF-2018-0000
44	2249-13-4877-0000	<Null>	MARIANO MEZA	MARIANO MEZA	BLAKC CREEK BLUEBERRY FARM	BFF-2018-0000
45	2247-67-0386-0000	<Null>	KENNETH HOLMES	CHARLES CULBERTH	CULBRETH & HOLMES FARM	BFF-2018-0000
46	2284-56-6871-0000	493 RICHARD SWITCH RD	JACKIE BOWDEN	JACKIE BOWDEN	MALACHI FARM & STABLES/ LIZZY LOU'S FARM	BFF-2018-0000
47	2284-56-4915-0000	493 RICHARD SWITCH RD	JACKIE BOWDEN	JACKIE BOWDEN	MALACHI FARM & STABLES/ LIZZY LOU'S FARM	BFF-2018-0000
48	2284-47-8254-0000	493 RICHARD SWITCH RD	JACKIE BOWDEN	JACKIE BOWDEN	MALACHI FARM & STABLES/ LIZZY LOU'S FARM	BFF-2018-0000
49	2284-47-3448-0000	493 RICHARD SWITCH RD	JACKIE BOWDEN	JACKIE BOWDEN	MALACHI FARM & STABLES/ LIZZY LOU'S FARM	BFF-2018-0000
50	2284-47-3448-0000	595 SAWMILL RD	PAT MAZZARONE	PAT MAZZARONE	PENDER ACRES	BFF-2018-0000
51	3223-93-1582-0000	404 OLD SWANN POINT AVE	JESUS VASQUEZ JR.	JESUS VASQUEZ JR.	BLACKBEARD PROVISIONS FARM	BFF-2018-0001
52	3223-93-1679-0000	404 OLD SWANN POINT AVE	JESUS VASQUEZ JR	JESUS VASQUEZ JR	BLACKBEARD PROVISIONS FARM	BFF-2018-0001
53	2361-07-2820-0000	1194 INDIAN HILL RD	DEANNA KONRAD	RODERICK KONRAD	AQUA PURE MICROGREENS	BFF-2018-0001
54	4216-83-0720-0000	796 TRADERS NECK RD	JANCIE OAKLEY	JANCIE OAKLEY	OAK LEA STABLES	BFF-2018-0001
55	2256-23-4544-0000	294 SHERMAN'S CORNER	STEVEN SHERMAN	STEVEN SHERMAN	ORGANIC UNDERWOLD	BFF-2018-0001
56	3361-13-7426-0000	11870 SHAW HWY	DEW FIELD FARMS	DEW FIELD FARMS	<Null>	BFF-2018-0001
57	3381-21-1805-0000	<Null>	PHILLIP DAVID	PHILLIP DAVID	<Null>	BFF-2018-0001
58	4204-67-6053-0000	319 QUARTER HORSE LN	CHRISTOPHER PLEVA	CHRISTOPHER PELVA	FIVE STAR STABLES	BFF-2018-0002
59	3237-51-8873-0000	4368 US HWY 117 S.	MICHAEL JACOBS	LAZY J RANCH LLC	LAZY J RANCH LLC	BFF-2018-0002
60	3206-98-6786-0000	279 S. HUMMINGBIRD	BRAD BEST	BRAD BEST	BROKEN SPUR FARM	BFF-2018-0002
61	2298-55-8135-0000	153 HORSEBRANCH RD	MELANIE CAYTON	TODD CAYTON	BREEZY RUN FARMS	BFF-2018-0002
62	2296-90-6720-0000	<Null>	RICHARD PASIN	RICHARD PASIN	G4 FARMS AND STABLES	BFF-2019-0002
63	2296-90-6720-0000	<Null>	RICHARD PASIN	RICHARD PASIN	G4 FARMS AND STABLES	BFF-2019-0002
64	4215-13-0754-0000	539 OLD WHITFIELD RD	TERRI PIERCE	BOBBY PIERCE	SALTY ACRES FARM	BFF-2019-0002
65	4224-25-5968-0000	<Null>	CAPALL CREEK FARM LLC	CAPALL CREEK FARM LLC	CAPALL CREEK FARM	BFF-2019-0002
66	4224-25-6729-0000	<Null>	CAPALL CREEK FARM LLC	CAPALL CREEK FARM LLC	CAPALL CREEK FARM	BFF-2019-0002
67	4224-15-8664-0000	<Null>	CAPALL CREEK FARM LLC	CAPALL CREEK FARM LLC	CAPALL CREEK FARM	BFF-2019-0002
68	3273-96-4409-0000	725 CROSS CREEK DR	RYAN BISPING	KIMBERLY BISPING	B & B FARMS	BFF-2019-0002
69	3273-96-2399-0000	725 CROSS CREEK DR	RYAN BISPING	KIMBERLY BISPING	B & B FARMS	BFF-2019-0002
70	3273-96-0033-0000	725 CROSS CREEK DR	RYAN BISPING	KIMBERLY BISPING	B & B FARMS	BFF-2019-0002
71	3273-96-2213-0000	725 CROSS CREEK DR	RYAN BISPING	KIMBERLY BISPING	B & B FARMS	BFF-2019-0002
72	2352-69-4072-0000	<Null>	ERIC GROVES	ERIC GROVES	GROVES FARM	BFF-2019-0002
73	2361-50-8340-0000	7990 SHILOH RD	WILLIAM RODGERS	WILLIAM RODGERS	RUSTED GATE FARMS	BFF-2019-0003

74	236-50-3183-0000	7990 SHILOH RD	WILLIAM RODGERS	WILLIAM RODGERS	RUSTED GATE FARMS	BFF-2019-000:
75	236-50-0168-0000	7990 SHILOH RD	WILLIAM RODGERS	WILLIAM RODGERS	RUSTED GATE FARMS	BFF-2019-000:
76	2384-29-0533-0000	<Null>	WILLIAM GIDDEON III	WILLIAM GIDDEON III	THE GIDDEONS FAMILY FARM	BFF-2019-000:
77	3381-17-5076-0000	<Null>	DANIEL RICHARDS	PHILLIP DAVID	DAVID PROPERTIES FARM	BFF-2019-000:
78	3381-17-8867-0000	<Null>	DANIEL RICHARDS	PHILLIP DAVID	DAVID PROPERTIES FARM	BFF-2019-000:
79	4236-00-7179-0000	190 NORTHERN ESCAPE WAY	SEAN DONAHUE	SEAN DONAHUE	SURF CITY FARMS	BFF-2019-000:
80	4235-00-9594-0000	190 NORTHERN ESCAPE WAY	SEAN DONAHUE	SEAN DONAHUE	SURF CITY FARMS	BFF-2019-000:
81	2278-26-0911-0000	<Null>	JONATHAN PATE	JOHN ROWE	<Null>	BFF-2019-000:
82	2284-18-2390-0000	<Null>	ALAN GREGORY	ALAN GREGORY	GREGORY FARMS	BFF-2019-000:
83	2284-08-5947-0000	<Null>	ALAN GREGORY	ALAN GREGORY	GREGORY FARMS	BFF-2019-000:
84	2274-79-1708-0000	<Null>	ALAN GREGORY	ALAN GREGORY	GREGORY FARMS	BFF-2019-000:
85	2383-92-4092-0000	4749 PELHAM RD	HALEY MOSELEY	HALEY MOSELEY	<Null>	BFF-2019-000:
86	3341-74-5303-0000	178 OLD RAMSEY RD	MORRIS JONES	MORRIS JONES	JONES TREE FARM	BFF-2019-000:
87	3341-72-6629-0000	178 OLD RAMSEY RD	MORRIS JONES	MORRIS JONES	JONES TREE FARM	BFF-2019-000:
88	3341-83-6128-0000	178 OLD RAMSEY RD	MORRIS JONES	MORRIS JONES	JONES TREE FARM	BFF-2019-000:
89	3331-18-4351-0000	178 OLD RAMSEY RD	MORRIS JONES	MORRIS JONES	JONES TREE FARM	BFF-2019-000:
90	3331-18-4351-0000	178 OLD RAMSEY RD	MORRIS JONES	MORRIS JONES	JONES TREE FARM	BFF-2019-000:
91	3331-18-4046-0000	178 OLD RAMSEY RD	MORRIS JONES	MORRIS JONES	JONES TREE FARM	BFF-2019-000:
92	2372-13-3177-0000	<Null>	BILLY SAVAGE	BILLY SAVAGE	SAVAGE FARM	BFF-2019-000:
93	3340-99-0742-0000	404 OLD RAMSEY RD	ROBERT RAMSEY	ROBERT RAMSEY		BFF-2019-000:
94	3341-70-8641-0011	404 OLD RAMSEY RD	ROBERT RAMSEY	ROBERT RAMSEY		BFF-2019-000:
95	3341-91-0929-0000	404 OLD RAMSEY RD	ROBERT RAMSEY	ROBERT RAMSEY		BFF-2019-000:
96	3341-71-5384-0000	404 OLD RAMSEY RD	ROBERT RAMSEY	ROBERT RAMSEY		BFF-2019-000:
97	3351-01-5193-0000	404 OLD RAMSEY RD	ROBERT RAMSEY	ROBERT RAMSEY		BFF-2019-000:
98	3258-04-1900-0000	5671 STAG PARK RD	PAMELA OVERSTREET	PAMELA OVERSTREET	OVERSTREET FARM	BFF-2019-000:
99	3248-26-7181-0000	5671 STAG PARK RD	PAMELA OVERSTREET	PAMELA OVERSTREET	OVERSTREET FARM	BFF-2019-000:
100	3248-74-9892-0000	5671 STAG PARK RD	PAMELA OVERSTREET	PAMELA OVERSTREET	OVERSTREET FARM	BFF-2019-000:
101	3238-87-1363-0000	5671 STAG PARK RD	PAMELA OVERSTREET	PAMELA OVERSTREET	OVERSTREET FARM	BFF-2019-000:
102	3248-74-9927-0000	5671 STAG PARK RD	PAMELA OVERSTREET	PAMELA OVERSTREET	OVERSTREET FARM	BFF-2019-000:
103	2350-97-3678-0000	<Null>	CHANCE MCINTYRE	CHANCE MCINTYRE	C. MCINTYRE FARMS, LCC	BFF-2019-000:
104	2350-98-4183-0000	<Null>	CHANCE MCINTYRE	CHANCE MCINTYRE	C. MCINTYRE FARMS, LCC	BFF-2019-000:
105	3209-44-5611-0000	<Null>	CHARLES RUBY	CHARLES RUBY	LONE RIDGE	BFF-2019-000:
106	3208-01-1092-0000	<Null>	CHARLES RUBY	CHARLES RUBY	BACK FORTY	BFF-2019-000:
107	3208-20-6811-0000	<Null>	CHARLES RUBY	CHARLES RUBY	BACK FORTY	BFF-2019-000:
108	3208-01-8227-0000	<Null>	CHARLES RUBY	CHARLES RUBY	BACK FORTY	BFF-2019-000:
109	3208-30-8625-0000	<Null>	CHARLES RUBY	CHARLES RUBY	BACK FORTY	BFF-2019-000:
110	3208-10-3854-0000	<Null>	CHARLES RUBY	CHARLES RUBY	BACK FORTY	BFF-2019-000:

111	3300-97-0511-0000	<Null>	CRAIG KING FARMS, LLC	CRAIG KING FARMS, LLC	SHADY LANE	BFF-2020-000
112	2390-99-1840-0000	<Null>	CRAIG KING FARMS, LLC	CRAIG KING FARMS, LLC	CARTWRIGHT	BFF-2020-000
113	2390-99-2042-0000	<Null>	CRAIG KING FARMS, LLC	CRAIG KING FARMS, LLC	CARTWRIGHT	BFF-2020-000
114	3214-47-4228-0000	4640 NC HWY 133	DONALD HALL	BETTY HALL	SCRAPPY HILL FARMING	BFF-2020-000
115	2275-15-3174-0000	1905 BOROUGH RD	JAMES NUNALEE	JAMES NUNALEE	NUNALEE TREE FARM	BFF-2020-000
116	3258-50-8589-0000	<Null>	CARL EZZELL	CARLL EZZELL	EZZELL	BFF-2020-000
117	2373-86-3330-0000	2142 RACCOON RD	JAMES STANCIL	TLS ELECTRICAL SERVICES, LLC/JAMES STANCIL	TLS FARMS	BFF-2020-000
118	3204-51-9290-0000	<Null>	JOHN NEWTON	JOHN NEWTON	GLN FARMS	BFF-2020-000
119	3204-51-2951-0000	<Null>	JOHN NEWTON	JOHN NEWTON	GLN FARMS	BFF-2020-000
120	3204-53-6298-0000	<Null>	JOHN NEWTON	JOHN NEWTON	GLN FARMS	BFF-2020-000
121	4204-95-2776-0000	<Null>	JEFF MORRIS	JEFF MORRIS	CAROL SUE BLUEBERRY FARM	BFF-2020-000
122	4204-85-9739-0000	<Null>	JEFF MORRIS	JEFF MORRIS	CAROL SUE BLUEBERRY FARM	BFF-2020-000
123	4204-95-0565-0000	<Null>	JEFF MORRIS	JEFF MORRIS	CAROL SUE BLUEBERRY FARM	BFF-2020-000
124	3393-71-9799-0000	<Null>	JEFF MORRIS	JEFF MORRIS	CAROL SUE BLUEBERRY FARM	BFF-2020-000
125	3214-47-3455-0000	<Null>	DONALD HALL	DONALD HALL	SCRAPPY HALL FARM	BFF-2020-000
126	3370-06-5046-0000	<Null>	ASHES CREEK FARM, LLC	CHARLES GODWIN	ASHES CREEK FARM	BFF-2020-000
127	2370-17-9746-0000	<Null>	ASHES CREEK FARM, LLC	CHARLES GODWIN	ASHES CREEK FARM	BFF-2020-000
128	2370-90-7635-0000	<Null>	LEWIS FARMS & LIQUID WASTE, INC.	WESLEY A. WOOTEN	LEWIS FARMS COMPOST FACILITY	BFF-2020-000
129	2287-64-2356-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
130	2287-85-1370-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
131	2287-74-5926-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
132	2287-75-5959-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
133	2287-98-2607-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
134	2287-65-4791-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
135	2287-87-6670-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
136	2297-09-5453-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
137	2287-86-5170-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
138	2287-97-7637-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
139	2287-56-9060-0000 2287-56-9060-0000	<Null>	SUSAN LONG	SUSAN LONG	LONG TRACTS	BFF-2020-000
140	2383-91-4427-0000	<Null>	JULIA HARRELSON	JASON CRIST	CROOKS RUN HOMESTEAD	BFF-2020-000
141	3214-22-8532-0000	<Null>	BURGESS GROUP CONSOLIDATED, LLC	VINCE BURGESS	CORBETT FARM	BFF-2020-000
142	3214-13-6165-0000	<Null>	BURGESS GROUP CONSOLIDATED, LLC	VINCE BURGESS	CORBETT FARM	BFF-2020-000
143	3226-72-5467-0000	<Null>	VINCE BURGESS	B SQUARED LLC	ASHTON ROAD	BFF-2020-000
144	3236-02-4982-0000	<Null>	VINCE BURGESS	B SQUARED LLC	ASHTON ROAD	BFF-2020-000
145	2248-04-4208-0000	<Null>	JOSEPH NEMETH	SHERRY MALEY	JLN FARMS	BFF-2020-000
146	2238-95-5065-0000	<Null>	JOSEPH NEMETH	SHERRY MALEY	JLN FARMS	BFF-2020-000

147	2341-49-8566-0000	<Null>	ROY ANDERSON	ROY ANDERSON	ANDERSON FARMS	BFF-2020-00070
148	2341-49-5766-0000	<Null>	ROY ANDERSON	ROY ANDERSON	ANDERSON FARMS	BFF-2020-00070
149	2341-49-3386-0000	<Null>	ROY ANDERSON	ROY ANDERSON	ANDERSON FARMS	BFF-2020-00070
150	3216-63-4918-0000	<Null>	CLAY BRYAN	CLAY BRYAN	BRYAN FARMS	BFF-2020-00071
151	2385-23-6483-0000	<Null>	MARK PIGFORD	MARK PIGFORD	<Null>	BFF-2020-00072
152	2385-11-3292-0000	<Null>	MARK PIGFORD	MARK PIGFORD	<Null>	BFF-2020-00072
153	2340-28-0506-0000	<Null>	MARK PIGFORD	MARK PIGFORD	SHILOH	BFF-2020-00072
154	2352-83-4556-0000	<Null>	MARK PIGFORD	MARK PIGFORD	INDIAN HILL	BFF-2020-00072
155	2385-24-3606-0000	<Null>	MARK PIGFORD	MARK PIGFORD	BROODER	BFF-2020-00072
156	2385-23-1230-0000	<Null>	MARK PIGFORD	MARK PIGFORD	RED BRICK HOUSE	BFF-2020-00072
157	2385-25-2101-0000	<Null>	MARK PIGFORD	MARK PIGFORD	BESIDE BROODER	BFF-2020-00072
158	2363-61-2450-0000	<Null>	MARK PIGFORD	MARK PIGFORD	MOORE'S CREEK	BFF-2020-00072
159	2395-01-2231-0000	<Null>	MARK PIGFORD	MARK PIGFORD	FRONT & FARRIORS	BFF-2020-00072
160	2340-28-1091-0000	<Null>	MARK PIGFORD	MARK PIGFORD	SHILOH	BFF-2020-00072
161	2352-62-6751-0000	<Null>	MARK PIGFORD	MARK PIGFORD	INDIAN HILL	BFF-2020-00072
162	2385-11-3598-0000	<Null>	MARK PIGFORD	MARK PIGFORD	<Null>	BFF-2020-00072
1	3351-48-5352-0000	<Null>	JIMMY SHACKELFORD	JIMMY SHACKELFORD	SHACKELFORD SHELTER CREEK FARMS	BFF-2020-00073
1	3351-47-5205-0000	<Null>	JIMMY SHACKELFORD	JIMMY SHACKELFORD	SHACKELFORD SHELTER CREEK FARMS	BFF-2020-00073
165	3293-47-6322-0000	<Null>	BRYCE MORRISON JR.	BRYCE MORRISON JR.	POPLAR HILL FARM	BFF-2020-00074
166	3293-56-5116-0000	<Null>	BRYCE MORRISON JR.	BRYCE MORRISON JR.	POPLAR HILL FARM	BFF-2020-00074
167	3293-36-9546-0000	<Null>	BRYCE MORRISON JR.	BRYCE MORRISON JR.	POPLAR HILL FARM	BFF-2020-00074
168	2385-81-9695-0000	<Null>	DAVID SMITH	DAVID SMITH	DAVID SMITH	BFF-2020-00075
169	2385-90-4897-0000	<Null>	DAVID SMITH	DAVID SMITH	DAVID SMITH	BFF-2020-00075
170	2385-91-0312-0000	<Null>	DAVID SMITH	DAVID SMITH	DAVID SMITH	BFF-2020-00075
171	2385-91-5571-0000	<Null>	DAVID SMITH	DAVID SMITH	DAVID SMITH	BFF-2020-00075
172	2298-30-4984-0000	<Null>	VANCE OLIVER	VANCE OLIVER	OLIVER ACRES	BFF-2020-00076
173	2298-42-0178-0000	<Null>	VANCE OLIVER	VANCE OLIVER	OLIVER ACRES	BFF-2020-00076
174	3322-23-6131-0000	2050 CAMP KIRKWOOD RD	JOSEF DUNLAP	JOSEF DUNLAP	DUNLAP FARM	
175	2284-89-5505-0000	3500 US HWY 421	RICHARD LANLEY	CAL LEWIS	BLAIR FARM	
176	3331-44-0121-0000	1170 MURRAYTOWN RD	CLYDE SWANN	CLYDE SWANN	SWANN FARM	
177	3233-52-5696-0000	<Null>	MEREDITH WILSON	CENTERLINE STABLES, LLC	CENTERLINE STABLES, LLC	
178	3224-39-8596-0000	PO BOX 862	MATT HARTINGER	JOHN HALE	<Null>	
179	3394-85-1784-0000	18108 NC HWY 53	<Null>	NELSON JAMES	NELSON JAMES	
180	3264-62-3639-0000	<Null>	JEFFREY HUGHES	JEFFREY HUGHES	JEFFREY HUGHES' FARM	
181	3249-64-2922-0000		6295 JOEL MILAM	JOEL MILAM	STAG PARK FARMS, LLC.	
182	3205-53-0183-0000	20480 US HWY 210	JOHN A. BUCHELL	JOHN A. BUCHELL	LONG CREEK STABLES	
183	2276-32-9142-0000	421 BOROUGH RD	TOMMY MATES	TOMMY MATES	CURRIE CATTLE COLLE	
184	3284-16-0373-0000	<Null>	ROBERT BULLARD	ROBERT BULLARD	ROBERT BULLARD'S FARM	

185	3264-40-6434-0000	<Null>	CHARLES WILSON	CHARLES WILSON	CHUCK'S FARM
186	3205-72-7859-0000	19810 NC HWY 210	JOHN ROOKS	JOHN ROOKS	JOHN ROOKS
187	3283-86-4006-0000	1585 HOOVER RD	ROSE SPILLER BRYANT	ROSE SPILLER BRYANT	SPILLER FARM
188	3300-93-7082-0000	<Null>	EDWARD RIVENBARK	EDWARD RIVENBARK	RIVENBARK FARM
189	3264-70-9727-0000	<Null>	WILLIE A. BRYAN	PICKETT LANDING DEVELOPMENT	WILLIE A. BRYAN FARM
190	3238-02-7528-0000	<Null>	SCOTT BAREFOOT	CONE'S FOLLY BLUEBERRIES INC.	CONE'S FOLLY BLUEBERRIES INC.
191	2362-81-3113-0000	<Null>	JOSEPH WRIGHT	JOSEPH WRIGHT	ROSELAND FARMS
192	2267-89-5036-0000	3450 BELL WILLIAMS RD	GRANT STILES	GRANT STILES	GRANT STILES BEES
193	3385-54-1573-0000	1735 MURPHY HONOUR RD	KENDAL WILLIAMS	MURPHY BROWN, LLC	MAPLE HILL SOW FARM
194	3341-63-3093-0000	6125 NC HWY 53 E	TED REYNOLDS	RED REYNOLDS	TED REYNOLDS
195	3332-17-9591-0000	<Null>	WILLIAM BALL	WILLIAM BALL	W.D. BALL FARMS
196	3314-20-0880-0000	985 JOHNSON RD	JOHNSON NURSERY CORPORATION	DAVID R. JOHNSON	JOHNSON NURSERY CORPORTATION
197	3321-11-4359-0000	3403 US HWY 117 N	DEAN KORNEGAY	DEAN KORNEGAY	KORNEGAY FARM
198	2361-50-2645-0000	7992 SHILOH RD	BRUCE D. HANNAN	BRUCE D. HANNAN	KORNEGAY FARM
199	2279-35-0158-0000	16720 US HWY 421	ROY KEITH WELLS	ROY KEITH WELLS	WELLS FARM
200	3265-08-4950-0000	9066 NC HWY 210	GLEN BLOODWORTH	GLEN BLOODWORTH	BLOODWORTH FARM
201	3341-05-2589-0000				
202	2275-38-1737-0000	5070 HWY 53 E	CHRIS DEAL	CHRIS DEAL	DEAL FARMS
203	3204-81-0556-0000	5250 BLUEBERRY RD	CHRISTOPHER WATKINS	CHRISTOPHER WATKINS	CHRISTOPHER WATKINS
204	3332-07-8076-0000	2079 CLARKS LANDING LOOP RD	LEWIS NURSERY FARMS INC.	LEWIS NURSERY FARMS INC.	LEWIS NURSERY FARMS AND NURSERY
205	2364-79-6099-0000	1321 CROOMSBRIDGE RD	AMANDA JOCOBS	AMANDA JACOBS	SEA LOVE SEA SALT CO.
206	2383-28-0546-0000	<Null>	KATRINA FLEMMING	KATRINA FLEMMING	MEADOWS EQUINE LLC
207	2383-18-8407-0000	4112 ENGLISHTOWN RD	BARBARA EILER	BARBARA EILER	HEN'S ROOST FARM
208	3214-55-0734-0000	4112 ENGLISHTOWN RD	BARBARA EILER	BARBARA EILER	HEN'S ROOST FARM
209	3264-61-6558-0000	4315 NC HWY 133	MICHAEL DEWAYNE RIVENBARK	MICHAEL DEWAYNE RIVENBARK	MICHAEL DEWAYNE RIVENBARK
210	3267-25-6117-0000	760 EQUINE LANDING DR	HENRY MICHAEL ANDERSEN	HENRY MICHAEL ANDERSEN	HENRY MICHAEL ANDERSEN
		<Null>	MARK WITHEY	MARK WITHEY	WITHEY FARMS

Most Specialized

Compared to other counties, Pender County, NC has an unusually high number of Agriculture, Forestry, Fishing & Hunting (2.12 times higher than expected), Utilities (1.92 times), and Construction (1.66 times) industries.

Bonafide Farms Case Folders 2012-2015.xlsx — Open with

	A	B	C	D	E	F	G
1	Case Number	Date Received	Project Name	Applicant's Name	Owner's Name	PIN Number	Case Notes
2	[illegible]	10/10/2012	Dunlap Farm	Josef Dunlap	Same	3322-23-6131-0000	Digital File ONLY
3	[illegible]	10/15/2012	Blair Farm	Richard Lanley	Cal Lewis	2284-89-5505-0000	Digital File ONLY
4	[illegible]	12/10/2012	Swann Farm	Clyde Swann	same	3331-44-0121-0000	Digital File ONLY
5	[illegible]	1/9/2013	Meredith Wilson	Archill Inc.	Centerline Stables	3233-52-5696-0000	
6	[illegible]	1/24/2013		Matt Hartinger	John Hale	3224-39-8596-0000	Digital File/Hardcopy Available
7	[illegible]	2/20/2013	Dogwood Farms Nursry	Nelson and Mary James Same		3394-85-1784-0000	digital only
8	[illegible]	2/27/2013	Jeffrey Hughes' Farm	Jeffrey Hughes	Jeffrey Hughes	3264-62-3639-0000	
9	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
10	[illegible]	3/25/2013	Stag Park Farms LLC	Joel Milam	Joel Milam	3249-64-2922-0000	
11	[illegible]	3/26/2013	Long Creek Stables	John A. Buchell	John A. Buchell	3205-53-0183-0000	
12	10935	4/5/2013	Currie Cattle Colle	Tommy Mates	Tommy Mates	2276-32-9142-0000	
13	[illegible]	4/25/2013	Robert Bullard's Farm	Robert Bullard	Robert Bullard	3284-16-0373-0000	
14	[illegible]	5/8/2013	Chuck's Farm	Charles Wilson	Charles Wilson	3264-40-6434-0000	
15	10974	5/21/2013	John Rooks	John Rooks	John Rooks	3205-72-7859-0000	
16	[illegible]	9/17/2013	Spiller Farm	Rose Spiller Bryant	Rose Spiller Bryant	3283-86-4006-0000	
17	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
18	11082	12/9/2013	Rivenbark Farm	Edward Rivenbark	Edward Rivebark	3300-93-7082-0000	
19	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
20	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
21	11191	12/19/2013	Willie A Bryan Farm	Willie A Bryan	Pickett Landing Development	3264-70-9727-0000	
22	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
23	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
24	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
25	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Ronafide Farms Case Folders 2012-2015.xlsx — Open with

	A	B	C	D	E	F	G
26	11135	3/17/2014	Cone's Folly Blueberries Inc.	Scott Barefoot	Cone's Folly Blueberries Inc.	2238-02-7528-0000	
27	11144	3/17/2014	Roseland Farms	Joseph Wright	Joseph Wright	2362-81-3113-0000	
28	11152	4/2/2014	Grant Stiles Bees	Grant Stiles	Grant Stiles	2267-89-5036-0000	
29	11160	4/3/2014	Maple Hill Sow Farm	Kendal Williams	Murphy Brown, LLC	3385-54-1573-0000	
30	11169	5/20/2014	Ted Reynolds	Same	Same	3341-63-3093-0000	
31	11181	5/27/2014	W.D. Ball Farms	Williams Ball	William Ball	3332-17-9591-0000	
32	11240	8/18/2014	Johnson Nursery Corporation	Johnson Nursery Corpor	David R. Johnson	3314-20-0880-0000	
33	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
34	11264	9/16/2014	Komegay Farm	Dean Komegay	Dean Komegay	3321-11-4359-0000	
35	11273	10/6/2014	WAWAG Farm	Bruce D. Hannan	Bruce D. Hannan	2361-50-2645-0000 and 2361-41-8741-0000	
36	11299	10/30/2014	Wells Farm	Roy Keith Wells	Roy Keith Wells	2279-35-0158-0000	
37	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
38	11330	12/30/2014	Bloodworth Farm	Glen Bloodworth	Glen Bloodworth	3265-08-4950-0000	
39	11321	1/6/2015	Deal Farms	Chris Deal	Chris Deal	3341-05-2589-0000	
40	11335	2/4/2015	Christopher Watkins	Christopher Watkins	Christopher Watkins	2275-38-1737-0000	
41	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
42	11348	3/6/2015	Mark Pigford Farms LLC	Mark Pigford	Mark Pigford	2385-23-1230-0000	Potential Duplication
43	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
44	11362	3/11/2015	Lewis Strawberry Farm and Nursery	Lewis Nursery Farms Inc	Lewis Nursery Farms Inc.	3204-81-0556-0000	
45	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
46	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
47	11383	5/1/2015	Sea Love Sea Salt Co.	Amanda Jacobs	Amanda Jacobs	3332-07-8076-0000	
48	11390	5/6/2015	Meadows Equine LLC	Katrina Flemming	Katrina Flemming	2364-79-6099-0000	
49	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
50	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	

46						
47	[illegible]	5/1/2015	Sea Love Sea Salt Co.	Amanda Jacobs	Amanda Jacobs	3332-07-8076-0000
48	[illegible]	5/6/2015	Meadows Equine LLC	Katrina Flemming	Katrina Flemming	2364-79-6099-0000
49		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
50		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
51	11332	7/20/2015	Hen's Roost Farm	Barbara Eller	Barbara Eller	2383-28-0546-0000/2383-18-8407-0000
52	11445	7/29/2015	Micehal dewayne Riverbark	Micehal dewayne Riverl	Micehal dewayne Riverbark	3214-55-0734-0000
53	11462	8/25/2015	Henry Michael Andersen	Henry Michael Anderso	Henry Michael Anderson	3264-61-6558-0000
54	11465	9/11/2015	Withey Farms	Mark Withey	Mark Withey	3267-25-6117-0000
55						

Bonafide Farms Case Folders 1994 to 2004.xlsx — Open with

A	B	C	D	E	F	G
Case Number	Parcel(s)	Applicant	Owner	Exemption	Address	Determination
1		Rick Adams	Rick Adams	Farm #4532		Approved
2		James Anderson	James Anderson, Deloris Prigen, Lois Larkins, Joseph Larkins, Kathy Smith	USDA #5315	2346 Morgan Road, Kelly NC 28448	Approved
3		Phil Bannerman	Phil Bannerman	37-144-1232T (CFSA) or 3743	17901 hwy 421 Watha NC 28471	Approved
BFF 1995-1	?	Mark Pigford	Mark Pigford	Farm #4006	4230 Willard Rd, Willard NC, 28478	Approved
BFF 1995-2	?	DeCarol Williamson Steve Mann	Odell DeCarol Jan Williamson	Farm #4573	off hwy 117, Rocky Point Owner's address: 2138 Gloucester Pl, Wilmington, nc, 28403	Approved
BFF 1995-3	?	Royal Elee Service	Edward Earl Padgett	Farm #4183	Railroad Street, Walace. NC, 28466	Approved
BFF 1995-4	?	Farnell Shingleton	Farnell Shingleton	Farm # FSN 4532	Farm: across the street from Whitebridge Owner: 12919 US Hwy 117 N, Wilmingotn, 28405	Approved
BFF 1995-6	?	A.J. Tyson	A.J. Tyson	Farm #1395	(Owner) 38 Wrightsville village, wilmington, nc, 28403	Approved
BFF 1995-7	?	Mark Lewis	Ivory Lewis Jr.	Farm #4062	405 Lewis Road, Hampstead, NC, 28443	Approved
BFF 1995-8	?	William McLean Jr.	Trumpeter Limited Partnership	N/A	Owner: 2004 McCumber Lane, Wilmington, nc, 28402	Approved
BFF 1995-9	?	James Thomas Long	James Thomas Long	Tract #7057 Farm #4517	270 Foxwood Dr, Rocky Point, NC	Approved
BFF 1995-10	?	Rufus Moore	Rufus Moore Louis Fennel Moore	Farm #3013, Tract #54	right side of Slocum Trail, Between Matt Town Road and Hawes Chaple Road	Approved
BFF 1995-11	?	John Bullard	Murphy Family Farms	present use value	1130 Fox Pen Road, Ivanhoe	Approved
BFF 1995-12	?	Maxie Lanier Jr.	Maxie Lanier Jr.	present use value	304 N Bickett, Burgaw, NC, 28425	Approved
BFF 1994-1	?	D.C. Lanier	Lanier Development	#3483	P.O Box 2,90, Surf City, 28445	Approved
BFF 1995-13	?	Bo Fussel	Armenius Pigford	Farm #4006	241 Doctor's Creek Rd.	Approved
BFF 1995-14	?	Stephen Holland	Stehen Holland	farm #4502, present use value	8315 hwy 53 east, burgaw, nc, 28425	Approved

19	BFF 1995-15	?	Vernon Fennel	Fennel Bros Farms	Farm #4517	800 Little Kelly Road, Rocky Point, NC, 28457	Appro
20	BFF 1995-16	?	G.H. Ennis J.r., Patricia P Casdaw	G.H. Ennis J.r., Patricia P Casdaw	#4466	4424 Tuckahoe Rd, Ivanhoe, NC	Appro
21	BFF 1995-17	?	Jack Bissette	Jack Bissette	Farm #2381, T3247, present use value	3801-3 Wrightsville Avenue, Wilmington, NC	
22	BFF 1995-18	?	Jay Humphrey	Jay Humphrey	Farm #4405, T6863, present use value	Jessie Walker Road/PO Box 519 Burgaw, NC, 28425	Appro
23	BFF 1996-1	?	Jack G./ Norma C. Moore	Jack G./ Norma C. Moore	farm #4532	1011 Hoover Rd, Hampstead, NC, 28443	Appro
24	BFF 1996-2	?	Wesley Johnson	John G. Cobb	Farm #4586, present use value	2380 Beatty's Bridge Road, Atkinson, NC, 28421	Appro
25	BFF 1996-3	?	Randy Rivenbark	Randy Rivenbark	present use value	9507 Penderlea Rd, Willard, NC, 28478	Appro
26	BFF 1996-4	?	Gregory Prevette	Brandy Prevette	Farm #2070	1527 Lamb Rd, Willard, NC, 28478	Appro
27	BFF01996-5	?	Larry Horrel	Larry Horrel	Tax Map I0111064	PO Box 94, Wallace NC, 28466	Appro
28	BFF 1996-6	?	Bruce Benson	Bruce Benson	Farm #4165, present use value	2068 Old Savannah Road, Burgaw, NC, 28425	Appro
29	BFF 1996-7	?	Rick Adams	Rick Adams	Farm #4532	PO Box 482, Wallace, NC, 28443	Appro
30	BFF 1996-8	?	Barbara Ives	Barbara Ives	Farm #1917	256 Newlark Road, Watha, NC, 28471	Appro
31	BFF 1996-9	?	Shiloh Farms	Jimmy Carter, Marilyn Carter	Deed Book #602 PG 302	3960 Stag Park Rd, Burgaw, NC, 28425	Appro
32	BFF 1996-10	?	Claude Horrell	Sandra H. Watts	Farm #3362	PO BOX 44, Atkinson, NC, 28427	Appro
33	BFF 1996-11	?	Stanley E. Smith	D.F Weir J.r. Gean Smith	Farm #1808, present use value	68 Factory Road, Hampstead, NC, 28443	Appro
34	BFF 1996-12	?	James Teachey	James Teachey	Farm #4543, T 7045, present use value	7848 US Hwy 117 N, Watha, NC, 28471	Appro
35	BFF 1996-13	?	Kelly Porter Donna Porter	Kelly Porter Donna Porter	present use value	2643 S NC Hwy 50, Rose Hill, NC, 28458	Appro
36	BFF 1997-1	?	Trent Talbert	Arthur Wooten	Farm #3354, present use value	Old Maple Hill Road, PO Box 89 (Maple Hill, NC)	Appro
37	BFF 1997-2	?	D. Kornegay	Vincent King	Farm #4590, present use value	(applicant)PO Box 143, Mount Olive, NC, 28465	Appro

38	BFF 1997-3	?	Thomas Malloy Jane Malloy	Jane Malloy	Farm #, 4724	4371 Halfway Branch School Road, Ivanhoe, 28447	Approve
39	BFF 1997-4	?	Robin Freeman	Robin Freeman	Farm #4400, present use value	(Owner)93 Edgewater Ln, Wilmington, NC, 28403	Approve
40	BFF 1997-5	?	Fred Graham Jr.	Mount Holly Farms Inc.	Farm #4594	US Hwy 117 N. Hopewell Presbyterian Church	Approve
41	BFF 1997-6	?	Wooten Farms and Seed	Allen Wooten	Farm #4643, present use value	8155 Malpass Corner Road, Currie, NC, 28435	Approve
42	BFF 1997-7	?	Pete Pridgen	Ola Mae Pridgen	Farm #4491, present use value	481 Heading Bluff Road, Currie, NC, 28435	Approve
43	BFF 1997-8	?	Crocket Kesch	Crockett Kesch	N/A	12121 Hwy 553 East, Burgaw, NC, 28425	Approve
44	BFF 1997-9	?	Lindwood Britton	Lindwood Britton	Farm #4669, present use value	Invershield road	Approve
45	BFF 1997-10	?	Russel Pierce	Russel Pierce	Farm #1149, present use vaue	114 NC Hwy 50, Wallace, NC, 28468	Approve
46	BFF 1997-11	?	John Taylor	Murphy Farms Inc.	present use value	44 English Town Rd, Willard, NC, 28478	Approve
47		?	Murphy Family Farms	Murphy Family Farms	present use value	44 English Town Rd, Willard, NC, 28478	Approve
48		?	Murphy Family Farms	Murphy Family Farms	present use value	44 English Town Rd, Willard, NC, 28478	Approve
49	BFF 1997-12	?	King Farms	Craig King	present use value	126 Garland King Rd, Teachey, NC, 28464	Approve
50	BFF 1997-13	?	Little Blueberry Farms	W.J. Blair Jr.	Farm #3950, present use value	7156 Hwy 421, Currie, NC, 28435	Approve
51	BFF 1997-14	?	Van Eden Farms		Tax Parcel Reference #J050 015 011 and J050 014 (Zoning permit not required)		Approve
52	BFF 1997-15	?	Jim Fraiser	Dr. George Johnson	Farm #4835, present use value	1021 Lamb Rd, Willard, NC, 28478	Approve
53	BFF 1997-16	?	James D. Teachey	James F. Teachey	Farm #4445, present use value	7848 US Hwy 117 N, Watha, NC, 28471	Approve
54	BFF 1998-1	?	Mike Miller	Rene Stiegelmann	Farm #1413, present use value	30 N 2nd str, Burgaw, NC, 28425 (applicant)	Approve
55	BFF 1998-2	?	Joshua Edwin Brown	Joshua Edwin Brown	present use value	(owner)122 W. Westwood Rd, Wilmington, NC, 28405	Approve
56	BFF 1998-3	?	Randall Pierce	Randall Pierce	present use value	NC Hwy 50, Maple Hill, NC	Approve
57	BFF 1998-4	?	Jerry Pridgen	Jerry Pridgen	present use value	17431 NC Hwy 210, Rocky Point, NC, 28457	Approve

57	BFF 1998-4	?	Jerry Pridgen	Jerry Pridgen	present use value	17431 NC Hwy 210, Rocky Point, NC, 28457	Approv
58	BFF 1998-5	?	Arthur Wooten	Arthur Wooten	Farm #3354, present use value	(owner) NC Hwy 50. between 53 and Old Maple Hill School Road	Approv
59	BFF 1998-6	?	Alfred C. Owens	Alfred C. Owens	Farm #4931	5490 Horse Branch Rd, Watha, NC, 28471	Approv
60	BFF 1998-7	?	Haywood Newklrk Lucretia Newkirk	Haywood Newklrk Lucretia Newkirk	Farm #1872, Tax Map K101 100/2	44 Casha Road, Rocky Point, NC, 28457	Approv
61	BFF 1998-8	?	James P. Ward	Robert L. Smith	Farm #1882, present use value	3601 Stag Park Road, Burgaw, NC, 28425	Approv
62	BFF 1998-9	?	George M. James	George M. James	Farm #1094, present use value	18138 NC Hwy 53 E, Maple Hill, NC, 28454	Approv
63	BFF 1998-10	?	Carl Ezzell	Carl Ezzell	Farm #2740, present use value	5288 Heading Bluff Rd, Currie, NC, 28435	Approv
64	BFF 1998-11	?	Linda J. Farrow	Linda J. Farrow	Farm #1416, Book 1362, Page 294	(owner)101 Stoneybrook pl, Wilmington, nc,28405	Approv
65	BFF 1998-12	?	Paul Brewington	Cecil Brewing Farm	Farm #3981, Present use value	479 Tate Road, Willard, NC, 28478	Approv
66	BFF 1998-13	?	Marvin Ray Horne	Marvin Ray Horne	Farm #1942, present use value	110 Church Str, Willard, NC, 28478	Approv
67	BFF 1998-14	?	Stephen L. Wheeless	Stpehen L. Wheeless	Farm #3588, zoning permit	(owner)2314 Knights Bridge Rd, Wilmington, NC	Approv
68	BFF 1998-15	?	Jerome Lanier	Jerome Lanier	farm #4818, present use value	malpass corner road	Approv
69	BFF 1998-16	?	Chester Barnhill	Chester Barnhill	present use value	18221 E. NC Hwy, Ivanhoe, NC	Approv
70	BFF 1999-1	?	John Thomas Rooks	John Thomas Rooks	Farm #5073, present use value	19840 NC Hwy 20, Rocky Point, NC, 28457	Approv
71	BFF 1999-2	?	Gary Thompson	Gary Thompson	Farm #4803, Tract #6561	lot 11, Becky Creek Rd	Approv
72	BFF 1999-3	?	Alfred Charles Owens Carrie Wells Owens	Alfred Charles Owens Carrie Wells Owens	FOLDER ONLY CONTAINS MAP	(ONLY MAP) union township	Approv
73	BFF 1999-4	0120 043	Janet Whitehead	William Whitehead Janet Whitehead	present use value	3421 N.C. Hwy 210 W, Hampstead, NC, 2844	Approv
74	BFF 1999-5	R090 043 001	David Foreman John Grim	Ibis Land Management, Inc.	present use value	2664 Scotts Hill Loop Rd, Hampstead, NC, 28443	Approv
75	BFF 1999-6	?	Thomas J. Williams	Thomas J. Williams	present use value	2626 Shaw Hwy, Rocky Point, NC, 28457	Approv
76	BFF 1999-7	?	Donald Hall	Donald Hall	present use value	4615 NC Hwy 133, Rocky Point, NC, 28457	Approv

77	BFF 1999-8	D080 036 002	Charles B. Lewis	Charles B. Lewis	present use value	1625 Lincoln Rd, Wilmington, NC, 28403	Approved
78	BFF 1999-9	?	Josh Blanton	Donald H. Blanton	farm #1870, present use value	7504 Ananca Point Rd, Wilmington, NC, 28411	Approved
79	BFF 2000-1	P110 00 001 05	Toni Moody	Toni Moody, Brent Moody	Deed 1502-296, recorded 8-12-99	2643 Hoover Rd, Hampstead, 28443	Approved
80	BFF 2000-2	PIN 1011 015	Marvin Horne	Marvin Horne	Farm #1942, present use value	110 Church Str, Willard, NC, 28478	Approved
81	BFF 2000-3	PIN: P120 013	Mildred McClung Melissa Lewis	Mildred McClung William McClung	present use value	180 Berry Patch Road, Hampstead, NC, 28443	Approved
82	BFF 2000-4	PIN: H060 095	Chris Jordan	William B. Wells	Farm #1954, present use value	(owner) 3592 Penderlea Hwy, Watha, NC, 28471	Approved
83	BFF 2000-5	PIN: 16339	John Jacob Rowe	John Jacob Rowe	Tax Record Identification: 16339	6640 Malpass Corner, Currie, NC, 28435	Approved
84	BFF 2000-6	PIN: H050 062 001	Trerry Craver	Terry Craver Rick Craver	Farm #3644, present use value	4723 Horse Branch Rd, Watha, NC, 28471	Approved
85	BFF 2000-7	PIN: R091 044 L	Deborah B. Edens	Clifton T. Edens	Farm #4664, present use value	506 Edens Ln, Hampstead, NC, 28443	Approved
86	BFF 2000-8	PIN: R091 044 L	Deborah B. Edens	Clifton T. Edens	Farm #4664, present use value	506 Edens Ln, Hampstead, NC, 28443	Approved
87	BFF 2000-9	PIN: H090 041	Lorace J. Rooks	Lorace J. Rooks Pearl C. Rooks	Farm #5103, present use value	6886 Highsmith Rd, Burgaw, NC, 28425	Approved
88	BFF 2000-10	PIN: C050 073L	Ruth Smith	Ruth Smith Jessie Lee Smith	Farm #5023, present use value	70 shaky rd, Atkinson, NC, 28421	Approved
89	BFF 2000-11		Troy Moore	Troy Moore	Farm #1685, Tax record #37507	12513 NC Hwy 50, Holly Ridge, NC, 28445	Approved
90	BFF 2000-12	PIN: N090 010	J. W. Bloodworth	J. W. Bloodworth	Farm #2829, present use value	9040 Hwy 210, Rocky Point, 28457	Approved
91	BFF 2000-13	PIN: G021 014	Dallas Tate	Gertrude Hooks	present use value	6076 Hwy 11, Willard, NC, 28478	Approved
92	BFF 2000-14	PIN: P020 036 002	Charles S. Wooten	Charles S. Wooten	Farm #3269, present use value	2850 NC Hwy 50, Maple Hill, NC, 28454	Approved
93	BFF 2001-1	PIN: 1110 074	Jimmy Peay	Jimmy Peay	Farm #T3157, Present use value	4250 Little Kelly Rd, Rocky Point, NC, 28457	Approved
94	BFF 2001-2	PIN: K050 068 001	William W. Blanks	William W. Blanks	Farm #5105, present use value	3698 NC Hwy 53 East, Burgaw, NC, 28425 (beside)	Approved
95					Farm #4077, T #2829, tax		

96	BFF 2001-4	PIN: G030 006	Ricky Rivenbark	Ricky Rivenbark	Farm #5262, present use value	2070 Lamb Road, Willard, NC, 28478	Approve
97	BFF 2001-5	PIN: 1022 010	Christy Rawls, Don Rawls	Leon K. Rawls	Farm #5258, present use value	10220 Hwy 117 N, Willard, NC, 28478	Approve
98	BFF 2001-6	PIN: L040 011	Ken Tatum	Ken Tatum	Farm #5324, Tract #7423, present use value	2191 River Bend Dr, Burgaw, NC, 28425	Approve
99	BFF 2001-7	PIN: G030 063	Gina R. Michael	Gina R. Miachael	Farm #2032, Record #14978	Crooked Run Road, Willard, NC, 28478	Approve
100	BFF 2001-8	PIN: H101 008	Chris Lee	Robert Eric Lee	Farm #5264, present use value	22550 NC Hwy. 210, Rocky Point, NC, 28457	Approve
101	BFF 2001-9	PIN: N040 021 001	Joe Chadwick Jr.	Joe Chawick Jr.	Farm #1253, Record #38992	Hwy 53, Near Chadwick Ln	Approve
102	BFF 2001-10	PIN: H080 075	Aimee Boese	Eugene A. Gregg	Farm #5036, Record #2134	Herrings Chaple Road	Approve
103	BFF 2001-11	PIN: C070 051	James Anderson	James Anderson	Farm #5315, abreviated farm record	2346 Morgan Road, Kelly NC 28448	Approve
104	BFF 2001-12	Deed/Map #764 358	Phil Borneman	Phil Borneman	Farm #37-144-1232T, Produce Inerest document	17901 Hwy 421, Watha, NC, 28471	Approve
105	BFF 2001-13	PIN: C070 042 001	Frank Bradshaw	Dallas Foster, Vickie Foster	Farm #3632, Record #37073	1496 Morgan Road, Currie, NC, 28435	Approve
106	BFF 2001-14	PIN: 1010 016	Rosanne Deloreto	Rosanne Deloreto	Farm #3955, Record #41489	7978 US Hwy 117 N, Watha, NC, 28471	Approve
107	BFF 2002-1	Deed/Map#749-262	E.B. Dixon Jr.	E.B. Dixon Jr.	Farm #3288, Record #4685	3313 Little Kelly Road, Rocky Point, NC, 28457	Approve
108	BFF 2002-2	?	Gilliam King Horton Jr.	Gilliam King Horton Jr.	Farm #4195, Record #08364	5454 Herrings Chaple Rd, Rocky Point, NC, 28457	Approve
109	BFF 2002-3	Deed/Map#175 3 196	Jay Barton	Jay Lawrence Barton Cheryl Lynn Barton	Farm #5135, Record #42367, present use value	Pope Road, Watha, NC	Approve
110	BFF 2002-4	?	James A. Mobley	James A. Mobley	Farm #5384, Record #17071	101 Trumpet Street, Holly Ridge, NC, 28445	Approve
111	BFF 2002-5	?	North American Nursery	John Stewart, David Jordan	Farm #4786, record #26283	Andalusian Tr, Stag Park, Rd	Approve
112	BFF 2002-6	PIN: L040 012	Willis Creech	Willis Creech	Record #21519, Deed/Map #1617-087	1545 Pinkney Rd, Burgaw, NC, 28425	Approve
113	BFF 2002-7	PIN: S050.-239 008	Jimmy Pierce	Jimmy Pierce	Farm #5215, present use value	2923 Sloop Point rd, Hampstead, NC, 28445	Approve
114		PIN: M070 021			Farm #2716, Record		

114	BFF 2002-8	PIN: M070 021 007	Edward Manship	Carolyn Manship	Farm #3716, Record #35634	5475 Shaw Hwy, Rocky Point, NC, 28457	Approve
115	BFF 2002-9	PIN: 1110 001 004	Susan Murphy	Michael Murphy	Farm #5354, Record #42756	904 Clarks Landing Loop Rd, Rocky Point, 28457	Approve
116	BFF 2002-10	PIN: K040 045	Dayton Drew	Dayton Drew	Farm #5423, abbreviated farm record	1846 Murray Town Rd, Burgawm NC, 28425	Approve
117	BFF 2002-11	PIN: F070.-007 001	George Fields	Russel Carter	Farm #5407, Record #32418	(owner)32 Pelican Dr, Wrightsvillve Beach, NC, 28480	Approve
118	BFF 2002-12	PIN: P020 033 005	Odell Noble	Odell Noble	Farm #3848, Record #40805	3380 NC Hwy 50, Maple Hill, NC, 28454	Approve
119	BFF 2003-1	?	Nathan C. Rivenbark	Nathan C. Rivenbark	Farm #5413, Record #3944	2915 Penderlea Hwy, Burgaw, NC, 28425	Approve
120	BFF 2003-2	?	Durwood s Askew Jr.	Durwood S. Askew Jr.	Record #37169	2923 Sloop Point rd, Hampstead, NC, 28445	Approve
121	BFF 2003-3	PIN 5346	Robin Heavener	Erviln Ezzell/Charlie	Record #5346	454 Heading Bluff rd, Currie, NC, 28435	Approve
122	BFF 2003-5	PIN: 9720	Delva Jordan	Delva Jorda	Farm # ? Record #9720, tax form attached	6260 Stag Park Rd, Burgaw, NC, 28425	Approve
123	BFF 2003-6	PIN: 38819	J A Thompson Electrical	Quarter M. Farms	Tax/Record #38819	Murphy Honor Lane	Approve
124	BFF 2003-7	PIN: 8484	Rufus David Howard	Rufus David Howard	Record #8484, Deed/Map #1443/51	1225 Stag Park Rd, Burgaw, NC, 28425	Approve
125	BFF 2003-21	PIN: 44944	Judy Crommartie	Crommartie Blueberry	Record #4494, Deed/Map #2319/060, tax forms	471 Pinkney Rd, Burgaw, NC, 28425	Approve
126	BFF 2004-1	PIN: 22337	Gleen Lewis	Glenn Lewis	Record #22337, Deed/Map #948/2	117 Lewis Rd. Turn right onto sloop point loop rd	Approve
127	BFF 2004-2	PIN: 8056	Jay Millam	Jay Milam	Record #8056, Deep/Map #1478/34	6055 Stag Park Rd, Burgaw, NC, 28425	Approve
128	BFF 2004-3	PIN: 8438	David Murray Howard	David Murray Howard	Record #8438, Deed/Map #720/29	543 Bear Creek Dr, Hampstead, NC, 28443	Approve
129	BFF 2004-4	PIN: 40753/37351	Ronnie Henry	Ronnie Henry	Record #40753/37351, Deed/Map #1061/192	27123 NC Hwy 210 E, Currie, NC, 28435	Approve
130	BFF 2004-5	PIN: 36726/35073	Darren Herring	Hairr II (Hog Farm)	Record #36726/35073	P.O. Box 280, Rose Hill, NC, 28458	Approve
131	BFF 2004-6		Mary James	Nelson James	Record #9038, Deed/Map # 533/106	18108, Hwy 53 E, Maple Hill, NC, 28454	Approve
132	BFF 2004-7		John Moore	Reb-Kee Blueberry Farm	record #7329	5434 Halfway Branch School Rd, Ivanhoe, NC	Approve

Certified Roadside Farm Market Program
North Carolina Department of Agriculture & Consumer Services

Growers Certification

This is to certify that: (Please type of print)

Name_____ Home Phone _____

Address_____ Work/Cell Phone_____

City/State/Zip_____

Appeared before me this_____day of (month)_____, (Year)_____,
And affirms that he/she is a farmer in _____(county) and produced the crops and acreage indicated below. Further, that he/she operates a roadside farm market.

Affirmed: (Farmers Signature)_____
FSA Farm #_____

Certified: (County Extension Agent's Signature)_____
Office telephone:_____County: _____

List the crops below that you grow:
Vegetables and fruits_____
_____
_____
_____
_____
_____

Ornamental plants_____
_____
_____
_____
_____

Certified Roadside Farm Market Program
North Carolina Dept. of Agriculture & Consumer Services
Application

1. Business Name:_____

   Mailing Address: _____

   City: _____ State: _____

   Zip Code _____ County: _____

   Shipping Address (if different from the mailing address):_____

   City:_____ State:_____

   Zip Code:_____County:_____

   Owner/Manager: _____

   Contact # 2: _____

2. Phone Numbers:

   Office: _____ Home: _____

   Mobile: _____ Fax: _____

3. List your web site address if you have one:_____

4. List your email address:_____

5. Dates that you are open for business to the public:

   We are open year round _____Yes _____No. If no, provide the dates you are open in the space below.

   From: _____Through:_____

6. Check the days of the week you are open to the public and provide the hours open each day.

   Monday_____
   Tuesday_____
   Wednesday_____
   Thursday_____
   Friday_____
   Saturday_____
   Sunday_____

(continued on p.2)

7. Where is your business located? Be specific giving highway numbers, road names, miles, etc.

_____
_____
_____
_____
_____

8. Please check all that apply.

_____ We also grow and sell pick-your-own crops

_____ Goodness Grows in North Carolina Member (If you are not a Goodness Grows In North Carolina member, this application will be considered for membership in the Goodness Grows in North Carolina program. For more information on the Goodness Grows in North Carolina program go to www.goodnessgrows.org)

_____ Other North Carolina commodity association memberships (list below)

_____

9. Please list below the main farm commodities that you grow and the months they are available for sell to the public.

Commodity	Months Available
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

10. Please list any non-farm products sold at this location.

_____
_____
_____
_____

(continued on p. 3)

11. List any special services or attractions your business provides to the public or special events open to the public.

_____
_____
_____
_____
_____
_____

I certify that this roadside farm market business meets all applicable program requirements as stated in the NCDA&CS Certified Roadside Farm Market Membership Criteria, complies with all Federal, State and local laws, rules and ordinances, including all applicable license and permit requirements, and that I have given true, accurate and complete information on this form to the best of my knowledge.

Signature of Applicant_____
Date _____

Enclose photographs of your roadside market facility with this application. Photographs should include pictures of the structure used to display and sell produce, entrances to the facility, driveways and parking, and on-premise sign with the name of the roadside market.

Note: Please complete additional forms for multiple locations. You may make additional copies or call NCDA & CS @ (919) 733-7887 for more forms.

Send forms to: Shirley Nicholson
Division of Marketing
1020 Mail Service Center
Raleigh, NC 27699-1020
Fax: (919) 715-0155
shirley.nicholson@ncmail.net

North Carolina Department of Agriculture and Consumer Services

Division of Marketing

North Carolina Farm Fresh



Home | Farms | Farmers Markets | Nurseries & Garden Centers | Edit Info | Log Out

Hello SurfCityFarm !

Your listing is still pending approval.

Thank you for registering your information on NC Farm Fresh, once your listing is approved it will be displayed on the website.

Preview Your Listing

surf city farm
101 northern escape way
Hampstead, NC 28443
none County
Email:surfcityfarm@gmail.com
Office Phone: 18608109271
Company Web Site: surfcityfarm.com

Edit Company Information

Products Available:
Farmers Markets, Hydroponic Vegetables, Jams, Nursery Plants, Vegetables

Edit Product Information

You are listed as a Farm, Roadside Market, Pick-Your-Own

- You are a Roadside Market

Product Specifications:

Special Services:

General Directions:

Dates and Times Open for Business:

You listed yourself as a member of the following associations:

- Goodness Grows in North Carolina (GGINC)
- North Carolina Agritourism Networking Association

Edit This Information

NC Farm Fresh Disclaimer | *Produce Availability* | *Contact Us*

Accessibility Statement *Disclaimer* *Privacy Statement*

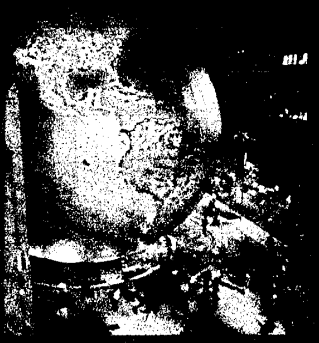
VISITNCFARMSTODAY.COM

VISIT NC farms

Agritourism in North Carolina

The necessity to diversify and innovate in agriculture today.
Is Agritourism right for me?

Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture



Position North Carolina as THE destination for farm visits and connectivity to local food IN THE WORLD

Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture

Welcoming guests on farms.

AGRITOURISM on working farms

Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.
GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION LAW 2005-236 | HOUSE BILL 329





THE BIG WHY?

To create success-based opportunities for f visitor experiences to ultimately...

Preserve the farmland.

Inspire the next generation to farm.

Develop community vibrancy.

Increase the farm's bottom line.

Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture

Agribusiness is the state's top industry at $92.7 billion.

772,000 jobs.

#2 Military - Veterans, thank you.
#3 Tourism

Investor, Mills Wooten Jr. Kenneth Distinguished Professor and Extension Economist
NC State's College of Agriculture and Life Sciences
May, 2019

U.S. Census of Agriculture:

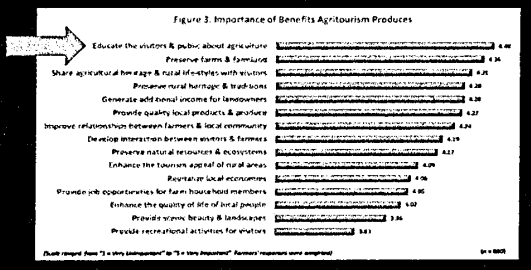
Farm agritourism revenue more than tripled betwe 2002 and 2017. Local food and outdoor experience never been more important to the public.

DETAILS: Adjusted for inflation, agritourism revenue grew from $704 million i almost $950 million in 2017.

The 2017 data excluded wineries, although they were included in the 2002, 2 2012 data, which suggests agritourism revenue growth may have been even g during that period. However, agritourism revenue is still small relative to tota revenue, accounting for 5.6 percent of farm-related income in 2017.

Annie Baggett, Agritourism Marketing Specia
919.707.3120 | annie.baggett@ncagr.

WHY AGRITOURISM?



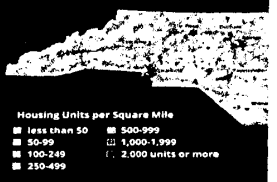
HOW BENEFICIAL IS AGRITOURISM? North Carolina Farmers and Residents Respond
Prepared by Tourism Extension, Department of Parks, Recreation & Tourism Management College of Natural Resources, North Carolina State University. Published by North Carolina Cooperative Extension Service.

Who is the audience?
Population Growth:

1980



2050



While urban areas, like Mecklenburg and Wake counties continue to grow, rural counties depopulating. 80 of the state's 100 counties are rural. Did you know that Orange County, home of UNC-CH, is 70% rural?

Annie Baggett, Agritourism Marketing Special
919.707.3120 | annie.baggett@ncagr.g

Pre-COVID-19 Travel Trends

- 60% of travelers value experiences higher than r possessions.
- Travelers want to focus more on comfort and ha
- 42% of travelers plan to visit a destination that n them feel like a kid again.

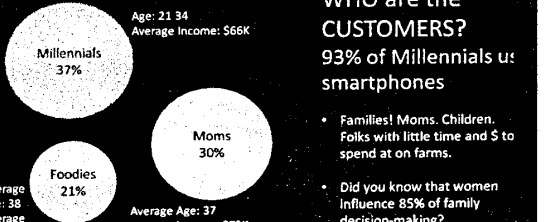
©2019 Forbes Media LLC

Top 10 Pre-COVID-19 Travel Trends

1) Tailored experiences.
2) Ecotourism, green travel/conscious traveler.
3) Millennials want unique experiences and off-the-beaten track itir
4) Solo travel.
5) Group travel and exclusive home rental.
6) Families seek adventure.
7) Couple's travel.
8) 'Bite sized travel'. Think long weekends & mid-week escapes.
9) Local experiences.
10) Educational tours with history and culture.

How will your farm create Agritourism activities to meet traveler

©2019 Forbes Media LLC



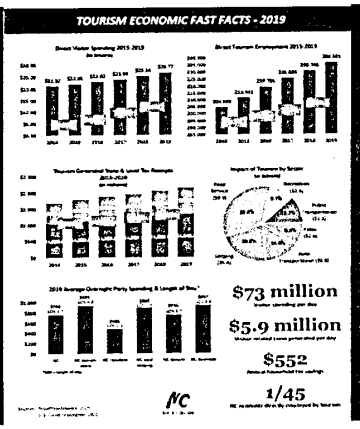
Millennial families prefer:
1. Digital connectivity
2. Humor, creativity & pop culture
3. Minimalism
4. Open-ended coupons
5. Social Media
6. You being cool

WHO are the CUSTOMERS?

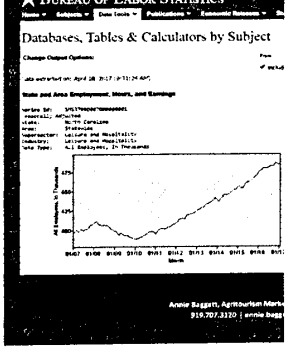
93% of Millennials us smartphones

- Families! Moms. Children. Folks with little time and $ to spend at on farms.
- Did you know that women influence 85% of family decision-making?
- Create activities and messages relevant to them.
- How this generation connect navigates and buys.

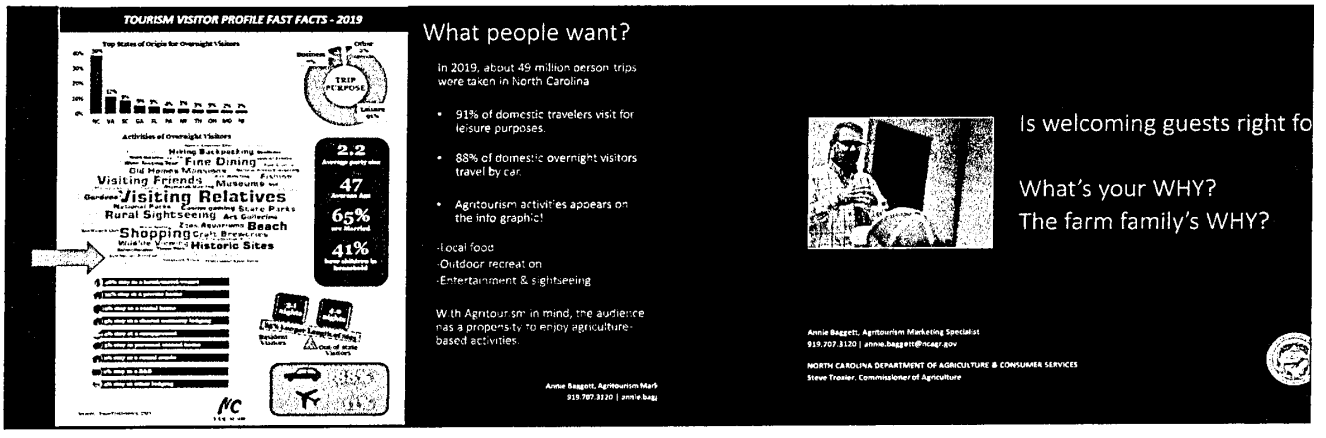
Annie Baggett, Agritourism Marke
919.707.3120 | annie.baggett@nc

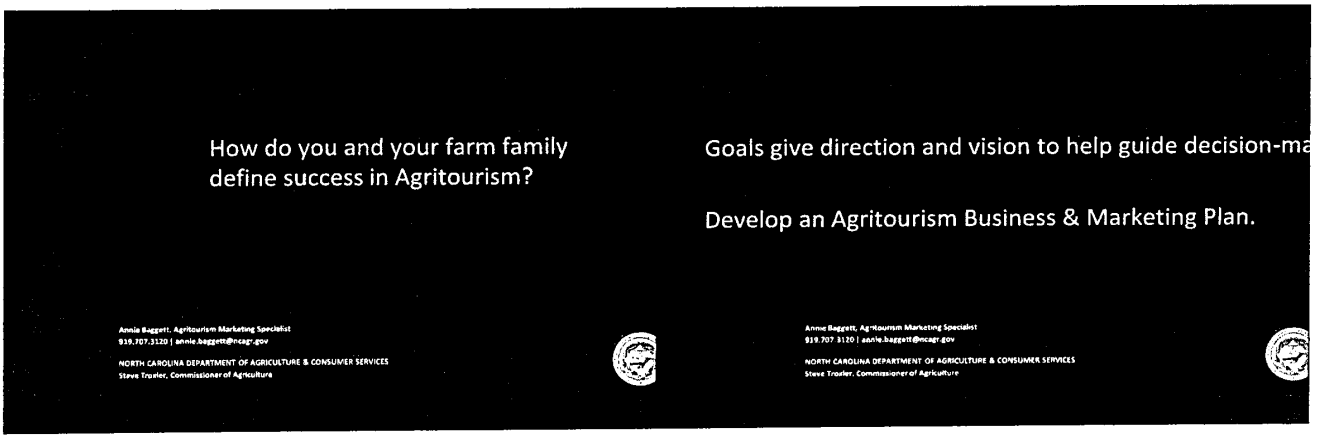


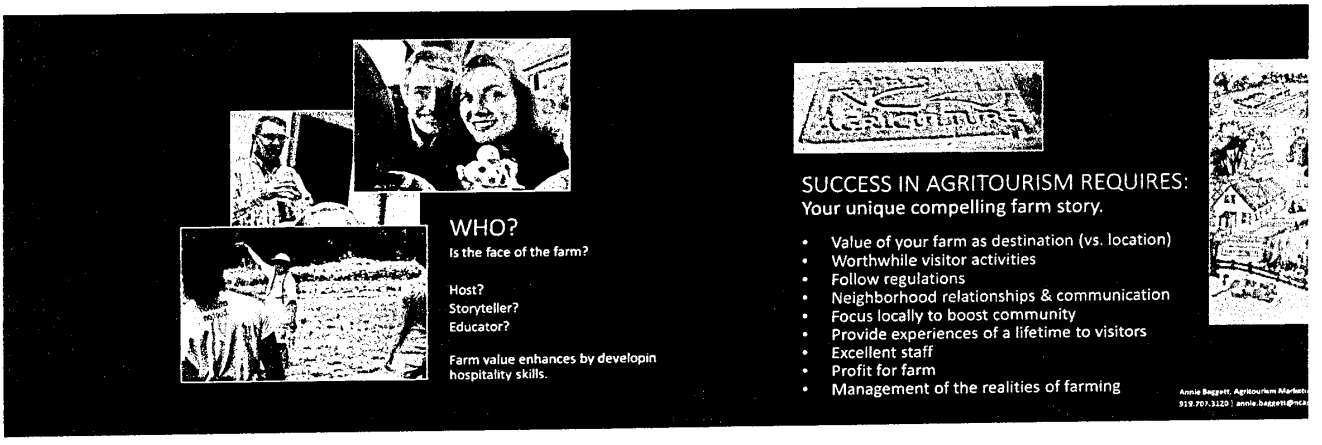
VISITOR IMPACTS. JOBS.



Annie Baggett, Agritourism Marke
919.707.3120 | annie.bagg


TOURISM VISITOR PROFILE FAST FACTS - 2019
Top States of Origin for Overnight Visitors
TRIP PURPOSE
Activities of Overnight Visitors
Fine Dining
Visiting Friends
Museums
Visiting Relatives
Rural Sightseeing
Beach
Shopping
Historic Sites
2.2
47
65%
41%
What people want?
In 2019, about 49 million person trips were taken in North Carolina
• 91% of domestic travelers visit for leisure purposes.
• 88% of domestic overnight visitors travel by car.
• Agritourism activities appears on the info graphic!
-Local food
-Outdoor recreation
-Entertainment & sightseeing
With Agritourism in mind, the audience has a propensity to enjoy agriculture-based activities.
Annie Baggett, Agritourism Mark
919.707.3120 | annie.bagg
Is welcoming guests right fo
What's your WHY?
The farm family's WHY?
Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture


How do you and your farm family define success in Agritourism?
Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture
Goals give direction and vision to help guide decision-ma
Develop an Agritourism Business & Marketing Plan.
Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture


WHO?
Is the face of the farm?
Host?
Storyteller?
Educator?
Farm value enhances by developin hospitality skills.
SUCCESS IN AGRITOURISM REQUIRES:
Your unique compelling farm story.
• Value of your farm as destination (vs. location)
• Worthwhile visitor activities
• Follow regulations
• Neighborhood relationships & communication
• Focus locally to boost community
• Provide experiences of a lifetime to visitors
• Excellent staff
• Profit for farm
• Management of the realities of farming



ALL YEAR LONG!

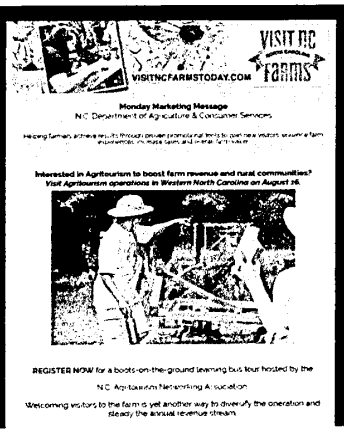
Kids of all ages will enjoy the farm where memories are made during the holidays -- and all year long.

Farms have the potential to fill the calendar with educational and private events, diversifying the revenue stream beyond farm production.

SAMPLE ON-FARM GUEST EXPERIENCE ANNUAL PLAN

January – Community outreach. Survey existing customers.
February –Strawberry is for lovers Valentine's Day event.
March – We're lucky to have you as farm friends St. Patrick's Day event.
April – Spring bloom tours. (From birth to death audiences!)
May – Expansion of U-pick/markets/retail.
June – Consider hosting wedding events.
July – Family reunions, birthday parties, corporate events.
August – It's Farmer Sue's Birthday! Come celebrate on the farm.
September – Farm to Table harvest dinner.
October –Strawberry Planting Festival.
November – Grateful for our customers open farm day.
December – Jam with Santa.

Annie Baggett, Agritourism Market
919.707.3120 | annie.baggett@nca



Sign up for the Monday Marketing Me

Farmers are busy! Every Monday at 2:1
weekly tools & tactics to:

- Drive more visitors to your farm.
- Learn about programs, services and opportunities.
- Earn FREE media, and more!

- RESULTS! More customers, enhance increased sales & farm value.
- Sign up at www.ncagr.gov/markets/agritouris

Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SE
Steve Troxler, Commissioner of Agriculture

Statewide expansion is underway now.

Agribusinesses participate where, when and how they do operate with 24 hour update and marketing push notification opportunities.

Get connected with the

VISIT NC NORTH CAROLINA Farms APP

Download the app and go exploring!

App Store
Google Play

#VisitNCFarm

Learn more a
visitNCfarmstoday.com

Find local farms, markets, food and events!

VISIT NC NORTH CAROLINA Farms
Grown. Raised. Caught. Made. Experienced.

Visit NC Fa
DOWNLO
TOD
App Store

FARM CR
CAROLINA
Loans for land, homes &

Visit NC Farms .

NC AGRITOURISM
WELCOME TO OUR FARMS

The N.C. Agritourism Networking Association is a nonprofit led by farmers. The organization hosts a winter Annual Farm Tour & Conference and a regional Summer Farm Tour.

MISSION: North Carolina Agritourism Networking Association will serve as a statewide proactive advocate for agritourism farmers and as a liaison between and among state-level organizations, field organizations, nonprofits and rural landowners to support and facilitate agritourism. www.nc-ana.org

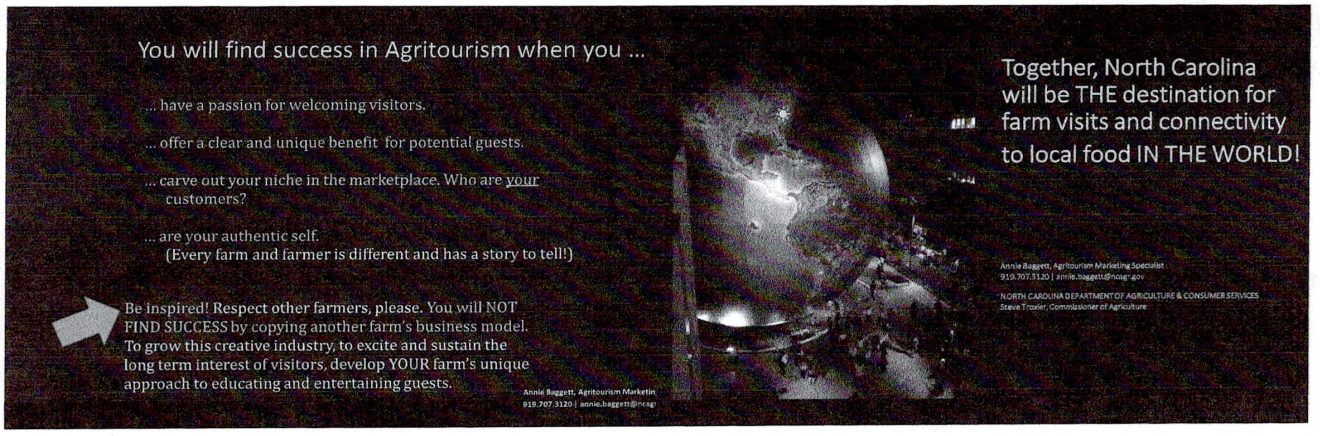
N.C. Agritourism Network Association – nc-ana.org

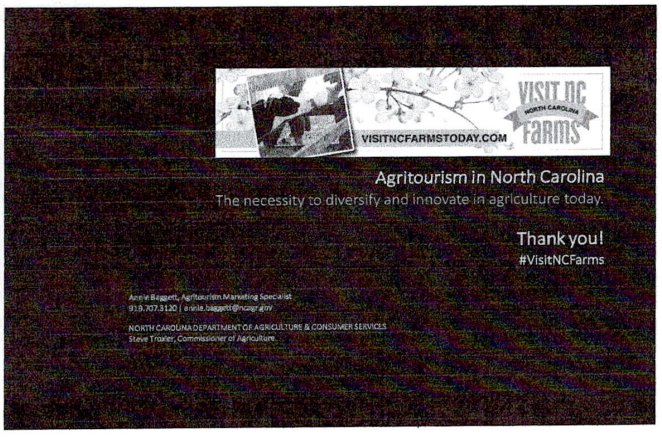
Regional Farm Tours & Annual Confere

Membership includes creative entrepre
farmers dedicated to welcoming guests

The NC-ANA provides opportunities for farmers
Agritourism industry to:

- Share best practices
- Network with peers
- Discuss and find answers to challe
- Celebrate successes
- Advocate for needed resources
- Works to find solutions in priority
that are important to membership


You will find success in Agritourism when you ...
... have a passion for welcoming visitors.
... offer a clear and unique benefit for potential guests.
... carve out your niche in the marketplace. Who are your customers?
... are your authentic self.
(Every farm and farmer is different and has a story to tell!)
Be inspired! Respect other farmers, please. You will NOT FIND SUCCESS by copying another farm's business model. To grow this creative industry, to excite and sustain the long term interest of visitors, develop YOUR farm's unique approach to educating and entertaining guests.
Annie Baggett, Agritourism Marketin
919.707.3120 | annie.baggett@ncag
Together, North Carolina will be THE destination for farm visits and connectivity to local food IN THE WORLD!
Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture


VISITNCFARMSTODAY.COM
VISIT NC Farms
Agritourism in North Carolina
The necessity to diversify and innovate in agriculture today.
Thank you!
#VisitNCFarms
Annie Baggett, Agritourism Marketing Specialist
919.707.3120 | annie.baggett@ncagr.gov
NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
Steve Troxler, Commissioner of Agriculture



FRESH FOOD

You-Pick. Produce Stand Farm to Table

Did you know that when food is available to customers on farms, they stay longer and spend more?

Imagine the possibilities.

- Pick-your-own fruit
- Produce stands
- Concessions to elegant dinners

Work with Cooperative Extension, the local health department, caterers or civic groups, local chef and the community colleges to bring ideas to life.



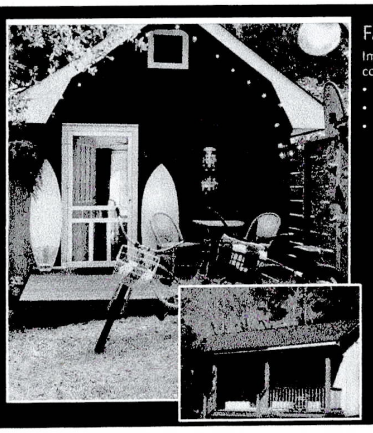
CAR SHOW

Be Creative!

Develop an experience package and price for profitability.

A full day.

- Farm tour
- Engaging activity
- Food & beverage
- FUN. A lot of bragging about ca



FARM STAYS

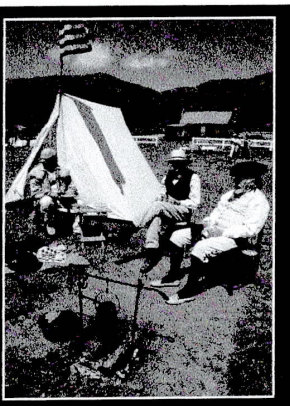
Imagine guests staying overnight. "Heads in t community tax base.

- Bed & Breakfast
- Cabin Rental
- Camping

July 9, 2019 - Charlotte Observer

"Rentals through the home-sharing service North Carolina, but not in the state's urbar Charlotte and Raleigh, according to a new Airbnb. It's happening in the state more off-beat areas.

Over the past year, people living in rural counties made over $76 million an 436,000 people through Airbnb, the That's a 74% growth rate, which is much h the state's urban and suburban counties."



FESTIVALS

Celebrate farm heritage or claim and create unique events.



FARM STORES

Selling value added items produced by the farm and items stocked by other agriculture producers and community partners is another potential revenue stream.

A farm can maximize profitability when selling direct to the consumer

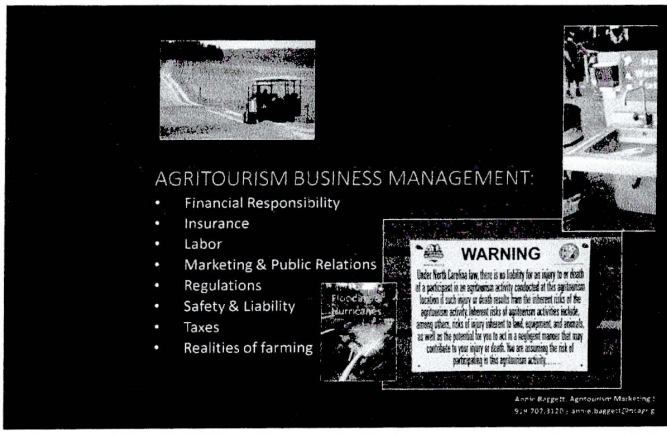


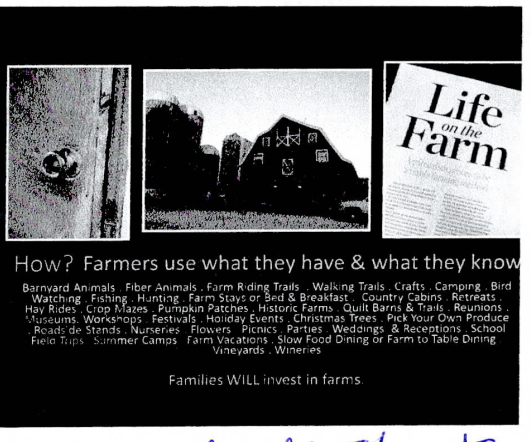
SPECIAL EVENTS

Weddings. Reunions. Corporate. What else?

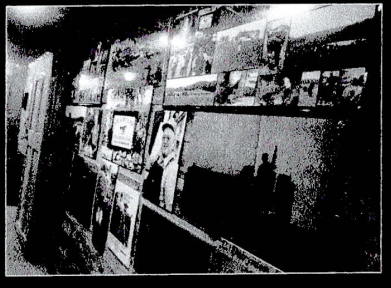
One-of-a-kind venue with the pote offer unique experiences matched notch hospitality and customer ser

↑ Farm stores.





↑ roadside stands



Agriculture-based assets. Storytelling.

- Each farm is different and every family has a story.
- Visitors are poised for listening.
- Varied farms and unique activitie interesting statewide inventory c visitor destinations.

Annie Baggett, Agritourism Marketin
919.707.3120 | annie.baggett@ncagr



Ask farmers to TEACH

- Experts in agriculture.
- Compelling, authentic stories.
- Audience is ripe for learning.
- What is in it for the customer?
- "What this means to you is ..." (state benefit here!)

Annie Baggett, Agritourism Marketin
919.707.3120 | annie.baggett@ncagr

Beyond the growing season, what do farms offer?

Farmers can turn what they are passionate about and that already exist into opportunities to host guests, diversifying the income stream.



EDUCATION-BASED WORKSHOPS | Tours

Farmers are agriculture experts.

Education is marketing.
Marketing is education.

All year long!

Annie Baggett, Agritourism Marketing
919.707.3120 | annie.baggett@ncagr



USDA -

AG MRC

Agricultural Marketing Resource Center

HOW TO

Develop a Farm Stand

AGRITOURISM BEST PRACTICES SERIES



Farm stands dot Vermont country roads, from the gardener who puts her extra tomatoes under an umbrella to the full-diet farm stand that carries other producers' products. Farm stands are attractive to consumers who are seeking fresh, locally grown food. They connect customers to their food and to where that food was produced. For farmers, selling directly removes the "middle person," meaning one can typically earn a better margin on products. On-farm retail comes with some costs, such as the liability of having product on-site; the expenses of keeping a retail area clean, coolers running, and lights on; and the responsibility of managing the visitor experience. This chapter will help you determine if a farm stand is right for your farm and

Town and State Regulations

LOOK INTO TOWN ZONING LAWS

Some cities and towns may have ordinances that appl to your farm retail operation. Be sure to check with yo local officials and Department of Health to ensure you in compliance with the regulations before you go throu the trouble of building your farm stand.

Location

Farm stands on highly trafficked roads are sure to get most business. Knowing how many cars pass by each day, and at which times, can help you set your hours c operation. Your town may have traffic survey data, or y can simply count cars visually or with a rubber tube tic Roadside signs can be helpful in getting customers to your farm, especially if the farm is located off the mai road, but check with your town officials about any size placement restrictions on signs in your town.

You must also consider where on the farm you want your farm stand to be located. Right on the road? Clos to your home? Near the coolers? Be deliberate and thoughtful about selecting a location, and don't shy a from asking neighbors, Extension agents, or farm staf where they think it should be.

Locating a farm stand off the farm can also be an opti if your farm site is not well-trafficked, convenient for customers, or safe. Off-site stands can be successful if arranged carefully. Produce transport is usually the biggest obstacle. Sometimes duplicative infrastructur



Food Safety

GROWING, HARVESTING, AND STORING PRODUCE

Minimizing food safety risks is important no matter how you sell your farm products. University of Vermont Extension has several resources to help you build a food safety strategy. Here are some general guidelines for harvesting, washing, and storing produce:

- Harvest in the morning when it's cooler and remove field heat as soon as possible from perishable produce. This will increase the quality and durability of produce and reduce the growth rate of pathogens.
- Have one set of bins for harvesting and one set for clean produce
- Keep bins clean.
- Sanitize harvest knives kept in one clean central location.
- For outstanding quality and food safety for most leafy greens: triple rinse and store in a cold (40°F) and moist cooler and sell within 72 hours.
- Label containers in storage with harvest and/or pack

FOOD SAFETY INSIDE YOUR FARMSTAND

Take measures to create a clean, pest-free environme and make sure food is packaged and sold safely. Take precautions recommended for farmers' market vendo as outlined in University of Vermont Extension's Food Safety for Farmers' Market Vendors Series.

Selling Meat Products

- To prevent rapid microbial growth, meat must be stored, transported, and sold at <15°F if frozen an <40°F if refrigerated.
- In storage, ensure that the juices of one species (i. poultry, beef, etc.) do not drip onto and contamina another species, or any other type of product, with bacteria.
- Bag meat separately from any other products (particularly fresh produce, ready-to-eat foods, bak goods) to prevent cross-contamination.
- Label products with "Safe Handling Instructions" and understand these safe practices so that you c explain them to customers. This will increase the likelihood that the customer will handle the produc

Selling Eggs

- Egg cartons should be clearly labeled with your address.
- If reusing egg cartons, make sure they are clean to prevent the transfer of bacteria to the eggs.
- Eggs should be kept cool (45°F or cooler is ideal).
- Display eggs under produce in the refridgerator.

Selling Dairy

- Some states require a retail license in order to sell dairy. Be sure you understand the regulations around dairy sales that pertain to your operation.
- Dairy products must be kept at or below 44°F.

Record keeping is an important step in risk management. Keep a record of all customer transactions, including what people purchase. Document when you take freezer and fridge temperatures and when you clean bins and coolers.

Having appropriate policies in place for farm workers is also a key step in keeping your food safe. Do not permit sick workers to handle food, have multiple first aid kits on hand, cover any worker wounds with bandages, have workers wear gloves, etc. Visit the UVM Center for Sustainable Agriculture's Produce Safety and GAPs Resources web page to learn more about farm worker health and hygiene policies and trainings.

Risk Management

Before opening for business, it is important to clarify all of your activities with you insurance provider. You may not have had "premise liability insurance" before you opened the farm stand, but you will need it once the public starts coming to the farm. Liability exposure will always be present when there are employees or guests on the farm. There are many types of liability exposure:

Premises Liability

Property owner fails to protect people from potentially hazardous conditions. Customer is injured on property or "premises."
EXAMPLES: *slip and fall, equipment usage, contact with*

Product Liability

Customer is injured by a product that was prepared ar or served to them.
EXAMPLES: *foreign object in food, becoming ill after consuming food*

Property Damage

Customer's property is damaged by business/employe
EXAMPLES: *employee hits a customer's car in parking lo*

Personal Liability

Customer suffers inadvertent personal harm from a service provided by a business.
EXAMPLES: *employee spills hot beverage on a customer and it causes a burn*

Employees

- Employer is responsible for employee's actions ("vicarious liability").
- Know employment status – employee vs. indepenc contractors. Provide proper employee training to recognize, mitigate, and report risks and hazards.
- Vicarious liability: landowner responsible for his/her own actions and for those of people acting on the landowner's behalf (employees and independe contractors).

An endorsement, also known as a rider, addendum, or attachment, is a written document attached to an insurance policy that modifies the policy by changing t coverage of the policy. An endorsement can add cover for activities or risks that are not covered as a part of original policy and can be added at the inception of th policy or later during the term of the policy.

Marketing

The main challenge to creating a successful farm star is differentiating yourself from your competition. An effective mix of marketing differentiation strategies gi customers a reason to buy your products by pointing c subtle or less obvious differences or benefits of which they may not be aware. Create a mix of strategies that reflects your vision, and that of your customers.

AGRITOURISM BEST PRACTICES HOW TO Develop a Farm Stand

> "For us, the farmstand is an important way to bring people in and inform them about other things happening at the farm — PYO, educational workshops, etc. We have a community bulletin board, and tourists seek us out for info on the area."
>
> – Helen Whybrow, Knoll Farm, Fayston, VT

Pricing strategy

Customers want freshness, quality, and value, so give it to them. Don't inflate the price of your goods in order to create a perception of prestige, and don't price your goods as the low-cost alternative, which rejects the cooperative spirit among producers and in the long run is self-defeating. Determine your cost of production and base your prices on that.

Product strategy

Customers like diversity and uniqueness, and the convenience of finding these things in one place. They also value product freshness, quality, and, above all, flavor. Choose cultivars based on this, and sell fruits and vegetables at exactly the right maturity and texture – something supermarkets can't do because of transportation needs. Rarity itself can be a virtue. Grow traditional and unusual varieties that taste better and be prepared to market and explain their benefits.

> "Have a common 'culture' that defines our promises (to ourselves, to others, between us), our passion, or purpose, and our principles. It is crucial to deliver a consistent service, experience and product, even if we are a small farm with just two farm helpers twice a week. To define customer service and a work ethic is very important no matter if you are working just with family members or in a big operation."

Customer service strategy

If your farm stand is staffed, focus on offering superio service. Friendly, happy, knowledgeable, efficient, and proficient staff are the most important factor in retail success.

How will they find you?

Word of mouth will be your best marketing, but Google Facebook, print advertising, TripAdvisor and Yelp may also direct customers your way. Killdeer Farm in Norw VT finds that a transactional ad in the local newspape consistently brings in lots of traffic, especially when th advertise specials on certain products each week.

Business Planning

ASSESSING AND PLANNING

One tool to consider when developing a business plan for a prospective farm stand is a SWOT analysis. SWO stands for strengths, weaknesses, opportunities and threats, and is used by organizations or businesses to identify internal strengths and weaknesses, as well as external opportunities and threats. (See *sample SWOT chart on facing page.*) In addition, a cash flow project helps you account for all your expenses and is anothe tool to help you assess and plan your farm stand.

> "Many people express pleasure that we are a farm and I am a farme They want the true experience, not so much a "tourist" stop. What's th difference? Not over commercialize really getting to learn about how th product is produced, not a lot of things for sale that we don't make. Love your life on the farm, love you products, enjoy meeting people, or don't bother.

Sample Farm Stand SWOT

	Helpful	Harmful
Internal Origin	**STRENGTHS**	**WEAKNESSES**
	■ Already grow a variety of produce to keep stand stocked through growing season ■ Have established relationships with local marketing partners – newspaper, radio, restaurants ■ Have customer base from farmers' markets ■ Have capital saved for retrofitting shed for farm stand ■ Have interest and desire to make the farm stand a core part of our business plan ■ Enjoy the customer interaction and ready to increase those relationships on-site	■ Coolers will need replacing within one year ■ Vegetables only; some customers may want full-diet ■ Not sure we have time to research regulation ■ Signage – we need more and we need to update what we have ■ Need to "clean up" the farm if we are now inviting people on with the farm stand
External Origin	**OPPORTUNITIES**	**THREATS**
	■ Located on highly trafficked road ■ There is no farm stand for our community within 15 miles ■ Our farmers' market customers have expressed interest in buying from us throughout the week – there is a demand ■ Possibly partner with other local farms/producers to have some of their products also at the farm stand (honey, maple syrup, bread, fruit, cheese, meats)	■ Possibility of theft ■ Country store down the road is not on board with our farm stand ■ Cost of additional permits, insurance, etc.

GENERATING INCOME WITH YOUR OWN PRODUCT VERSUS "BOUGHT IN"

Some farmers sell only produce they grow themselves. Others find that it is not economically sensible to grow all the crops that they'd ideally offer, so they purchase additional produce or products to supplement what they grow. For example, many small-scale farmers find it unprofitable to grow sweet corn, but find that sales of other produce are compromised if sweet corn is not offered. In response, they will purchase sweet corn from farms producing it at a larger scale and resell it. Supplementing your own produce with other products like bread, local honey, maple syrup, local milk, crafts, jams, pickles, etc., can improve the economic viability of your farm stand by making it more interesting to customers, many of whom are looking for three meals from one stop.

> **"Define success in an ephemeral way — however it befits your personality, ethos, etc. But, remember if it won't make money, then it won't survive — and that benefits no one. So, what does success mean to you?"**
>
> – Scott Woolsey, Retail and Customer Service Manager
> Killdeer Farm and Farm Stand, Norwich, VT

When purchasing for resale, you must maintain the integrity of your vision by establishing guidelines for sourcing products. These guidelines must be easily communicated by you and your staff. For example, some growers only purchase certified organic or locall

AGRITOURISM BEST PRACTICES | HOW TO | Develop a Farm Stand

produced products. Providing as much information as possible to consumers regarding product origin and growing practices is wise, as many consumers want to know.

When selecting producers to work with, consider writing up a sales agreement, which is a set of procedures and standards that a buyer and seller agree to follow when working with each other. (See box below.) This will create predictability and accurate expectations for both parties. In addition to having a sales agreement, all products that are purchased and resold should be tracked and inventoried.

See Writing a Basic Sales Agreement for the Direct Market Farm by Rachel Armstrong, 2014. Additional resources at Farm Commons website - Resources.

PRICING

Establishing a fair and reliable pricing strategy is essential for farm stand success.

- Start by defining your costs of production. It may be difficult to maintain, but try to develop a record system that gives production costs for each item. Product prices should be set to at least cover these costs. Account for shrinkage, seconds, and other losses.
- Remember, better food is worth more. When you have a superior product – better than the supermarket or even the farmer next door – charge more for it. Some customers are price-conscious, and some aren't. When you price food at rock-bottom prices, customers buy the same amount anyway. The refrigerator is only so big, and a family only eats so much.
- Provide a markup that covers the cost of either purchasing-in or growing a product, and then add 30–50% for profit (partially dependent on shrinkage).
- Consider selling certain crops as "loss leaders" either at or below cost in order to attract customers, who then spend money buying other things that make up for the poor return on the loss leader.

ACCEPTING PAYMENT

Can you accept credit cards? If you have a smartphon tablet, you can purchase a mobile credit card process that allows you to swipe credit and debit cards as long the device is connected to the Internet.

You might also consider pre-paid memberships to you farm stand, where the customer pays you up front, an you keep a log of how much product they buy through the season. Some farms offer small discounts to customers who buy pre-paid cards.

Many farms have a self-service model with a money b and some small bills and coins available to make chai When operating a self-service stand, you must be awa of the risk of theft of both product and cash. Keep you money box bolted down and use a key to open it. Emp the money frequently.

BUDGETING AND BUILDING

A capital budget is used to assess the economic viabil of a business project lasting more than one year wher capital assets are involved. There are three parts to a capital budget. First, the capital expenditures, or the investment in machinery, equipment, architects, infrastructure, and construction of the farm stand. Second are the cash flow projections that examine pr or loss on an annual basis. The final piece includes th projection for liquidating the assets and shutting dow the business.

RETURN ON INVESTMENT

Another important calculation is your return on investment. Consider a very small, self-serve farm sta located on a road that is highly trafficked. The family grows vegetables in a ½-acre market garden. The star costs about $300 to set up, with no lighting, coolers, other infrastructure. If the owners gross $200/week f 12 weeks of the season, their gross income is $2,40 As it is their third season, they have no infrastructure costs associated with producing the vegetables, so th production costs for 12 weeks are only seeds ($200) labor (one person at eight hours per day, five days per week, or 40 x 12 = 480 hours x $14/hour = $6,720). They sell ⅓ of their produce at a farmers' market, ⅓ t



two restaurants, and ⅓ at the farm stand. If they attribute their cost of production equally over the three markets ($6720 / 3), then their net profit is $2,400 - $2,240 = $160. They aren't operating in the red, but the farm stand is not very lucrative. They would cover their initial investment in the farm stand construction, but their return on investment is low.

BREAK-EVEN POINT

Understanding your break-even point can also help you determine if a farm stand is profitable. Look at all expenses, variable and fixed, including food, utilities, staffing, etc. Determine the amount of your average sales transaction. Divide overall expenses by the average sales transaction to see the number of customers you need to break even. Is this a realistic number, considering the traffic count? For more on calculating break-even points, see "Best Practices in Business and Financial Planning" chapter in this series.

Farm Stand Design and Layout

Merchandising strategies can help you exceed your target number of customers and increase the value of the average sales transaction. Experiment with ways to encourage "impulse buys," such as placing a pint o cherry tomatoes or raspberries right by the register. W to push sales of one item? Offer samples of it! (But fol guidelines for food safety when sampling.)

Produce should be refreshed regularly, so it is always looking its best, especially if you aren't refrigerating it. Make sure you display unblemished produce that is of uniform size, and clearly label prices near each item.

"Good visual merchandising is not magic. It just requires a little time, a lit creativity, and a desire to stand out."

AGRITOURISM BEST PRACTICES | HOW TO | Develop a Farm Stand



"Displays should be works of art. Use contrasting colors and keep things full. The first, middle, and last customers of the day deserve (essentially) the same experience. Customers should ALWAYS be able to count on the best you have to offer."

– Scott Woolsey, Retail and Customer Service Manager
Killdeer Farm and Farm Stand, Norwich, VT

Anyone can snap and share a photo on social media, so:

- Make it count.
- Control the image.
- Facilitate.
- Be mindful of your merchandising.
- Give them diversity!
- Use color contrast and lighting to create attractive displays that "want to be photographed."
- Constantly ask yourself and staff, "If a photographer for *Martha Stewart Living* walked in, would we wish anything looked better?"

FOUR KEYS TO STRONG DESIGN

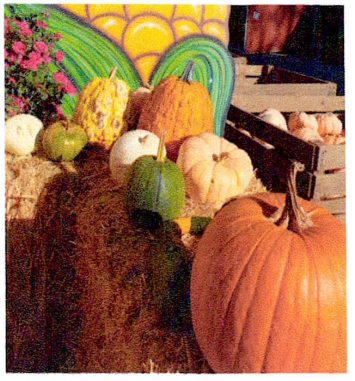
- **Overflowing baskets of produce invite custom** in and make them want to purchase. Keep your displays looking full and colorful, but also make the user-friendly. Baskets make great displays, becaus they make selection easy, and reduce risk of the w arrangement falling apart.
- **Make sure your products are clearly marked.** Provide cooking and serving ideas for unfamiliar ite Knowing your customers provides you with importa information about how to package your products fo the best sales. Some customers will always look fo product that is prepackaged, weighed, and priced, so they know exactly what they are paying for. Othe customers will want to select and bag their own product from the basket. Find ways to accommoda both types of customer. You might also try packagi a variety of items together to help customers gain a sense of how to use unfamiliar items. Examples of these bundles might include a stir-fry medley, a sou veggie pack, or a salsa kit. Many farmers have grea success with this type of marketing.
- **Products should be front and center.** All other materials – baskets, boxes, table covers, signage –are there to complement the product. When you select awnings, tablecloths, and containers, use background colors that enhance what you are selli Avoid using colors that clash with your products or send mixed messages to the buyer. There has beer lots of research on the role of color in marketing, a the evidence certainly points to a connection betw color, emotion, and consumer behavior.
- **Lighting is important** to the appearances of your products as well as customer safety.

Staffing

If you have a staffed farm stand, then your staff is likely going to be both your biggest expense and your biggest asset. Teach your employees constantly, and learn from them. Everybody needs to know the products. You as a farmer must be able to answer objective questions – is this apple sweet or tart? Does this onion store well? Is this cut of meat good for the grill? However, customers also appreciate hearing about your personal comments.

- Train your staff to be educated and helpful.
- Empower your staff to interact with customers.
- Introduce yourself, or assign a "greeter." You *have* to say, "Hello!"
- Make sure your visitors feel that they are guests, and that as the host, you want them to have a great visit.
- Provide them with personal concierge-style service.
- Ask if they have questions and offer samples.
- ALWAYS thank them for visiting.
- ALWAYS insist on helping to bag and carry their purchases!

Visit farm stands to gather ideas as you plan your endeavor. Take stock of the characteristics that you like and dislike. Plan, implement, and adapt. Remember that a farm stand is a window to your farm, so be sure it reflects your values and lets the quality of your products shine.



Also in this series:

How To...
- Host Weddings on Your Farm
- Host Dinners on Your Farm
- Host Summer Camp on Your Farm
- Develop a Farm Stay
- Develop a Farm Tour
- Develop a Pick-Your-Own Business

A Guide to Successful Agritourism Enterprises

Download at uvm.edu/vtagritourism

REFERENCES: "Common Characteristics of PYO Customers" from North Carolina State University. "Relative Importance Factors Affecting Customer's Decision to Buy Pick-Your-Own Versus Pre-harvested Fruit at North Carolina Farms." *Journ of Agricultural and Applied Economics*, 2008; and Adam Hausmann, Adam's Berry Farm, Charlotte, VT.

The information contained in this publication is deemed correct and accurate and is based on research at the time of writing. This publication is for educational purposes only and does not constitute legal advice or an interpretation of th law. It is recommended that you consult an attorney about specific legal concerns.

The original 2014 edition of this publication was made possible by support from the U.S. Small Business Administratio and The Canaday Family Charitable Trust. It is also the result of tax-supported funding from USDA, Rural Development, and as such cannot be copyrighted. It may be reprinted with the customary crediting of the source. Each chapter was published as a result of a project of the Rutland Regional Planning Commission, Farm-Based Education Network and Vermont Farms! Association, coordinated by Vera Simon-Nobes. Design by Holly Brough, Shelburne Farms.

2019 funding provided by the Agriculture Marketing Resource Center (AgMRC), located at Iowa State University, www.agmrc.org. AgMRC is a national website dedicated to providing information to producers and service providers on value added agriculture businesses.

Issued in furtherance of Cooperative Extension work, Acts of May 8 and June 30, 1914, in cooperation with the United States Department of Agriculture. University of Vermont Extension, Burlington, Vermont. University of Vermont Extensio and U.S. Department of Agriculture, cooperating, offer education and employment to everyone without regard to race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. Any reference to commercial products, trade names, or brand names is for information only, and no endorsement or approval is intended.

TOPSAIL MAGAZINE

Select Page

Surf City Farm pic (did not print)

Farm-Fresh Bounty

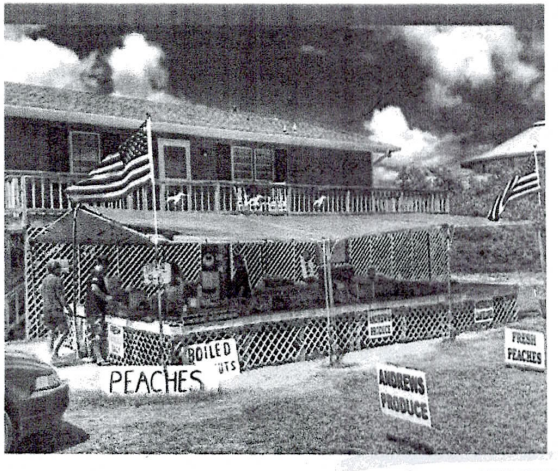
by Kate Carey | Jun 27, 2022 | Around Town, Food & Drink

If you're looking for farm-fresh vegetables, fruits and more, you don't have to go far from Topsail Island.

An abundance of local fruits and vegetables are minutes away from Topsail Island. As you plan your next shrimp boil or clam bake, you'll find all the ingredients your need close to home from pick-your-own-berries to tomatoes and beans to ice cream and baked treats. Come along on a farm tour on and around the island — from Maple Hill through Snead's Ferry and south of Hampstead. There's something tasty at every stop.

Andrews Produce

From mid-April through Labor Day, the Andrews family provides local fresh fruits and vegetables at the north end of Topsail Island. Andrews has been a Topsail Island tradition since 1975. The business is family-owned and operated, and the Andrews are year-round residents of Topsail Island. They offer farm-fresh produce daily as well as homemade ice cream, fruit sorbet, house-made boiled peanuts, farm-fresh eggs and a huge variety of preserved goods including jams, salsa, chow chow and pickled beets. They also have produced two volumes of Andrews Produce Cookbooks.



Open daily 9 am to 6 pm, seasonally
8904 2nd Avenue, North Topsail Beach
(910) 200-9455
Facebook.com/andrewsproducetopsailbeach

(reseller)

Bear Ridge Farms

If you want local produce delivered by the farm during your vacation on Topsail Island, Bear Ridge Farms is your choice. Or visit the farm store in Maple Hill, a delightful ride northwest of the beach.

They deliver a VSA (Vacationer Supported Agriculture) bag to Topsail Island through People First Tourism. They also have a CSA (Community Supported Agriculture) box that has pickup locations in Sneads Ferry and Jacksonville.

The farm store in Maple Hill carries fruits and vegetables, 90 percent of which are grown by the family and the rest coming from local farmers. According to locals, their strawberries are some of the best around. They have hanging and potted plants in the spring and pumpkins in the fall. The store carries grass-fed beef, cheeses, jams, jellies, local honey, salsas, vinaigrettes, local bread, ice cream, local eggs, butter, cooked collards, boiled peanuts, glass bottle drinks and ciders.



Open Monday through Saturday 10 am to 5pm in spring, summer and fall. Closed on Wednesday in the off season.
5930 N.C. Highway 50, Maple Hill
(910) 289-1621
bearridgefarmsinc.com or **facebook.com/BearRidgeFarm**

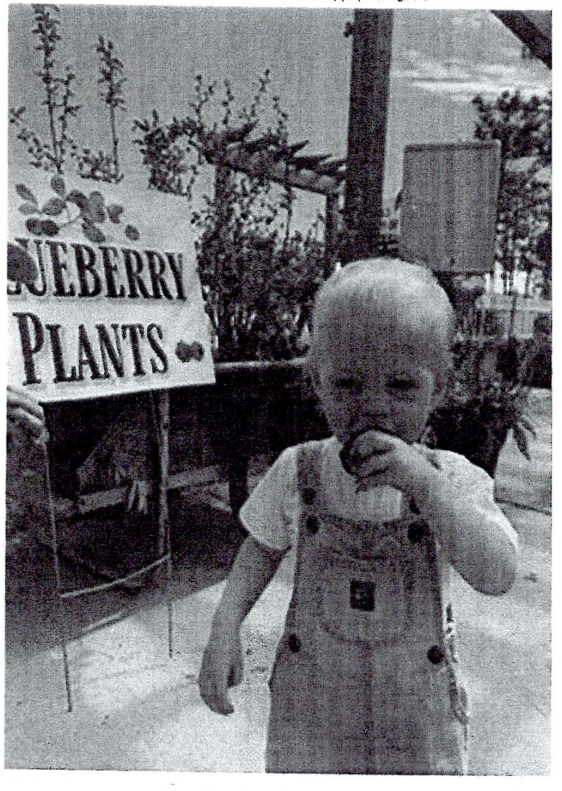
Hometown Harvest

Hometown Harvest in Sneads Ferry, just north of Topsail Island, is a small family farm that grows and sells fruits, vegetables, cut flowers and plants. They also have eggs, honey, a wide variety of baked and preserved foods as well as soaps, candles and local crafts. Each month during peak season they host a vendors market of local arts and crafts.

Open Tuesday through Thursday 10 am to 4 pm in the off-season and Tuesday through Saturday from 10 am to 4 pm from mid-May through December.
145 Virginia Lane, Sneads Ferry
https://www.facebook.com/hometownharvest.sf

Carol Sue Farms

Another local farm known for its berries, Carol Sue Farms has a lovely new farm stand between Surf City and Hampstead. You can't miss the classic farm truck near the entrance. Nonie Morris and her husband, Jeff, opened their you-pick strawberry and blueberry farm in the spring of 2013, then moved to their current location last year as the Hampstead Bypass will go through their old location. They have blueberries for sale, brought in daily from their other farm. They also sell local honey, preserves, plants and hanging baskets, and cups of ice cream custom-made from their berries.



Open Monday through Friday 10 am to 6 pm, Saturday 10 am to 5 pm and Sunday 12:30 to 4 pm
19874 U.S. Highway 17 N., Hampstead
(910) 520-6629
facebook.com/carolsuefarms or **carolsuefarms.com**

Eden's Produce

Eden's Produce has a variety of fresh fruits and vegetables in a large farm stand at the corner of U.S. Highway 17 and Sidbury Road. Eden's Produce has been run by the same family for the past 82 years. They sell a variety of fruits and vegetables that are well known for their freshness and taste. From the earliest offerings to mid-season melons and fall veggies, their convenient crossroads spot offers ample parking.

Open 8 am to 6 pm daily in season
10171 U.S. Highway 17 N., Wilmington
facebook.com/Edens-Produce-824469170931504

Humble Roots Farm

For the very freshest in produce, Humble Roots Farm offers pick-to-order through their online store. Orders placed by 1:30 pm on Friday are available Saturday through Tuesday. Orders placed by Tuesday at 1:30 pm are available Wednesday through Friday. They grow most of what they sell with a few seasonal exceptions. They have a wide variety of products including pastured pork, chicken, eggs, 40 different types of crops, beef and honey. They are most known for their high-quality pastured meats and eggs and their fresh salad mix that lasts for weeks in your fridge. Humble Roots offers both spring and fall CSA programs

Vacationer Supported Agriculture is an initiative of the Fork to Farmer project. Funding for Fork to Farmer was made possible by the United States Department of Agriculture's (USDA) Agricultural Marketing Service through grant AM170100XXXXG110. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the USDA.

NC STATE EXTENSION

PLtLab People-First Tourism

P1

Our Story

People-First Provisions is a business unit of **People-First Tourism Inc.**, NC State University's first tech-based social-startup. P1t has been connecting discerning travelers with genuine experiences provided by local people in destination communities in North Carolina and internationally since 2012 (www.peoplefirsttourism.com).

In 2018 our company started collaborating with NC State's Vacationer Supported Agriculture project (www.forktofarmer.com/vsa) to make bags of local produce available to vacationers in the NC coast. As illustrated in the short animation below, NC State's project team and county Extension partners coordinate groups of local farmers in the growing, packaging and delivery of bags of local produce to pick-up locations convenient to vacationers. In turn, our company collaborates with select vacation rental companies to market the bags to vacationers.

In 2021 the Vacationer Supported Agriculture Team was honored to receive the **Opal Mann Green Award**, one of the highest awards of distinction offered by NC State University through its Office of Outreach and Engagement

Vacationer Supported Agriculture is supported by a grant from the **NC Tobacco Trust Fund Commission** and has been recognized as a program of excellence by the following organizations

North Carolina
Tobacco Trust Fund Commission

NACDEP
National Association of Community Development Extension Professionals

P1 GRANGE

USDA
AMS

Discerning Vacationers



Provisions bag pick-up provided by **Men and Women United youth** in Ocean Isle Beach

More and more people enjoy local foods in their lives, but when they go on vacation they struggle to conveniently find fresh produce from local farmers. Through our partnership with Extension and other agriculture and local foods organizations in destination communities, we developed relationships with groups of local farmers and with vacation home rental agencies to make it very convenient for you to order fresh produce from the destination communities you visit. Through our Provisions web marketplace, you can easily pre-order locally-sourced bags of produce well in advance of your summer vacation. As we receive your orders of produce bags, we send regular sales numbers and payments to the farmers and coordinate with them the packaging of the fresh produce bags the day before your arrival and the delivery to a convenient pick-up location at your vacation destination. All you have to do is pick up the bag(s) once you arrive.

Industrious Local Farmers

Farmers are consummate entrepreneurs and innovators who cope with increasingly volatile climate conditions and intensely competitive business environments to draw livelihoods from their land, support their families and supply us with fresh, delicious and healthy food. We work with multi-generational family farms and with groups of farmers coordinated by community nonprofits and local Extension offices. Our NC State partners communicate with these groups of farmers throughout the year, sharing feedback from vacationers (for example this technical report from 2019), providing training on packaging and food safety, discussing which produce to grow, etc.

Recent research from NC State [1] revealed that farmers that are connected with Extension offices, other support organizations and private companies like P1t, become more innovative and are more likely to diversify their farm businesses by becoming directly involved in tourism. So, when you buy produce bags from *Provisions* you are supporting the long term viability of farms near your destination as well as the wellbeing of rural North Carolina.



The Wooten family from Bear Ridge Farm supplying Provisions bags in Surf City and Topsail Beach since 2019.

Community-focused Vacation Home Rental Companies

purchase services from small local businesses, and connect their guests with genuine local experiences, services, and products.

The vacation home rental companies that partner with us are recommended by local organizations and by the local farmers. They do not earn income from produce bag sales – they help us market the bags to their guests because they feel that this is a service appreciated by their guests and because they want to contribute to the collective wellbeing of their communities.



Tiffany Williams, of Tiffany Beach Properties in Bald Head Island, has been a valued partner since 2019.

When on vacation you surely want to make sure your experience is fun and invigorating. AND you probably would like to know that your visit is helping improve the wellbeing of the local community. Vacationers can just tell when they are welcomed by their hosts.

A sure way to ensure that your vacation brings desired benefits to the host community is to stay with hospitality businesses that are community-focused... i.e., they hire local staff,

TOPSAIL AREA BEACHES

The "Local produce bags" in this region are prepared by Bear Ridge Farms [illegible]
Hill, NC.

Your produce bags, eggs, and shrimp can be picked up at the following locations:

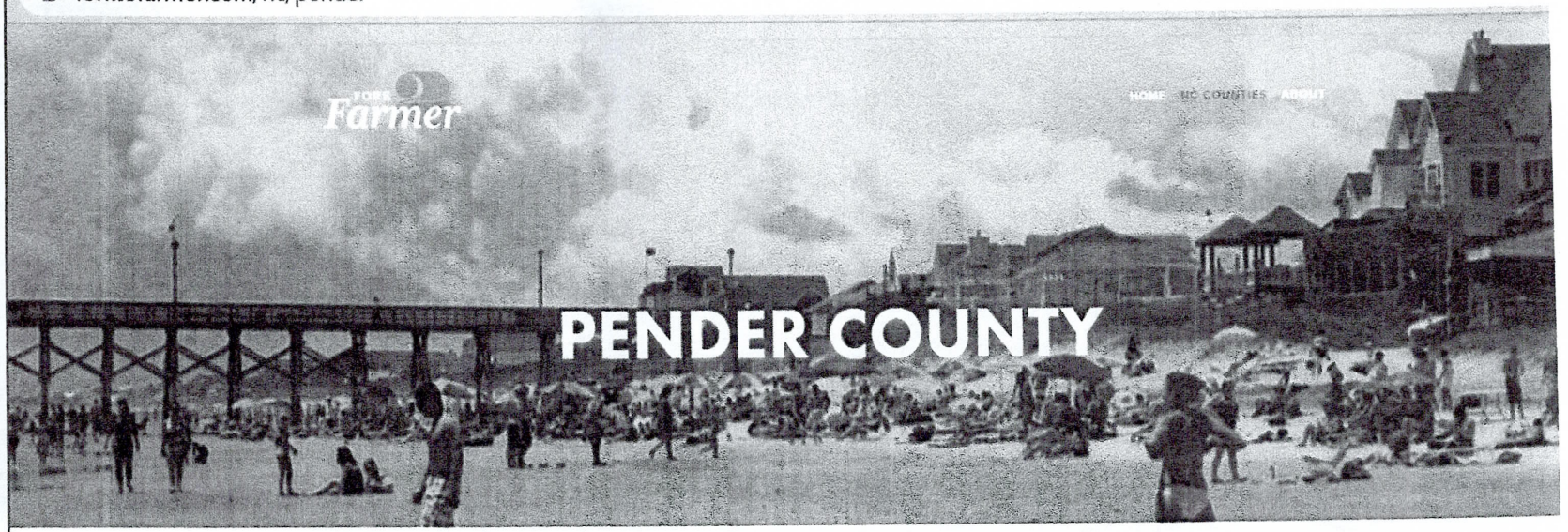
SURF CITY

- PRODUCE (eggs packed separately) renting from Ward Realty (Sat 3-5pm, Sun 3-5pm)
- PRODUCE (eggs packed separately) renting from TI Rentals (Sat 3-4pm)
- PRODUCE (eggs packed separately) renting from Treasure Realty pick-up at [illegible]
- SHRIMP Surf City Crab (Sat 8am-7pm, Sun 8am-7pm)

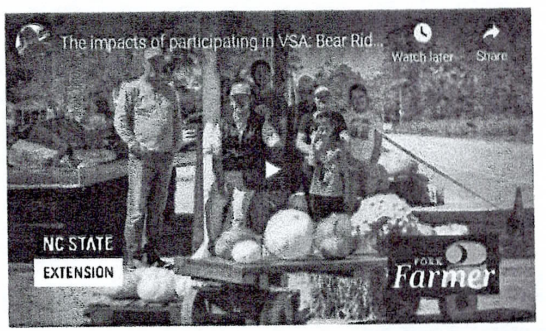
SNEADS FERRY

- Coming soon!

forktofarmer.com/nc/pender



Visitors to Pender County often come to enjoy the sun, sand and sea fun in Surf City and Topsail and many also enjoy the exciting outdoor activities in the county's glamelands and coastal waterways as well and rich historic heritage. Pender County also has a thriving farming community that supplies many of the restaurants in the coast and now they also sell fresh farm products to vacationers that pre-order bags of produce for each summer week.



Video - explains the farm selling "Produce grown by other farmers".



(910) 538-3728
humblerootsfarm.com/csa or **facebook.com/HumbleRootsFarm**
You find them at the Wilmington Farmers Market every Saturday from 8 am to 1 pm

Poplar Grove Farmers Market

Each Wednesday on the grounds of Historic Poplar Grove Plantation, you will find one of the area's largest and longest running farmers' markets. The market hosts

farmers, plant vendors, curated artists and crafters and culinary cuisine producers. In October the market switches over to Saturday in order to allow those that don't have the flexibility to visit the market mid-week to come out and enjoy the beautiful fall weather while supporting their local small businesses.

Both the Wednesday and October markets host a large number of vendors and diverse products. You can pick up your fresh vegetables, fruits and meats, baked goods (including vegan and gluten-free options), jams and jellies, local honey, fresh eggs, marinades, spice mixes, natural health and wellness products, dried teas, wonderful paintings, pottery and jewelry and more.
Poplar Grove Farmers Market is on the grounds of a former peanut plantation. Visitors can attend the farmers' market and then tour the historic 1850s manor house and lower grounds (home to an animal rescue, agricultural museum and gardens) supporting a local nonprofit organization to continue conservation, education and preservation of an important historical site.



Wednesdays 8 am to 1 pm from April 13 to September 28, Saturdays in October
10200 U.S. Highway 17, Wilmington
(910) 998-3322
~~poplargrove.org/farmers-market~~ or **facebook.com/farmersmarketpoplargrove**

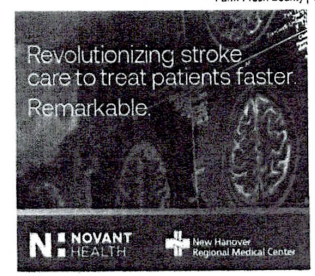
ABOUT THE AUTHOR



Kate Carey

A former Ohioan and Buckeyes football fan, Kate M Carey has her toes firmly placed in the sands of Topsail Island. Kate writes fiction about people and the strange things they do for love and essays on the politics of everyday life. Her work has appeared in Noctua, Indiana Voice, The Tishman Review, Panoply, Camel City Digest, Savannah Writers Anthology, and County Line Journal. A guest columnist for Women AdvaNCe, she and her husband, an Episcopal priest, moved to North Carolina in 2015 and have adult children living in Ohio and Florida.





Published by



Menu

Company Home
Subscribe
Privacy Policy
Contact Us
About Us
Back Issues

Contact Us

Article 57.

Nuisance Liability of Agricultural and Forestry Operations.

§ 106-700. Legislative determination and declaration of policy.

It is the declared policy of the State to conserve and protect and encourage the development and improvement of its agricultural land and forestland for the production of food, fiber, and other products. When other land uses extend into agricultural and forest areas, agricultural and forestry operations often become the subject of nuisance suits. As a result, agricultural and forestry operations are sometimes forced to cease. Many others are discouraged from making investments in farm and forest improvements. It is the purpose of this Article to reduce the loss to the State of its agricultural and forestry resources by limiting the circumstances under which an agricultural or forestry operation may be deemed to be a nuisance. (1979, c. 202, s. 1; 1991 (Reg. Sess., 1992), c. 892, s. 1.)

§ 106-701. Right to farm defense; nuisance actions.

(a) No nuisance action may be filed against an agricultural or forestry operation unless all of the following apply:

(1) The plaintiff is a legal possessor of the real property affected by the conditions alleged to be a nuisance.

(2) The real property affected by the conditions alleged to be a nuisance is located within one half-mile of the source of the activity or structure alleged to be a nuisance.

(3) The action is filed within one year of the establishment of the agricultural or forestry operation or within one year of the operation undergoing a fundamental change.

(a1) For the purposes of subsection (a) of this section, a fundamental change to the operation does not include any of the following:

(1) A change in ownership or size.

(2) An interruption of farming for a period of no more than three years.

(3) Participation in a government-sponsored agricultural program.

(4) Employment of new technology.

(5) A change in the type of agricultural or forestry product produced.

(a2) Repealed by Session Laws 2018-113, s. 10(a), effective June 27, 2018.

(b) For the purposes of this Article, "agricultural operation" includes, without limitation, any facility for the production for commercial purposes of crops, livestock, poultry, livestock products, or poultry products.

(b1) For the purposes of this Article, "forestry operation" shall mean those activities involved in the growing, managing, and harvesting of trees.

(c) The provisions of subsection (a) shall not affect or defeat the right of any person, firm, or corporation to recover damages for any injuries or damages sustained by him on account of any pollution of, or change in condition of, the waters of any stream or on the account of any overflow of lands of any such person, firm, or corporation.

(d) Any and all ordinances of any unit of local government now in effect or hereafter adopted that would make the operation of any such agricultural or forestry operation or its

(d) This Article does not apply to any cause of action brought against an agricultural or forestry operation for negligence, trespass, personal injury, strict liability, or other cause of action for tort liability other than nuisance, nor does this Article prohibit or limit any request for injunctive relief that is otherwise available. (2017-11, s. 1; 2018-113, s. 10(b); 2018-142, s. 14.)

To whom it may concern:

I am writing to you today in regards to the appeal hearing for Surf City Farm that will be held on Wednesday, July 20th 2022. My name is Christina Merklin and I am the president of the Marcil Village HOA, located off Atkinson Lo between Hwy's 210 and 50. Our community is neighbors with Surf City Farm and we share Marcil Lane with Surf City Farm and the residents that live on Northern Escape Way.

It has been brought to the HOA's attention that a member of our community recently spoke at a board meeting in regards to the farm. Their manner of speaking seemed to imply that her views, opinions, and experiences with Su City Farm were shared by the community. This is not the case. This resident has continually complained about Surf City Farm since it's opening to community members as well as making unfounded complaints to the HOA. As matter of fact, they joined the HOA as Secretary in August with the sole purpose of trying to close down the farm but then resigned once it was made clear that her views were not shared with fellow officers of the HOA or commu residents. I have received unfounded complaints regarding the farm from this resident about large equipment being parked on Northern Escape Way that they said was Surf City Farms and was not, that their customers were try run them off the road and they were not, and that the farm customers were impeding on her easement on Northern Escape Way which again they were not. I have received complaints regarding this resident for their continual fil and photographing of the owners of Surf City Farm as well as their customers, and most recently was informed that they have been complaining to residents regarding children having lemonade stands on their own property. Th time and energy that has been wasted on this resident's ridiculous and unfounded claims has been enormous.

Our HOA has had a meeting regarding resident's feelings about the farm and its location, the business that they are conducting, incoming traffic that had occurred, and resident's overall feelings regarding Surf City Farm. Resid at that meeting expressed no complaints in regards to the farm, it's business, or the small influx of traffic that had occurred. Residents did, on the other hand, have many complaints regarding the possible closure of the farm and and the farm was being unjustly complained on by one single resident of our community and two residents of Northern Escape Way. The residents of Marcil Village offered support to Surf City Farm in any means that could be h to them in maintaining their business.

I have attached to this letter names, addresses, and signatures of many of the homeowners in our neighborhood who want to stand up for Surf City Farm and its continued presence in our community.

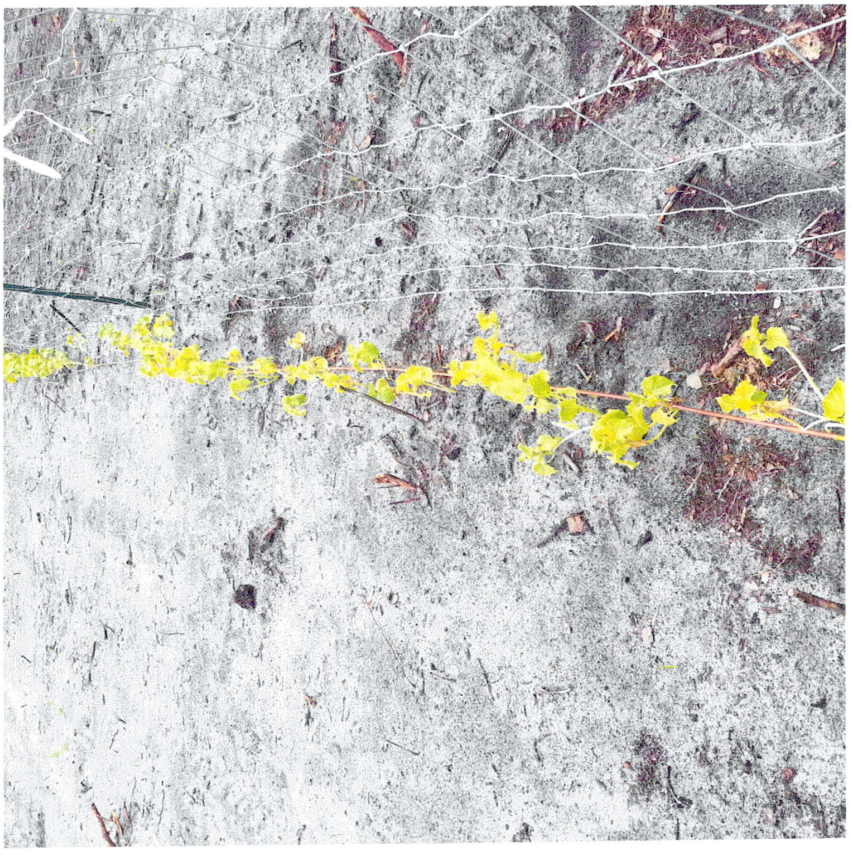
Thank you for your time,
Christina Merklin
President, Marcil Village Homeowners Association

SURF CITY FARM
N.C.













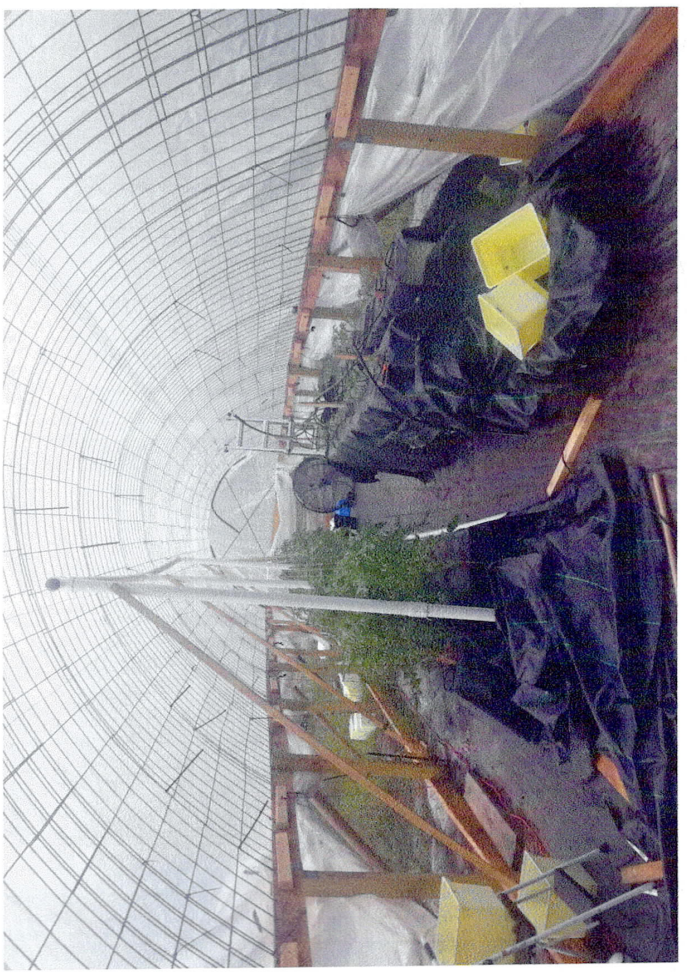




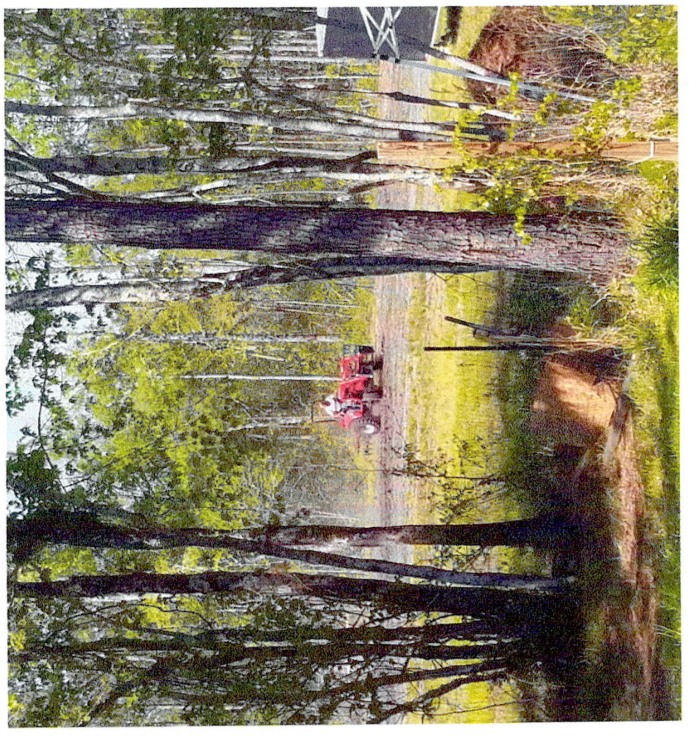








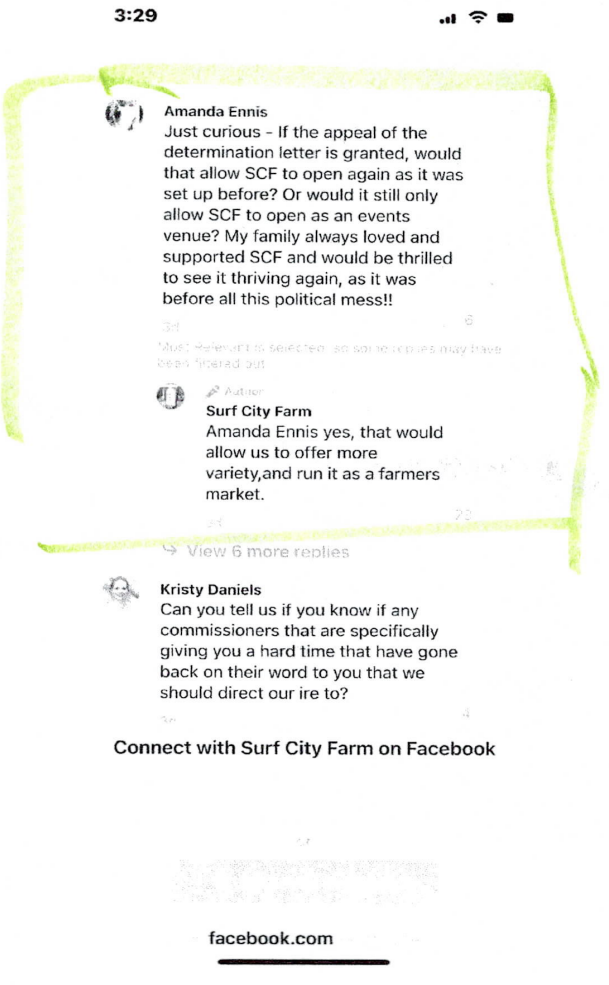




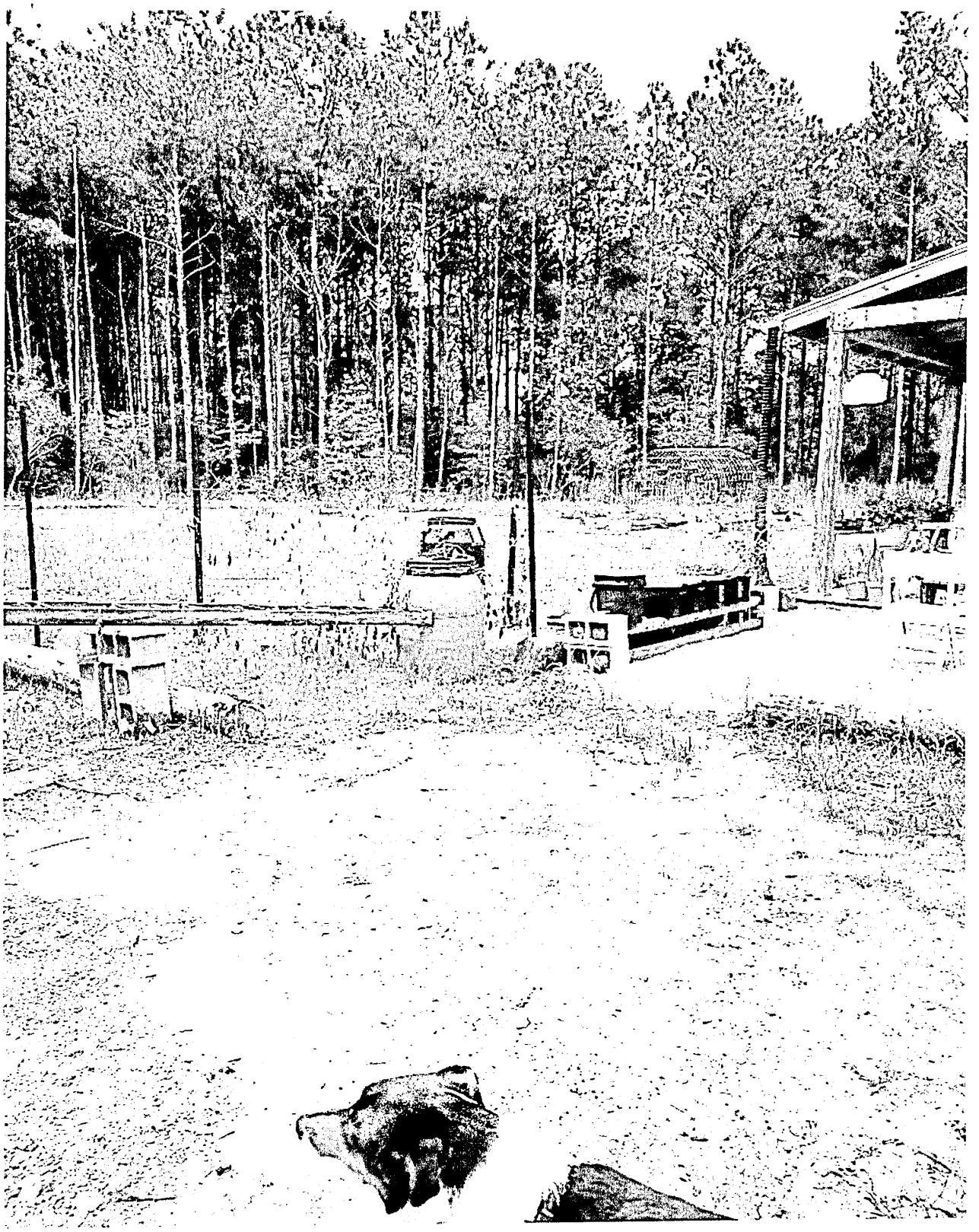


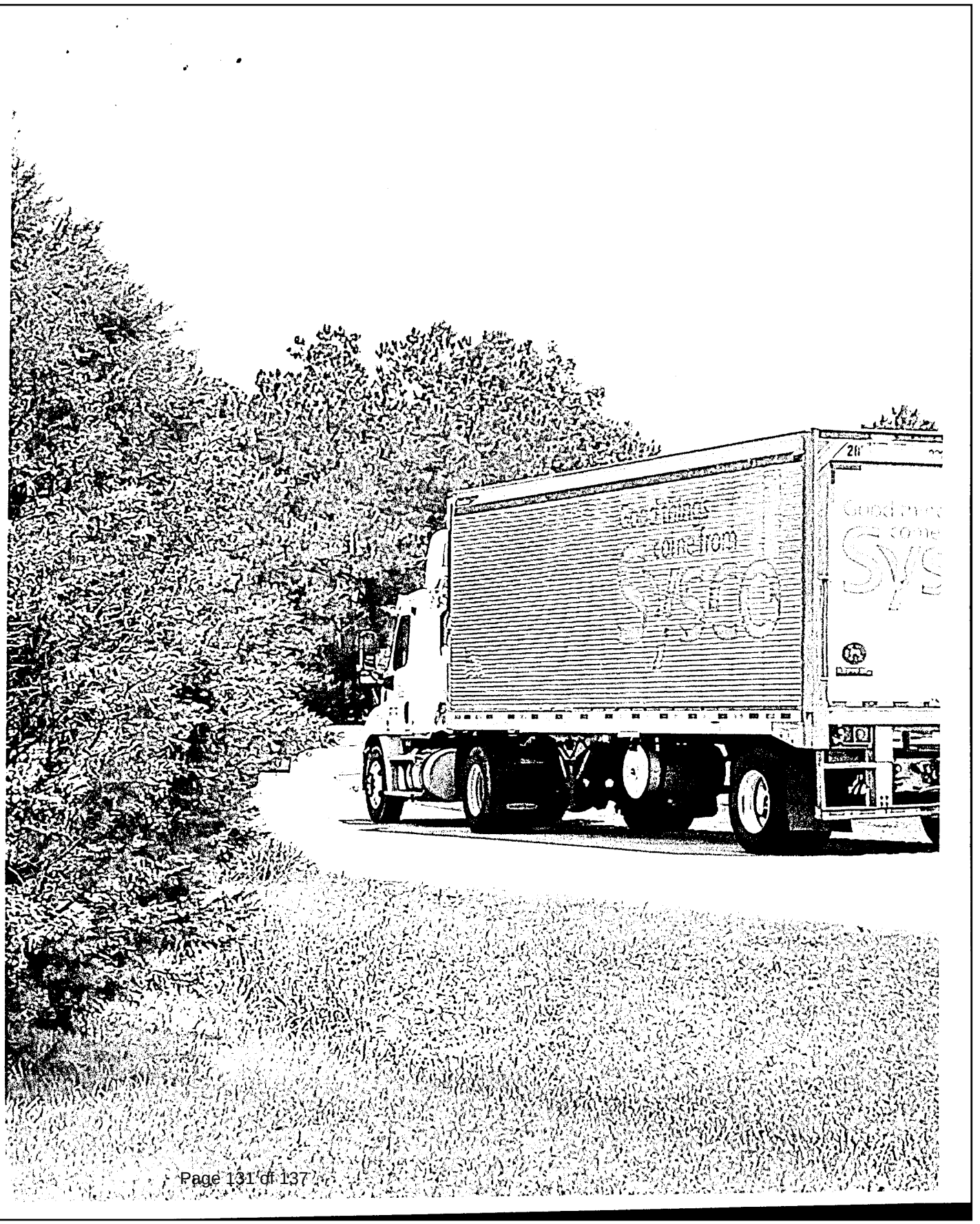
7/20/2022

Exhibit C








Page 131 of 137

On Sat, Mar 19, 2022 at 1:52 PM Christina Merklin <chrismerklin16@gmail.com> wrote:

Good afternoon,

Thank you for the information but I do not think it is appropriate to share a letter that is addressed to another couple without their permission. I understand that you received this letter as well as two others because you were one of the people that filed a complaint. I do see that the letter states that the farm is not shut down, but this determination basically handicaps them in a way that they will never be able to be a profitable farm and sustain their family. Farms need to be able to sell other farmers goods, it is done at every farm I have ever been to for sure. When I take my daughter strawberry picking and they sell ice cream that is made somewhere else, and cut flowers or plants that are grown at another farm, they are selling others agriculture or products. By the farm not being able to sell other farms produce, which is what is delivered in those big Sysco trucks, they are limited to only selling what crops they have. It's very disappointing to me that someone in our community is responsible for them having to end their business, especially after having to pivot many times during this pandemic. The outcry from the homeowners in Marcil Village is what has prompted me to move up this HOA meeting to next Saturday @ 10:30. It will be held at the barn but it will remain a closed meeting, with only MArcil Village Homeowners in attendance. We hope to see you there.

Thanks,
Christina.

Sent from my iPhone

On Mar 19, 2022, at 9:49 AM, Christina Merklin <chrismerklin16@gmail.com> wrote:

https://canons.sog.unc.edu/2022/07/what-the-heck-is-agritourism/

Exhibit D

UNC | SCHOOL OF GOVERNMENT

Coates' Canons NC Local Government Law

What the heck is "agritourism"? Defining a non-farming agricultural use

Published: 07/07/22

Author Name: Jim Joyce

N.C. General Statute 160D-903(a) prevents zoning ordinances in county and municipal extraterritorial jurisdiction from affecting "property used for bona fide farm purposes." This statute also blocks zoning regulations in these same areas from applying to buildings or structures used for "agritourism." But what is agritourism and what uses does it include? Halloween hayrides? Campsites? Shooting ranges? This blog reviews the factors one can use in evaluating whether a use should be considered "agritourism."

Before we dive in, it is important to keep in mind the limits of this exemption: G.S. 160D-903 only blocks *zoning* regulations from affecting property used for bona fide farm purposes. Other local regulations, such as nuisance ordinances, sound regulations, subdivision ordinances, and the like *still apply* to bona fide farms and agritourism uses, wherever they might be located. Zoning ordinances also still apply to farm-related property inside municipal limits and property that may be on a farm but is not being put to farm use. For more on other aspects of zoning and agricultural uses, please see David Owens's April 2020 summary of zoning and agricultural uses, or Adam Lovelady's recent post on the related issue of housing for agricultural workers.

The Rules

Copyright © 2009 to Present School of Government at the University of North Carolina.

Most bona fide farm uses are no surprise – the growing and producing of plants, animals, and dairy are all bona fide farm uses that qualify property for protection from county and extraterritorial zoning. Others might be less obvious but nonetheless involve growing and maintaining plants and animals, such as horticulture (raising house plants), silviculture (tree farming), and aquaculture (fish farming).

As mentioned above, the zoning protection of G.S. 160D-903(a) also applies to "a building or structure that is used for agritourism." The term "agritourism" is defined as "any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions." The statute explicitly includes as buildings used for agritourism those that are used for "weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting."

There are some agritourism activities that should fall squarely within this definition if they occur on a bona fide farm, such as corn mazes, horsemanship demonstrations, and nature walks; these activities allow members of the public to enjoy "rural activities" and take place on a farm because of its farm or rural setting. There are other less-obvious uses that are explicitly included, such as the old horse barn that is now used for weddings and corporate events. But what about the situations that are not so clear, like camping areas, rodeos, or even tractor pulls?

The statutes do not give us any other clues, but the North Carolina Court of Appeals provided some additional guidance through its decision in the case of *Jeffries et al v. Harnett County*, 259 N.C. App. 473, 817 S.E.2d 36 (2018), *cert denied* 826 S.E.2d 710 (2019). In that case, the court analyzed what factors might make shooting-related uses, such as a shooting range, sporting clays, or a game reserve, more or less likely to be considered agritourism.

The *Jeffries* court identified three main factors that contribute to whether a use can be considered agritourism and exempted from the application of zoning regulations:

1. Agritourism uses are those performed on a farm because it derives some value from or requires the farm or natural setting. For example, a shooting range just needs open space—it does not derive any other value from being on a farm or in a natural environment. On the other hand, a game reserve with animals kept on site necessarily has to be in a rural setting. In practice, this can be a tricky factor to analyze, but one might consider what value the use derives from being on a farm or in a rural environment. For instance, does it *have* to be in a rural setting? Does being on a farm add substantially to the experience?
2. A use is more likely to be considered agritourism if its risk profile aligns with that of farm uses. Chapter 99E of the General Statutes, where the definition of "agritourism" was found at the time of the *Jeffries* decision, also defines the "inherent risks of

Copyright © 2009 to Present School of Government at the University of North Carolina.

agritourism activity." These risks include "surface and subsurface conditions, natural conditions of land, vegetation, and waters, the behavior of wild or domestic animals, and ordinary dangers of structures or equipment ordinarily used in farming and ranching operations." Thus, as the *Jeffries* court reasoned, if the risks inherent to a use differ greatly from those related to natural conditions, animals, and farm structures and equipment, it is likely not agritourism. For instance, a shooting range has risks (misfires, accidental shooting, etc.) that differ significantly from the risks of operating a farm.

3. Agritourism uses do not require much in the way of artificial structures or alterations to the land. The *Jeffries* court also described the construction and use of artificial structures or the altering of natural land as making it less likely that a structure or activity would be considered agritourism. So a hunting preserve, which does not require alteration of the natural environment save for the odd deer stand or duck blind that is relatively easy to remove, is more likely to be an agritourism use. On the other hand, an outdoor shooting range that requires construction of berms or baffles, targets, possibly lights, and a covered firing line substantially alters the natural environment.

Evaluating possible agritourism uses

Based on the factors listed in the statute and used by the *Jeffries* court, when evaluating a potential agritourism use, consider the following:

1. Does the activity allow members of the general public to view or enjoy activities that are necessarily rural in nature (such as farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions)?
2. Is the building or structure used for weddings, receptions, meetings, demonstrations of farm activities, meals, and similar events?
3. Is the activity taking place on the farm *because* of its farm or rural setting – in other words, is there a reason this activity should be or needs to be on a farm or in a rural setting, besides just needing a lot of space?
4. Are the risks inherent to the activity similar to risks of working on a farm?
5. Does the use require no or little alteration of the farm and natural environment?

The more you answer "yes" to these questions, the more likely it is that the use you are evaluating is an agritourism use.

What if there's no farm to go with the agritourism?

Some rural properties are not in farm use but provide agritourism services. Imagine, if you will, a barn. When the land on which it sits was used for raising crops and animals, that barn was an important part of the bona fide farm use of the property. Now, the property is not used as a farm, but the barn is rented out for special events. All of the property's "farm" income comes from agritourism. Does it still qualify for the zoning exemption?

Copyright © 2009 to Present School of Government at the University of North Carolina.

One might think that, since farm property used for agritourism tends to be protected from the application of zoning regulations, it would be protected even as its own use. However, if we look closely at the statutory language, it would appear that agritourism may need some other form of agriculture on the property to maintain its protected status.

G.S. 160D-903(a) exempts agritourism uses from being affected by county or extraterrestrial zoning "if the building or structure is located on a property that (i) is owned by a person who holds a qualifying farm sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105-164.13E(a) or (ii) is enrolled in the present-use value program pursuant to G.S. 105-277.3." This language suggests that, if there is no sales tax exemption for the property and it is not in the present use valuation program (for property tax purposes), the agritourism protections do not apply. Further, the definition of "agriculture" in G.S. 106-581.1, which is referenced in G.S. 160D-903(a), describes agritourism as an "activit[y] incident to" farming or farm operation (emphasis added). This language likewise suggests that there must be a farming use to which the agritourism use is incident, or else it might not be considered *agri*tourism.

Losing agritourism status

So what happens to the property when it is no longer used as a bona fide farm? G.S. 160D-903 refers to property that is "used for bona fide farm purposes" in the present tense. Presumably, this means that once the property is no longer used for a bona fide farm use, it would be subject to the local zoning code.

More precisely, the statute refers to "building[s] or structure[s]…used for agritourism," so if a building or structure ceases to be used for agritourism, it will no longer be shielded from county and extraterritorial zoning. In addition, once the building or structure is classified as a bona fide farm purpose, any "[f]ailure to maintain the requirements of this subsection" for the next three years makes the building or structure subject to zoning regulations. The statute does not specify exactly which "requirements of this subsection" must be met, but the preceding sentence states that agritourism buildings and structures must be on property that holds a sales tax exemption or present-use property tax valuation. Presumably it is special sales or property tax status (and documentation of the same) that must be maintained for three years from the structure's classification as a bona fide farm purpose.

Once a building or structure loses agritourism or bona fide farm zoning protection, does the use have to come into compliance with the zoning code immediately, and does a structure immediately need to be altered to comply with zoning regulations? Not necessarily. Once the zoning ordinance applies, the

Copyright © 2009 to Present School of Government at the University of North Carolina.

jurisdiction's regulations on nonconformities will most likely apply (for more on nonconformities, see this blog post from David Owens). In most cases, nonconforming uses that were legally established (such as bona fide farm uses and attendant agritourism uses) can remain as long as they do not change to another nonconforming use or expand the nonconforming use of the property. Hence, as long as the use of the property was legally an agritourism use on a working farm, it will likely be allowed to continue under certain conditions.

Takeaways

Even with the additional clarity provided by legislative tweaks and by the *Jeffries* case, whether a given use could be considered "agritourism"—and thus whether it can avoid zoning regulations—will depend a great deal on the facts of each individual situation: does the activity take place on a farm? Is it listed among or like one of the "agritourism" uses in the statutes? Does it need to be in a farm or rural setting? Does it have risks similar to those for farming activities? To what degree does it require altering the natural environment? All of these factors will play into whether a particular use should be considered an agritourism activity. Planning practitioners should consider these factors in evaluating potential agritourism uses and use their best judgment, at least until the courts take up the question again…

All rights reserved. This blog post is published and posted online by the School of Government to address issues of interest to government officials. This blog post is for educational and informational use and may be used for those purposes without permission by providing acknowledgment of its source. Use of this blog post for commercial purposes is prohibited. To browse a complete catalog of School of Government publications, please visit the School's website at www.sog.unc.edu or contact the Bookstore, School of Government, CB# 3330 Knapp-Sanders Building, UNC Chapel Hill, Chapel Hill, NC 27599-3330; e-mail sales@sog.unc.edu; telephone 919.966.4119; or fax 919.962.2707.

Copyright © 2009 to Present School of Government at the University of North Carolina.

Pender County
Request for Board Action

TO:	Board of Adjustment
FROM:	Travis Henley
DATE:	August 17, 2022
SUBJECT:	APPEAL 2022-08 - Appeal of Administrative Decision - Planning Board Denial of Wyndwater Master Development Plan Revision (Case # MDP-R 2022-38)

SUMMARY:

Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar Estate, owner, is requesting an Appeal of Administrative Decision made by the Pender County Planning Board at their June 7, 2022 regular meeting. The Pender County Planning Board voted unanimously (4-0) to deny the Master Development Plan (MDP 2022-38) that would have allowed for a modification of the existing plan to allow for townhomes in Phases 7 and 11, increase the non-residential area within both phases, and remove Phase 10, located across Sloop Point Loop Road from the Craftsman Way entrance, from the project. The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west and east of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township. The properties may be further identified by Pender County PIN(s): 4204-84-9111-0000; 4214-50-8387-0000; 4213-59-0181-0000; 4214-31-5745-0000; 4204-75-9493-0000; 4204-85-1358-0000; 4204-75-8439-0000; 4204-75-9493-0000; 4204-85-1358-0000.

ACTION REQUESTED:

To hold a public hearing and consider the APPEAL request.

ATTACHMENTS:

1. Appeal Staff Report
2. Applicant's Appeal Description
3. Appeal Application 1
4. Appeal Application 2
5. MDP-R 2022-38 Staff Report for Planning Board (June 7, 2022)
6. Wyndwater Project Narrative
7. Wyndwater MDP Original Proposal
8. Wyndwater MDP Revised Site Plan 1
9. Wyndwater MDP Revised Site Plan 2
10. Wyndwater Case History

11. April 5, 2022 Planning Board Minutes
12. June 7, 2022 Planning Board Minutes
13. MDP-R 2022-38 Denial Letter
14. Unified Development Ordinance Sections 3.5 (MDPs), 6.1 (MDP Contents), and 7.9 (Stormwater)
15. Wyndwater MDP Density Calculations
16. Wyndwater MDP Revision Application
17. Wyndwater MDP Public Meeting Summary
18. Wyndwater MDP TIA Scope Approval

PLANNING STAFF REPORT
APPEAL OF ADMINISTRATIVE DECISION

SUMMARY:

Hearing Date:	August 17, 2022
Applicant:	Signature Top Sail NC, Ltd.,
Property Owners:	Signature Top Sail NC, Ltd. Trust Special, Ruth Kalmar Estate
Case Number:	APPEAL 2022-08

Property Location and Description: The subject properties are located to the east of US HWY 17, north of Doral Drive (SR 1693), east and west of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township.

Zoning District of Property: The subject property is zoned PD, Planned Development zoning district.

Summary of Appeal Request: Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar Estate, owner, is requesting an Appeal of Administrative Decision made by the Pender County Planning Board at their June 7, 2022 regular meeting. The Pender County Planning Board voted unanimously (4-0) to deny the Master Development Plan (MDP 2022-38) that would have allowed for a modification of the existing plan to allow for townhomes in Phases 7 and 11, increase the non-residential area within both phases, and remove Phase 10, located across Sloop Point Loop Road from the Craftsman Way entrance, from the project.

BACKGROUND AND DESCRIPTION OF APPEAL REQUEST:
The Master Development Plan known as Wyndwater was originally approved in November 2013 and has been subject to numerous revisions over time since the original approval (see attached for a more detailed history of the project). As it currently exists, the Master Development Plan of Wyndwater includes approximately ±234.28 acres, a significant number of which have already been developed or are in the process of being developed. Within Wyndwater, Phases 1, 2, 3, 6, 8, and 9 have received Final Plat approval and are entirely or mostly built out. All of Phase 4 has received Final Plat approval as well and is nearing completion, and Phase 5 is currently under construction. The overall Master Development Plan is approved to include 529 units, with the most recent revision being approved in March 2021.

An application for a further Master Development Plan revision under the PD, Planned Development zoning district requirements was received on September 10, 2021 for the subject properties. Specifically, the Master Development Plan Revision was designed to accomplish the following items:

- Phase 10 (Pender County PINs 4213-49-8163-0000 and 4214-40-7044-0000): Remove from the project. This parcel was originally intended to include 41 single-family detached and townhome units. The parcel shall retain the PD, Planned Development zoning district designation but shall require its own Master Development Plan process if developed in the future.
- Phase 11 (northern portion of Pender County PIN 4204-84-9111-0000, as well as Pender County PINs 4204-75-8439-0000; 4204-75-9493-0000 and 4204-85-1358-0000): Previously approved for 76 townhome units, proposal reduces this number to 56 townhome units and increases commercial acreage to include 56,000 square feet of medical office and retail space.
- Phase 7 (southern portion of Pender County PIN 4204-84-9111-0000): previously noted as future development, proposal includes 60 townhome units as well as 12,800 square feet of medical office space. The 60 residential units allocated to this phase are sourced from the reduction of units in Phase

11 and the removal of Phase 10 from the project. This phase was designated to contain townhomes in the most recent Master Development Plan Revision, however no units were allocated to it.

Upon the applicant presenting their application to the Planning Board at their April 5th, 2022 meeting, numerous members of the public spoke in opposition to the project, specifically mentioning stormwater and drainage, water quality, traffic, density, and overall fit within the community. The Planning Board tabled the request to the next meeting, which was held on June 7th, 2022, at which time many similar concerns were heard from the public as well. After lengthy discussion between the applicant and development team, the Planning Board, and Staff, a motion to deny the application carried on a unanimous 4-0 vote, specifically citing the proposals lack of conformance to Article 7.9.D 'Design Standards' relating specifically to stormwater. Planning Staff provided the applicant a letter stating the Board's decision which may be found attached to this packet, as are and the approved minutes from the April 5th and June 7th meetings. Additionally, Unified Development Ordinance standards relating to Master Development Plans (3.5), the contents required within Master Development Plans (6.1), and the Stormwater Design standards (7.9) are also found as attachments to this report.

If the Board of Adjustment grants approval of the appeal, reversing the denial of the Master Development Plan by the Planning Board, the applicant must still meet all requirements in Pender County's Unified Development Ordinance and agreed upon conditions of approval, including submitting all necessary permits prior to any subdivision or site plan approval within the Master Development Plan.

ZONING ADMINISTRATOR'S CONCLUSION:

Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar Estate, owner, is requesting an Appeal of Administrative Decision made by the Pender County Planning Board at their June 7, 2022 regular meeting. According to Section 3.5.4.H below, any denial of a Master Development Plan may be appealed to the Board of Adjustment within thirty (30) days of the decision.

3.5 Master Development Plan

3.5.4 Review

H. If the MDP is denied by the Planning Board, the applicant may choose to withdraw the application and resubmit it with changes as a new plan, or appeal the Planning Board's decision to Zoning Board of Adjustment.

BOARD ACTION FOR VARIANCE:

MOVED_____ SECONDED_____

APPROVED_____ DENIED_____ UNANIMOUS_____

YEA VOTES: Kipfer: _____ Breuer: _____ Keeler: _____ Olsen: _____ Snider: _____

APPEAL DESCRIPTION

Pursuant to Pender County Unified Development Ordinance, Section 3.5.4.H, the Applicant, Signature Top Sail NC, LP joining with Property Owners, Trust Special, Ruth Kalmar Estate hereby provide notice of appeal of the Planning Board's denial of the Master Development Plan ("MDP 2022-38") for a mixed-use development known as Wyndwater located to the east of US Highway 17, north of Doral Drive, west of Sloop Point Loop Road, and south of the Cardinal Acres Lane in the Topsail Township as more fully described in the attached letter dated June 7, 2022. Also attached, please find a copy of the application and staff report for MDP 2022-38.

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP	**Date**	
Application Fee	$	**Receipt No.**	
Pre-Application Conference		**Hearing Date**	

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Signature Top Sail NC, LP	**Owner's Name:**	Signature Top Sail NC, LP
Applicant's Address:	9337B Katy Freeway #377	**Owner's Address:**	9337B Katy Freeway #377
City, State, & Zip	Houston, Texas 77024	**City, State, & Zip**	Houston, Texas 77024
Phone Number:	713-822-3891	**Phone Number:**	
Legal relationship of applicant to land owner:	Land Owner and Developer		

SECTION 2: PROJECT INFORMATION				
Type of Master Development Plan	☐ **Residential** *RP, PD, RM MH District*	☐ **Commercial** *GB, OI, IT, GI District*	☐ **Mixed Use** *PD*	☐ **Exempt**
Property Identification Number (PIN):	4214-12-8251-0000	**Total property acreage:**	205 96	
Zoning Classification:	PD	**Acreage to be disturbed:**		
Project Address :	Sloop Point Loop Road			
Description of Project Location:	Wyndwater Subdivision			
Describe activities to be undertaken on project site:	Development of Residential Lots & Commercial Development			

SECTION 3: SIGNATURES			
Applicant's Signature		**Date:**	9/16/21
Owner's Signature	Signature Top Sail NC, LP	**Date:**	9/16/21

Page 48 of 62

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	**MDP**	**Date**	
Application Fee	**$**	**Receipt No.**	
Pre-Application Conference		**Hearing Date**	

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Signature Top Sail NC, LP	**Owner's Name:**	Trust Special, Ruth Kalmar Estate
Applicant's Address:	9337B Katy Freeway #377	**Owner's Address:**	2237 Queens Road East
City, State, & Zip	Houston, Texas 77024	**City, State, & Zip**	Charlotte, NC 28207
Phone Number:	713-822-3891	**Phone Number:**	704-661-7426
Legal relationship of applicant to land owner:	Developer		

SECTION 2: PROJECT INFORMATION				
Type of Master Development Plan	☐ **Residential** *RP, PD, RM MH District*	☐ **Commercial** *GB, OI, IT, GI District*	☑ **Mixed Use** *PD*	☐ **Exempt**
Property Identification Number (PIN):	4214-50-8387-0000	**Total property acreage:**	19.56	
Zoning Classification:	PD	**Acreage to be disturbed:**		
Project Address :	Sloop Point Loop Road			
Description of Project Location:	Project is located between Hwy 17 & Sloop Point Loop Road			
Describe activities to be undertaken on project site:	Development of Residential Lots			

SECTION 3: SIGNATURES			
Applicant's Signature		**Date:**	
Owner's Signature	Richard Alan Davis, Successor Trustee	**Date:**	9/9/2021

NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

Office Use Only

☐	**MDP Fees:** (*$500.00 plus $10/acre for the first 100 acres $5/acre thereafter)*	**Total Fee Calculation: $**

Attachments Included with Application: (Please include # of copies)

CD /other digital version	☐ Y ☐ N	Plan Sets	# of large	# of 11X17	Other documents/Reports	☐ Y ☐ N

Payment Method:	**Cash :** ☐ $_____	**Credit Card:** ☐ Master Card ☐ Visa	**Check:** ☐ Check # _____

Application received by:		Date:
Application completeness approved by:		Date:
Date scheduled for public hearing:		

STAFF REPORT FOR MDP-R 2022-38
MASTER DEVELOPMENT PLAN REVISION APPLICATION

APPLICATION SUMMARY	
Case Number	MDP-R 2022-38
Hearing Date	April 5, 2022 - Planning Board, tabled June 7, 2022 - Planning Board
Applicant	Signature Top Sail NC, Ltd.
Property Owner(s)	Signature Top Sail NC, Ltd. and Trust Special, Ruth Kalmar Estate
Parcel Identification Number	4204-84-9111-0000; 4214-50-8387-0000; 4213-59-0181-0000; 4214-31-5745-0000; 4204-75-9493-0000; 4204-85-1358-0000; 4204-75-8439-0000; 4204-75-9493-0000; 4204-85-1358-0000.
Acreage	205.96
Township	Topsail
Zoning District	PD, Planned Development
Pender 2.0 Future Land Use Category	Low Density Residential and Coastal Residential

MASTER DEVELOPMENT PLAN PROPOSAL

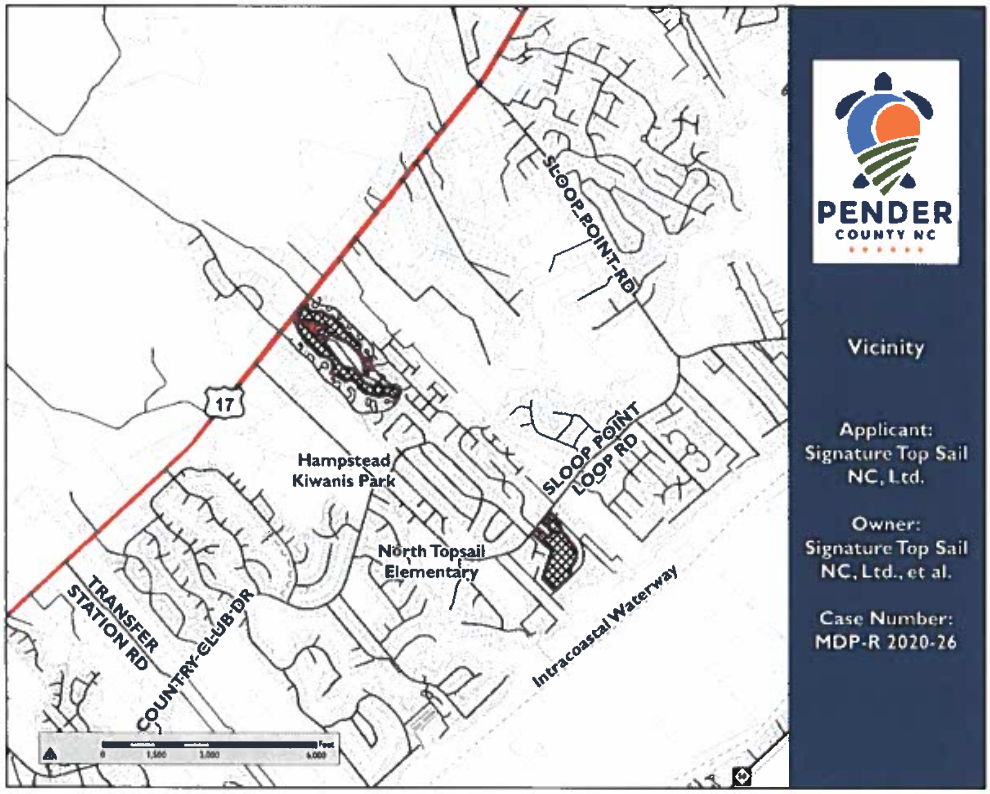
Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar estate, owner, is requesting a revision to the previously approved Master Development Plan for the mixed-use development known as Wyndwater. Specifically, the request is to modify the existing Plan to allow for townhomes in Phases 7 and 11, increase the commercial area within both phases, and remove Phase 10 from the Plan. The Master Development Plan is proposed to reduce in size to approximately 206 acres (from approximately 235 acres) with the total number of units remaining consistent with previous approvals.

LOCATION

The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township.

RECOMMENDATION *(Revised April 1, 2022)*

Planning Staff is submitting the proposal for Planning Board disposition. The request was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan, and was also found to be generally consistent with the Future Land Use Map within said plan. The request is also consistent with previous approvals for the Wyndwater Master Development Plan, and with the Unified Development Ordinance. Therefore, Staff respectfully recommends approval of the revision as described in this report.



MDP REVISION PROPOSAL

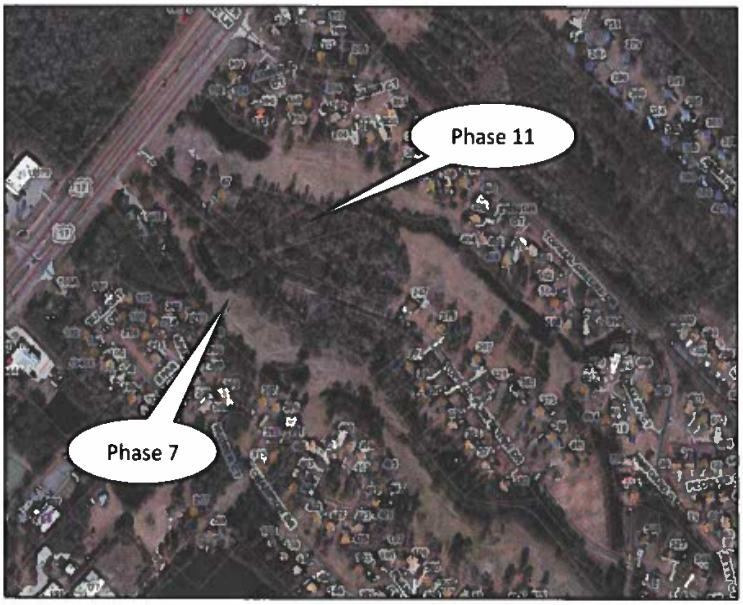
In accordance with standards of the PD, Planned Development zoning district as laid out in the Pender County Unified Development Ordinance, Master Development Plans within this zoning district shall be subject to the review and approval of the Pender County Planning Board. In addition, major modifications to previously approved Master Development Plans shall also be subject to the review and approval of the Planning Board.

The Master Development Plan known as Wyndwater has been subject to a number of revisions of the course of its existence (see Attachment 1 for a history of the project). As it currently exists, the Master Development Plan of Wyndwater includes approximately ±234.28 acres, a significant number of which have already been developed or are in the process of being developed. Within Wyndwater, Phases 1, 2, 3, 6, 8, and 9 have received Final Plat approval and are entirely or mostly built out. All of Phase 4 has received Final Plat approval as well, and Phase 5 is currently under construction. The overall Master Development Plan is approved to include 529 units.

The proposal as outlined in this report does not seek to expand the previously approved unit allowance within the Master Development Plan. Rather, the proposed Master Development

Plan Revision seeks to allocate uses and unit counts to the remaining phases of the project, as well as provide additional clarity as to the infrastructure within the remaining phases. Additionally, the proposal seeks to increase non-residential acreage and uses within the project, with all non-residential uses continuing to be clustered along US HWY 17 at its intersection with Topsail Plantation Drive. Furthermore, the request seeks to remove approximately 29 acres from the overall Master Development Plan. Specifically, the Master Development Plan Revision proposal seeks approval for the following:

- Phase 10 (Pender County PINs 4213-49-8163-0000, 4214-40-7044-0000, and 4214-40-7044-0000): Remove from the project. This parcel was originally intended to include 41 single-family detached and townhome units. The parcel shall retain the PD, Planned Development zoning district designation but shall require its own Master Development Plan process if developed in the future.
- Phase 11 (northern portion of Pender County PIN 4204-84-9111-0000, as well as Pender County PINs 4204-75-8439-0000; 4204-75-9493-0000 and 4204-85-1358-0000): Previously approved for 76 townhome units, proposal reduces this number to 56 townhome units and increases commercial acreage to include 56,000 square feet of medical office and retail space.
- Phase 7 (southern portion of Pender County PIN 4204-84-9111-0000): previously noted as future development, proposal includes 60 townhome units as well as 12,800 square feet of medical office space. The 60 residential units allocated to this phase are sourced from the reduction of units in Phase 11 and the removal of Phase 10 from the project. This phase was designated to contain townhomes in the most recent Master Development Plan Revision, however no units were allocated to it (see below).





Above: Property previously designated as Phase 10, proposed to be removed from the project.

With approval of the proposed Master Development Plan Revision as outlined in this report, there would be no other phases within the project designated for future development. All residential units approved for the project would be allocated to one of the phases within it, all residential and non-residential uses would be designated, and all phases would be of sufficient detail to move forward to construction without any further revisions to the Master Development Plan. The majority of the remainder of this report is in the context of Phases 7 and 11 specifically, as all proposed changes within the Master Development Plan (with the exception of the removal of Phase 10) are contained within these two phases.

Density

The Wyndwater Master Development Plan has added additional land over time, and as such the overall density calculation has fluctuated over time. Generally, the approved residential density has been around 3 units per acre over the course of the Master Development Plan's existence. The most recent Master Development Plan revision established a net density of 2.76 units per acre across the entirety of the project. Given that the proposal seeks to remove approximately 29 acres from the project, the project now yields a higher units per acre figure of 3.46 units per

acre across the entirety of the project. However, the total number of residential units is not increasing by virtue of this proposal.

The standards of the PD, Planned Development zoning district at the time of Wyndwater's initial approval included a maximum of 5 units per acre for development within that zoning district, and the Comprehensive Land Use Plan adopted by the County at that time also recommended a density maximum of 5 units per acre in this location as well. While both the standards of the Unified Development Ordinance, as well as the adopted Comprehensive Land Use Plan have changed since that original approval, the Wyndwater Master Development Plan as proposed remains consistent with the standards and guidance that existed at the time it was established. A further discussion of density is included below in relation to the Pender 2.0 Comprehensive Land Use Plan.

Non-Residential Development

The applicant is proposing approximately 9.60 acres of non-residential space within the Master Development Plan. The majority of this acreage is clustered at the intersection of US HWY 17 and Topsail Plantation Drive, within Phases 7 and 11. Overall non-residential uses in this area includes approximately 68,800 square feet of medical office and retail space with associated parking and other typical features of non-residential development. Development of these areas shall require submittal of a Major Site Development Plan for all or a portion of the site, during which time the project shall be reviewed for its conformance to the Master Development Plan's requirements as well as those found within the Unified Development Ordinance.

In a previous iteration of this proposal, the applicant has floated the idea of a storage lot to be utilized by the Topsail Greens community and replace an existing storage lot along Topsail Plantation Road near US HWY 17. According to the applicant's submitted public input meeting report following the meeting in October, the Topsail Greens Homeowners Association was in support of this endeavor. Since that time, the ability for the land home to the existing storage area to be transferred to the applicant has been called into question. As such, the applicant has removed that property and all storage uses from the proposal (section revised April 1, 2022).

Proposed Setbacks and Dimensions

The applicant is requesting no changes to previously approved dimensional standards for the project. Structure separation between townhome buildings is proposed to be 10 ft. Maximum building height for all phases of the development is 38 ft. As outlined in the Unified Development Ordinance, Section 4.8.1.D outlines that the minimum distance between structures, minimum lot width, and minimum yard requirements are established in the Master Development Plan approval process and may be modified by the Planning Board.

Allowable Uses

Per Section 6.1.1.A of the Pender County Unified Development Ordinance (UDO), all proposed uses shall be specified in the Master Development Plan narrative by NAICS code. The applicant has requested a change in allowable uses outlined in the approved Master Development Plan, necessitating a revision to be considered by the Planning Board.

	Proposed Allowable Uses in Master Development Plan	
	NAICS Code	Use
Proposed Allowable Uses	443	Electronics and Appliance Stores
	445	Food and Beverage Stores
	446	Health and Personal Care Stores
	447	Gasoline Stores
	448	Clothing and Clothing Accessory Stores
	451	Sporting Goods, Hobby, Book, and Music Stores
	453	Miscellaneous Store Retailers
	454	Non-Store Retailers
	54	Professional, Scientific, and Technical Offices
	621	Ambulatory Health Care Services

TRANSPORTATION INFRASTRUCTURE

Roadways, Street Connectivity, and Access
The applicant is proposing private roadways in Phases 7 and 11.

Per Section 7.5.3, all designated private streets are required to be designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards manual. The townhomes within Phases 7 and 11 shall be served by 40 ft. private rights of way, some of which will also serve future commercial development along US HWY 17 as well. This is in conformance with the Pender County Unified Development Ordinance. These roadways will be reevaluated at the point of Preliminary Plat and/or Major Site Development Plan submittal.

According to Section 4.8.1.E, the PD, Planned Development zoning district requires reasonable access to be provided to adjacent properties for development. Adequate connections to adjacent parcels will promote interconnectivity and build road networks throughout the County. Per Section 7.5.3.C.5, these roadways are required to be designated as public when connected to adjacent parcels. Phases 7 and 11 are designated to include private rights-of-way to reach the proposed townhomes from Topsail Plantation Drive. The design of the existing Topsail Greens subdivision, particularly those lots along Topsail Greens Drive, Topsail Plantation Drive, and Champion Drive, does not permit additional access points to be established to Phases 7 and 11. As such, the proposal is found to be in conformance with the Unified Development Ordinance from an access standpoint.

Pedestrian Access

Per Section 4.8.1.E.2 pedestrian-oriented communities are encouraged to maximize the opportunity for pedestrian activity and improve the quality of the pedestrian experience. Many existing phases of Wyndwater include pedestrian facilities. At the March 2, 2021 meeting of the Planning Board, a condition was placed upon the Wyndwater Master Development Plan such that all future roadways within the project would include pedestrian facilities on at least one side of the right-of-way or drive aisle. That condition shall be applicable to all private rights-of-way within Phases 7 and 11.

Traffic

A revision to the Traffic Impact Analysis (TIA) is currently underway given the proposed changes to the Master Development Plan, and the approved Scope for the revision is included as an attachment to this report. The TIA will analyze the proposal in the context of existing traffic volumes and roadway projects in coordination with NCDOT and the Wilmington Metropolitan Planning Organization, identifying roadway improvements to be installed by the developer to mitigate the impacts of the proposal on the NCDOT system. Additional units or other further revisions to the Master Development Plan may also require a further update to the Wyndwater TIA in the future. The TIA shall be approved, in addition to all applicable NCDOT Driveway Permits, prior to zoning approval being issued for any phase of the project.

Parking

Parking for the commercial uses will be determined based on the specific type of use and the total square footage of the building. As specific tenants for the proposed commercial developments are not yet known, parking requirements for this portion of the project cannot be determined at this time, and all parking areas shown on the Master Development Plan are only placeholders at this time. Through the site development plan approval process, parking will be reevaluated for conformance with the UDO.

LANDSCAPING, ENVIRONMENT, AND OTHER INFRASTRUCTURE

Landscape and Buffers

The table below outlines the required buffers in the PD, Planned Development zoning district based on the adjacent land uses to the subject property within Phases 7 and 11. The proposed master plan illustrates the type of buffer along each property boundary, all of which are compliant with UDO requirements.

Required and Proposed Buffers	
Buffer Type	**Location of Buffer**
Type A	Adjacent to US HWY 17 and Topsail Plantation Drive

Type C	Adjacent to all residential uses along Topsail Plantation Drive, Topsail Greens Drive, Champion Drive, and other roadways

Significant Trees

The PD, Planned Development zoning district requires a tree survey to be submitted prior to the Final Preliminary Plat approval. The Applicant shall be required to submit this documentation for all phases prior to the issuance of staff approvals of either Preliminary Plats or Major Site Development Plans. The applicant has agreed to a condition of approval requiring all significant trees to remain on site to be marked on the Master Development Plan and wrapped with protective fencing prior to issuance of any construction authorization and until construction is complete for all subsequent phases of the development. They have also agreed to mitigate significant trees required to be removed at a 4:1 ratio, whereas the Pender County Unified Development Ordinance requires mitigation at a 2:1 ratio.

Open Space

The Wyndwater Master Development Plan has expanded in acreage multiple times over the course of previous approvals. As such, the proposal conflicts with Section 7.6.1.E.1 of Pender County Unified Development Ordinance with regard to open space: per Section 7.6.1.E.1, the dedicated [open space] land shall form a single parcel of land, whether the subdivision is developed in phases or sections, except where it is determined by the appropriate governing body, that two (2) or more parcels would be in the best interests of the residents of the subdivision and the public; and in such case, the appropriate governing body, may require that such parcels be connected.

The Wyndwater open spaces do not connect due to the applicant acquiring additional pieces of property throughout the Master Development Plan's multiple revisions. As the applicant completes the infill development, the open spaces become better connected throughout the Master Development Plan using sidewalks and pedestrian easements. The proposed 36.07 acres of open space exceeds the requirements within Section 7.6.1.C, which requires 0.03 acres per dwelling unit. All recreational unit requirements have been fulfilled at this time.

Open Space Type	Required (acres)	Proposed (acres)
Passive	7.92	15.52
Active	7.92	20.54
Total	15.88	36.07

Utilities

An Intent to Service Letter was provided by the applicant on behalf of Pluris Hampstead, LLC and Pender County Utilities during a previous approval process for the September 2016 MDP revision. No additional density has been added to this revision and no further action in required. Coordination with Pender County Utilities and Pluris Hampstead, LLC shall continue as individual phases are brought forward for review and approval by Planning Staff and the Technical Review Committee.

Stormwater
Previously approved phases of the Wyndwater Master Development Plan were approved under a previous version of the Unified Development Ordinance. Section 7.9 of the Pender County Unified Development Ordinance, which addresses stormwater management, has been updated following the submittal of the last revision to this Master Development Plan. Due to the submittal of this revision, all subsequent phases of the Wyndwater Master Development Plan shall be required to meet the updated stormwater standards enforced by Pender County. Conformance to these standards shall be verified during the site development plan and/or preliminary plat process for each individual phase.

Special Flood Hazard Areas
A portion of the subject property (PIN 4204-84-9111-0000) located directly east of US HWY 17 is located within the "Approximate Zone A" Special Flood Hazard Area, according to the 2007 Flood Insurance Rate Map (FIRM) Map Number 3720420400J. This was the established flood zone at the time of the original Master Development Plan approval, and construction standards in the Approximate Zone A would require elevation of structures within it at an elevation of 2' about highest adjacent grade (HAG). However, preliminary FIRMs are available for public review but not yet adopted, on which the amount of the parcel shown to be in the Special Flood Hazard Area is reduced and is within "Zone AO," which is a 1% annual-chance floodplain (also known as 100-year floodplain) with a depth of 2 ft. in all locations. Construction standards in this floodzone would include a 2' freeboard in addition to the 2' depth, leading to finish floor elevations for those structures being required to be 4' above highest adjacent grade (HAG). Finally, the applicant has the option to conduct a standalone flood study for this area and provide it for the County Floodplain Manager for their review in accordance with the Pender County Flood Damage Prevention Ordinance.

All development in these areas will require re-examination by Staff at the time of development submittal in accordance with the best available flood data and the effective Special Flood Hazard Area maps at that time. Both Phases 7 and 11 are and will be subject to the requirements of the Flood Damage Prevention Ordinance at the time of construction.

ENVIRONMENTAL CONCERNS	
Wetlands	It appears that the subject properties may contain wetlands per data provided by the NC Division of Coastal Management and the National Wetlands Inventory. The presence of any wetlands will be verified during the site development plan review process.
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC), according to the North Carolina Department of Environmental Quality.

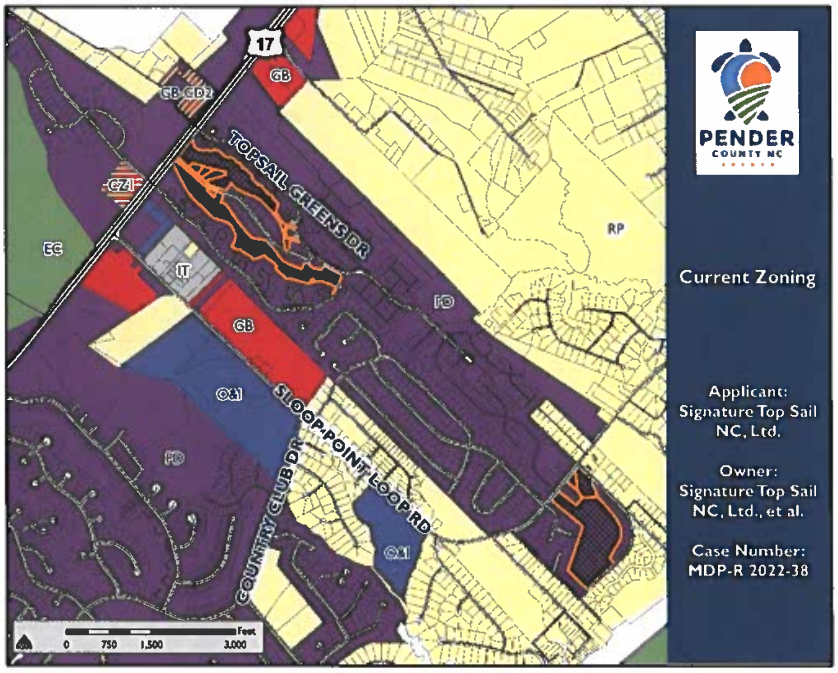
External Permits

All applicable state and federal agency permits, including but not limited to a Stormwater Management Permit, Erosion Control Plan, wetlands impact permits and delineations, and NCDOT Driveway/Encroachment Permits will be required prior to the approval of the for each phase as applicable, in addition to any further permits that may be required in the context of each phase.

PUBLIC INPUT MEETING

Per Sections 3.1 and 4.8 of the Pender County Unified Development Ordinance, an applicant for a Master Development Plan or major revision to said plan is required to hold a public input meeting prior to being scheduled for a public hearing with the Planning Board. The applicant held their meeting on Saturday, October 8th, 2021 at the Wyndwater pool and amenity site. According to the submitted report from the applicant, questions included flexibility in the buffer standards to remove fencing requirements (discussed earlier in this report). Additionally, the report confirms the Topsail Greens' Homeowners Association approval of the movement of the storage lot area, which has since been removed from the proposal (revised April 1, 2022).

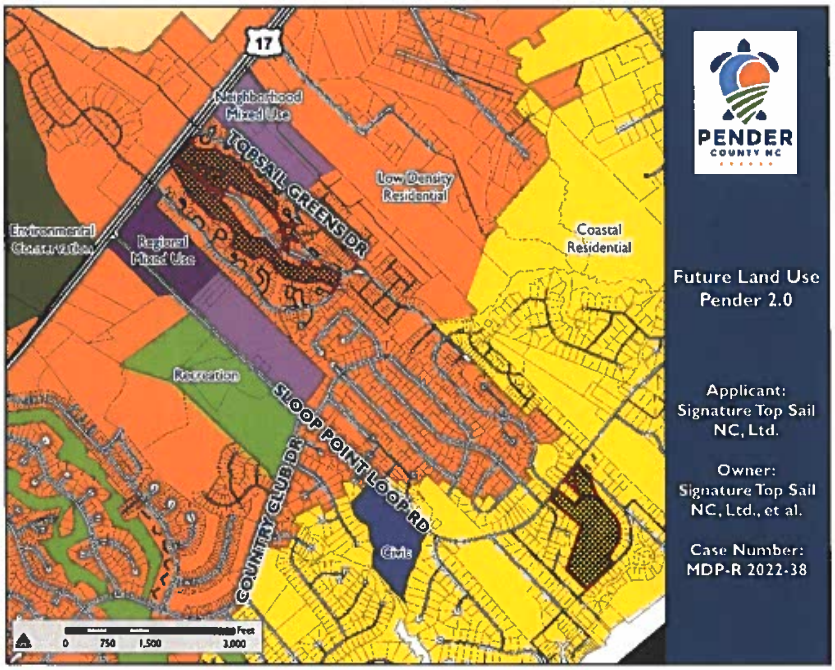
EVALUATION



Below: Zoning Map of the Area

CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	**ZONING**
North	Topsail Greens, Cardinal Acres, farm uses	PD, Planned Development
East	Multiple Low Density Residential Subdivisions	PD, Planned Development
South	Greenway Plantation, Topsail Greens, Various Commercial and Light Industrial Uses	PD, Planned Development; GB, General Business; IT, Industrial Transitional
West	Low Density Residential, Various Commercial	PD, Planned Development, Multiple Conditional Districts

Pender 2.0 Comprehensive Land Use Plan Compliance: The Wyndwater Master Development Plan was originally approved under the 2010 Pender County Comprehensive Land Use Plan. That Plan designated the subject parcels within the "Mixed Use" Future Land Use Category, which established areas where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian, and transit-friendly manner.



Pender County adopted the Pender 2.0 Comprehensive Land Use Plan in August 2018. As this is a proposed revision to the approved Wyndwater Master Development Plan, the project shall now be evaluated under the Pender 2.0 Comprehensive Land Use Plan.

The Pender 2.0 Comprehensive Land Use Plan designates the subject properties as Low Density Residential and Coastal Residential. The Low Density Residential future land use category is established in areas that are typically established single-family neighborhoods with a low density residential development pattern. Appropriate uses include single-family dwellings and neighborhood-scale institutional facilities. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators. Duplexes and townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new communities is encouraged.

The Coastal Residential future land use category is established to protect the County's coastal character. Coastal residential land uses are located east of the US 17 corridor and generally within a half-mile of estuarine waters such as coastal creeks and the Intracoastal Waterway. Appropriate uses include single-family residences, community recreation and open space uses, and water-based recreation uses (public and private). Unencumbered access to public trust coastal waters and maximum development setback from the shoreline is highly encouraged. Clustering of new communities is encouraged. In addition, Low Impact Development techniques are encouraged, as are enhanced tree preservation and mitigation strategies and the limiting of impervious surfaces.

Desired development density within the Low Density Residential future land use category is 2 units an acre or less, while in Coastal Residential, desired development density is 3 units an acre or less.

The Wyndwater Master Development Plan was previously approved for 529 units over 234.28 acres, yielding a net density of 2.76 units per acre over the entirety of the project. Because a phase of the project is proposed to be removed, the net density figure changes to become 3.46 units per acre. While this density is slightly higher than what is desired by the Pender 2.0 Comprehensive Land Use Plan in the Low Density and Coastal Residential Future Land Use Classifications, Phases 7 and 11 are immediately between areas designated for higher density, mixed use development. The Future Land Use Map is not intended to be parcel specific, and areas on the border between future land use categories are intended to be areas of transition between them. Based on an analysis of the area as one of transition, along with previous approvals and the specifics of the proposed revision, Staff find that the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan.

In addition to the future land use map, the proposal was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 3.1.L: Tree Preservation: The County shall continue to require tree preservation for significant trees.

Goal 4.3: Provide safe opportunities for walking and cycling, while supporting the need for paratransit services and other alternatives to provide transportation choices for residents and visitors.

Objective 4.3: Encourage alternate means of transportation to reduce traffic, enhance economic development, offer services to those without use of a vehicle, and provide recreational opportunities for residents and visitors.

Policy 5.1.V: Residential Development: The County supports a range of housing types and development at appropriate densities and locations that are compatible with their surroundings and are in accordance with the future land use map.

Policy 5.1.X: Coastal Residential Development: The County supports the protection of existing coastal single-family residential neighborhoods and property values by encouraging low-impact development principles, impervious coverage thresholds, public trust access, and preservation of tree canopy.

The proposal fulfills several desired policy outcomes for development as described in the Pender 2.0 Comprehensive Land Use Plan. Primary among them is the provision of multiple housing types within the development, which can address different needs of the community at different price points. Furthermore, the applicant has agreed to providing pedestrian infrastructure along all subsequent rights-of-way and drive-aisles within the development, allowing residents additional opportunities for recreation and access to open space areas. The applicant has also agreed to a more stringent significant tree protection and mitigation standard than is provided for in the Unified Development Ordinance.

The proposal was not found to conflict with any goals, objectives, or policies within the Pender 2.0 Comprehensive Land Use Plan.

Unified Development Ordinance Compliance: Section 3.5.4 of the UDO provides the applicable review procedure for Master Development Plans.

3.5.4 Master Development Plan Review

A. Applicants shall submit the MDP to the Administrator, together with completed application materials.
B. Application form must be completed, and fee paid at the time of submission.
C. The Master Development Plan must meet all the requirements prescribed in Section 6.1, Master Development Plan Contents.
D. The Administrator will forward the MDP to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and or plans of their particular state agency, county department or utility authority.
E. When the submission is complete, the Administrator shall submit the plans, application materials and comments to the Planning Board for its consideration, if required in accordance with Section 3.5.2.
F. The Planning Board shall act on the MDP within 90 days of the date of the presentation of the plan to the Board. The Planning Board shall approve the plan, approve it with required changes or deny the plan. If the Planning Board fails to act within 90 days, the plan shall be deemed approved. The applicant may request additional time if he/she deems it necessary.
G. If the MDP is denied by the Planning Board, the applicant may choose to withdraw the application and resubmit it with changes as a new plan or appeal the Planning Board's decision to Zoning Board of Adjustment.
H. Any decision rendered by the Planning Board is appealable to the Zoning Board of Adjustment within thirty (30) days of the decision.
I. Planning Board Master Development Plan approval shall be valid for two (2) years.

STAFF RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan, and was also found to be generally consistent with the Future Land Use Map within said plan. The request is also consistent with previous approvals for the Wyndwater Master Development Plan, and with the Unified Development Ordinance. Therefore, Staff respectfully recommends approval of the revision as described in this report.

CONDITIONS OF APPROVAL

The following conditions of approval are all applicable to various phases of the Wyndwater Master Development Plan and were added over various previous approvals. The majority of the conditions have already been addressed through review of various phases, and Staff propose no additional conditions at this time:

1. Phase III: Provide connection to adjacent property for future development to the northwest of the subject property (documented under case #11067 Cardinal Pointe, as submitted to Planning Board in December 2013);
2. Phase II: Provide connection to identified "Capstone Property" identified by Pender County PIN 4214-22-7567-0000;
3. Phase I: Allow for "alternative" design for alleyway
4. Phase III: Allow for emergency access along the connection to Doral Drive (SR 1693).
5. Phase III: The temporary cul de sac shown on the western portion Phase III shall be converted to a through roadway at the time of the adjacent parcel development.
6. Phase III: Additional to condition five (5), a second roadway connection shall be shown to the adjacent parcel (PIN: 4204-94-9912-0000 and identified as the Cardinal Pointe Master Development Plan Case # 11067).
7. Phase IV: Provide adjacent property connection north to PIN 4214-43-1229-0000 (Westbrook tract).
8. Phase VI: Provide connection to Oak Circle (private).
9. Phase IV: Allow for "alternative" design of a hammerhead. The applicant has implemented this design into the Phase IV submittal.
10. Phase VI: A roadway connection to "Amanda Lane", which is part of the Cardinal Acres Manufactured Home Park, adjacent to proposed Phase VI of Wyndwater.
11. Improve the temporary construction connection from Aurora (public) to Topsail Greens (private) to be an additional means of ingress and egress for the Wyndwater Subdivision.
12. Resurface and maintain Topsail Greens Drive (private) from the intersection of US HWY 17 to its terminus at Aurora Place (public) to NCDOT road surfacing standards until an additional access is provided from Wyndwater to US HWY 17.
13. All subsequent phases of the Wyndwater Master Development Plan that have not received an approved Preliminary Plat or Major Site Development Plan as of February 2, 2021 shall provide sidewalks or other equivalent pedestrian infrastructure along at least one side of every right-of-way or drive aisle within those phases.
14. All subsequent phases of the Wyndwater Master Development Plan that have not received an approved Preliminary Plat or Major Site Development Plan as of February 2, 2021 shall be held to a significant tree mitigation factor of 4:1 (for every significant tree removed, four of the same species shall be planted). Significant trees to be kept shall be shown on Preliminary Plats or Major Site Development Plans and fenced prior to approval of those documents. Fencing shall not be removed until all construction on-site is complete.

APPLICATION FOR APPEAL OF ADMINISTRATIVE DECISION

THIS SECTION FOR OFFICE USE			
Application No.	AAD	**Date**	
Application Fee	$	**Receipt No.**	

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Signature Top Sail NC, LP	**Owner's Name:**	Signature Top Sail NC, LP
Applicant's Address:	9337B Katy Freeway #377	**Owner's Address:**	9337B Katy Freeway #377
City, State, & Zip	Houston, Texas 77024	**City, State, & Zip**	Houston, Texas 77024
Phone Number:	(713)822-3891	**Phone Number:**	
Legal relationship of applicant to land owner:	Land Owner and Developer		

SECTION 3: SIGNATURES			
Applicant's Signature		**Date:**	6-24-22
Owner's Signature	SIGNATURE TOP SAIL NC, LP	**Date:**	6-26-22

NOTICE TO APPLICANT:

1. Applicant must also submit the information described below in the Appeal of Administrative Decision Checklist.
2. Applicant or agent authorized in writing must attend the public hearing.
3. 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.

APPEAL OF ADMINISRATIVE DECISION CHECKLIST	
☐	Signed application form
☐	Application fee
☐	One business size envelope legibly addressed with **certified** postage for all participants for the appeal
☐	Appeal Description: Written description of the Appeal taken forward including all pertinent materials (pictures, permits, etc.)

OFFICE USE ONLY			
☐	**AAD 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:			

Print Form

APPLICATION FOR APPEAL OF ADMINISTRATIVE DECISION

THIS SECTION FOR OFFICE USE			
Application No.	AAD	**Date**	
Application Fee	$	**Receipt No.**	

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	Signature Top Sail NC, LP	**Owner's Name:**	Trust Special, Ruth Kalmar Estate
Applicant's Address:	9337B Katy Freeway #377	**Owner's Address:**	2237 Queens Road East
City, State, & Zip	Houston, Texas 77024	**City, State, & Zip**	Charlotte, NC 28207
Phone Number:	(713) 822-3891	**Phone Number:**	(704) 661-7426

Legal relationship of applicant to land owner: Developer

SECTION 3: SIGNATURES

Applicant's Signature	Mitchell Pitt	**Date:**	11-26-22
Owner's Signature	Richard Alan Lewis	**Date:**	6-29-22

NOTICE TO APPLICANT:

1. Applicant must also submit the information described below in the Appeal of Administrative Decision Checklist.
2. Applicant or agent authorized in writing must attend the public hearing.
3. 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.

APPEAL OF ADMINISRATIVE DECISION CHECKLIST

☐	Signed application form
☐	Application fee
☐	One business size envelope legibly addressed with **certified** postage for all participants for the appeal
☐	Appeal Description: Written description of the Appeal taken forward including all pertinent materials (pictures, permits, etc.)

OFFICE USE ONLY

☐	**AAD 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:			

Print Form

AUTHORITY TO ACT

The undersigned owner(s) and applicant(s) do hereby appoint James R. Holland and/or Amy C. Schaefer of Lee Kaess, PLLC to act on our behalf for the purpose of the appeal of the Master Development Plan. They are authorized to submit applications, provide supplemental information and materials, appear at hearings and any other acts related to the appeal of the Master Development Plan.

This the ___ day of June 2022.

Signature Top Sail NC, LP

By: _____

Name: MICHAEL BLOOR

Title: SENIOR VICE PRESIDENT

Trust Special, Ruth Kalmar Estate

By: Richard Alan Lewis

Name: Richard Alan Lewis

Title: Successor Trustee to Trust Special

STAFF REPORT FOR MDP-R 2022-38
MASTER DEVELOPMENT PLAN REVISION APPLICATION

APPLICATION SUMMARY	
Case Number	MDP-R 2022-38
Hearing Date	April 5, 2022 - Planning Board, tabled June 7, 2022 - Planning Board
Applicant	Signature Top Sail NC, Ltd.
Property Owner(s)	Signature Top Sail NC, Ltd. and Trust Special, Ruth Kalmar Estate
Parcel Identification Number	4204-84-9111-0000; 4214-50-8387-0000; 4213-59-0181-0000; 4214-31-5745-0000; 4204-75-9493-0000; 4204-85-1358-0000; 4204-75-8439-0000; 4204-75-9493-0000; 4204-85-1358-0000.
Acreage	205.96
Township	Topsail
Zoning District	PD, Planned Development
Pender 2.0 Future Land Use Category	Low Density Residential and Coastal Residential

MASTER DEVELOPMENT PLAN PROPOSAL

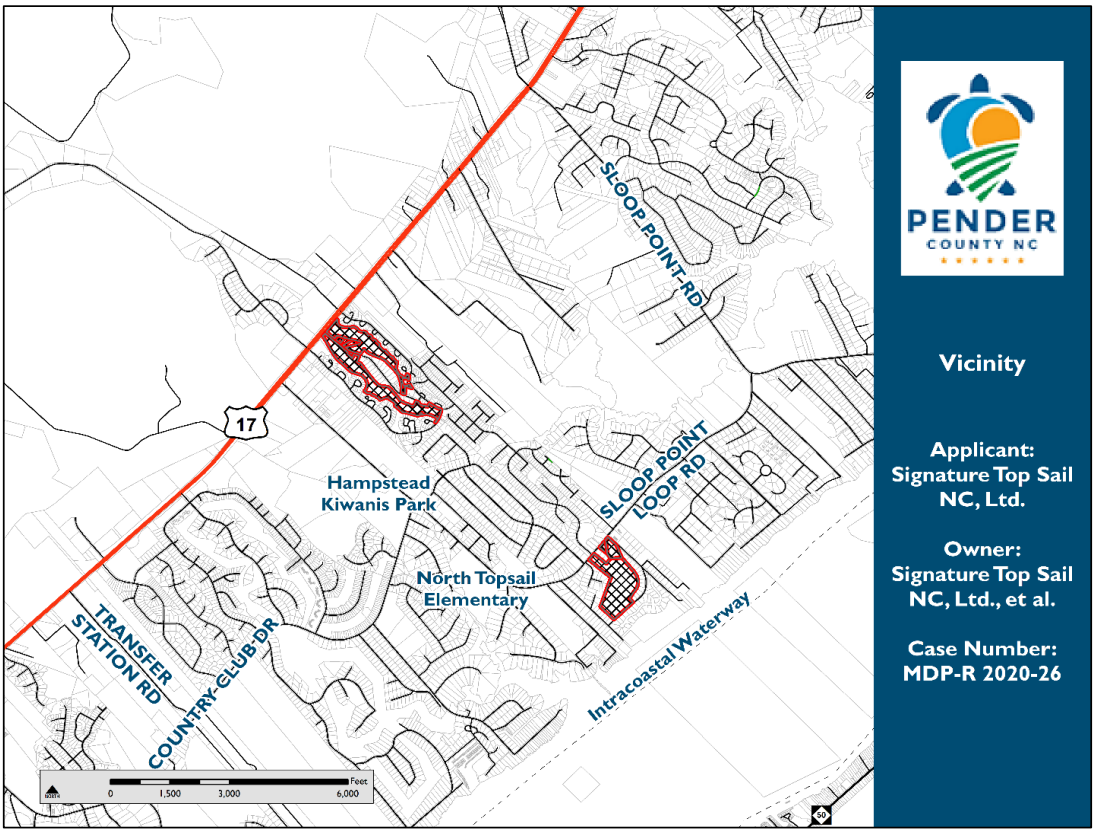
Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar estate, owner, is requesting a revision to the previously approved Master Development Plan for the mixed-use development known as Wyndwater. Specifically, the request is to modify the existing Plan to allow for townhomes in Phases 7 and 11, increase the commercial area within both phases, and remove Phase 10 from the Plan. The Master Development Plan is proposed to reduce in size to approximately 206 acres (from approximately 235 acres) with the total number of units remaining consistent with previous approvals.

LOCATION

The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township.

RECOMMENDATION *(Revised April 1, 2022)*

Planning Staff is submitting the proposal for Planning Board disposition. The request was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan, and was also found to be generally consistent with the Future Land Use Map within said plan. The request is also consistent with previous approvals for the Wyndwater Master Development Plan, and with the Unified Development Ordinance. Therefore, Staff respectfully recommends approval of the revision as described in this report.



MDP REVISION PROPOSAL

In accordance with standards of the PD, Planned Development zoning district as laid out in the Pender County Unified Development Ordinance, Master Development Plans within this zoning district shall be subject to the review and approval of the Pender County Planning Board. In addition, major modifications to previously approved Master Development Plans shall also be subject to the review and approval of the Planning Board.

The Master Development Plan known as Wyndwater has been subject to a number of revisions of the course of its existence (see Attachment 1 for a history of the project). As it currently exists, the Master Development Plan of Wyndwater includes approximately ±234.28 acres, a significant number of which have already been developed or are in the process of being developed. Within Wyndwater, Phases 1, 2, 3, 6, 8, and 9 have received Final Plat approval and are entirely or mostly built out. All of Phase 4 has received Final Plat approval as well, and Phase 5 is currently under construction. The overall Master Development Plan is approved to include 529 units.

The proposal as outlined in this report does not seek to expand the previously approved unit allowance within the Master Development Plan. Rather, the proposed Master Development

Plan Revision seeks to allocate uses and unit counts to the remaining phases of the project, as well as provide additional clarity as to the infrastructure within the remaining phases. Additionally, the proposal seeks to increase non-residential acreage and uses within the project, with all non-residential uses continuing to be clustered along US HWY 17 at its intersection with Topsail Plantation Drive. Furthermore, the request seeks to remove approximately 29 acres from the overall Master Development Plan. Specifically, the Master Development Plan Revision proposal seeks approval for the following:

- Phase 10 (Pender County PINs 4213-49-8163-0000, 4214-40-7044-0000, and 4214-40-7044-0000): Remove from the project. This parcel was originally intended to include 41 single-family detached and townhome units. The parcel shall retain the PD, Planned Development zoning district designation but shall require its own Master Development Plan process if developed in the future.
- Phase 11 (northern portion of Pender County PIN 4204-84-9111-0000, as well as Pender County PINs 4204-75-8439-0000; 4204-75-9493-0000 and 4204-85-1358-0000): Previously approved for 76 townhome units, proposal reduces this number to 56 townhome units and increases commercial acreage to include 56,000 square feet of medical office and retail space.
- Phase 7 (southern portion of Pender County PIN 4204-84-9111-0000): previously noted as future development, proposal includes 60 townhome units as well as 12,800 square feet of medical office space. The 60 residential units allocated to this phase are sourced from the reduction of units in Phase 11 and the removal of Phase 10 from the project. This phase was designated to contain townhomes in the most recent Master Development Plan Revision, however no units were allocated to it (see below).





Above: Property previously designated as Phase 10, proposed to be removed from the project.

With approval of the proposed Master Development Plan Revision as outlined in this report, there would be no other phases within the project designated for future development. All residential units approved for the project would be allocated to one of the phases within it, all residential and non-residential uses would be designated, and all phases would be of sufficient detail to move forward to construction without any further revisions to the Master Development Plan. The majority of the remainder of this report is in the context of Phases 7 and 11 specifically, as all proposed changes within the Master Development Plan (with the exception of the removal of Phase 10) are contained within these two phases.

Density

The Wyndwater Master Development Plan has added additional land over time, and as such the overall density calculation has fluctuated over time. Generally, the approved residential density has been around 3 units per acre over the course of the Master Development Plan's existence. The most recent Master Development Plan revision established a net density of 2.76 units per acre across the entirety of the project. Given that the proposal seeks to remove approximately 29 acres from the project, the project now yields a higher units per acre figure of 3.46 units per

acre across the entirety of the project. However, the total number of residential units is not increasing by virtue of this proposal.

The standards of the PD, Planned Development zoning district at the time of Wyndwater's initial approval included a maximum of 5 units per acre for development within that zoning district, and the Comprehensive Land Use Plan adopted by the County at that time also recommended a density maximum of 5 units per acre in this location as well. While both the standards of the Unified Development Ordinance, as well as the adopted Comprehensive Land Use Plan have changed since that original approval, the Wyndwater Master Development Plan as proposed remains consistent with the standards and guidance that existed at the time it was established. A further discussion of density is included below in relation to the Pender 2.0 Comprehensive Land Use Plan.

Non-Residential Development

The applicant is proposing approximately 9.60 acres of non-residential space within the Master Development Plan. The majority of this acreage is clustered at the intersection of US HWY 17 and Topsail Plantation Drive, within Phases 7 and 11. Overall non-residential uses in this area includes approximately 68,800 square feet of medical office and retail space with associated parking and other typical features of non-residential development. Development of these areas shall require submittal of a Major Site Development Plan for all or a portion of the site, during which time the project shall be reviewed for its conformance to the Master Development Plan's requirements as well as those found within the Unified Development Ordinance.

In a previous iteration of this proposal, the applicant has floated the idea of a storage lot to be utilized by the Topsail Greens community and replace an existing storage lot along Topsail Plantation Road near US HWY 17. According to the applicant's submitted public input meeting report following the meeting in October, the Topsail Greens Homeowners Association was in support of this endeavor. Since that time, the ability for the land home to the existing storage area to be transferred to the applicant has been called into question. As such, the applicant has removed that property and all storage uses from the proposal (section revised April 1, 2022).

Proposed Setbacks and Dimensions

The applicant is requesting no changes to previously approved dimensional standards for the project. Structure separation between townhome buildings is proposed to be 10 ft. Maximum building height for all phases of the development is 38 ft. As outlined in the Unified Development Ordinance, Section 4.8.1.D outlines that the minimum distance between structures, minimum lot width, and minimum yard requirements are established in the Master Development Plan approval process and may be modified by the Planning Board.

Allowable Uses

Per Section 6.1.1.A of the Pender County Unified Development Ordinance (UDO), all proposed uses shall be specified in the Master Development Plan narrative by NAICS code. The applicant has requested a change in allowable uses outlined in the approved Master Development Plan, necessitating a revision to be considered by the Planning Board.

	Proposed Allowable Uses in Master Development Plan	
	NAICS Code	Use
Proposed Allowable Uses	443	Electronics and Appliance Stores
	445	Food and Beverage Stores
	446	Health and Personal Care Stores
	447	Gasoline Stores
	448	Clothing and Clothing Accessory Stores
	451	Sporting Goods, Hobby, Book, and Music Stores
	453	Miscellaneous Store Retailers
	454	Non-Store Retailers
	54	Professional, Scientific, and Technical Offices
	621	Ambulatory Health Care Services

TRANSPORTATION INFRASTRUCTURE

Roadways, Street Connectivity, and Access
The applicant is proposing private roadways in Phases 7 and 11.

Per Section 7.5.3, all designated private streets are required to be designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards manual. The townhomes within Phases 7 and 11 shall be served by 40 ft. private rights of way, some of which will also serve future commercial development along US HWY 17 as well. This is in conformance with the Pender County Unified Development Ordinance. These roadways will be reevaluated at the point of Preliminary Plat and/or Major Site Development Plan submittal.

According to Section 4.8.1.E, the PD, Planned Development zoning district requires reasonable access to be provided to adjacent properties for development. Adequate connections to adjacent parcels will promote interconnectivity and build road networks throughout the County. Per Section 7.5.3.C.5, these roadways are required to be designated as public when connected to adjacent parcels. Phases 7 and 11 are designated to include private rights-of-way to reach the proposed townhomes from Topsail Plantation Drive. The design of the existing Topsail Greens subdivision, particularly those lots along Topsail Greens Drive, Topsail Plantation Drive, and Champion Drive, does not permit additional access points to be established to Phases 7 and 11. As such, the proposal is found to be in conformance with the Unified Development Ordinance from an access standpoint.

Pedestrian Access
Per Section 4.8.1.E.2 pedestrian-oriented communities are encouraged to maximize the opportunity for pedestrian activity and improve the quality of the pedestrian experience. Many existing phases of Wyndwater include pedestrian facilities. At the March 2, 2021 meeting of the Planning Board, a condition was placed upon the Wyndwater Master Development Plan such that all future roadways within the project would include pedestrian facilities on at least one side of the right-of-way or drive aisle. That condition shall be applicable to all private rights-of-way within Phases 7 and 11.

Traffic
A revision to the Traffic Impact Analysis (TIA) is currently underway given the proposed changes to the Master Development Plan, and the approved Scope for the revision is included as an attachment to this report. The TIA will analyze the proposal in the context of existing traffic volumes and roadway projects in coordination with NCDOT and the Wilmington Metropolitan Planning Organization, identifying roadway improvements to be installed by the developer to mitigate the impacts of the proposal on the NCDOT system. Additional units or other further revisions to the Master Development Plan may also require a further update to the Wyndwater TIA in the future. The TIA shall be approved, in addition to all applicable NCDOT Driveway Permits, prior to zoning approval being issued for any phase of the project.

Parking
Parking for the commercial uses will be determined based on the specific type of use and the total square footage of the building. As specific tenants for the proposed commercial developments are not yet known, parking requirements for this portion of the project cannot be determined at this time, and all parking areas shown on the Master Development Plan are only placeholders at this time. Through the site development plan approval process, parking will be reevaluated for conformance with the UDO.

LANDSCAPING, ENVIRONMENT, AND OTHER INFRASTRUCTURE

Landscape and Buffers
The table below outlines the required buffers in the PD, Planned Development zoning district based on the adjacent land uses to the subject property within Phases 7 and 11. The proposed master plan illustrates the type of buffer along each property boundary, all of which are compliant with UDO requirements.

Required and Proposed Buffers	
Buffer Type	**Location of Buffer**
Type A	Adjacent to US HWY 17 and Topsail Plantation Drive

Type C	Adjacent to all residential uses along Topsail Plantation Drive, Topsail Greens Drive, Champion Drive, and other roadways

Significant Trees

The PD, Planned Development zoning district requires a tree survey to be submitted prior to the Final Preliminary Plat approval. The Applicant shall be required to submit this documentation for all phases prior to the issuance of staff approvals of either Preliminary Plats or Major Site Development Plans. The applicant has agreed to a condition of approval requiring all significant trees to remain on site to be marked on the Master Development Plan and wrapped with protective fencing prior to issuance of any construction authorization and until construction is complete for all subsequent phases of the development. They have also agreed to mitigate significant trees required to be removed at a 4:1 ratio, whereas the Pender County Unified Development Ordinance requires mitigation at a 2:1 ratio.

Open Space

The Wyndwater Master Development Plan has expanded in acreage multiple times over the course of previous approvals. As such, the proposal conflicts with Section 7.6.1.E.1 of Pender County Unified Development Ordinance with regard to open space: per Section 7.6.1.E.1, the dedicated [open space] land shall form a single parcel of land, whether the subdivision is developed in phases or sections, except where it is determined by the appropriate governing body, that two (2) or more parcels would be in the best interests of the residents of the subdivision and the public; and in such case, the appropriate governing body, may require that such parcels be connected.

The Wyndwater open spaces do not connect due to the applicant acquiring additional pieces of property throughout the Master Development Plan's multiple revisions. As the applicant completes the infill development, the open spaces become better connected throughout the Master Development Plan using sidewalks and pedestrian easements. The proposed 36.07 acres of open space exceeds the requirements within Section 7.6.1.C, which requires 0.03 acres per dwelling unit. All recreational unit requirements have been fulfilled at this time.

Open Space Type	Required (acres)	Proposed (acres)
Passive	7.92	15.52
Active	7.92	20.54
Total	15.88	36.07

Utilities

An Intent to Service Letter was provided by the applicant on behalf of Pluris Hampstead, LLC and Pender County Utilities during a previous approval process for the September 2016 MDP revision. No additional density has been added to this revision and no further action in required. Coordination with Pender County Utilities and Pluris Hampstead, LLC shall continue as individual phases are brought forward for review and approval by Planning Staff and the Technical Review Committee.

Stormwater
Previously approved phases of the Wyndwater Master Development Plan were approved under a previous version of the Unified Development Ordinance. Section 7.9 of the Pender County Unified Development Ordinance, which addresses stormwater management, has been updated following the submittal of the last revision to this Master Development Plan. Due to the submittal of this revision, all subsequent phases of the Wyndwater Master Development Plan shall be required to meet the updated stormwater standards enforced by Pender County. Conformance to these standards shall be verified during the site development plan and/or preliminary plat process for each individual phase.

Special Flood Hazard Areas
A portion of the subject property (PIN 4204-84-9111-0000) located directly east of US HWY 17 is located within the "Approximate Zone A" Special Flood Hazard Area, according to the 2007 Flood Insurance Rate Map (FIRM) Map Number 3720420400J. This was the established flood zone at the time of the original Master Development Plan approval, and construction standards in the Approximate Zone A would require elevation of structures within it at an elevation of 2' about highest adjacent grade (HAG). However, preliminary FIRMs are available for public review but not yet adopted, on which the amount of the parcel shown to be in the Special Flood Hazard Area is reduced and is within "Zone AO," which is a 1% annual-chance floodplain (also known as 100-year floodplain) with a depth of 2 ft. in all locations. Construction standards in this floodzone would include a 2' freeboard in addition to the 2' depth, leading to finish floor elevations for those structures being required to be 4' above highest adjacent grade (HAG). Finally, the applicant has the option to conduct a standalone flood study for this area and provide it for the County Floodplain Manager for their review in accordance with the Pender County Flood Damage Prevention Ordinance.

All development in these areas will require re-examination by Staff at the time of development submittal in accordance with the best available flood data and the effective Special Flood Hazard Area maps at that time. Both Phases 7 and 11 are and will be subject to the requirements of the Flood Damage Prevention Ordinance at the time of construction.

ENVIRONMENTAL CONCERNS	
Wetlands	It appears that the subject properties may contain wetlands per data provided by the NC Division of Coastal Management and the National Wetlands Inventory. The presence of any wetlands will be verified during the site development plan review process.
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC), according to the North Carolina Department of Environmental Quality.

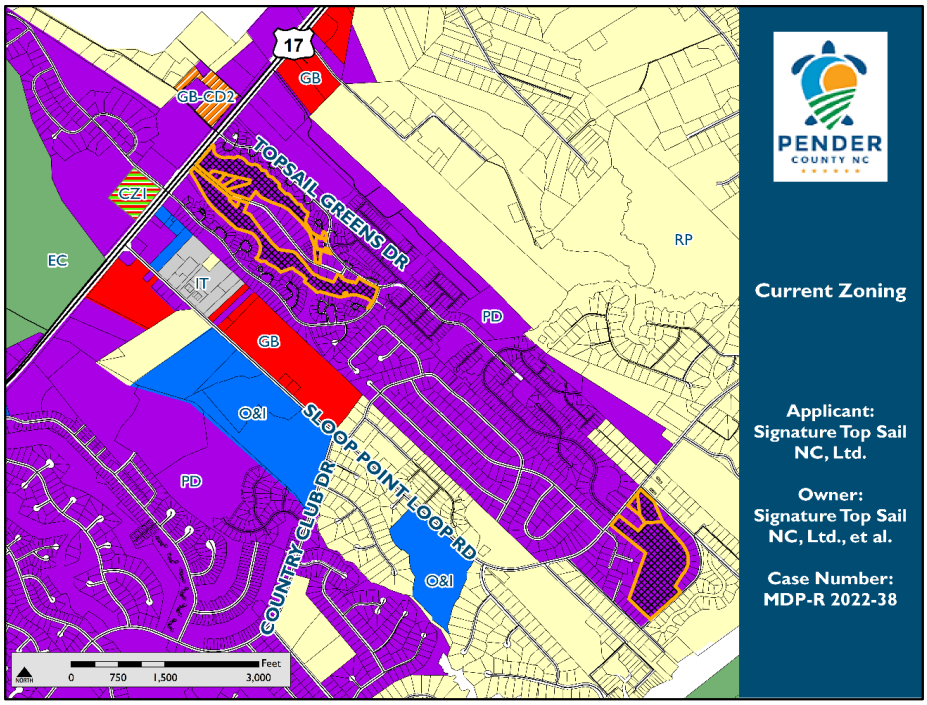
External Permits

All applicable state and federal agency permits, including but not limited to a Stormwater Management Permit, Erosion Control Plan, wetlands impact permits and delineations, and NCDOT Driveway/Encroachment Permits will be required prior to the approval of the for each phase as applicable, in addition to any further permits that may be required in the context of each phase.

PUBLIC INPUT MEETING

Per Sections 3.1 and 4.8 of the Pender County Unified Development Ordinance, an applicant for a Master Development Plan or major revision to said plan is required to hold a public input meeting prior to being scheduled for a public hearing with the Planning Board. The applicant held their meeting on Saturday, October 8th, 2021 at the Wyndwater pool and amenity site. According to the submitted report from the applicant, questions included flexibility in the buffer standards to remove fencing requirements (discussed earlier in this report). Additionally, the report confirms the Topsail Greens' Homeowners Association approval of the movement of the storage lot area, which has since been removed from the proposal (revised April 1, 2022).

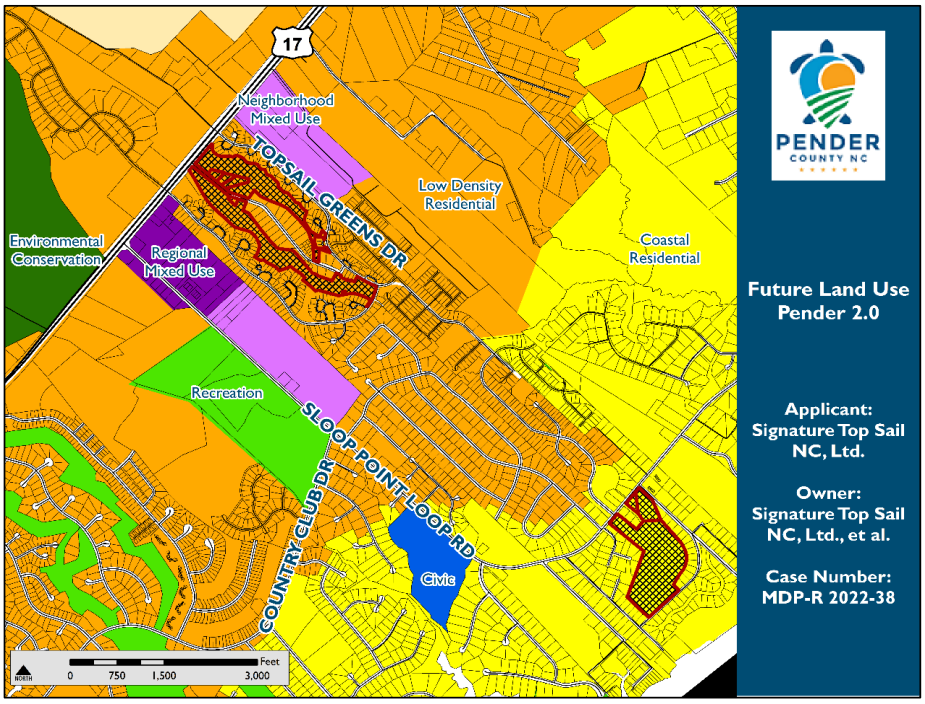
EVALUATION



Below: Zoning Map of the Area

CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	**ZONING**
North	Topsail Greens, Cardinal Acres, farm uses	PD, Planned Development
East	Multiple Low Density Residential Subdivisions	PD, Planned Development
South	Greenway Plantation, Topsail Greens, Various Commercial and Light Industrial Uses	PD, Planned Development; GB, General Business; IT, Industrial Transitional
West	Low Density Residential, Various Commercial	PD, Planned Development, Multiple Conditional Districts

Pender 2.0 Comprehensive Land Use Plan Compliance: The Wyndwater Master Development Plan was originally approved under the 2010 Pender County Comprehensive Land Use Plan. That Plan designated the subject parcels within the "Mixed Use" Future Land Use Category, which established areas where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian, and transit-friendly manner.



Pender County adopted the Pender 2.0 Comprehensive Land Use Plan in August 2018. As this is a proposed revision to the approved Wyndwater Master Development Plan, the project shall now be evaluated under the Pender 2.0 Comprehensive Land Use Plan.

The Pender 2.0 Comprehensive Land Use Plan designates the subject properties as Low Density Residential and Coastal Residential. The Low Density Residential future land use category is established in areas that are typically established single-family neighborhoods with a low density residential development pattern. Appropriate uses include single-family dwellings and neighborhood-scale institutional facilities. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators. Duplexes and townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new communities is encouraged.

The Coastal Residential future land use category is established to protect the County's coastal character. Coastal residential land uses are located east of the US 17 corridor and generally within a half-mile of estuarine waters such as coastal creeks and the Intracoastal Waterway. Appropriate uses include single-family residences, community recreation and open space uses, and water-based recreation uses (public and private). Unencumbered access to public trust coastal waters and maximum development setback from the shoreline is highly encouraged. Clustering of new communities is encouraged. In addition, Low Impact Development techniques are encouraged, as are enhanced tree preservation and mitigation strategies and the limiting of impervious surfaces.

Desired development density within the Low Density Residential future land use category is 2 units an acre or less, while in Coastal Residential, desired development density is 3 units an acre or less.

The Wyndwater Master Development Plan was previously approved for 529 units over 234.28 acres, yielding a net density of 2.76 units per acre over the entirety of the project. Because a phase of the project is proposed to be removed, the net density figure changes to become 3.46 units per acre. While this density is slightly higher than what is desired by the Pender 2.0 Comprehensive Land Use Plan in the Low Density and Coastal Residential Future Land Use Classifications, Phases 7 and 11 are immediately between areas designated for higher density, mixed use development. The Future Land Use Map is not intended to be parcel specific, and areas on the border between future land use categories are intended to be areas of transition between them. Based on an analysis of the area as one of transition, along with previous approvals and the specifics of the proposed revision, Staff find that the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan.

In addition to the future land use map, the proposal was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 3.1.L: Tree Preservation: The County shall continue to require tree preservation for significant trees.

Goal 4.3: Provide safe opportunities for walking and cycling, while supporting the need for paratransit services and other alternatives to provide transportation choices for residents and visitors.

Objective 4.3: Encourage alternate means of transportation to reduce traffic, enhance economic development, offer services to those without use of a vehicle, and provide recreational opportunities for residents and visitors.

Policy 5.1.V: Residential Development: The County supports a range of housing types and development at appropriate densities and locations that are compatible with their surroundings and are in accordance with the future land use map.

Policy 5.1.X: Coastal Residential Development: The County supports the protection of existing coastal single-family residential neighborhoods and property values by encouraging low-impact development principles, impervious coverage thresholds, public trust access, and preservation of tree canopy.

The proposal fulfills several desired policy outcomes for development as described in the Pender 2.0 Comprehensive Land Use Plan. Primary among them is the provision of multiple housing types within the development, which can address different needs of the community at different price points. Furthermore, the applicant has agreed to providing pedestrian infrastructure along all subsequent rights-of-way and drive-aisles within the development, allowing residents additional opportunities for recreation and access to open space areas. The applicant has also agreed to a more stringent significant tree protection and mitigation standard than is provided for in the Unified Development Ordinance.

The proposal was not found to conflict with any goals, objectives, or policies within the Pender 2.0 Comprehensive Land Use Plan.

Unified Development Ordinance Compliance: Section 3.5.4 of the UDO provides the applicable review procedure for Master Development Plans.

3.5.4 Master Development Plan Review

A. Applicants shall submit the MDP to the Administrator, together with completed application materials.
B. Application form must be completed, and fee paid at the time of submission.
C. The Master Development Plan must meet all the requirements prescribed in Section 6.1, Master Development Plan Contents.
D. The Administrator will forward the MDP to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and or plans of their particular state agency, county department or utility authority.
E. When the submission is complete, the Administrator shall submit the plans, application materials and comments to the Planning Board for its consideration, if required in accordance with Section 3.5.2.
F. The Planning Board shall act on the MDP within 90 days of the date of the presentation of the plan to the Board. The Planning Board shall approve the plan, approve it with required changes or deny the plan. If the Planning Board fails to act within 90 days, the plan shall be deemed approved. The applicant may request additional time if he/she deems it necessary.
G. If the MDP is denied by the Planning Board, the applicant may choose to withdraw the application and resubmit it with changes as a new plan or appeal the Planning Board's decision to Zoning Board of Adjustment.
H. Any decision rendered by the Planning Board is appealable to the Zoning Board of Adjustment within thirty (30) days of the decision.
I. Planning Board Master Development Plan approval shall be valid for two (2) years.

STAFF RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request was found to be consistent with one goal, one objective, and three policies within the Pender 2.0 Comprehensive Land Use Plan, and was also found to be generally consistent with the Future Land Use Map within said plan. The request is also consistent with previous approvals for the Wyndwater Master Development Plan, and with the Unified Development Ordinance. Therefore, Staff respectfully recommends approval of the revision as described in this report.

CONDITIONS OF APPROVAL

The following conditions of approval are all applicable to various phases of the Wyndwater Master Development Plan and were added over various previous approvals. The majority of the conditions have already been addressed through review of various phases, and Staff propose no additional conditions at this time:

1. Phase III: Provide connection to adjacent property for future development to the northwest of the subject property (documented under case #11067 Cardinal Pointe, as submitted to Planning Board in December 2013);
2. Phase II: Provide connection to identified “Capstone Property” identified by Pender County PIN 4214-22-7567-0000;
3. Phase I: Allow for “alternative” design for alleyway
4. Phase III: Allow for emergency access along the connection to Doral Drive (SR 1693).
5. Phase III: The temporary cul de sac shown on the western portion Phase III shall be converted to a through roadway at the time of the adjacent parcel development.
6. Phase III: Additional to condition five (5), a second roadway connection shall be shown to the adjacent parcel (PIN: 4204-94-9912-0000 and identified as the Cardinal Pointe Master Development Plan Case # 11067).
7. Phase IV: Provide adjacent property connection north to PIN 4214-43-1229-0000 (Westbrook tract).
8. Phase VI: Provide connection to Oak Circle (private).
9. Phase IV: Allow for “alternative” design of a hammerhead. The applicant has implemented this design into the Phase IV submittal.
10. Phase VI: A roadway connection to “Amanda Lane”, which is part of the Cardinal Acres Manufactured Home Park, adjacent to proposed Phase VI of Wyndwater.
11. Improve the temporary construction connection from Aurora (public) to Topsail Greens (private) to be an additional means of ingress and egress for the Wyndwater Subdivision.
12. Resurface and maintain Topsail Greens Drive (private) from the intersection of US HWY 17 to its terminus at Aurora Place (public) to NCDOT road surfacing standards until an additional access is provided from Wyndwater to US HWY 17.
13. All subsequent phases of the Wyndwater Master Development Plan that have not received an approved Preliminary Plat or Major Site Development Plan as of February 2, 2021 shall provide sidewalks or other equivalent pedestrian infrastructure along at least one side of every right-of-way or drive aisle within those phases.
14. All subsequent phases of the Wyndwater Master Development Plan that have not received an approved Preliminary Plat or Major Site Development Plan as of February 2, 2021 shall be held to a significant tree mitigation factor of 4:1 (for every significant tree removed, four of the same species shall be planted). Significant trees to be kept shall be shown on Preliminary Plats or Major Site Development Plans and fenced prior to approval of those documents. Fencing shall not be removed until all construction on-site is complete.

September 10, 2021

Pender County
Planning and Community Development
805 S. Walker Street
Burgaw, NC 28425

Re: Wyndwater
Master Development Plan Project Narrative

This project is located off and has direct access to Sloop Point Loop Road (SR 1563) in Hampstead, Pender County, North Carolina. This project will be developed in Phases. Completed Phase 1 contains 40 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 1 sewer is treated by the use of septic systems. Completed Phase 2 contains 65 lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 2 sewer is treated by the use of septic systems owned by the individual lot owners & gravity sewer owned and operated by Pluris. Completed Phase 3 contains approximately 114 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 3 sewer is treated by the use of gravity sewer and a lift station owned and operated by Pluris. Partially completed Phase 4 contains 52 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 4 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Currently in Permitting Phase 5 contains 63 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 5 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Completed Phase 6 contains approximately 45 single family lots to be served by Public NCDOT & Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 6 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 7 contains approximately 60 townhomes to be served by Private drive aisles with 30' Utility & Access Easements and/or 40' Private Right of Ways serving all the lots as well as a Public waterline extension. Phase 7 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. Completed Phase 8 contains approximately 25 single family lots to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 8 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Completed Phase 9 contains approximately 8 single family lots to be served by Private subdivision roads serving all the lots as well as a Public waterline extension. Phase 9 sewer will be treated by the use of gravity sewer owned and operated by Pluris. Phase 11 contains approximately 56 townhomes to be served by Private drive aisles with 30' Utility & Access Easements and/or 40' Private Right of Ways serving all the lots as well as a Public waterline extension. Phase 11 sewer will be treated by the use of gravity sewer and a lift station owned and operated by Pluris. With this MDP Revision 52,800 sf of Medical Office and 16,000 sf of Retail are being proposed at the US Hwy 17 frontage of the development. These commercial parcels will be accessed off US Hwy 17 by the existing Topsail Plantation Drive. Topsail Plantation Drive will be a Private Right of Way and the roadway will be improved up to the Phase 7 & Phase 11 access points to NCDOT standards. Additionally, a 2.04 Ac. Storage Area is proposed off Topsail Plantation Drive between Phases 7 & 3 near the Topsail Plantation Drive and Topsail Greens Drive intersection. The primary stormwater measures for the development will be closed conduit systems, road side ditches and overland sheet flow that will direct the runoff to proposed wet detention basins that will be designed to control the peak runoff from the 10-year & 25-year storm events and will be analyzed for the 50-year storm event. This development will require approvals from the USACOE for onsite wetlands, NCDEQ-Public Water Supply Section for the water line extensions, NCDOT for the driveway connections and the subdivision streets, NCDEQ-Division of Water Resources for the sewer extensions & NCDEQ-Division of Mineral, Energy and Land Resources for the stormwater systems and erosion & sediment control. The development (412 single family lots, 116 townhome/duplex units, 52,800 sf of Medical Office & 16,000 sf of Retail) will generate approximately 5,917 total daily trips based on the ITE Trip Generation Manual 8th edition using ITE Code 210 for single family homes, Code 230 for the duplex/townhome units, Code 710 for the Medical Office & Code 814 for the Retail. All recommended improvements through TIA Phase 2

6626 Gordon Road, Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

have been installed. Through the first several phases of this development, the majority of the Open Space areas provided were mostly unconnected in areas of Environmental concern. Starting with Phase 6 the Open Spaces were designed to connect with the previously designed and approved Open Space areas. Phases 7 & 11 and the commercial areas of the development are situated in areas of the development separate from the other phases and thusly the open space areas are not connected to the previous open spaces. This development contains Public road connection to Sloop Point Loop Road from Phase 1 and from Phase 5, a Public road connection to the Morris Property in Phase 3 that is intended to connect to the Westbrook Property to the north with future land acquisition & development, a second Public road connection to the Morris Property in Phase 3 that is intended to connect to US Hwy 17 in the future and a third Public road connection to the Morris Property in Phase 6. This development is being developed with both Public and Private Streets and contains multiple connections to adjacent properties as well as areas with Private streets used to create smaller pocket neighborhoods to increase public safety and create privacy for the future homeowners in these smaller sections. The MDP revisions are provided in more detail below.

Phase 10 (Pender County PIN 4213-59-0181-0000): This phase of the development consisting of approximately 27.79 ac. is being removed from the Wyndwater MDP Development. This property is located to the east of Sloop Point Loop Road, directly across from Phase 1 of Wyndwater, and is to the south of Roberts Road (private) and west of Oak Circle (private).

Phase 11 (Pender County PIN 4204-84-9111-0000): This Phase of the development was approved with the last MDP Revision to contain seventy-six (76) townhome units. The current MDP Revision proposes fifty-six (56) townhome units. Phase 11 is to the north of Topsail Plantation Drive, south of Topsail Greens Drive, and directly east of US HWY 17.

Phase 7 (Pender County PIN 4204-84-9111-0000): This Phase of the development was previously noted as future development. With this MDP Revision Phase 7 is proposed to contain sixty (60) townhome units. Phase 7 is to the south of Topsail Plantation Drive, north of Champion Drive, and directly east of US HWY 17.

Phase 11 Commercial area (Pender County PIN 4204-84-9111-0000): This area of the development was approved with the last MDP Revision as a 1.6 ac. Commercial area. The current MDP Revision proposes a 4.30 ac. Commercial area containing 16,000 sf of Retail and 40,000 sf of Medical Office space. This area of the development is to the north of Topsail Plantation Drive, south of Topsail Greens Drive, and directly east of US HWY 17.

Phase 7 Commercial area (Pender County PIN 4204-84-9111-0000): This area of the development was approved with the last MDP Revision as a 1.06 ac. Commercial area. The current MDP Revision proposes a 2.66 ac. Commercial area containing 12,800 sf of Medical Office space. This area of the development is to the south of Topsail Plantation Drive, north of Champion Drive, and directly east of US HWY 17.

Storage Area (Pender County PIN 4204-84-9111-0000): This area of the development was previously noted as future development. The current MDP Revision proposes to split this 5.69 ac. area into a 2.04 ac. Storage area (containing +/-64,000 sf storage), 0.54 ac. area for a storm water pond and the remaining 3.11 ac. as open space for the development.

Based on the development containing a total of 528 residential units (previously approved for 529 residential units) the required open space (0.03 ac./unit) is 15.84 ac. The current MDP Revision contains 36.06 ac. of open space which is more than double of which is required. Based on the required amount of open space the Net Density for the development equates to 3.46 units per acre which is less than the adjacent existing Topsail Greens development which is 3.67 units per acre.

Please contact me immediately at (910) 442-7870 or gpape@gsp-consulting.com if you have any questions or require additional information.

6626 Gordon Road, Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sincerely,
GSP CONSULTING, PLLC.

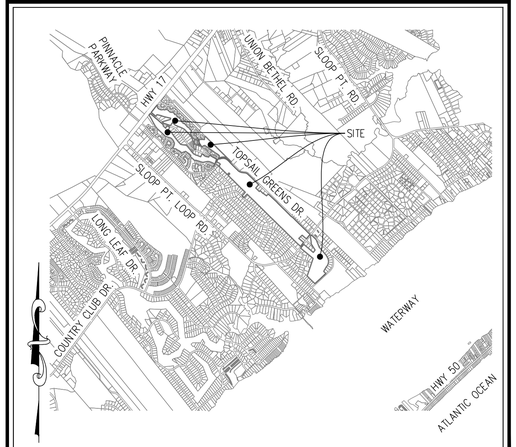


Garry S. Pape, P.E.

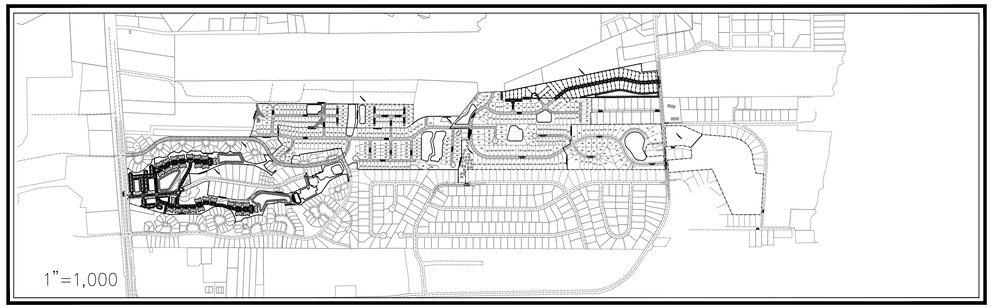
6626 Gordon Road, Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

MASTER DEVELOPMENT PLAN
FOR
WYNDWATER
PENDER COUNTY, NORTH CAROLINA
SEPTEMBER 2021

VICINITY MAP



VICINITY MAP
(NTS)



LEGEND

DESCRIPTION	EXISTING	PROPOSED
1' CONTOUR INTERVAL		
5' CONTOUR INTERVAL		
PROPERTY LINE		
ROADWAY CENTERLINE		
RIGHT OF WAY LIMITS		
EASEMENT LINE		
CURB & GUTTER		
SANITARY SEWER FACILITIES		
STORM SEWER FACILITIES		
WATERLINE		
FIRE HYDRANT ASSEMBLY		N/A
WATERWAYS		

	PROPOSED		
PROPOSED LOT AND S.F.	X		
OPEN SPACE LABEL	5,000 s.f.	STREET SIGN	
	Ⓐ		
OPEN SPACE		404 WETLANDS	
BUILDING SET BACKS		FLOW DIRECTION	
PRIVATE SANITARY SET BACKS			

DEVELOPER/OWNER

Signature Top Sail NC, LP
9337b Katy Freeway #377
Houston, Texas 77024
Phone: (713) 789-0466

OTHER PROPERTY OWNERS

Ruth Caroline Kalmar Lewis Estate
2237 Queens Road East, Charlotte, NC 28207
Capstone Ventures, LLC
129 Timber Hill Place, Chapel Hill, NC 27514

PREPARED BY:

GSP CONSULTING,PLLC
ENGINEERING
6626 Gordon Road, Unit C, Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659 License # P-0718

INDEX OF SHEETS

SHT C-0	COVER SHEET
SHT C-1	GENERAL NOTES
SHT C-2.1 – C-2.6	BOUNDARY SURVEY
SHT C-3.1 – C-3.6	SITE PLAN
SHT C-4.1 – C-4.6	UTILITY & STORMWATER MANAGEMENT PLAN

SITE DATA TABLE

DEVELOPMENT NOTES:

1. PENDER COUNTY PARCEL NO.: PIN 4214-12-8251-0000
2. TOTAL TRACT AREA: 8,971,551 SF = 205.96 AC.±
3. ZONING: PLANNED DEVELOPMENT (PD)
4. LAND CLASSIFICATION: VACANT
5. A PORTION OF THIS PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD ZONE PER FEMA FLOOD INSURANCE RATE MAP #3720420400J, EFFECTIVE DATE 2/16/2007 AND FLOOD INSURANCE RATE MAP #3720421400J, EFFECTIVE DATE 2/16/2007.
6. THIS PROPERTY DOES NOT CONTAIN ANY A.E.C. AREAS OR IS UNDER CAMA JURISDICTION.
7. THIS PROPERTY DOES CONTAIN 404 FEDERAL WETLANDS WHICH HAVE BEEN APPROVED BY THE USACOE.

GENERAL NOTES:

1. OWNERSHIP REFERENCE:
   D.B. 4379 P.G 330
2. PROPERTY IS LOCATED IN PENDER COUNTY AND IS ZONED PLANNED DEVELOPMENT (PD).
3. A HOME OWNERS ASSOCIATION WILL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
4. ALL INTERIOR ROADWAYS ARE TO BE BUILT TO NCDOT SUBDIVISION ROADS MINIMUM CONSTRUCTION STANDARDS.
5. INTERIOR ROADWAYS ARE TO BE PRIVATE AND PUBLIC AS DEPICTED ON THE MASTER PLAN OR FUTURE PRELIMINARY PLANS. PUBLIC ROADWAYS SHALL BE DEDICATED TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
6. A HOME OWNERS ASSOCIATION WILL BE FORMED PRIOR TO THE SALE OF ANY LOTS AND MEMBERSHIP WILL BE AUTOMATIC UPON PURCHASE.
7. THIS MASTER PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE IN ACCORDANCE WITH THE PROVISIONS OF PENDER COUNTY DEVELOPMENT ORDINANCE.
8. THE DEVELOPERS HAVE THE SOLE RIGHT TO MODIFY THIS MASTER PLAN IN ACCORDANCE WITH MARKET CONDITIONS OR OTHER CONDITIONS WHICH INDICATE A CHANGE IS DESIRED OR REQUIRED. ANY AND ALL CHANGES MUST BE REVIEWED BY THE PLANNING DEPARTMENT AND IN SOME INSTANCES MAY REQUIRE PLANNING BOARD APPROVAL.
9. BUFFERS WILL BE PROVIDED PER CURRENT PENDER COUNTY ZONING ORDINANCE.
10. WETLANDS IMPACTED WILL BE MITIGATED IN ACCORDANCE WITH ANY REQUIREMENTS OF APPLICABLE STATE AND FEDERAL PERMITS.
11. ALL LOTS SHALL MEET CURRENT PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE REGULATIONS.
12. IT IS THE INTENT FOR PHASE 3 OF THIS DEVELOPMENT TO INCLUDE A POOL FACILITY AND MULTI-USE PATHS/SIDEWALKS WITHIN THE DEVELOPMENT AS SHOWN ON THE MDP.

SINGLE FAMILY DEVELOPMENT STANDARDS:

MINIMUM LOT DIMENSIONS:

AREA IN (S.F)	12,000 SF (W/SEPTIC) 5,000 SF (W/SEWER)
MAX USABLE LOT AREA (%)	95%
MIN LOT WIDTH (FT)	70' (W/SEPTIC) 40' (W/SEWER)
MIN CHORD AT ROW (CUL-DE-SAC)	30'
MAX BLDG.. HT. (FT)	38'

PROPOSED BUILDING SETBACKS:

FRONT –	15'
REAR –	20'
SIDE –	ZERO LOT LINE (10' MAINTENANCE EASEMENT BETWEEN STRUCTURES, STRUCTURES TO BE A MINIMUM OF 5' FROM SIDE PROPERTY LINE)
CORNER –	10' ANY PERIPHERAL PROPERTY LINE STRUCTURES – AS PER NORTH CAROLINA STATE BUILDING CODE

SINGLE FAMILY ATTACHED DEVELOPMENT STANDARDS:

MINIMUM LOT DIMENSIONS:

AREA IN (S.F)	5,000 SF
MAX USABLE LOT AREA (%)	95%
MIN LOT WIDTH (FT)	40'
MIN CHORD AT ROW (CUL-DE-SAC)	30'
MAX BLDG.. HT. (FT)	38'

PROPOSED BUILDING SETBACKS:

FRONT –	15'
REAR –	20'
SIDE* –	ZERO LOT LINE (10' MAINTENANCE EASEMENT BETWEEN STRUCTURES)
CORNER –	10' ANY PERIPHERAL PROPERTY LINE STRUCTURES – AS PER NORTH CAROLINA STATE BUILDING CODE *TWO ATTACHED SINGLE FAMILY UNITS LOCATED ON ONE OR TWO LOTS THAT SHARE A COMMON WALL ALONG THE LOT LINE

REQUIRED OPEN SPACE:
528 LOTS * 0.03 AC/LOT = 15.84 AC±

PROVIDED OPEN SPACE
36.07 AC± TOTAL OPEN SPACE PROVIDED
NOTE: PROPOSED OPENSPACE/RECREATION SPACE AREAS ARE NOT FOR BUILDING OR STRUCTURAL DEVELOPMENT & ARE SUBJECT TO CHANGE

CUMULATIVE TRIP GENERATION:
412 SINGLE FAMILY HOMES* & 116 DUPLEX/TOWNHOME UNITS**
52,800 SF MEDICAL OFFICE*** & 16,000 SF RETAIL****:
5,917 – TOTAL DAILY TRIPS
552 – AM PEAK HOUR
599 – PM PEAK HOUR
*PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 210
**PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 230
***PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 710
****PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 814

TIA TRIP GENERATION:
379 SINGLE FAMILY HOMES*, 155 DUPLEX/TOWNHOME UNITS**
60,000 SF MINI-WAREHOUSE*** & 100 SENIOR ADULT HOUSING UNITS****:
5,143 – TOTAL DAILY TRIPS
410 – AM PEAK HOUR
497 – PM PEAK HOUR
*PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 210
**PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 230
***PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 151
****PER ITE TRIP GENERATION MANUAL 8TH EDITION, ITE CODE 251

DEVELOPMENT DATA:

TOTAL TRACT AREA = 8,971,551 SF = 205.96 AC.±
AVERAGE LOT SIZE – 10,587 SF
AREA OF LOTS – 4,361,809 SF = 100.13 AC±
AREA OF TOWNHOMES – 253,855 SF = 5.83 AC±
AREA OF ROW – 1,231,006 SF = 28.26 AC±
TOTAL ROAD LENGTH – 25,720 L.F.±

OVERALL BUA – 2,806,934 S.F. (31.3%)

OPEN SPACE BY PHASE:

PHASE	PASSIVE (AC.)	ACTIVE (AC.)
PHASE 1	1.31	1.31
PHASE 2	0.00	3.82
PHASE 3	3.63	3.63
PHASE 4	0.35	1.38
PHASE 5	0.00	1.07
PHASE 6	1.39	1.39
PHASE 7	3.32	3.32
PHASE 8	0.00	0.81
PHASE 9	0.00	0.12
PHASE 11	3.68	3.68
OTHER	1.83	0.00
TOTAL	15.52	20.54 (36.07)

DEVELOPMENT DATA BY PHASE:

PHASE	# OF LOTS	ROAD LEN. (LF)	ROW AREA (AC.)
PHASE 1	40	2,517	3.33
PHASE 2	65	2,394	2.89
PHASE 3	114	7,060	7.54
PHASE 4	52	3,171	3.60
PHASE 5	63	2,797	2.87
PHASE 6	45	2,462	2.72
PHASE 7	60	1,774	1.76
PHASE 8	25	1,350	1.17
PHASE 9	8	600	0.70
PHASE 11	56	1,595	1.68
TOTAL	528	25,720	28.26

DEVELOPMENT DATA:

TOTAL TRACT AREA =	205.96 AC
NON-RESIDENTIAL ACREAGE =	9.60 AC
WETLAND ACREAGE =	4.34 AC
RIGHT OF WAY ACREAGE =	28.26 AC
OPEN SPACE ACREAGE =	36.07 AC
ACTIVE =	20.54 AC
PASSIVE =	15.52 AC
TOTAL UNITS =	528
DEVELOPABLE LAND =	132.03 AC
NET DENSITY =	4.00 UNITS/AC

DEVELOPMENT NOTES:
1. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE.
2. PROJECT SHALL COMPLY WITH ALL CITY, STATE & FEDERAL REGULATIONS.

NOTE:
ALL DESIGN AND CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE & THE STATE OF NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL 031315 ENGINEER HARRY S. PAPE
09/09/2021

PROJECT NAME: WYNDWATER
GSP CONSULTING PROJECT #: 2016-0001

COORDINATION NOTES

1. THE CONTRACTOR IS REQUIRED TO OBTAIN ANY/ALL PERMITS REQUIRED FOR CONSTRUCTION OF THESE PLANS.
2. ALL WORK IS TO BE IN ACCORDANCE WITH PENDER COUNTY AND THE STATE OF NORTH CAROLINA.
3. THE CONTRACTOR IS TO ESTABLISH AND CHECK ALL HORIZONTAL AND VERTICAL CONTROLS TO BE USED WITH THE PROJECT. IN ADDITION, THE CONTRACTOR IS TO COMPUTE THE LAYOUT OF THE ENTIRE SITE PLAN IN ADVANCE OF BEGINNING ANY WORK ASSOCIATED WITH THE SUBJECT PLANS. CONTRACTOR SHALL EMPLOY A PROFESSIONAL SURVEYOR TO PERFORM SITE IMPROVEMENT STAKEOUT(S).
4. ANYTIME WORK IS PERFORMED OFF-SITE OR WITHIN AN EXISTING EASEMENT, THE CONTRACTOR IS TO NOTIFY THE HOLDER OF SAID EASEMENT AS TO THE NATURE OF PROPOSED WORK, AND TO FOLLOW ANY GUIDELINES OR STANDARDS WHICH ARE ASSOCIATED WITH OR REFERENCED IN THE RECORDED EASEMENT.

GENERAL NOTES:

1. EXISTING TOPOGRAPHY, BOUNDARY AND UTILITIES, HAVE BEEN PREPARED BY A FIELD SURVEY BY ATLANTIC COAST SURVEY, PLLC (P-0822) AND OTHER AVAILABLE INFORMATION.
2. REASONABLE CARE HAS BEEN EXERCISED IN SHOWING THE LOCATION OF EXISTING UTILITIES ON THE PLANS. THE EXACT LOCATION OF ALL EXISTING UTILITIES IS NOT KNOWN IN ALL CASES. THE CONTRACTOR SHALL EXPLORE THE AREA AHEAD OF DITCHING OPERATIONS BY OBSERVATIONS, ELECTRONIC DEVICES, HAND DIGGING AND BY PERSONAL CONTACT WITH THE UTILITY COMPANIES. IN ORDER TO LOCATE EXISTING UTILITIES IN ADVANCE OF TRENCHING OPERATIONS SO AS TO ELIMINATE OR MINIMIZE DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS RESULTING FROM ANY DAMAGE TO THE EXISTING UTILITY LINES INCLUDING LOSS OF UTILITY REVENUES. CONTRACTOR SHALL ARRANGE FOR TEMPORARY SUPPORT OF EXISTING UTILITIES, SUCH AS POLES, CONDUITS, FIBER OPTIC CABLES, TELEPHONE CABLES, WATER LINES, ETC...
3. CONTRACTOR SHALL COMPLY WITH THE LATEST REVISIONS AND INTERPRETATIONS OF THE DEPARTMENT OF LABOR SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION PROMULGATED UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT.
4. CONTRACTOR SHALL PLAN AND CONSTRUCT WORK SO AS TO CAUSE MINIMUM INCONVENIENCE TO THE OWNER AND THE PUBLIC. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN AT ALL TIMES DURING THE PROGRESS OR TEMPORARY SUSPENSION OF WORK, SUITABLE BARRIERS, FENCES, SIGNS OR OTHER ADEQUATE PROTECTION, INCLUDING FLAGMEN AND WATCHMEN AS NECESSARY TO INSURE THE SAFETY OF THE PUBLIC AS WELL AS THOSE ENGAGED IN THE CONSTRUCTION WORK. CONSTRUCTION SIGNING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF "CONSTRUCTION AND MAINTENANCE OPERATIONS SUPPLEMENT TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE DOT.
5. ALL MATERIAL CLEARED OR DEMOLISHED BY THE CONTRACTOR IN ORDER TO CONSTRUCT THE WORK SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE PROPERLY DISPOSED OF OFF-SITE.
6. ALL WORK BY THE CONTRACTOR SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR AFTER THE OWNER ACCEPTS THE WORK.
7. CONTRACTOR SHALL CALL THE NORTH CAROLINA ONE-CALL CENTER AT 1 (800) 632-4949 AND ALLOW THE CENTER TO LOCATE EXISTING UTILITIES BEFORE DIGGING.
8. CONTRACTOR SHALL REMOVE ASPHALT, AGGREGATE BASE COURSE, AND CONCRETE CURB & GUTTER WITHIN LIMITS OF DEMOLITION AS SHOWN ON PLAN.

DEMOLITION NOTES

1. CONTRACTOR TO COORDINATE WITH THE OWNER TO PROPERLY MAINTAIN OR RELOCATE EXISTING SERVICE CONNECTIONS WHEN NECESSARY
2. CONTRACTOR IS TO WALK THE SITE AND BECOME FAMILIAR WITH THE SCOPE OF DEMOLITION REQUIRED. ALL DEMOLITION WORK REQUIRED TO CONSTRUCT NEW SITE IMPROVEMENTS WILL BE PERFORMED BY THE CONTRACTOR AND WILL BE UNCLASSIFIED EXCAVATION.
3. DEMOLITION SHALL INCLUDE BUT IS NOT LIMITED TO THE EXCAVATION, HAULING AND OFFSITE DISPOSAL OF CONCRETE PADS, CONCRETE DITCHES, FOUNDATIONS, SLABS, STEPS, AND STRUCTURES; ABANDONED UTILITIES, BUILDINGS, PAVEMENTS AND ALL MATERIALS CLEARED AND STRIPPED TO THE EXTENT NECESSARY AS DIRECTED BY THE SOILS ENGINEER FOR THE INSTALLATION OF THE NEW IMPROVEMENTS AND WITHIN THE LIMITS OF CLEARING AND GRADING AND AS SHOWN ON THESE PLANS.
4. THE CONTRACTOR SHALL PROTECT ALL ADJACENT PROPERTY, STRUCTURES AND UTILITIES ON THE PROPERTY NOT TO BE DEMOLISHED. DAMAGE TO PROPERTIES OF OTHERS DUE TO THE CONTRACTOR'S ACTIVITIES SHALL BE REPLACED IN KIND BY THE CONTRACTOR AT NO COST TO OWNER.
5. ELECTRIC, TELEPHONE, SANITARY SEWER, WATER AND STORM SEWER UTILITIES THAT SERVICE OFF-SITE PROPERTIES SHALL BE MAINTAINED DURING THE CONSTRUCTION PROCESS BY THE CONTRACTOR.
6. EXISTING UTILITIES NOT INTENDED FOR DEMOLITION SHALL BE MAINTAINED, PROTECTED AND UNDISTURBED DURING DEMOLITION
7. ALL EXISTING IMPROVEMENTS INDICATED OR REQUIRED TO BE DEMOLISHED SHALL INCLUDE REMOVAL FROM THE PROPERTY AND PROPER DISPOSAL.
8. CONTRACTOR SHALL COORDINATE RELOCATION OF ALL EXISTING OVER HEAD AND UNDERGROUND UTILITIES INCLUDING CABLE, GAS, TELEPHONE AND ELECTRIC AND ANY OTHER UTILITIES THROUGH THE SITE WITH THE RESPECTIVE COMPANIES.
9. PROVIDE SMOOTH SAW CUT OF EXISTING PAVEMENTS, CURBS AND GUTTERS AND SIDEWALKS TO BE DEMOLISHED.
10. ALL DEMOLITION WORK SHALL BE DONE IN STRICT ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS AS WELL AS OSHA REGULATIONS.
11. INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS, BUT THE THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATIONS OF THE MAINS BY DIGGING TEST PITS BY HAND.

EROSION AND SEDIMENT CONTROL NOTES

GENERAL NOTES:

1. CLEAR AND REMOVE FROM SITE ALL TREES, ROOTS, ROOT MAT, ETC. FROM THE AREA WITHIN DESIGNATED CLEARING LIMITS.
2. PLANT GRASS OVER ALL GRADED AREAS AS SHOWN IN THE TABLE ON THIS SHEET OF CEASE OF ANY GRADING ACTIVITY.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING AND RESTORING TO PRE-CONSTRUCTION CONDITIONS ANY AREAS OUTSIDE THE PROJECT LIMITS THAT MAY INADVERTENTLY BE DAMAGED DUE TO THE FAILURE OF THE EROSION MEASURES
4. DURING GRADING AND AFTER GRADING HAS BEEN COMPLETED, CONTRACTOR SHALL CONTINUE TO MAINTAIN PERMANENT AND TEMPORARY EROSION CONTROL MEASURES UNTIL FINAL INSPECTION AND APPROVAL BY THE NCDENR DIVISION OF LAND QUALITY.
5. WATER, FERTILIZE, MOW AND MAINTAIN SPRIGGED, SODDED AND PLANTED AREAS UNTIL FINAL APPROVAL BY THE NCDENR DIVISION OF LAND QUALITY.
6. ANY BORROW MATERIAL BROUGHT ONTO SITE MUST BE FROM A LEGALLY OPERATED MINE OR OTHER APPROVED SOURCE.
7. ANY EXCESS MATERIAL REMOVED FROM SITE MUST BE HAULED TO A LEGALLY OPERATED MINE OR OTHER APPROVED SOURCE.

MAINTENANCE PLAN

1. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED FOR STABILITY AND OPERATION FOLLOWING EVERY RUNOFF-PRODUCING RAINFALL BUT IN NO CASE LESS THAN ONCE EVERY WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO MAINTAIN ALL PRACTICES AS DESIGNED.
2. ALL CONSTRUCTION ENTRANCES WILL BE PERIODICALLY TOP DRESSED WITH AN ADDITIONAL 2 INCHES OF #4 STONE TO MAINTAIN PROPER DEPTH. ANY SEDIMENT THAT IS TRACKED INTO THE STREET WILL BE IMMEDIATELY REMOVED.
3. SEDIMENT WILL BE REMOVED BEHIND THE SEDIMENT FENCE WHEN IT BECOMES 0.5 FEET DEEP AT THE FENCE. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A BARRIER. SILT FENCE STAKES WILL BE SPACED 6 FEET APART UNLESS A WIRE BACKING IS USED WITH 8 FOOT STAKE SPACING.
4. INSPECT INLET PROTECTION AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2 INCH OR GREATER) RAINFALL EVENT. CLEAR THE MESH WIRE OF ANY DEBRIS OR OTHER OBJECTS TO PROVIDE ADEQUATE FLOW FOR SUBSEQUENT RAINS. TAKE CARE NOT TO DAMAGE OR UNDERCUT THE WIRE MESH DURING SEDIMENT REMOVAL. REPLACE STONE AS NEEDED.
5. ALL SEEDED AREAS WILL BE FERTILIZED, RESEEDED AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE VEGETATIVE PLAN TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.
6. INSPECT TEMPORARY SEDIMENT TRAPS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (ONE-HALF INCH OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. REMOVE SEDIMENT AND RESTORE THE TRAP TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT ACCUMULATES TO ONE-HALF THE DESIGN DEPTH OF THE TRAP. PULL THE SKIMMER TO ONE SIDE SO THAT THE SEDIMENT UNDERNEATH IT CAN BE EXCAVATED. EXCAVATE THE SEDIMENT FROM THE ENTIRE BASIN, NOT JUST AROUND THE SKIMMER OR THE FIRST CELL. MAKE SURE VEGETATION GROWING IN THE BOTTOM OF THE BASIN DOES NOT HOLD DOWN THE SKIMMER. PLACE THE SEDIMENT THAT IS REMOVED IN THE DISPOSAL AREA, AND REPLACE THE PART OF THE GRAVEL FACING THAT IS IMPAIRED BY SEDIMENT.

   IF THE SKIMMER IS CLOGGED WITH TRASH AND THERE IS WATER IN THE BASIN, USUALLY JERKING ON THE ROPE WILL MAKE THE SKIMMER BOB UP AND DOWN AND DISLODGE THE DEBRIS AND RESTORE FLOW. IF THIS DOES NOT WORK, PULL THE SKIMMER OVER TO THE SIDE OF THE BASIN AND REMOVE THE DEBRIS.

   IF THE SKIMMER ARM OR BARREL PIPE IS CLOGGED, THE ORIFICE CAN BE REMOVED AND THE OBSTRUCTION CLEARED WITH A PLUMBER'S SNAKE OR BY FLUSHING WITH WATER. BE SURE AND REPLACE THE ORIFICE BEFORE REPOSITIONING THE SKIMMER.

   CHECK THE STRUCTURE FOR DAMAGE FROM EROSION OR PIPING. PERIODICALLY CHECK THE DEPTH OF THE SPILLWAY TO ENSURE IT IS A MINIMUM OF 1.5 FEET BELOW THE LOW POINT OF THE EMBANKMENT. IMMEDIATELY FILL ANY SETTLEMENT OF THE EMBANKMENT TO SLIGHTLY ABOVE DESIGN GRADE. ANY RIPRAP DISPLACED FROM THE SPILLWAY MUST BE REPLACED IMMEDIATELY.

   AFTER ALL DEMENT-PRODUCING AREAS HAVE BEEN PERMANENTLY STABILIZED, REMOVE THE STRUCTURE AND ALL UNSTABLE SEDIMENT. SMOOTH THE AREA TO BLEND WITH THE ADJOINING AREAS, AND STABILIZE PROPERLY.
7. INSPECT EXCELSIOR MATTING AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2 INCH OR GREATER) RAINFALL EVENT REPAIR IMMEDIATELY. GOOD CONTACT WITH THE GROUND MUST BE MAINTAINED, AND EROSION MUST NOT OCCUR BENEATH THE MATTING. ANY AREAS OF THE MATTING THAT ARE DAMAGED OR NOT IN CLOSE CONTACT WITH THE GROUND SHALL BE REPAIRED AND STAPLED. IF EROSION OCCURS DUE TO POORLY CONTROLLED DRAINAGE, THE PROBLEM SHALL BE FIXED AND THE ERODED AREA PROTECTED. MONITOR AND REPAIR THE MATTING AS NECESSARY UNTIL GROUND COVER IS ESTABLISHED.
7. INSPECT BAFFLES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. MAKE ANY REQUIRED REPAIRS IMMEDIATELY. EVENT REPAIR IMMEDIATELY. GOOD CONTACT WITH THE GROUND MUST

   BE SURE TO MAINTAIN ACCESS TO THE BAFFLES. SHOULD THE FABRIC OF A BAFFLE COLLAPSE, TEAR, DECOMPOSE, OR BECOME INEFFECTIVE, REPLACE IT PROMPTLY.

   REMOVE SEDIMENT DEPOSITS WHEN IT REACHES HALF FULL TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAIN AND TO REDUCE PRESSURE ON THE BAFFLES. TAKE CARE TO AVOID DAMAGING THE BAFFLES DURING CLEANOUT. SEDIMENT DEPTH SHOULD NEVER EXCEED HALF THE DESIGNED STORAGE DEPTH.

   AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED, REMOVE ALL BAFFLE MATERIALS AND UNSTABLE SEDIMENT DEPOSITS, BRING THE AREA TO GRADE, AND STABILIZE IT.

STABILIZATION NOTES

1. ALL DISTURBED AREAS WILL BE STABILIZED WITHIN 15 WORKING DAYS OF CEASE OF ANY PHASE OF ACTIVITY AND SLOPES WITHIN 21 CALENDAR DAYS.

PERMANENT SEEDING SCHEDULE – MIXTURE 5CP

SPECIES	RATE (LB/ACRE)
CENTIPEDE GRASS	10-20

Seeding Dates
MARCH – JUNE

Soil Amendments
APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS, OR APPLY 300 LB/ACRE 10-10-10 FERTILIZER.

Mulch
DO NOT MULCH.

Maintenance
FERTILIZE VERY SPARINGLY LB/ACRE NITROGEN IN SPRING WITH NO PHOSPHORUS. CENTIPEDE GRASS CANNOT TOLERATE HIGH PH OR EXCESS FERTILIZER.

TEMPORARY SEEDING-LATE WINTER/EARLY SPRING

WINTER AND EARLY SPRING

SPECIES	RATE (LB/ACRE)
Rye (GRAIN)	120
*ANNUAL LESPEDEZA (KOBE IN PIEDMONT AND COASTAL PLAIN, KOREAN IN MOUNTAINS)	50

*OMIT ANNUAL LESPEDEZA WHEN DURATION OF TEMPORARY COVER IS NOT TO EXTEND BEYOND JUNE.

SUMMER

SPECIES	RATE (LB/ACRE)
GERMAN MILLET	40

FALL

SPECIES	RATE (LB/ACRE)
RYE (GRAIN)	120

Seeding dates
COASTAL PLAIN – DEC.1-APR. 15 – LATE WINTER AND EARLY SPRING
APRIL 15 – AUG. 15 – SUMMER
AUG. 15 – DEC. 30 – FALL

Soil amendments
FOLLOW RECOMMENDATIONS OF SOIL TESTS OR APPLY 2,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 750 LB/ACRE 10-10-10 FERTILIZER.

Mulch
APPLY 4,000 LB/ACRE STRAW. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

Maintenance
REFERTILIZE IF GROWTH IS NOT FULLY ADEQUATE. RESEED, REFERTILIZE AND MULCH IMMEDIATELY FOLLOWING EROSION OR OTHER DAMAGE.

GENERAL GRADING NOTES

1. REASONABLE CARE HAS BEEN EXERCISED IN SHOWING THE LOCATION OF EXISTING UTILITIES ON THE PLANS. THE EXACT LOCATION OF SUCH UTILITIES IS NOT KNOWN IN ALL CASES. THE CONTRACTOR SHALL EXPLORE THE AREA AHEAD OF THE DITCHING OPERATION BY OBSERVATIONS, ELECTRONIC DEVICES, HAND DIGGING AND BY PERSONAL CONTACT WITH THE UTILITY COMPANIES IN ORDER TO LOCATE EXISTING UTILITIES IN ADVANCE OF THE TRENCHING OPERATIONS SO AS TO AVOID AND PREVENT DAMAGE TO THE EXISTING UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COST RESULTING FROM ANY DAMAGE TO THE EXISTING UTILITY LINES INCLUDING BUT NOT LIMITED TO REPAIRS AND LOSS SERVICE REVENUE. CONTRACTOR SHALL ARRANGE FOR TEMPORARY SUPPORT OF EXISTING UTILITIES, SUCH AS POLES, CONDUITS, FIBER OPTIC CABLES, TELEPHONE CABLES, WATER LINES, ETC...
2. CONTRACTOR SHALL COMPLY WITH THE LATEST REVISIONS AND INTERPRETATIONS OF THE DEPARTMENT OF LABOR SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION PROMULGATED UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT.
3. CONTRACTOR SHALL PLAN AND CONSTRUCT WORK SO AS TO CAUSE MINIMUM INCONVENIENCE TO THE OWNER AND THE PUBLIC. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN AT ALL TIMES DURING THE PROGRESS OR TEMPORARY SUSPENSION OF WORK, SUITABLE BARRIERS, FENCES, SIGNS OR OTHER ADEQUATE PROTECTION, INCLUDING FLAG MEN AND WATCHMEN AS NECESSARY TO INSURE THE SAFETY OF THE PUBLIC AS WELL AS THOSE ENGAGED IN THE CONSTRUCTION WORK. CONSTRUCTION SIGNING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF "CONSTRUCTION AND MAINTENANCE OPERATIONS SUPPLEMENT TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE NCDOT.
4. ALL MATERIAL CLEARED AND GRUBBED BY THE CONTRACTOR IN ORDER TO CONSTRUCT THE WORK, SUCH AS TREES, VEGETATION, FENCING, ETC... SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE PROPERLY DISPOSED OF OFF-SITE OR BURNED IF PROPER PERMITS ARE RECEIVED.

SITE NOTES

1. ANY DISCREPANCY IN THIS PLAN AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER PRIOR TO START OF CONSTRUCTION. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SETBACKS, EASEMENTS AND DIMENSIONS SHOWN HEREON BEFORE BEGINNING CONSTRUCTION.
2. THE GENERAL CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, UTILITIES AND R.O.W.'S PUBLIC OR PRIVATE, PRIOR TO WORKING IN THESE AREAS.
3. CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SO THAT WORKMEN AND PUBLIC SHALL BE PROTECTED FROM INJURY, AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
4. ACCESS TO UTILITIES, FIRE HYDRANTS, STREET LIGHTING, ETC., SHALL REMAIN UNDISTURBED, UNLESS COORDINATED WITH THE RESPECTIVE UTILITY.
5. DO NOT SCALE THIS DRAWING AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
6. THE GENERAL CONTRACTOR SHALL REMOVE ALL DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT AND AT LEAST ONCE A WEEK DURING CONSTRUCTION.
7. THE GENERAL CONTRACTOR SHALL KEEP THE AREA OUTSIDE THE "CONSTRUCTION LIMITS" BROOM CLEAN AT ALL TIMES.
8. CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE ENGINEER.
9. IF DEPARTURES FROM THE SPECIFICATIONS OR DRAWINGS ARE DEEMED NECESSARY BY THE CONTRACTOR, DETAILS OF SUCH DEPARTURES AND REASONS THEREOF SHALL BE GIVEN TO THE OWNER FOR REVIEW, NO DEPARTURES FROM THE CONTRACT DOCUMENT SHALL BE MADE WITHOUT THE PERMISSION OF THE OWNER.
10. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES. THE LOCATION OF ALL EXISTING UTILITIES ARE NOT NECESSARILY SHOWN ON PLANS AND WHERE SHOWN ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL ON HIS INITIATIVE AND AT NO EXTRA COST HAVE LOCATED ALL UNDERGROUND LINES AND STRUCTURES AS NECESSARY. NO CLAIMS FOR DAMAGES OR EXTRA COMPENSATION SHALL ACCRUE TO THE CONTRACTOR FROM THE PRESENCE OF SUCH PIPE OTHER OBSTRUCTIONS OR FROM DELAY DUE TO REMOVAL OR REARRANGEMENT OF THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND STRUCTURES. CONTACT NORTH CAROLINA ONE CALL" TOLL FREE 1-800-632-4949 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL NONSUBSCRIBING UTILITIES.
11. ALL PERMITS RELATIVE TO PROJECT MUST BE OBTAINED, PRIOR TO CONSTRUCTION
12. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH PERMITS ISSUED AND APPLICABLE STATE, COUNTY, AND LOCAL CODES.
13. FOR BUILDING DIMENSIONS, SEE ARCHITECTURAL DRAWINGS.
14. ALL DIMENSIONS AND RADII ARE TO OUTSIDE FACE OF BUILDING OR TO FACE OF CURB UNLESS OTHERWISE NOTED.
15. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL INSPECTIONS, CERTIFICATIONS, EQUIPMENT, ETC., THAT MAY BE REQUIRED.
16. THE ENGINEER AND/OR OWNER DISCLAIM ANY ROLE IN THE CONSTRUCTION MEANS AND METHODS ASSOCIATED WITH THE PROJECT AS SET FORTH IN THESE PLANS.

GENERAL STORM SEWER NOTES

1. ALL STORM SEWERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH PENDER COUNTY AND THE STATE OF NORTH CAROLINA REQUIREMENTS AS SPECIFIED ON THE DRAWINGS AND IN THE PROJECT SPECIFICATIONS.
2. BEDDING FOR ALL STORM SEWER PIPE SHALL BE AS SPECIFIED ON THE DRAWINGS, PROJECT SPECIFICATIONS, AND MANUFACTURER SPECIFICATIONS.
3. ALL STORM SEWER PIPES ON PRIVATE PROPERTY TO BE HDPE ADS N-12 OR EQUIVALENT, UNLESS OTHERWISE SPECIFIED. ALL STORM SEWER PIPES LOCATED WITHIN THE PUBLIC ROW TO BE RCP CLASS III.
4. ALL STORM SEWER PIPES SHOWN AS RCP ON THE PLANS SHALL BE REINFORCED CONCRETE PIPE CONFORMING TO ASTM C-76, UNLESS INDICATED OTHERWISE ON PLANS.

GROUND STABILIZATION

SITE AREA DESCRIPTION	STABILIZATION TIME FRAME	STABILIZATION TIME FRAME EXCEPTIONS
PERIMETER DIKES, SWALES, DITCHES AND SLOPES	7 DAYS	NONE
HIGH QUALITY WATER (HQW) ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED.
SLOPES 3:1 OR FLATTER	14 DAYS	7-DAYS FOR SLOPES GREATER THAN 50 FEET IN LENGTH
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE (EXCEPT FOR PERIMETERS AND HQW ZONES)

EXISTING UTILITY NOTES

1. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY THE ACTUAL LOCATION AND AVAILABILITY OF ALL EXISTING AND PROPOSED UTILITIES IN THE FIELD PRIOR TO GROUND BREAKING.
2. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL FIELD VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.

UTILITY CONTACTS:

1. CONTACT THE NORTH CAROLINA ONE CALL CENTER PRIOR TO DOING AND DIGGING. 1-800-632-4949

NOTICE REQUIRED

ALL EXISTING UNDERGROUND UTILITIES SHALL BE PHYSICALLY LOCATED BY CONTRACTOR PRIOR TO THE BEGINNING OF ANY CONSTRUCTION IN THE VICINITY OF SAID UTILITIES.

CONTRACTORS SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATION AT LEAST TWO WORKING DAYS, BUT NOT MORE THAN TEN WORKING DAYS PRIOR TO ANY EXCAVATION OR DEMOLITION.

CONTACT "CAROLINA ONE CALL" AT
1-800-632-4949
EMERGENCY DIAL 911 POLICE - FIRE - RESCUE

NORTH CAROLINA PROFESSIONAL SEAL 031315 ENGINEER LARRY S. PAPE
09/09/2021

No.	Revision	Date	By

Designer: GSP	Scale
Drawn By: GSP	Date: September 2021
License #: P-0718	Job No.: 2016-0001

WYNDWATER

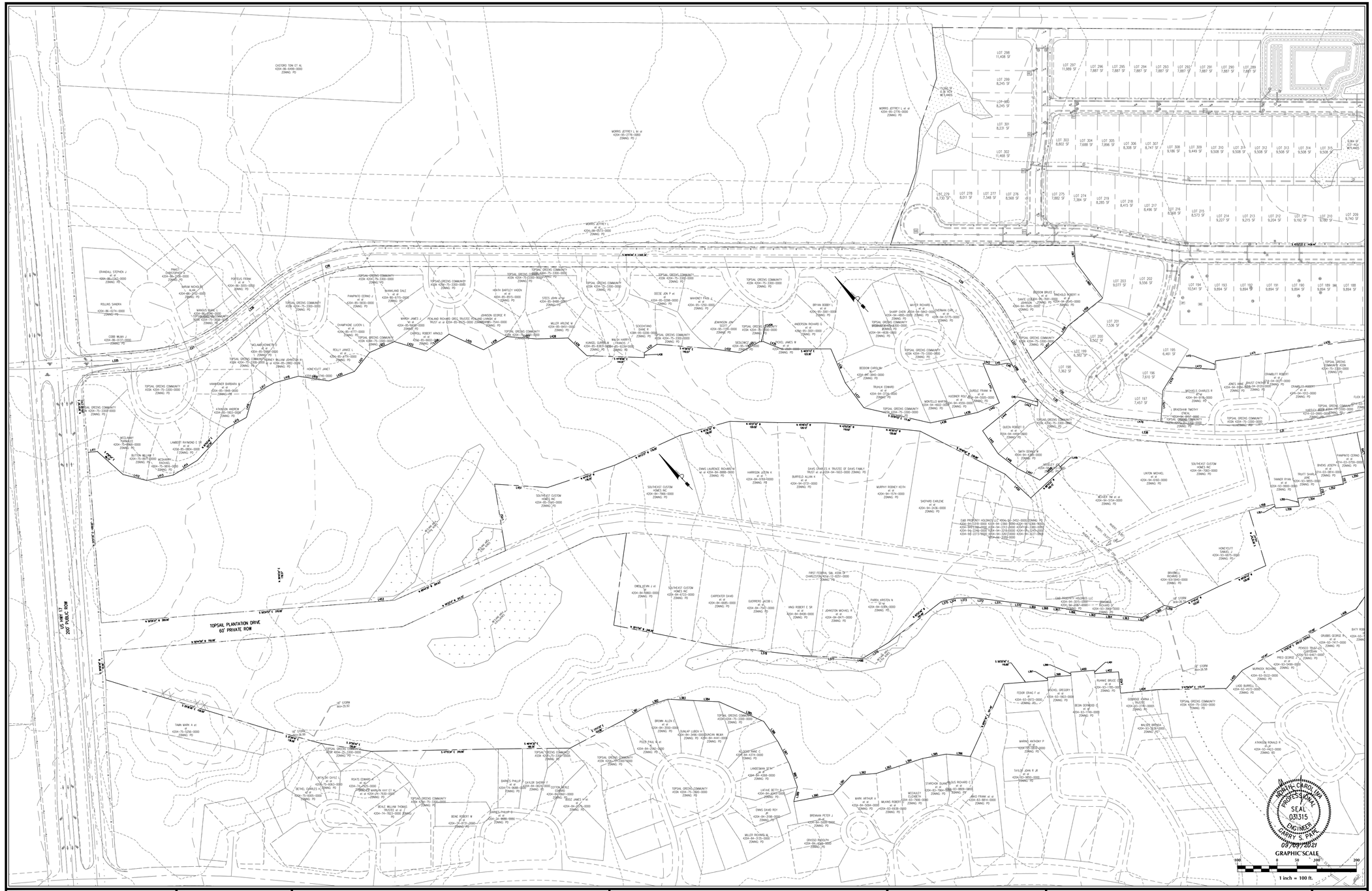
Topsail Township Pender County North Carolina

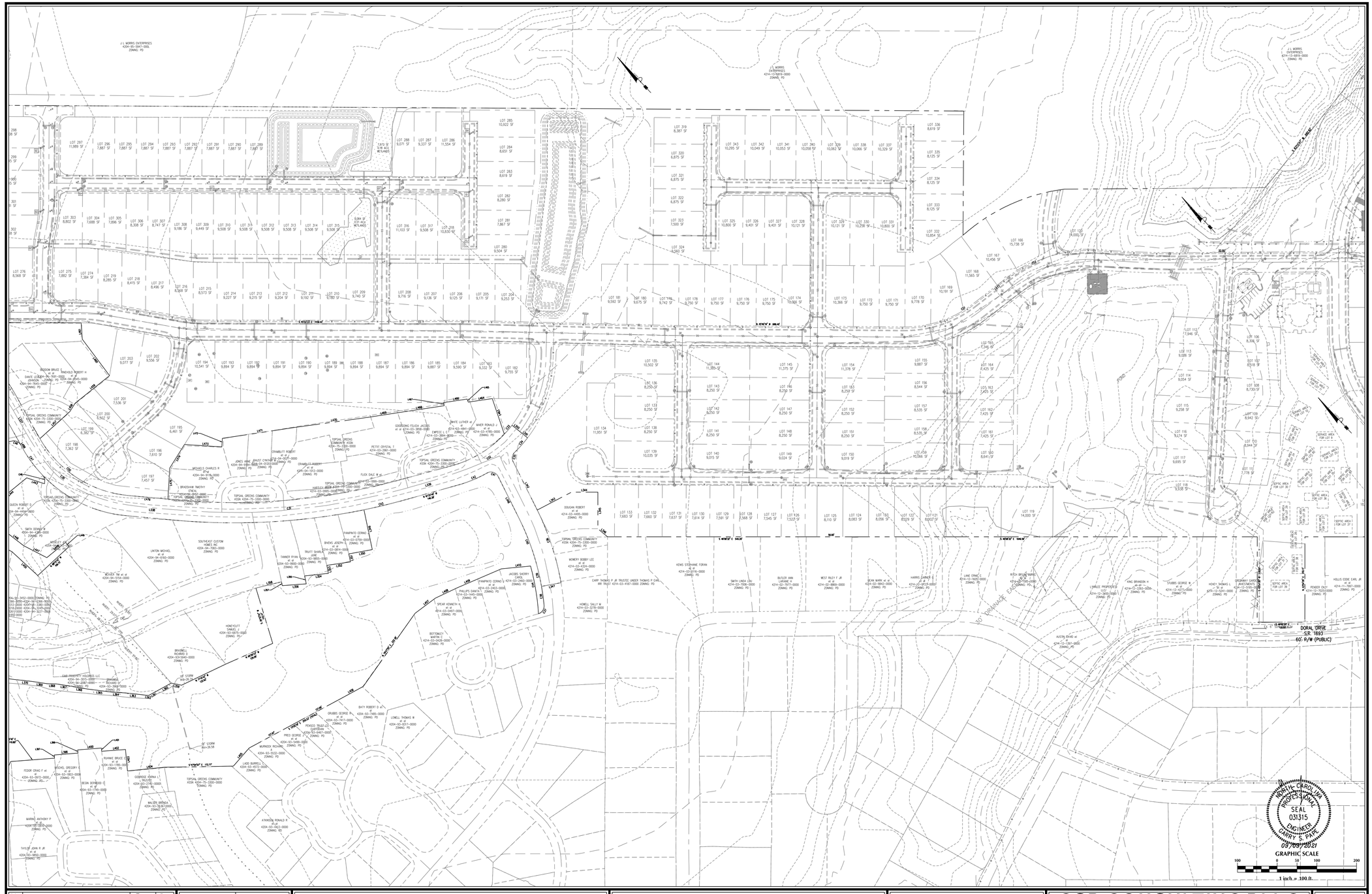
GENERAL NOTES

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-1


TOPSAIL PLANTATION DRIVE
60' PRIVATE ROW
US HWY 17
200' PUBLIC ROW
LOT 298
11,408 SF
LOT 299
8,245 SF
LOT 300
8,245 SF
LOT 301
8,231 SF
LOT 302
11,466 SF
LOT 297
11,989 SF
LOT 296
7,887 SF
LOT 295
7,887 SF
LOT 294
7,887 SF
LOT 293
7,887 SF
LOT 292
7,887 SF
LOT 291
7,887 SF
LOT 290
7,887 SF
LOT 289
7,887 SF
LOT 303
8,802 SF
LOT 304
7,688 SF
LOT 305
7,896 SF
LOT 306
8,308 SF
LOT 307
8,747 SF
LOT 308
9,186 SF
LOT 309
9,449 SF
LOT 310
9,508 SF
LOT 311
9,508 SF
LOT 312
9,508 SF
LOT 313
9,508 SF
LOT 314
9,508 SF
LOT 315
9,508 SF
LOT 316
9,740 SF
LOT 279
8,730 SF
LOT 278
8,011 SF
LOT 277
7,348 SF
LOT 276
8,568 SF
LOT 275
7,882 SF
LOT 274
7,364 SF
LOT 219
8,285 SF
LOT 218
8,415 SF
LOT 217
8,498 SF
LOT 216
8,568 SF
LOT 215
8,573 SF
LOT 214
9,227 SF
LOT 213
9,215 SF
LOT 212
9,204 SF
LOT 211
9,192 SF
LOT 210
9,780 SF
LOT 209
9,740 SF
LOT 203
9,077 SF
LOT 202
9,556 SF
LOT 201
7,538 SF
LOT 200
8,502 SF
LOT 199
8,362 SF
LOT 198
7,362 SF
LOT 197
7,437 SF
LOT 196
7,810 SF
LOT 195
6,461 SF
LOT 194
10,541 SF
LOT 193
8,894 SF
LOT 192
8,894 SF
LOT 191
8,894 SF
LOT 190
8,894 SF
LOT 189
8,894 SF
LOT 188
8,894 SF
7.560 SF
0.17 ACRE
WETLANDS
6,084 SF
0.01 ACRE
WETLANDS
MORRIS JEFFREY L III ET AL
4204-85-2776-0000
ZONING: PD
MORRIS JEFFREY L III ET AL
4204-85-2776-0000
ZONING: PD
MORRIS JEFFREY L
4204-84-9573-0000
ZONING: PD
CASSIDO TOM ET AL
4204-86-6498-0000
ZONING: PD
TOPSAIL GREENS COMMUNITY
ASSN 4204-75-3300-0000
ZONING: PD
TOPSAIL GREENS COMMUNITY
ASSN 4204-75-3300-0000
ZONING: PD2
TOPSAIL GREENS COMMUNITY
ASSN 4204-75-3300-0000
ZONING: PD1
TOPSAIL GREENS COMMUNITY
ASSN 4204-75-3300-0000
ZONING: PD



No.	Revision	Date	By

Designer	GSP
Scale	1" = 100'
Drawn By	GSP
Date	September 2021
License #	P-0718
Job No.	2016-0001

WYNDWATER

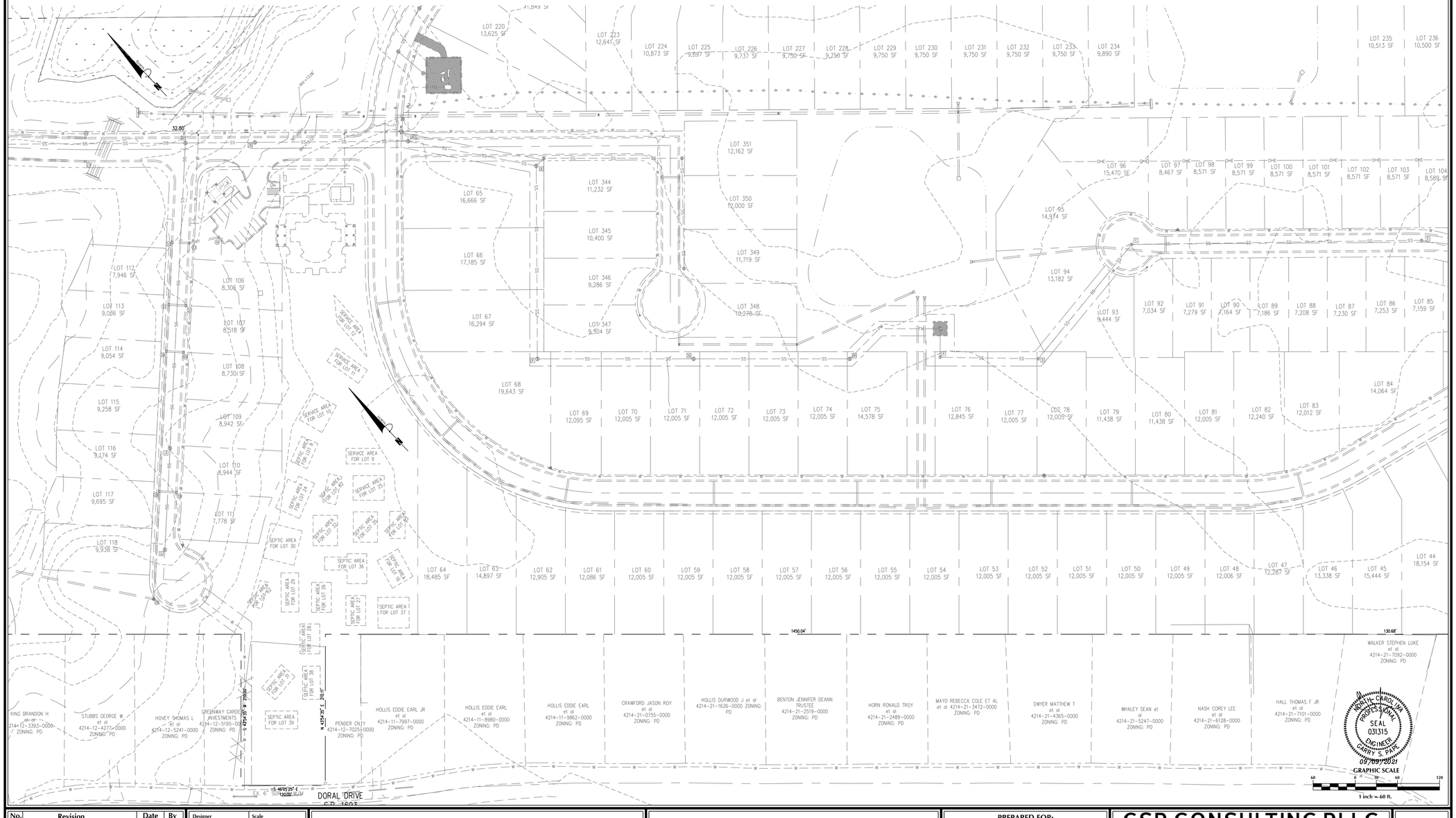
Topsail Township — Pender County — North Carolina

EXISTING CONDITIONS

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-2.2



No.	Revision	Date	By

Designer	GSP	Scale	1" = 60'
Drawn By	GSP	Date	September 2021
License #	P-0718	Job No.	2016-0001

WYNDWATER

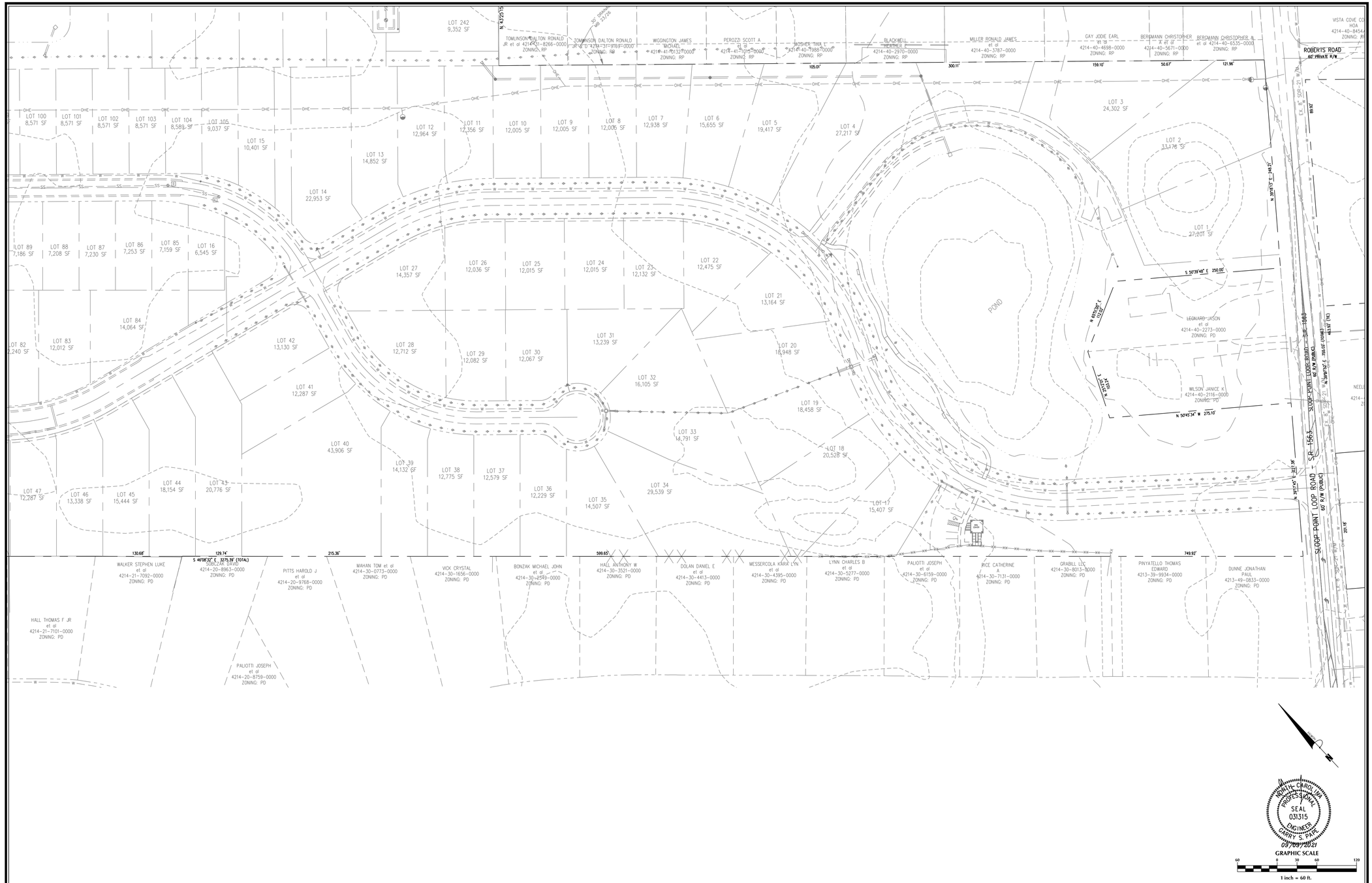
Topsail Township Pender County North Carolina

EXISTING CONDITIONS

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-2.3



No.	Revision	Date	By

Designer	GSP
Scale	1" = 60'
Drawn By	GSP
Date	September 2021
License #	P-0718
Job No.	2016-0001

WYNDWATER

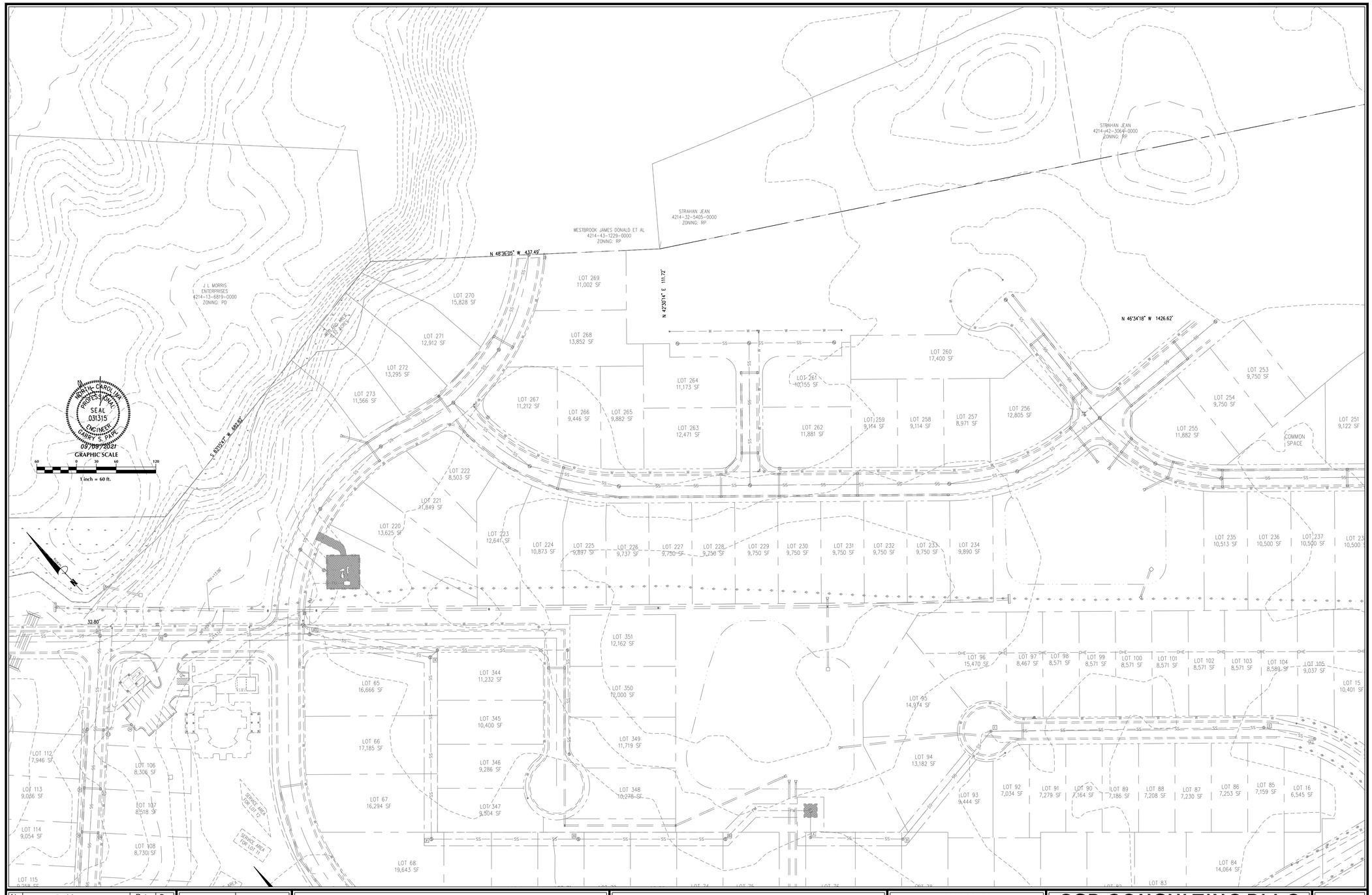
Topsail Township Pender County North Carolina

EXISTING CONDITIONS

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-2.4



No.	Revision	Date	By

Designer	GSP
Drawn By	GSP
License #	P-0718
Scale	1" = 60'
Date	September 2021
Job No.	2016-0001

WYNDWATER

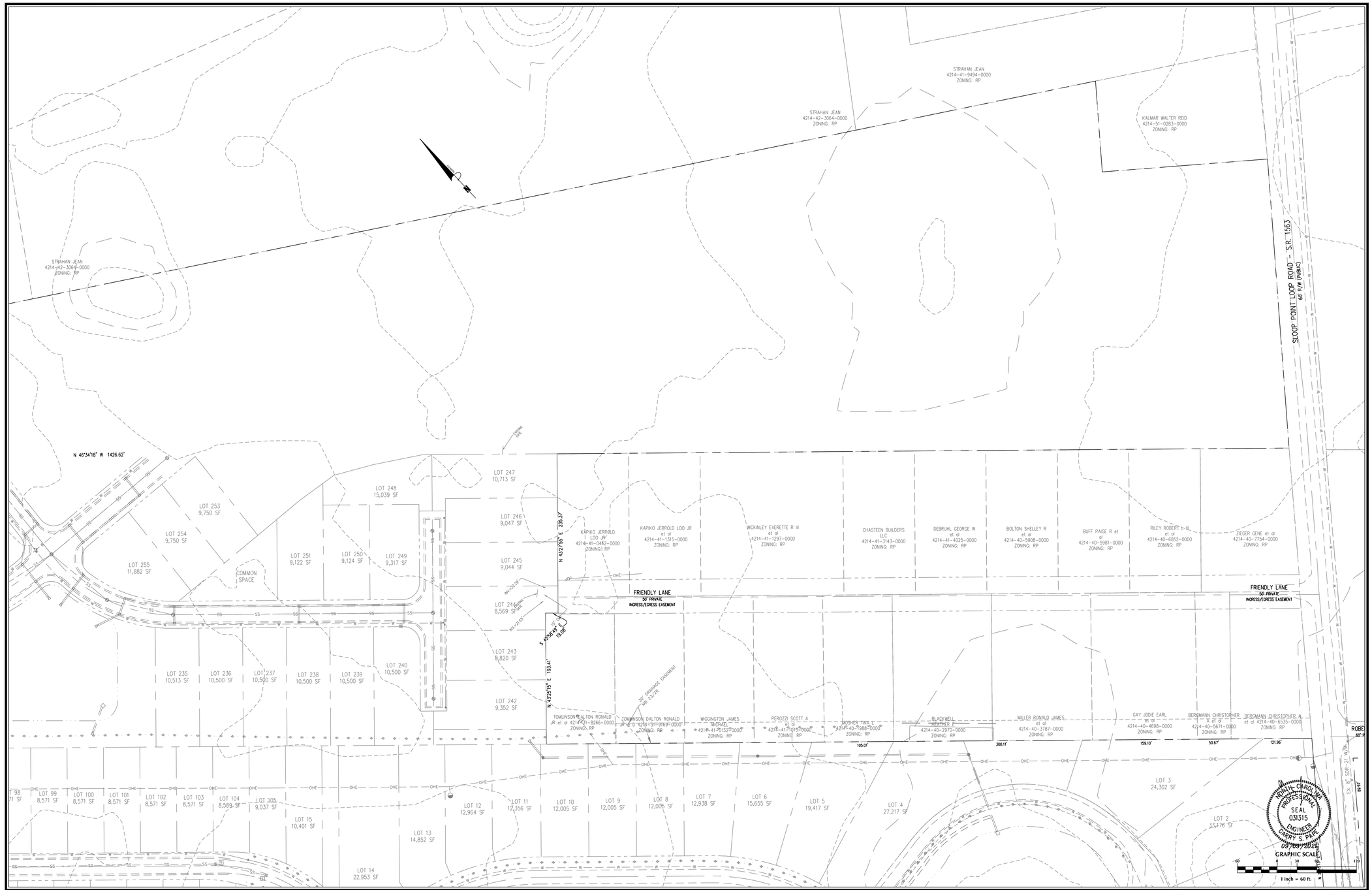
Topsail Township Pender County North Carolina

EXISTING CONDITIONS

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-2.5**



No.	Revision	Date	By

Designer	GSP
Scale	1" = 60'
Drawn By	GSP
Date	September 2021
License #	P-0718
Job No.	2016-0001

WYNDWATER

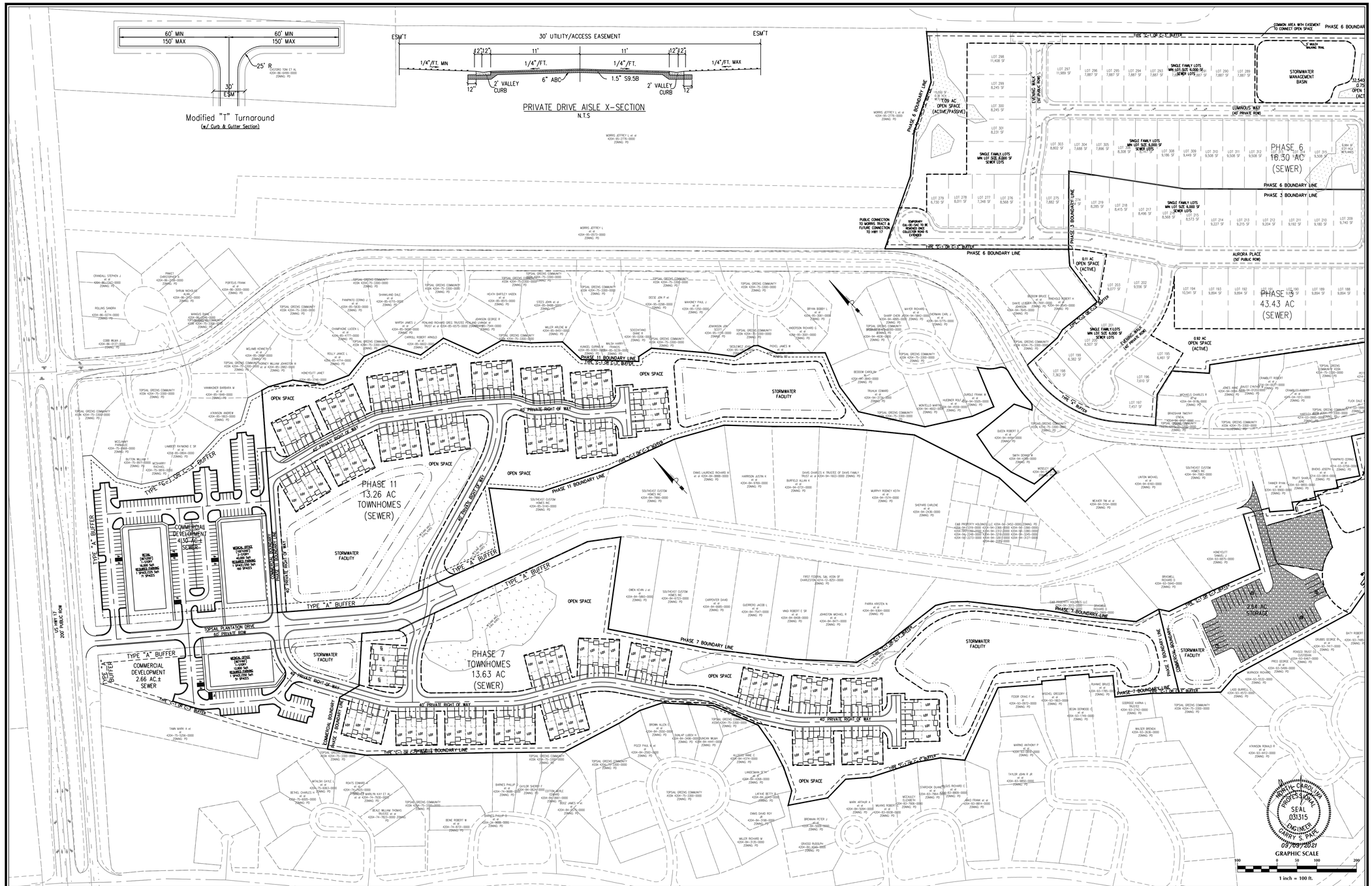
Topsail Township Pender County North Carolina

EXISTING CONDITIONS

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-2.6



GRAPHIC SCALE
100 0 50 100 200
1 inch = 100 ft.

No.	Revision	Date	By

Designer	GSP
Scale	1" = 100'
Drawn By	GSP
Date	September 2021
License #	P-0718
Job No.	2016-0001

WYNDWATER

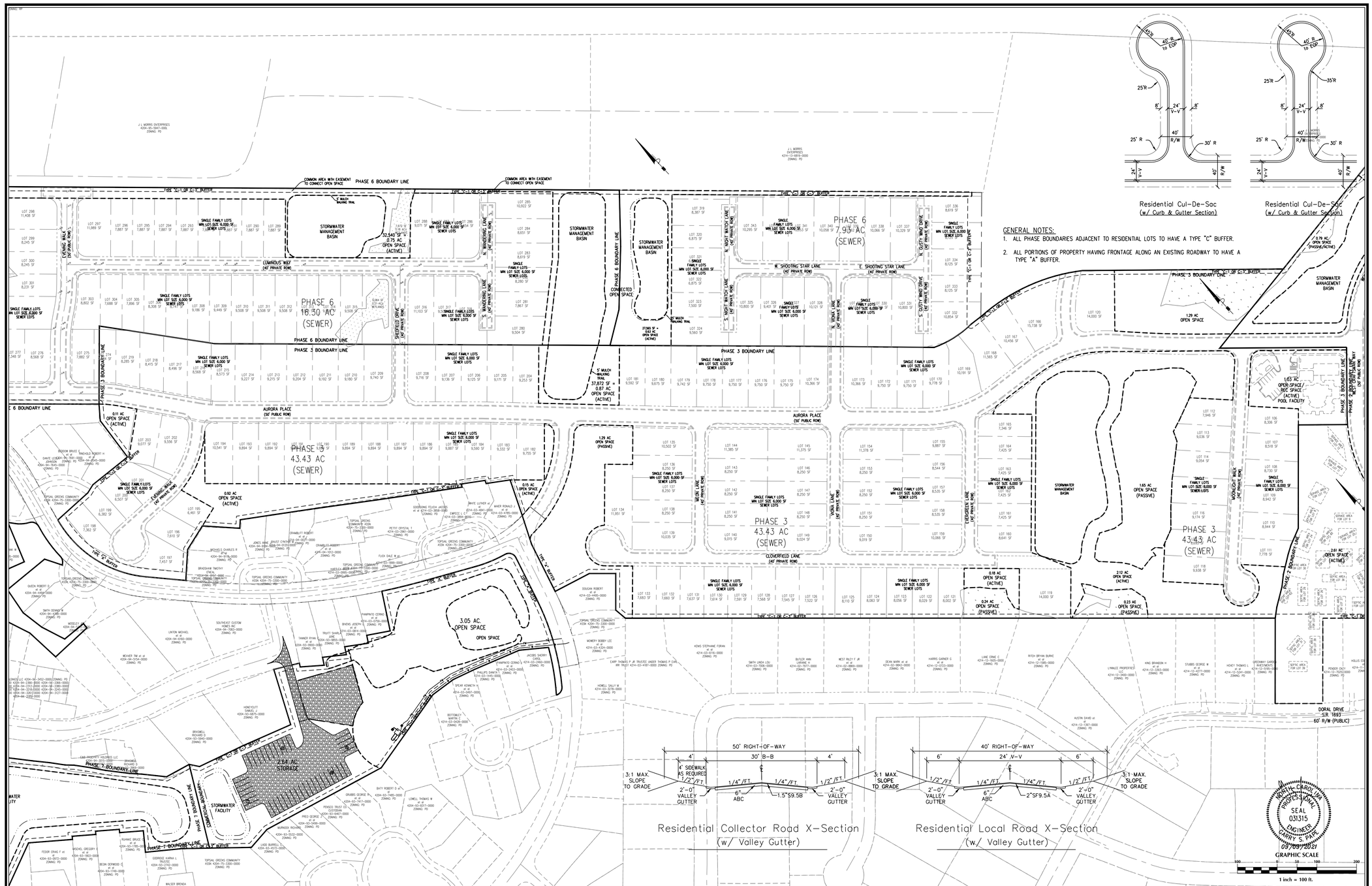
Topsail Township — Pender County — North Carolina

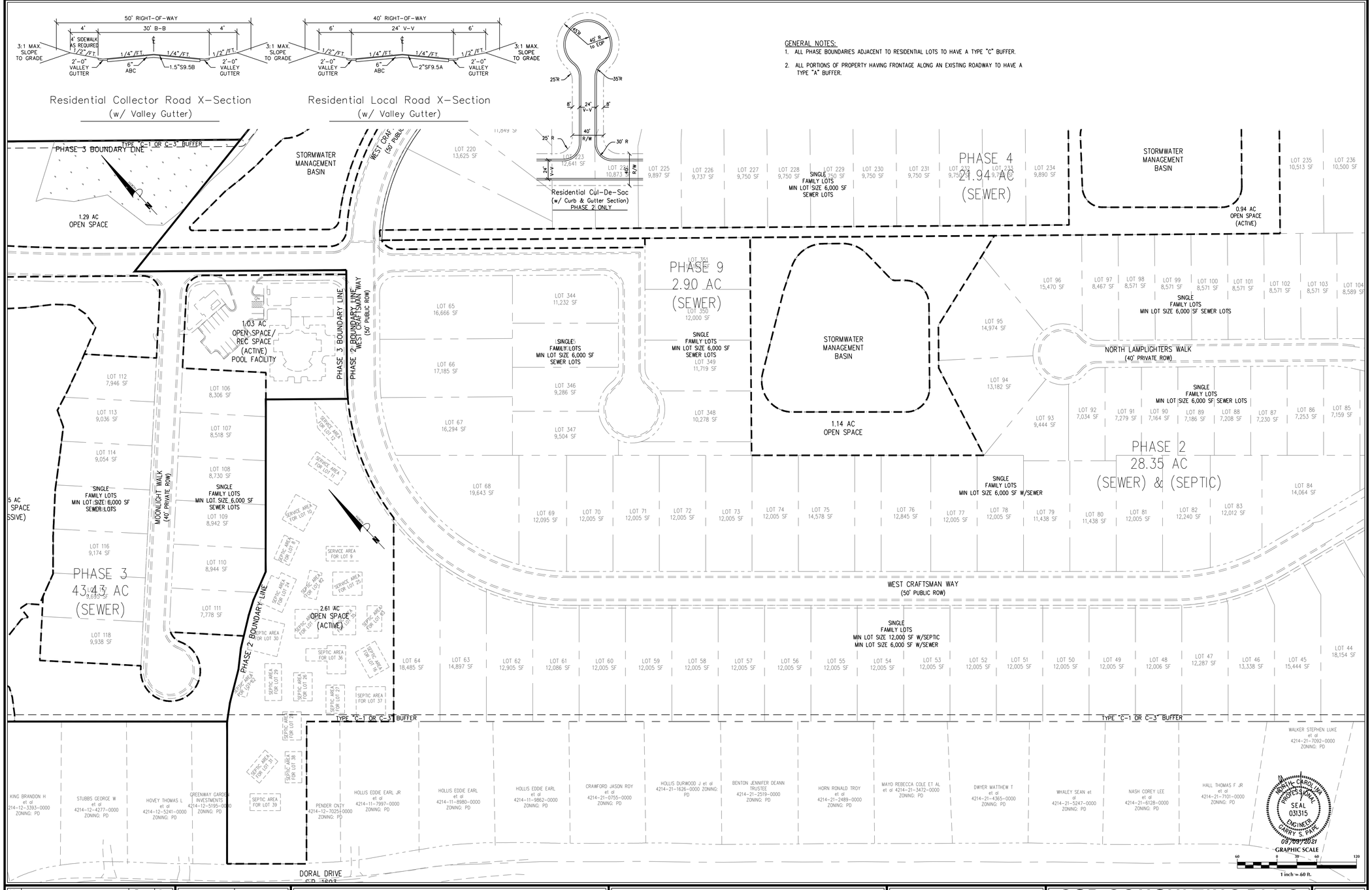
SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-3.1


PHASE 6
16.30 AC
(SEWER)
PHASE 6
7.93 AC
(SEWER)
PHASE 3
43.43 AC
(SEWER)
PHASE 3
43.43 AC
(SEWER)
PHASE 6 BOUNDARY LINE
PHASE 3 BOUNDARY LINE
COMMON AREA WITH EASEMENT TO CONNECT OPEN SPACE
TYPE "C" (10' O-O') BUFFER
TYPE "A" BUFFER
STORMWATER MANAGEMENT BASIN
12,540 SF = 0.75 AC. OPEN SPACE (ACTIVE)
37,872 SF = 0.87 AC. OPEN SPACE (ACTIVE)
27,365 SF = 0.63 AC. OPEN SPACE (ACTIVE)
0.11 AC OPEN SPACE (ACTIVE)
0.93 AC OPEN SPACE (ACTIVE)
0.15 AC OPEN SPACE (ACTIVE)
1.29 AC OPEN SPACE (PASSIVE)
3.05 AC. OPEN SPACE
0.79 AC. OPEN SPACE (PASSIVE/ACTIVE)
1.29 AC OPEN SPACE
1.03 AC OPEN SPACE/ REC SPACE (ACTIVE) POOL FACILITY
1.65 AC OPEN SPACE (PASSIVE)
2.12 AC OPEN SPACE (ACTIVE)
0.18 AC OPEN SPACE (ACTIVE)
0.24 AC OPEN SPACE (PASSIVE)
0.23 AC OPEN SPACE (PASSIVE)
2.61 AC OPEN SPACE (ACTIVE)
2.04 AC. STORAGE
STORMWATER FACILITY
SINGLE FAMILY LOTS MIN LOT SIZE 6,000 SF SEWER LOTS
LUMINOUS WAY (40' PRIVATE ROW)
AURORA PLACE (50' PUBLIC ROW)
SKEFFLED DRIVE (40' PRIVATE ROW)
WANDERING LANE (40' PRIVATE ROW)
N. NIGHT WATCH LANE (40' PRIVATE ROW)
S. NIGHT WATCH LANE (40' PRIVATE ROW)
W. SHOOTING STAR LANE (40' PRIVATE ROW)
E. SHOOTING STAR LANE (40' PRIVATE ROW)
N. DUSTY WIND DRIVE (40' PRIVATE ROW)
S. DUSTY WIND DRIVE (40' PRIVATE ROW)
N. WENDEL LANE (40' PRIVATE ROW)
S. WENDEL LANE (40' PRIVATE ROW)
CLOVERFIELD LANE (50' PRIVATE ROW)
EVERGREEN LANE (40' PRIVATE ROW)
MOONLIGHT WALK (40' PRIVATE ROW)
EXISTING WALK (50' PUBLIC ROW)
EXISTING DRIVE (40' PRIVATE ROW)
5' WALK/ WALKING TRAIL
DORAL DRIVE S.R. 1693 60' R/W (PUBLIC)
PHASE 3 BOUNDARY LINE (50' PUBLIC ROW)
PHASE 7 BOUNDARY LINE
J.J. MORRIS ENTERPRISES 4214-13-6810-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-03-3858-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-03-4785-0000 ZONING: PD
J.J. MORRIS ENTERPRISES 4214-13-6810-0000 ZONING: PD
TOPSAIL GREENS COMMUNITY ASSN 4204-75-1330



No.	Revision	Date	By

Designer	GSP
Drawn By	GSP
License #	P-0718
Scale	1" = 60'
Date	September 2021
Job No.	2016-0001

WYNDWATER

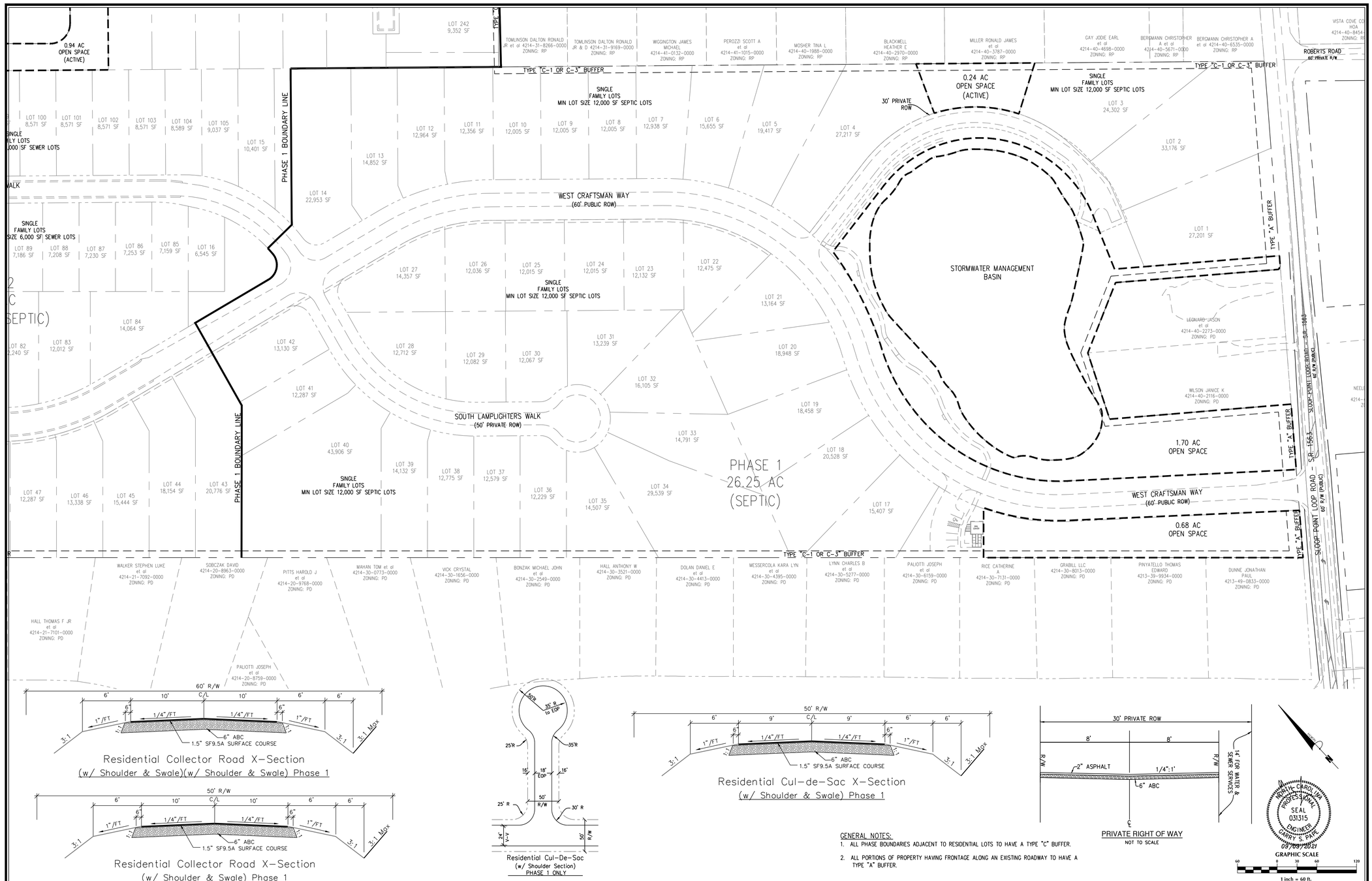
Topsail Township Pender County North Carolina

SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-3.3**



GENERAL NOTES:

1. ALL PHASE BOUNDARIES ADJACENT TO RESIDENTIAL LOTS TO HAVE A TYPE "C" BUFFER.
2. ALL PORTIONS OF PROPERTY HAVING FRONTAGE ALONG AN EXISTING ROADWAY TO HAVE A TYPE "A" BUFFER.

No.	Revision	Date	By

Designer	GSP
Scale	1" = 60'
Drawn By	GSP
Date	September 2021
License #	P-0718
Job No.	2016-0001

WYNDWATER

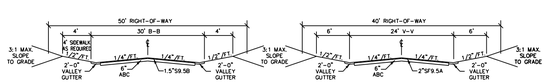
Topsail Township — Pender County — North Carolina

SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

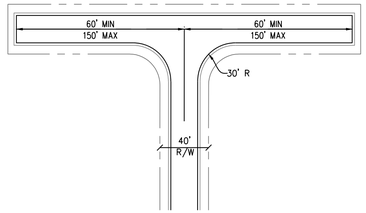
GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-3.4

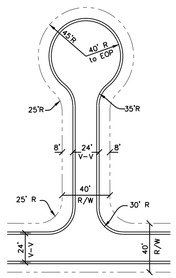


Residential Collector Road X-Section
(w/ Valley Gutter)

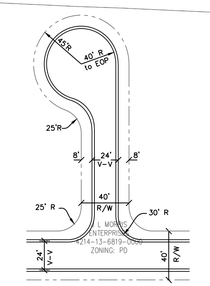
Residential Local Road X-Section
(w/ Valley Gutter)



Modified "T" Turnaround
(w/ Curb & Gutter Section)



Residential Cul-De-Sac
(w/ Curb & Gutter Section)



Residential Cul-De-Sac
(w/ Curb & Gutter Section)

GENERAL NOTES:
1. ALL PHASE BOUNDARIES ADJACENT TO RESIDENTIAL LOTS TO HAVE A TYPE "C" BUFFER.
2. ALL PORTIONS OF PROPERTY HAVING FRONTAGE ALONG AN EXISTING ROADWAY TO HAVE A TYPE "A" BUFFER.

NORTH CAROLINA PROFESSIONAL SEAL 031315 ENGINEER GARRY S. PAPE
07/09/2021

GRAPHIC SCALE
60 0 30 60 120
1 inch = 60 ft.

STRAHAN JEAN
4214-42-3064-0000
ZONING: RP

STRAHAN JEAN
4214-32-5405-0000
ZONING: RP

WESTBROOK JAMES DONALD ET AL
4214-43-1229-0000
ZONING: RP

R MORRIS ENTERPRISES
4214-13-6819-0000
ZONING: PD

TYPE "B" BUFFER

TYPE "C-1 OR C-3" BUFFER

PHASE 4 BOUNDARY LINE

PHASE 5 BOUNDARY LINE

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF
SEWER LOTS

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF SEWER LOTS

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF W/SEWER

LOT 269 11,002 SF
LOT 270 15,828 SF
LOT 271
LOT 272 13,295 SF
LOT 273 11,566 SF
LOT 268 13,852 SF
LOT 267 11,212 SF
LOT 266 9,446 SF
LOT 265 9,882 SF
LOT 264 11,173 SF
LOT 263 12,471 SF
LOT 261 10,155 SF
LOT 262 11,881 SF
LOT 260 17,400 SF
LOT 259 9,114 SF
LOT 258 9,114 SF
LOT 257 8,971 SF
LOT 256 12,805 SF
LOT 253 9,750 SF
LOT 254 9,750 SF
LOT 255 11,882 SF
LOT 251 9,122 SF

WETLAND AREA 1.43 ACRES

SONOMA PLACE (40' PRIVATE ROW)

40' PRIVATE RIGHT OF WAY

SAILOR SKY WAY
(50' PUBLIC ROW)

COMMON SPACE

0.79 AC.
OPEN SPACE
(PASSIVE/ACTIVE)

WEST CRAFTSMAN WAY
(50' PUBLIC ROW)

LOT 222 8,503 SF
LOT 221 11,849 SF
LOT 220 13,625 SF
LOT 223 12,641 SF
LOT 224 10,873 SF
LOT 225 9,897 SF
LOT 226 9,737 SF
LOT 227 9,750 SF
LOT 228 9,750 SF
LOT 229 9,750 SF
LOT 230 9,750 SF
LOT 231 9,750 SF
LOT 232 9,750 SF
LOT 233 9,750 SF
LOT 234 9,890 SF

PHASE 4
21.94 AC
(SEWER)

STORMWATER MANAGEMENT BASIN

0.94 AC
OPEN SPACE
(ACTIVE)

LOT 235 10,513 SF
LOT 236 10,500 SF
LOT 237 10,500 SF
LOT 238 10,500

STORMWATER MANAGEMENT BASIN

TYPE "C-1 OR C-3" BUFFER

PHASE 3 BOUNDARY LINE

PHASE 2 BOUNDARY LINE

1.03 AC
OPEN SPACE/
REC SPACE
(ACTIVE)
POOL FACILITY

SERVICE AREA FOR LOT 67

SERVICE AREA FOR LOT 68

LOT 112 7,946 SF
LOT 113 9,036 SF
LOT 114 9,054 SF
LOT 106 8,306 SF
LOT 107 8,518 SF
LOT 108 8,730 SF

MOONLIGHT WALK (PRIVATE ROW)

SINGLE FAMILY LOTS
LOT SIZE 6,000 SF
SEWER LOTS

SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF
SEWER LOTS

LOT 65 16,666 SF
LOT 66 17,185 SF
LOT 67 16,294 SF
LOT 68 19,643 SF
LOT 344 11,232 SF
LOT 346 9,286 SF
LOT 347 9,504 SF
LOT 351
LOT 350 12,000 SF
LOT 349 11,719 SF
LOT 348 10,278 SF

PHASE 9
2.90 AC
(SEWER)

1.14 AC
OPEN SPACE

STORMWATER MANAGEMENT BASIN

LOT 96 15,470 SF
LOT 97 8,467 SF
LOT 98 8,571 SF
LOT 99 8,571 SF
LOT 100 8,571 SF
LOT 101 8,571 SF
LOT 102 8,571 SF
LOT 103 8,571 SF
LOT 104 8,589 SF
LOT 105 9,037 SF
LOT 15 10,401 SF
LOT 95 14,974 SF
LOT 94 13,182 SF
LOT 93 9,444 SF
LOT 92 7,034 SF
LOT 91 7,279 SF
LOT 90 7,164 SF
LOT 89 7,186 SF
LOT 88 7,208 SF
LOT 87 7,230 SF
LOT 86 7,253 SF
LOT 85 7,159 SF
LOT 16 6,545 SF

NORTH LAMPLIGHTERS WALK
(40' PRIVATE ROW)

PHASE 2
28.35 AC
(SEWER) & (SEPTIC)

LOT 84 14,064 SF
LOT 83

No.	Revision	Date	By

Designer	GSP
Drawn By	GSP
License #	P-0718
Scale	1" = 60'
Date	September 2021
Job No.	2016-0001

WYNDWATER

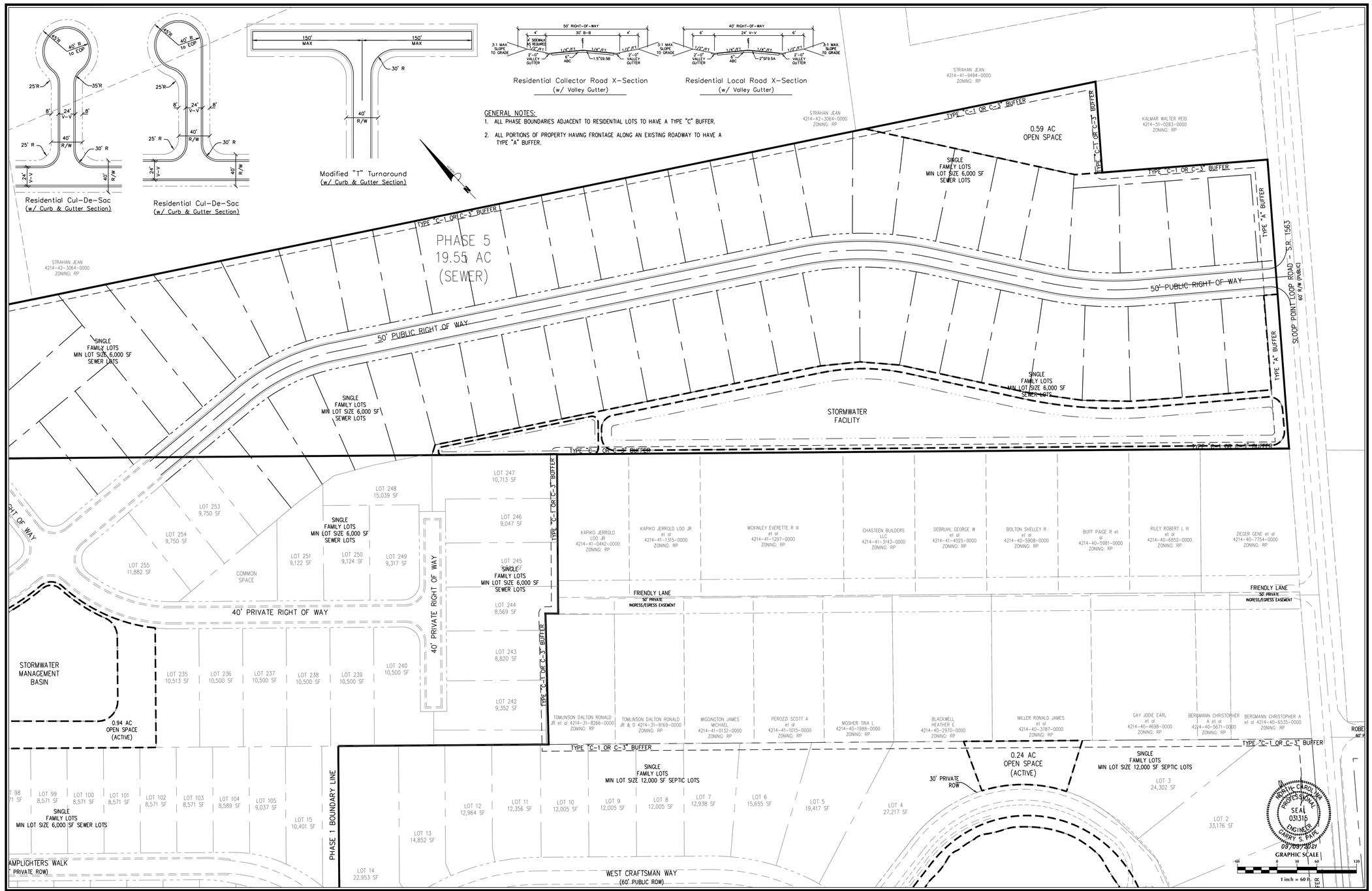
Topsail Township Pender County North Carolina

SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-3.5



No.	Revision	Date	By

Designer	GSP
Drawn By	GSP
License #	P-0718
Scale	1" = 60'
Date	September 2021
Job No.	2016-0001

WYNDWATER

Topsail Township Pender County North Carolina

SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-3.6

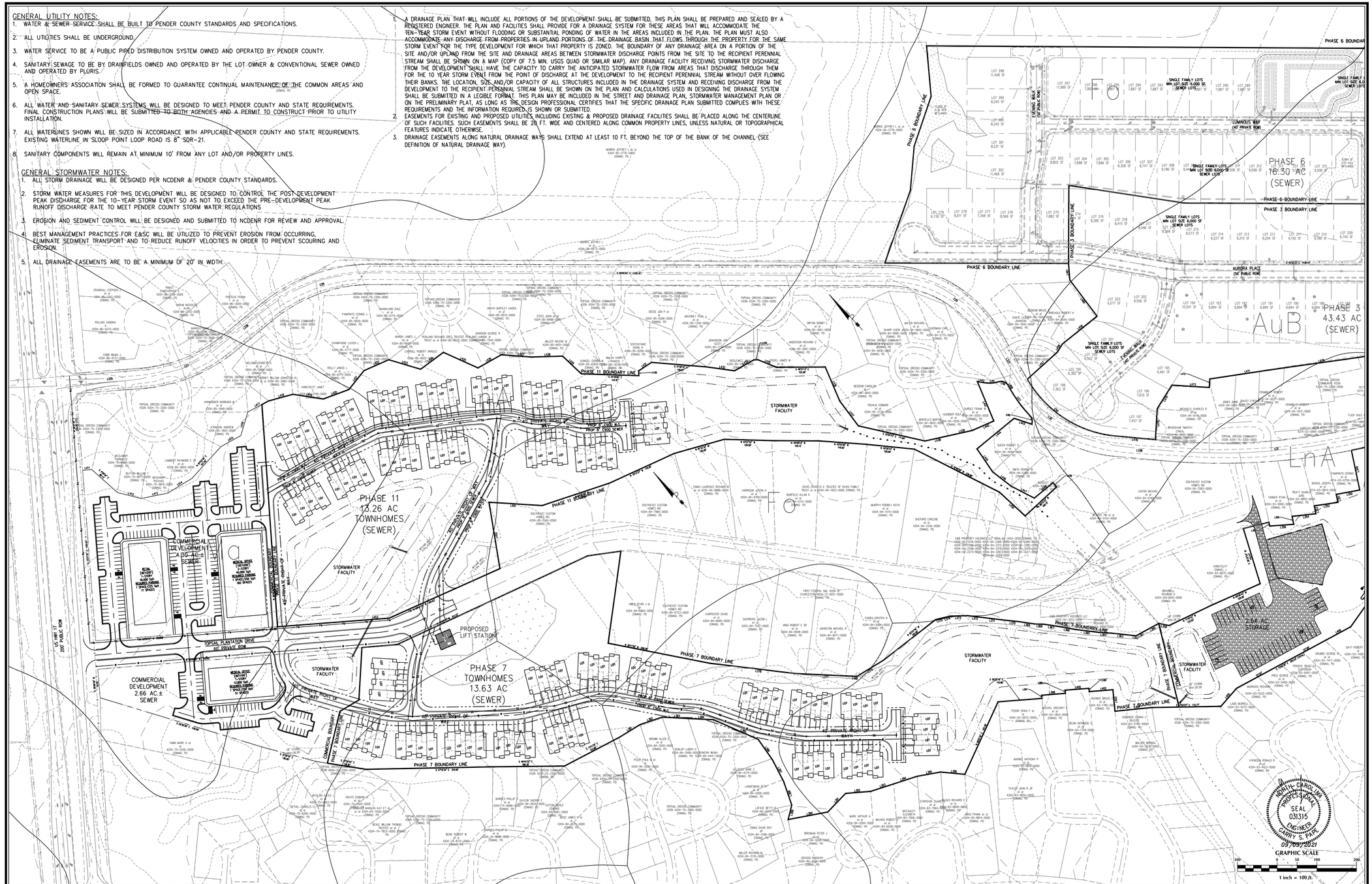
GENERAL UTILITY NOTES:

1. WATER & SEWER SERVICE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL UTILITIES SHALL BE UNDERGROUND.
3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
4. SANITARY SEWAGE TO BE BY DRAINFIELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PLURIS.
5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
7. ALL WATERLINES SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING WATERLINE IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

GENERAL STORMWATER NOTES:

1. ALL STORM DRAINAGE WILL BE DESIGNED PER NCDENR & PENDER COUNTY STANDARDS.
2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST-DEVELOPMENT PEAK DISCHARGE FOR THE 10-YEAR STORM EVENT SO AS NOT TO EXCEED THE PRE-DEVELOPMENT PEAK RUNOFF DISCHARGE RATE TO MEET PENDER COUNTY STORM WATER REGULATIONS
3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NCDENR FOR REVIEW AND APPROVAL.
4. BEST MANAGEMENT PRACTICES FOR E&SC WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING, ELIMINATE SEDIMENT TRANSPORT AND TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SCOURING AND EROSION.
5. ALL DRAINAGE EASEMENTS ARE TO BE A MINIMUM OF 20' IN WIDTH.

1. A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THESE AREAS THAT WILL ACCOMMODATE THE TEN-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF ANY DRAINAGE AREA ON A PORTION OF THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD OR SIMILAR MAP). ANY DRAINAGE FACILITY RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SHALL HAVE THE CAPACITY TO CARRY THE ANTICIPATED STORMWATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10 YEAR STORM EVENT FROM THE POINT OF DISCHARGE AT THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVER FLOWING THEIR BANKS. THE LOCATION, SIZE, AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A LEGIBLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED IS SHOWN OR SUBMITTED.
2. EASEMENTS FOR EXISTING AND PROPOSED UTILITIES INCLUDING EXISTING & PROPOSED DRAINAGE FACILITIES SHALL BE PLACED ALONG THE CENTERLINE OF SUCH FACILITIES. SUCH EASEMENTS SHALL BE 20 FT. WIDE AND CENTERED ALONG COMMON PROPERTY LINES, UNLESS NATURAL OR TOPOGRAPHICAL FEATURES INDICATE OTHERWISE.
3. DRAINAGE EASEMENTS ALONG NATURAL DRAINAGE WAYS SHALL EXTEND AT LEAST 10 FT. BEYOND THE TOP OF THE BANK OF THE CHANNEL (SEE DEFINITION OF NATURAL DRAINAGE WAY).



NORTH CAROLINA
PROFESSIONAL
SEAL
031315
ENGINEER
HARRY S. PAYNE
09/09/2021

No.	Revision	Date	By

Designer	GSP
Drawn By	GSP
License #	P-0718
Scale	1" = 100'
Date	September 2021
Job No.	2016-0001

WYNDWATER

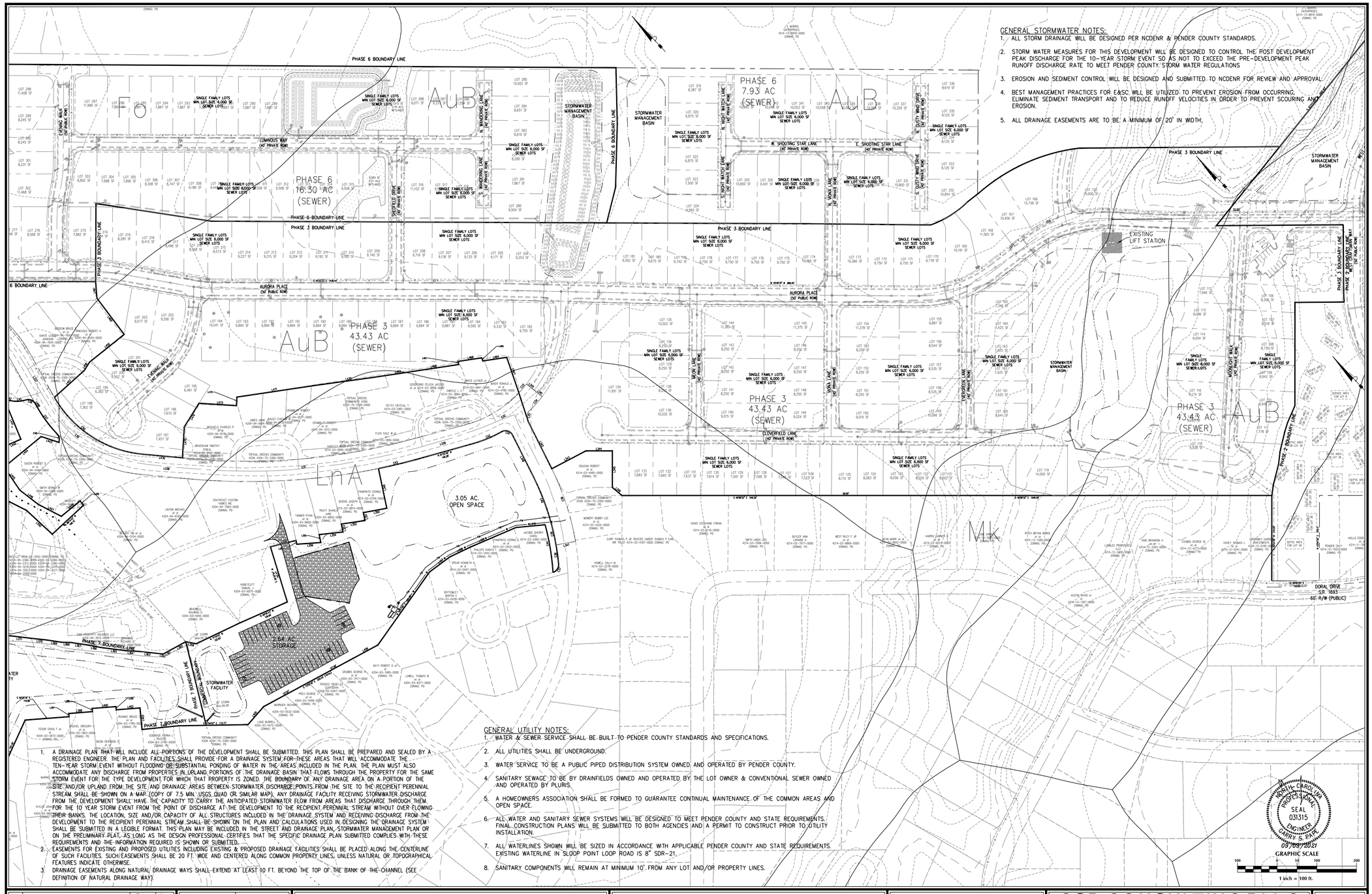
Topsail Township — Pender County — North Carolina

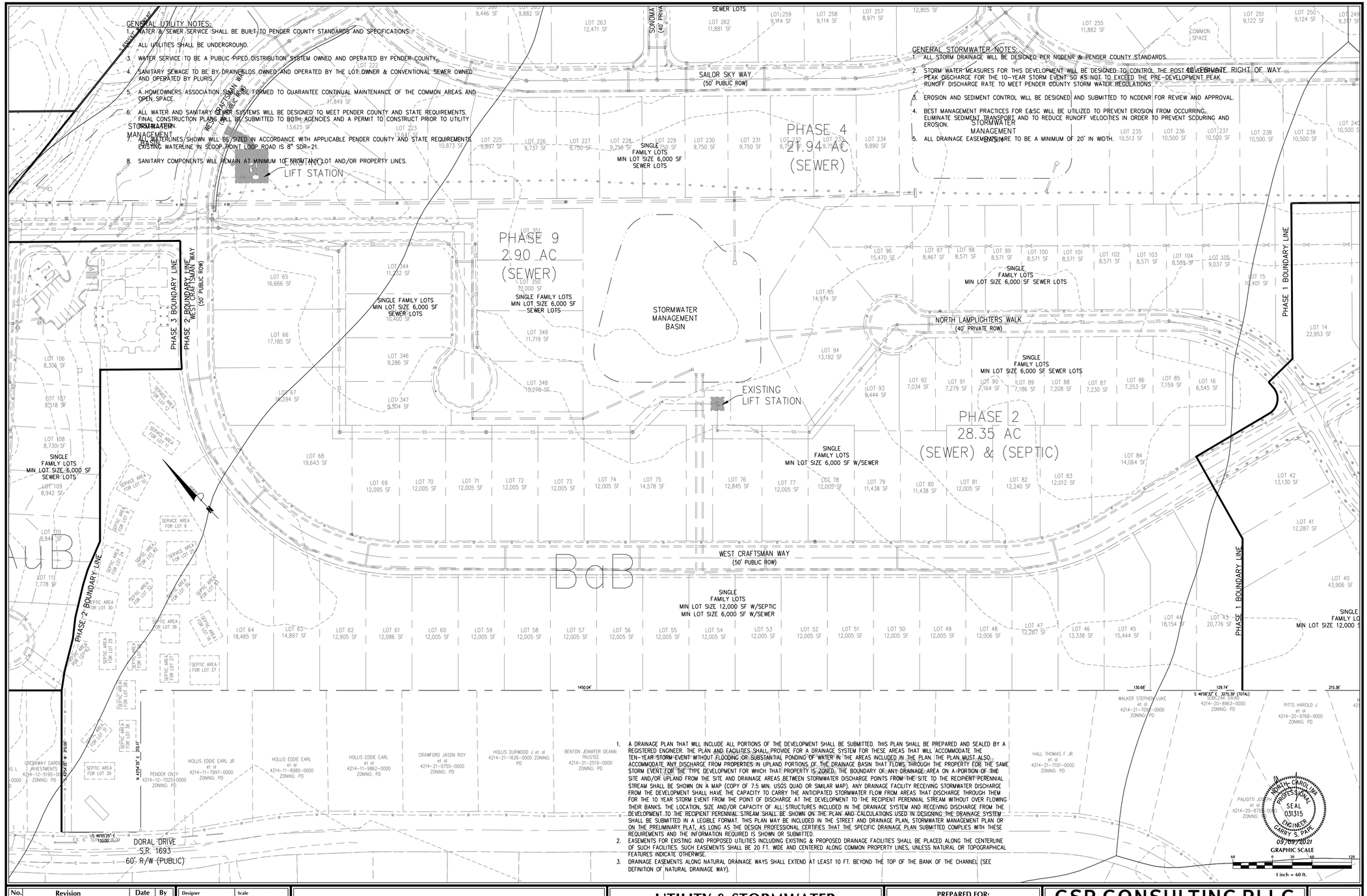
UTILITY & STORMWATER MANAGEMENT PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-4.1


PHASE 6 BOUNDARY LINE
PHASE 6
16.30 AC
(SEWER)
PHASE 6
7.93 AC
(SEWER)
PHASE 3
43.43 AC
(SEWER)
PHASE 3 BOUNDARY LINE
PHASE 1 BOUNDARY LINE
PHASE 2 BOUNDARY LINE
AURORA PLACE
(50' PUBLIC ROW)
LUMINOUS WAY
(40' PRIVATE ROW)
N. WANDERING LANE
(40' PRIVATE ROW)
S. WANDERING LANE
(40' PRIVATE ROW)
SHEPHERD DRIVE
(40' PRIVATE ROW)
N. NIGHT WATCH LANE
(40' PRIVATE ROW)
S. NIGHT WATCH LANE
(40' PRIVATE ROW)
W. SHOOTING STAR LANE
(40' PRIVATE ROW)
E. SHOOTING STAR LANE
(40' PRIVATE ROW)
N. DUSTY WIND DRIVE
(40' PRIVATE ROW)
S. DUSTY WIND DRIVE
(40' PRIVATE ROW)
N. VIOLA LANE
(40' PRIVATE ROW)
S. VIOLA LANE
(40' PRIVATE ROW)
MOON LANE
(40' PRIVATE ROW)
EVENING WALK
(40' PRIVATE ROW)
MOONLIGHT WALK
(40' PRIVATE ROW)
CLOVERFIELD LANE
(40' PRIVATE ROW)
EVERGREEN LANE
(40' PRIVATE ROW)
SINGLE FAMILY LOTS
MIN LOT SIZE 6,000 SF
SEWER LOTS
STORMWATER MANAGEMENT BASIN
3.05 AC.
OPEN SPACE
2.64 AC.
STORAGE
STORMWATER FACILITY
EXISTING LIFT STATION
DORAL DRIVE
SR 1893
60' R/W (PUBLIC)
PENDER COUNTY
4214-12-7025-0000
ZONING: PD
TOPSOIL GREENS COMMUNITY
4204-75-3300-0000
ZONING: PD
SEPTIC AREA
1 FOR LOT 1
SEPTIC AREA
2 FOR LOT 2
SEPTIC AREA
3 FOR LOT 3
SEPTIC AREA
4 FOR LOT 4
SEPTIC AREA
5 FOR LOT 5
SEPTIC AREA
6 FOR LOT 6
SEPTIC AREA



No.	Revision	Date	By

Designer	GSP	Scale	1" = 60'
Drawn By	GSP	Date	September 2021
License #	P-0718	Job No.	2016-0001

WYNDWATER

Topsail Township — Pender County — North Carolina

UTILITY & STORMWATER MANAGEMENT PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

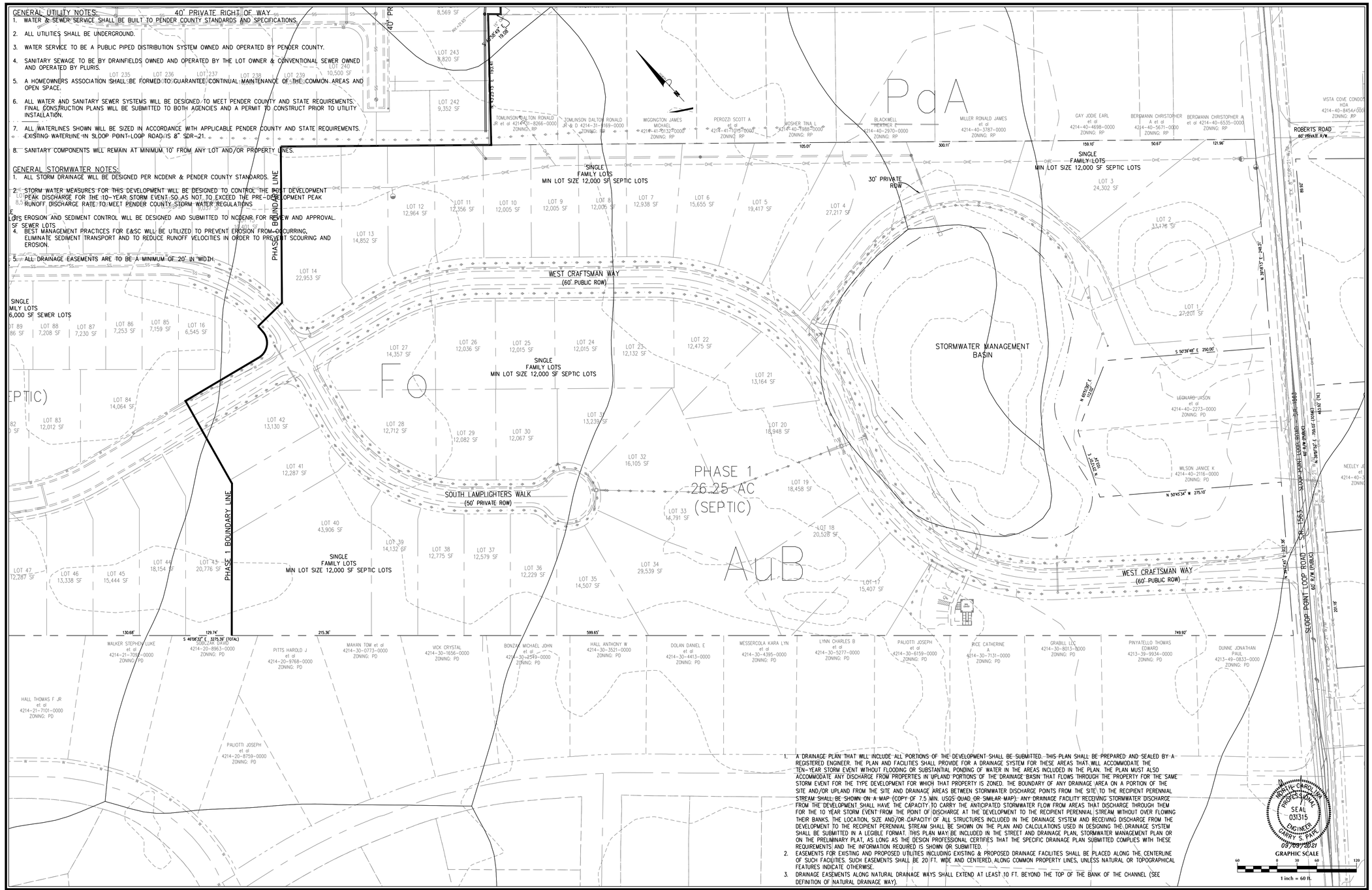
Sheet No.
C-4.3

GENERAL UTILITY NOTES:

1. WATER & SEWER SERVICE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL UTILITIES SHALL BE UNDERGROUND.
3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
4. SANITARY SEWAGE TO BE BY DRAINFIELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PLURIS.
5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
7. ALL WATERLINES SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING WATERLINE IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

GENERAL STORMWATER NOTES:

1. ALL STORM DRAINAGE WILL BE DESIGNED PER NCDENR & PENDER COUNTY STANDARDS.
2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT PEAK DISCHARGE FOR THE 10-YEAR STORM EVENT SO AS NOT TO EXCEED THE PRE-DEVELOPMENT PEAK RUNOFF DISCHARGE RATE TO MEET PENDER COUNTY STORM WATER REGULATIONS
3. LOTS EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NCDENR FOR REVIEW AND APPROVAL.
4. BEST MANAGEMENT PRACTICES FOR E&SC WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING, ELIMINATE SEDIMENT TRANSPORT AND TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SCOURING AND EROSION.
5. ALL DRAINAGE EASEMENTS ARE TO BE A MINIMUM OF 20' IN WIDTH.



1. A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THESE AREAS THAT WILL ACCOMMODATE THE TEN-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF ANY DRAINAGE AREA ON A PORTION OF THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD OR SIMILAR MAP). ANY DRAINAGE FACILITY RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SHALL HAVE THE CAPACITY TO CARRY THE ANTICIPATED STORMWATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10 YEAR STORM EVENT FROM THE POINT OF DISCHARGE AT THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVER FLOWING THEIR BANKS. THE LOCATION, SIZE AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A LEGIBLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED IS SHOWN OR SUBMITTED.
2. EASEMENTS FOR EXISTING AND PROPOSED UTILITIES INCLUDING EXISTING & PROPOSED DRAINAGE FACILITIES SHALL BE PLACED ALONG THE CENTERLINE OF SUCH FACILITIES. SUCH EASEMENTS SHALL BE 20 FT. WIDE AND CENTERED ALONG COMMON PROPERTY LINES, UNLESS NATURAL OR TOPOGRAPHICAL FEATURES INDICATE OTHERWISE.
3. DRAINAGE EASEMENTS ALONG NATURAL DRAINAGE WAYS SHALL EXTEND AT LEAST 10 FT. BEYOND THE TOP OF THE BANK OF THE CHANNEL (SEE DEFINITION OF NATURAL DRAINAGE WAY).

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 031315 CARRY S. PAIR
09/09/2021

GRAPHIC SCALE
60 0 30 60 120
1 inch = 60 ft.

No.	Revision	Date	By

Designer	GSP
Scale	1" = 60'
Drawn By	GSP
Date	September 2021
License #	P-0718
Job No.	2016-0001

WYNDWATER

Topsail Township — Pender County — North Carolina

UTILITY & STORMWATER MANAGEMENT PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No.
C-4.4

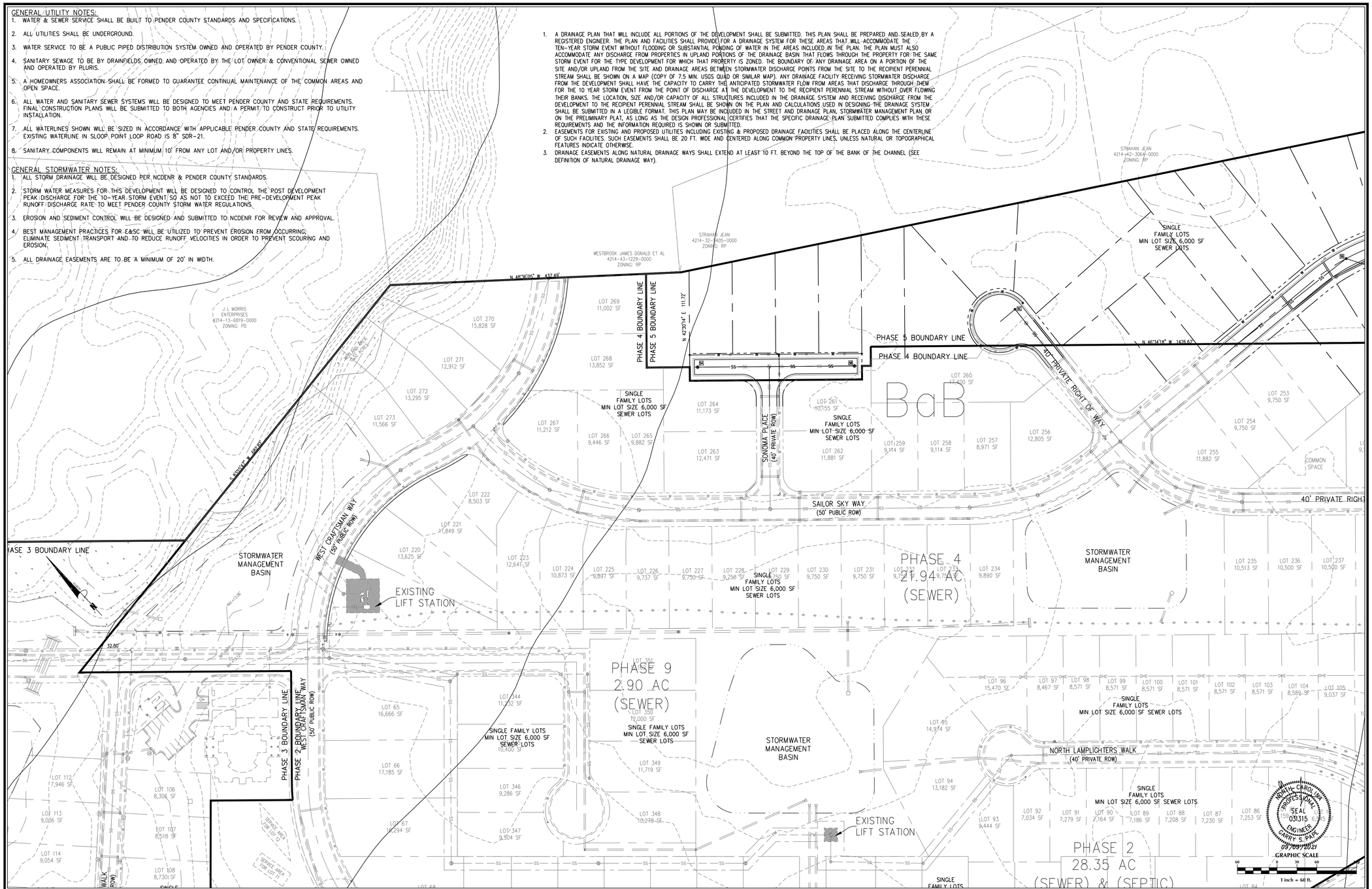
GENERAL UTILITY NOTES:

1. WATER & SEWER SERVICE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL UTILITIES SHALL BE UNDERGROUND.
3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
4. SANITARY SEWAGE TO BE BY DRAINFIELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PLURIS.
5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
7. ALL WATERLINES SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING WATERLINE IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

GENERAL STORMWATER NOTES:

1. ALL STORM DRAINAGE WILL BE DESIGNED PER NCDENR & PENDER COUNTY STANDARDS.
2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT PEAK DISCHARGE FOR THE 10-YEAR STORM EVENT SO AS NOT TO EXCEED THE PRE-DEVELOPMENT PEAK RUNOFF DISCHARGE RATE TO MEET PENDER COUNTY STORM WATER REGULATIONS.
3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NCDENR FOR REVIEW AND APPROVAL.
4. BEST MANAGEMENT PRACTICES FOR E&SC WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING, ELIMINATE SEDIMENT TRANSPORT AND TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SCOURING AND EROSION.
5. ALL DRAINAGE EASEMENTS ARE TO BE A MINIMUM OF 20' IN WIDTH.

1. A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THESE AREAS THAT WILL ACCOMMODATE THE TEN-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN THE PLAN. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF ANY DRAINAGE AREA ON A PORTION OF THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD OR SIMILAR MAP). ANY DRAINAGE FACILITY RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SHALL HAVE THE CAPACITY TO CARRY THE ANTICIPATED STORMWATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10 YEAR STORM EVENT FROM THE POINT OF DISCHARGE AT THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVER FLOWING THEIR BANKS. THE LOCATION, SIZE AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A LEGIBLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN, OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED IS SHOWN OR SUBMITTED.
2. EASEMENTS FOR EXISTING AND PROPOSED UTILITIES INCLUDING EXISTING & PROPOSED DRAINAGE FACILITIES SHALL BE PLACED ALONG THE CENTERLINE OF SUCH FACILITIES. SUCH EASEMENTS SHALL BE 20 FT. WIDE AND CENTERED ALONG COMMON PROPERTY LINES, UNLESS NATURAL OR TOPOGRAPHICAL FEATURES INDICATE OTHERWISE.
3. DRAINAGE EASEMENTS ALONG NATURAL DRAINAGE WAYS SHALL EXTEND AT LEAST 10 FT. BEYOND THE TOP OF THE BANK OF THE CHANNEL (SEE DEFINITION OF NATURAL DRAINAGE WAY).



No.	Revision	Date	By

Designer: GSP	Scale: 1" = 60'
Drawn By: GSP	Date: September 2021
License #: P-0718	Job No.: 2016-0001

WYNDWATER
Topsail Township — Pender County — North Carolina

UTILITY & STORMWATER MANAGEMENT PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-4.5**

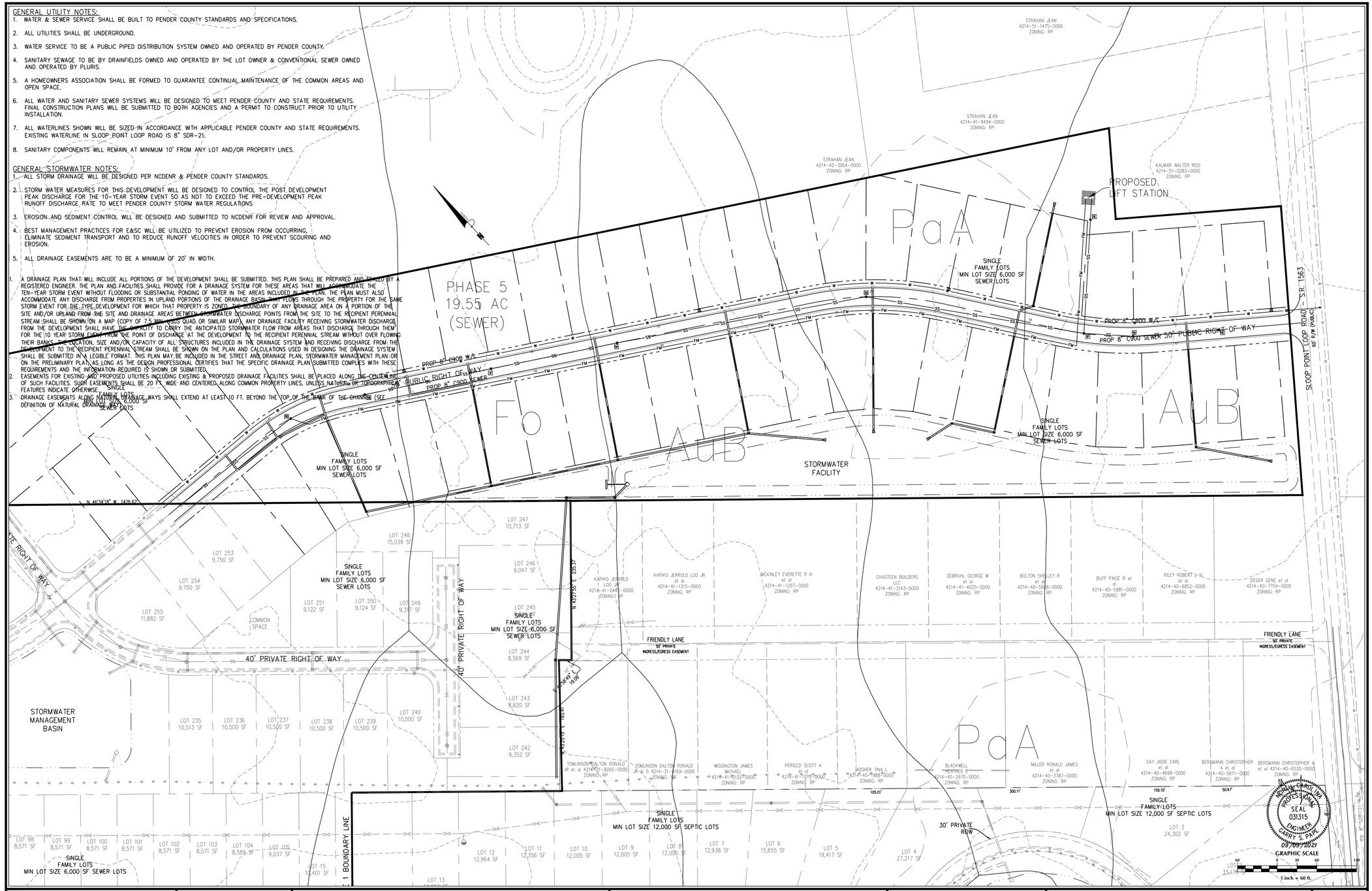
GENERAL UTILITY NOTES:

1. WATER & SEWER SERVICE SHALL BE BUILT TO PENDER COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL UTILITIES SHALL BE UNDERGROUND.
3. WATER SERVICE TO BE A PUBLIC PIPED DISTRIBUTION SYSTEM OWNED AND OPERATED BY PENDER COUNTY.
4. SANITARY SEWAGE TO BE BY DRAINFIELDS OWNED AND OPERATED BY THE LOT OWNER & CONVENTIONAL SEWER OWNED AND OPERATED BY PLURIS.
5. A HOMEOWNERS ASSOCIATION SHALL BE FORMED TO GUARANTEE CONTINUAL MAINTENANCE OF THE COMMON AREAS AND OPEN SPACE.
6. ALL WATER AND SANITARY SEWER SYSTEMS WILL BE DESIGNED TO MEET PENDER COUNTY AND STATE REQUIREMENTS. FINAL CONSTRUCTION PLANS WILL BE SUBMITTED TO BOTH AGENCIES AND A PERMIT TO CONSTRUCT PRIOR TO UTILITY INSTALLATION.
7. ALL WATERLINES SHOWN WILL BE SIZED IN ACCORDANCE WITH APPLICABLE PENDER COUNTY AND STATE REQUIREMENTS. EXISTING WATERLINE IN SLOOP POINT LOOP ROAD IS 8" SDR-21.
8. SANITARY COMPONENTS WILL REMAIN AT MINIMUM 10' FROM ANY LOT AND/OR PROPERTY LINES.

GENERAL STORMWATER NOTES:

1. ALL STORM DRAINAGE WILL BE DESIGNED PER NCDENR & PENDER COUNTY STANDARDS.
2. STORM WATER MEASURES FOR THIS DEVELOPMENT WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT PEAK DISCHARGE FOR THE 10-YEAR STORM EVENT SO AS NOT TO EXCEED THE PRE-DEVELOPMENT PEAK RUNOFF DISCHARGE RATE TO MEET PENDER COUNTY STORM WATER REGULATIONS
3. EROSION AND SEDIMENT CONTROL WILL BE DESIGNED AND SUBMITTED TO NCDENR FOR REVIEW AND APPROVAL.
4. BEST MANAGEMENT PRACTICES FOR E&SC WILL BE UTILIZED TO PREVENT EROSION FROM OCCURRING, ELIMINATE SEDIMENT TRANSPORT AND TO REDUCE RUNOFF VELOCITIES IN ORDER TO PREVENT SCOURING AND EROSION.
5. ALL DRAINAGE EASEMENTS ARE TO BE A MINIMUM OF 20' IN WIDTH.

1. A DRAINAGE PLAN THAT WILL INCLUDE ALL PORTIONS OF THE DEVELOPMENT SHALL BE SUBMITTED. THIS PLAN SHALL BE PREPARED AND SEALED BY A REGISTERED ENGINEER. THE PLAN AND FACILITIES SHALL PROVIDE FOR A DRAINAGE SYSTEM FOR THESE AREAS THAT WILL ACCOMMODATE THE TEN-YEAR STORM EVENT WITHOUT FLOODING OR SUBSTANTIAL PONDING OF WATER IN THE AREAS INCLUDED IN SECTION. THE PLAN MUST ALSO ACCOMMODATE ANY DISCHARGE FROM PROPERTIES IN UPLAND PORTIONS OF THE DRAINAGE BASIN THAT FLOWS THROUGH THE PROPERTY FOR THE SAME STORM EVENT FOR THE TYPE DEVELOPMENT FOR WHICH THAT PROPERTY IS ZONED. THE BOUNDARY OF ANY DRAINAGE AREA ON A PORTION OF THE SITE AND/OR UPLAND FROM THE SITE AND DRAINAGE AREAS BETWEEN STORMWATER DISCHARGE POINTS FROM THE SITE TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON A MAP (COPY OF 7.5 MIN. USGS QUAD, OR SIMILAR MAP). ANY DRAINAGE FACILITY RECEIVING STORMWATER DISCHARGE FROM THE DEVELOPMENT SHALL HAVE THE CAPACITY TO CARRY THE ANTICIPATED STORMWATER FLOW FROM AREAS THAT DISCHARGE THROUGH THEM FOR THE 10 YEAR STORM EVENT FROM THE POINT OF DISCHARGE AT THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM WITHOUT OVER FLOWING THEIR BANKS. THE LOCATION, SIZE AND/OR CAPACITY OF ALL STRUCTURES INCLUDED IN THE DRAINAGE SYSTEM AND RECEIVING DISCHARGE FROM THE DEVELOPMENT TO THE RECIPIENT PERENNIAL STREAM SHALL BE SHOWN ON THE PLAN AND CALCULATIONS USED IN DESIGNING THE DRAINAGE SYSTEM SHALL BE SUBMITTED IN A LEGIBLE FORMAT. THIS PLAN MAY BE INCLUDED IN THE STREET AND DRAINAGE PLAN, STORMWATER MANAGEMENT PLAN OR ON THE PRELIMINARY PLAT, AS LONG AS THE DESIGN PROFESSIONAL CERTIFIES THAT THE SPECIFIC DRAINAGE PLAN SUBMITTED COMPLIES WITH THESE REQUIREMENTS AND THE INFORMATION REQUIRED IS SHOWN OR SUBMITTED.
2. EASEMENTS FOR EXISTING AND PROPOSED UTILITIES INCLUDING EXISTING & PROPOSED DRAINAGE FACILITIES SHALL BE PLACED ALONG THE CENTERLINE OF SUCH FACILITIES. SUCH EASEMENTS SHALL BE 20 FT. WIDE AND CENTERED, ALONG COMMON PROPERTY LINES, UNLESS NATURAL OR TOPOGRAPHICAL FEATURES INDICATE OTHERWISE.
3. DRAINAGE EASEMENTS ALONG NATURAL DRAINAGE WAYS SHALL EXTEND AT LEAST 10 FT. BEYOND THE TOP OF THE BANK OF THE CHANNEL (SEE DEFINITION OF NATURAL DRAINAGE WAY).



No.	Revision	Date	By

Designer	GSP	Scale	1" = 60'
Drawn By	GSP	Date	September 2021
License #	P-0718	Job No.	2016-0001

WYNDWATER

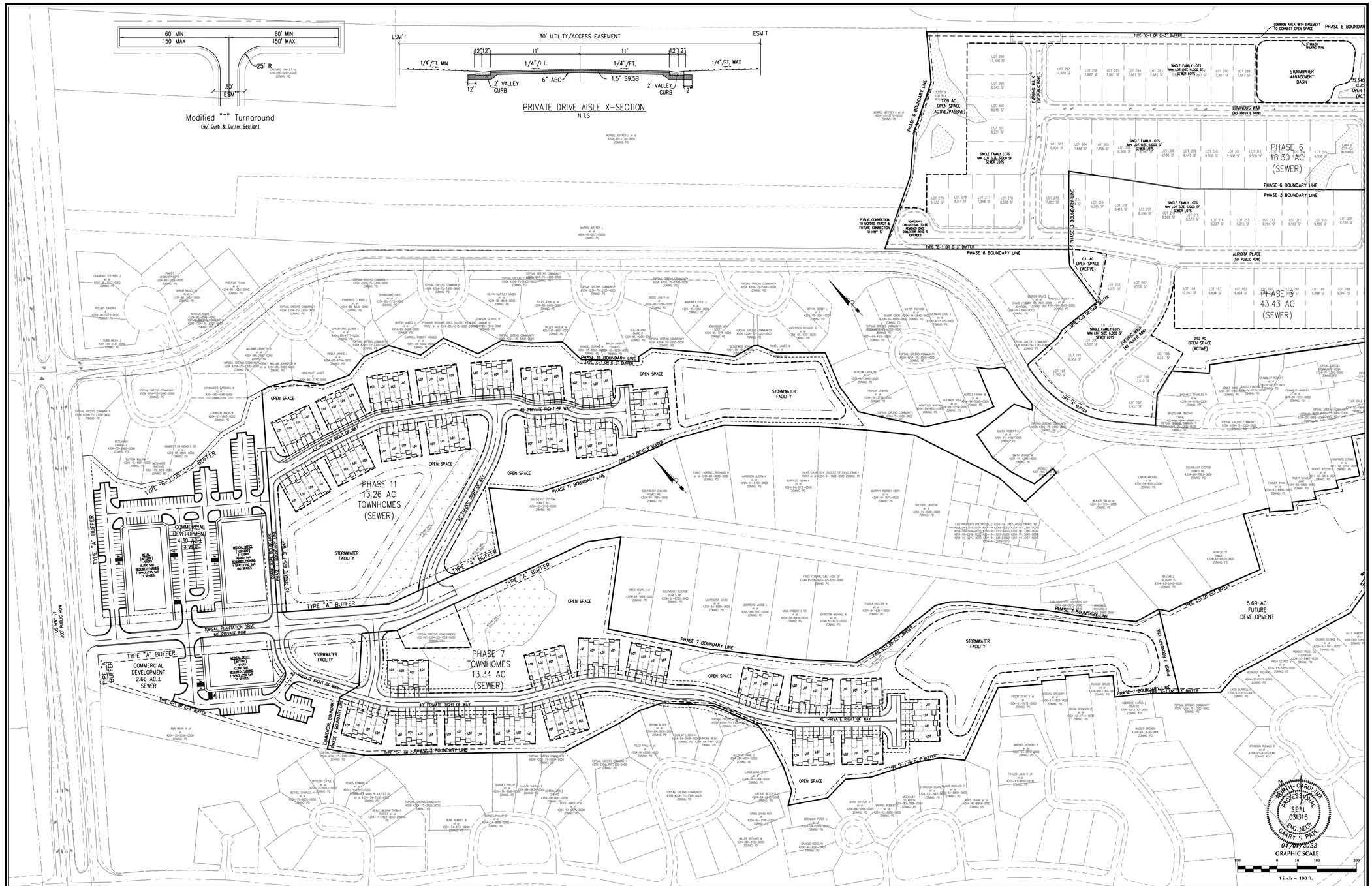
Topsail Township — Pender County — North Carolina

UTILITY & STORMWATER MANAGEMENT PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-4.6**



No.	Revision	Date	By

Designer: GSP	Scale: 1" = 100'
Drawn By: GSP	Date: September 2021
License #: P-0718	Job No.: 2016-0001

WYNDWATER

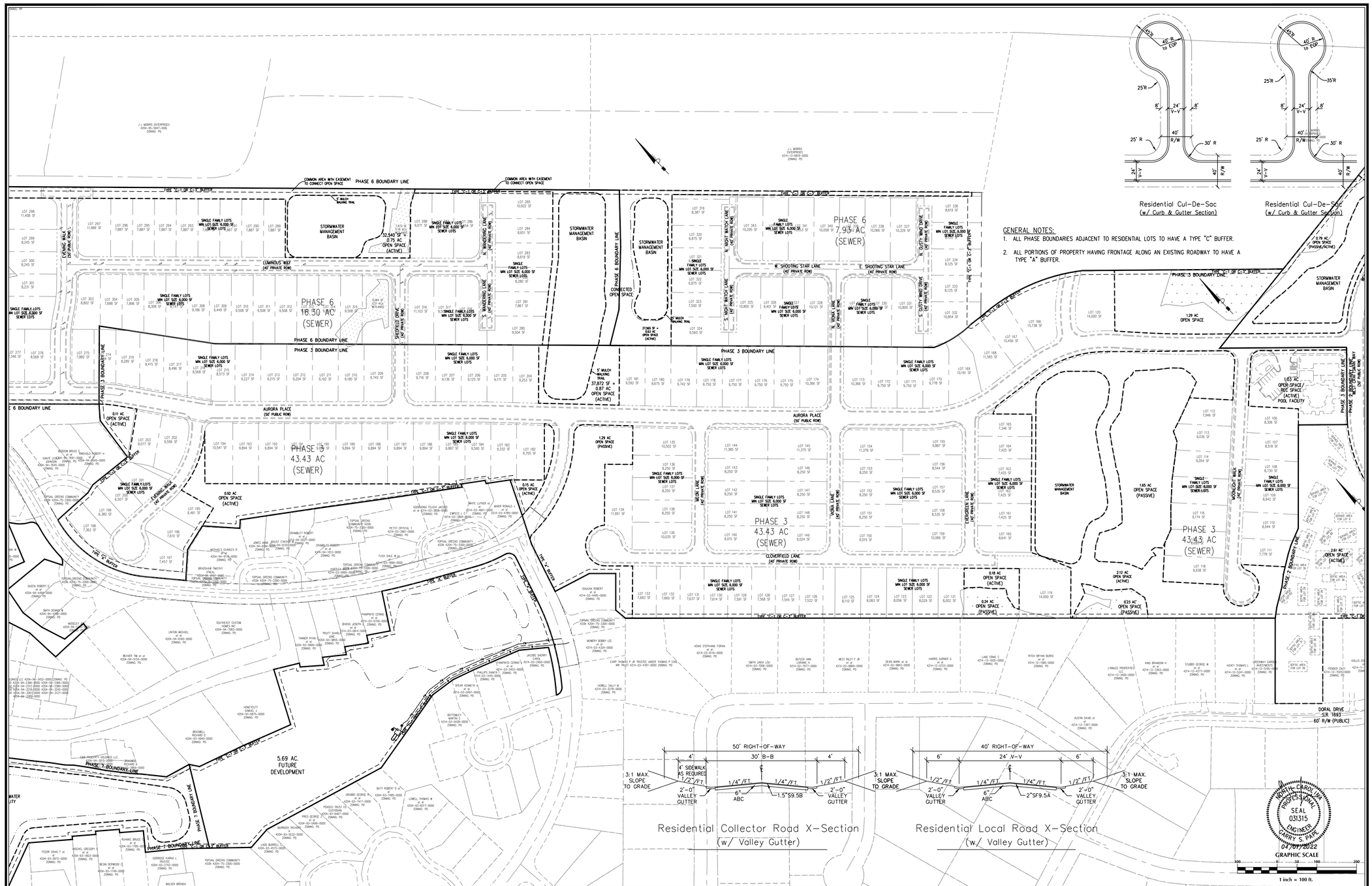
Topsail Township — Pender County — North Carolina

SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. **C-3.1**



GENERAL NOTES:

1. ALL PHASE BOUNDARIES ADJACENT TO RESIDENTIAL LOTS TO HAVE A TYPE "C" BUFFER.
2. ALL PORTIONS OF PROPERTY HAVING FRONTAGE ALONG AN EXISTING ROADWAY TO HAVE A TYPE "A" BUFFER.

No.	Revision	Date	By

Designer	GSP
Scale	1" = 100'
Drawn By	GSP
Date	September 2021
License #	P-0718
Job No.	2016-0001

WYNDWATER

Topsail Township — Pender County — North Carolina

SITE PLAN

PREPARED FOR:
SIGNATURE TOP SAIL NC, LP
9337B KATY FREEWAY #377
HOUSTON, TX 77024
713-789-0466

GSP CONSULTING, PLLC
ENGINEERING
6626 Gordon Road Unit C Wilmington, North Carolina 28411 tel: 910-442-7870 fax: 910-799-6659

Sheet No. C-3.2

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

MEMORANDUM

TO: Pender County Planning Board
FROM: Planning Staff
DATE: February 2, 2021
RE: Wyndwater Master Development Plan Case History

The community known as "Wyndwater" is a Master Development Plan in eastern Pender County, located on a portion of the old Topsail Greens Golf Course and is immediately adjacent to the existing Topsail Greens community. The project is located in the PD, Planned Development zoning district and has been moving forward for some time. The history shown below captures previous cases before the Planning Board – it does not include staff approvals.

Wyndwater History

Wyndwater was brought forward as a Master Development Plan in November 2013 for +/-185 single family residential units and +/- 58,370 square footage of commercial space to be located on +/-143 acres. The Planning Board approved the Master Development Plan with four conditions: 1) Provide connection to adjacent property to future development to the northwest (document cases #11067), 2) Provide Connection to identified Capstone Property, 3) Allow for "alternative" design for alleyway as shown on sheet C 3.4, 4) Allow for emergency access along the connection to Doral Drive (SR 1693).

In March 2014, the preliminary plat for Phase 1 was brought forward with a total of 42 single family lots on +/-25.58 acres. The Planning Board did not impose additional conditions. In May 2014, the preliminary plat was brought forward with 55 single family lots on +/-28.35 acres. The Planning Board did not impose additional conditions.

In January 2015, the applicant revised the Master Development Plan to add zero lot lines to the setbacks for the development. Planning Board did not impose additional conditions.

In July 2015, the applicant revised the Master Development Plan to increase the project area +/-6.2 acres, adding duplexes to the housing type, reducing the minimum lot size from 12,000 sq. Ft. To 5,000 sq. Ft., increased the total number of units to 350 units resulting in an increase project density from 2.72 to 3.1 units per acre. The Planning Board added two conditions: 5) The temporary cul-de-sac shown on the western portion of the Master Development Plan (PG C-3.2 of the Site Plan) shall be converted to a through roadway at the time of the adjacent parcel development; the roadway connecting the

Wyndwater and Cardinal Pointe shall be built to constructor street standards as outlined in Section 7.5.3.C. Coordination between the applicant and the adjacent property owner shall be necessary to ensure interconnectivity and 6) Addition to the condition five (5), a second roadway connection shall be shown to the adjacent parcel (PIN: 4204-94-9912-0000).

In November 2015, the applicant proposed a revision to Phase II preliminary plat—calling it Phase IIB for a total of 31 lots. Planning Board did not impose additional conditions.

In February 2016, the applicant proposed a revision to the Master Development Plan to increase the project acre to +/-204.07 acres, increase the project density to 3.1 units per acre to 3.14 units per acres, changing the front yard setback from 20 Ft. To 15 Ft., allow “alternative” design for alleyway located in Phase II as shown on the MDP submittal PG C2-3, allow for "alternative" design of a hammerhead in Phase IV as shown on the MDP submittal PG C-3.7. The Planning Board proposed four additional conditions on the project: 7) Provide adjacent property connection north to PIN 4214-43-1229-0000 (Westbrook Tract), 8) Provide Connection to Oak Circle (private), 9) Allow "Alternative" design for alleyway located in Phase II as shown on the MDP submittal PG C-2.3, 10) Allow for "alternative" design of a hammerhead in Phase IV as shown on the MDP submittal PG C-3.7.

In September 2016, the applicant brought Phase III preliminary plat forward with 69 single family detached lots and 40 single family attached duplex lots. The applicant requested a tabling until October 2015, which the Planning Board approved with no additional conditions.

In May 2016, the applicant revised the Phase III preliminary plat to be 118 single family conventional lots. The Planning approved with no additional conditions.

In June 2018, the applicant revised the Master Development Plan and Phase VIII and IX Preliminary Plat, the meeting was continued in November 2018 and again to January 2019. The Master Development Plan and Phase VIII and IX preliminary plats were denied. The applicant appealed the Planning Board decision within 30 days and the Board of Adjustment overturned the Planning Board decision to approve the Master Development Plan and Phase VIII and IX Preliminary Plat. Conditions of the approval are as followed: The Applicant will construct a temporary construction easement to connect Aurora Place (public) to Topsail Greens Drive (Private). The applicant states that upon completion of Phase 6, Topsail Greens Drive (private) will be repaved to US HWY 17. Aurora Place (public) will eventually be extended to allow for connections to US HWY 17 when the commercial component of the development is proposed. Staff is recommending that the extension of Aurora Place (public) is conditioned on the Master Development Plan Revision. This resulted in the Master Development Plan being approximately 234 acres in size.

In March 2021, the applicant revised the Master Development Plan to modify the roadway and stormwater layout in Phase 5, establish Phase 11 with 76 townhome units, establish Phase 7 as future development, reduce the size of the commercial area along US HWY 17 at Topsail Plantation Drive, and allocate 41 residential units to Phase 10. Additional conditions were added to the project at this time involving pedestrian facilities and significant tree mitigation.

Pender County
Request for Board Action

TO:	Planning Board
FROM:	Travis Henley
DATE:	June 7, 2022
SUBJECT:	April 5, 2022 Meeting Minutes

ACTION REQUESTED:
Review and Approve Meeting Minutes from April 5, 2022

Pender County Planning Board Meeting Minutes – April 5th, 2022

Members Present:

Delva Jordan, Damien Buchanan, Jeff Beaudoin, Jeffrey Pitts, & Margaret Mosca.

1 Call To Order: 7:01pm

2 Roll Call:

All Members present except for Norman K. Teachey and John Gruntfest.

3 Invocation

4 Pledge of Allegiance

5 Adoption of Agenda

Mr. Pitts made a motion to adopt the agenda. Mr. Buchanan seconded the motion, and the motion was unanimously approved.

6 Adoption of Minutes

Mr. Buchanan made a motion to adopt the minutes from the March 1st, 2022 Planning Board Meeting. Mr. Pitts seconded the motion, and the motion was unanimously approved.

7 Public Comment

There was not public comment.

8 Public Hearings

a) Wyndwater Master Development Plan Revision - MDP-R 2022-38

Mr. Travis Henley, Planning Director, presented the Staff Report. Mr. Henley provided that Signature Top Sail NC, Ltd., applicant and owner, and also on behalf of Trust Special, Ruth Kalmar estate, owner, is requesting a revision to the previously approved Master Development Plan for the mixed-use development known as Wyndwater. Specifically, the request is to modify the existing Plan to allow for townhomes in Phases 7 and 11, increase the commercial area within both phases, and remove Phase 10 from the Plan. The Master Development Plan is proposed to reduce in size to approximately 206 acres (from approximately 235 acres) with the total number of units remaining consistent with previous approvals. The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west of Sloop Point Loop Road (SR 1563), and south of the Cardinal Acres Lane (private) in the Topsail Township.

Mr. Buchanan asked for clarification on the change to the number of units. Mr. Henley provided that the total number of units will decrease by one unit. He added that the section of the project proposed to be removed would be allowed up to three units per acre based on current standards.

Mr. Mike Pollak, applicant and owner, addressed the Board. Mr. Pollak provided that Wyndwater has been developing over the last 8 years and that he is working on adding additional townhomes to the project as well as some additional commercial. This was related to the removing townhomes from a previously approved section. Mr. Pollak stated that he would like to bring in some medical offices for the commercial component of this project which has recently been acquired with the intention of incorporating it into the existing Master Development Plan.

Next, Mr. Pollak explained that a land swap was pursued with Topsail Greens related to the existing boat and RV storage facility that did not work out. This led to this portion being removed from the request.

Lastly, Mr. Pollak explained that townhomes have always been a part of the project and added that townhomes are sought after in today's market as they allow a better price point for home buyers.

Mr. Buchanan asked for clarification on the medical businesses intended for the commercial area. Mr. Pollak provided that this would be for smaller medical offices and practices such as dentists, doctors, etc. and would not include assisted living facilities.

Mr. Jordan asked for clarification on the northern property adjoining the townhomes. Mr. Pollak provided that this area is a part of Topsail Greens. Mr. Pollak added that the density proposed for Wyndwater is consistent with Topsail Greens.

Mr. Pollak addressed setbacks and buffers in this area. Mr. Pollak stated that he has heard from adjoining property owners that they would like to see a more open buffer design.

Mr. Pitts asked if properties in the flood zone could have flexibility with height allowances. Mr. Henley answered yes and provided that they would need to meet the requirements of the Flood Damage Prevention Ordinance.

Mr. Henley addressed the group and provided that he was made aware that copies of the mailed notices were copied placed in private mailboxes without postage which is a violation of Federal law.

Al Burfield addressed the Board. Mr. Burfield provided that he is concerned about the impact on his septic system in proximity to a proposed stormwater pond, the impact of a potential TIA on needed road improvements, as well as the uncertainty of who will maintain Topsail Plantation Drive which is a private road owned by Wyndwater.

Anthony Whitmore addressed the Board. Mr. Whitmore requested consideration for preserving a natural barrier at a portion of the property boundary for Phase 11 around Ensign Drive and Fathom Court to help preserve the existing natural area.

James Quaglia addressed the Board. Mr. Quaglia provided that he is seeking clarification on the maintenance of existing roads and the septic suitability of several lots. Mr. Quaglia stated that he is concerned with heavy equipment going over drain lines that run under the roadway.

Becky Maness, Vice President of the Topsail Greens HOA, addressed the Board. Ms. Maness provided a handout and stated that she is concerned with Topsail Greens septic lines. Ms. Maness requested that Phase 7 be denied and modified to protect the existing water system.

Arthur Mark addressed the Board. Mr. Mark provided that he lives of Plank Ct and is concerned about stormwater runoff in his vicinity.

Casey Gunn addressed the Board. Ms. Gunn provided that she is concerned that the golf course which is a great community open space will be developed leaving no open space for the community.

Kimberly Zampitella addressed the Board. Ms. Zampitella provided that the areas around the proposed phases 7 and 11 are home to many forms of wildlife such as the red cockaded woodpecker. Ms. Zampitella provided that habitat loss for wildlife is undesired.

Micheal Milko addressed the Board. Mr. Milko provided maps from the North Carolina Fish and Wildlife Service and stated that he is concerned with potential impact to the nature area such as the freshwater ponds. Mr. Beaudoin clarified that the developer will be responsible for performing a wetlands delineation.

Mr. Dave Gunn addressed the Board. Mr. Gunn provided that his main concern is water and sewer infrastructure in regard to the existing system in the area. Mr. Gunn stated that he would like to know where wastewater will go. His additional concern was uncertainty on the increase in population the community will see as a result of approval.

Andrea Wheatley addressed the Board. Ms. Wheatley stated that she is concerned with the process and asked for clarification on the buffer requirements.

Andrew Atkinson addressed the Board. Mr. Atkinson provided that he is representing residents on Breakers Court and Admiral Court. Mr. Atkinson provided that he is concerned with the proposal as the community is susceptible to flooding. He also shared concern of traffic where the community meets US HWY 17. Next, Mr. Atkinson provided that members of the community are concerned with the density associated with the proposal. He added that there should not be more development in this area until the Hampstead bypass is complete.

Lynne Fedor addressed the Board. Ms. Fedor shared concern that this area is rapidly developing and that the character of the area is in jeopardy.

Mr. Henley provided clarity by explaining buffer requirements and the various options a developer may pursue. He explained that required buffers are determined by adjacent uses with the C Buffer being the most intense.

Mr. Jordan asked for clarification on the green space or open space within the community and how this would be impacted. Mr. Henley provided that this is evaluated at the Master Plan level and added that overall, the project is providing 36 acres of open space spread throughout the phases.

Mr. Buchanan asked if a TIA would be performed. Mr. Henley provided that the TIA would be required to be updated to inform needed road improvements.

Mr. Buchanan asked for clarification on utilities in relationship to existing infrastructure including septic systems and associated easements as well as road maintenance in relationship to construction trucks. Mr. Henley provided that water will be provided by Pender County Utilities with sewer being provided by Pluris.

Mr. Jordan asked for clarification on elevation requirements in terms of the flow of water. Mr. Henley provided that Pender County does not prohibit fill being brought in to improve the elevation of properties and added that this would need to be approved by NCDEQ. Mr. Henley stated that water being potentially redirected should be addressed by stormwater engineering.

Mr. Pitts asked for clarification on existing water, sewer, and septic lines and associated easements. Mr. Henley provided that he would defer to the applicant for knowledge of existing easements.

Ms. Mosca asked if the proposed townhomes would be on sewer. Mr. Henley provided that the proposed townhomes will be serviced by Pluris.

Mr. Pollak addressed Mr. Burfield's concern and provided that the stormwater pond shown indicates he potential location and added that the actual location will be designed based on all applicable requirements.

Mr. Pollak provided that he is aware of the existing water and sewer lines and stated that everyone will be addressed. The current plans at this stage to not address this level of detail. He continued and stated that he spent a one quarter of a million dollars on a new well for the community and intends to address all concerns related to the existing infrastructure.

Mr. Pollak stated that he intends to work with the community and comply with all applicable rules. Mr. Pollak added that he wishes to explore preserving the natural vegetation within buffers as well as limit wetland impacts. Mr. Pollak reiterated that this plan is conceptual and that once site-specific design occurs existing wetlands may cause changes to the layout of proposed buildings.

Mr. Pollak addressed concerns about road conditions and traffic. Mr. Pollak briefly discussed the history of the HOA in terms of road maintenance. He added that if the community wanted to work to improve the existing road and would be open to getting involved. Mr. Pollak provided that he intends to bring drainage improvements to the community.

Mr. Jordan stated that he is concerned with fill diverting water to existing developed properties. Mr. Pollak provided that the engineer would design to the applicable requirements to ensure that the system works in terms of drainage and water flow. He clarified that the proposal would not be allowed to divert water to existing properties.

Mr. Buchanan asked what storm event the proposed stormwater infrastructure be designed to. Mr. Garry Pape, engineer, provided that the system will be designed for the 25-year

storm event. Mr. Henley stated that this is the minimum requirement for stormwater engineering.

Mr. Atkinson addressed the Board. Mr. Atkinson stated that the project area is within a basin and reiterated that there is significant concern with water flow and drainage in this area.

Mr. Jordan asked Mr. Henley if Topsail Greens has an HOA. Mr. Henley answered yes and clarified that Wyndwater has a separate HOA. Mr. Pollak stated that Plantation Drive does not have an HOA. Mr. Henley provided that this section was established prior to statutory requirements for HOAs.

Mr. Buchanan reiterated his concern that the large portion being removed from the project may be re-entitled to allow a specific density. Mr. Henley stated that the Zoning Map is set by the County Commissioners and clarified that the Future Land Use Map informs what types and intensities of developments are generally desired.

Mr. Buchanan stated that he would like to see stormwater infrastructure engineered for the 100-year storm event. Mr. Henley clarified that the Planning Board is tasked with providing an administrative review and decision for the proposal.

Mr. Buchanan made a motion to table the item until the next meeting and hold the meeting in Hampstead. Mr. Buchanan requested that the applicant to highlight the buffers on the map with additional visual representations for the buffer types that will be utilized to add clarity. Mr. Buchanan also requested clarification on the existing utility lines and how the proposal will not impact these areas. Ms. Moska requested a survey of existing utilities to better address concerns of the community. Ms. Moska made a second and the motion unanimously carried with a 5-0 vote.

b) REZONE 2022-30

Mr. Greg Feldman, Current Planner, presented the Rezoning application. Mr. Feldman provided that the request is to two tracts totaling approximately 2.2 acres of land from the RP, Residential Performance zoning district to the GB, General Business zoning district. Planning staff recommended approval of the rezoning request, citing consistency among the application and Future Land Use Map along with three policies within the Pender 2.0 Comprehensive Plan.

Cole Burack, applicant, addressed the Board. Mr. Burack suggested to the Planning Board that his application has the potential to better the surrounding area by bringing commercial development to Hampstead. Mr. Burack then suggested developing the property commercially would enhance its current state.

Mr. Buchanan made a motion to recommend approval of the rezoning application, citing consistency with policies 5.1.D, 5.1.H, and 5.1.K from the Pender 2.0 Comprehensive Land Use Plan. Mr. Buchanan also stated that commercial development on the property would be an improvement to the community. Mr. Pitts seconded the motion and it passed unanimously with a 5-0 vote.

9 Discussion

There was no discussion.

10 Next Meeting Date

May 4th, 2022

15060 US HWY 17

Hampstead, NC 28443

Pender County Hampstead Annex

11 Adjournment

Meeting adjourned at 9:24pm

MINUTES
Planning Board Meeting
Tuesday, June 7, 2022
15060 US Highway 17/Hampstead Annex
7:00 PM

MEMBERS PRESENT:	Delva Jordan Damien Buchanan Jeffrey Pitts Margaret Mosca
MEMBERS ABSENT:	Jeff Beaudoin John Gruntfest Norman K. (Ken) Teachey
OTHERS PRESENT:	Travis Henley, Planning Director (virtually) Greg Feldman, Current Planner Daniel Adams, Floodplain Administrator Donna Sayre, Administrative Specialist Trey Thurman, County Attorney Other Staff and Members of the Public.

1 CALL TO ORDER

Chairman Delva Jordan called the meeting to order at 7:02 pm.

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Motion to approve agenda as presented.

Moved by Margaret Mosca, seconded by Damien Buchanan

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

6 ADOPTION OF MINUTES

Motion to approve Planning Board minutes for April 5, 2022, meeting.

Moved by Jeffrey Pitts, seconded by Damien Buchanan

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

7 PUBLIC COMMENT

a) Pender County resident, Ed Hirsch, spoke to the Board stating that any zoning requests that add more traffic, congestion, and other issues should be denied. Higher taxes are being created and the longtime residents will be gone due to the area being too expensive to live here. He feels newcomers to the area do not respect the area. This Board has the power to stop this trend.

b) Jimmy Tate spoke to the Board and the members of the audience introducing himself as a newly elected Commissioner. He stated that he was proud of the fact that the public is engaging and working together. Mr. Tate stated that whether you voted for him or not, to give him the opportunity to work with the residents.

8 PUBLIC HEARINGS

a) MDP-R 2022-38

Signature Top Sail NC, Ltd., applicant and owner, and on behalf of Trust Special, Ruth Kalmar estate, owner, is requesting a revision to the previously approved Master Development Plan for the mixed-use development known as Wyndwater. Specifically, the request is to modify the existing Plan to allow for townhomes in Phases 7 and 11, increase the commercial area within both phases, and remove Phase 10 from the Plan. The Master Development Plan is proposed to reduce in size to approximately 206 acres (from approximately 235 acres) with the total number of units remaining consistent with previous approvals. The property is located to the east of US HWY 17, north of Doral Drive (SR 1693), west of Sloop Point Loop Road (SR 1563), and south of Cardinal Acres Lane (private) in Topsail Township.

Travis Henley, Planning Director, reviewed the staff report with the board and members of the public interest. He stated that this was originally heard at the April 5, 2022, meeting but was tabled due to the request of the Board members. Mr. Henley stated that the Board requested at the April meeting that the applicant provide clarification and additional requested information. He stated that the proposal has not changed since the last meeting.

Applicant, Mike Pollak, spoke to the Board stated that concerning the buffer issue, the Ordinance requires an “A” type buffer and there is plenty of room to accommodate this type of buffer. He stated that he is fully aware of all the existing utilities on the property and the Engineer laid out the plan with the lines in mind.

Mr. Pollak reported that Phase 10 is no longer being pursued due to the property no longer being owned by them. Property was swapped out so that Phase 5 could be pursued instead.

Ms. Mosca stated her concern off run-off water. Garry Pape with GSP Consulting stated that he has walked the property and they will put drains where needed. The drains that they install will help existing drainage issues.

Mr. Pollak stated that Topsail Greens was developed when rules were different or even non-existent.

Ms. Mosca again stated that she is concerned with elevation issues and the management of the run-off, per UDO requirements.

Mr. Pollak stated they are not wanting to make the existing properties worse rather they would be improving some of the existing problems by cleaning or enlarging existing ditches and replace smaller broken pipes.

Ms. Mosca questioned where would the water go? The land is very flat, low density and already saturated. She expressed her concern that the stormwater plan will not be followed.

Damien Buchanan stated that shouldn't the stormwater information be included and where does this project fall into this process? Mr. Henley stated that normally the engineer will draw it on the plat.

Ms. Mosca stated that she does not feel that there is enough information and does not like the "we'll figure it out later" mindset. She stated that retention ponds only further retain water, and she is concerned that there is going to be stormwater issues.

Mr. Pollak stated that nothing gets permeated that does not meet criteria.

Ms. Mosca understands the concept due to being an Engineer herself but is still concerned about the impact this will have on surrounding areas due to not knowing where the extra water will flow to.

Mr. Pollak stated that they are doing maintenance that has not been done and should have been done for several years. He is 100% confident that they will meet all the stormwater criteria.

Mr. Buchanan stated that a major concern of his is that with this development butting up to existing septic systems will cause future problems that will not be able to be corrected.

Ms. Mosca requested that the GIS map be pulled up and Mr. Feldman located the map and projected it onto the screen. She stated with the flood zones and wetlands, the whole area is already waterlogged. By using a gravity sewer system, the developer will have to raise the area around this property and that will increase the runoff water for existing surrounding properties.

Mr. Buchanan asked what is the developer's runoff water solutions? Mr. Pape stated that the ditches tie into the pond area. Many of the pipes are in bad condition and will be replaced. They will also make the existing ditch wider and deeper.

Mr. Buchanan asked if the ditches would be inside the landscape buffer and Mr. Pape stated possibly.

Mr. Pollak stated that all the water will not run into the pond and Ms. Mosca asked where it will run?

Chairman Delva Jordan asked if the Board had any additional questions for the applicant and no further questions were asked. He then moved on to comments from the public.

County Attorney Trey Thurman explained the time frame each signed up person or representative of a group would receive. He also stated that a person could pass if they feel their question was already answered or their point was already made.

Al Burfield, 353 Topsail Plantation Drive, expressed his concerns of the all conceptual plans with nothing being firm, traffic issues that have not been addressed, and ownership of Topsail Plantation Drive not being addressed.

Lyndsay Oliver, 21 Spar Court, addressed the Board with her concerns runoff water. She stated that the retention ponds kept her home from flooding during Hurricane Florence. Ms. Oliver is also concerned with wildlife being disturbed when she feels there should be more green areas and trees and not less. She stated that she does not want to hear concepts from the developer.

Becky Maness, 914 Lighthouse Court, stated that she is the HOA Vice-President for Topsail Greens and Topsail Greens has never had septic

issues and the developer is not able to guarantee it will stay that way in the future. She feels the developer will not protect their septic and utility lines and is requesting that the Board not approve this request.

Joy Stees, 400 Ensign Court, expressed her concern that the townhouses will add tremendous traffic and no consideration has been given to the traffic issues. There is no definite completion date for the by-pass and adding additional traffic will only cause more harm. She stated that Pender County needs to care about the residents and their lives and not the money. Ms. Stees questioned if people were possibly getting paid under the table.

Amber Young of Ensign Court stated that the State of North Carolina has declared Topsail Greens a bird sanctuary and that there are state regulations that need to be followed pertaining to bird sanctuaries. She would like to have the land sold to the state of North Carolina and have it converted into a nature preserve. Her concerns relate to the wetlands, flood zone designation, and the bird sanctuary.

Karen Koon, 214 Spar Court, expressed that she has many concerns, but her main concern is flooding. During Hurricane Florence, water made it to her back porch and that was with drainage so what will happen if the drainage is blocked? She feels that the developer needs to state facts and have everything put in writing.

Andrew Adkinson, 108 Admiral Court, does not feel the trade that Mr. Pollak was speaking of was not a nice trade at all. The developers are trying to squeeze too much into a small area. He stated that the retention ponds already fill up after rain fall and this request is not in the best interest of Pender County. This needs to be stopped and the Planning Board can stop this now.

Michaele Blunt, 110 Admiral Court, has been a resident for twenty years and is concerned with flooding issues. There is a pond near her home that will be filled in and replaced with parking area. She stated that the golf course already stands in water during rain. Ms. Blunt feels that traffic will become even more unacceptable if this is improved. She expressed that if this is approved by the Board, that it will be an irresponsible decision.

Bob Aberman, 140 Champion Drive, moved into his home in Topsail Greens in 2012 and was told that open areas were going to be golf courses and that idea has seemed to change and disappear. He feels that the quiet and peaceful area that he currently lives in will no longer exist if this approved.

Harold Ballitch, 307 Ruddek Court, questioned the traffic count at Topsail Greens Drive and 17. Mr. Feldman stated that the study was submitted and completed on March 10, 2022. Mr. Ballitch also questioned the plan for the numerous turtles that live in the area and stated that Onslow County is a turtle community and is Pender County?

Karna Godridge, 623 Outrigger Court, questioned the Board as to how many fatalities Pender County is willing to take on because they happen now and will increase if this is approved. The Developer is always seeking more and this needs to come to an end. The Board needs to consider what is right because this development will change Topsail Greens forever.

Anthony Whitmore, 504 Fathom Court, expressed his concern of the natural border and questioned as to whether the wetlands were registered and has the applicant submitted a 100-year flood plan?

Mario Pinierio, 614 Galley Court, stated his concerns of the school overcrowding, can the fire department save people in a 3-story townhouse, some of the ponds are empty and where is the water going, and that there are big trucks driving by his house on a regular basis that are ruining the current drainage.

Steven Wedgeworth, 138 Pebble Beach Drive, stated that he understands the Board's responsibilities but is questioning what the Board's mission for Pender County is? He also feels the plans need to be more informative and has emailed the Planning Department and has received no response.

Arthur Mark, 109 Plank Court, stated that he was at the last meeting and that flooding is his biggest concern and not just during a hurricane.

Kimberly Zampitella, 115 Navy Court, stated that the loss of green space would be detrimental, and that the loss of the cart path would be very negative.

Paul Lee, 115 Navy Court, expressed to the Board his concerns pertaining to noise, sound, and traffic pollution. He is particularly concerned with the lighting that would need to be installed in the parking lots. He has no doubt it will bother the neighbors who live nearby.

Anne Bridges, 146 Champion Drive, expressed her concern with the history of the developer. Despite what the developer said earlier in the meeting, she has never met with him. Wyndwater is a big lie, and she stands with and for her community.

Mr. Buchanan read the mission statement of the Pender County Planning Department. Mr. Henley also stated that the Unified Development Ordinance that was adopted in 2018, is also part of the mission plan.

Mr. Henley stated that this proposal is a Master Plan Development under the zoning district and all PD's go through this same process. This property is already zoned PD, so this is an administrative process. He reviewed that the Planning Board has three options at this point: to approve, approval with modifications, or to deny. If denied, the case can be appealed to the Board of Adjustments by the applicant.

Chairman Jordan asked the applicant if he would like to address some of the questions and concerns of the audience. He agreed and came back up to the podium. Mr. Pollak stated that they are not filling in any wetlands. The pond that is being filled in is up front and not in the wetlands.

Mr. Buchanan asked the applicant what the height of the townhomes will be? Mr. Pollak stated that they will be 2 story units that cater to "empty nesters". This property has always been about future development and the townhomes were approved from the very beginning.

Chairman Jordan asked the Board members if they have any additional questions of the applicant or the Planning Department. All members responded that they had no additional questions.

Moved by Margaret Mosca, seconded by Damien Buchanan

Motion to deny

	For	**Against**	**Abstained**	**Absent**
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

b) ZTA 2022-15

Trask Land Company Inc., applicant, is requesting approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 3.2.1 'Zoning Approval' to allow for the issuance of clearing and grading permits prior to the issuance of final zoning approval.

Mr. Henley stated that Trask Land Company is the applicant but the language already exists. This request is to increase efficiency in the development process. He stated that this proposal is found to be consistent with Policy 5.1.G, Development Review.

Mr. Buchanan asked what the process is now and what will it be if this is approved. Mr. Henley informed the Board of the current process and how this proposal will change that. Mr. Henley stated that if this approved, a clearing and grading permit can be issued before the final zoning is approved.

Ms. Mosca asked what would happen if the grading and clearing was done and zoning was not approved? Mr. Henley stated that this could happen but is very rare. The applicant/owner would still be responsible for the tree mitigation that the Ordinance requires.

Attorney Trey Thurman stated that language that it runs with the property should be added.

Ms. Mosca stated that applicants should have to put up a bond for the tree mitigation.

Mr. Henley stated from the Planning Department's prospective that it would not hurt to add that language.

Ms. Mosca asked what section of the Ordinance includes enforcement and Mr. Feldman responded with Article 13.

Gardner Noble, applicant, spoke to the Board. He stated that he is wanting the development process in Pender County to come into line with other counties. It will make construction quicker and easier.

Chairman Jordan asked the Board members if they have any questions for the applicant and there was no response.

Andy Wood, PO Box 1008, stated that he is part of the Coastal Plains Conservation Group and stated that the amendment will diminish and not improve and that this will help the developers but not the residents. He requested that the Board deny the proposed amendment change.

Chairman Jordan asked the Board if they had any questions for the Planning Department staff and no questions were asked.

Ms. Mosca stated that this is a legal matter that needs to be discussed.

Mr. Thurman stated that there is a concern that the applicant would not continue with the zoning process after clearing and grading but he imagines that the applicant would have a major reason to do so.

Mr. Henley stated that this exact situation could happen under the current process.

Motion made by Damien Buchanan, seconded by Jeffrey Pitts

Motion made by Damien Buchanan and seconded by Jeffrey Pitts to table this matter until the next scheduled meeting July 6th, 2022.

	For	**Against**	**Abstained**	**Absent**
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

c) REZONE 2022-31

Benjamin Burgess, applicant, on behalf of B Squared LLC, owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 303 acres of land from RP, Residential Performance zoning district to the RA, Rural Agricultural zoning district. The subject project is located on Ashton Road, approximately one mile

west of the intersection of Ashton Road and US HWY 117 in the Rocky Point Township and may be further identified by Pender County PIN 3236-02-4982-0000.

Greg Feldman expressed to the Board that most of the area surrounding this parcel is zoned residential. This parcel is a vacant cleared tract of farmland. He stated that there are 7 Residential Uses by-right, 22 Commercial Uses by-right, and 70 Commercial Uses with Special Use Permit.

Mr. Feldman told the Board that this request is consistent with the Unified Development Ordinance and the Pender County Planning Department recommends approval.

Mr. Buchanan stated that he feels Rural Agricultural is actually “better” due to having less density and houses.

Chairman Jordan questioned how long the property has been zoned Rural Agricultural? Mr. Feldman stated since at least 2016 and that the property is currently distinguished as a bonafide farm.

Mr. Henley stated that previously this property had been zoned R-20 until the Unified Development Ordinance zoned it Rural Performance.

Chairman Jordan asked the Board members if they had any questions for the Planning Board staff and no members responded.

The applicant, Benjamin Burgess spoke to the Board by stating he wants to keep the land agriculture. He feels Rural Agricultural is more consistent with his intent.

Chairman Jordan asked the Board members if they had any questions for the applicant and no members responded.

Wanda Wilson, Ashton Road, owns the land adjacent to this property questioned what the intentions are of the applicant.

Attorney Trey Thurman stated that the Board must address the what “could be’s”.

Mr. Buchanan explained the difference between the two zoning to Ms. Wilson.

Ms. Wilson stated that clearing has been done and she is concerned with the trees that are being eliminated.

Nearby resident, Maurice Morrow, questioned if the property is rezoned Rural Agricultural would hog, turkey or chicken houses be permitted? Mr. Thurman stated that due to this property being delegated as a bonafide farm that it is exempt from zoning. Mr. Morrow stated that there is no farming being done on the land and it is a tree farm. Mr. Thurman stated that tree farming is farming. Mr. Morrow stated that he does not want hog, turkey, or chicken farming to be allowed next door to his property.

Moved by Margaret Mosca, seconded by Jeffrey Pitt

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

d) REZONE 2022-32

Michael Afify, applicant, on behalf of Share the Table, Inc., owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 0.6 acres of land from the RP, Residential Performance zoning district to the GB, General Business zoning district. The subject property is located along Perkins Drive, approximately 300 feet east of US HWY 17 in the Topsail Township and may be further identified by Pender County PIN 4226-74-5773-0000.

Planner, Daniel Adams stated that the surrounding properties are zoned GB, General Business, and RP, Rural Performance. To the west of this property, is vacant property zoned GB, to the north is a non-confirming residential structure and to the east and south are residential structures.

Mr. Adams reviewed the setback requirements and that there are 83 uses by-right and 18 uses with a Special Use Permit. A Traffic Impact Analysis is not required for a general use rezoning since a site-specific development plan is not required to be included in the application package.

Chairman Jordan asked if Perkins Drive was paved and Mr. Adams affirmed that it is a paved road.

Mr. Adams stated that this request is consistent with Policy 5.1.E., Compatible Development and 5.1.K., Commercial Development. Due to this request being consistent with two policies, the Planning Department is recommending that the Planning Board vote to approve.

Mr. Buchanan asked what the buffer requirement would be if the rezoning was approved. Mr. Adams stated that Buffer "C" would be required and Buffer "C" gives two different options.

Mr. Buchanan questioned what the height limitation is in both RP and GB? Mr. Daniels stated that in a GB zoning district, the height limit is 40 feet and in a RP zoning district, the limit would be 35 feet.

Chairman Jordan asked if any of the Board members had questions for the Planning Board staff, and no response was received.

Applicants, Dawn Ellis and Michelle Bennett, spoke to the Board and informed them that this property will be used for stormwater drainage.

Mr. Adams stated that the buffer requirement would be the same if it is used as stormwater drainage.

Kathleen Nixon, 681 Landing, stated she is not able to stay on her land and is not understanding why. She wants to be able to live on her property and is requesting help to do so.

Robert Kirkland, 100 Perkins Drive, stated that traffic is a major problem. Due to the new school being built, he can't get in and out of his driveway in the morning and afternoon. He is against any request that will bring more traffic to the area. Mr. Kirkland stated that the speed limit is still 45 in that area, which is entirely too fast.

Treana Kirkland, 100 Perkins Drive, stated that she is unclear as to what is occurring so Mr. Adams explains re-zoning from residential to

commercial use. Ms. Kirkland expressed her concern as to what will happen in the future.

Chairman Jordan asked the Board members if they had any additional questions for the Planning Department staff and no additional questions were asked.

Mr. Buchanan spoke of the uses, and he is comfortable with this request due to the uses already being allowed.

Moved by Jeffrey Pitt, seconded by Margaret Mosca

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

e) REZONE 2022-33

Robert Batson, applicant and owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 41 acres of land from the GB, General Business zoning district to the IT, Industrial Transitional zoning district. The subject project is located along Sloop Point Loop Road, approximately one-half mile east of its intersection with US HWY 17 in Topsail Township and may be further identified by Pender County PIN 4204-92-0474-0000.

Planner Greg Feldman stated that the property is primarily vacant with only a few metal buildings located on the property. He advised of the setback requirements if the property is rezoned to IT and that there are 90 commercial uses permitted by-right and 8 Special Use Permit uses.

Mr. Feldman stated that a Traffic Impact Analysis is not required for a general use rezoning since a site-specific development plan is not required to be included in the application packet. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required.

Mr. Feldman stated that IT, Industrial Transitional is more intense and inconsistent with 2.0 Unified Developmental Ordinance. Due to this, the Planning Department is recommending that this request be denied.

The applicant, Robert Batson spoke to the Board. He expressed his desire to keep this land but that it was getting harder and harder to do so since there was no money in farming any longer. He inherited this land from his parents and wants to keep it in his name and not lose it. Mr. Batson stated that he is trying to put something there that will help pay the taxes.

Chairman Jordan asked the Board members if they have any questions of the applicant. No questions were presented.

Steven Wedgeworth, 138 Pebble Beach Drive, expressed to the Board that his property backs up to this parcel and is worried about the uses that the proposed zoning would allow. He requested that the Board deny the request.

Chairman Jordan asked the Board members if they have any questions for the Planning Department staff. No questions were presented.

Mr. Buchanan spoke to the other Board members of the uses in the proposed rezoning request and feels that this site is not the right location. He cannot say that he is in favor of the request to rezone as of today.

Ms. Mosca agreed with Mr. Buchanan in that the IT zoning is not proper for this area.

Chairman Jordan stated that he understands that this is family land and that the applicant wants to hang onto the land but this rezoning request is very broad. If the applicant had a specific use in mind, then the rezoning request may be possible.

Brad George, 102 Doral Drive, stated that the applicant is his wife's

uncle. He stated that the applicant is interested in possibly putting an outdoor boat storage on the parcel and would that use require permission in a GB, General Business zone? Mr. Feldman stated the current zoning is GB and if it was rezoned to IT, then outdoor storage is permitted. Mr. George expressed his concern that he is not sure that the applicant is thinking this request all the way through properly. He is afraid if the whole track is rezoned and just not a portion, then the tax value would increase and the applicant would be in a worse financial position to pay the required taxes. Mr. George feels that possibly rezoning a portion of the parcel would be a better option for the applicant.

Mr. Buchanan asked Mr. Feldman if the Board denies this request today, would the applicant be penalized concerning changing his request and submitting a new application? Mr. Feldman stated there would be no waiting period nor would the applicant be penalized.

Moved by Margaret Mosca, seconded by Jeffrey Pitts

Motion to deny

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest				X
Jeff Beaudoin				X
Norman K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

9 DISCUSSION

There were no discussions.

10 NEXT MEETING DATE

July 6, 2022 (Wednesday) at 7:00 p.m.
Pender County Administration Building
805 S. Walker Street
Burgaw, NC 28425

11 ADJOURNMENT

Meeting adjourned at 9:55 p.m.

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

June 13, 2022

Signature Topsail NC, LP.
Mike Pollak
9337B Katy Freeway #377
Houston, Texas 77024

VIA EMAIL: mike@signature-companies.com

RE: MDP-R 2022-38 – Wyndwater Master Development Revision

Mr. Pollak,

At their June 7, 2022 meeting, the Pender County Planning Board voted unanimously (4-0) to deny the Master Development Revision (MDP-R 2022-38) that would have allowed for townhomes and non-residential development within Phases 7 and 11 and would have removed Phase 10 from the project. The subject site is located to the east of US HWY 17 and to the north and south of Topsail Plantation Drive (Phases 7 and 11) and to the east of Sloop Point Loop Road across from Craftsman Way (Phase 10), in the Topsail Township.

If you would like to appeal the Planning Board's decision to the Pender County Board of Adjustment, please submit an appeal of administrative decision application within 30 days of receipt of the decision in order to be scheduled for the next regular meeting.

If you have any questions or concerns, please do not hesitate to contact me at (910) 259-2110 or thenley@pendercountync.gov.

Sincerely,

Travis Henley – Director
Planning & Community Development
Pender County, North Carolina

3.5 MASTER DEVELOPMENT PLAN

3.5.1 Intent

The purpose of the Master Development Plan (MDP) is to promote orderly and planned development of property within Pender County. The purpose of the MDP is to ensure that such development occurs in a manner that suits the characteristics of the land, is harmonious with adjoining property, is in substantial compliance with the goals and policies of the adopted Land Use Plans, Unified Development Ordinance, and is in the best interest of the general public. The MDP shall be used to illustrate the characteristics of the property proposed for development and of surrounding properties. All proposed Master Development Plans must follow the review process illustrated in Figure 2 and 3 at the end of Section 3.4.

3.5.2 Applicability

A Master Development Plan (MDP) shall be submitted to the Administrator for approval prior to any subdivision or development of property in any of the following zoning district:

ZONING DISTRICTS SUBJECT TO MDP		
Symbol	**Name**	**MDP Decision Authority**
Residential Districts		
RP	Residential Performance	Administrator
RM	Residential Mixed	Planning Board
MH	Manufactured Housing Community	Planning Board
Commercial Districts		
GB	General Business	Administrator
OI	Office Institutional	Administrator
Industrial Districts		
IT	Industrial Transitional	Administrator
GI	General Industrial	Administrator
Mixed Use Districts		
PD	Planned Development	Planning Board

A. The MDP shall at least include all contiguous land under single or common ownership in the above zoning districts.

B. A preliminary MDP may be submitted with an application for a conditional rezoning but shall not be considered binding until approval of a final MDP.

C. Waivers to MDP – Residential Districts: The Administrator may waive the requirements of an MDP in the Residential Districts if the proposed development contains all of the following criteria:

1) Contains 10 or less traditional detached single-family dwelling units;

2) Is not an integral portion of a property proposed or planned for future development or subdivision;
3) Is planned to be developed in a manner that is harmonious with surrounding properties and land uses; and
4) Does not substantially affect the purpose and intent of its zoning district and the intent of this Article.

D. Waivers to MDP – Commercial & Industrial Districts: The Administrator may waive the requirement of an MDP in the Commercial and Industrial District:
1) If the proposed development contains all of the following criteria:
a) If the proposed subdivision or development is less than 5 acres in size;
b) Includes no new streets, roads or rights-of-way, does not further extend any existing or dedicated street, road or rights-of-way and does not significantly change the layout of any existing or dedicated street, road or rights-of-way;
c) Is not an integral portion of a property proposed or planned for future development or subdivision;
d) That such development is limited to one individual parcel and one single use in accordance with Section 5.2.
2) If the proposed development is located within an approved Industrial Park and meets the Design Standards as outlined in Section 5.3.12.

3.5.3 Pre Application Conference

A. Prior to submission of a Master Development Plan for approval, the applicant may ~~shall~~ request a pre-application review conference with the Administrator.
1) The purpose of the pre-application conference shall be to discuss the proposal in relation to the requirements of the Land Use Plan and Unified Development Ordinance and to obtain advice on the preparation of the Master Development Plan.
2) At the pre-application conference, the applicant shall provide a land use plan describing the following:
a) The general location of the site.
b) The general location of proposed roads.
c) The general location of proposed uses, environmental areas, housing types or open space.
d) The uses on adjoining properties.
e) Utility requirements.

3.5.4 Review

A. Applicants shall submit the MDP to the Administrator, together with completed application materials.
B. Application form and materials must be completed~~, and fee paid~~ at the time of submission.
C. The Master Development Plan must meet all the requirements prescribed in Section 6.1, Master Development Plan Contents.

D. The Administrator will forward the MDP to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and or plans of their particular state agency, county department or utility authority.

E. When the submission is complete, the Administrator shall submit the plans, application materials and comments to the Planning Board for its consideration, if required in accordance with Section 3.5.2.

F. The Planning Board shall act on the MDP within 90 days of the date of the presentation of the plan to the Board. The Planning Board shall approve the plan, approve it with required changes or deny the plan. If the Planning Board fails to act within 90 days, the plan shall be deemed approved. The applicant may request additional time if he/she deems it necessary.

G. If the MDP is denied by the Planning Board, the applicant may choose to withdraw the application and resubmit it with changes as a new plan or appeal the Planning Board's decision to Zoning Board of Adjustment.

H. Any decision rendered by the Planning Board is appealable to the Zoning Board of Adjustment within thirty (30) days of the decision.

I. Planning Board Master Development Plan approval shall be valid for two (2) years.

3.5.5 Final Master Development Plan

A. The final MDP shall conform to the requirements of this Article.

B. Descriptions of changes made since approval of the preliminary MDP or as required with approval of the preliminary MDP shall be provided.

C. An approval block and signature lines for the Administrator shall be provided.

D. Applicants shall submit the final MDP to the Administrator. Final approval of the final MDP shall be given by the Administrator.

E. The Administrator shall approve the final MDP if a preliminary MDP was approved by the Planning Board, or the Administrator as required in accordance with Section 3.5.2, and if all required changes have been made and all requirements of the County Code have been met, within 60 days of its submission. Failure of the Administrator to act in 60 days, without proper cause, shall be deemed approved.

6.1 MASTER DEVELOPMENT PLAN CONTENTS

6.1.1 All Master Development Plans shall be prepared in accordance with the following specifications:

A. Site plans shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:

1) The scale shall be one inch equals 100 feet or larger (the ratio of feet to inches shall be no more than one hundred feet to one inch) or at a scale acceptable to the Administrator. The scale shall be sufficient so that all features are clear.
2) No sheet shall be smaller than 24”x36” in size unless approved by the Administrator. If the MDP is prepared on more than one sheet, match lines shall clearly indicate where the sheets join.
3) North arrow, a scale of 1:100 or larger and a legend describing all symbols.
4) A boundary survey of the entire property related to true meridian and certified by a registered surveyor with all dimensions in feet and decimals of feet. A vicinity map at a suitable scale shall be provided showing the location of the project along with the location of all existing or approved public roads, streets or rights-of-way within 2,000 feet of the boundaries of the project.
5) The total area of the property shall be specified.
6) The topography shall be shown at 2 foot contour intervals.
7) The title of the proposed project; the date, month, year the plan was prepared or revised; the name of the applicant(s), owner(s) and contract owner(s); and the names of the individuals or firms preparing the plan shall be clearly specified.
8) A schedule of phases, with the approximate location of phase boundaries and the order in which the phases are to be developed, shall be provided.
9) The use of all adjoining properties by zoning, parcel identification number (PIN) and current property owner(s).
10) All proposed uses shall be specified in the Master Development Plan narrative by NAICS code in accordance with Section 5.2.3.

6.1.2 Master Development Plan Contents - Residential Districts

A. Site plans shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:

1) A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
2) The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
3) The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.
4) The location and approximate boundaries of existing environmental features as defined.
5) The location of environmental protection land to be included in common open space.

6) The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
7) The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
8) The location and general configuration of recreational facilities, with a general statement of the types of recreational facilities to be provided if applicable.
9) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
10) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
11) The location and arrangement of street entrances, driveways and parking areas.
12) The use of adjoining parcels and the location of adjoining streets and utilities.
13) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
14) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
15) A Traffic Impact Analysis is required when the development generates 100 trips in the morning or peak hours or 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.
16) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
17) A conceptual plan for stormwater management with the location of stormwater facilities designed to serve more than one lot.
18) Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
19) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
20) Location and timing of construction for all amenities.
21) Landscaping and Buffer requirements per Article 8.
22) All subdivided land and parcels shall comply with Section 7.2, Lot Design.
23) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
24) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design
25) Calculated open space requirements shall adhere to Section 7.6, Open Space.

6.1.3 Master Development Plan Contents - Commercial and Industrial Districts

A. The site plan shall contain a conceptual plan, showing the location and functional relationship between streets and land uses, including the following:
1) A conceptual plan, showing the location and arrangement of proposed uses.
2) The location and approximate boundaries of existing environmental features as defined.

3) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or identified on any historical survey for Pender County.
4) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided.
5) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
6) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
7) A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.
8) The proposed location of entrances to the development from existing public streets and proposed parking areas.
9) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
10) Landscaping and Buffer requirements per Article 8.
11) The use of adjoining parcels and the location of adjoining streets and utilities.
12) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
13) A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.

6.1.4 Master Development Plan Contents – Mixed Use Districts

A. Site plan shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:

1) A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
2) The location and approximate boundaries of existing environmental features as defined.
3) The proposed location of entrances to the development from existing public streets and proposed parking areas.
4) The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
5) The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
6) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
7) The use of adjoining parcels and the location of adjoining streets and utilities.
8) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
9) A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.

10) The proposed location and arrangement of all streets and utility systems.
11) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
12) The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
13) The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.
14) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
15) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
16) A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.
17) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
18) Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
19) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
20) Location and timing of construction for all amenities.
21) Landscaping and Buffer requirements per Article 8.
22) All subdivided land and parcels shall comply with Section 7.2, Lot Design.
23) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
24) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design.
25) Calculated open space requirements shall adhere to Section 7.6, Open Space.

7.9 STORMWATER MANAGEMENT

A. Applicability

1) This ordinance shall be applicable to all new development projects from the date of the adoption of this ordinance that fit the following criteria.
   a) New development of any tract of land or subdivision that requires a North Carolina Department of Environmental Quality (NCDEQ) Stormwater Permit.
2) Pre-development Exclusion
   a) Any project or part of a project area that is granted a pre-development exclusion by the NCDEQ from having to obtain a standard NCDEQ stormwater permit requiring the project meet existing rules and regulations is excluded in whole or in part from this rule in accordance with the exclusion granted by NCDEQ.

B. Definition of Terms

1) NCDEQ – The North Carolina Department of Environmental Quality
2) NCDOT - The North Carolina Department of Transportation
3) PCPD – Pender County Planning Department
4) NOAA – National Oceanic and Atmospheric Administration
5) Time of Concentration – The calculated time of travel for runoff to flow across a project area from the farthest distance from the outfall to that outfall, expressed as a unit of time.
6) Peak Flow – The calculated maximum flow generated by a specific design storm as calculated by the rational method or other industry standard methodologies, expressed in cubic feet per second.
7) Impervious **Surface** - Any structure, **surface**, or improvement that reduces or prevents absorption of stormwater into land, and includes non-permeable pavement structures, sidewalks, rooftops or any other structure or improvement that impedes rainfall from entering the ground surface.
8) Pervious Surface – Any bare or vegetated soil or surface that allows the penetration of rainfall. This includes permeable pavement structures, drip through decks not covered by a roof structure, gravel surfaces meeting the standard of pervious surfaces as described by NCDEQ.
9) Post Development – Site conditions including impervious surface coverage that exist after the proposed development has occurred.
10) Pre- Development – Site conditions that exist prior to the proposed land development.
11) Design Storm – A specified storm event consisting of the return period, expressed in years.
12) Rainfall Depth – The depth of a specific storm event, expressed in inches.
13) Intensity – The rate at which rain falls, expressed in inches per hour.
14) Design Storm Duration – The length of time over which a storm event occurs, expressed in units of time.
15) Design Storm Return Period – The statistically expected occurrence of a given storm event, expressed in years.
16) High Density Projects – Projects deemed to be high density by NCDEQ standards.
17) Low Density Projects – Projects deemed to be low density by NCDEQ standards.

18) Storm Event – Precipitation greater or equal to a rainfall depth of .1 inches occurring in a continuous single time frame.

C. Administration

1) These regulations are adopted pursuant to the authority vested in the County of Pender by its charter and the General Statutes of North Carolina, particularly Chapter 153A, 160D, and Chapter 340.

D. Design Standards

1) New Development Projects Requiring a NCDEQ Stormwater Permit

a) Pre-Development and Post Development Peak Flow Comparisons for Design Storm Events.

i) All projects shall be designed so that the post development runoff from the project be no more than ten (10) percent more than the pre- development runoff.

ii) Low density projects shall meet this requirement for the 1 year 24-hour event or demonstrate that stormwater discharge is through multiple outlets with each not exceeding a flow of over 50% of the total predevelopment flow. High density projects shall meet this requirement for the 10 and 25 year return period events and be analyzed for the 50-year event.

iii) Peak flows shall be calculated using the rational method or other industry standard methods for doing so.

iv) For high density projects the time of concentration for pre- and post-development shall be calculated for each storm event using standard methods as set out in TR-55 or other industry standard methodology. These time of concentrations shall be used to determine the duration for each storm event which will yield the intensity used to calculate peak flows for each individual event.

v) All rainfall data for rainfall depth and intensity shall be determined by the National Oceanic and Atmospheric Administration (NOAA) for the specific project location.

vi) For low density projects or projects that do not require detention of stormwater, the sum of all outfalls shall be used to determine the post development peak flow.

vii) For projects with detention structures, the post development flow will be calculated using industry standard methods to route storm events through the detention device to illustrate the compliance with the pre and post development requirements. These calculations shall provide outlet structure details along with the retention basin geometry and peak stage calculations for each storm event.

viii) All NCDEQ stormwater requirements shall apply.

b) On-Site Collection System Requirements

i) All stormwater collection and conveyance systems shall convey the runoff from the 10-year storm event.

ii) All other project areas including parking lots and green spaces shall be designed to limit ponding of water during the 10-year event.

c) Low Impact Development (LID) design strategies shall be encouraged to reduce peak flows. LID devices shall be designed according to NCDEQ requirements using industry standard methodology.

d) Off-Site Runoff
   i) Runoff that is tributary to the project area but is not generated on the project may be bypassed around the collection, conveyance and treatment systems and discharged. Off-site runoff that is not bypassed must be accounted for in the calculations for conveyance systems, retention systems and pre- and post-development calculations.
   ii) Conveyances for off-site runoff shall be designed for the 10-year event.
e) Plan Submittal Requirements
   i) All details of the stormwater collection, retention and discharge systems shall be included on the plans including pipe sizes, locations of all structures and devices, all proposed inverts and grades and any other typical details required to construct the system. Calculations and specifications are not required to be submitted.
   ii) The plans shall include a statement that the proposed system meets the criteria of this ordinance.
   iii) The plans shall be signed, dated and sealed by a NC licensed design professional in accordance with industry standards for doing so. Plans may be marked preliminary or with other indications that they are for review and permitting.
   iv) All Plans shall be produced on D – size drawing sheets (24" x 36") at an appropriate and legible scale.
   v) Typical industry standards of care shall be used in the design, analysis and preparation of plans in accordance with rules and requirements of the applicable licensing board.
f) Plan Certification Requirements
   i) Upon completion of the construction of the stormwater control system in part or in phases a design certification letter shall be submitted to the Pender County Planning Department (PCPD) stating that the system was installed in accordance with the plans. Any discrepancies from the original design shall be noted. The certification shall include a statement that the system, as installed, meets the requirements of this ordinance.
   ii) If the system installation differs from the proposed plans a record drawing showing all discrepancies shall be submitted to the PCPD.

E. Design Professional Requirements

1) All stormwater analysis, design and preparation of plans shall be performed by or under the direct supervision of a NC licensed professional. A NC licensed professional is considered any individual licensed by the State of North Carolina to perform such work as defined by their respective licensing board. The design professional shall date, sign and seal all design documents according to the requirements and standards as set out by their licensing board.
2) Typical industry standards of care shall be used in the design, analysis and preparation of plans in accordance with rules and requirements of the applicable licensing board.

Wyndwater Master Development Plan

Total Acreage	**205.96**
Non-Residential Acreage	9.60
Wetlands Acreage	4.34
Right of Way Acreage	27.98
Active	7.92
Passive	7.92
Total Units	528
Developable Land	**152.53**
Net Density	**3.46**

Topsail Greens

Residential Acreage	**83.08**
Non-Residential Acreage	18.25
	0.00
	0.00
	0.00
	0.00
Total Units	238
Developable Land	**64.83**
Net Density	**3.67**

Pender County
Planning and Community Development

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

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

Planned Development & Residential Mixed Zoning Districts
Master Development Plan Submission

Applications will be considered for the Technical Review Committee hearing and reviewed by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

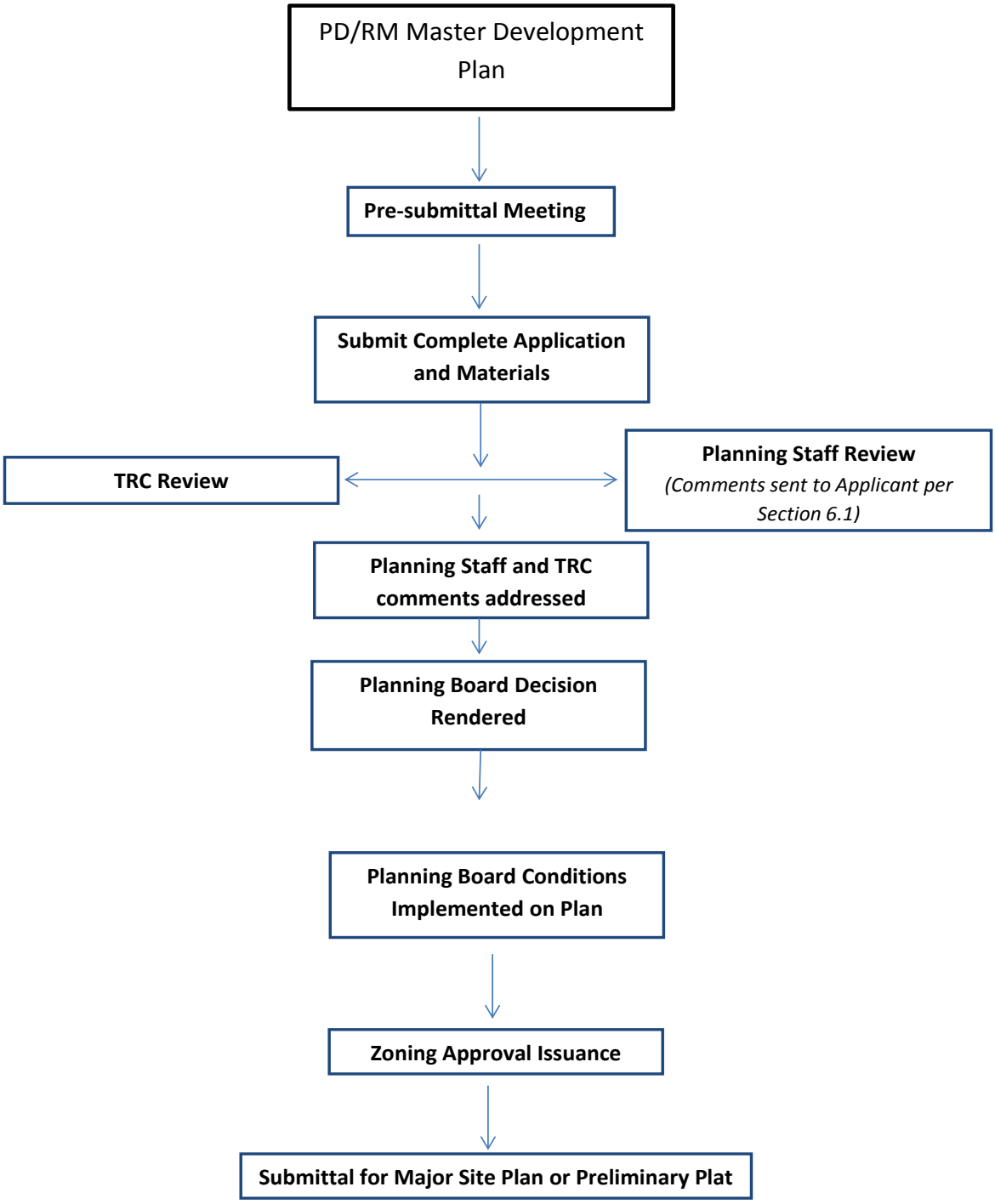
1. _____ **Pre-submittal Meeting**
   Date of Meeting _____
2. _____ **Signed Application**
3. _____ **Payment**
   $500 plus $10 per acre for the first 100 acres, $5 per acre thereafter
4. _____ **Paper Plan Sets**
   One (1) 24 x 36, Fifteen (15) 11 x 17
5. _____ **Digital Submission**
   For all documents submitted in paper copy, bring a digital copy with paper submission.
6. _____ **Adjacent Property List**
   A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the of the perimeter of the project bounds.
7. _____ **Adjacent Property Envelopes**
   The applicant shall provide a set of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage.
8. _____ **Permits**
   Please include any permits issued on the project including but not limited to: environmental, traffic analysis, utility, or other site specific conditions.
9. _____ **Site Plan Requirements**
   A prepared site plan in accordance with the Unified Development Ordinance standards 6.1, Pender County Collector Street Plan, Pender County Transportation Plan, other approved State of Federal Transportation Improvement Plan, or any other adopted plan in Pender County.
   (See Master Development Plan Checklist)

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant Jennifer Dee Evans Date 9/10/21

Printed Name Jennifer Dee Evans
Signature Top Soil NC Ltd.

Staff Initials:	_____
Date:	_____


PD/RM Master Development Plan
Pre-submittal Meeting
Submit Complete Application and Materials
TRC Review
Planning Staff Review
(Comments sent to Applicant per Section 6.1)
Planning Staff and TRC comments addressed
Planning Board Decision Rendered
Planning Board Conditions Implemented on Plan
Zoning Approval Issuance
Submittal for Major Site Plan or Preliminary Plat

		Meeting Date	Complete Application Due Date	Applicant Final Submission for PB	Planning Board Meeting
TRC	**January**	1.8.20	12.13.19	1.17.20	2.4.20
	February	2.5.20	1.17.20	2.14.20	3.3.20
	March	3.4.20	2.14.20	3.13.20	4.7.20
	April	4.1.20	3.13.20	4.17.20	5.5.20
	May	5.6.20	4.17.20	5.15.20	6.2.20 (H)
	June	6.3.20	5.15.20	6.12.20	7.7.20
	July	7.1.20	6.12.20	7.17.20	8.4.20
	August	8.5.20	7.17.20	8.14.20	9.1.20
	September	9.2.20	8.14.20	9.11.20	10.6.20 (H)
	October	10.7.20	9.18.20	10.16.20	11.3.20
	November	11.4.20	10.16.20	11.13.20	12.1.20
	December	12.2.20	11.13.20	12.17.20	1.5.21 (H)

Complete Application Date: All documents must be received by 12PM on the deadline date to be considered a complete application.

Final Applicant Submission for Planning Board: All final documents must be submitted by 10AM or the item will be removed from the Planning Board's Agenda.

Specific requirements can be found in Section 6.1 of the Pender County Unified Development Ordinance

Master Development Plan – Mixed Use Districts Specific Requirements

1. Requirements

a. A land use plan
b. Boundaries of existing environmental features as defined
c. The proposed location of entrances to the development
d. Proposed parking areas.
e. The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets -providing access to adjoining parcels
f. The use of adjoining parcels and the location of adjoining streets and utilities
g. The approximate location of sewer
h. Letter of intent for wastewater connection to package plant
i. The approximate location of water mains
j. Wastewater disposal method
k. Water source with statements
l. A conceptual plan for stormwater management
m. The proposed location and arrangement of all streets
n. Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
o. A Traffic Impact Analysis is required when the development generates 100 trips in the morning or peak hours or 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.
p. The location and treatment proposed for all historical structures
q. Timing of construction for all amenities

2. Roadways

a. Public roadways - Built to NCDOT Subdivision Roads Minimum Construction Standards
b. Private roadways - All designated private streets designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards
c. Private streets will be subject to requirements to construct public collector streets under any of the following conditions (per Section 7.5.3.C)
    - Dimension of more than 5280 ft.
    - -Any street in the subdivision has the potential to serve more than 200 residential or commercial units
    - -Access to any lot or unit in the subdivision is more than 5280 ft. by a private street to a public street
    - -Existing public streets have been dedicated or constructed to the property line of the subdivision
    - -Access to adjacent properties will be hindered as a result of private streets being allowed in the subdivision

3. Access (per Section7.4)

a. All lots shall have direct or indirect access to a public street, private street, or private access easement.
b. Access must provide a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.

4. Public and Private Street Design (per Section 7.5.1)

a. Adjoining street systems,
b. Existing, planned and proposed streets, topographic, drainage and other natural features of the property,
c. Continuity in existing streets and proposed streets,

Specific requirements can be found in Section 6.1 of the Pender County Unified Development Ordinance

d. Adequate right-of-way for collector streets
e. Reasonable access provided to adjacent properties for development
f. Street intersections are directly aligned if possible.
g. If not aligned not offset centerline to centerline by not less than 125 ft.
h. Intersect as nearly as possible at right angles
i. Permanent dead end streets (cul-de-sacs) or temporary dead end (stub) streets are longer than 1,000 ft.
j. Street name approval from the Pender County Addressing Coordinator.
k. Sight triangles as required in the NCDOT

5. Buffers (8.2 please refer to Section 4.15 of the Pender County UDO)

a. Along all boundaries adjacent to a street Buffer A
b. Along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development Buffer C
c. Along all other boundaries Buffer B
d. -Boundaries and location of common open space, with the percentage of the total acreage of the site to be common open space.

6. Housing Types (per Section 4.15)

7. Residential Dimensional Requirements

a. Front Setbacks
b. Side Setback
c. Rear Setbacks
d. Corner Setbacks
e. Building Height
f. Structure Separation
g. Minimum Chord distance
h. Minimum lot width

8. Commercial Dimensional Requirements

a. Front Setbacks
b. Side Setback
c. Rear Setbacks
d. Corner Setbacks
e. Building Height
f. Structure Separation
g. Minimum Chord distance
h. Minimum lot width

9. Density

a. Non-Residential Acreage
b. Wetlands Acreage
c. Passive Open space Acreage
d. Active Open Space Acreage
e. Right of Way Acreage
f. Total Units
g. Developable Land
h. Net Density

10. Open Space Labeled Cleary with Acreages (per Section 7.6)

a. Open Space
b. Passive Open Space
c. Active Open Space

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

MASTER DEVELOPMENT PLAN

Prior to submission of a preliminary master development plan for approval, the applicant shall request a pre-application review conference with the County staff.

1. The purpose of the pre-application conference shall be to discuss the proposal in relation to the requirements of the Land Use Plan and UDO and to obtain advice on the preparation of the master development plan.
2. At the pre-application conference, the applicant shall provide a land use plan describing the following:
    a. The general location of the site.
    b. The general location of proposed roads.
    c. The general location of proposed uses, environmental areas, housing types or open space.
    d. The uses on adjoining properties.
    e. Utility requirements.

The purpose of the master development plan (MDP) is to promote orderly and planned development of property within Pender County. It is the purpose of the MDP to ensure that such development occurs in a manner that suits the characteristics of the land, is harmonious with adjoining property, is in substantial compliance with the goals and policies of the adopted Land Use Plan, and is in the best interest of the general public. The MDP shall be used to illustrate the characteristics of the property proposed for development and of surrounding properties.

**See Figures 2 and 3 at the end of Section 3.4, Pender County UDO for an illustrative process*

1. The MDP shall at least include all contiguous land under single or common ownership in the above zoning districts.
2. A preliminary MDP may be submitted with an application for a conditional rezoning but shall not be considered binding until approval of a final MDP.

Waivers to MDP – Residential Districts

The Administrator may waive the requirements of a MDP in the Residential Districts if the proposed development contains all of the following criteria:

1. Contains ten (10) or less traditional detached single-family dwelling units;
2. Is not an integral portion of a property proposed or planned for future development or subdivision;
3. Is planned to be developed in a manner that is harmonious with surrounding properties and land uses; and
4. Does not substantially affect the purpose and intent of its zoning district and the intent of this article.

Waivers to MDP – Commercial and Industrial Districts

The Administrator may waive the requirement of a MDP in the Commercial and Industrial Districts if the proposed development contains all of the following criteria:

1. If the proposed subdivision or development is less than five (5) acres in size;
2. Includes no new streets, roads or rights-of-way, does not further extend any existing or dedicated street, road or rights-of-way and does not significantly change the layout of any existing or dedicated street, road or rights-of-way;
3. Is not an integral portion of a property proposed or planned for future development or subdivision;
4. That such development is limited to one individual parcel and one single use in accordance with Section 5.2.

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP	**Date**	
Application Fee	$	**Receipt No.**	
Pre-Application Conference		**Hearing Date**	

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Signature Top Sail NC, LP	**Owner's Name:**	Signature Top Sail NC, LP
Applicant's Address:	9337B Katy Freeway #377	**Owner's Address:**	9337B Katy Freeway #377
City, State, & Zip	Houston, Texas 77024	**City, State, & Zip**	Houston, Texas 77024
Phone Number:	713-822-3891	**Phone Number:**	
Legal relationship of applicant to land owner:	Land Owner and Developer		

SECTION 2: PROJECT INFORMATION				
Type of Master Development Plan	☐ **Residential** *RP, PD, RM MH District*	☐ **Commercial** *GB, OI, IT, GI District*	☑ **Mixed Use** *PD*	☐ **Exempt**
Property Identification Number (PIN):	4214-12-8251-0000	**Total property acreage:**	205.96	
Zoning Classification:	PD	**Acreage to be disturbed:**		
Project Address :	Sloop Point Loop Road			
Description of Project Location:	Wyndwater Subdivision			
Describe activities to be undertaken on project site:	Development of Residential Lots & Commercial Development			

SECTION 3: SIGNATURES			
Applicant's Signature	Jennifer Pollak Evans	**Date:**	9/10/21
Owner's Signature	Jennifer Pollak Evans Signature Top Sail NC Ltd	**Date:**	9/10/21

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	**MDP**	**Date**	
Application Fee	**$**	**Receipt No.**	
Pre-Application Conference		**Hearing Date**	

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Signature Top Sail NC, LP	**Owner's Name:**	Trust Special, Ruth Kalmar Estate
Applicant's Address:	9337B Katy Freeway #377	**Owner's Address:**	2237 Queens Road East
City, State, & Zip	Houston, Texas 77024	**City, State, & Zip**	Charlotte, NC 28207
Phone Number:	713-822-3891	**Phone Number:**	704-661-7426
Legal relationship of applicant to land owner:	Developer		

SECTION 2: PROJECT INFORMATION				
Type of Master Development Plan	☐ **Residential** *RP, PD, RM MH District*	☐ **Commercial** *GB, OI, IT, GI District*	☑ **Mixed Use** *PD*	☐ **Exempt**
Property Identification Number (PIN):	4214-50-8387-0000	**Total property acreage:**	19.56	
Zoning Classification:	PD	**Acreage to be disturbed:**		
Project Address :	Sloop Point Loop Road			
Description of Project Location:	Project is located between Hwy 17 & Sloop Point Loop Road			
Describe activities to be undertaken on project site:	Development of Residential Lots			

SECTION 3: SIGNATURES			
Applicant's Signature		**Date:**	
Owner's Signature	Richard MacLaurin, Successor Trustee	**Date:**	9/9/2021

NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

Office Use Only

☐	**MDP Fees: (***$500.00 plus $10/acre for the first 100 acres $5/acre thereafter)*	**Total Fee Calculation: $**

Attachments Included with Application: (Please include # of copies)

CD /other digital version	☐ Y ☐ N	Plan Sets	# of large	# of 11X17	Other documents/Reports	☐ Y ☐ N

Payment Method:	**Cash :** ☐ **$**_____	**Credit Card:** ☐ Master Card ☐ Visa	**Check:** ☐ Check # _____

Application received by:		Date:
Application completeness approved by:		Date:
Date scheduled for public hearing:		

Contents of a Preliminary Master Development Plan – Residential Districts Site plans shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:	
	A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
	The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
	The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.
	The location and approximate boundaries of existing environmental features as defined.
	The location of environmental protection land to be included in common open space.
	The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
	The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
	The location and general configuration of recreational facilities, with a general statement of the types of recreational facilities to be provided if applicable.
	The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
	The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
	The location and arrangement of street entrances, driveways and parking areas.
	The use of adjoining parcels and the location of adjoining streets and utilities.
	Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
	Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
	Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.
	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
	A conceptual plan for stormwater management with the location of stormwater facilities designed to serve more than one lot.
	Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
	The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
	Location and timing of construction for all amenities.
	Landscaping and Buffer requirements per Article 8.
	All subdivided land and parcels shall comply with Section 7.2, Lot Design.
	Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
	Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design
	Calculated open space requirements shall adhere to Section 7.6, Open Space.

Contents of a Preliminary Master Development Plan – Commercial and Industrial Districts The site plan shall contain a conceptual plan, showing the location and functional relationship between streets and land uses, including the following:	
	A conceptual plan, showing the location and arrangement of proposed uses.
	The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or identified on any historical survey for Pender County.
	The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided. The location and approximate boundaries of existing environmental features as defined.
	Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
	Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
	Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.
	The proposed location of entrances to the development from existing public streets and proposed parking areas.
	The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
	Landscaping and Buffer requirements per Article 8.
	The use of adjoining parcels and the location of adjoining streets and utilities.
	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
	A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.
Contents of a Preliminary Master Development Plan – Mixed Use Districts Site plan shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types	

and land uses, including the following information:	
	A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
	The location and approximate boundaries of existing environmental features as defined.
	The proposed location of entrances to the development from existing public streets and proposed parking areas.
	The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
	The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
	The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
	The use of adjoining parcels and the location of adjoining streets and utilities.
	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
	A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.
	The proposed location and arrangement of all streets and utility systems.
	The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
	The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
	The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development
	Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
	Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
	Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.
	The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
	Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.
	The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
	Location and timing of construction for all amenities.
	Landscaping and Buffer requirements per Article 8.
	All subdivided land and parcels shall comply with Section 7.2, Lot Design.
	Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
	Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design.
	Calculated open space requirements shall adhere to Section 7.6, Open Space.

Tuesday, November 2, 2021 at 7:52:55 AM Central Daylight Time

Subject: Town Meeting
Date: Tuesday, November 2, 2021 at 7:52:49 AM Central Daylight Time
From: Mike Pollak
To: Gideon Smith

Gideon
The town hall meeting was held October 8th at the Wyndwater pool facility. We had approximately 30 people attend. Both the president and vice president of the Topsail Greens HOA attended the meeting. They confirmed at the meeting that their board approved the land swap to relocate their storage area to the area we have proposed for the commercial storage.
The meeting was very informative and the majority of the people in attendance were supportive of the townhomes. There was a lot of concern about the fencing requirements for the perimeter of the project. Some adjacent property owners questioned if there was flexibility in the ordinance to leave out fencing where views of water amenities would be blocked.
Mike

WMPO

305 Chestnut Street
PO Box 1810
Wilmington, NC 28402
Ph: (910) 341-3258
Fax: (910) 341-7801
www.wmpo.org

March 10, 2022

Mr. Nate Bouquin, PE, PTOE
Ramey Kemp Associates
5808 Faringdon Place, Suite #100
Wilmington, NC 27609

RE: Scope for the Traffic Impact Analysis associated with the proposed revisions to the Wyndwater residential development in Hampstead, NC (Pender County).

Dear Mr. Bouquin,

Based on the information provided, and conversations held to date, this development is located between US 17 and Sloop Point Loop Road in Hampstead, North Carolina. It is our understanding that the proposed development will consist of two (2) phases for the purposes of the TIA.

TIA Phase 1
400 Single Family Homes (ITE Land Use Code 210)

- Construction Phase 1
  - 40 Single Family Homes
- Construction Phase 2
  - 65 Single Family Homes
- Construction Phase 3
  - 103 Single Family Homes
- Construction Phase 4
  - 52 Single Family Homes
- Construction Phase 5
  - 63 Single Family Homes *(under construction)*
- Construction Phase 6
  - 44 Single Family Homes
- Construction Phase 8
  - 25 Single Family Homes
- Construction Phase 9
  - 8 Single Family Homes

TIA Full Build (includes TIA Phase 1)

516 Single Family Homes (ITE Land Use Code 210)
42 berths (~63,800 SF) Boat/RV storage (ITE Land Use Code 420)
52,800 square feet of Office Space (ITE Land Use Code 710)
16,000 square feet of Strip Retail (ITE Land Use Code 822)

- Construction Phase 7
  - 60 Single Family Homes
- Construction Phase 11
  - 56 Single Family Homes
  - 42 berths (~63,800 SF) Boat/RV storage
  - 52,800 square feet of Office Space
  - 16,000 square feet of Strip Retail

Below please find the scope to be used for the Traffic Impact Analysis:

1. **Data Collection - Analysis Parameters:**

a) Existing Conditions

i. For existing intersections, provide turning movement counts, including pedestrians for weekday during school (T,W,TH) morning (7:00am-9:00am) and afternoon (4:00pm-6:00pm) peak travel periods. For all signal warrant study locations, please collect 13 hour turning movement counts.

1. US 17 and Topsail Greens Drive/Quarter Horse Lane (signal warrant analysis)
2. US 17 and Topsail Plantation Drive
3. US 17 and Champion Drive/ Pinnacle Parkway (signal warrant analysis)
4. US 17 and SR 1561 (Sloop Point Road)
5. US 17 and SR 1563 (Sloop Point Loop Road)
6. US 17 and NB to SB U-turn located north of SR 1561 (Sloop Point Road)*
7. SR 1563 (Sloop Point Loop Road) and Site Access 1 (northeast of Masters Lane)
8. SR 1563 (Sloop Point Loop Road) and Site Access 2 (northeast of Friendly Lane)

*For this location, evaluate signal needs based on the NCDOT Publication Guidelines for Signalization of Intersections with Two or Three Approaches.

Signal timing plans may be acquired by sending a request to NCDOT Traffic Services.

b) Site Trip Generation, Site Trip Distribution and Background Traffic Assumptions

1. Site Trip Generation Estimate
   Note: Trip generation estimates for Phases 1-6, and 8-9, are required in the TIA documentation. All of these phases have been built out, except for Phase 5, which is under construction. The estimated site trips for the built houses should be removed from existing counts so that they are not double counted in the analysis.

2. Site Trip Distribution
   To be determined based on collected traffic count data.

c) Adjacent Development (approved, but as of yet to be built, developments):
   - Bay Ridge Development (without required improvements)

d) Planned Roadway Improvements
   - U-5732

e) Background Traffic Assumptions
   - Horizon year – 2026
   - Growth rate – 2% per year

2. **Capacity Analysis: Week day AM & PM Peak Hour**

A) Technical Analysis
   i. 2022 Existing
   ii. 2026 Future No-Build
   [Existing + 1% background growth + approved development trips – TIA Phase 1 Site Trips]
   iii. 2026 Future Build Conditions
   [Existing + 1% background growth + approved development trips + TIA Phase 1 & Full Build Site Trips]
   iv. 2026 Future Build Conditions + improvements

3. **Final Report Submittal:**
   a) Completed TIA Application
   b) Electronic copies to include PDF of TIA and Synchro output files.
   c) Synchro analysis files in digital format
   d) Signed and sealed by a Professional Engineer

4. **Notes:**
   a) This scope shall remain valid for three months from the date of this letter.
   b) Please note that if any changes occur (including but not limited to; land use, intensity, phasing, and/or site access) additional analysis may be required.

Please contact me at (910) 473-5130 with any questions regarding this scope.

Sincerely,

Scott A. James, PE
Transportation Planning Engineer
Wilmington Urban Area MPO

Attachments: Traffic Impact Analysis Supplemental Guidelines
Scoping request letter and map (provided by RKA)

ec: Kirsten Spirakis, PE, District Engineer, NCDOT
Doug Racine, Deputy District Engineer, NCDOT
Brad Haste, Assistant District Engineer, NCDOT
Jessi Leonard, PE, Division Traffic Engineer, NCDOT
Stonewell Mathis, PE, Deputy Division Traffic Engineer, NCDOT
Krupa Koilada, Senior Assistant Division Traffic Engineer, NCDOT
Travis Henley, MPA, Planning Director, Pender County
Vanessa Lacer, Planner II, Pender County
Mike Kozlosky, Executive Director, WMPO
Bill McDow, Associate Planner, WMPO
Jamar Johnson, EI, Engineering Associate, WMPO